

**MINUTES**  
**BEECH MOUNTAIN TOWN COUNCIL**  
**Regular Meeting December 8, 2009**

***I. CALL TO ORDER***

Mayor Rick Owen called the Regular Meeting of the Beech Mountain Town Council to order at 6:00 p.m. in the Town Hall Council Chambers. Other Council Members present were Alan Holcombe, Cindy Keller, Rick Miller and Paul Piquet. Also present were Town Manager Randy Feierabend, Town Attorney David Paletta, and Public Works Director Riley Hatch. 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 Pledged of Allegiance to the flag.

***IV. Selection of the Mayor*** – Councilman Holcombe nominated Rick Owen for Mayor. Councilman Piquet seconded the motion and it passed unanimously. Councilman Holcombe moved to close the nominations. Councilman Miller seconded the motion and it passed unanimously.

***V. Selection of the Vice-Mayor*** – Councilman Holcombe nominated Paul Piquet for Vice-Mayor. Councilman Miller seconded the motion and it passed unanimously. Councilman Holcombe moved to close the nominations. Councilman Miller seconded the motion and it passed unanimously.

***VI. Adoption of Agenda*** – The Agenda will stand as presented.

***VII. Approval of the Minutes November 10, 2009 Regular Meeting*** – Mayor Owen noted that the Greenbriar Infrastructure Improvements project amount was \$89,000. Councilperson Keller asked if further explanation of Old Business, the water and sewer rate proposal, needed further explanation. Water Rate Committee member, Mr. Urs Gsteiger indicated that it was for combined rates, water and sewer. Mayor Owen agreed. Councilperson Keller indicated that she was ok with the wording. Councilman Miller asked who seconded the Greenbriar infrastructure repairs. Councilman Miller moved to approve the minutes as amended. Councilman Holcombe seconded the motion and it passed unanimously.

***VIII. Public Comment*** – Mr. Vern Holland, Holland Realty 1004 Beech Mountain Pkwy., addressed the issue of the deer and bear population on the mountain. Mr. Holland indicated that he had counted 75 deer from the # 4 tee to the 13<sup>th</sup> tee on the east side of the golf course. Mr. Holland felt that the Council should address the problem and suggested not feeding of the deer. Mr. Holland noted that the bears were also a problem, they continue to raid the garbage, and one solution would be for individuals to put their trash out the morning their trash is to be pickup. Mr. Holland suggested notification of the proposed plan could be printed on the utility bills. Mr. Holland also noted that his secretary had 36 dogs; her husband had volunteered to bring up 5 or 6 dogs at a time to help train the dogs and to harass the bears. The bears would not be killed; they would be encouraged to leave the area because of the dogs.

Michele Gipson, 360 Locust Ridge Road, agreed that the bear were a problem, however they had solved the trash issue by not putting out any trash, taking the trash to the recycling center had stopped the bear. Ms. Gibson also noted that she was opposed to killing the deer, also noting that not feeding the deer in the Town limits would help with the problem.

**IX. New Business –**

- a. Employee Recognition Resolution 01-12-09 – Dolin Carpenter** – Mayor Owen announced that Assistant Public Works Director, Dolin Carpenter, was retiring after 42 years of service to Beech Mountain. Mr. Carpenter started with Carolina Caribbean and continued his service to the Town when it was incorporated in 1981. Councilman Holcombe moved to approve Resolution 01-12-09 Honoring the Service of Dolin Carpenter. Councilman Piquet seconded the motion and it passed unanimously. In addition to the Resolution, Mr. Carpenter was presented with a plaque. Mr. Carpenter thanked everyone for their support.
- b. Arbor Day Proclamation** – Mr. Feierabend indicated that the Town was continuing to work towards becoming a “Tree City, USA”. As part of the requirements, the Town must pass a formal proclamation celebrating Arbor Day. Councilman Piquet moved to approve the Proclamation proclaiming the last Friday in April as Arbor Day. Councilman Miller seconded the motion and it passed unanimously.
- c. Fire Department Grant Request – Chief Jim Brooks, Beech Mountain Volunteer Fire Department** –Mr. Brooks noted that in 2008 that the Town had commissioned the NC League of Municipalities to conduct a Feasibility Study for the Fire Department. Springsted Incorporated, under contract to the League, completed the study. As a result of the study the Town Manager and the BMVFD Fire Chief worked together to develop a job description for a full-time Town employee to work with the Fire Department. The Town had hired Mr. Bob Pudney III as the working captain. Mr. Pudney is the Chief of the Plantation, Florida Fire Department and can not start work with the Town until his retirement on February 27, 2010.

Mr. Brooks gave an overview of the two Homeland Security grant programs, referred to as SAFER grants, for hiring firefighters, indicating that applications must be submitted by December 18, 2009 and grant approval begins in September of 2010. The department can apply for both grants. The “Staffing for Adequate Fire and Emergency Services’ would pay the entire cost of a staff position for up to 56 hours per week for two years, if the applicant agrees to continue the position for a third year. This position can be filled with part time or full time personnel. The second grant “Recruitment and Retention of Volunteer Personnel’ would propose a stipend program that the grant would pay for entirely the first two years and the BMVFD would pay for the subsequent years. Mr. Brooks estimated that a stipend program would be \$25,000. The Fire Department would pay for the program out of reserves if the Town would pay for the first and second hire and continue to consider the recommendations of the Springsted Plan for future Fire Department operations. Mr. Brooks, on behalf of the BMVFD, asked the Council to add the second hire into next year’s budget, beginning after the grant approvals are finished next fall. If the fire department is awarded a SAFER Staffing grant, the Town would be committed to pay the third year of cost for this

driver/operator position and any subsequent years for the life of the position. With the Council's approval, the BMVFD would like to apply for both grants. Mr. Brooks noted that the Springsted Plan and the department's job descriptions are on line for review. Mr. Brooks noted that the required number of fire department members for the Town was 28 because we have two stations; this is the current number of members.

Mayor Owen asked if applying for the grant committed the Town to accept, if approved. Mr. Brooks indicated that the department had the opportunity to decline the grant if approved, however the department and the Town work together on decisions. Mr. Brooks indicated that the Council could back out at anytime. Councilman Piquet stated that he liked the time line of having the employee hired first to be on staff prior to another position being filled and did not see a down side to the grant application. Councilman Miller asked about the approximate cost to the Town for the third year salary. Mr. Brooks indicated it would be approximately \$31,000 plus benefits. Mr. Feierabend noted that it would be in the mid \$40,000 range. We are not looking for someone who is getting training on our time. Mr. Brooks noted that the Boone Department had employees who worked 24 hour shifts and their Chief had indicated that some of them would probably be interested in some part time work, which he did not have any objections to. Councilman Piquet made a motion to support the fire department in filing for the grants with the understanding that the Town does not have to commit to acceptance. Mayor Owen seconded the motion and it passed unanimously. Mr. Brooks indicated that the department had a meeting scheduled December 16, 2009.

- d. *Tourism Development Request –TDA Chairperson Charlie Burleson*** – Mr. Burleson addressed the Council with a request for consideration of the Town returning approximately \$25,000 of Occupancy Tax revenue retained by the Town. The revenue would be to operate a ski shuttle and to pay for web page improvements. Mr. Burleson reported that the Authority had worked with an advertising agency, Tombras, during which time the agency had worked on the web page. After a change in advertising agencies, the representative for Tombras indicated that she would continue to work with the Authority to complete the site revising the portal page, at no additional cost to the Authority. The agency did not complete the work as indicated. The new marketing agency Gotham Marketing, quoted a cost of approximately \$10,000 to \$15,000 to set up the portal page, an amount that the Authority had not budgeted. Mr. Burleson noted that for the past two years the Authority and the Chamber of Commerce had initiated a distinction between the Authority site and the Chamber's web site. The Authority's portal page would direct lodging inquiries to the rental companies on the mountain, not just the Chamber of Commerce members. Mr. Burleson noted that the Authority was working with the visitnc.com group consisting of 9 other TDA's in the area, Grandfather Mountain and Tweetsie Railroad for advertising. The visitnc.com site would include Beech Mountain; the site would be advertised on billboards and radio ads. The group would also have advertising in the 2 major magazines and the cost for all this was \$8,800. After a brief discussion, Councilman Miller indicated that he would support \$10,000 for the web site. Councilman Holcombe indicated that he felt the request for web site monies and the bus shuttle should be separated for consideration. The Council agreed to table the shuttle service for later discussion. Councilperson Keller asked if the monies could be loaned to the Authority. Councilman Piquet asked about the use of reserve monies for the web site and also indicated that he felt the Authority had to work

within their budget based on the amount of Occupancy Tax dollars collected and should not be supplemented by monies from the General Fund. Mr. Burleson indicated that the Authority would have to use reserve money to continue through the fiscal year. Mayor Owen indicated that any official TDA request for funds is tax dollars, which he felt should not be taken from the General Fund.

Mr. Burleson addressed the second part of the TDA's request which would be used for a shuttle bus service. Mr. Burleson reported that the resort had approached the Town with a request for assistance in organizing a set schedule shuttle bus program, indicating that they were not financially able to continue the service at the level they had provided in the past. Mr. Burleson reported that the BMRI staff had worked with the TDA, the merchants and property managers to develop a shuttle route serving the area from Archer's Inn to the Mariah/Northridge condominium area. Mr. Burleson indicated that he had chaired the group which also included Mr. Feierabend and Jes Scott. The group had discussed a trial basis through the upcoming holiday season with a review after the 1<sup>st</sup> of the year. Local businesses have currently pledged \$3,300 toward the shuttle. Mr. Burleson indicated that the reserve funds would be necessary to make it through the fiscal year. Mr. Fred Barth, owner of Top of the Beech and the Beech Alpen Inn, indicated that he had received excellent service from the resorts shuttle program. It was noted that the resort would have shuttle service, though less than in years past. Councilperson Keller indicated that she felt the web site would be more valuable to the Town than the shuttle service at this point. After much discussion over the funds, cost of the shuttle and cost of the web site, Councilman Holcombe moved to table the discussion. Mayor Owen seconded the motion and it passed unanimously. Mayor Owen thanked the individuals involved in the planning process for their assistance. Council Holcombe asked to be excused from the meeting. Councilman Piquet moved to excuse Councilman Holcombe from the meeting at 7:30 p.m. Councilman Miller seconded the motion and it passed unanimously.

**X. *Old Business* –**

- a. *Committee Appointment Update*** – Mayor Owen noted that a number of committee terms were up for appointment. The Council had postponed making appointments to any of the committees because the majority of the Council would be new. Councilman Piquet agreed with the exception of the Board of Adjustment because they will meet before the Council meets again. Mr. Knepka should be moved up from the Alternate position. Councilman Piquet moved to reappoint Bernie Knepka and Ron Nichols. Mayor Owen seconded the motion for discussion. Mayor Owen asked if the Council always moved the Alternate to which Councilman Piquet noted that they did. Councilman Piquet indicated that Mr. Knepka was the 1<sup>st</sup> alternate, Cindy Giarrusso was the 2<sup>nd</sup> and Urs Gsteiger was the 3<sup>rd</sup>, in the past the 1<sup>st</sup> Alternate is moved up to the Board. Mayor Owen asked who selected the chair to which Councilman Piquet indicated that the committee members did. The motion passed unanimously. Mayor Owen noted that the Planning Board, TDA, Recreation Committee and the Tree Board had terms expiring. Mayor Owen indicated that he would like to see Councilperson Keller continue to serve on the Tree Board. Councilperson Keller indicated there was some question as to the continuation of the Board. Mr. Burleson asked about appointments to the TDA to which it was indicated that both Calder Smoot and Fred

Barth were agreeable to reappointment to the TDA. The TDA will meet on December 23, 2009 at 9:30 a.m., 1 week earlier due to the holidays. Councilman Miller recommended Gil Adams as his replacement on the Authority as the non business member.

**XI. Town Manager's Report** – Mayor Owen noted that Mr. Feierabend kept the Council members up to date on Town activities via e-mail and individual mail slots. Councilperson Keller noted that the agenda packets were highly informative and asked if they could be made available for review on the web site. Mr. Feierabend noted that the Council should receive the packets for review before the public. Councilman Miller recommended that the winter season meetings remain at 2:00 p.m. and perhaps change the summer meeting to 6:00 p.m., all agreed.

**XII. Staff Reports** – Mayor Owen noted that the staff reports were in the packets. There were no questions with regards to the reports.

**XIII. Closed Session** – Mayor Owen indicated that there was no business to be discussed in closed session.

**XIII. Other Business** – Councilman Miller asked if the suggestion of having dogs brought upon the mountain to discourage the bears should be considered. Mayor Owen asked that Mr. Feierabend look into the suggestion. Councilperson Keller noted that if the garbage pickup were done away with that the bear problem would improve. Mr. Brooks indicated that a large number of homes were rented and felt the renters would not take their trash to the recycling center. Mr. Brooks recommended that the pick up schedule be changed to accommodate the areas most used in the holiday season.

**XIV. Adjourned** – Councilman Piquet moved to adjourn the meeting at 8:00 p.m. Councilman Miller seconded the motion and it passed unanimously.

Minutes approved by Town Council on January \_\_\_\_, 2010.

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Mayor

ATTEST:

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Town Clerk

