

**MINUTES
BEECH MOUNTAIN TOWN COUNCIL
October 9, 2006**

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 Gil Adams, Pete Chamberlin, Randy Corn and Paul Piquet. Also present were Town Manager Michael Boaz, Town Attorney David Paletta, Town Engineer Ed Powell and Recreation Director Craig Colistra. There were a number of interested individuals in the audience.

II. Invocation – Charlie Burlison opened the meeting with a scripture reading and 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 Minutes – Mr. Piquet moved to approve the Regular minutes of September 11, 2006 as amended. Mr. Chamberlin seconded the motion and it passed unanimously.

VI. Public Comment – There were no comments from the public.

IX. New Business –

a. Budget Amendments –

1. Police Cars – Mr. Piquet made a motion to appropriate Lease/Purchase proceeds of \$44,260 into the Public Safety capital outlay line item for police vehicles and to transfer funds from the original budget for capital outlay for police vehicles to a line item for debt service for the vehicles of \$11,780 (this amount is for the 1st years payment on the vehicles). Mr. Adams seconded the motion and it passed unanimously.

2. Vac Truck – General Fund – Mr. Chamberlin moved to approve appropriating fund balance of \$92,830 and transferring these funds to the Water and Sewer Fund for purchase of vac truck. Mr. Piquet seconded the motion and it passed unanimously.

3. Vac Truck and tap supplies – Water/Sewer Fund – Mr. Corn moved to appropriate \$10,000 from the Fund Balance for tap supplies and appropriate funds transferred from the General Fund of \$92,830 for additional funds needed for the outright purchase of a vac truck by the Town of Beech Mountain. Mr. Chamberlin seconded the motion and it passed unanimously.

b. Recreation Center Holiday and Off-Season Hours – Mr. Boaz presented the Council and audience with the reduced hours for the Recreation Center. Mr. Corn indicated that he felt the Center should be available as often as possible. After much discussion Mr. Adams moved to approve the Off-Season hours as presented; 2nd Monday in September through December 18th: MWF 12-8, T Th Sat 8:30 – 8:30, Sun 12-6; December 18 through March 1st: M – S 8:30 – 8:30, Sun 12-6; March 1st-Memorial Day: MWF 12-8, T Th S 8:30-8:30, Sun 12-6; Memorial Day-2nd Mon in September: M –S 8:30-8:30, Sun 12-6: Closed Thanksgiving,

Christmas Day and Easter Sunday. Limited Schedule on New Year's Day 12-6, Christmas Eve close at 3 and closed on Christmas Eve '06. Mr. Piquet seconded the motion. The motion passed 4 to 1; Mayor Owen, Mr. Adams, Mr. Chamberlin and Mr. Piquet voted yea and Mr. Corn voted nay.

c. Engineering Contract with HUA – Mr. Boaz presented the proposed contract with Hobbs, Upchurch & Associates, P.A for some work that would include water lines down the side of the ski slopes. After much discussion, the Council agreed that it was premature to give HUA a contract before discussing the line down the ski slope with B.M.R.I. Mr. Corn indicated that it would also benefit the Town to ask for a contract indicating a cap on the cost of inspection fees as well as the cost of the work alongside the ski slope. Mr. Adams noted that he felt the Resort would be receptive to allowing the Town to do the work, but felt they would ask for a survey. The Council asked that Mayor Owen and Mr. Boaz contact General Manager Wayne Holman to discuss a right of way.

d. Assessment Releases – Mr. Chamberlin moved to approve the road paving assessment releases for 3 acreage tracts of land in Watauga County in the amounts of \$2,674.74, \$2,204.46 and \$2,865.81. Mr. Piquet seconded the motion and it passed unanimously.

e. Private Road Naming – Mr. Chamberlin moved to approve 'Blue Jay Way' for the private road off Pinnacle Ridge from the name submitted by Mr. Leo Ochoa. Mr. Piquet seconded the motion and it passed unanimously.

f. Zoning Map Approval – Mr. Piquet moved to adopt the Zoning Map as presented. Mr. Corn seconded the motion and it passed unanimously.

g. Schedule of Fees for Maps – Mr. Chamberlin moved to approve the fee schedule for maps: Basic Zoning Map \$25, area specific \$5 extra, specific features \$5 extra, slope/hill shade \$10 extra, orthos \$30 extra. Mr. Piquet seconded the motion and it passed unanimously.

h. Open Burning Ordinance – Mr. Chamberlin asked that the Open Burning Ordinance make reference to cooking fires. Mr. Piquet asked if the fine for violation the Ordinance could be raised to \$500. Mr. Paletta was asked to revise the ordinance.

i. Personnel Ordinance Amendment – Mr. Piquet moved to approve the change in the Personnel Ordinance Attachment which addition of 'Possession of a Grade II Collection, B Distribution, Cross connection, and backflow prevention certifications or the ability to obtain said certifications within a time period established by the Public Works Director' to the Systems Maintenance Supervisors description. Mr. Chamberlin seconded the motion and it passed unanimously.

j. Pond Creek Waste Water Treatment Plant Change Order – Mr. Boaz reported that the change order request was for Building Crafts, Inc., contractors for the Pond Creek Waste Water Treatment Plant Upgrade, for \$4,325. The requested amount was to cover cost of relocating storm drains. After a brief discussion, Mr. Piquet moved to approve the change order. Mayor Owen seconded the motion and it passed unanimously. Mr. Piquet recommended that the Council authorize that Mr. Boaz be granted up to \$10,000 approval for change orders for the Waste Water project to minimize the amount of time delays. Mr. Chamberlin seconded the motion and it passed unanimously.

XI. Staff/Consultant Reports

a. Town Engineer's Report – Mr. Powell reported that the Pond Creek Waste Water Treatment Plant project had started. Mr. Powell also indicated that he had a meeting on Tuesday morning with Lakeview Construction on the resurfacing of Tamarack Road, Wedding Weg will be reconsidered in the Spring '07. Mr. Powell noted that the gravity sewer had been installed at the Fox Crest project, noting that the water had not yet been installed. Mr. Powell indicated that the developer was making plans for the 2nd phase of the development. Mike Golliber is the engineer working closely with Eggers Construction on the Fox Crest project.

b. Public Works Director's Report – Riley Hatch – The report is on file with the Town Clerk.

c. Town Attorney's Report – David Paletta – Mr. Paletta reported that the house foreclosure was still on scheduled for October 10th for the house at 496 St. Andrews Road.

d. Chief of Police's Report – The report is on file with the Town Clerk.

e. Building Inspection Report – Keith Cook – The report is on file with the Town Clerk.

f. Recreation Center Report – Craig Colistra – The report is on file with the Town Clerk.

g. Town Manager's Report – Michael Boaz – Mr. Boaz reported: a) Mr. Boaz indicated that the manager's yearly evaluation forms were enclosed in the Council's agenda packets. b) Mr. Boaz noted that he would be out of the office October 15 – 17 to attend the NCLM conference in Greensboro. c) Mr. Boaz reported that he, Mr. Corn and Mr. Dzielwski had meet with Dr. Garry Cooper, ASU Planning Consultant, for ongoing planning for the Town. d) Mr. Boaz asked that the Council be aware of a letter from the NC Department of Transportation announcing a ceremony on October 19th at 1:30 p.m. to rename NC 184 from Banner Elk to the Town limits of Beech Mountain as the Grover Robbins Jr. Highway. After much discussion, the Council was in agreement that this was not good for the Town and the Council members had been told that this would not happen. Mr. Corn made a motion to opposing the renaming of S. Beech Mountain Parkway to Grover Robbins Jr. Highway. Mr. Piquet seconded the motion. Mayor Owen indicated that he would investigate the matter. The motion passed unanimously. *(Mayor Owen made phone calls on October 10th and discovered that the letter had incorrectly indicated that the road would be renamed when the NCDOT had only agreed to the dedication of S. Beech Mountain in memory of Grover Robbins Jr.)*

XII. Closed Session – Upon a motion by Mr. Chamberlin the Council entered into Closed Session at 8:40 p.m. under G.S. 143-318.11(5)(i) Land Acquisition. Mr. Piquet seconded the motion and it passed unanimously. The Council came out of Closed Session at 9:10. No action was taken.

XIII. Recessed – Having no other business to discuss the Council recessed the meeting until Monday, October 18, 2006 at 1:00 p.m. to discuss the acquisition of property. Upon a motion by Mr. Chamberlin at 9:15 p.m. Mr. Piquet seconded the motion and it passed unanimously.

XIV. Reconvened –Wednesday, October 18, 2006 – Mayor Rick Owen reconvened the regular meeting of October 9, 2006 on Wednesday, October 18, 2006 at 1:00 p.m. in the Town Hall Council Chambers. Other Council Members present were Gil Adams, Randy Corn and Paul Piquet. Assistant Building Inspector Bobby Dziewulski was also present.

Mayor Owen announced that the issue regarding land acquisition was moot and the Council agreed that there was no need for a closed session.

Mayor Owen reported that he and Mr. Boaz had attended a conference in Greensboro, NC on Monday and would be passing on further information with regards to the conference and an upcoming planning conference.

XVII. Adjourn – Having no other business to discuss, the Council adjourned upon a motion by Mr. Corn at 1:05 p.m. Mr. Adams seconded the motion and it passed unanimously.

Minutes approved by Town Council on _____, 2006.

Mayor

ATTEST:

Town Clerk