

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
Regular Meeting – September 11, 2012

I. CALL TO ORDER

Mayor Owen called the regular meeting of the Beech Mountain Town Council to order at 3:01 p.m., Tuesday September 11, 2012 in the Town Hall Council Chambers. Other Council Members present were Paul Piquet, 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, Finance Officer Nancy Johnson, Tourism Development Authority Assistant John Troxler, Public Utilities Director Robert Heaton 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 stand as presented.

V. Approval of the Minutes

a. June 28, 2012 Special Meeting – Councilman Holcombe motioned to approve the June 28, 2012 Regular Meeting Minutes as corrected. Vice Mayor Piquet seconded the motion and the vote passed unanimously.

b. August 14, 2012 Regular Meeting – Councilman Miller motioned to approve the August 14, 2012 Regular Meeting Minutes. Councilman Holcombe seconded the motion and the vote passed unanimously.

c. August 14, 2012 Closed Session – Councilwoman Keller motioned to approve the August 14, 2012 Closed Session Minutes. Vice Mayor Piquet seconded the motion and the vote passed unanimously.

VI. Public Comment

Larry Price of 1003 Charter Hills provided information to Council on e-mails he had received from staff. Mr. Price asked that Council consider placing him on the agenda in October to discuss information that he had gathered about the United States of Department of Agriculture loans. Mr. Price advised Council that they should not adopt the Buckeye Lake Plan since there is an ongoing legal matter between the Town and Genesis.

Bob Bedore of 113 Heather Lane asked about an article he had read in the Avery Post which stated that the Town was going to amend its charter and submit it to a governing body for its approval and that this had to do with the noise ordinance. Mayor Owen stated that the Town has not taken any action to amend the charter but that is something that the Council could do at a future date and time.

VII. New Business

a. Resolution of Appreciation for Agencies that Assisted in Gnarnia – Vice Mayor Piquet read the Resolution of Appreciation for Agencies that Assisted in Gnarnia into the minutes. On a motion from Councilman Holcombe to approve Resolution No. 2012-05 and a second from Councilman Miller the vote passed unanimously. Resolution No. 2012-05 is attached as Exhibit A and incorporated by reference as if fully set out within these minutes.

Special Call Meeting – Mayor Owen stated that there was to be a special call meeting on Wednesday, September 26, 2012 at 6:30 p.m. at Buckeye Recreation Center for the purpose of receiving feedback from North Carolina Alcohol Law Enforcement, Local Law Enforcement and Fire and Rescue in reference to Gnarnia and the effect it had on our community and the surrounding communities. Councilman Miller motioned to approve the special call meeting. Vice Mayor Piquet seconded the motion and the vote passed unanimously.

b. Resolution of Appreciation Honoring the Service of Bill Watson – Vice Mayor Piquet read the Resolution of Appreciation Honoring the Service of Bill Watson into the minutes. Vice Mayor Piquet motioned to approve Resolution No. 2012-06 with the change in name to William ‘Bill’ Watson. Councilman Holcombe seconded the motion and the motion passed unanimously. Resolution No. 2012-06 is attached as Exhibit B and incorporated by reference as if fully set out within these minutes.

c. Resolution of Appreciation Honoring the Service of Paul O’Connell – Vice Mayor Piquet read the Resolution of Appreciation Honoring the Service of Paul O’Connell into the minutes. On a motion from Councilman Holcombe to approve Resolution No. 2012-07 and a second from Vice Mayor Piquet the vote passed unanimously. Resolution No. 2012-07 is attached as Exhibit C and incorporated by reference as if fully set out within these minutes.

d. Benson Property Voluntary Annexation – Mayor Owen stated that this property is currently bank owned and that the bank has requested that the Town consider a voluntary annexation. Attorney Eggers advised Council that the Town was in possession of a petition and an annexation agreement that had been signed by the property owner requesting a voluntary annexation. Councilman Holcombe motioned to call for a Public Hearing. Vice Mayor Piquet seconded the motion. Councilwoman Keller asked if this property has been inspected. Manager Feierabend stated that Avery County has been handling all of the inspections. Should Council decide to annex the property staff has discussed having all new permit requests come through the Town with Avery County finishing up the inspection process. This arrangement would only be if Avery County is in agreement. Councilman Miller asked about availability fees. Manager Feierabend stated that the Town will be collecting these fees. Mayor Owen called the question and the vote passed unanimously.

e. Request Public Hearing for Regulating Storage Containers – Town Planner James Scott stated that this proposed ordinance pertained to storage containers such as pods or those containers that are found on train cars. Currently the Town has no regulation in place for these types of storage containers which is why this proposed ordinance has been created. Mr. Scott requested that Council schedule a public hearing for Councils meeting next month. Vice Mayor Piquet motioned to schedule the public hearing for Councils next regularly

scheduled meeting. In the meantime Vice Mayor Piquet requested that the Planning Board revisit the proposed ordinance again. Vice Mayor Piquet specifically requested that the Planning Board take another look at the length of time that these types of containers would be permissible. Mayor Owen stated that currently the ordinance reads that there is a 30 day period. Councilman Miller seconded the motion. Councilman Miller asked about containers used during the construction process and the length of time that they would be allowed on site. Mr. Scott stated that the ordinance had been created with the understanding that these types of containers are a necessary element to the construction process so as long as there is a permit then this ordinance would not apply. Vice Mayor Piquet questioned individuals that continue to renew permits over and over again suggesting that there should be language within this ordinance to prevent storage containers from remaining on site. Councilman Holcombe brought up the question of commercial properties; specifically seasonal businesses that use these types of storage containers to keep supplies in and whether this ordinance would regulate them as well as residential areas. Mr. Scott stated that as the ordinance is currently written these businesses would be regulated by the proposed ordinance. Mayor Owen stated that this may be something that the Planning Board may want to look into. Mayor Owen called the question and the vote passed unanimously.

f. Request Public Hearing for Regulating Signs – Town Planner James Scott stated that the goal of the Planning Board has been to make the sign ordinance better. In front Council has a proposed ordinance that specifically applies to residential signs and semi-temporary signs. Semi-temporary signs are what are commonly referred to as construction signs. Residential signs are the signs that people often put in front of their house that say ‘Beech to Beech’ or have the homeowners last name. Mr. Scott stated that in the current ordinance in some instances the current regulations for these types of signs are more stringent then what the commercial sign code is. Mr. Scott stated that the second change that is proposed deals with where address numbers need to be posted. Currently the ordinance reads that addresses need to be posted as required by the North Carolina State Building Code. The Planning Board has gone into a little more depth to explain what the North Carolina State Building Code says. Mr. Scott stated that the ordinance has also been amended so that these address numbers are required as soon as you secure a permit. They used to be required after a certificate of occupancy was issued. Mr. Scott stated that the provision has been removed to that allows for 1 off premises subdivision sign. Mr. Scott stated that construction signs have been changed to make them meet the same sign requirements as the real estate agents are required to meet. Mr. Scott recommended to Council that they schedule a public hearing for Councils next regularly scheduled meeting. Councilman Miller motioned to schedule the public hearing for Councils regularly scheduled meeting. Vice Mayor Piquet seconded the motion. Councilman Miller recommended that the sticker be included in the fee price for the permit. Councilman Miller asked if the painter, electrician, plumber, etc. are going to have to pay to put their signs up. Councilman Holcombe stated that these other signs should not be permissible. Mr. Scott stated that currently, the way this proposed ordinance reads, these additional signs are permissible. Mr. Scott stated that what the Planning Board has done is limit the space that these signs were permitted to be on by cutting the square footage in half. Residential zoned areas would be permitted an 8 square foot area and commercial zoned areas would be permitted a 16 square foot area to place signs. Councilwoman Keller asked if this is restricting trade. Attorney Eggers stated that the way this ordinance currently reads this is not restricting trade. Planning Board Chairman Andy Porter stated that the way the

proposed ordinance now reads all of these signs are going to have to be routed or sandblasted. Mayor Owen called the question and the vote passed unanimously.

g. *Buckeye Lake Protection Plan* – Town Planner James Scott stated that what Council had before them was an not ordinance and is simply a plan that is required by the State to use the Lake for recreational purposes. The Town is trying to meet the State requirements for a recreational plan to use Buckeye Lake for recreational purposes. Mr. Scott stated that this has been sent to the State and is being reviewed by Jay Frick, Lisa Evans and Tom Boyd with the State as a courtesy to review. Manager Feierabend stated that the Town was asked to prepare this Plan by the State and that the Plan had been provided to the State as a courtesy review. Councilwoman Keller suggested that this Plan be tabled until after the issue with Genesis was cleared up. Mayor Owen asked Attorney Eggers if he was able to provide Council with some legal advice during closed session. Attorney Eggers answered in the affirmative. Mayor Owen asked if Council had any objection to discussing this under closed session and potentially bringing it back up under other business. Council did not object.

h. *Request Public Hearing for Parking Regulations* – Town Planner James Scott stated currently the ordinance the Town has in place has a parking ordinance in place that requires a set number of spaces for commercial uses based on different uses. For example restaurants require a certain number of spaces per seat that they have and a real estate office requires a certain number of spaces per square foot. Some establishments in Town do not meet these requirements. The Planning Board has set out to correct this to reflect that the Town is a resort community and has significant fluctuation in our population and what businesses receive. It has been concluded by the Planning Board that a business has its own obligation to provide parking in the Towns limited commercial areas; parking regulations for commercial entities may not be necessary at all. Manager Feierabend stated that the Americans with Disabilities Act would still apply. Mr. Scott stated that Vice Mayor Piquet has recommended striking the parking on another individual's property because this is a civil matter. Mr. Scott requested that Council consider scheduling a public hearing for next month. Vice Mayor Piquet motioned to schedule the public hearing for Councils next regularly scheduled meeting. Councilman Holcombe seconded the motion. Vice Mayor Piquet recommended that the Planning Board review this ordinance prior to the public hearing and remove the sentence that states that there is no set amount of required parking spaces. Additionally Vice Mayor Piquet requested that the portion of the proposed ordinance that read, "each business or establishment is responsible to provide ample parking to suit their needs," be modified slightly to include within the confinements of their own property or property acquired for that purpose. This simply means that if a business has inadequate parking then they will not be parking on the road. Councilman Miller stated that he would like to see something in the proposed ordinance to ensure that there was no on street parking. Mr. Scott stated that the Towns ordinance already prohibits this under a different portion of the ordinance. Mayor Owen stated his concern for adjoining property owners are how they were going to deal with this. Mayor Owen questioned how property owners going to move someone's car off of their property that did not belong there. Planning Board Member James True stated that this question was brought up and that the private property owner would need to call and have the vehicle towed. Mayor Owen stated that he was not necessarily opposed but wondered what kind of community this would make the Town if tourists were coming up here and having their cars towed. Mr. True stated that the way the ordinance is written it

allows the property owners to come up with their own arrangements. Mayor Owen called the question and the vote passed unanimously.

VIII. Town Manager and Staff Reports

Update on homeowners who did not participate in the homeowner shut off valve program nor have yet to install their own homeowner shut off – Manager Feierabend stated that Council has asked for an update on the homeowner cut off valves. Manager Feierabend stated that when the radio read meter project was finished there had been 158 properties that were not in compliance with the homeowner cut off valve requirements. As of today there are 65 homeowners that do not have the required homeowner cut off valves. Manager Feierabend stated that great strides have been made since the project has been finished. Public Utilities Director Robert Heaton stated that homeowners have until November 1, 2012 to get their properties into compliance.

Mountain Electric – Manager Feierabend stated that Mountain Electric has come up and sprayed in numerous places including close to streams. As a result of their work Manager Feierabend informed Council that he had received several calls from concerned citizens. Manager Feierabend stated that staff has prepared a cover letter along with a presentation to send to Mountain Electric. The letter does recognize the fact that Mountain Electric has the right to spray but it also asks Mountain Electric to recognize the Town as a community and to keep their work away from the water and away from the right of ways. Manager Feierabend requested that Council look the information over and provide him with any feedback as they saw fit.

Minutes – Manager Feierabend stated that individuals are asking for items to be included into the minutes during public comment. As a result Manager Feierabend stated that the Town Clerk has been given direction to provide a short general overview of what the presentation was about. Individuals from the public have the right to share with Council copies of the material that they are presenting.

Codification – Manager Feierabend stated that the Town Clerk is having the legislation that has been passed for the time period of February 15, 2012 thru August 10, 2012 codified.

Sign at the Bottom of the Mountain – Councilwoman Keller asked where the Town stands with the sign being erected at the base of the mountain. Manager Feierabend stated that the site has been determined and that staff has been in ongoing communication with the North Carolina Department of Transportation. Manager Feierabend stated that the sign has been made and that staff is hoping that this is erected by mid October so Fire Chief Robert Pudney has adequate time to get the telephone service line to it. Fire Chief Pudney stated that staff is currently waiting on Mountain Electric to set a pole and run the electric service across the road. Fire Chief Pudney stated that this should be taken care of before there is any bad weather.

Gearing Down Sign – Councilman Holcombe asked about the ‘Gearing Down’ sign. Manager Feierabend stated that he has discussed this with North Carolina Division of Transportation Division 11 Traffic Engineer Dean Ledbetter. Manager Feierabend stated that

Mr. Ledbetter did not feel that there was a need for this sign. Manager Feierabend stated that if Council wished for him to pursue this matter further he would be happy to do so.

Signs on the Side of the Road on the Weekend – Councilman Holcombe stated that he has seen a number of open house signs and political signs that do not comply with the Town's Sign Ordinance cropping up on the road sides over the weekends. Councilman Holcombe asked if staff that was on duty was aware that they should be picking these signs up. Mayor Owen asked that Councilman Holcombe get with Town Planner James Scott regarding this concern and then have Mr. Scott speak to the Police Department to make sure they understand the rule in the ordinance the Town is trying to enforce.

Sewer Lift Station and Line Rehabilitation Project – Councilwoman Keller asked for an update on the Sewer Lift Station and line rehabilitation. Public Utilities Director Robert Heaton stated that the Sewer Lift Station bids would be opened tomorrow at 2:00 p.m. Mr. Heaton stated that the Line Rehabilitation bid process would take place in the next few weeks. Mr. Heaton stated that the Sewer Lift Station should be completed by Christmas of this year and that the Line Rehabilitation Project would be finished at the latest this spring.

Mayor Owen stated that Council would take a short break at 4:10 p.m.

- IX. Closed Session – Pursuant to NC GS 143-318.11(a)(3) Attorney Client Matters; NC GS 143.318.11(a)(6) Personnel Matters; NC GS 143.318.11(a)(5) Potential Acquisition of Real Property*** – Upon motion by Councilman Miller at 4:20 p.m., seconded by Vice Mayor Piquet 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)(6) Personnel Matters; NC GS 143.318.11(a)(5) Potential Acquisition of Real Property. Councilman Miller motioned to exit closed session at 4:47 p.m., which was seconded by Councilman Holcombe. The motion passed unanimously.

X. Other Business –

Buckeye Lake Protection Plan – Councilman Miller motioned for Council to adopt the Buckeye Lake Protection Plan. Vice Mayor Piquet seconded the motion. Mayor Owen called the question and the vote passed 4 to 1 with Councilwoman Keller voting nay. The Buckeye Lake Protection Plan is incorporated as Exhibit D and incorporated by reference as if fully set out within these minutes.

Assessment – Councilman Holcombe stated that there is a rumor that Council is looking at charging a \$2,000 to \$12,000 assessment for utility improvements. Councilman Holcombe stated that this information was not true.

- XI. Adjourn*** – Councilman Holcombe motioned to adjourn the meeting at 4:49 p.m., which was seconded by Vice Mayor Piquet. The motion passed unanimously. The meeting was adjourned at 4:49 p.m.

Minutes approved by Town Council on October 9, 2012.

Richard H. Owen, Mayor

ATTEST:

Jennifer Broderick, Town Clerk

**ATTACHMENT(S)
TO
MINUTES**

EXHIBIT A – Resolution NO. 2012-05: Resolution of Appreciation for Agencies that Assisted in Gnarnia

EXHIBIT B – Resolution NO. 2012-06: Resolution of Appreciation Honoring the Service of Bill Watson

EXHIBIT C – Resolution NO. 2012-07: Resolution of Appreciation Honoring Paul O’Connell

EXHIBIT D – Buckeye Lake Protection Plan



Randy E. Feierabend, AICP
Town Manager
Stacy C. Eggers, IV, Attorney

Town of Beech Mountain

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Council Members
Rick Owen, Mayor
Paul Piquet, Vice Mayor
Alan Holcombe
Cynthia A. Keller
E "Rick" Miller

Resolution No. 2012-05

Resolution Of Appreciation for Agencies that Assisted in Gnarnia

WHEREAS, the public safety and welfare of the Town of Beech Mountain was looked after by many agencies on the dates of Thursday August 9, 2012, Friday August 10, 2012 and Saturday August 11, 2012; and

WHEREAS, the Town Council desires to thank each agency that assisted their fellow community;

NOW THEREFORE, BE IT RESOLVED that the Beech Mountain Town Council formally thanks the Avery County Chaplin Corps., Avery County Emergency Management, Avery County Rescue, Avery County Sheriff, Beech Mountain Building Inspection Department, Beech Mountain Club, Beech Mountain Fire and Emergency Management Services, Beech Mountain Planning Department, Beech Mountain Police Department, Johnson Chapel Church, North Carolina Alcohol Law Enforcement, North Carolina State Highway Patrol, Town of Banner Elk Police Department, Town of Boone Police Department, Town of Seven Devils Public Safety and the Watauga County Sheriff for their numerous man hours and donations to provide the Town of Beech Mountain with the level of public safety that the community is accustomed to.

Adopted this 11th day of September, 2012.

Richard H. Owen, Mayor

ATTEST:

Jennifer Broderick, Town Clerk



Randy E. Feierabend, AICP
Town Manager
Stacy C. Eggers, IV, Attorney

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E "Rick" Miller

Resolution No. 2012-06

Resolution of Appreciation Honoring the Service of William 'Bill' Watson

WHEREAS, William 'Bill' Watson was appointed to the Planning Board by Town Council on February 11, 1992; and

WHEREAS, the Town benefited from the numerous years William 'Bill' Watson assisted the community by serving on the Planning Board; and

WHEREAS, William 'Bill' Watson resigned from the Planning Board on April 1, 2012 in order to pursue other endeavors; and

WHEREAS, the Town Council desires to recognize and express appreciation of William 'Bill' Watson for his invaluable service provided to the Town of Beech Mountain;

NOW THEREFORE, BE IT RESOLVED that the Beech Mountain Town Council formally thanks William 'Bill' Watson and wishes him the best in all of his future personal endeavors.

Adopted this 11th day of September, 2012.

Richard H. Owen, Mayor

ATTEST:

Jennifer Broderick, Town Clerk



Randy F. Feierabend, AICP
Town Manager
Stacy C. Eggers, IV, Attorney

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Paul Piquet, Vice Mayor
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Cynthia A. Keller
E "Rick" Miller

Resolution No. 2012-07

Resolution of Appreciation Honoring the Service of Paul O'Connell

WHEREAS, Paul O'Connell was appointed to the Planning Board by Town Council on January 10, 2006; and

WHEREAS, Paul O'Connell was appointed Chairperson to the Planning Board on February 2, 2006; and

WHEREAS, the Town has benefited from the leadership of Paul O'Connell serving as the Chairperson to the Planning Board; and

WHEREAS, Paul O'Connell has resigned from the Planning Board on July 24, 2012 in pursuit of other endeavors; and

WHEREAS, the Town Council desires to recognize and express appreciation of Paul O'Connell for his invaluable service provided to the Town of Beech Mountain;

NOW THEREFORE, BE IT RESOLVED that the Beech Mountain Town Council formally thanks Paul O'Connell and wishes him the best in all of his future personal endeavors.

Adopted this 11th day of September, 2012.

Richard H. Owen, Mayor

ATTEST:

Jennifer Broderick, Town Clerk

**THE TOWN OF BEECH MOUNTAIN
REGULATIONS GOVERNING IN-LAKE ACTIVITIES AND
USES OF BUCKEYE LAKE**

I. PURPOSE

The purpose of this regulation is to set forth for the Town of Beech Mountain the conditions to regulate activities and recreational use of Buckeye Lake by the general public and organized groups and to protect the water in this reservoir as a high quality drinking water supply. These policies are intended to reflect and be congruent with the Buckeye Lake Protection ordinance codified in the Town of Beech Mountain Code of Ordinances §93.20 - §93.24.

II. FACILITY OPERATING SCHEDULE

- A. Any person using any of the impoundment premises of the Town of Beech Mountain during the hours in which the premises are officially open to the public is deemed to be a visitor to the premises subject to established regulations and applicable law, and shall in no event be deemed an invitee.
- B. The recreation facilities will be open only during daylight hours. The exact schedule for days and hours that the facilities are open to the public will be determined by the Town of Beech Mountain.
- C. At the discretion of the Town of Beech Mountain, the facilities may be closed for public use during inclement weather.

III. FEES AND RATES FOR USE OF THE FACILITIES

- A. Rates and Fees for fishing, boating or other activities, if any, will be as established by the Town Council of the Town of Beech Mountain and shall be posted in the Buckeye Recreation Center.

IV. ENFORCEMENT OF REGULATIONS

- A. A copy of these regulations shall be posted at the boat access and in the Buckeye Recreation Center and shall be available for every person to read before using the premises.
- B. The Town of Beech Mountain shall be the official custodians in charge of the reservoirs and surrounding premises. The Town of Beech Mountain and its staff shall maintain and enforce all regulations and policies which have been adopted.
- C. Appropriate State and local law enforcement authorities will be called upon for assistance as required.
- D. Permission for the use of the premises may be denied or voided for any person, group, or activity which is considered in any way threatening to the security and safety of any person or damaging to the facilities, equipment, or water quality.

- E. The Town of Beech Mountain and its staff are authorized to direct persons whose presence and/or use of the facilities are in violation of law or regulations to leave Buckeye Lake's premises.

V. ACTIVITIES AND USES

- A. Public boating shall be permitted only in non-motorized vessels. Boating shall be restricted as to locations designated by Buckeye Lake but in no case within 150 feet of the water supply intake facilities.
- B. No boat shall touch shore except at an approved area.
- C. Bank fishing will only be allowed in areas designated by the Parks and Recreation Department.
- D. Users shall confine activities to those areas which are designated for public use and shall in no instance enter other surrounding lands of the lakes.
- E. Swimming or any body contact with the water is strictly prohibited. Any user observed swimming, rolling a kayak, or in any other way, showing disregard for any of the stated regulations or otherwise contributing to degradation of water quality or abuse of these facilities may be restricted from using the lakes for a period of time as designated by the Town of Beech Mountain.
- F. Picnicking will be permitted only in designated areas.
- G. Hunting or trapping of wildlife will not be permitted on the premises of Buckeye Lake.
- H. Regulations of the North Carolina Wildlife Commission shall apply for fishing and boating activities.
- I. Acts of degradation to water quality or desecration of trees or plant life will not be tolerated.
- J. Discourteous or abusive language or acts of violence or intimidation are not acceptable.
- K. No horses, cattle or domestic animals are permitted to water, wash or wallow in the reservoirs. Additionally, no domestic animals are permitted to be within 50 feet of the normal pool elevation.
- L. No animals can be caged or housed (within a structure lacking public water and sewer service) within 200 feet of Buckeye Lake or within 200 feet of any stream that drains into Buckeye Lake.
- M. Reckless boating shall not be tolerated and any offender shall be removed from the lake and subject to a civil penalty for violating this subchapter.

- N. The cleaning of fish is prohibited in Buckeye Lake and the Buckeye Lake area.
- O. No firearms or fireworks (other than those approved for public show by the Town of Beech Mountain) are permitted in the Buckeye Lake Recreational Area.
- P. Trash and debris shall be carried out or placed in receptacles provided. Littering is strictly prohibited.

VI. WATERCRAFT STANDARDS

- A. All boats must be registered with the staff at Buckeye Recreation Center. Acceptable boats are private non-trailer boats, canoes, or kayaks which can be carried by hand from the shore to the lake for launching. Before allowing the use of a boat, the Buckeye Recreation Center staff shall inspect the boats to determine if they are free of aquatic weeds.

VII. USER SAFETY

- A. To ensure safety, each person using the lake must sign their name in Buckeye Lake's register. The user responsible for small children shall be required to list the names for each child after his or her name on the register.
- B. Not more than four adults, and fewer depending upon the weight rating of the boats, may occupy a boat at any time. All boats shall be equipped with one Coast Guard approved life preserver for each person on board.
- C. Persons under 16 years of age shall be permitted on the lake by permission of an adult who will assume full responsibility. These individuals are required to wear U.S. Coast Guard approved floatation devices.
- D. The Town of Beech Mountain or its designee is authorized to deny, suspend, or restrict the use of Buckeye Lake's impoundment premises or parts thereof to persons or groups who fail to comply with applicable laws or any regulations adopted hereunder including those for personal safety.

VIII. SANITATION

- A. Adequate sanitary sewage facilities are available at the recreational area.
- B. Sufficient containers are provided at convenient locations for deposit of refuse and garbage. In no instance shall trash or refuse of any kind be thrown into the water.

C. No person shall do any act to impair or degrade water of the reservoirs.

IX. EFFECTIVE DATE

These regulations shall be effective on and after October 1, 2012.

X. POLICY REFERENCE

Policy On In-Lake Activities and Uses adopted at the Beech Mountain Town Council meeting, September 11, 2012.

Date

Rick Owen

Mayor