

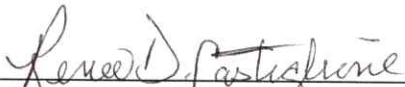
unanimously. Upon motion by Councilman Abernethy, seconded by Vice Mayor Kaufman, the Council voted unanimously to exit closed session at 5:48 p.m.

XIII. Other Business – Following closed session, no other business was conducted.

XIV. Adjourn – Upon motion by Councilman Sauer, seconded by Vice Mayor Kaufman, the Council voted unanimously to adjourn at 5:48 p.m.

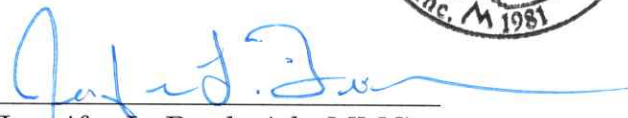
Minutes approved by Town Council on April 10, 2018.





Renee D. Castiglione, Mayor

ATTEST:



Jennifer L. Broderick, MMC
Town Clerk

that they are passable and safer. Mayor Castiglione stated she had received emails supporting the salting program too.

Infrastructure Department – Councilman Sauer stated that the Infrastructure Department received a call from a resident in the community needing to take their wife to a medical appointment off the mountain requesting the department start clearing roads with snow near his house so they could get out. The department accommodated the request. Director of Infrastructure Robert Heaton stated that Public Works Superintendent Matthew Clauson worked out the accommodations with staff.

Street Cleanup – Councilman Sauer stated that the Chamber of Commerce was again sponsoring the annual Street Cleanup. April 29, 2018 is the date for those interested in participating. Mayor Castiglione stated that it would be great if everyone could get out there and help pick up.

Community Participation – Councilman Marquardt thanked everyone for attending and expressing interest in the community. Councilman Marquardt encouraged those in attendance to assist with spreading the word to nonresident property owners as they arrived about the Town Hall meeting dates and topics. Councilman Marquardt stated that it was important to hear everyone's opinions during these discussion opportunities.

Buckeye Recreation Center Annual Dues – Mayor Castiglione complemented the membership receipt service that was mailed post payment of the annual dues for membership at Buckeye Recreation Center. Parks and Recreation Director Sean Royall stated that members can also sign up for automatic renewal and that notifications are sent to members when it is time to pay their annual dues.

Safety at Buckeye Recreation Center – Mayor Castiglione stated that a request to add mirrors in the weight room were requested to provide users full view of those entering and exiting the room. Mayor Castiglione thanked the department for quickly responding to the request and installing the mirror.

Note: *Town Manager Tim Holloman and Town Clerk Jennifer Broderick were excused from Closed Session at 5:05 p.m. Attorney Eggers took the minutes for closed session and the remaining regular meeting minutes.*

- XII. Closed Session Pursuant to NC GS 143-318.11(a)(6) Personnel Matters**
- At 5:05 p.m., Councilman Sauer moved to enter closed session pursuant to N.C. Gen. Stat. §143-318.11 (a)(6) for the purpose of discussing personnel matters. The motion was seconded by Councilman Abernethy and passed

interested in completing can do so on the town's website by going to 'Survey' on the left hand menu of the homepage.

High Country Municipal Association Meeting – Manager Holloman informed Council that Beech Mountain was hosting the upcoming High Country Municipal Association meeting on Thursday, April 19, 2018 at Buckeye Recreation Center. Council Members are requested to let the Town Clerk know whether or not they will be attending the meeting by March 23, 2018.

UNC School of Government Course: Strategic Planning for Elected Officials – Manager Holloman stated that three Council Member along with himself were attending the Strategic Planning for Elected Officials Course offered by UNC School of Government on March 23, 2018 in Chapel Hill at the Knapp-Sanders Building, School of Government.

Planning Retreat II – Manager Holloman stated that Town Council would hold their second Planning Retreat on March 20, 2018 at 10:00 a.m. in the Council Chamber Room at Town Hall located at 403 Beech Mountain Parkway Beech Mountain, NC 28604.

Recreation Committee – Parks and Recreation Director Sean Royall stated that the Recreation Committee would like to meet with the Town Council to show the Council the town's recreational facilities and trails sometime between May and October around mid-morning for a couple of hours. Manager Holloman stated that he would check with everyone on the April 23, 2018 date. Recreation Committee Member Rory Ellington stated that if a member of the Council was unable to attend on the meeting date a separate time could be arranged. Manager Holloman stated that staff would pole Council and provide public notice when Council finalized the date and time.

XI. Town Council Comments

School Bus Assistance – Councilman Abernethy thanked Police Officer Chris Ward of the town for picking up children stranded on a school bus on a very bad winter day. Police Chief Barnett stated that Police Captain Renee Carpenter and Telecommunicator Shannon Birchfield coordinated this effort with Officer Ward. Mayor Castiglione stated that this is the type of personal contact that makes Beech Mountain special.

Salting Program – Councilman Abernethy stated that a resident on Tamarack and residents on other town roads have sent emails thanking Council for the good shape the roads are in during the winter season stating

minimum lot size only applies to those lots created after this date. Vice Mayor Kaufman motioned to schedule the public hearing for Councils next regularly scheduled Council meeting. Councilman Abernethy seconded the motion, the vote passed unanimously.

k. Tree Board Appointment – Mayor Castiglione stated that she has begged people in the community to participate on the Board. Lear Powell is an arborist that lives on the backside of Beech Mountain. He has provided free services to assist with the Beech Mountain Trees. Vice Mayor Kaufman nominated Lear Powell to the Tree Board. Councilman Sauer seconded the nomination. Hearing no more nominations nor Council discussion Mayor Castiglione called for the vote to appoint Lear Powell to the Town's Tree Board for a term expiring December 2018. The vote passed unanimously.

l. Schedule Town Hall Meeting Date(s) – Mayor Castiglione stated that the purpose of these meetings are to garner public input on important topics in the community. After discussing meeting dates and the sequential order of topics Councilman Marquardt encouraged Council to change the sanitation meeting date to the summer time to allow the core group of the constituency the opportunity to provide feedback during the summer. Council agreed. The meetings would all be held at Buckeye Recreation Center at 1330 Pine Ridge Road Beech Mountain, NC 28604 from 4:00 p.m. to 6:00 p.m. As time permitted, the public would be able to provide input on other topics. The Town Hall Meeting schedule with main topic of discussion was set as follows:

April 23rd, 2018 – Police Take Home Cars
June 25th, 2018 – Infrastructure and Rates
July 23rd, 2018 – Sanitation
October 1st, 2018 – Watauga River Intake

X. *Town Manager and Staff Reports*

North Carolina Department of Transportation Customer Survey – Manager Holloman stated that the North Carolina Department of Transportation is conducting a survey to find out what North Carolina residents think about various services provided by the North Carolina Department of Transportation. This survey is part of the department's efforts to measure performance and provide high quality services. Results from this survey will be used to identify ways North Carolina Department of Transportation can make North Carolina transportation safer, more efficient, and customer-focused. The survey takes about 15 minutes to complete. Those

Recreation Master Plan in place. Mr. Royall informed Council that a lot of the plan before them was part of the town's Comprehensive Plan. Mr. Royall stated that by having these items in the Recreation Department's Master Plan it further shows the town is committed to this vision. Manager Holloman stated that there are several projects ahead of the pool. Vice Mayor Kaufman asked if any modifications had been made after the Recreation Committee reviewed and approved at their meeting. Mr. Royall stated that Council had the same version before them that the Recreation Committee approved. Councilman Marquardt thanked the Planning Board and Recreation Committee for their good work and further clarification. Vice Mayor Kaufman motioned to approve the Master Parks and Recreation Plan. Councilman Sauer seconded the motion. Hearing no further discussion Mayor Castiglione called the vote, the vote passed unanimously. The Master Parks and Recreation Plan is attached as [Exhibit D](#) and incorporated by reference as if fully set out within these minutes.

- h. Request to Apply for Parks and Recreation Trust Fund Grant* – Parks and Recreation Director Sean Royall requested Council schedule a special meeting for the purpose of receiving public input on Shane Outdoor Park and application to the Parks and Recreation Trust Fund Grant (PARTF) to help build the park. The Parks and Recreation Trust Fund grant is a 1:1 matching grant. Staff will be asking for a \$450,000 commitment for a total of \$900,000 in funds for Shane Outdoor Park. The commitment would be \$150,000 a year over the next three years. Special fundraisers for donations will be held to achieve the town's goal of providing our community with a new outdoor recreation park. Councilman Sauer motioned to schedule a special meeting to hear public input on staff moving forward with applying for the Parks and Recreation Trust Fund grant to assist with funding Shane Outdoor Park for April 10, 2018 at 5:00 p.m. at Town Hall located at 403 Beech Mountain Parkway Beech Mountain, North Carolina 28604. Vice Mayor Kaufman seconded the motion. Hearing no further discussion Mayor Castiglione called the vote, the vote passed unanimously.
- i. Resolution No. 2018-03: 'Resolution of Support for Shane Outdoor Park'* – Parks and Recreation Director Sean Royall stated that this resolution would come before Council at the special meeting after hearing public input.
- j. Public Hearing Request for Resolution of the Town of Beech Mountain to Clarify Application of Minimum Lot Size §154.105* – Town Planner Preston Yates stated this is only for those lots enacted prior to the enactment of the ordinance. We are looking to clarify that the

West Consultants to work on the town's Sewer Project to Replace and Repair 8" Gravity Sanitary Sewer Lines and the 2" Water Line Replacement project. Councilman Sauer seconded the motion. Hearing no more discussion Mayor Castiglione called the vote. The motion passed unanimously.

- e. Proposed Ordinance Amendment No. 2018-04: An Ordinance to Amend §92.21 'Enforcement' for Continuously Barking Dogs* – Police Chief Tim Barnett stated that in order for an investigation to be pursued Police Officers have to see the crime that is occurring. The proposed ordinance amendment would establish a thirty-day timeframe and three calls as the threshold for when an Officer is mandated to issue a civil or State citation. Attorney Eggers stated that the proposed ordinance before Council did not contain the thirty-day stipulation. Councilman Sauer confirmed that the Officer still had to be able to see the dog barking. Attorney Eggers clarified that the Officer would have to be able to have the burden of proof satisfied to have an incident flagged as one of the three occurrences. Councilman Abernethy motioned to approve Ordinance No. 2018-04: *An Ordinance to Amend §92.21 'Enforcement' for Continuously Barking Dogs* as amended in 92.21(c) to include the three occurrences taking place within a 30 day timeframe. Vice Mayor Kaufman seconded the motion. Hearing no further discussion Mayor Castiglione called the vote, the vote passed unanimously. Ordinance No. 2018-04: *An Ordinance to Amend §92.21 'Enforcement' for Continuously Barking Dogs* is attached as [Exhibit B](#) and incorporated by reference as if fully set out within these minutes.
- f. Resolution No. 2018-02: 'A Resolution of the Town of Beech Mountain to Require Registration of Properties Engaged in Short Term Residential Rentals'* – Mayor Castiglione reviewed the intent of the permitting process. Councilman Sauer motioned to approve Resolution No. 2018-02: *'A Resolution of the Town of Beech Mountain to Require Registration of Properties Engaged in Short Term Residential Rentals'*. Vice Mayor Kaufman seconded the motion. Hearing no further discussion Mayor Castiglione called the vote, the vote passed unanimously. Resolution No. 2018-02: *'A Resolution of the Town of Beech Mountain to Require Registration of Properties Engaged in Short Term Residential Rentals'* attached as [Exhibit C](#) and incorporated by reference as if fully set out within these minutes.
- g. Proposed Master Parks and Recreation Plan* – Parks and Recreation Director Sean Royall stated that in order for the town to make an application for the Parks and Recreation Trail Fund grants and additional types of funding opportunities the department needed to have a Parks and

ongoing work with West Consultants engineering services and familiarity of the project. Councilman Abernethy seconded the motion, the vote passed unanimously. Councilman Sauer motioned to approve the contract for services with West Consultants subject to the Town Attorney's review. Vice Mayor Kaufman seconded the motion. Mayor Castiglione called for the vote, the vote passed unanimously. West Consultants New Public Works Facilities Land Surveying, Design, & Administration Services Proposal is attached as [Exhibit A](#) and is incorporated by reference as if fully set out within these minutes.

- c. ½ Ton Pickup for Public Works and Public Utilities Department* – Director of Infrastructure Robert Heaton informed Council staff was requesting to purchase two pickups at \$25,466.00 each from Ashe County Ford. Staff would use monies from Public Utilities Department Capital Outlay to purchase one vehicle for the Public Utilities Department and monies from the BB&T Loan Fund to replace old car 3 that was taken out of service due to frame issues to pay for the Public Works Department vehicle. Councilman Abernethy motioned to approve the purchase of two pickups at a cost of \$25,466.00 each from Ashe County Ford dealership. Councilman Sauer seconded the motion. Councilman Abernethy questioned the value of trucks. Mr. Heaton stated that the town will try to keep on truck, the other vehicle's frame is broke so will try to sell it on Govdeals for parts. Councilman Abernethy stated 61,000 is not a lot of miles. Councilman Abernethy asked if it would be an important feature to have an underbody wash. Vice Mayor Kaufman stated that you have a 100,000 warranty on the body frame. Hearing no more discussion Mayor Castiglione called the vote. The motion passed unanimously.
- d. Utilities Request for Approval to Contract for Water and Sewer Line Projects* – Director of Infrastructure Robert Heaton stated the project will rehabilitate or replace approximately 7,800 linear feet of 8" (inch) gravity sewer and 9,600 linear feet of 12" gravity sewer in the Charter Hills area of town. Mr. Heaton stated that part of the application process for applying for a State Water and Sewer loan requires the town to conduct a Request for Qualifications for Engineering Services. Responses to the Request for Qualifications were received February 15, 2018. The town received four (4) proposals for the Sewer Project to Replace and Repair 8" Gravity Sanitary Sewer Lines and two (2) proposals for the 2" Water Line Replacement Project. All submitted proposals were scored with West Consultants achieving the highest score for both projects. Mr. Heaton informed Council that the individual score sheets had been provided to Council in their agenda packet. Councilman Marquardt stated that these types of projects were a high priority to get started without delaying. Councilman Marquardt motioned to approve

VIII. Public Comment – Harold Halliburton, of 132 Skiway Circle, stated that in 1996 Skiway Circle conducted a petition to pave Skiway Circle that the town permitted the homeowners to move forward. It has been twenty-two years since the road was paved and is now in need of repair. Mr. Halliburton has collected almost two-thirds of the owner's signatures on the petition. Manager Holloman was directed to review the petition and reach back out to Mr. Halliburton. Frank Steele, of 107 Christie Way, provided Council with an update on a meeting with Director of Tourism and Economic Development Director Kate Gavenus and Tourism Development Authority Chair Judy Decker. Mr. Steele encouraged Council to sit down and discuss issues with these two individuals who are promoting the mountain.

IX. New Business

a. Proclamation of the Town of Beech Mountain, NC Honoring the Elder-Mann Family for Re-Development of the Overlook Barn – Mayor Castiglione postponed Council's consideration of the proclamation honoring the Elder-Mann family to Council's regular June 12, 2018 meeting.

b. Public Works and Salt Building Survey Design and Bid Construction Proposal – Manager Holloman stated that Special Projects Riley Hatch has been working on the Public Works and Salt Building Survey Design project. Benjie Thomas, PE of West Consultants, provided Council with a proposal for land surveying, design, and administration services for the town's new proposed Public Works Facilities and salt building. The proposed facility would include a new Public Works building, salt storage building, and relocation of the Recycling Center. West Consultants would work with staff and Council to make the best use of the land and tie in the existing uses. Manager Holloman and Mr. Hatch toured a Public Works facility completed by West Consultants late 2011 for a cost of \$846,054. The facility had similar functions of storing materials, water lines. Another more recent facility constructed by West Consultants in 2016 cost \$1,300,000. Manager Holloman informed Council that the town would have an engineer on site one day a week with Mr. Hatch on site some days of the week too. Mr. Hatch stated that staff is proposing a building very similar but with a heavier metal for the wind conditions and snow loads on the mountain. Mr. Hatch stated that staff is also working out storage and the layout design with the salt building on the outside. The proposed site has approximately 5 acres. Vice Mayor Kaufman asked if the building would last 50 years. Mr. Hatch stated that the last Public Works facility was built in 1969. Councilman Sauer motioned to waive the qualification based selection procedure for the proposed project based on the town's

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
Regular Meeting – March 13, 2018

- I. *CALL TO ORDER*** – Mayor Renee Castiglione called the regular meeting of the Beech Mountain Town Council to order at 3:00 p.m., Tuesday, March 13, 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, Police Chief Tim Barnett, Police Captain Renee Castiglione, and Tax Administrator Rebecca Ward.
- 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 Sauer motioned to approve the amended agenda. Councilman Abernethy seconded the motion, the vote carried unanimously.
- V. *Closed Session – Pursuant to NC GS 143-318.11(a)(3) Attorney Client Matters and NC GS 143-318.11(a)(6) Personnel Matters*** – At 3:01 p.m., Councilman Sauer moved to enter closed session pursuant to N.C. Gen. Stat. §143-318.11 (a)(3) for the purpose of discussing attorney-client matters to include *Solars v. Town of Beech Mountain* and NC GS 143-318.11(a)(6) Personnel Matters. The motion was seconded by Councilman Abernethy and passed unanimously. Upon motion by Councilman Sauer, seconded by Councilman Abernethy, the Council voted passed unanimously to exit closed session at 3:45 p.m.
- VI. *Other Business*** – There was no other business to discuss.
- VII. *Consent Agenda*** – Mayor Castiglione opened the floor for Council to take action on the consent agenda. Vice Mayor Kaufman motioned to approve the consent agenda. Councilman Sauer seconded the motion, the vote passed unanimously. The consent agenda was approved as follows:
 - a. *February 13, 2018 – Regular Meeting;***
 - b. *February 13, 2018 – Closed Session.***