

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
December 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, and Assistant Building Inspector Bobby Dziewulski. There were a number of interested individuals in the audience.

II. Invocation – Charlie Burluson 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 with the addition of: Old Business, Set Public Hearing on zoning of Archers Inn and under New Business item e. ETJ discussion.

V. Approval of Minutes – Mr. Piquet moved to approve the Regular minutes of November 13, 2006 with the addition of the closed session results. Mr. Corn seconded the motion and it passed unanimously.

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

VII. Persons wishing to Address the Council – Ms. Karen K. Alexander, President of the Holiday Beech Villas Board of Directors, addressed the Council with concerns regarding the possible development of lots VC-3 and VC-4. The properties are located across from Buildings F, G and H. The property was originally designated a condominium lots, thus having enough property to split the lot. After a brief discussion, Mayor Owen assured Ms. Alex that the Town, through the building/zoning department, would regulate the development of the property.

VIII. Old Business –

a. Zoning of Archers Inn/Jackalope's View – Mr. Boaz indicated that the Council needed to hold a Public Hearing on the Zoning of Archers Inn/ Jackalope's View. The property had not been zoned at the time of the annexation. Mr. Chamberlin moved to set the Public Hearing for the zoning of Archers Inn/Jackalope's View for Tuesday, January 9th at 2; 00 p.m. in the Town Hall Council Chambers. Mr. Piquet seconded the motion and it passed unanimously.

IX. New Business -

a. Personnel Ordinance Amendments –

1. Holiday Policy – Mr. Boaz indicated that the Town of Beech Mountain observed 10 holidays per year. The State of North Carolina observes eleven, Martin Luther King, Jr. being the holiday the difference in days. Mr. Corn asked about the three days at Christmas and asked how the State dealt with the days off when the

holiday fell on a Tuesday, Wednesday or Thursday. After a brief discussion, it was determined that the State policy for Christmas was identical to the current Town policy, with the exception of M.L.K. After a lengthy discussion, Mr. Piquet moved to add the observance of Martin Luther King, Jr. day to the Town holidays. Mr. Adams seconded the motion. The motion passed unanimously.

2. Vacation Leave – Mr. Boaz reported to the Council that employees accruing more than 240 hours of vacation time lost it on January 1st. Mr. Boaz proposed a new policy where by the additional time could be transferred to sick leave. After a lengthy discussion Mr. Corn moved to change the Personnel Ordinance to all employees to transfer 10 days of vacation leave into sick leave. Mr. Chamberlin seconded the motion and it passed unanimously.

3. Sick Leave – Mr. Boaz reported that the current ordinance permitted employees to use 180 hours of sick time towards credible service at the time of retirement. Mr. Boaz recommended that the Council adopt an ordinance to be in line with that of the North Carolina Local Government Employees Retirement System Board of Directors rules. The NCLGERS rules say that sick time may be used towards creditable service at retirement. Mr. Chamberlin moved to adopt the NC LGERS Board of Directors retirement rules. Mr. Piquet seconded the motion and it passed unanimously.

4. Job Descriptions – Mr. Boaz presented the Council with the proposed job description for Bobby Dziejulski as Director of Planning/Assistant Town Manager at grade 18 on the pay scale. Mr. Boaz indicated that Mr. Dziejulski had continually increased responsibilities and was currently at grade 13. After much discussion, the Council agreed to enter into closed session under G.S. 143-318.11(a)(6) for further discussion.

5. Position Classification Plan – Not discussed.

b. Amendment to Council Rules to Procedure – Mr. Boaz presented the amendment to the Council Rules of Procedure. After a brief discussion Mr. Boaz was asked to review the current rules of procedure and report back to the Council.

c. Zoning Ordinance – Mr. Chamberlin moved to set a Public Hearing for the proposed amendment to the Zoning Ordinance for January 9, 2007 at 2:00 p.m. Mr. Piquet seconded the motion and it passed unanimously.

d. Board Appointments –

1. Board of Adjustment – Mr. Adams moved to appoint Mr. Ron Nichols to finish out the term vacated by Ms. Kakii Handley, expiring in December 2007. Mr. Corn seconded the motion and it passed unanimously. Mr. Piquet moved to reappoint Mr. Bill Hagna and Mr. Alan Holcombe to the Board of Adjustment (3 year term) and to reappoint Mr. Russ Reiman to the Alternates for the Board of Adjustment, moving Mr. Reiman up to 1st Alternate. Mr. Corn seconded the motion and it passed unanimously.

2. Tourism Development Authority – Mr. Adams moved to reappoint Mr. Burleson, Mrs. Candi Catoe and Mr. Rick Miller to the Tourism Development Authority with

Mr. Burleson continuing as the Vice Chairperson to the Authority. Mr. Piquet seconded the motion and it passed unanimously.

e. ETJ– Mr. Boaz indicated that the lack of Extra Territorial Jurisdiction made it impossible to do any regulations of signs and other conditions that the Town receives complaints about. Mr. Boaz stated that the Town could ask the General Assembly to give the Town the authority to have ETJ, amending the Town Charter. Mr. Paletta advised that the Council consider the ETJ issue from a political standpoint. After a lengthy discussion, Mr. Boaz noted that the deadline for new bills was in late February or early March and asked Mr. Boaz to provide additional information.

X. Town Manager’s Report – Michael Boaz – Mr. Boaz reported: a) A welcome home celebration is scheduled for Sean McNay on Tuesday, December 12th at the Recreation Center. b) Mr. Boaz noted that he and the staff was working on a draft for the conditional use overlay district ordinance. c) Mr. Boaz asked that the Council submit agenda items for the annual planning retreat; a date has not yet been set for the meeting. d) Mr. Boaz reminded the Council and audience that the monthly Council meetings would take place on the 2nd Tuesday of the month at 2:00 p.m. e) Mr. Boaz reported that the Town, Watauga County, Skyline Telephone and Bell South have reached an agreement regarding the routing of 911 calls.

XI. Other Business – There was no other business to come before the Council.

XII. Closed Session – Mr. Corn moved to go into Closed Session at 7:55 p.m. under G.S. 143-318.11(a)(6) to discuss personnel matters. Mr. Piquet seconded the motion and it passed unanimously. The Council came out of Closed Session at 8:15 p.m. No action was taken.

XIII. Adjourn – The Council adjourned upon a motion by Mr. Corn at 8:15 p.m. Mr. Adams seconded the motion and it passed unanimously.

Minutes approved by Town Council on _____, 2007.

Mayor

ATTEST:

Town Clerk