

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
Regular Meeting – November 14, 2017

- I. *CALL TO ORDER*** – Mayor E. ‘Rick’ Miller called the regular meeting of the Beech Mountain Town Council to order at 4:00 p.m., Tuesday, November 14, 2017 in the Town Hall Council Chambers located at 403 Beech Mountain Parkway Beech Mountain North Carolina 28604. Other Council Members present were Paul Piquet, Rick Owen, Wendel Sauer, and Renee Castiglione. A quorum was present. Town Attorney Stacy C. Eggers, IV was present. Staff members present included Town Manager Tim Holloman, Town Clerk Jennifer Broderick, Public Utilities Director Robert Heaton, Public Works Director Riley Hatch, Fire Chief Bob Pudney, Building Inspector John Merritt, Tax Administrator Rebecca Ward, Parks and Recreation Director Sean Royall, and Assistant Parks and Recreation Director Kate Prisco.
- II. *Invocation*** – Town Manager Tim Holloman presented the invocation.
- III. *Pledge of Allegiance*** – All present joined in the Pledge of Allegiance to the flag.
- IV. *Adoption of Agenda*** – Councilwoman Castiglione motioned to approve the agenda. Councilman Sauer seconded the motion, the vote carried unanimously.
- V. *Recognition of Rick Owen’s Twenty-Two Years of Elected Service***
- a. *Resolution Recognizing Rick Owen’s Dedication to the Town of Beech Mountain*** – Mayor Miller read aloud the *Resolution of the Town of Beech Mountain, NC Honoring the Service of Rick Owen*. Councilman Owen has served the Town of Beech Mountain as an elected official for twenty-two years. Mayor Miller presented Councilman Owen with the resolution and a plaque honoring Councilman Owen’s service to the town. During Councilman Owen’s twenty-two years of service, sixteen years have been as the appointed Mayor and four years have been as the appointed Vice Mayor. Councilman Owen received a round of applause for his good work for the Town of Beech Mountain. Councilman Owen stated he cares deeply for the community and that he had been living on the mountain when all the roads used to be gravel. Councilman Owen stated he was honored that he was selected and chosen by Town Council for fourteen years to sit in the chair as Mayor. Councilman Owen stated that he did not hold elected office for himself, but did so for others. Councilman Owen thanked the staff, stating they were incredibly important to this community and the direction of growth. Councilman Owen thanked his

fellow Council Members. Councilman Owen thanked his wife and his son for understanding his position. Councilman Owen stated that he wanted his son to always be involved and engaged in his community. Vice Mayor Piquet motioned to approve the *Resolution of the Town of Beech Mountain, NC Honoring the Service of Rick Owen*. Councilwoman Castiglione seconded the motion, the vote passed unanimously. The *Resolution of the Town of Beech Mountain, NC Honoring the Service of Rick Owen* is attached as Exhibit A and is incorporated by reference as if fully set out within these minutes.

- VI. *Consent Agenda*** – Mayor Miller opened the floor for Council to take action on the consent agenda. Councilman Sauer motioned to approve the consent agenda. Councilwoman Castiglione seconded the motion, the vote passed unanimously. The consent agenda was approved as follows with consent agenda item ‘c’ attached as Exhibit B and consent agenda item ‘d’ attached as Exhibit C. Exhibits B thru C are incorporated by reference as if fully set out within these minutes.

a. *October 10, 2017 – Regular Meeting*

b. *October 10, 2017 – Closed Session*

c. *Tax Releases*

d. *Budget Amendment #6-2018*

- VII. *Public Comment*** – There was no comment.

VIII. *New Business*

a. *Elected Officials Workshop: Mitigation and Emergency*

Management – Manager Holloman stated that due to the Town of Boone blasting for waterlines today Watauga County Fire Marshal/Emergency Management Coordinator Taylor Marsh was not able to attend the meeting. Mr. Marsh has been tentatively scheduled to present at Council’s regular January meeting.

Mayor Miller discussed amending the agenda to include Closed Session for the purpose of Attorney Client privilege. Vice Mayor Piquet motioned to amend the agenda to add Closed Session for the purpose of Attorney Client Privilege after Town Council Comments. Council Sauer seconded the motion; the motion carried unanimously.

- b. *Supplemental Water Source Project*** – Benjie Thomas, PE West Consultants stated that the purpose of the Supplemental Water Source project was to supplement Buckeye Creek/Lake water supply, which has a safe yield of only 0.3 million gallons per day (without meeting the United

States Army Corps of Engineers minimum release requirements) and nearly was depleted in July 2010. The Projected Capital Cost is \$15,000,000. This cost estimate has been confirmed by a second opinion from Garney Construction and is still a preliminary cost estimate. Mr. Thomas stated that the projected O&M costs are between \$35,000 and \$100,000 per year depending on frequency of pumping being quarterly to weekly. Mr. Thomas advised Council that steps already accomplished in the project included the intake site leased through 2038 with the ability to extend to 2063. North Carolina Division of Water Resources concurring and documenting in a report dated September 1, 2015 the Town's need. Numerous meetings with North Carolina Division of Water Resources, Tennessee Valley Authority, United States Army Corps of Engineers indicate intake can be permitted under NWP #12. Mr. Thomas stated that it has been determined that United States Army Corps of Engineers minimum release cannot be altered without starting an Individual Permit process, in which case the required release might actually increase. Mr. Thomas stated that this was the supporting rationale to pipe the water directly to the Water Treatment Plant. Mr. Thomas stated that the North Carolina Department of Transportation engineers have reviewed the route and did not say encroachments would be denied. Mr. Thomas informed Council that some challenges to the Supplemental Water Source project are; high costs, which would be initial and ongoing, public perception/resistance, property needed for booster Pump Station and other sites, (no right-of-way on Buckeye Road), federal permitting processes, and no three-phase power near sites where needed. Mr. Thomas reviewed the seven original tasks and the 8th new task with Council. Task #1 is essentially complete although an independent opinion is forthcoming for comparison. Additionally, an estimate of annual operation and maintenance costs has been made. Task #2 has not begun. Task #3 is approximately 60% complete. The North Carolina Department of Transportation has also been consulted with regard to the feasibility of an encroachment agreement for the transmission line route. Task #4 and Task #5 have not begun. Task #6 for the floodway review is in progress. Task #7, dealing with the Tennessee Valley Authority and United States Army Corps of Engineers, has begun but applications have not been prepared yet. Mr. Thomas stated that new Task #8 deals with contacting property owners about easements and land purchases. Town Manager Holloman and Attorney Eggers would work on this task. Staff requested Councils approval to continue work on the project and to include Task #8. Councilman Sauer motioned for work to continue on the Supplemental Water Source project to include the continued work on the seven identified tasks and the addition of Task #8. Vice Mayor Piquet seconded the motion; the vote passed unanimously.

- c. *Public Request to Consider a Proposed Ordinance Change to Regulate Use of Unmanned Aircraft Systems within the Town of Beech Mountain, State of North Carolina*** – Manager Holloman stated that the proposed ordinance change before Council was to regulate the use of unmanned aircraft systems within the town. This issue came after hearing discussion about a similar ordinance the Village of Sugar Mountain had recently approved. Councilwoman Castiglione stated that the ordinance does not pertain to private residential properties. Manager Holloman stated that as long as the drone is maintained within the boundary of private property it is legal. Vice Mayor Piquet motioned to schedule the public hearing for Councils next regular scheduled meeting in December. Councilman Sauer seconded the motion; the vote passed unanimously. Urs Gsteiger stated that the Club has had issues with drones flying on the golf course.
- d. *Request to Schedule Date for Board Appointments*** – Mayor Miller opened the floor for Councils discussion. Councilman Sauer stated that part time residents were encouraged to participate if they felt like they could make the time commitment to regularly attend the Board meetings. Councilwoman Castiglione encouraged part time residents to participate on town Boards, stating that accommodations could be looked into to allow for the inclusion of conference calls at meetings. Councilman Sauer motioned to schedule Board Appointments for Councils next regularly scheduled meeting in December. Councilwoman Castiglione seconded the motion; the vote passed unanimously.

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

X. *Town Manager and Staff Reports*

Perry Park – Parks and Recreation Director Sean Royall reported that Perry Park has a major sink hole that has been repaired by Eggers Construction. Mr. Royall stated that new lights have also been installed at the park. It looks really nice. The next project at Perry Park will be staff installing a french drain around the park.

Playground – Parks and Recreation Director Sean Royall informed Council that the only thing left to do on the playground construction project was the staining. All of the caps have been finished. During the construction phase it was noticed that several of the beams that were connected to the logs were also rotted. Mr. Royall reported that the construction company, Beanstalk Builders LLC, replaced these logs free of charge. Mayor Miller asked about the rubber placed on top of the posts. Mr. Royall stated that the rubber membrane was placed under the metal.

Sledding Hill – Manager Holloman stated that staff has been working on improving the walkways for the town’s Sledding Hill.

XI. Town Council Comments

Halloween Event at Buckeye Recreation Center – Councilwoman Castiglione stated that the Haunted Halloween at Buckeye Recreation Center was awesome and that staff did a great job with the event.

Senior Watch Program – Councilwoman Castiglione stated that the Fire Department Newsletter had an article about the Senior Watch project run through the town’s Police Department. Residents are able to enroll in the program which has them call into the Police Department every day before 11:00 a.m. If no contact is made the department follows up to make sure the resident is okay. It is a great way for people that are alone to have support and assistance.

Sign Out Front – Councilman Sauer asked Manager Holloman to provide an update on the sign. Manager Holloman stated that they are redoing the support structure for the sign. The new design is going to allow the sign the ability to swing some.

Newly Elected Officials – Vice Mayor Piquet stated that he was going to be back briefly in December to open Council’s meeting. Vice Mayor Piquet congratulated the newly elected officials. Vice Mayor Piquet stated that he knows that the current Council is leaving this town in the best shape it has ever been in. Vice Mayor Piquet stated that he hoped that the incoming Council will keep their commitment to the employees.

Bridge Stabilization – Manager Holloman informed Council that the Public Works Department has been working with the Parks and Recreation Department stabilizing a bridge on a trail. Manager Holloman stated that the work would probably extend the life of the bridge for another five years.

Gas and Diesel Pumps – Manager Holloman stated that the town’s new gas and diesel pumps would be shipped after they were made by the manufacturer.

XII. Closed Session Pursuant to NC GS 143-318.11(a)(3) Attorney Client Matters - At 4:52 p.m., Councilman Sauer moved to enter closed session pursuant to N.C. Gen. Stat. §143-318.11 (a)(3) for the purpose of discussing attorney-client matters to include *Beech Mountain v. Beech Mountain Vacations*. The motion was seconded by Councilwoman Castiglione and passed unanimously. Upon motion by Councilman Sauer, seconded by Councilwoman

Castiglione, the Council voted passed unanimously to exit closed session at 5:08 p.m.

XIII. Other Business

Organizational Meeting – Council discussed the procedural order for the organizational meeting at the December 12, 2017 regular Council meeting.

XIV. Adjourn – At 5:13 p.m., Councilman Sauer moved to adjourn, which was seconded by Councilwoman Castiglione. The motion passed unanimously.

Minutes approved by Town Council on December 12, 2017.

Renee Castiglione, Mayor

ATTEST:

Jennifer L. Broderick, MMC
Town Clerk

**ATTACHMENT TO MINUTES
BEECH MOUNTAIN TOWN COUNCIL
Regular Meeting – November 14, 2017**

EXHIBIT A – *Resolution of the Town of Beech Mountain, NC Honoring the Service of Rick Owen*

EXHIBIT B – Tax Releases

EXHIBIT C – Budget Amendment #6-2018

Resolution of the Town of Beech Mountain, NC Honoring the Service of Rick Owen

WHEREAS, Rick Owen has been a long time community leader committed to serving the Town of Beech Mountain; and

WHEREAS, Rick Owen has served the Town of Beech Mountain as a Town Council Member from December 1995 thru December 2017; was appointed to serve as Vice Mayor from December 1997 thru December 2001, and appointed to serve as Mayor from December 2001 thru December 2015; and

WHEREAS, the Town of Beech Mountain benefited from the numerous years of leadership provided by Rick Owen; and

WHEREAS, Rick Owen's determination, belief in fair process, belief in a participatory democratic system, and dedication to the people of Beech Mountain will be missed; and

WHEREAS, Rick Owen has decided to leave his seat on the Town Council in order to devote more time to his special interests;

NOW, THEREFORE, BE IT that the Town Council of Beech Mountain hereby honors and praises Rick Owen for his outstanding service to the people of Beech Mountain and his dedication to the betterment of the Town of Beech Mountain, North Carolina.

This 14th day of November, 2017.



[Signature]
E. 'Rick' Miller, Mayor

Attest

[Signature]
Jennifer L. Broderick, Town Clerk

TOWN OF BEECH MOUNTAIN TAX OFFICE

RELEASE REQUEST

PROPERTY OWNER	LAST	FIRST	MIDDLE
	Brooks	Harriet	
ADDRESS	21914 Old Bridge Trail Boca Raton, FL		
LOCATION	The Cliffs 022A	COUNTY	Watauga

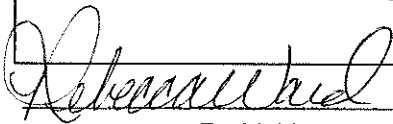
☒ I HEREBY REQUEST RELEASE OF TAX UNDER G.S. 105-381 FOR THE FOLLOWING YEAR:

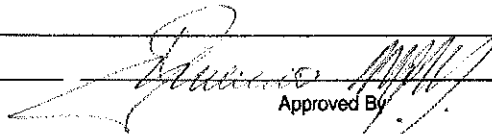
YEAR	ASSESSMENT		TAX AMOUNT			RECEIPT NUMBER
	TOWN	DISTRICT	TOWN	DISTRICT	TOTAL	
2017	27800				203.50	

ACCOUNT NUMBER	
PARCEL NUMBER	1940930202000
AMOUNT OF RELEASE	\$203.50
DATE OF COUNCIL MEETING	11-14-17

SPECIFIC REASON FOR RELEASE

Cty had wrong square footage on house.


Tax Administrator


Approved By

11/14/2017
Date

REFUND REQUEST

☐ I HEREBY REQUEST REFUND OF TAX UNDER G.S. 105-380 FOR THE FOLLOWING YEARS:

YEAR	TAX	INTEREST PENALTIES COSTS	TOTAL PAID	DATE PAID	TOTAL REFUND
MAKE CHECK TOTAL					

SPECIFIC REASON FOR REFUND

Tax Administrator

Approved By

Date

TOWN OF BEECH MOUNTAIN TAX OFFICE

RELEASE REQUEST

PROPERTY OWNER	LAST	FIRST	MIDDLE
	Cavagnaro	Susan	
ADDRESS	104 Woodridge Rd Banner Elk, NC 28604		
LOCATION	Creekridge 311	COUNTY	Watauga

☒ I HEREBY REQUEST RELEASE OF TAX UNDER G.S. 105-381 FOR THE FOLLOWING YEAR:

YEAR	ASSESSMENT		TAX AMOUNT			RECEIPT NUMBER
	TOWN	DISTRICT	TOWN	DISTRICT	TOTAL	
2017	125,200				916.46	

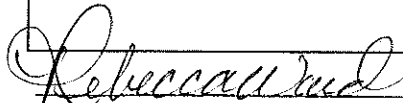
ACCOUNT NUMBER	
PARCEL NUMBER	19500745477000

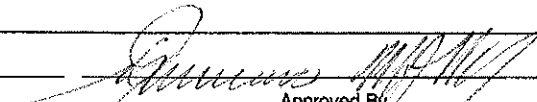
AMOUNT OF RELEASE	\$916.46
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DATE OF COUNCIL MEETING	11-14-17
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SPECIFIC REASON FOR RELEASE

Cty sent attached letter to release value due to home burning


Tax Administrator


Approved By

11/14/2017
Date

REFUND REQUEST

☐ I HEREBY REQUEST REFUND OF TAX UNDER G.S. 105-380 FOR THE FOLLOWING YEARS:

YEAR	TAX	INTEREST PENALTIES COSTS	TOTAL PAID	DATE PAID	TOTAL REFUND
MAKE CHECK TOTAL					

SPECIFIC REASON FOR REFUND

Tax Administrator

Approved By

Date

TOWN OF BEECH MOUNTAIN TAX OFFICE

RELEASE REQUEST

PROPERTY OWNER	LAST	FIRST	MIDDLE
	Rio Vista Properties		
ADDRESS	331 N. Pinnacle Ridge Rd Beech Mountain, NC 28604		
LOCATION	Tract 136	COUNTY	Watauga

☒ I HEREBY REQUEST RELEASE OF TAX UNDER G.S. 105-381 FOR THE FOLLOWING YEAR:

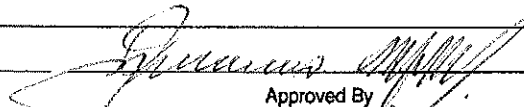
YEAR	ASSESSMENT		TAX AMOUNT			RECEIPT NUMBER
	TOWN	DISTRICT	TOWN	DISTRICT	TOTAL	
2017	32562				238.35	

ACCOUNT NUMBER	
PARCEL NUMBER	1941730960000
AMOUNT OF RELEASE	\$238.35
DATE OF COUNCIL MEETING	11-14-17

SPECIFIC REASON FOR RELEASE

was taxed for full parcel and only 46% in inside town limits


Tax Administrator


Approved By

11/14/2017
Date

REFUND REQUEST

☐ I HEREBY REQUEST REFUND OF TAX UNDER G.S. 105-380 FOR THE FOLLOWING YEARS:

YEAR	TAX	INTEREST PENALTIES COSTS	TOTAL PAID	DATE PAID	TOTAL REFUND
MAKE CHECK TOTAL					

SPECIFIC REASON FOR REFUND

Tax Administrator

Approved By

Date

TOWN OF BEECH MOUNTAIN TAX OFFICE

RELEASE REQUEST

PROPERTY OWNER	LAST	FIRST	MIDDLE
	Rio Vista Properties		
ADDRESS	331 N. Pinnacle Ridge Rd Beech Mountain, NC 28604		
LOCATION	Tract 135	COUNTY	Watauga

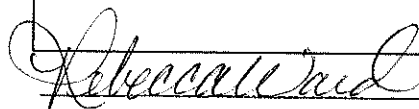
☒ I HEREBY REQUEST RELEASE OF TAX UNDER G.S. 105-381 FOR THE FOLLOWING YEAR:

YEAR	ASSESSMENT		TAX AMOUNT			RECEIPT NUMBER
	TOWN	DISTRICT	TOWN	DISTRICT	TOTAL	
2017	60435				442.38	

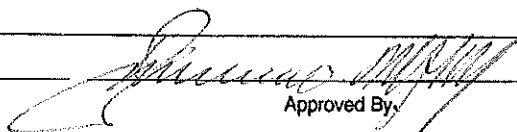
ACCOUNT NUMBER	
PARCEL NUMBER	1941655408000
AMOUNT OF RELEASE	\$442.38
DATE OF COUNCIL MEETING	11-14-17

SPECIFIC REASON FOR RELEASE

was taxed for full parcel and only 15% in inside town limits



Tax Administrator



Approved By

11/14/2017
Date

REFUND REQUEST

☐ I HEREBY REQUEST REFUND OF TAX UNDER G.S. 105-380 FOR THE FOLLOWING YEARS:

YEAR	TAX	INTEREST PENALTIES COSTS	TOTAL PAID	DATE PAID	TOTAL REFUND
MAKE CHECK TOTAL					

SPECIFIC REASON FOR REFUND

Tax Administrator

Approved By

Date

TOWN OF BEECH MOUNTAIN TAX OFFICE

RELEASE REQUEST

PROPERTY OWNER	LAST	FIRST	MIDDLE
	Rio Vista Properties		
ADDRESS	331 N. Pinnacle Ridge Rd Beech Mountain, NC 28604		
LOCATION	Tract 131	COUNTY	Watauga

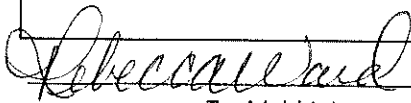
☒ I HEREBY REQUEST RELEASE OF TAX UNDER G.S. 105-381 FOR THE FOLLOWING YEAR:

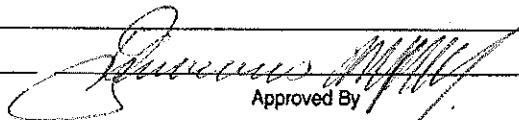
YEAR	ASSESSMENT		TAX AMOUNT			RECEIPT NUMBER
	TOWN	DISTRICT	TOWN	DISTRICT	TOTAL	
2017	37620				275.38	

ACCOUNT NUMBER	
PARCEL NUMBER	1941740215000
AMOUNT OF RELEASE	\$275.38
DATE OF COUNCIL MEETING	11-14-17

SPECIFIC REASON FOR RELEASE

was taxed for full parcel and only 45% in inside town limits


Tax Administrator


Approved By

11/14/2017
Date

REFUND REQUEST

☐ I HEREBY REQUEST REFUND OF TAX UNDER G.S. 105-380 FOR THE FOLLOWING YEARS:

YEAR	TAX	INTEREST PENALTIES COSTS	TOTAL PAID	DATE PAID	TOTAL REFUND
MAKE CHECK TOTAL					

SPECIFIC REASON FOR REFUND

Tax Administrator

Approved By

Date

TOWN OF BEECH MOUNTAIN TAX OFFICE

RELEASE REQUEST

PROPERTY OWNER	LAST	FIRST	MIDDLE
	Rio Vista Properties		
ADDRESS	331 N. Pinnacle Ridge Rd Beech Mountain, NC 28604		
LOCATION	Tract 130	COUNTY	Watauga

☒ I HEREBY REQUEST RELEASE OF TAX UNDER G.S. 105-381 FOR THE FOLLOWING YEAR:

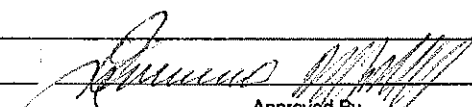
YEAR	ASSESSMENT		TAX AMOUNT			RECEIPT NUMBER
	TOWN	DISTRICT	TOWN	DISTRICT	TOTAL	
2017	65304				478.03	

ACCOUNT NUMBER	
PARCEL NUMBER	1941648714000
AMOUNT OF RELEASE	\$478.03
DATE OF COUNCIL MEETING	11-14-17

SPECIFIC REASON FOR RELEASE

was taxed for full parcel and only 28% in inside town limits


Tax Administrator


Approved By

11/14/2017
Date

REFUND REQUEST

☐ I HEREBY REQUEST REFUND OF TAX UNDER G.S. 105-380 FOR THE FOLLOWING YEARS:

YEAR	TAX	INTEREST PENALTIES COSTS	TOTAL PAID	DATE PAID	TOTAL REFUND
MAKE CHECK TOTAL					

SPECIFIC REASON FOR REFUND

Tax Administrator

Approved By

Date

TOWN OF BEECH MOUNTAIN TAX OFFICE

RELEASE REQUEST

PROPERTY OWNER	LAST	FIRST	MIDDLE
	Below	Stephen	
ADDRESS	507 2nd Ave South Clanton, AL 35045		
LOCATION	Tract 403B	COUNTY	Watauga

☒ I HEREBY REQUEST RELEASE OF TAX UNDER G.S. 105-381 FOR THE FOLLOWING YEAR:

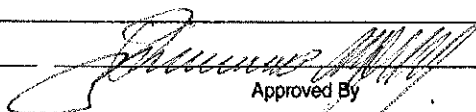
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	TOWN	DISTRICT	TOWN	DISTRICT	TOTAL	
2017	76440				559.54	

ACCOUNT NUMBER	
PARCEL NUMBER	1950582046000
AMOUNT OF RELEASE	\$559.54
DATE OF COUNCIL MEETING	11-14-17

SPECIFIC REASON FOR RELEASE

was taxed for full parcel and only 58% in inside town limits


Tax Administrator


Approved By

11/14/2017
Date

REFUND REQUEST

☐ I HEREBY REQUEST REFUND OF TAX UNDER G.S. 105-380 FOR THE FOLLOWING YEARS:

YEAR	TAX	INTEREST PENALTIES COSTS	TOTAL PAID	DATE PAID	TOTAL REFUND
MAKE CHECK TOTAL					

SPECIFIC REASON FOR REFUND

Tax Administrator

Approved By

Date

**TOWN OF BEECH MOUNTAIN, NORTH CAROLINA
2017-2018 BUDGET ORDINANCE
AMENDMENT # 6-2018**

**TO THE ORDINANCE APPROPRIATING FUNDS FOR THE
OPERATING EXPENSES FOR TOWN OF BEECH MOUNTAIN**

BE IT ORDAINED BY THE TOWN OF BEECH MOUNTAIN TOWN COUNCIL:

A. EXPENDITURES

1. To provide for increases and/or (decreases) in existing Funds:

a. General Fund:

1. Planning

Capital Outlay \$28,000

TOTAL ADJUSTMENT TO EXPENDITURES **\$28,000**

B. REVENUES

1. To provide for adjustments to revenues:

a. Appropriated Fund Balance \$10,000

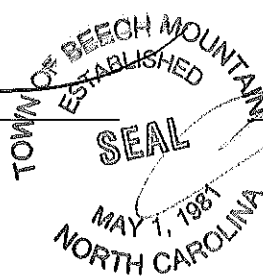
Transfer from TDA 18,000

TOTAL ADJUSTMENT TO REVENUE **\$28,000**

C. FY 2017 – 2018 Original Budget	\$6,785,588
Amendment # 1	35,000
Amendment # 3	25,000
Amendment # 4	26,150
Amendment # 5	2,500
Amendment # 6	28,000
FY 2017 – 2018 Amended Budget	<u>\$6,902,238</u>

APPROVED THIS THE 14TH DAY OF NOVEMBER 2017


Jennifer Broderick, Clerk




E. 'Rick' Miller, Mayor