

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
April 14, 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 E. Feierabend, Town Attorney David Paletta, Public Works Director Riley Hatch, Tax Administrator Missy Norwood, Finance Officer Tabitha Estep, Directions of Inspections Stan Hanna and Joe Perry. There were a number of interested parties in the audience.

II. Invocation – Charlie Burlison 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 approved as amended.

V. Approval of the Minutes – March 10, 2009 – Councilman Corn indicated that the March 17, 2009 Reconvened meeting should reflect the Council’s decision to offer Randy Feierabend the position as Town Manager, at that time the meeting was recessed until March 23, 2009 at 3:00 p.m. Having no items for discussion, the Council did not hold the March 23, 2009 meeting. Councilman Chamberlin moved to adjourn the Regular Meeting of March 10, 2009 on April 14, 2009 at 2:15 p.m. as amended. Councilman Corn seconded the motion and it passed unanimously.

VI. Public Comment –

- a.** One of the Town residence expressed his concerns over the reported drinking water issues. Mayor Owen noted that the issue would be addressed during the Town Managers report.

VII. Persons to Address the Council – Item removed from agenda.

VIII. Old Business –

1. Deed – Louis & Cindy Manilove – Mr. Paletta reported that he had prepared the deed for the Manilove’s purchase property at 138 Hawthorne Road. Councilman Holcombe moved to accept the Deed as presented. Councilman Corn seconded the motion and it passed unanimously.

2. Fire Department – Employment Position – Councilman Corn reported that the Beech Mountain Volunteer Fire Department has spent a great deal of time in the preparation of the job description for the staff position. The exact title and pay scale is yet to be determined. After a brief discussion, Councilman Corn moved to accept the job description as presented. Mr. Feierabend was asked to review the salary grade with a range from 16 to 18. Councilman Chamberlin seconded the motion. The motion passed

unanimously. Councilman Corn indicated that the department was currently working on the job description for the part time employee.

IX. New Business –

- 1. Utility Report – Joe Perry** – Mr. Perry reported that Hobbs, Upchurch & Associates, P.A. had a first draft of the Preliminary Engineering Report for the Water and Sewer project. The Council agreed to continue the discussion in closed session.
- 2. Zoning Ordinances – Tree Board** – Mayor Owen noted that the Tree Board Members had proposed amendments to Section 1114, referencing the cutting of trees. Councilman Corn indicated that he approved of the changes; Councilman Adams felt the \$5,000 deposit recommended prior to clearing of property would be difficult for individuals to come up with. There was further discussed on the issue of brush piles. The Council asked Mr. Feierabend and Mr. Paletta to review the recommendations before sending them on to the Planning Board, noting that the Board met the 1st Tuesday at 9:00 am. Councilman Chamberlin and Councilman Corn indicated they would be available for input.
- 3. Resolution 01-04-09 – Emergency Management** – Councilman Holcombe moved to approve Resolution 01-04-09 North Carolina Statewide Emergency Management Mutual Aid and Assistance Agreement. Councilman Corn seconded the motion and it passed unanimously.
- 4. Resolution 02-04-09 – Participation of Minority Businesses** – Councilman Chamberlin moved to approve Resolution 02-04-09 Resolution Establishing Goal for Participation of Minority Businesses in Building Construction Contracts. Councilman Holcombe seconded the motion and it passed unanimously.
- 5. Buckeye Lake Protection Ordinance** – Mr. Perry indicated that the Division of Environmental Health felt that the previous Ordinance dealing with the restrictions for Buckeye Lake did not meet their qualifications. Mr. Paletta was asked to review the issue and report back to the Town Council.
- 6. Set Date for Planning Retreat** – After a brief discussion, the Council agreed to hold the yearly Planning Retreat on April 27, 2009, at 9:00 am at the Buckeye Lake Recreation Center.
- 7. Discussion – Charter Hills Electric Service** – Councilman Holcombe indicated that the Charter Hills area had been experiencing numerous electric outages. Mr. Perry reported that he had spoken with Mr. Danny Cuthbertson of Mountain Electric; Mr. Cuthbertson was aware that the area was in need of some right of way clearing. The schedule for the clearing was 1 to 2 months for the work to begin. Mr. Cuthbertson also indicated that he would meet with the Town officials regarding the issue.

X. Town Manager's Report –

1. Mr. Feierabend had no report.

2. Drinking Water – Mr. Perry reported that the Town had send a notice to the utility customers indicating that the contaminants test exceeded the state maximum level (MCL) for Haloacetic Acids (HAA) of 0.063 mg/L, the maximum standard is 0.060 mg/L. The Town will be retesting the water in mid May.

XI. Closed Session – Councilman Chamberlin moved to go into Closed Session at 3:25 p.m. under G.S. 143-318.11(a) (6) to discuss personnel matters and G.S. 143-318.11(a) (3). Councilman Holcombe seconded the motion and it passed unanimously. Councilman Chamberlin moved to come out of closed session at 4:50 p.m. Councilman Holcombe seconded the motion and it passed unanimously. No action was taken.

XII. Other Business –

1. Approving Managers Contract – Councilman Corn moved to approve the contract for Mr. Feierabend as presented. Councilman Holcombe seconded the motion and it passed unanimously.

XIII. Adjourned – Councilman Corn moved to adjourn the meeting at 5:05 p.m. Councilman Chamberlin seconded the motion and it passed unanimously.

Minutes approved by Town Council on May 12, 2009.

Mayor

ATTEST:

Town Clerk

BEECH MOUNTAIN TOWN COUNCIL
ADENDUM TO THE MINUTES
April 14, 2009

X. 2. *Drinking Water* –

Councilman Chamberlin addressed some concerned citizens who expressed a fear of our Towns' water quality due to two letters put out in the past couple of years. Those letters were mandated by the state if certain levels of water tests show the water to be above certain limits. The letter release about two years ago turned out to be an error made by the independent laboratory that runs the periodic tests on our water. The state makes you put out the letter before you even find the cause or source of the contaminate exceeding the federal standard. There never was a limit that had been exceeded two years ago.

With regard to the recent letter mailed with your water bill, again the state tells you how that letter must be worded, and they do not allow you to tell the water customer that 1. The levels for HHA are now .06 as of about a year ago. They used to be .1 for several years, and before that even higher. 2. The state does not allow you to tell the customer that you would have to drink in excess of 3 million gallons for the hazard to become possible. Councilman Chamberlin further stated that doing a little math will show that if you drank a gallon per day that would equate to 365 gallons per year, 36,500 gallons in 100 years. So even though we exceeded the limits of the .06 (I think we were at .064) you can now understand the reality of such warnings. What we have done is ask the state for assistance in finding a way to treat the raw water from Buckeye in a manner that will not produce HHA's in excess of the new limits. By the way, the limit of .06 is a yearly average. It's always a low percent in the water and high in the summer.

There is a lot of fear being spread by rumors that we have a water problem. If you will consider two things you will find there is nothing wrong with our water. One thing to consider is the water itself, and the second is the distribution. The problems are with the water distribution system, and that is the reason you hear so much about water right now. We are replacing/upgrading a lot of pipes in the ground with larger diameter. We are also in process of replacing a lot of water meters too.