

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
May 13, 2008

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 Michael Boaz, Town Attorney David Paletta, Public Works Director Riley Hatch and Interim Planning Director Bobby Dziewulski. There were a number of interested parties in the audience.

II. Invocation – Charlie Burleson 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 accepted as presented to the Council.

V. Approval of the Minutes – Mayor Owen asked that additional information be added with regards to the annexation request. Mr. Corn moved to approve the April 8, 2008 Regular Meeting minutes as amended. Mr. Holcombe seconded the motion and it passed unanimously.

VI. Public Hearings –

a. Dumpster at Construction Site – Mr. Holcombe moved to open the Public Hearing on the proposed amendment to the Nuisance Ordinance with regards to Dumpsters at Construction sites at 2:05 p.m. Rick Miller indicated that he felt it was a good requirement and noted that in addition to the 6 yard dumpster a 50 gallon trash can should be used for lunch items. Mr. Miller also asked for stronger enforcement of the ordinance. Mr. Chamberlin moved to close the Public Hearing at 2:10 p.m. Mr. Holcombe seconded the motion and it passed unanimously.

b. Parking Pad Requirements – Mr. Chamberlin moved to open the Public Hearing on the Parking Pad Requirements at 2:11 p.m. Mr. Corn seconded the motion and it passed unanimously. Mayor Owen reported that the parking pad requirement would require cars to be parked perpendicular to the street and that the pad be large enough to accommodate two cars. Lee Wittman asked if a depth of 22' would be large enough to which Mayor Owen responded that standard garage was 20'. Hearing no further comments from the public Mr. Chamberlin moved to close the public hearing at 2:13 p.m. Mr. Holcombe seconded the motion and it passed unanimously.

c. Tree Ordinance – Mr. Holcombe moved to open the Public Hearing on the Tree Ordinance at 2:14 p.m. Mayor Owen indicated that the amendment would be added to the Zoning Ordinance to create a tree board and establish criteria for the pruning and cutting of trees. This is to meet the eligibility requirements for the Tree City USA program. Rick Miller indicated that the right of way on Beech Mountain Parkway was currently being cleared by the state. Mr. Wittman asked if the Town would have the areas cleaned up by the crew doing the work. Mr. Paletta indicated that the Town could only request that debris be cleaned up; however they could not force

the state or Mountain Electric to do so. Hearing no further comments from the public Mr. Chamberlin moved to close the public hearing at 2:17 p.m. Mr. Holcombe seconded the motion and it passed unanimously.

d. Annexation Request – Mr. Holcombe moved to open the Public Hearing on the request for Annexation by Charlie Burleson at 2:18 p.m. Renee Castiglione indicated that it appeared to be a good idea and in the Town's best interest to annex the property. Mr. Burleson asked about the requirement of hooking onto the Town utilities to which Mr. Paletta indicated that he would be required to within a 60 day time period. Hearing no further comments from the public, Mr. Holcombe moved to close the public hearing at 2:25 p.m. Mr. Corn seconded the motion and it passed unanimously.

VII. Public Comment –

a. Renee Castiglione addressed the Council and audience with regards to the April 8, 2008 Council meeting. Councilmember Holcombe had nominated her for a position on the Board of Adjustment and Councilmember Corn had interrogated and embarrassed her. Mrs. Castiglione indicated that she had written letters to each of the Councilpersons and only one had responded. Mrs. Castiglione further requested that she receive an apology for her treatment and would like to be treated with more respect in the future.

b. Barry Schorr, 205 Foxgrape Hollow Road, addressed the Council requesting that the Beech Mountain Club be notified that they were in violation of the Noise Ordinance with the alarm system warning golfers of inclement weather.

c. Lee Wittman, 102 Rainbows End, addressed the Council noting his concerns over the appearance of the Town.

VIII. Old Business –

a. Amendment to Nuisance Ordinance – Mr. Corn expressed his desire to have the Nuisance Ordinance enforced Mr. Corn moved to approve the amendment to the Nuisance Ordinance regarding dumpsters at construction sites. Mr. Holcombe seconded the motion and it passed unanimously.

b. Amendments to Planning and Zoning Ordinance – After a lengthy discussion with regards to the parking pad requirements, Mr. Dziejewski was asked to revise the Ordinance to allow parallel parking. Mr. Holcombe moved to approve the amendment to the Zoning Ordinance approving the construction of the parking pad construction prior to the sill plate inspection. Mr. Corn seconded the motion and it passed unanimously.

c. Appoint Alternate to the Board of Adjustment – Mr. Holcombe moved to appoint Bernie Knepek as the third Alternate to the Board of Adjustment. Mr. Chamberlin seconded the motion and it passed unanimously.

IX. New Business –

a. Appointment to the Tree Board – Mr. Boaz indicated that the Town would have to form a Board for the Tree Committee. After a brief discussion, Mr. Chamberlin moved to appoint members to the Committee at the June 10, 2008 meeting. Mr. Corn seconded the motion and it passed unanimously.

b. Set Time for Town Council Meetings – Mr. Boaz reported that he had completed his coursework for his MPA degree at ASU and the time of the Council Meetings could be moved back to 6:00 p.m., if the Council so desired. Mr. Corn moved to schedule the monthly Council meeting for 6:00 p.m. starting with the June 10, 2008 meeting. Mr. Holcombe seconded the motion and it passed unanimously.

c. Approval of Job Description – Mr. Boaz reported that Mr. Colistra, Director of Parks and Recreation, had recommended a permanent part-time Recreation Assistant to facilitate the operation of the Recreation Center. The additional employee would allow the operation of the facility from Monday through Saturday 8:30 a.m. to 8:30 p.m. and 12:00 p.m. to 6:00 p.m. year round. Mr. Corn moved to approve the job description for the Recreation Assistant. Mr. Adams seconded the motion and it passed unanimously.

d. Tax Releases – Mr. Chamberlin moved to approve the Tax Releases as presented. Mr. Holcombe seconded the motion and it passed unanimously.

e. Budget Amendments – Mayor Owen indicated that the Budget Amendment in the amount of \$62,200 was for engineering fees for the road resurfacing project, \$10,000 for the fire department study, \$10,000 for Dr. Stefanovic, \$15,000 for extra legal fees and funds for an intern for the remainder of the fiscal year. Mr. Corn moved to approve the Budget Amendments as presented. Mr. Holcombe seconded the motion and it passed unanimously.

f. Resolution in Support of NC Annexation Statutes – Mr. Holcombe moved to approve Resolution 08-05-01 in support of Sound, Fair and Uniform Municipal Annexation Statutes. Mr. Corn seconded the motion and it passed unanimously.

g. Presentation of 2008/2009 Budget – Mr. Boaz presented the Council with the Fiscal 2008/2009 Budget for the Council to review prior to the Budget workshops.

X. Town Manager's Report – Michael Boaz – 1) Mr. Boaz presented a request to be out of Town July 1st through 6th. Mr. Corn indicated that he would like to see the Town Hall Open on July 4th. Mr. Chamberlin noted that it was a national holiday. The Council agreed. 2) Mr. Boaz reported that the High Country Municipal Association would meet on Thursday, May 15th at the Seven Devils Town Hall. 3) Watauga County has agreed to give \$10,000 over the course of the next fiscal year for the playground at Buckeye. 4) Mr. Boaz indicated that the builder inspection position had not yet been filled. 5) Mr. Boaz reported that Fred Pfohl, Fred's General Mercantile,

had requested a further reduction in the store's water bill and indicated that Mr. Hatch had done a meter test twice. Mr. Pfohl, according to Mr. Hatch, was taking his own reading on a daily basis. Mr. Corn recommended that no action be taken at this time and the matter be discussed at the June 10th meeting. The Council agreed.

XI. Closed Session Pursuant to NCGS 143-318.11 (c) 6 – On a motion by Mr. Holcombe, seconded by Mr. Corn, the Council voted to go into closed session at 4:15 p.m. to discuss matters related to Personnel. Mr. Chamberlin moved to come out of closed session at 5:05 p.m. Mr. Holcombe seconded the motion and it passed unanimously. No action was taken.

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

XIII. Adjourned – Having no other business to come before the Council, Mr. Corn moved to adjourn the meeting at 4:10 p.m. Mr. Holcombe seconded the motion and it passed unanimously.

Minutes approved by Town Council on June 10, 2008

Mayor

ATTEST:

Town Clerk