

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
Regular Meeting – July 12, 2011

I. CALL TO ORDER

Mayor Rick Owen called the regular meeting of the Beech Mountain Town Council to order at 6:02 p.m., Tuesday July 12, 2011 in the Town Hall Council Chambers. Other Council Members present were Paul Piquet, Rick Miller, Cindy Keller and Alan Holcombe. Town Attorney Stacy C. Eggers, IV was present. Staff members present were Town Manager Randy Feierabend; Town Clerk Jennifer Broderick, Town Planner James Scott and Fire Chief Robert Pudney.

II. Invocation – John Troxler presented the invocation.

III. Pledge of Allegiance – All present joined in the Pledge of Allegiance to the flag.

IV. Adoption of Agenda – Mayor Owen stated that the agenda would be amended to include § VIII. New Business item e. World War II Veterans and would stand as amended.

V. Approval of the Minutes

a. June 10, 2011 Special Meeting – Councilman Miller motioned to approve the minutes. Councilman Holcombe seconded the motion and the vote passed unanimously.

b. June 14, 2011 Regular Meeting; Reconvened June 21, 2011 and June 24, 2011 – Councilman Holcombe motioned to approve the minutes. Vice Mayor Piquet seconded the motion and the vote passed unanimously.

c. Closed Sessions Minutes July 14, 2009; March 31, 2010; June 8, 2010 thru June 14, 2011 – Vice Mayor Piquet motioned to approve the minutes. Councilman Holcombe seconded the motion and the vote passed unanimously.

VI. Public Hearing

a. Ordinance to Require Land Line Telephones in Short Term Lease or Rental – Councilman Miller motioned to open the public hearing. Councilman Holcombe seconded the motion and the vote passed unanimously. Mayor Owen summarized that the ordinance had been created as a safety issue to insure that communication avenues were available to individuals staying in short-term rental units within the Town. Hearing no public input on the proposed ordinance Vice Mayor Piquet motioned to close the public hearing. Councilman Holcombe seconded the motion and the vote passed unanimously.

VII. Public Comment

Jim Nehez of 230 Birchwood Lane stated that he had been a homeowner on Beech Mountain since 1976 and was a retired navel officer. Mr. Nehez addressed two issues with Council. The first issue involved the water meter handles that were being installed all over the

mountain. Mr. Nehez felt that these were a very bad eye sore and that they could be easily turned on or off. The second issue of concern Mr. Nehez had was the location of his trash collection bin which was attached to his home. Mr. Nehez stated that his trash bin had always been located in this spot and that the sanitation employees had always picked up his garbage. Just recently Mr. Nehez received a violation notice that stated that these bins needed to be set up on the street. Mr. Nehez felt that his bins should be grandfathered in stating that the edict that they be located on the street has only been in effect for 10 years.

VIII. New Business

a. Resolution to Amend Title XI of Ordinances Business License/Tax – Manager

Feierabend stated that Council had requested this ordinance. Should they elect to pass this ordinance a fee would need to be determined. The tax administrator will be collecting these fees but the fines will be handled by the Code Inspector or the Town Planner. Attorney Eggers stated that licensed real estate agents that manage properties were exempt from this proposed Town privilege license tax due to already having a State privilege license. Realtors involved in property management would still need to register with the Town. Additionally the ordinance is only directed at those who deal in short term rental of property. Councilman Miller felt that this may be a good idea to look at in the future for tree cutting and lawn maintenance; stating that a privilege license would help protect the residents. Mayor Owen felt that this could be negative. Attorney Eggers informed Council that the levy they determined would need to be appropriate to what was being taxed. After much discussion Councilman Holcombe motioned to approve the ordinance with the removal of Section 4: Proration of tax as well as to levy a \$25 privilege licensing fee. Vice Mayor Piquet seconded the motion and the motion passed unanimously. Staff was instructed to disseminate the information to the public with through the utility billing as well as through occupancy tax notices. Resolution No. 2011-07 is attached as Exhibit A and incorporated by reference as if fully set out within these minutes.

b. Town Agreement with Beech Mountain Volunteer Fire Department – Fire Chief Robert Pudney stated that this agreement pertained to fire code inspection and fire code enforcement within the Town. The agreement legalizes these inspections and enforcements within the state of North Carolina. Attorney Eggers stated that the Town is expected to conduct fire code inspections on all commercial properties to insure that they are in compliance with the State fire code. This agreement indemnifies and holds harmless the fire department while performing their duties related to fire inspections. Councilman Holcombe motioned to approve the agreement. Councilman Miller seconded and the motion passed unanimously.

c. Public Hearing Request for Ordinance to Establish Wind Energy Systems as a Conditional Use in the Town of Beech Mountain – Town Planner James Scott stated the Town's code book does not address wind energy systems. Mr. Scott stated that Attorney Eggers has informed him that as a result of the code book not addressing these types of energy systems it is by default permitting them. After much discussion amongst members of the Planning Board a conclusion has been made that it would be a good idea to allow these types of energy systems with proper parameters put in place to protect the Town. The ordinance that has been created will call for the individual erecting the structure to prove that the structure is not going to be a hindrance to the community. The ordinance would require a building permit, a conditional use permit as well as compliance with all applicable State and Federal regulations. Vice Mayor Piquet motioned to schedule the public hearing for Council's

next regularly scheduled meeting. Councilman Holcombe seconded the motion and the vote passed unanimously.

d. Proposed Financing for Budgeted Capital Outlay Items – Manager Feierabend stated that the quotes before Council were from RBC Bank, BB& T and Highlands Union Bank. RBC Bank provided the best rate for the \$502,400 loan with an interest rate of 1.95% for 4 years. Attorney Eggers pointed out that this loan does include a prepayment penalty. Councilwoman Keller confirmed that this was a fixed rate loan. Councilman Holcombe motioned for the Town to proceed with the loan in the amount of \$502,400 through RBC Bank at the interest rate of 1.95% for 4 years as well as to approve the resolution authorizing the execution and delivery of an installment financing contract in the amount of \$502,400 with RBC Bank. Vice Mayor Piquet seconded and the motion and the vote passed unanimously. Resolution No. 2011-06 is attached as Exhibit B and incorporated by reference as if fully set out within these minutes. Staff was asked to itemize the capital outlay for Council.

e. World War II Veterans – Councilman Holcombe asked that Council propose a declaration at the next meeting to honor these individuals that were within the community. This idea spurred from Council endorsing a proclamation which declared national military appreciation month for the month of May. Councilman Holcombe stated that he was in the process of formulating a list of individuals and that the list currently had about 80 individuals so far. Council instructed staff to begin working on this proposal.

IX. Old Business

a. Vote on Ordinance to Require Land Line Telephones in Short Term Lease or Rental – Mayor Owen opened the floor for discussion. Vice Mayor Piquet motioned to approve the ordinance. Councilman Miller seconded the motion and the vote passed unanimously. Staff was instructed to send out information with their next mailing to those who are currently on file paying occupancy tax as well to with the next utility billing. Mayor Owen called the question and the vote passed unanimously. Ordinance No. 2011-12 is attached as Exhibit C and incorporated by reference as if fully set out within these minutes.

X. Town Manager and Staff Reports

Set Date for Water and Sewer Report – Manager Feierabend stated that Council needed to schedule a meeting for the Water and Sewer Report which had been put together by Marion Rothrock. After discussion Mayor Owen stated that Council would meet at on Thursday, July 28, 2011 at 6:00 p.m at Town Hall in the Council Chamber room. Attorney Eggers was excused from attending the meeting.

Buckeye Lake and Lake Coffey – Manager Feierabend stated that there had been talk amongst the public with concerns regarding fish dying. The fishery that tests water came up and found Buckeye Lakes' water to be of excellent quality with both temperature and air. It was determined that Lake Coffey's water temperature was a little high and as a result the fish were congregating at the feeder stream. The fishery stated that they were going to move forward with replenishing the lakes with bass carp. In the future the stocking periods will be changed to when the water is cooler so that the fish will survive better.

Fire Departments Budget Report as of June 30, 2011 – Manager Feierabend informed Council that Fire Chief Robert Pudney has provided Council with the Fire Departments year to date budget for 2010-2011.

Skiloft – Parking – Manager Feierabend stated that information packets had been put together and mailed to all of the homeowners on Skiloft. The only homeowners that responded to the mailing were the homeowners that had parking in place. Manager Feierabend warned that there may be some noise made from homeowners that do not have parking but that these homeowners need to have parking put in or provide shuttles.

Buckeye Recreation Fitness Room – Manager Feierabend informed Council that the flooring for the weight room at Buckeye Recreation Center is going to be put in this Saturday and Sunday with the possibility of installation rolling into Monday. As a result the fitness room will be closed. This flooring will be a great addition to the Recreation Center.

Request from Life Store Bank – Manager Feierabend informed Council that the owners of 3363 Beech Mountain Parkway, Life Store Bank, were requesting that Council consider hiring a consultant to design or come up with the solutions needed in order for the building to meet code. While no motion was made the consensus of the council was not to support the request.

At 7:22 p.m. Mayor Owen stated that Council would take a short break before closed session.

XI. Closed Session – Pursuant to NC GS 143-318.11(a)(3) Attorney Client Matters – Upon motion by Councilman Holcombe at 7:34 p.m., seconded by Councilwoman Miller, the Council voted unanimously to go into closed session pursuant to N.C. Gen. Stat. 143-318.11(a)(3) for Attorney Client matters. Councilman Miller motioned to exit closed session at 8:10 p.m., which was seconded by Councilman Holcombe. The motion passed unanimously.

XII. Other Business

Tourism Development Authority – After much discussion Council concurred that they wished to see the Tourism Development Authority's proposal in writing in its entirety before making any decisions about bringing on an additional full time and part time employee. Staff was instructed to bring this back as an agenda item next month.

XIII. Adjourn – Upon motion to adjourn made by Vice Mayor Piquet and seconded by Councilman Holcombe, the meeting was adjourned at 8:35 p.m. The motion carried unanimously.

Minutes approved by Town Council on August 9, 2011.

Richard H. Owen, Mayor

ATTEST:

Jennifer Broderick, Town Clerk

EXHIBIT A

Resolution Number 2011-07

(4 pages)

Resolution Number 2011-07

TOWN OF BEECH MOUNTAIN

RESOLUTION TO AMEND TITLE XI OF ORDINANCES BUSINESS
LICENSE/TAX

WHEREAS, the Town of Beech Mountain is a municipal subdivision and body politic of the State of North Carolina duly authorized by N.C. Gen. Stat. § 160A-211 to levy privilege taxes on behalf of its citizens; and

WHEREAS, the growth of the tourism industry in Beech Mountain has led to a greatly expanded market of privately owned residences that are rented to tourists for vacation, leisure, and recreational purposes.

WHEREAS, the Town of Beech Mountain is a resort community with a large number of residential short-term rental properties; and

WHEREAS, the Town of Beech Mountain recognizes the need to have a systematic registration of short term residential real estate properties to assist in the collection of occupancy taxes, provide for transportation and parking concerns, maintain the safety and welfare of its citizens, and ensure compliance with other ordinances duly enacted by the Town of Beech Mountain;

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BEECH MOUNTAIN, NORTH CAROLINA THAT Title XI of the Beech Mountain Ordinances be and hereby is adopted and amended as set forth below.

Section 1: Business Regulations/Persons Required to Pay Tax
Section 2: Levy
Section 3: Period of License
Section 4: Proration of Tax
Section 5: Refunds
Section 6: Exemptions
Section 7: Licensee Requirements
Section 8: License Required
Section 9: Reserved
Section 10: Penalties

Section 1: Business Regulated/Persons Required to Pay Tax

Any person, partnership, firm, corporation, limited liability company, association, or other business entity who acts as a landlord or real estate broker engaged in the rental or management of residential property for vacation rental as defined in this Chapter shall be required to register with the Town of Beech Mountain prior to engaging in such activity.

The provisions of this Ordinance shall not apply to:

- (1) Lodging provided by hotels, motels, tourist camps, and other places subject to regulation under Chapter 72 of the General Statutes.
- (2) Rentals to persons temporarily renting a dwelling unit when traveling away from their primary residence for business or employment purposes.
- (3) Rentals to persons having no other place of primary residence.
- (4) Rentals for which no more than nominal consideration is given.

Section 2: Levy

An annual privilege license tax is hereby levied on each person, firm, corporation or association engaged in short term residential rentals conducted within the Town of Beech Mountain as may be set or amended by the Beech Mountain Town Council. The Clerk to the Board shall maintain a schedule of tax as set and approved by the Board. Provided, however, that any licensed North Carolina Realtor who has otherwise paid for a privilege license from the North Carolina Department of Revenue shall be exempt from the payment of such tax so long as he/she presents to the Town a current North Carolina privilege license upon registration under this Chapter.

Section 3: Period of License

a) Annual Licenses. Unless the section of this article levying the privilege license tax applicable to a particular business provides otherwise, a license issued in accordance with this article is good for the 12-month period beginning July 1 and ending June 30. The tax is due on July 1 of each year. However, if a person begins a business after July 1 of a year, the tax for that year is due before the business is begun.

b) Periods shorter Than One Year. If the section of this article levying the privilege license tax applicable to a particular business so provides, a license may be issued for a period of one day, one week, or some comparable period of less than a full license year. A person may not commence a business conducted within the city and taxed under such a section until the privilege license tax due is paid and may not continue such a business beyond the period for which the license is issued.

Section 4: Reserved

Section 5: Refunds

If for any reason a licensee discontinues his business during the license year, he is not entitled to a refund.

Section 6: Exemptions

a) Generally. Except as otherwise provided by this section or by state law, no person is exempt from the payment of a privilege license tax levied by this article.

b) Charitable Organizations. A person who rents property as described above for a religious, educational, civic, patriotic, charitable, or fraternal purpose, when the entire gross income of the business is used for such a purpose, is exempt from paying any privilege license levied by this article.

c) License Required. A person exempt from paying a privilege license tax levied by this article shall nevertheless obtain a license from the tax collector. The license shall state that the licensee is exempt from paying the privilege license tax.

Section 7: Licensee Requirements

Only one license shall be required per individual or organization engaged in the activity described herein. However, each licensee shall provide to the Town of Beech Mountain a complete list of all properties within the Town of Beech Mountain engaged in this activity upon registration for this license or prior to offering an additional property for rent.

Section 8: License Required

All persons engaged in activity subject to this Chapter, including those exempt from payment of this tax, shall nevertheless obtain a license from the tax collector. The license shall state that the licensee is exempt from paying the privilege license tax. All persons required to obtain a license under this Chapter shall be required to post a notice, prepared and provided by the Town of Beech Mountain, to be located conspicuously upon the outside of the building, that this property is properly licensed to engage in short term residential rentals by the Town of Beech Mountain.

Section 9: Reserved

Section 10: Penalties

Violation of these provisions shall subject the offender to a civil penalty in the amount of \$100, to be recovered by the town. Violators shall be issued written notice of the violation which must be paid within 30 days after receipt of said notice. If the violator does not pay the penalty within 30 days, the town may recover such penalty, and all subsequently accruing penalties, in a civil action. Each day's continuing violation of this ordinance shall be a separate and distinct offense. Notwithstanding the above, this ordinance may also be enforced by appropriate equitable remedies issuing from a court of competent jurisdiction. Violations of this ordinance shall not be a misdemeanor. If any

2011-07

division of this section is held to be invalid or unenforceable, all other divisions shall nevertheless continue in full force and effect.

READ, CONSIDERED, PASSED, AND APPROVED at a regular meeting of the Town Council of Beech Mountain, North Carolina, at which a quorum was present and which was held on the 12th day of July, 2011.

Richard H. Owen, Mayor

Attest:

Jennifer Broderick, Clerk

EXHIBIT B

Resolution Number 2011-06

(3 pages)

RESOLUTION 2011-06

The governing body for the Town of Beech Mountain, North Carolina, held a regular meeting at Beech Mountain Town Hall 403 Beech Mountain Parkway Beech Mountain, NC 28604, the regular place of meeting, on July 12, 2011, at 6:00 p.m.

Present: Richard Owen, Paul Piquet, Alan Holcombe, Rick Miller, Cindy Keller

Absent: n/a

Also Present: Randy Feierabend, Town Manager; Jennifer Broderick, Town Clerk

* * * * *

Mayor Richard H. Owen introduced the following resolution which was read:

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INSTALLMENT FINANCING CONTRACT IN THE AMOUNT OF \$502,400.00 WITH RBC BANK (USA) TO FINANCE THE ACQUISITION OF CERTAIN EQUIPMENT FOR USE BY THE TOWN OF BEECH MOUNTAIN, NORTH CAROLINA, AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH

BE IT RESOLVED by the governing body for the Town of Beech Mountain, North Carolina (the "Unit"):

Section 1. The governing body of the Unit does hereby find and determine:

- a) The Town of Beech Mountain proposes the acquisition of certain equipment, which may include fixtures as more fully described in the hereinafter mentioned Contract (collectively, the "Equipment");
- b) After consideration, the governing body of the Unit has determined that the most advantageous manner of financing thereof is by an installment contract pursuant to Section 160A-20 of the General Statutes of North Carolina, as amended;
- c) Pursuant to Section 160A-20, the Unit is authorized to finance the acquisition of personal property, including fixtures, by installment contracts that create a security interest in the property financed to secure repayment of the financing; and
- d) RBC Bank (USA) ("RBC Bank (USA)") has proposed that RBC Bank (USA) enter into an Installment Financing Contract with the Unit to finance the Equipment pursuant to which RBC Bank (USA) will lend the Unit then amount of \$502,400.00 (the "Contract") and a related Escrow Agreement between the Unit and RBC Bank (USA) (the "Escrow Agreement").

Section 2. The governing body of the Unit hereby authorizes and directs Authorized Officer, Richard H. Owen to execute, acknowledge and deliver the Contract and Escrow Agreement on behalf of the Unit in such form and substance as the person executing and delivering such instruments on behalf of the Unit shall find acceptable. The Clerk is hereby authorized to affix the official seal of the Town of Beech Mountain to the Contract and the Escrow Agreement and attest the same.

Section 3. The proper officers of the Unit are authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this Resolution and the Contract and the Escrow Agreement.

Section 4. Notwithstanding any provision of the Contract or the Escrow Agreement, no deficiency judgment may be rendered against the Unit in any action for breach of a contractual obligation under the Contract or the Escrow Agreement and the taxing power of the Unit is not and may not be pledged directly or indirectly to secure any moneys due under the Contract, the security provided under the Contract being the sole security for RBC Bank (USA) in such instance.

Section 5. The Unit covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue Code of 1986, as amended (the "Code") as required so that interest on the Unit's obligations under the Contract will not be included in the gross income of RBC Bank (USA).

Section 6. The Unit hereby represents that it reasonably expects that it, all subordinate entities thereof and all entities issuing obligations on behalf of the Unit will issue in the aggregate less than \$30,000,000 of tax-exempt obligations, including the Contract (not counting private-activity bonds except for qualified 501(c)(3) bonds as defined in the Code) during calendar year 2010. In addition, the Unit hereby designates the Contract and its obligations under the Contract as a "qualified tax-exempt obligation" for the purposes of the Code.

Section 7. This Resolution shall take effect immediately upon its passage.

Upon motion of Councilman Holcombe, seconded by Vice Mayor Piquet, members of the governing body, the foregoing resolution entitled **"RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INSTALLMENT FINANCING CONTRACT IN THE AMOUNT OF \$502,400.00 WITH RBC BANK (USA) TO FINANCE THE ACQUISITION OF CERTAIN EQUIPMENT, AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH"** was passed by the following vote:

Ayes: 5 _____

Nays: 0 _____

PASSED AND ADOPTED this 12th day of July, 2011.

By: _____

Title: Richard H. Owen, Mayor Town of Beech Mountain

* * * * *

I, Jennifer Broderick, Clerk for the Town of Beech Mountain, North Carolina DO HEREBY CERTIFY that the foregoing has been carefully copied from the actually recorded minutes of the governing body of said Town of Beech Mountain at a regular meeting held on July 12, 2011, the record having been made in the minutes of said governing body, and is a true copy of so much of said minutes as relates in any way to the passage of a resolution providing for the authorization of the Installment Financing Contract referred to therein.

I DO HEREBY FURTHER CERTIFY that a schedule, stating that the regular meetings of the Council are held on the second Tuesday of each month at 6:00 p.m. respectively, at 403 Beech Mountain Parkway Beech Mountain, North Carolina, was on file with me for at least seven calendar days prior to said meeting, all in accordance with G.S. 143-318.12.

WITNESS my hand and corporate seal of said Town of Beech Mountain, this 12th day of July, 2011.

Clerk, Town of Beech Mountain

[SEAL]

Original Loan Amount: \$502,400.00

Loan Date: July ____, 2011

EXHIBIT C

Ordinance Number 2011-12

(2 pages)

Ordinance Number 2011-12
TOWN OF BEECH MOUNTAIN

AN ORDINANCE TO REQUIRE LAND LINE TELEPHONE IN SHORT-TERM
LEASE OR RENTAL

WHEREAS, the Town of Beech Mountain is a scenic community whose geography includes many areas with no cell phone reception or service; and

WHEREAS, many people vacation in the town of Beech Mountain, some of whom are unfamiliar with the unusual topography and lack of cell phone availability within many places in the town;

WHEREAS, the Town of Beech Mountain seeks to maintain a high quality of living for its residents; and

WHEREAS, the Town of Beech Mountain communicates with its citizens using reverse 911, whereby the 911 dispatcher notifies residents and occupants of town events, major road construction, and water shortage periods. Short term renters in particular would be less likely to know of conditions existing in town, potential hazards to avoid, and the status of critical water shortage periods without working land line telephones;

WHEREAS, the Town of Beech Mountain recognizes the need for land line telephone service to protect vacationers and short-term residents;

WHEREAS, undue risk to life and property could result in that, if left unregulated by the Town, hazardous conditions could be exacerbated by the lack of communication with centralized dispatch; and

WHEREAS, short-term renters and vacationers are often unaware that cell phone reception is unavailable in many areas of Beech Mountain and are often unaware that access to emergency communication and centralized dispatch could be unavailable; and

WHEREAS, the Town of Beech Mountain has a compelling interest in providing standards of conduct by short-term lease or short-term rental landlords within the Town of Beech Mountain;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BEECH MOUNTAIN, NORTH CAROLINA THAT:

Section I. All persons, corporations, or entities engaging in the rental of residential property for vacation, leisure, or recreation purposes for fewer than 90 days by a person who has a place of permanent residence to which he or she intends to return shall be subject to this Ordinance. All persons or entities

subject to this Ordinance shall install, have, and maintain in the vacation, leisure, or recreational rental as described above, a landline telephone capable of dialing 911 despite power outages.

Section II. Violation of any provision of this ordinance shall subject the offender to a civil penalty in the amount of \$100.00, to be recovered by the town. Violators shall be issued written notice of violation which must be paid within 72 hours after receipt of said notice. If the violator does not pay the penalty within 72 hours, the town may recover such penalty, and all subsequently accruing penalties, in a civil action.

Each act committed in violation of this ordinance shall be considered a separate and distinct offense. Each day's continuing violation shall be a separate and distinct offense.

Notwithstanding the foregoing remedies, this ordinance may be enforced by appropriate equitable remedies issuing from a court of competent jurisdiction.

Violation of this ordinance shall not be a misdemeanor.

In the event it is necessary for the town to institute a civil action to collect a civil penalty for the violation of any provision of this ordinance, the offender shall pay all court costs and reasonable attorney fees incurred by the town.

Section III. If any section of this ordinance is held to be invalid or unenforceable, all other sections shall nevertheless continue in full force and effect.

Section IV. This Ordinance shall take effect immediately upon its passage and publication according to law.

READ, CONSIDERED, PASSED, AND APPROVED, following a duly noticed public hearing, at a regular meeting of the Town Council of Beech Mountain, North Carolina, at which a quorum was present and which was held on the 12th day of July, 2011.

This ordinance adopted this the 12th day of July, 2011.

Richard H. Owen, Mayor

Attest:

Jennifer Broderick, Clerk