

**MINUTES
BEECH MOUNTAIN TOWN COUNCIL
November 11 2008**

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 Alan Holcombe. Also present were Town Manager Michael Boaz, Town Attorney David Paletta, Building Inspector Stan Hanna and Recreation Director Eric Jelinski. There were a number of interested parties in the audience.

II. Invocation – Charlie Burluson 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.

V. Approval of the Minutes – Councilman Chamberlin moved to approve the October 14, 2008 Regular Minutes with the correction of VIII d, showing Mr. Holcombe seconding the motion. Councilman Holcombe seconded the motion and it passed unanimously.

VI. Public Comment –

There were no comments from the Public.

VII. Old Business –

a. Financing Agreement with RBC Centura – Mayor Owen indicated that that Resolution 01-11-08 would permit the closing for the five year financing agreement with RBC Centura for equipment purchases in the amount of \$284,950. Councilman Corn moved to approve Resolution 01-11-08.

b. Fire Department Job Description – Councilman Corn noted that the Volunteer Fire Department members had not yet been able to agree on a job description for the proposed employee and recommended the discussion be tabled until the December 9, 2008 meeting. The Council was in agreement.

VIII. New Business –

a. High Country RPO Memorandum of Understanding – Mr. Boaz reported that the High Country Rural Planning Organization (RPO) had requested the Town to pass a Memorandum of Understanding (MOU) upon request of the NCDOT. Councilman Holcombe moved to adopt the Memorandum of Understanding for Cooperative comprehensive and Continuing Transportation Planning and the Establishment of a Rural Transportation Planning Organization. Councilman Corn seconded the motion and it passed unanimously.

b. Amendment to the Nuisance Ordinance – Mr. Paletta asked that the Council table the discussion of the Nuisance Ordinance until the December 9, 2008 meeting. Council agreed.

c. Reimbursement Resolution – Mr. Boaz explained the need for Resolution 02-11-08, indicating the intent to reimburse the Town for expenses incurred in the proceeds purchasing a new backhoe which was ready for delivery prior to the loan closing. Councilman Chamberlin moved to approve Resolution 02-11-08 Declaration of Official Intent to Reimburse. Councilman Holcombe seconded the motion and it passed unanimously.

d. Rezoning Request – John Sams – Mr. Boaz reported Contractor John Sams had requested a conditional use overlay for property, 138 Hawthorne Road, owned by Luis and Carol Manilove. Mr. Hanna stated that the property owners had contracted with Mr. Sams to construct a garage. Mr. Sams' had found that the property line was approximately 10' off the edge of the road which would mean that the garage would be approximately 30' off the edge of the road. After much discussion, Councilman Corn moved that Mr. Sams should have the property surveyed to indicate the area necessary for a proper setback and asked that Mr. Boaz inform Mr. Sams that he could purchase said footage at a cost of \$200,000 per acre plus all expenses necessary for the Town to sell the property. Councilman Holcombe seconded the motion and it passed unanimously.

e. Pedestrian Planning Grant Resolution – Mr. Boaz reported that the Town would like to apply for a grant to do a pedestrian plan for the Town. Mayor Owen moved to approve Resolution 01-20-08, Resolution Waiving Formal bidding Requirements. Councilman Adams seconded the motion and it passed unanimously.

IX. Town Manager's Report – Michael Boaz – 1) Mr. Boaz reported that the survey crew from Hobbs, Upchurch & Associates, P.A. were doing the survey work for the Phase II water /sewer system improvements. 2) Mr. Boaz indicated that he felt a Position Classification study with Springsted to update all job descriptions was necessary. 3) We have received the first draft of the re-codified ordinances and expect the legal report from American Legal within 60 days. Mr. Boaz indicated that he would be working with Mr. Paletta on the review of the material. 4) Mr. Boaz reported that he had hired Fred Schmitt as the new Finance Director. Mr. Schmitt will start work on December 1st. 5) Bryce Holder, accountant for the Town, has submitted a draft of the 07/08 audit. Findings will be presented at the December 9, 2008 meeting.

X. Closed Session – Mayor Owen moved to go into Closed Session at 6:35 p.m. under G.S. 143-318.11(a) (6) to discuss personnel matters. Councilman Corn seconded the motion and it passed unanimously. Councilman Chamberlin moved to come out of closed session at 8:30 p.m. Councilman Corn seconded the motion and it passed unanimously.

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

XII. Adjourned – Councilman Corn moved to adjourn the meeting at 8:35 p.m. Councilman Holcombe seconded the motion and it passed unanimously.

Minutes approved by Town Council on December 9, 2008.

Mayor

ATTEST:

Town Clerk