

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
October 14, 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 and Town Attorney David Paletta. 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.

V. Approval of the Minutes – Councilman Chamberlin moved to approve the September 9, 2008 Regular Minutes as presented. Councilman Holcombe seconded the motion and it passed unanimously.

VI. Public Comment –

Mr. Charlie Burleson, Chairperson for the Tourism Development Authority, addressed the Council asking for support on the collection of occupancy tax from private homeowners renting their property and not paying the tax.

VII. Old Business –

a. Job Descriptions – Mayor Owen indicated that Mr. Boaz had made the requested revisions to the job descriptions and reorganization of the Public Works Department and asked for Council recommendations. Councilman Corn recommended that the two salary grade 16 positions have the same high school or GED requirements proposed for the salary grade 20 position. The Council discussed the proposed changes and Councilman Corn made a motion to approve the job descriptions with the aforementioned changes. Councilman Holcombe seconded the motion and it passed unanimously.

b. Installation of Fiber Optic Cable to PW – Mr. Boaz reported that he had discussed the installation of fiber optics to Public Works with Brent Keith from Skyline Telephone. Mr. Boaz noted that Skyline currently had fiber optic in place; rental would be approximately \$300 per month. After a brief discussion, the Council asked that Mr. Boaz further discuss the rental specifics with Skyline and obtain information on the contract Skyline would require.

c. Smoking Ordinance – Councilman Corn moved to approve the proposed amendments to Title VI Chapter 73, Smoking Ordinance to be effective December 1, 2008. Councilman Holcombe seconded the motion and it passed unanimously.

d. Amendment to the Zoning Ordinance – Mr. Boaz presented the Council with the revised amendments to Article VI. Board of Adjustment, Section 600 of the Planning and Zoning Ordinance as requested by the Council. Mr. Paletta noted that he had review the proposed amendments and found no difficulty with the working. Councilman Holcombe moved to adopt the proposed changes as presented. Councilman Chamberlin seconded the motion and it passed unanimously.

VIII. New Business –

a. Financing Agreement with RBC Centura – Mr. Boaz indicated that the Town had obtained options from RBC Centura for an amount not to exceed \$350,000 for Equipment with an interest rate of 3.18% on a three year note or 3.38% on a 5 year note. The rate guaranteed was for no later than November 3, 2008. After a brief discussion, Councilman Adams moved to approve the 5 year loan at a 3.38% interest rate. Councilman Holcombe seconded the motion and it passed unanimously.

b. Naming Official Depositories – Mr. Boaz reported that the N.C.G.S. requires North Carolina local governing bodies to designate official depositories for the Town's money. Only such named financial institutions can be used by the Town. After a brief discussion, Councilman Holcombe moved to approve Resolution 03-10-08, Resolution Declaring Official depositories as all banks located in the State of North Carolina. Councilman Corn seconded the motion and it passed unanimously.

c. Reimbursement Resolution – Mr. Boaz explained the need for Resolution 02-10-08, indicating the intent to reimburse the Town for expenses incurred in the proceeds of the Borrowing for any of the Expenditures incurred by the acquisition and installation of a waterline and generators for the Phase I water line improvements. Councilman Chamberlin moved to approve Resolution 02-10-08 Declaration of Official Intent to Reimburse. Councilman Holcombe seconded the motion and it passed unanimously.

d. Identity Theft Protection Program – Mr. Boaz reported that the FTC had issued requirements that all credit granting agencies must adopt a policy to protect their customers against identity theft. Councilman Chamberlin moved to approve the Identity Theft Prevention Program, effective November 1, 2008, with the addition of the naming of the committee to oversee the program, Town Manager, Utility Officer and Finance Officer. In addition, the program administrator will have yearly updates for the administration of the program. Councilman Holcombe seconded the motion and it passed unanimously.

e. Piggyback Resolution – Mr. Boaz reported that the City of Asheville had recently received bids for a John Deere 6430 tractor, the same equipment allocated in the FY 2008-2009 Town Budget. NC state law allows the Town to 'piggyback' on this type of bid and not conduct its own formal bidding process. James River Equipment in Greensboro had the low bid. 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 Eggers Construction had installed both of the pressure reducing valves. 2) A pre-construction meeting was held with the generator contractor on September 29th. The work will begin shortly; the contract must be completed within 150 days of the notice to proceed which was issued last week. 3) The staff at Public Works has completed the sewer camera work on Greenbriar/Lakeledge. There are 76 manholes that need to be replaced or rehab work done on them at approximately \$2,500 each. 4) Mr. Boaz reported that interviews for the new Finance Director on October 29th and 30th. A start date has been scheduled for December 1st. 5) The Town is having a covered dish dinner at the Recreation Center on October 28th at 5:30 p.m. to meet the new Recreation Director. 6) At the September TDA meeting Jim Brooks asked if the sledding hill could be opened early. The Parks Committee established the season for the sled hill as November 15 –April 15. After a brief discussion, the council agreed that the schedule should remain as set by the Committee. 7) Mr. Boaz asked the Council about awarding the Position Classification Study to Springsted, Inc. After a brief discussion, the Council did not take any action on the issue. 8) The Town has planted a new garden in front of Town Hall to be dedicated to Officer Dan Jennings. The Council will be notified when a date has been set for the event.

X. Other Business – Mayor Owen noted that the Council packet contained 3 budget transfers: Administration Contingency to Building Inspections \$4,870, to fund additional cost of hiring a new building inspector, Administration contingency to Recreation \$2,500 for moving expenses for the new recreation director, and a Water & Sewer Fund transfer from Administration Professional Fees, \$9,780 for the increased cost for new Director of Public Utilities.

XI. Closed Session – Mayor Owen moved to go into Closed Session at 7:10 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 8:45 p.m. Councilman Corn seconded the motion and it passed unanimously.

XII. Adjourned – Councilman Corn moved to adjourn the meeting at 8:50 p.m. Councilman Holcombe seconded the motion and it passed unanimously.

Minutes approved by Town Council on November 11, 2008

Mayor

ATTEST:

Town Clerk