

**MINUTES**  
**BEECH MOUNTAIN TOWN COUNCIL**  
**Regular Meeting – January 10, 2012**

***I. CALL TO ORDER***

Vice Mayor Piquet called the regular meeting of the Beech Mountain Town Council to order at 3:00 p.m., Tuesday January 10, 2012 in the Town Hall Council Chambers advising that Mayor Owen was absent due to eye surgery. Other Council Members present were Alan Holcombe, Cindy Keller and Rick Miller. Town Attorney Stacy C. Eggers, IV was present. Staff members present were Town Manager Randy Feierabend; Town Clerk Jennifer Broderick 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*** – Vice Mayor Piquet stated that the proposed agenda would be amended to remove NC GS 143.318.11(a)(6) Personnel Matters from Closed Session discussion. With this modification the agenda would stand as presented.

***V. Approval of the Minutes***

***a. November 15, 2011 Closed Session Minutes and December 13, 2011 Closed Session Minutes*** – Councilwoman Keller motioned to approve the November 15, 2011 Closed Session Minutes and the December 13, 2011 Closed Session Minutes. Councilman Holcombe seconded the motion and the vote passed unanimously.

***b. December 13, 2011 Regular Meeting Minutes*** – Councilman Miller motioned to approve the December 13, 2011 Regular Meeting Minutes. Councilman Holcombe seconded the motion and the vote passed unanimously.

***c. December 13, 2011 Closed Session Minutes*** – Council approved concurrently through a motion to approve the November 15, 2011 Closed Session Minutes.

***VI. Public Comment*** –

Hal Halliburton of 132 Skiway Circle distributed a letter to Council stating that he had a phone conversation with Watauga County Commissioner Vince Gable regarding the 911 system. Mr. Gable is currently working with the towns of Boone and Blowing Rock to merge the three 911 systems into one. Mr. Halliburton wished to know if Council intended on participating in this merger. Mr. Halliburton stated that there was discussion that the 911 funds provided by the State were being looked at to fund a building expansion of Town Hall for the Police Department. Mr. Halliburton believed that there were better uses for the money stating that the Police Department did not need additional space. Mr. Halliburton stated that by merging with Watauga County's 911 system the Town would save on maintenance of equipment, personnel to monitor as well as freeing up additional space within Town Hall. Mr. Halliburton read over a list of questions he had provided Council within the body of his letter. Vice Mayor Piquet stated that Manager Feierabend would respond back to Mr. Halliburton's letter.

Barry Schorr of 205 Foxgrape Hollow addressed Council distributing copies of NC GS 143-318.11. Closed sessions, as well as NC GS 132-1. "Public records" defined. Mr. Schorr informed Council that there were certain obligations that a public body has when performing closed sessions and that he was looking for transparency.

## **VII. New Business**

**a. Board of Adjustment Appointment** – Vice Mayor Piquet instructed staff to place this item on the upcoming agenda in February stating that further conversations needed to be had with a potential nominee.

**b. Discussion Involving Memorial Donation for Charlie Burleson** – Manager Feierabend stated that Council had asked staff to look into the potential dedication of the Fishing Derby and/or the soon to be constructed pier on Lake Coffey to serve as a memorial honoring Charlie Burleson. Upon further review and conversations with Mr. Burleson's family and various committees staff believes that the dedication of the pier on Lake Coffey would serve as an excellent memorial. Vice Mayor Piquet provided the rest of Council with a brief history of the Fishing Derby stating that Dan and Blanche Parma had been heavily involved with initiating the Fishing Derby and as a result Mr. Parma's name has gone hand in hand with this event. Vice Mayor Piquet made motion that the new pier, that was to be constructed at Lake Coffey, be dedicated in memory of Mr. Burleson with a suitable plaque. Councilman Holcombe seconded the motion and the vote passed unanimously.

## **VIII. Old Business** – There was no old business to discuss.

## **IX. Town Manager and Staff Reports**

**Fire at the Corner of Galax and Skiloft** – Manager Feierabend reported back to Council that the confusion regarding this property and the fire that had occurred at this location had to do with the property being identified with both a Galax and Skiloft address.

**Sign at Bottom of Mountain** – Manager Feierabend reported to Council that the North Carolina Department of Transportation was willing to put up a new larger sign regarding hazardous road conditions that would cost the Town approximately \$4,000. Staff was recommending removal of the proposed studded tire wording on the sign believing that a shorter message would be more effective. Manager Feierabend stated an additional option up for discussion was to take the original sign and move this sign up the mountain to where the first two lane portion of the road begins. This would give the public a second additional warning concerning the conditions of the road and the type of equipped vehicle that was necessary to ascend the mountain. Should Council choose to move forward with this second option then staff would have this sign professionally repainted. There would be a potential cost of running power to the signs new location. Councilman Miller stated that this second location was ideal; believing that vehicles would still be able to turn around. Manager Feierabend stated that the lighting on the newer sign would be able to be controlled from the top of the mountain. Manager Feierabend informed Council that staff is still waiting for final approval from the North Carolina Department of Transportation for permission for these two locations. Councilman Holcombe motioned for staff to proceed as quickly as possible with acquiring the new sign as well as moving the second sign up the mountain. Councilman Miller seconded the motion and the vote passed unanimously.

***Personnel Policy Amendment*** – Manager Feierabend stated there was a provision in the Towns personnel policy which permitted staff to accept gifts up to \$100 in value. Manager Feierabend stated that with the approval of Attorney Eggers he had made a change to this policy and read into the minutes the new wording for the Towns Personnel Policy Article V. Conditions of Employment Section 7. Solicitation and Acceptance of Gifts and Favors:

Gifts and appreciations offered to a department other than verbal, letter or food cannot be accepted. Non-cash gifts of less than \$10 in value may be accepted by the employee when given by a citizen in appreciation of services rendered. Should a non-cash gift of greater than \$10 in value be offered to an employee the employee should then seek the approval of the Town Manager.

Manager Feierabend stated that this was being implemented as a managerial policy change.

***Construction Calendar*** – Manager Feierabend stated that a meeting had been held with all Department Heads that had need of Town equipment for projects. Public Utilities Director Robert Heaton, Public Works Director Riley Hatch, Parks and Recreation Director Daniel Scagnelli, Town Planner James Scott, Police Chief Jay Hefner and Fire Chief Robert Pudney had all participated in the meeting. The goal of this meeting was to try to lay out a calendar for the various projects that are coming up within each department. Council was asked to submit any projects that they could think of so that they could be included in the scheduling process. Manager Feierabend stated that the calendar should be in place by mid March; acknowledging that there would be some variance to the scheduling due to weather but that this would allow for more effective use of Town equipment.

***Progress of Recreational Trail Program Grant*** – Manager Feierabend informed Council that Beech Mountain was a finalist for the \$100,000 Recreational Trail Program Grant that was a 75/25% matching grant. These grant monies would be strictly for trails. Manager Feierabend discussed the recent addition of the Emerald Outback Trail which is part of a five phase trail project. Council asked staff to get back to them with the date that the final decision for this grant would be made.

***Quarterly Newsletter*** – Manager Feierabend stated that a quarterly newsletter was in the process of being drafted. The sections of the newsletter would include Mayor's Message/ Council's Corner, Making a Difference, For the Record-Legal Notes, Moving Mountains-Town Projects and Programs, Employee/ Department Spotlight, Ordinance Updates and Upcoming Events. The first issue of the newsletter would be out shortly.

***Ethics Training*** – Manager Feierabend stated that the Town of Banner Elk will host the Ethics Training if Beech Mountain would assist with the cost. Manager Feierabend stated that an invitation to the Town of Seven Devils and the Village of Sugar would be extended to join in the training as well. Councilman Holcombe stated that this training was required of every newly elected official regardless whether the elected official had already received the training.

***Police Report*** – Councilwoman Keller asked if the staff report provided by the Police Department could include a column that would reflect the statistics for previous years.

***Building Addition to Town Hall*** – Councilwoman Keller wished it to be known that as of this date Council had not approved using E-911 funds to go towards a proposed addition to Town Hall. Manager Feierabend stated that Councilwoman Keller was quite correct and that Council had not approved this addition.

Vice Mayor Piquet stated that Council would take a short break at 3:35 p.m.

***XI. Closed Session – Pursuant to NC GS 143-318.11(a)(3) Attorney Client Matters; NC GS 143.318.11(a)(5) Proposed Contracts – Acquisition of Real Property*** – Upon motion by Councilman Holcombe at 3:40 p.m., seconded by Councilman Miller, the Council voted unanimously to go into closed session pursuant to NC GS 143-318.11(a)(3) for Attorney Client Matters; NC GS 143.318.11(a)(5) Proposed Contracts – Acquisition of Real Property. Councilman Holcombe motioned to exit closed session at 4:47 p.m., which was seconded by Councilman Miller. The motion passed unanimously.

***XII. Other Business*** – There was no other business to discuss.

***XIII. Adjourn*** – Upon motion to adjourn made by Councilman Holcombe and seconded by Councilwoman Keller the meeting was adjourned at 4:48 p.m. The motion carried unanimously.

Minutes approved by Town Council on February 14, 2012.

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Richard H. Owen, Mayor

ATTEST:

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Jennifer Broderick, Town Clerk