

MINUTES  
BEECH MOUNTAIN TOWN COUNCIL  
October 3, 2000

***CALL TO ORDER***

Mayor Tim Holland called the regular meeting of the Beech Mountain Town Council to order at 6:10 P.M. in the Council Chamber at Town Hall. Other Council Members present were Gil Adams, Jim Herbert, Rick Owen and Reub Mooradian. Also present were Town Manager Seth Lawless, Police Captain R.L. Dunn, Town Engineer Ed Powell, Public Works Director Riley Hatch, Tax Administrator Melissa Norwood and Code Enforcement Officer Don Fulkerson. There were a number of interested parties in the audience.

***Invocation – Hayst Harrold***

Hayst Harrold opened the meeting in prayer.

***Pledge of Allegiance***

All present joined in the pledge of allegiance to the flag.

***1. Adoption of Agenda***

Mayor Holland called for additions to the Agenda. Dr. Murray Miller had requested to address the Council, added under 4 b. Town Attorney Paletta requested the Council go into Executive Session following the regular meeting. Mayor Holland stated that the agenda would stand as amended.

***2. Approval of Minutes***

Rick Owen moved the minutes of the September 5th, 2000 regular meeting and the September 28<sup>th</sup> 2000 special meeting be approved as submitted. Reub Mooradian seconded the motion and it passed unanimously.

***3. Committee Reports***

There were no committee reports.

***4. Persons Wishing to Address the Council***

- a. Jim Reed addressed the Council with regard to the Mariah Circle Paving Petition. Mr. Reed reported that according to the instructions he had been given by the Town, the required number of signatures had been obtained to allow for the paving. He had based his petition on the 16 parcels that touch the road area as well as 66% required by the

Town. Mr. Reed did note that Mr. Lawless had made him aware of a potential problem with the petitions.

Town Attorney, David Paletta, went over some of the issues relating to the petition and how the Town could collect the assessments. After a lengthy discussion, the matter was added to the Executive Session.

- b. Dr. Murray Miller did not show up for the meeting.

## 5. *New Business*

- a. Consider Budget Amendment

Reub Mooradian moved to approve the budget amendment for the Buckeye Lake Capital Project. Rick Owen seconded the motion and it passed unanimously. ✓

- b. Resolution 00-10-01 – Requesting Authority to Increase Occupancy Tax. ✓

Reub Mooradian moved to adopt Resolution 00-10-01. Rick Owen seconded the motion and it passed unanimously.

After a brief discussion the Resolution was amended to say 'Town's Public Recreation and Tourist Related Services'. Reub Mooradian moved to adopt Resolution 00-10-01 as amended. Rick Owen seconded the motion and it passed unanimously.

- c. Resolution 00-10-02 – Requesting Authority to Establish Extra Territorial Zoning ✓

Seth Lawless briefed the Council on the Towns' past attempts to obtain EIJ authority. After discussing the issue it was felt further research was required. The issue of EIJ will be discussed at the November 14<sup>th</sup> meeting.

- d. Resolution 00-10-03 – Supporting the Town of Sugar Mountain Occupancy Tax ✓

Reub Mooradian moved to approve Resolution 00-10-03 supporting the Village of Sugar Mountain's attempt to gain authorization to levy an occupancy tax. Rick Owen seconded the motion and it passed unanimously.

- e. Call for Public Hearing ✓

A public hearing was set for November 14<sup>th</sup> at 6:00 P.M. to discuss proposed changes to the zoning ordinance.

- f. Consider Tax Releases ✓

Mr. Lawless presented road assessment releases for the Town owned property on Grassy Gap Creek Rd. Rick Owen moved to accept the road assessment releases as submitted. Reub Mooradian seconded the motion and it passed unanimously.

- g. Proposed Plan to Perform a Comprehensive Wastewater System Analysis

Mr. Lawless went over the Comprehensive Wastewater System Analysis handout and the plans to apply for a grant to do a study on how best to deal with the problems the Town faces with the wastewater issue. The Town has \$20,000 budgeted for the study, but will need additional funds.

Ed Powell gave an update in support of the action noting that the biggest problem with the Grassy Gap facility was the ammonia nitrogen and fecal coliform while Pond Creek's was the fecal limits. Mr. Powell indicated that he would have a proposal on dealing with these issues in the near future.

Reub Mooradian made a motion to approve the plan. Rick Owen seconded the motion and it passed unanimously.

6. ***Staff/Consultant Reports***

- a. ***Town Engineer's Report*** Ed Powell had no report.
- b. ***Public Works Director's Report.*** Riley Hatch reported that Infiltration & Inflow Project was receiving top priority.
- c. ***Town Attorney's Report*** David Paletta had no report.
- d. ***Chief of Police's Report.*** Captain Dunn went over the monthly activity report and reported to the Council that the Police Department had applied for and received a \$10,000 grant with plans to use it for updating radios and lights.
- e. ***Town Manager's Report*** Seth Lawless gave a brief update on the Municipal Association. Attendance at the meeting was good with representatives from all the towns with the exception of Grandfather Village. There were a number of interested individuals who attended the meeting including a Representative from DOT, Representative Greg Thompson and Phil True of Region D Council of Governments. The agenda included among other things the Occupancy Tax situation. Mr. True attended the meeting with the intentions of helping Banner Elk with the Thoroughfare Plan. Banner Elk has taken the lead in developing a web site for the Association. A By-laws Committee was also formed. The Council will be receiving a copy of the minutes from the first meeting. The Town of Beech Mountain will be the host of the next 3 meetings. The next meeting will be held on January 28<sup>th</sup>, 2001.
- f. ***Tax Report, Financial Report and Building Inspections Report.*** The Tax and Building Inspections Reports were accepted as submitted. Mr. Lawless noted that the financial report was not complete due to the fact that it had to be printed prior to the end of the month in order to be included in the agenda packets.

7. *Other Business*

There being no other business to discuss Mayor Holland called for a 3-minute break prior to entering into the Executive Session.

8. *Executive Session*

Upon a motion by Reub Mooradian, seconded by Rick Owen, the Council entered Executive Session at 8:25 P.M. under the provisions of NCGS 143-318(a)(3) to consult with the Town Attorney. The Council came out of the closed session at 9:00 P.M. No action was taken.

**ADJOURN**

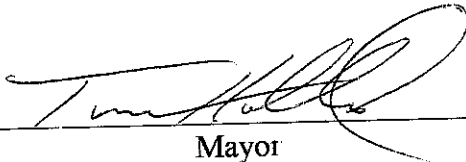
There being no further business to come before the Council, the meeting was adjourned upon a motion by Reub Mooradian. Rick Owen seconded the motion and it passed unanimously. The meeting ended at 9:01 PM.

Respectfully submitted,

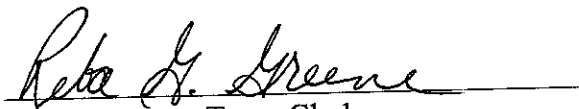
Reba G. Greene  
Town Clerk

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Minutes approved by Town Council on November 14, 2000.

  
Mayor

ATTEST:

  
Town Clerk