

**MINUTES
BEECH MOUNTAIN TOWN COUNCIL
September 9, 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 –

b. July 18, 2008 Regular Minutes – Councilman Corn moved to approve the July 15, 2008 Regular Minutes as amended. Councilman Holcombe seconded the motion and it passed unanimously.

c. August 19, 2008 Regular Minutes – Councilman Chamberlin moved to approve the August 19, 2008 Regular Minutes as presented. Councilman Holcombe seconded the motion and it passed unanimously.

VI. Public Comment –

Mr. Herb Werman, 208 Overbrook Trail, expressed his concern over the construction site located next door to his house. Mr. Werman indicated that he had complained about the site for 2 years with no satisfaction. Mayor Owen asked Mr. Werman if he could call him to discuss the issue, noting that the Public Comment time did not allow the Council to respond to comments.

Mr. Ed Dahl, 134 Hawthorn Road, indicated that Hawthorn Road had 17 homes on it and the owners were interested in getting the road paved. Mayor Owen noted that he would give Mr. Dahl a call to discuss the process.

Mr. Fred Pfohl, 501 Beech Mtn. Pkwy., thanked everyone for the beautification efforts around the Town.

VII. Old Business –

a. Loan Agreement with BB&T – Mr. Boaz presented Resolution 08-09-01 Approving Financing Terms with BB&T to finance the Phase I Distribution System Improvements.

The loan was in the amount of \$988,110 with an annual payment of \$120,072.66 for 10 years with a rate of 3.71%. After a brief discussion, Councilman Holcombe moved to approve the Agreement. Councilman Adams seconded the motion and it passed unanimously.

b. *Smoking Ordinance* – Mr. Boaz presented the Council with an amendment to the Town’s current smoking ordinance. After much discussion, the Council asked that Mr. Boaz do some further research on the Ordinance and re-submit it the October 14th meeting.

c. *Amendment to the Zoning Ordinance* – Mr. Boaz presented the Council with a proposed rewrite of Section 600 of the Planning and Zoning Ordinance. After much discussion the Council asked that Mr. Boaz work with Mr. Paletta to clarify the Ordinance and bring it before the Council at the October 14th meeting.

VIII. *New Business* –

a. *Recognition of Garry McKinney* – Mayor Owen presented Mr. Garry McKinney with a Plaque and Resolution 08-09-03 for his 39 years of service to Beech Mountain. Mr. Boaz reported that Mr. Robert Heaton would be filling the position when Mr. McKinney retires on September 30th. A luncheon will be held at Fire Station #2 in his honor.

b. *Job Descriptions* – Mr. Boaz, working with Dr. Stefanovic and Mr. Riley Hatch, presented a revision of job descriptions and reorganization of the Public Works Department. The Council discussed the proposed changes. Councilman Holcombe moved to have Mr. Boaz do further research on the proposed job descriptions and organizational chart and present it for review at the meeting on October 14th. Mayor Owen seconded the motion and it passed unanimously.

c. *Installation of Fiber Optic Cable to PW* – Mr. Boaz reported the need for the Administrative Assistant for public works to have access to the Town Hall server. The cost for installation would be \$11,380. Councilman Corn asked if other options had been investigated. After further discussion, Councilman Corn was asked to review the options and report back to the Council at the October 14th meeting.

d. *Buckeye Lake Protection Ordinance* – Mr. Boaz reported that the Department of Environment and Natural Resources (DENR) had inspected the Buckeye Lake Water Treatment Plant and informed him that the Town needed to adopt an ordinance that would protect the lake. State Law prohibits any fishing or form of boating within 150’ of the water intake. Mr. Boaz further noted that fishing would only be allowed in areas designated by the Parks and Recreation Department. After more discussion, the Council asked Mr. Boaz to contact DENR about having an animal habit by the lake. Mr. Boaz will report further on the issue at the October 14th meeting.

e. *Charge Tax collector to Collect Taxes* – Councilman Corn moved to have the Tax Administrator to collect the Town’s 2008 taxes in accordance to §105-321. Councilman Chamberlin seconded the motion and it passed unanimously.

IX. Town Manager's Report – Michael Boaz – 1) Mr. Boaz requested Council approval to be out of Town from September 21st through the 25th to attend the ICMA conference in Richmond. Council agreed. 2) Davis, Martin, Powell has reported that the plans for the Lake Coffey Dam project are expected to be approved within the next two weeks. 3) Eggers Construction is ready to install the pressure reducing stations. 4) Mr. Boaz reported that Moretz Paving had indicated that they would start paving on North Pinnacle Ridge tomorrow and should be able to pave the Town Hall parking lot on Thursday. 5) Garry McKinney will be retiring from the Town on September 30th. Mr. McKinney has worked on the mountain for 39 years. Mr. Boaz report was accepted as submitted.

X. Other Business – Councilman Corn asked that the Council meet on October 7, 2008 for the presentation of the Volunteer Fire Department revised feasibility study from Springsted, Inc. Council agreed.

XI. Recessed – Having no other business to come before the Council, Councilman Holcombe moved to recess the meeting until October 7, 2008 at 2:00 p.m. in the Town Hall Council Chambers. Councilman Chamberlin seconded the motion and it passed unanimously.

XII. Reconvened – Mayor Owen reconvened the September 9, 2008 Regular Meeting to order at in the Town Hall Council Chambers at 2:00 p.m. Other Council Members present were Gil Adams, Pete Chamberlin, Randy Corn and Alan Holcombe. Also present were Town Manager Michael Boaz, Public Works Director Riley Hatch and Beech Mountain Volunteer Fire Department members Jim Brooks, Fred France, John Hoffman, Tim Holland. Fred Pfohl, Max Riley, and Wendell Sauer.

XIII. Presentation of Fire Study Report – Mr. Boaz presented the Council and audience with the revised Volunteer Fire Department feasibility study from the Springsted, Inc. study. After a review of the study, Councilman Corn moved to direct Mr. Boaz to work with Fire Chief Jim Brooks, to put together a job description for a full time employee and give further consideration to a part time employee. Councilman Chamberlin seconded the motion and it passed unanimously.

XIV. Closed Session – Mayor Owen moved to go into Closed Session at 3:00 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 3:45 p.m. Councilman Corn seconded the motion and it passed unanimously.

XV. Adjourned – Councilman Corn moved to adjourn the meeting at 4:25 p.m. Councilman Holcombe seconded the motion and it passed unanimously.

Minutes approved by Town Council on October 14, 2008

Mayor

ATTEST:

Town Clerk

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II. Public Hearing –

a. Loan Request – Councilman Chamberlin moved to open the Public Hearing on the loan request at 6:05 p.m. Councilman Corn seconded the motion and it passed unanimously. Mr. Boaz indicated that the Local Government Commission, LGC, requires that the Council receive public comment on any loan application that requires their approval. The loan request was expected to be approximately \$988,110 for the new water line from Emerald Mountain, the pressure reducing stations, and the backup power generators for the water plant and the water tanks. Hearing no comments from the public, Councilman Chamberlin moved to close the Public Hearing at 6:07 p.m. Councilman Corn seconded the motion and it passed unanimously.

III. Approval of the Minutes –

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a. September 9, 2008 Public Hearing Minutes – Councilman Chamberlin moved to approve the September 9, 2008 Public Hearing Minutes as presented. Councilman Corn seconded the motion and it passed unanimously.

Approved by Town Council on September 9, 2008

Mayor

ATTEST:

Town Clerk

