

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
Regular Meeting – January 13, 2015

I. CALL TO ORDER

Mayor Owen called the regular meeting of the Beech Mountain Town Council to order at 4:00 p.m., Tuesday January 13, 2015 in the Town Hall Council Chambers. Other Council Members present were Paul Piquet, and E. 'Rick' Miller. Cindy Keller and Alan Holcombe were not present. Town Attorney Stacy C. Eggers, IV. was present. Staff members present were Town Manager Randy Feierabend; Town Clerk Jennifer Broderick, Finance Officer Nancy Johnson, Public Works Director Riley Hatch, Public Utilities Director Robert Heaton, Fire Chief Robert Pudney, Building Inspector John Merritt, Parks and Recreation Director Sandy Carr, Director of Tourism and Economic Development Kate Gavenus, and Police Chief Shawn Freeman.

II. Invocation – Dewey 'Cyclone' Brett presented the invocation.

Note: Councilwoman Cindy Keller arrived at the meeting at 4:03 p.m. during the invocation.

Note: Councilman Alan Holcombe arrived at the meeting at 4:04 p.m. during 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. December 9, 2014 Regular Meeting – Councilman Holcombe motioned to approve the December 9, 2014 Regular Meeting Minutes. Vice Mayor Piquet seconded the motion and the vote passed unanimously.

b. December 9, 2014 Closed Session – Councilman Holcombe motioned to approve the December 9, 2014 Closed Session Minutes. Vice Mayor Piquet seconded the motion and the vote passed unanimously.

VI. Public Comment – *There was no public comment.*

VII. New Business

a. Water Plant Project Update – Public Utilities Director Robert Heaton stated that Benjie Thomas, P.E. West Consultants, has submitted a Water Plant Project update report. Mr. Heaton stated that plans have been approved by the North Carolina Department of Environment and Natural Resources and North Carolina Public Water Supply. Soil testing has been done with 10 to 13 bore holes. Rock at 2' to 18' and 19'. There are some plan reviews going on. Mr. Heaton reported that there will be some small changes but nothing major should have to be changed before the project goes to bid. Mayor Owen stated that when the Town built Buckeye Recreation Center the bore tests was written into the contract poorly for the project. Mayor Owen cautioned staff to be sure

that the contract is really clear that the tests have been done and who is to pick up the cost. Mr. Heaton stated that a lot of where the building will be placed is rock. Councilwoman Keller asked what a geotechnical engineering firm was for. Mr. Heaton stated that they were being used to test the soil to see if different fill had to be brought in. Attorney Eggers stated that the contract, as currently written, states that the Town is to provide a suitable base. Mayor Owen stated that he felt the best way to handle this was for the Town to do it. Councilman Miller stated that Buckeye Recreation Center was built on a fill area. Mr. Heaton stated that there is some fill as you get closer to the generators. They try to core drill 25' to 30'. Mr. Heaton stated that the engineer will certify the compaction.

- b. *Notice of Legislative Committee on Local Government of Proposed Local Government Financing*** – Mayor Owen stated that the Council is being asked to approve sending notice. This step needs to be taken to gain the Local Government Commissions approval. Councilman Miller motioned to approve the '*Notice of Legislative Committee on Local Government of Proposed Local Government Financing.*' Vice Mayor Piquet seconded the motion and the vote passed unanimously.
- c. *Tax Release and Refund*** – Mayor Owen stated that Council had before them one tax release and 15 refunds. Vice Mayor Piquet motioned to approve the tax release and refund in the amount of \$159.58. Councilman Miller seconded and the vote passed unanimously. Vice Mayor Piquet motioned to approve the 14 refunds totaling \$11,155.78. Councilman Miller seconded the motion and the vote passed unanimously.

VIII. *Town Manager, Staff Reports and Council Concerns*

Police Department Report – Manager Feierabend stated that the Police Department Report was in front of Council.

4th of July 2015 – Manager Feierabend asked Council to begin thinking about how the Town was going to do fireworks in July.

Follow Up on Bear's and Garbage – Manager Feierabend stated that this seemed like a very simple situation when the Town was originally approached by Holiday Villas but that it has not turned into a simple solution. Manager Feierabend informed Council that Watauga County has stated that if Republic Services is picking up the garbage from Holiday Villas then this refuse must go to the Avery County Landfill. Avery County's initial response has been that they will have to look into this. Manager Feierabend informed Council that Republic Services has stated that their legal team will be done reviewing the proposed ordinance this Friday.

Tax Collection Administrator – Manager Feierabend announced that Rebecca Ward had been hired as the Town's new Tax Administrator. Mrs. Ward's first day would be Monday, January 26, 2015.

Town Planner Vacancy – Manager Feierabend stated that this topic would be discussed in closed session today.

Make-A-Wish, Wheel for Wishes Web Link Requests – Manager Feierabend stated that this organization is asking to place a link on the Town’s website to direct individuals to their website. Manager Feierabend stated that there is no precedence in the Town for this. Council determined that this would not be a wise move.

Mayor Owen stated that Council would take a short break at 4:23 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 – Upon motion by Vice Mayor Piquet at 4:29 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) for Personnel Matters. Councilman Holcombe motioned to exit closed session at 6:28 p.m., which was seconded by Vice Mayor Piquet. The motion passed unanimously.

X. Other Business

Town Planner – Vice Mayor Piquet motioned to reinstate benefits to James Scott as they relate to health and dental benefits and to allow Manager Feierabend to negotiate a salary within his authority as stated in the Town’s Personnel Policy. All other benefits shall be that of a new hire. Councilman Holcombe seconded the motion and the vote passed 4 to 1 with Councilwoman Keller voting nay. Councilwoman Keller commented that she was not in favor of giving Mr. Scott a raise.

Bonus – Councilman Holcombe motioned for a 5,000 bonus for Manager Feierabend. Councilman Miller seconded the motion and the vote passed unanimously.

XI. Adjourn – Councilman Holcombe motioned to adjourn the meeting at 6:31 p.m., which was seconded by Councilman Miller. The motion passed unanimously. The meeting was adjourned 6:31 p.m.

Minutes approved by Town Council on February 10, 2015.

Richard H. Owen, Mayor

ATTEST:

Jennifer Broderick, CMC
Town Clerk