

MINUTES  
BEECH MOUNTAIN TOWN COUNCIL  
January 13, 1998

CALL TO ORDER

Mayor Tim Holland called the regular meeting of the Beech Mountain Town Council to order at 6:05 PM. Other Council Members present were Rick Owen, Reub Mooradian and Jim Herbert. Council Member Ed Waligroski was absent. Also present were Town Manager Seth Lawless, Town Attorney David Paletta, Public Works Director Joe Perry and Chief of Police Jay Hefner. There were a number of interested parties in the audience.

*Invocation - Pastor Hayst Harrold.*

The meeting was opened in prayer by Pastor Hayst Harrold.

*Pledge of Allegiance to the Flag.*

Those present joined in the pledge of allegiance to the flag.

*Public Hearing, Proposed Amendment to Zoning Ordinance.*

Mayor Holland explained that the proposed amendment involved adding the Subdivision Regulations and Sign Ordinance to the Zoning Ordinance, but did not involve any changes in the regulations themselves. He noted the amendment had been suggested by the Town Attorney, and had been unanimously approved by the Planning Board. David Paletta indicated this combining of regulations was a current trend, enabling citizens to find everything regarding land use in one place. There were no comments from the public. Reub Mooradian moved the Public Hearing be closed. Rick Owen seconded the motion, which passed unanimously. The Public Hearing was closed at 6:07 PM.

1. *Adoption of Agenda.*

Several items were added under other business: (a) Consideration of dates for the spring Hillclimb; (b) Consideration of a bridge inspection agreement; (c) CDBG paper work; and (d) Consideration of Bids on Sand Truck. Rick Owen moved the agenda be approved as revised. Reub Mooradian seconded the motion which passed unanimously.

2. *Consider Approval of Minutes, December 9, 1997.*

Reub Mooradian moved the minutes of the previous meeting be approved as submitted. Rick Owen seconded the motion and it passed unanimously.

3. *Committee Reports.*

There were no committee reports.

4. *Old Business:*

- a. *Consider Amendment to Zoning Ordinance.* Rick Owen moved the Zoning Ordinance be amended as proposed. Jim Herbert seconded the motion which passed unanimously.

MINUTES - BEECH MOUNTAIN TOWN COUNCIL

January 13, 1998

5. *New Business:*

- a. *Consider Tax Releases.* Reub Mooradian moved the tax releases be approved as submitted. Rick Owen seconded the motion and it passed unanimously.
- b. *Consider Offer to Donate BB-40 to the Town.* Rick Owen moved the Town accept the offer to donate BB-40. Jim Herbert seconded the motion and it passed unanimously.
- c. *Consider Audit Contract with Holder, Copeland & Associates.* Seth Lawless referred to the proposed contract which had been included in the agenda packet. He noted that Holder, Copeland have asked for an approximately \$200 increase in their fee. Their increase is due to their raising their hourly rate from \$30 to \$31. Rick Owen moved the contract be entered into with Holder, Copeland and Associates for the 1997/98 Audit. Reub Mooradian seconded the motion and it passed unanimously.
- d. *Consider Time and Location of Planning Retreat.* Mayor Holland said he hoped the Council would wish to continue these planning retreats, as they have proved most helpful. Reub Mooradian suggested the first Friday in April (April 3rd), to which everyone agreed. Mr. Mooradian also indicated his preference for the Glendale Springs locale as opposed to Valle Crucis, and Rick Owen agreed. The consensus of the Council was to shoot for Glendale Springs unless someone comes up with another place closer in the next few days. Mayor Holland asked if Council could be provided with the previous Five Year Plan for their review prior to the retreat.

6. *Staff/Consultant Reports.*

- a. *Town Engineer's Report.* Mr. Powell was not present but Mr. Lawless indicated the final punch list on the Grassy Gap Wastewater Plant expansion had been completed, and the engineers will be inspecting it later in the week.
- b. *Public Works Director's Report.* Mr. Perry had no report. Mayor Holland congratulated Mr. Perry on the good work his crews had done during the recent snow storm.
- c. *Town Attorney's Report.* Mr. Paletta reported that the matter between Mr. Gottfried and the Town had been resolved by an agreement which allows the Town Manager to take action if there is a future problem. Mr. Mooradian said he would be watching the situation, since he visits that area several times each month. Mr. Paletta reported there had been one foreclosure proceeding, and that the property had been purchased by another individual.
- d. *Chief of Police's Report.* Chief Hefner had no report. Mayor Holland complimented Chief Hefner on his new report, but asked if it could not be shorter. Reub Mooradian suggested it at least be printed front and back in the future. Mayor Holland also complimented Chief Hefner on the good work his personnel had done during the recent snow storm.
- e. *Town Manager's Report.* Mr. Lawless reminded Council of the up-coming school for newly elected officials. He reported the new computer system is mostly up and running. He announced that Mr. Wakeman had withdrawn his request for the extension of water down West Blueberry Lane, so the Town Engineer had been instructed not to continue with any plans for the work.

Mr. Lawless reported that Carl Peterson had finished his final draft of the plans for the Public Works garage to include changes the Council had asked for. The project should be ready to be sent out for bids within a few weeks.

Mayor Holland noted that no "Parking for Town Business Only" signs had been erected in front of the Town Hall, and that all spaces had been taken by sledders during the Christmas/New Years week. He suggested that if the signs cannot be found new ones be ordered.

- f. ***Building Inspections Report.*** There were no comments on the report.

7. ***Other Business:***

- a. ***Consider Dates for the Spring Hillclimb.*** Reub Mooradian moved Resolution 98-01-05 be adopted, espousing holding the spring Hillclimb at Beech Mountain May 2 and 3, 1998. Rick Owen seconded the motion and it passed unanimously.
- b. ***Consider Bridge Inspection Agreement.*** Mr. Lawless reported that the Department of Transportation has again asked the Town to participate in the federal bridge inspection program. The DOT will do the inspection and the Town will be responsible for paying for 20% of the costs, which ran about \$273 the last time it was done. Rick Owen moved Resolution 98-01-01 be approved. Jim Herbert seconded the motion and it passed unanimously.
- c. ***Community Development Block Grant Paperwork.*** Mr. Lawless explained that the funds being released to the Town for repairs following the 1995 flooding stem from HUD, which requires various resolutions and agreements be executed, mostly concerning non-discrimination and low/moderate income home replacement or repair, none of which will apply to Beech Mountain. Reub Mooradian moved all seven documents be approved as presented. Rick Owen seconded the motion and it passed unanimously.
- d. ***Consider Bids on Surplus Sand Truck.*** Mr. Lawless reported that the second bid opening had resulted in three bids, none of which equalled what was considered to be a good price for the vehicle. He noted he had been approached by an individual offering several hundred dollars more (but who did not participate in the bidding), and also that West Jefferson may be interested since they currently spread sand by shovel from the back of a truck. He suggested Council reject all bids and allow him to negotiate a private sale of the truck.

Reub Mooradian asked if it was legal for the Town to reject all the bids since the statement "the Town reserves the right to reject all bids" had not appeared in the advertisement for bids. David Paletta stated none of the statutes concerning sale of property specifically says that phrase must be in the advertisement, and it is his opinion that the Town always has the right to reject any or all bids. Mr. Mooradian suggested the individual who had tendered the high bid be included in the negotiations, since he may wish to outbid another bidder. Rick Owen moved all bids be rejected and that Resolution 98-01-04 be adopted allowing sale of the vehicle by private sale. Jim Herbert seconded the motion and it passed unanimously.

Norma Buchanan asked that all correspondence sent to the Board of Adjustment and Planning Board refer both to the street address of properties and the legal address. Reub Mooradian noted there are still a number of homes without street addresses. Mayor Holland asked anyone who notes such a situation to report it to Don Fulkerson.

MINUTES - BEECH MOUNTAIN TOWN COUNCIL

January 13, 1998

ADJOURN

There being no further business to come before the Council, Reub Mooradian moved the meeting be adjourned. Rick Owen seconded the motion and the meeting was adjourned at 6:55 PM.

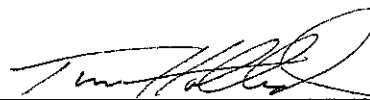
Respectfully submitted,



Barbara L. Mooradian  
Town Clerk

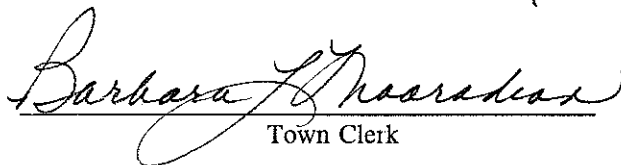
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Minutes approved by Town Council on February 10, 1998.



Mayor

ATTEST:



Town Clerk