

**MINUTES**  
**BEECH MOUNTAIN TOWN COUNCIL**  
**May 12, 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, Police Chief Jay Hefner, Finance Officer Tabitha Estep, and Special Projects Manager Joe Perry. There were a number of interested parties in the audience.

**II. Invocation** – Jay Hefner 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 – March 10, 2009, April 14, 2009 and April 27, 2009** – Councilman Corn moved to approve the March 10, 2009 and April 14, 2009 Regular meeting minutes and the April 27, 2009 Special Meeting minutes as amended. Councilman Holcombe seconded the motion and it passed unanimously.

**VI. Public Comment** – Renee Castiglione, 104 Wild Turkey Lane, addressed the Council on behalf of the Tree Board. Mrs. Castiglione indicated that arborist Tony Hunter would be going around the mountain to check the conditions of the trees and asked if the trail maintenance crew could assist with the trail areas. Mrs. Castiglione also reported that the Board had prepared the information to be placed on the web site.

**VII. Persons to Address the Council** – Mr. Reub Mooradian, 126 Cherrybrook Lane, addressed the Council as caretaker for two property owners that received high utility bills. Ginny Burton, 412 St. Andrews Road, had a break in the line and 534,200 gallons went through the meter. CB Asking, 121 Skiway Circle, had a water line break under the foundation resulting in a loss of 455,600 gallons of water. After a brief discussion, Councilman Corn moved to reduce the utility bills for both Mrs. Burton and Mr. Asking 50% from the original amount billed. Councilman Adams seconded the motion and it passed unanimously.

**VIII. Old Business** –

**1. Viper Radio Tower – State Highway Patrol** – Councilman Chamberlin moved to approve the lease for property located at 101 Water Tank Road, for a radio tower up to 100' in height after Mr. Paletta reviews the contract. Councilman Holcombe seconded the motion. Councilman Chamberlin noted there would not be a charge for the Town to use the tower for additional antenna services. The motion passed unanimously.

**2. Buckeye Lake Resolution 01-05-09** – Mr. Perry reported that the state had requested that the Town pass a resolution, indicating that the ordinance recently passed was not

sufficient. Councilman Holcombe moved to approve Resolution 01-05-09. Councilman Chamberlin seconded the motion. The motion passed unanimously.

**3. Budget Amendment** – Councilman Corn moved to approve the Budget Amendment transferring funds from the water administration to the water department for the Summit area pump and valve maintenance. Councilman Holcombe seconded the motion and it passed unanimously.

**IX. New Business –**

**1. William Clayton – ACEOM, formerly HSMM** – Mr. Clayton presented the Council with a preliminary engineering report on the Buckeye Lake Water Treatment Plant at 208 Grassy Gap Creek Road. The report covered the various alternatives and design criteria and estimated cost. After a brief presentation, Mr. Paletta indicated concerns with the report. The Council agreed review the report and contact Mr. Clayton at a later date.

**2. Road Name Request – Pete Sample** – Mr. Sample had submitted a request to the Council for a road name for the ‘driveway’ for three lots, D-123, D-124 and D-125, located off East Blueberry Lane. After a brief discussion, the Council asked that Mr. Feierabend have Mr. Hanna review the ordinance and law referencing the issue. No further action was taken.

**3. Police Department Grant** – Chief Heffner reported that the department would like to apply for a Criminal Justice Improvement grant in the amount of \$11,400. The grant does not require matching funds. After a brief discussion, Councilman Chamberlin moved to approve the grant application. Councilman Adams, seconded the motion. Councilman Holcombe and Mayor Owen voted yea. Councilman Corn voted nay. The motion passed 4 to 1.

**4. Fire Department – Radio Supervision Upgrade** – Councilman Chamberlin reported that the Volunteer Fire Department had voted to upgrade the radio system currently in use. Councilman Chamberlin noted that the upgrades would be an asset when ratings were reviewed. After a brief discussion, Councilman Corn indicated that the Town should pay for such upgrades and moved that the Town pay for one-half of the expense for the system upgrades. Councilman Holcombe seconded the motion and it passed unanimously.

**X. Town Manager’s Report** – Mr. Feierabend presented the budget message and Administration Budget for fiscal year 2009-2010. Mr. Feierabend indicated the proposed tax rate would remain at 64¢ per \$100 of value, the rate is based on a valuation of \$564,837,782 and a 96% collection rate. General Fund expenditures are projected to be \$4,243,077, a decrease of approximately \$491,000 less than the prior fiscal year. The proposed budget does not include a cost of living increase or pay increase for any employee. After a brief discussion, Councilman Corn moved to set the Public Hearing on the budget for Tuesday, May 26, 2009 at 6:00 p.m. and budget workshops to be held May 21, 2009 at 6:00 p.m., May 26, 2009 at 6:05 p.m. and June 2, 2009 at 6:00 p.m. in the Town Hall Council Chambers. Councilman Chamberlin seconded the motion and it passed unanimously.

**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) Attorney/Matters. Councilman Holcombe seconded the motion and it passed unanimously. Councilman Chamberlin moved to come out of closed session at 3:45 p.m. Councilman Holcombe seconded the motion and it passed unanimously. The Council directed Mr. Feierabend and Mr. Paletta to review the lease the Town has with Genesis Wildlife Sanctuary, 210 Grassy Gap Creek Road.

**XII. Other Business** –

**1. Engineer Report on Buckeye Water Treatment Plant** – Mr. Paletta advised the Council to review the report by Mr. Clayton with ACEOM, noting that he did not feel it was adequate.

**XIII. Adjourned** – Councilman Corn moved to adjourn the meeting at 3:55 p.m. Councilman Chamberlin seconded the motion and it passed unanimously.

Minutes approved by Town Council on June 9, 2009.

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Mayor

ATTEST:

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Town Clerk