

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
September 11, 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, Public Works Director Riley Hatch, Police Chief Jay Hefner, Building Inspector Keith Cook, Assistant Building Inspector Bobby Dziejewski, and Recreation Center Director Craig Colistra. There were a number of interested individuals in the audience.

II. Invocation – Chief 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 with the addition of item VI. c. Zoning Memorial Park lots.

V. Approval of Minutes – Mr. Chamberlin moved to approve the Regular minutes of August 14, 2006 as submitted. Mr. Piquet seconded the motion and it passed unanimously.

VI. Persons Wishing to Address Council – Mr. Virgil Dykes addressed the Council with regards to the woolly aphid impact on Beech Mountains' Hemlock trees. Mayor Owen thanked Mr. Dykes for his concerns. Mr. Dykes also indicated that the number of deer were out of control to which Mayor Owen suggested that individuals be encouraged not to feed the deer.

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

IX. New Business –

1. Police Cars – Mr. Chamberlin 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. Corn seconded the motion and it passed unanimously.

2. Vac Truck – General Fund – Mr. Chamberlin moved to approve a 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 – moved to appropriate \$10,000 from 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. Corn seconded the motion and it passed unanimously.

b. Recreation Center Holiday and Off-Season Hours – Mr. Boaz reported that the fees for construction were lower than the neighboring towns and indicated that the staff had proposed the increase in permit fees. Mr. Corn felt the fees should be higher than proposed. After a brief discussion Mr. Piquet moved to adopt the proposed fee schedule. Mr. Adams seconded the motion. The motion passed 4 to 1, Mayor Owen, Mr. Adams, Mr. Chamberlin and Mr. Piquet voted yea. Mr. Corn voted nay.

c. Engineering Contract with HUA – Mayor Owen indicated that the Town of Banner Elk and the Town of Beech Mountain had proposed an agreement to share in the cost of purchasing a VACTOR 2100 Series Sewer Cleaning and Catch Basin Machine mounted on a 2007 Sterling truck. After a lengthy discussion, the Council agreed to fund the project independently, therefore not entering into an agreement with the Town of Banner Elk. Mayor Owen noted that Resolution 09-06-01 was to authorize the loan of \$135,000 from the General Fund to the Water and Sewer Fund for the Town's of the VACTOR 2100. After further discussion, Mr. Chamberlin moved to adopt Resolution 09-06-01. Mr. Piquet seconded the motion and it passed unanimously.

d. Assessment Releases – Mayor Owen reported that the Planning Board had recommended that the Council pass an ordinance prohibiting burning in the Town limits. Mr. Piquet made a motion to pass the Open Burning Ordinance as presented by the Planning Board. Mr. Chamberlin seconded the motion and it passed unanimously.

e. Private Road Naming – Mr. Chamberlin motioned to Charge the Tax Collector to collect the 2006 Town of Beech Mountain Property Tax. Mr. Piquet seconded the motion and it passed unanimously.

f. Zoning Map Approval – Mayor Owen gave an overview of the Title VI: General Regulations Chapter 81, Protection of Children Ordinance. After a brief discussion, Mr. Piquet moved to adopt the ordinance with the recommended changes. Mr. Corn seconded the motion and it passed unanimously.

g. Schedule of Fees for Maps – Mr. Boaz reported that the lease agreement with Mr. Brooks was for the property behind the Brick Oven which the Town uses for event parking. After a brief discussion, Mr. Corn moved to approve the Lease Agreement between Jim Brooks and the Town for \$1.00 per year. Mr. Chamberlin seconded the motion and it passed unanimously.

h. Open Burning Ordinance –

i. Mr. Corn asked that the Council consider future employment of a paid individual for the fire department. After a brief discussion the Council agreed to discuss the issue at the Planning Retreat in April '07.

XI. Staff/Consultant Reports

a. Town Engineer's Report – Mr. Powell reported that the Pond Creek Waste Water Treatment Plant project was set to start the project and also indicated that he was working with Mr. Hatch and Lakeview Construction on roads that would need some pavement patching as well as the resurfacing of Tamarack Road and Wedling Weg.

b. Public Works Director's Report – Riley Hatch – Mr. Hatch reported a) Water samples had been sent off for lead and copper testing. b) The Rural Water Association would be assisting with the location of leaks the second week in October. c) The crew was still working on brush pickups and cleaning out culverts. d) The department had hired a new mechanic, Mark Beach, who would start on September 12th. Mr. Chamberlin asked if the crew could weed eat around the fire hydrants to which Mr. Hatch indicated that they would try to schedule it. Mr. Hatch's report was accepted as submitted.

c. Town Attorney's Report – David Paletta – Mr. Paletta reported that the house foreclosure was scheduled for October 10 on the house on St. Andrews Road. Mr. Corn asked if all attempts to contact the family had been done to which Mr. Paletta indicated that he had. Mr. Paletta asked that a notice be placed on the property indicating the upcoming sale.

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 – Mr. Colistra asked the Council to consider the rate of pay for part time employees who are also instructors at the Recreation Center. The Council was in agreement that those employees be paid two different rates as long as it does not exceed the yearly salary of full time employees. Mr. Colistra noted that attendance to the Center was down 46% from July and August. The report is on file with the Town Clerk.

g. Town Manager's Report – Bobby Dziejewski – Mr. Dziejewski reported: a) Mr. Boaz had requested to be out of Town November 19th through November 27th. Council approved. b) Employee day is scheduled for September 26th at the Recreation Center. Council was encouraged to attend. c) Mr. Dziejewski reported that he and Mr. Boaz were going to meet with Dr. Garry Cooper, ASU Planning Consultant, for ongoing planning for the Town.

XII. Other Business –

a. Underground Utilities – Mayor Owen reported that the Council had been asked to explore the issue of underground utilities for subdivision. The Council referred the issue to the Planning Board for recommendations.

b. Speed Limit – Mayor Owen reported that the Town speed limit had been questioned. After a brief discussion Mr. Piquet moved to send the issue to the Planning Board. Mr. Adams seconded the motion. The motion passed 3 to 2. Mayor Owen, Mr. Adams and Mr. Piquet voted yea. Mr. Corn and Mr. Chamberlin voted nay. The Council had no further business for discussion.

XIII. Recessed – Having no other business to discuss the Council recessed the meeting until Monday, September 25, 2006 at 10:00 a.m. to discuss the purchase of a vac truck and the hydraulic study upon a motion by Mr. Chamberlin at 8:35 p.m. Mr. Piquet seconded the motion and it passed unanimously.

XIV. Reconvened -Monday September 25, 2006- Mayor Rick Owen reconvened the regular meeting of September 11, 2006 on Monday, September 25, 2006 at 10:00 a.m. in the Town

Hall Council Chambers. Other Council Members present were Gil Adams, Pete Chamberlin, Randy Corn and Paul Piquet. Town Manager Michael Boaz and Public Works Director Riley Hatch was also present.

Mr. Boaz presented the Council with recommendations for improvement phases to the water system as well as finance options for the project. The cost of Phase I will be approximately \$900,000. After a brief discussion, Mr. Adams moved to proceed with Phase I of the water system improvements with Hobbs Upchurch administering the project and Mr. Boaz investigation BB&T financing on a 20 year loan. Mr. Corn seconded the motion and it passed unanimously.

XV. Recessed – Having no other business to discuss, Mr. Piquet moved to recess the meeting 11:30 a.m. until Monday, October 2, 2006 at 2:00 p.m. Mr. Chamberlin seconded the motion and it passed unanimously.

XVI. Reconvened – Monday October 2, 2006 – Mayor Rick Owen reconvened the regular meeting of September 11, 2006 on Monday, October 2, 2006 at 2:00 p.m. in the Town Hall Council Chambers. Other Council Members present were Randy Corn and Paul Piquet. Town Manager Michael Boaz and Public Works Director Riley Hatch were also present.

Mr. Boaz presented Resolution 02-09-06 waiving the formal bidding requirement for the purchase of a Vactor 2110 to help maintain the sanitary sewer and storm sewer lines. After a brief discussion, Mr. Piquet moved to adopt Resolution 02-09-06 Waving Formal Bidding Requirements. Mr. Corn seconded the motion and it passed unanimously.

XVII. Adjourn – Having no other business to discuss the Council adjourned upon a motion by Mr. Piquet at 2:05 p.m. Mr. Corn seconded the motion and it passed unanimously.

Minutes approved by Town Council on _____, 2006.

Mayor

ATTEST:

Town Clerk