

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
September 8, 2009

I. CALL TO ORDER

Mayor Rick Owen called the regular meeting of the Beech Mountain Town Council to order at 2:00 p.m. in the Town Hall Council Chambers. Other Council Members present were Gil Adams, Pete Chamberlin, Randy Corn and Alan Holcombe. Also present were Town Manager Randy Feierabend, Town Attorney David Paletta, Public Works Director Riley Hatch, Water/Wastewater Supervisor Robert Heaton, Recreational Director Eric Jelinski, and Special Projects Manager Joe Perry. There were a number of interested parties in the audience.

II. Invocation – Charlie Burleson opened the meeting with a prayer.

III. Pledge of Allegiance – All present joined in the Pledge of Allegiance to the flag.

IV. Adoption of Agenda – The Agenda was adopted as presented.

V. Approval of the Minutes –August 11, 2009 Regular Meeting – Councilman Corn indicated changes to IX. 2 and a grammatical correction in IX. 3. The Council tabled the minutes for review at the October 13, 2009 meeting.

VI. Public Comment – Barry Schorr, 205 Foxgrape Hollow Road, noted that IX. 2 indicated that Fred's sign was 46 sq. ft. and asked if it shouldn't be 96 sq. ft. Mayor Owen indicated that Mr. Pfohl had stated that as his square footage. James True announced that Genesis Wildlife Sanctuary would release a Red-Tailed Hawk on Thursday, September 10, 2009 at 7:00 p.m. at the Beech Alpen Inn Pavilion.

VII. New Business –

- 1. Recreation Center Multipurpose Shelter** – Mr. Jelinski presented the Council with a proposal from the Recreation Committee for a multipurpose shelter at a cost of \$15,000. The monies from the 2010 'A Cool 5' event would be used to reimburse the Town for the expenditure. Councilman Corn asked how much money the event raised this year to which Mr. Jelinski indicated they had a \$15,000 gross amount from the race. Mr. Mike Fischesser, Beanstalk Journeys, presented an expansion design for consideration. After a brief discussion, the Council agreed that the Town needed a long range plan for the recreation area. The issue was tabled for future discussion.
- 2. Mark Lacy & Bill Lester – Hobbs, Upchurch & Associates, PA** – Mr. Bill Lester addressed the Council with an overview of the Rural Center and CWMTF Grant Programs. The Rural Center Grant Program was intended to assist rural communities that are in violation of public health and environmental rules and regulations. Priority is given to projects from economically distressed counties of the state as determined each year by the NC Department of Commerce. Mr. Lester noted that many of the Town deficiencies in the utility systems would meet their criteria including the sanitary sewer overflow at the Grassy Gap Pump

Station, high trihalomethane concentrations in the distribution system, high percentage of water treated versus water sold, the 2" water lines longer than 2,000 feet in length, and hydraulic capacity deficiencies. Mr. Lester reported that a mandatory workshop is being held in Raleigh on Tuesday, September 15, 2009, for anyone in applying for a grant. Mr. Feierabend indicated that he would attend the workshop.

Mr. Lester reported that the Clean Water Management Trust Fund Grant Program, CWMTF, specifically addresses water pollution problems. Funding is for projects that enhance or restore degraded waters, protected unpolluted waters, and/or contribute toward a network of riparian buffers and greenways for environmental, educational, and recreational benefits. To receive funding from the CWNTF the average water and sewer bill must be at least \$70.72 per month. The Town project most likely to receive funding from the CWNTF would be the improvements to the Grassy Gap Pump Station. Mr. Lester indicated that one of the requirements for a grant application is to have a resolution in place for supplemental program authorization and a certificate for minority business participation. Councilman Chamberlin moved to adopt Resolution 01-09-09 'Supplemental Program Authorizing Resolution by Governing Body of the Applicant'. Councilman Holcombe seconded the motion and it passed unanimously. Councilman Chamberlin moved to approve the 'Certification of Minority Business Participation'. Councilman Holcombe seconded the motion and it passed unanimously. Councilman Chamberlin indicated to the Council and audience that the Town did have a 10 year capital improvement plan and asked that the Council consider a review of the plan. Mr. Feierabend was asked to provide copies of the plan to the Council.

3. **2008 Annual Tax Settlement – Missy Norwood** – The annual tax settlement for the Avery and Watauga motor vehicles were accepted as submitted. Mayor Owen asked that the Town settlement be presented.
4. **Charge for 2009 Tax Year – Missy Norwood** – Councilman Corn moved to direct the Tax Administrator to collect the 2009 property tax. Councilman Holcombe seconded the motion and it passed unanimously.
5. **Recycling and Trash Discussion – Riley Hatch** – Mr. Hatch gave an update on the recycling program; Mix paper and #1 and #2 plastics, grocery bags are not recyclable; brown, green and clear glass and corrugated cardboard are included in items for recycling. An area is set aside in the recycling center for white goods and furniture. On Wednesdays the Town has a truck parked in the recycling center for home owners to bring up their construction debris; Mr. Hatch noted that contractors were not allowed to put materials in the truck. Areas are designated for TVs', computer monitors and hard drives. The landfill required that the power cords remain intact. Other items include florescent bulbs which must be placed in a plastic bag, antifreeze, car batteries and used motor oil. The maintenance building uses the oil in their heating system.

VIII. Old Business –

- 1. Staff-HSMM (AECOM) – Preliminary Engineering Report** – Mr. Heaton gave a brief overview of the study of the Town’s water plant upgrades by AECOM WATER USA. Mr. Heaton noted that the Preliminary Engineering Report for the Water Treatment Plant Expansion had a few issues that had not been addressed, such as the backwash and how it affects the TTHM’s. Mr. Heaton indicated that the North Carolina Rural Water Association, NCRWA, would be doing a water loss study at the end of September to assist in cutting down on the Town’s water loss. After the study we should be able to cut production to a lower level. Mr. Heaton reported that the Town had exceeded the limits for the E-COLI due to new LT2 rules from the state. Because of the E-COLI, the state is requiring additional testing of the water source. We must start a new sampling regiment for CRYPTO in the spring of 2010 which will last at least a year and possibility 2 years. After these samples are complete, the Town will be placed into a treatment program by the state. Mr. Heaton and his staff recommended that the Town wait until these two studies are completed to decide how to precede with the Water Plant upgrades.
- 2. Fire Department Position Update** – Councilman Corn reported that the Working Fire Captain had been filled, however the individual that had accepted the position encountered a delay of 6 months or so in starting the job. Councilman Corn noted that the 2nd position, Driver/Operator, could be funded in the current budget and suggested filling the position. Councilman Corn also noted that there would also be funds from the delayed starting of the 1st position. Mayor Owen questioned the hiring of the Driver/Operator prior to the starting of the Working Fire Captain. Councilman Corn indicated that the Working Fire Captain would be instrumental in hiring the additional employee. Councilman Chamberlin stated that the fire department had a sufficient number of projects for a 2nd employee and it would take 8 to 10 weeks to find a suitable candidate. Mayor Owen noted that Councilman Chamberlin and Councilman Corn were on the board for the volunteer fire department and asked about the fund raising events and contributions. Councilman Chamberlin reported that attendance to the annual fund raiser was down significantly. Councilman Holcombe indicated that he was more comfortable with the selection process knowing that the Working Fire Captain would be assisting. After further discussion, Councilman Corn moved to authorize the hiring of the Driver/Operator for the Volunteer Fire Department. Councilman Chamberlin seconded the motion. The motion carried 3 to 2 with Councilman Chamberlin, Councilman Corn and Councilman Holcombe voting yea. Councilman Adams and Mayor Owen voted nay.
- 3. Lake Coffey Dam Update** – Mr. Feierabend reported that he had an update from Michael Goliber, Engineer with Davis Martin Powell, on the Lake Coffey Dam project. Mr. Goliber indicated that the firm had submitted final plans and flow calculations to the state for preliminary review on August 20 2009. Mr. Steve McEvoy is the contact person with DMP and the state for the project. Mr. Goliber indicated that DMP is awaiting final approval, at that time the project

will go out for bid. Mr. Feierabend indicated that he would be in Raleigh next week and would try to meet with Mr. McEvoy regarding the project.

4. ***Greenbriar Road Improvements*** – Mayor Owen referred to an update letter from Mark Lacy, EI with Hobbs, Upchurch and Associates dated April 2, 2009. The update noted crushed and broken pipes as well as manholes that needed repairs on Greenbriar Road. Two alternatives were outlined with estimated project cost of \$299,000 or \$367,000. Councilman Chamberlin noted that the prioritization of current needs as indicated by the firm placed the project 14th on a list of 16. Councilman Chamberlin stated that Phase II was more urgent and the water loss study was needed. Councilman Corn indicated that he had originally proposed the paving of Greenbriar Road because it was a heavily traveled road and he saw it as the next paving project in order to keep the Town competitive. Mr. Lacy noted that a number of the manholes were buried below the surface and it would not be advisable to raise them before the road was ready to be paved. Councilman Corn expressed his concerns that the engineering work not have to be repeated. Mr. Chamberlin moved to proceed forward with the repairs to crushed and missing sewer lines. Mr. Corn seconded the motion and it passed unanimously.
5. ***Update on Phase I & Phase II-A and II-B*** – Mr. Feierabend indicated that he was waiting on the water loss study. Councilman Chamberlin inquired about the Phase I status to which Mr. Lacy indicated that it was complete. Councilman Chamberlin noted the Phase II-A project and noted that decision regarding the phase should be after the water loss study. Mr. Lacy indicated that the work could not start until the spring. Mayor Owen requested a cost estimate be given to the council. Mr. Lacy indicated that Phase II-B had not had the camera work done on it. Councilman Chamber suggested it be placed in the grant Mr. Lester had mentioned earlier. Mr. Hatch reported that the water loss study was scheduled for the 3rd week in September.
6. ***Next Waterline Project*** – The discussion was tabled.

IX. Town Manager's Report – Mr. Feierabend reported that he had been working with a committee, Interim Finance Officer Mr. Wilcox, Public Works Director Mr. Hatch, and Mr. Gsteiger who is a property owner in Town, to discuss the utility rates. The staff is currently working on the rate schedule revisions. Mr. Feierabend noted that the Pinnacle Inn was no longer delinquent in their utility payments and the billing had been corrected to show the correct charges.

X. Staff Reports – Mayor Owen asked if the staff reports should be moved up to the top of the agenda so staff would not have to attend the entire meeting. After a brief discussion, the Council agreed to consider the proposal and report back to Mr. Feierabend. Councilman Chamberlin asked Mr. Heaton about the violation at the Pond Creek Waste Water Treatment Plant. Mr. Heaton indicated that it a result of ammonia levels and waste run off in the water supply. There were no other questions relating to the reports. The reports were accepted as submitted.

XI. Closed Session – Councilman Holcombe moved to go into Closed Session at 5:45 p.m. Councilman Chamberlin seconded the motion and it passed unanimously. Councilman Corn moved

to come out of Closed Session at 6:12 p.m. Councilman Chamberlin seconded the motion and it passed unanimously. No action was taken.

XII. Other Business – There was no other business to come before the Council.

XIII. Adjourned – Councilman Corn moved to adjourn the meeting at 6:15 p.m. Councilman Chamberlin seconded the motion and it passed unanimously.

Minutes approved by Town Council on October 13, 2009.

Mayor

ATTEST:

Town Clerk