

Roads – Mayor Castiglione thanked staff for their good work on the roads. The town has received good feedback on the salting program. Councilman Abernethy was a catalyst behind this program.

Councilman Sauer motioned for Council to recess to closed session at 5:26 p.m. Vice Mayor Kaufman seconded the motion. The motion passed unanimously.

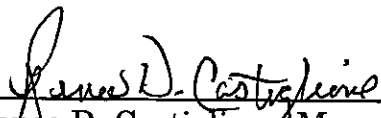
XI. Closed Session Pursuant to NC GS 143-318.11(a)(3) Attorney Client Matters - At 5:35 p.m., Vice Mayor Kaufman moved to reconvene in closed session pursuant to N.C. Gen. Stat. §143-318.11 (a)(3) for the purpose of discussing attorney-client matters. The motion was seconded by Councilman Abernethy and passed unanimously. Upon motion by Vice Mayor Kaufman, seconded by Councilman Sauer, the Council voted passed unanimously to exit closed session at 6:12 p.m.

XII. Other Business

Recreation Committee Appointment – Councilman Marquardt made a motion to appoint Fred Pfohl, Barbara Piquet, Gloria Alge, and Jeff Fabri to the Recreation Committee and to appoint Loretta “Willie” Wagner to complete the remaining 1-year term of Gil Adams ending 2018. Vice Mayor Kaufman seconded the motion. Hearing no discussion Mayor Castiglione called for the vote. The vote passed unanimously.


XIII. Adjourn – At 6:14 p.m., Councilman Sauer moved to adjourn, which was seconded by Councilman Abernethy. The motion passed unanimously.

Minutes approved by Town Council on February 13, 2018.



Renee D. Castiglione, Mayor

ATTEST:



Jennifer L. Broderick, MMC
Town Clerk



discussion topics should submit their ideas to Town Manager, Tim Holloman, at manager@townofbeechmountain.com or Town Clerk, Jennifer Broderick, at clerk@townofbeechmountian.com. The Town Manger and Town Clerk will also be accepting submissions via hand delivery or by mail addressed to their attention at 403 Beech Mountain Parkway Beech Mountain, NC 28604. Submissions will be accepted through 5:00 p.m. January 19, 2018. Please contact Town Hall at 828-387-4236 if you have further questions.

X. *Town Council Comments*

Thank You for Serving to Past and Present Board Members – Councilman Marquadt thanked members of the community that were appointed and were coming off the various Town Boards for their service. Vice Mayor Kaufman agreed with Councilman Marquadt and hope the interest continued.

Historical Society – Mayor Castiglione spoke with Ann Illes of the Historical Society and toured their building. Mayor Castiglione encouraged visitors and citizens to see the facility and thanked the Historical Society for their good work.

Tourism Development Authority Report – Mayor Castiglione stated that the Tourism Development Authority recorded the second highest total ever being served. Mayor Castiglione questioned when this occurred. Director of Tourism and Economic Development Kate Gavenus stated that this number was recorded around the 15th of December 2017. Mrs. Gavenus stated the Visitor's Center had the perfect team crediting the good work of Chamber of Commerce Director Lauren Mills and Illena Accardi. Mrs. Gavenus stated that the town has seen an increase in occupancy tax revenues. Council inquired if this had to do with the newly contracted company to assist with occupancy tax collections. Mrs. Gavenus stated that the increase to date did not. Councilman Marquadt reported to Council that the increase in occupancy dollars is on an approximate 5-year trend.

Parks and Recreation Department – Mayor Castiglione requested Parks and Recreation Director Sean Royall review some of the recent events the department had held. Mr. Royall stated that the Yule Log Pancake Breakfast had been moved to the weekend of Christmas. Mr. Royall reported a larger turnout with approximately 90 individuals attending. Mr. Royall stated that the date for the New Year's Eve event was also adjusted to not conflict with the Resort. Approximately 150 individuals showed up to the event. Mayor Castiglione thanked newly appointed Recreation Committee Board Member Jeff Fabri for his assistance at the event.

Chapter 14 of the North Carolina General Statutes handles this type of situation. Councilman Marquardt questioned if this would allow a private citizen to allow a citizen to complain. Attorney Eggers stated that there are other laws for this type of complaint. Councilman Abernethy questioned Police Chief Tim Barnett if this was a problem to enforce. Police Chief Barnett stated the biggest problem is connecting the drone to the user. Manager Holloman stated that his only concern is the false sense of security that we can do more than we can do. Attorney Eggers advised Council that there is already a good deal of State and Federal exemption for the town due to the airport at Elk River being regulated by the Federal Communications Commission. Attorney Eggers stated that he believed that this regulated area spread for three miles. Police Chief Barnett stated that individuals right now can be charged them with trespassing. Hearing no more discussion Mayor Castiglione called the vote. The vote passed 3 to 2 with Councilman Marquardt, Councilman Sauer, and Mayor Castiglione voting in favor. Vice Mayor Kaufman and Councilman Abernethy voted nay. Ordinance No. 2017-09: *An Ordinance to Regulate Use of Unmanned Aircraft Systems within the Town of Beech Mountain, State of North Carolina* is attached as Exhibit D and incorporated by reference as if fully set out within these minutes.

IX. *Town Manager and Staff Reports*

Gas and Diesel Tanks – Manager Holloman stated that by the end of the week or early next week the town's new gas and diesel tanks will be fully installed.

Salting Wintery Roads – Manager Holloman reported to Council that the town has contracted with Mile High Landscapes, owned by Matt Stokes, to salt the town's paved roads at a cost of \$225.00 per lane mile. The company recommends ice melt if temperatures fall below 10 degrees. Road ice should be 1" (inch) or less when applied to achieve clear roads.

Council Retreat (Advance) – Manager Holloman read aloud the solicitation for input notice that was being publicized for Town Council's Planning Retreat on Thursday, January 25th, 2018 at 8:30 a.m. at Town Hall in the Council Chamber Room at 403 Beech Mountain Parkway, Beech Mountain, NC, 28604. As part of the budget planning retreat process this year the Town Council is accepting submissions for discussion topics. These ideas will be listed out and submitted to the Town Council prior to their discussions. For full consideration, submissions should include your discussion idea(s) along with your name, address, phone number, and email in case clarification is needed regarding your topic. Individuals interested in submitting

Hearing no discussion Mayor Castiglione called for the vote. The vote passed unanimously.

Note: Refer to XII. Other Business for continuation of Recreation Committee Appointments.

- k. *Tree Board Appointments*** – Mayor Castiglione stated that due to a lower interest to serve the Tree Board would have one vacancy post the appointment process. Mayor Castiglione encouraged interested parties to notify Council of their desire to serve. Councilman Abernethy made a motion to appoint Riley Pudney to the Tree Board to fulfill the remaining 2 year appointed term of Peter Patton ending 2019. Vice Mayor Kaufman seconded the motion. Hearing no discussion Mayor Castiglione called for the vote. The vote passed unanimously.
- l. *Town Council Order of Business*** – Councilman Sauer motioned to hold closed session at the beginning of Councils regularly scheduled Council meeting held the second Tuesday of every month at 3 pm with the time of public business beginning at 4:00 p.m. Vice Mayor Kaufman seconded the motion. Hearing no discussion Mayor Castiglione called for the vote. The vote passed unanimously.
- m. *Rural Transportation Advisory Committee Appointment*** – Councilman Marquardt made a motion to nominate Vice Mayor Kaufman to fill the Rural Transportation Advisory Committee vacancy. Councilman Sauer seconded the motion. Hearing no discussion Mayor Castiglione called for the vote. The vote passed unanimously.

VIII. *Old Business*

- a. *Vote on Ordinance No. 2018-02: An Ordinance to Regulate Use of Unmanned Aircraft Systems within the Town of Beech Mountain, State of North Carolina*** – Mayor Castiglione opened floor for a motion. Councilman Sauer motioned to approve Ordinance No. 2017-09: *An Ordinance to Regulate Use of Unmanned Aircraft Systems within the Town of Beech Mountain, State of North Carolina.* Vice Mayor Kaufman seconded the motion. Mayor Castiglione questioned the zoning issue that the Beech Mountain Club had brought up during a previous discussion. Manager Holloman stated that if the Planning Board wanted to review this proposed ordinance change and make that recommendation they could. Councilman Abernethy questioned if there were gray areas in the ordinance. Attorney Eggers stated that with any law of ordinance there is always Officer discretion on how rules are enforced. Councilman Abernethy asked about peeping toms. Attorney Eggers advised that

am or whenever town business starts. Manager Holloman stated that staff believes that from a staff presentation perspective it is believed that the meeting can be completed in one day. Mayor Castiglione called the vote, the vote passed unanimously.

- g. *Planning Board Appointments*** – Mayor Castiglione opened the floor for nominations. Vice Mayor Kaufman stated that the Council was excited that they received so many applications. Vice Mayor Kaufman motioned to appoint John Hoffman for a 3-year term ending December 2020; Robert Cavagnaro to fulfill Mike Chase’s vacancy for a 3-year term ending December 2020; Sandy Carr to fulfill the remaining appointed term of Andy Porter for 1-year ending December 2018; and Joseph Antonell to fulfill the remaining appointed term of Barry Kaufman for 2-years ending December 2019. Councilman Sauer seconded the motion. Hearing no discussion Mayor Castiglione called for the vote. The vote passed unanimously.
- h. *Board of Adjustment Appointments*** – Mayor Castiglione opened the floor for nominations. Councilman Sauer stated that Bernie Knepka and Fred France’s appointed terms were completed. Councilman Sauer made a motion to appoint Fred France to a 3-year term ending December 2020 and Therese Barry to a 3-year term ending December 2020 to the Board of Adjustment and to move Lee Wittman to 1st Board of Adjustment Alternate from 3rd Board of Adjustment Alternate for the remaining two years of his appointed term ending December 2019; to appoint Peter Patton as 2nd Alternate to fulfill Therese Barry’s vacancy for a 1-year term ending 2018; and Cindy Keller as 3rd Alternate for a 3-year term ending 2020 to the Board of Adjustment. Vice Mayor Kaufman seconded the motion. Hearing no discussion Mayor Castiglione called for the vote. The vote passed unanimously.
- i. *Tourism Development Authority Board Appointments*** – Mayor Castiglione opened the floor for nominations. Councilman Sauer stated that the two Board vacancies have 1 year remaining on the original 3 year appointment. Councilman Sauer made a motion to appoint James “Jimmy” Accardi II and Phyllis Winter to fulfill the remaining 1 year terms for the two vacancies. Councilman Marquardt seconded the motion. Hearing no discussion Mayor Castiglione called for the vote. The vote passed unanimously.
- j. *Recreation Committee Appointments*** – Mayor Castiglione opened the floor for nomination. Councilman Marquardt made a motion to appoint Barbara Piquet, Fred Pfohl, Loretta Wagner, and Jeff Fabri to the Recreation Committee. Vice Mayor Kaufman seconded the motion.

concern. Mr. Krause stated that there are two satellite areas that could be used for parking. Fred Pfohl, of 240 Sawmill Branch Road, stated that when Buckeye Recreation Center was built satellite parking was included for approximately 15 spaces. Manager Holloman stated that Council will see this again during the budget process. Staff thinks they are going to have some help from the community through donations. Mr. Pfohl stated that Dr. Ronald and Susan Shane donated this property for the park site. Years ago this was used as a marshland area. Mr. Pfohl stated that the Shane's are involved in the park project and that it would be a real nice addition to the community. Councilman Abernethy asked how many acres the property was. Manager Holloman stated there were approximately three acres.

- d. *Vote on Ordinance No. 2018-01: An Ordinance Amendment to Extend Public Comment Time*** – Mayor Castiglione opened the floor for a motion discussion. Councilman Abernethy motioned to approve Ordinance No. 2018-01: *An Ordinance Amendment to Extend Public Comment Time*. Councilman Sauer seconded the motion. Hearing no discussion Mayor Castiglione called the vote, the vote passed unanimously. Ordinance No. 2018-01: *An Ordinance Amendment to Extend Public Comment Time* is attached as Exhibit C and incorporated by reference as if fully set out within these minutes.
- e. *Request for Public Hearing to Consider an Ordinance Amendment to Allow Members of Certain Subordinate Boards to Attend Meetings by Telephonic or Video-Telephonic Conference*** – Mayor Castiglione asked if there was a motion to schedule a public hearing. Councilman Sauer motioned to schedule the public hearing for Councils next regular meeting. Councilman Abernethy seconded the motion. Mayor Castiglione questioned the cost associated with the type of technology being used. Councilman Marquardt stated that the mindset behind this was to work towards the ultimate goal to broadcast all meetings. Council questioned the language of the amendment not counting the member as part of the quorum. Attorney Eggers stated that there is discussion at the School of Government about losing a member that was telephonically assisting with constituting a quorum. It is a policy decision ultimately but it assists in scenarios where a member constitutes a quorum. Hearing no more discussion Mayor Castiglione called the vote, the vote passed unanimously.
- f. *Schedule Time for January 25, 2018 Planning Retreat*** – Councilman Sauer motioned to schedule the January 25, 2018 Planning Retreat to begin at 8:30 a.m. Councilman Marquardt seconded the motion. Councilman Abernethy questioned why this meeting could not start at 7

project, and local Architect Sean P. Krause that has worked on the pump house feature for the park. Mrs. Buckwalter informed Council that Destination by Design is a planning and design firm. Mrs. Rainey discussed the proposed park project stating that emphasis has been placed on the beautiful creek that runs through to the lake. There is already a fire pit in an area that this site will connect to. There is also a bridge and some trails that this plan tries to integrate together through different trail layout plans. Restrooms and a ropes course were other possibilities along with the possibility of creating an amphitheater. The developed plan provides places for children to play as well as adults. Mr. Krause informed Council that the pump house that is in place is there to replenish the lake to prolong a draught. The idea behind this is to provide as much water as possible while adding a nice visual element to the site. Mr. Krause presented the committee's vision for the pump house. Mrs. Rainey stated that emphasis was placed on using the nature around to encourage play and stimulating interaction with the environment. Mrs. Rainey stated that landscaping with moss could be included, which would be very low maintenance. Mayor Castiglione asked how human interaction works with the water flowing into Buckeye. Public Utilities Director Robert Heaton stated that there is a 100-yard boundary that they would need to remain away from the lake. Councilman Abernethy questioned the pump house water feature in the plan when the pump was not running. Manager Holloman asked stated that the flow of the pump will be used at peak times 6 to 8 hours and if the town needs more we will use more than that. Mrs. Rainey stated that this is the conceptual design and additional work will be needed to prepare the construction and bid documents necessary. Mrs. Rainey reviewed the cost estimates of the Phase I Creek Feature, Parking and Trails to include; parking area (14,000 square feet) – \$70,000 to \$90,000 and water feature / pump house with the three components approximately costing as follows, pump house – \$55,000, sculpture – \$92,000, creek feature – \$40,000, and streetlights for parking (6 at \$2,800 each) – \$16,800. Phase II Restroom & Picnic Shelters to include; restrooms – \$130,000 to \$150,000, benches (7 at \$1,800 each) – \$12,000 to \$14,000, and covered picnic tables (6 at \$5,385 each) – \$30,000 to \$40,000. Phase III Amphitheater to include; "Lighter Touch" amphitheater seats (100) – \$143,000, stage (16 foot by 24 foot) – \$70,000 to \$80,000, and a fishing pier (8 foot by 16 foot). These figures do not include shipping or installation. That cost would vary depending on final selections. Councilman Sauer asked how many restrooms were proposed. Mrs. Buckwalter stated that only one bathroom was proposed. Manager Holloman stated that Building Inspector John Merritt has been working on some preliminary drawings for the restroom. Mrs. Buckwalter Informed Council that the Rocky Knob restroom facility in Boone cost approximately \$130,000. Vice Mayor Kaufman stated that parking is a

a. ***Mitigation and Emergency Management*** – Taylor Marsh, Watauga County Fire Marshal/Emergency Management Coordinator presented information to Council about the updated draft Mitigation Emergency Management Plan before Council. Mr. Marsh informed Council that without a Mitigation and Emergency Plan in place you are ineligible for Federal Emergency Management Agency funds. The plan for Councils consideration has been approved by the Federal Emergency Management Agency. The required public survey has been placed on the town's website. The survey includes questions about what citizens feel is the greatest risk and if they feel the town is prepared. Of all of the counties that participated in the survey Watauga County had the most participation. Mr. Marsh presented an Action Mitigation Plan worksheet that would be worked on the next time the plan is reviewed. Vice Mayor Kaufman asked if there was anything that stood out from the citizens responses. Mr. Marsh stated a large snow or ice storm was the main issue that came up. Mayor Castiglione asked if wild fires came up. Mr. Marsh confirmed yes. Vice Mayor Kaufman asked about emergency exit roads. Mr. Marsh stated that this was also area that also came up. Manager Holloman asked if Mr. Marsh could separate the Beech Mountain responses without any names. Mr. Marsh confirmed that this was an anonymous survey and that the data received would be sent to Manager Holloman. Vice Mayor Kaufman asked about additional signage for Buckeye Creek Road. Mr. Marsh stated that this would need to be addressed with the North Carolina Department of Transportation. Councilman Abernethy questioned if there were any significant changes in the plan. Mr. Marsh stated no.

b. ***Resolution No. 2018-01: Resolution Adopting Town of Beech Mountain Hazard Mitigation Plan*** – Councilman Sauer motioned to approve Resolution No. 2018-01: Resolution Adopting Town of Beech Mountain Hazard Mitigation Plan. Councilman Abernethy seconded the motion. Hearing no further discussion Mayor Castiglione called the vote. The vote passed unanimously. Resolution No. 2018-01: *Resolution Adopting Town of Beech Mountain hazard Mitigation Plan* is attached as Exhibit B and incorporated by reference as if fully set out within these minutes.

c. ***Shane Outdoor Park Proposal*** – Manager Holloman stated Shane Outdoor Park proposal was being recommended by the Shane Property Ad Hoc Committee who has worked with Destination by Design to assist in defining the park space. Manager Holloman mentioned that a few members of the Shane Property Ad Hoc Committee were present. Destination by Design Teresa Buckwalter, RLA was present today along with Destination by Design Claudia Rainey, RLA who has worked on the

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
Regular Meeting – January 9, 2018

- I. *CALL TO ORDER*** – Mayor Renee Castiglione called the regular meeting of the Beech Mountain Town Council to order at 4:00 p.m., Tuesday, January 9, 2018 in the Town Hall Council Chambers located at 403 Beech Mountain Parkway Beech Mountain North Carolina 28604. Other Council Members present were Barry Kaufman, Carl Marquardt, Weidner Abernethy, and Wendel Sauer. A quorum was present. Town Attorney Stacy C. Eggers, IV was present. Staff members present included Town Manager Tim Holloman, Town Clerk Jennifer Broderick, Finance Officer Steve Smith, Public Utilities Director Robert Heaton, Public Works Director Riley Hatch, Fire Chief Bob Pudney, and Parks and Recreation Director Sean Royall.
- II. *Invocation*** – Town Manager Tim Holloman presented the invocation.
- III. *Pledge of Allegiance*** – All present joined in the Pledge of Allegiance to the flag.
- IV. *Adoption of Agenda*** – Councilman Marquardt motioned to approve the agenda. Councilman Sauer seconded the motion, the vote carried unanimously.
- V. *Consent Agenda*** – Mayor Castiglione opened the floor for Council to take action on the consent agenda. Councilman Sauer motioned to approve the consent agenda. Vice Mayor Kaufman seconded the motion, the vote passed unanimously. The consent agenda was approved as follows with consent agenda item 'c' attached as Exhibit A. Exhibit A is incorporated by reference as if fully set out within these minutes.
- a. *December 12, 2017 – Closed Session***
b. *Recreation Trails Project Grant Proposal*
c. *2017-2018 FY Audit Contract*
- VI. *Public Comment*** – Jeanne Burks, with the Beech Mountain Club, stated that regarding the Tourism Development Authority that the two major economic industries in the town were the Ski Resort and The Beech Mountain Club. Mrs. Burks recommended Council considering the importance of having representation from one or both of these entities on this Board.
- VII. *New Business***