

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
Regular Meeting – February 11, 2014

I. CALL TO ORDER

Mayor Owen called the regular meeting of the Beech Mountain Town Council to order at 4:04 p.m., Tuesday February 11, 2014 in the Town Hall Council Chambers. Other Council Members present were Alan Holcombe, Paul Piquet, Cindy Keller and E. 'Rick' Miller. Town Attorney Stacy C. Eggers, IV. was present. Staff members present were Town Manager Randy Feierabend; Town Clerk Jennifer Broderick, Town Planner James Scott, Public Works Director Riley Hatch, Fire Chief Robert Pudney, Finance Officer Nancy Johnson, Parks and Recreation Interim Director Sandy Carr and Police Chief Jerry Turbyfill.

II. Invocation – Dewey 'Cyclone' Brett 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. January 14, 2014 Regular Meeting – Councilman Miller motioned to approve the January 14, 2014 Regular Meeting Minutes as amended. Vice Mayor Piquet seconded the motion and the vote passed unanimously.

b. January 14, 2014 Closed Session – Vice Mayor Piquet motioned to approve the January 14, 2014 Closed Session Minutes. Councilman Holcombe seconded the motion and the vote passed unanimously.

VI. Public Hearing

a. Public Hearing to Rename Portion of Bear Paw Path – Vice Mayor Piquet motioned to open the public hearing. Councilman Holcombe seconded the motion and the vote passed unanimously. Town Planner James Scott stated that Watauga County notified the Town that the Town had two separate parcels with the address of 121 Bear Paw Path. Mr. Scott stated that Beech Mountain Communications Supervisor Dave Davis has reviewed this worked on resolving this matter with him. The thought by staff was that it was less burdensome to change the road name in the direction where there were no homes. Hearing no public comment Councilman Miller motioned to close the public hearing. Councilman Holcombe seconded the motion and the vote passed unanimously.

VII. Public Comment

Bill Batcheler of 162 Pond Creek Road stated that recently, due to poorly maintained road conditions, the engine on this car froze which had resulted in \$5,000 in necessitated repairs. Mr. Batchelor stated that the Town can be found negligent in this matter and requested that

the Town assist in paying for his engine repairs in lieu of Mr. Batcheler having to take this matter to court.

VIII. New Business

a. Request Public Hearing for an Ordinance to Amend the Town of Beech Mountain Regulations Regarding Smoke Detectors, Fire Extinguishers, and Carbon Monoxide Alarms – Councilman Holcombe motioned to approve public hearing for Councils next regular meeting. Councilman Miller seconded the motion. Mayor Owen stated that staff has proposed this amendment based on new State standards. The vote was called and the motion carried unanimously.

b. Property Tax Release – Vice Mayor Piquet motioned to approve the tax release. Councilman Holcombe seconded the motion and the vote passed unanimously.

IX. Old Business

a. Vote on Renaming Portion of Bear Paw Path – Councilman Holcombe motioned to rename the portion of Bear Paw Path to Bear Cub Lane. Vice Mayor Piquet seconded and the motion passed unanimously.

X. Town Manager and Staff Reports

Staff Reports – Manager Feierabend stated that Council had before them an informational flyer from the Buckeye Recreation Department.

Water Plant Project Report – Manager Feierabend stated that Council had a report from West Consultants Engineer Benjie Thomas about the design work that was being completed on the Water Plant Project. Manager Feierabend reported that staff is still working on the contract between the Town and West Consultants.

Codification – Town Clerk Jennifer Broderick stated that Beech Mountain is moving forward with their S-8 supplement and that the draft supplement will be back for staff review by the end of the month. It was anticipated that the process would be completed in March.

Budget – Manager Feierabend informed Council that staff had prepared a draft budget calendar for Council to review.

Boiler at Buckeye Recreation Center – Manager Feierabend stated that the Town has found an alternative solution to replacing the boilers at Buckeye Recreation Center. Manager Feierabend stated that Fire Chief Robert Pudney lent his expertise in this matter and has played a significant role in this issue being resolved. Councilman Miller commended Mr. Pudney for his excellent work.

Buckeye Recreation Center Flyer – Councilwoman Keller stated that there was a Buckeye Recreation Flyer that was going around that stated the rates for the amenities available at Buckeye Recreation Center. Councilwoman Keller stated that the rate information was very useful and requested that staff place this information on the flyer that was before Council as

well. Parks and Recreation Interim Director Sandy Carr stated that what Council has in front of them is what is being laminated and placed in all of the kiosks but that adaptations could be made.

Buckeye Recreation Center Daily Deposits – Councilwoman Keller questioned the necessity of having daily deposits made citing that January only had a total of \$1,300 deposited for the Parks and Recreation Department. Manager Feierabend stated that this deposit is required to be made and that Police Officers are picking the deposit up when they are out on patrol. Mayor Owen stated that the Town is required by the North Carolina General Statute to make a deposit on a daily bases.

Watauga River Intake Project – Mayor Owen stated that a meeting was held with the North Carolina Department of Environment and Natural Resources regarding the Town's Watauga River Intake Project and that the summation from the meeting was good. Mayor Owen stated that the meeting was comprised of about twenty individuals discussing the project. The Town had Mayor Owen, Engineer Lee Spencer, West Consultant Engineer Benjie Thomas, Rothrock Engineering Engineer Marion Rothrock, Water Committee member Urs Gsteiger, Manager Feierabend, and Public Utilities Director Robert Heaton present at the meeting. Representatives from the North Carolina Department of Natural Resources included; Water Supply Planning Branch Chief, Drought Issues, Water Conservation & Reuse, Water Shortage Response Planning, and Water Supply Development & Assistance Linwood Peele, Deputy Public Water Supply Section Chief/Operations Branch Head Robert Midgett, Assistant Regional Engineer Eric Hudson, Water Resources Management Section Chief Tom Fransen, Public Water Supply Section Chief Jessica Godreau, Regional Engineer Lisa Edwards, Senior Environmental Specialist Tom Boyd and Environmental Senior Specialist Elizabeth Kountis. Mayor Owen stated that from the meeting the Town realized that the North Carolina Department of Environment and Natural Resources saw both the importance of the Watauga River Intake Project and the necessity of it. The North Carolina Department of Environment and Natural Resources is going to be providing the Town with a letter from this meeting. Mayor Owen stated that it was a good meeting and that the Town was fortunate to have all of those people in the room together.

Water Plant Project – Councilman Miller asked if everything was moving in a forward direction with the Town's Water Plant Project. Manager Feierabend confirmed that everything was moving forward with the design portion as well as the United States Department of Agriculture loan for the Water Plant Project.

Mayor Owen stated that Council would take a short break at 4:37 p.m.

- XI. Closed Session – Pursuant to NC GS 143-318.11(a)(3) Attorney Client Matters; NC GS 143.318.11(a)(6) Personnel Matters*** – Upon motion by Vice Mayor Piquet at 4:44 p.m., seconded by Councilman Holcombe the Council voted unanimously to go into closed session pursuant to NC GS 143-318.11(a)(3) for Attorney Client Matters, including Beech Mountain v. Genesis Wildlife Sanctuary; NC GS 143.318.11(a)(6) Personnel Matters. Councilman Holcombe motioned to exit closed session at 5:31 p.m., which was seconded by Vice Mayor Piquet. The motion passed unanimously.

XII. Other Business

Parks and Recreation Director Position – Mayor Owen stated that the question that is posed to Council is what direction does Council wish to take with the Parks and Recreation Department. Mayor Owen asked Council if they wished to reshape the department and redo the Parks and Recreation Director job description? Council held a discussion on determining the direction of events in the Town and where this function should be held.

XIII. Closed Session – Pursuant to NC GS 143.318.11(a)(6) Personnel Matters – Upon motion by Councilman Holcombe at 5:53 p.m., seconded by Councilman Miller the Council voted unanimously to go into closed session pursuant to NC GS 143.318.11(a)(6) Personnel Matters. Councilman Holcombe motioned to exit closed session at 6:18 p.m., which was seconded by Mayor Owen. The motion passed unanimously.

XIV. Other Business

Sales Tax – Councilwoman Keller asked what the Town was doing with the sales tax revenue that was coming in from Watauga County. Manager Feierabend stated that this money was to go towards the Water Treatment Plant Project. Councilwoman Keller pointed out that another financial option for the Town would be to pay off some of their loans in order to realize savings from the interest that did not have to be paid. Mayor Owen stated that this was an idea worth considering.

Vice Mayor Piquet stepped out at 6:20 p.m. and returned at 6:22 p.m.

Council Projects – Councilwoman Keller made an inquiry about using money that had been put aside for a project for her to go towards an informational sign in front of Town Hall. Attorney Eggers advised Council that this type of decision to spend Town monies would have to be approved by Council.

Tourism Development Authority Audit – Attorney Eggers informed Council that the Town's auditing firm, Bryce Holder's CPA, reported in the Tourism Development Authority Audit their recommendation that there was a need to improve the internal control procedure to correct potential misstatements.

Building Maintenance Worker – Mayor Owen stated that the Town's current budget had monies appropriated for a part time maintenance worker. Mayor Owen stated that his goal with the Building Maintenance Worker position was to maintain it as a part time position and to not see it evolve into a full time position. Mayor Owen stated that he would encourage the Council to keep this a position part time. Manager Feierabend stated that unless he was informed differently he would proceed with hiring for a part time position. Mayor Owen directed Manager Feierabend to return to Council with future needs for work that needs to be done.

XV. Adjourn – Vice Mayor Piquet motioned to adjourn the meeting at 6:33 p.m., which was seconded by Councilman Holcombe. The motion passed unanimously. The meeting was adjourned 6:33 p.m.

Minutes approved by Town Council on March 11, 2014.

Richard H. Owen, Mayor

ATTEST:

Jennifer Broderick, CMC
Town Clerk