

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
Regular Meeting – September 8, 2015

I. CALL TO ORDER

Mayor Owen called the regular meeting of the Beech Mountain Town Council to order at 4:08 p.m., Tuesday September 8, 2015 in the Town Hall Council Chambers. Other Council Members present were Paul Piquet, Alan Holcombe, Cindy Keller, and E. 'Rick' Miller. Town Attorney Stacy C. Eggers, IV. was present. Staff members present were Interim Town Manager James Scott; Town Clerk Jennifer Broderick, Finance Officer Steve Smith, Tax Collections Administrator Rebecca Ward, Public Works Director Riley Hatch, Public Utilities Director Robert Heaton, Fire Chief Robert Pudney, Police Chief Shawn Freeman, Director of Tourism and Economic Development Kate Gavenus, and Parks and Recreation Director Sean Royall.

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 be amended to remove § VII New Business a. 'Appeal of Ad Valorem Discovery Taxes'. Mayor Owen asked if there were any other changes, hearing none Mayor Owen stated that the agenda would stand as amended.

V. Approval of Minutes

a. July 14 and 15, 2015 – Regular Meeting – Councilman Holcombe motioned to approve the July 14 and 15, 2015 regular meeting minutes. Vice Mayor Piquet seconded the motion and the vote passed unanimously.

VI. Public Comment

Barry Kaufman, of 117 Thistle Lane, stated that the driveway coming straight down onto Pine Ridge Road that is being put in is dangerous. Mayor Owen stated that Council would ask that staff look into this driveway and see if there is a possibility of trimming some trees to provide better safety.

Renee Castiglione, of 104 Wild Turkey Lane, stated that the new billboard that has been put up by the Tourism Development Authority at the Town entrance looks great. Mayor Owen stated that the Town should also thank Vern Holland who permitted the Town to use the billboard.

VII. New Business

- a. *Water Plant Project Update*** – Public Utilities Director Robert Heaton presented the water update report from West Consultants. The project was awarded to Frizzell Construction of Bristol, TN at the July Council meeting, contingent of all financing being secured. Financing was secured on August 18, 2015. Contracts were executed September 2, 2015. Frizzell's subcontractor, T&B Contractors has indicated they plan to begin the new Water Plant structure this fall. The estimated updated schedule is: September 15, 2015, Notice to Proceed and March 2017, Substantial Completion. Mayor Owen asked if a groundbreaking day should be set. Mr. Heaton requested that Council select a date. Council agreed that they were in favor of this ceremony occurring. The date of the groundbreaking ceremony would be determined.
- b. *Mirror on Beech Mountain Parkway/ Northridge Road*** – Interim Manager Scott stated an individual had brought to Council requesting a mirror. The site distance for the area is 120' (feet). The North Carolina Department of Transportation recommends that at a distance of 150' (feet), for a vehicle traveling 25 mph or more, to come to a complete stop. This site is a little under this threshold. Mr. Scott reported to Council that staff also spoke with the residents that were concerned. They felt like the mirror was a big help. Staff's recommendation is that Council allow the placement of a mirror at this intersection. Mayor Owen asked if staff was asking for Council action on putting up the mirror. Staff affirmed. Councilman Holcombe motioned for staff to place a mirror at this location. Vice Mayor Piquet seconded the motion and the vote passed unanimously. Public Works Director Riley Hatch described in detail where the mirror would be placed, indicating that motorists would have to look down the road a little ways to see the mirror but that this was determined to be the most advantageous location for the individuals using the mirror. Council thanked staff.
- c. *Fire Department Training Officer Classification and Grade*** – Fire Chief Bob Pudney stated that the Fire Department had worked on developing a part time Fire Department position for the department. Fire Chief Pudney reported to Council that the in house capability of the Fire Department for providing instructional classes has been exhausted. The department has reached out to neighboring community colleges Mayland and Caldwell. Fire Chief Pudney stated that the department would like to utilize the community colleges to pass off some of this cost of running the classes. Town Clerk/ Human Resource Officer Jennifer Broderick reviewed the job description and sent it to HR Essentials for further review of the classification and placement within the Town's current Pay Plan. Council has this information before them. Fire Chief Pudney confirmed that this position was part time with no benefits. Vice Mayor Piquet motioned to approve the Fire Department Training Officer Classification at a Grade 17 placement within the Town's Pay Plan. Councilman Holcombe seconded the motion and the vote passed unanimously.
- d. *Annual Tax Settlement*** – Mayor Owen stated that Council had the report in front of them. Vice Mayor Piquet motioned to approve the Annual Tax Settlement. Councilman Holcombe seconded. Councilwoman Keller questioned 2010 figures. Tax Administrator Rebecca Ward stated that there was an increase due to the 27 discovered properties. Mayor Owen called the vote and the vote passed unanimously. Mayor Owen

requested that in the future staff provide a list of the delinquent properties for the previous four delinquent years along with this list.

- e. Order to Collect* – Councilman Holcombe motioned to approve the Order to Collect. Councilman Miller seconded the motion and the vote passed unanimously.

VIII. Town Manager, Staff Reports, and Council Concerns

Buckeye Landslide – Interim Manager Scott stated that Public Works Director Riley Hatch went with him to the Buckeye landslide site to take measurements and set rebar so staff can monitor the bank to see if it is continuing to move.

Crime Stoppers – Police Chief Shawn Freeman stated that about a month and half ago the Sheriff of Avery County contacted the Beech Mountain Police Department due to calls coming in that were not being handled as well as they could by Avery County Dispatch. The call volume for the type of calls that the Sheriff of Avery County was discussing typically ranged from 6 to 10 incoming calls a month. Based upon the low number of calls the Beech Mountain Police Department agreed to a 30 day trial to see how taking these calls would impact the department. Police Chief Freeman stated that by taking on these calls the Police Department is hoping to generate some calls that will assist with handling local crime in the area. Police Chief Freeman stated that when the calls come in the Telecommunicator taking the call establishes where to transfer the call and then selects the appropriate button to do so.

Winter Road Conditions – Interim Manager Scott stated Kevin Whittington with the North Carolina Department of Transportation to share some of their experiences and practices. The North Carolina Department of Transportation uses a different type of stone than we use. They use a larger stone that may give us better traction and lower the dust on the roads as well. Public Works Director Riley Hatch stated that they use a number 9 stone that they get from Maymead. The Town uses approximately 2,000 tons a year. Mr. Hatch put a call into Vulcan to see if they have a number 9. The numbers for stones are different in North Carolina than they are in Tennessee. For Vulcan the closest company that makes the number 14 stone is over by Wilkesboro. Mr. Hatch stated that he usually gets Explosive Supplies to bid on the screenings. The screenings do seem to be a little heavier though, as we all know, when you put this on the road you do not see this as well. Mr. Hatch recommended allowing staff to purchase 300 tons of the number 9 from Maymead to run some tests. Mr. Hatch stated that he would come back to Council the next budget year. Councilman Miller asked about ice on the road. Mr. Hatch stated that depending on road conditions the State uses the number 9, a combination of salt and the number 9, or just salt on the roads. Depending on the temperature salt is not effective when the temperature gets too low. Last year \$15.60 a ton from Vulcan was the low bid. The number 9 was \$22.77. Councilwoman Keller asked about the cleanup. Mr. Hatch stated that he did not know. The worst case scenario is that the Town can try to collect it and throw it out on the gravel roads.

North Carolina League of Municipalities Annual Conference – Interim Manager Scott stated that the North Carolina League of Municipalities Annual Conference would be held in Winston Salem. Registration deadline is Friday September 11, 2015. Interim Manager

Scott asked that Council members who had not already done so to inform staff if they wished to attend.

Police Department – Councilman Miller recognized Police Chief Shawn Freeman for the state of the art console that the department now had for their dispatch officer. Councilman Miller stated that it was important to note that E911 funds paid for this upgraded set up.

Parks and Recreation Department Report – Councilwoman Keller asked how the Parks and Recreation Department doubled the money at the Recreation Center this year with the numbers down. Parks and Recreation Director Sean Royall stated that he believed that this was due to increased number of participants in summer camp.

The Council took a recess at 4:37 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*** – At 4:46 p.m., Vice Mayor Piquet moved to enter closed session pursuant to N.C. Gen. Stat. §143-318.11 (a)(3) for the purpose of discussing attorney-client matters, including The Town of Beech Mountain v. Milligan and pursuant to N.C. Gen Stat. §143-318.11 (a)(6) for the purpose of discussing personnel matters. The motion was seconded by Councilman Miller and passed unanimously. Upon motion by Vice-Mayor Piquet, seconded by Councilman Holcombe, the Council voted unanimously to exit closed session at 5:03 p.m.

X. Other Business

Note: Interim Manager Scott and Town Clerk Jennifer Broderick, having been excused at 4:58 p.m. during closed session, returned to the regular portion of the meeting at 5:04 p.m.

Assistant Town Manager – Councilman Holcombe asked Council what their opinion was about the Town having an Assistant Town Manager to step in and fill in for vacations and other days that the Town Manager had to be away from work. The individual serving in this capacity would only be paid for these additional duties when they were performing these additional duties. Vice Mayor Piquet stated that he agreed with this idea, stating that the Town had the perfect person on staff here already. Councilman Miller agreed and asked if Interim Manager Scott would be interested in being the Assistant Town Manager under these terms. Mayor Owen stated that he agrees and that he thinks that Interim Manager Scott is the perfect person for this position. Normally the Assistant Town Manager takes on some departments to free them up however the role that the Council was creating would be that if the manager is not here then all of the Town Manager's duties would shift to the Assistant Town Manager. Councilwoman Keller stated that they would like them to set the parameters. Interim Manager Scott stated that Town Clerk Jennifer Broderick would also be a good candidate as she already performs some of the functions of an Assistant Town Manager. Council was in agreement that they wanted Interim Manager Scott in this potential position and agreed to discuss this in more depth in the future.

- XI. Recessed*** – At 5:08 p.m., Vice-Mayor Piquet motioned to recess the meeting to September 18, 2015 at 10:00 a.m. for the purpose of a closed session to continue discussing the Town

Manager position. The motion was seconded by Councilman Holcombe with the vote being unanimous. The meeting was recessed at 5:08 p.m.

XII. *Reconvened* – Mayor Owen reconvened its recessed meeting from September 8, 2015 at 10:04 a.m. on Friday, September 18, 2015 in the Town Hall Council Chamber room. Other Council Members present were Vice Mayor Piquet, Councilman Alan Holcombe, Councilman Rick Miller, and Councilwoman Cindy Keller. There was no staff present.

XIII. *Closed Session Pursuant to NC GS 143-318.11(a)(6) Personnel Matters* – At 10:04 a.m., Councilman Holcombe moved to enter closed session pursuant to N.C. Gen Stat. §143-318.11 (a)(6) for the purpose of discussing personnel matters. The motion was seconded by Vice Mayor Piquet and passed unanimously. Upon motion by Vice-Mayor Piquet, seconded by Councilman Holcombe, the Council voted unanimously to exit closed session at 10:27 a.m.

Note: Interim Town Manager James Scott and Town Clerk Jennifer Broderick were invited into the meeting at 10:30 a.m. Mayor Owen provided Town Clerk Jennifer Broderick with the regular minutes from the meeting that he had taken up to this point in time beginning with § XII. 'Reconvened' of these minutes thru § XIII. 'Closed Session Pursuant to NC GS 143-318.11(a)(6) Personnel Matters.' Town Clerk Jennifer Broderick took the remaining minutes.

XIV. *Other Business*

Contract – Vice Mayor Piquet moved to approve the employment agreement with Ed Evans as Town Manager for Beech Mountain with a start date of Monday, October 19, 2015. Councilman Holcombe seconded the motion with the vote passing unanimously. Mayor Owen stated that James Scott would continue as the Town's Interim Town Manager up to the start date of Mr. Evans.

North Carolina League of Municipalities Annual Conference – Mayor Owen confirmed with Interim Manager Scott that he would still be attending the North Carolina League of Municipalities Annual Conference. Council held discussion of moving the Council meeting to accommodate those that are attending the meeting. The Council determined that there was no need to move the regularly scheduled meeting.

Press Release for New Town Manager – Staff was directed to create a press release for new Town Manager Ed Evans that would inform the public about his experience, education, and background in planning. Staff was directed to send an email out to staff immediately notifying them that Council had hired a new Town Manager. Then to follow up with an email to citizens. Email staff and let them know of the hiring of Ed Evans. Then email the citizens.

Formal Meet and Greet – Council determined that plans for a formal meet and greet for the new Town Manager would be discussed in more detail at a future date.

Adjourn – Vice Mayor Piquet motioned to adjourn the meeting at 10:45 a.m. Councilman Holcombe seconded the motion and the vote passed unanimously. The meeting was adjourned at 10:45 a.m.

Minutes approved by Town Council on October 13, 2015.

Richard H. Owen, Mayor

ATTEST:

Jennifer Broderick, CMC
Town Clerk