

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
November 13, 2001

CALL TO ORDER

Mayor Tim Holland called the regular meeting of the Beech Mountain Town Council to order at 6:00 P.M. in the Council Chamber at Town Hall. Other Council Members present were Gil Adams, Reub Mooradian and Rick Owen. Also present were Assistant to the Town Manager Jonathan Hobbs, Town Attorney David Paletta arrived at 7:30, Chief Jay Hefner, Town Engineer Ed Powell and Public Works Director Riley Hatch. There were a number of interested parties in the audience.

Invocation – Charlie Burleson

Charlie Burleson 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 the adoption of the agenda as submitted.

2. Consent Agenda

Gil Adams made a motion to accept the minutes of October 16th as submitted and the minutes of November 1st as amended. Rick Owen seconded the motion and it passed unanimously.

Mayor Holland presented Jonathan Hobbs with a gift from the Town in appreciation for the work that he has done. Mayor Holland noted that Mr. Hobbs would be starting as the Manager for Village Of Sugar Mountain.

3. Special Presentation – FY 2000-2001 Audit

Luke Copeland of Holder Copeland and Associates thanked the Council for allowing his presentation on the Audit Report for 2000-2001 to be rescheduled from the October 16th meeting. Mr. Copeland reported that the Town finances were in the usual good order, revenues were budgeted well and the Capital Projects were in compliance with the grant regulations. Mr. Copeland did note that the tax collections were down a little, but it was still at 98.55%.

4. Old Business

- a. Offer to Purchase Northridge Road Right of Way

Vice Mayor Rick Owen made a motion to excuse Mayor Holland from the discussion due to a financial interest. Mr. Adams seconded the motion and it passed unanimously.

Vice Mayor Owen informed the Council and audience of an Offer to Purchase for \$2,000 for property located at the end of Northridge Road.

David Paletta reported to the Council that there were three issues that must be dealt with in selling this property. The first one is a non-warranty deed from the Town to the purchaser of the area in question. This allows the Town to reserve a right of way for snow removal and storage purposes. The next document is an easement from the buyer to the Northridge Villas Condominium Owners Association for a road right of way, which has been surveyed. The last document would be from the Condominium Owners Association to the buyer for a non-warranty deed for any claim they might have outside of the recorded easement. This is necessary for the buyer to have a clear title to the remainder of this property. Mr. Paletta recommended that the signing of the papers could take place after the advertising period had ended.

After a lengthy discussion Mr. Mooradian made a motion to proceed with the advertising of the property as per the submitted contract. Mr. Adams seconded the motion and it passed unanimously.

Vice Mayor Owen moved to bring Mayor Holland back into the meeting. Mr. Adams seconded the motion and it passed unanimously.

b. Consider Right of Way Excavation Issue

Mayor Holland informed the Council and audience that the Town Attorney had been asked to look into the issue of dirt and boulders being removed from Town right of ways. Mr. Paletta had responded in writing recommending that Chapter #41 on Streets and Highways be amended to specifically regulate removal of such materials.

Mayor Holland read Mr. Paletta's memorandum with regard to 'depositing' material in the Town right of way. The Council discussed the fine for dumping and depositing materials on town right of ways be set at \$250.00 per violation.

Mayor Holland asked that Mr. Paletta work with Mr. Lawless with regard to the recommended wording on Section 3.9 – Chapter 41 Streets and Driveways Ordinance dealing with the dumping issue as well as the removing of boulders issue.

5. *New Business*

a. Tax Releases

Rick Owen moved to accept the tax release request. Gil Adams seconded the motion and it passed unanimously.

b. Call for Public Hearing – Occupancy Tax

The Public Hearing was set for December 11th at 6:00 P M in the Town Hall.

c. Consider Offer to Donate RW-160

Rick Owen moved to accept the donation of RW-160 from Lou & Marianne Breslin. Reub Mooradian seconded the motion and it passed unanimously.

d. Town Hall and Visitor's Center Signs

Fred Pfohl addressed the Council noting that some money had been budgeted for a sign for the new Visitors Center. Mr. Pfohl showed the audience the various designs and mentioned that one of the signs they wished to use on the Visitor's Center was to be taken off the old Town Hall sign when it was replaced.

Mr. Mooradian indicated that he did not know the Town was getting rid of the current sign to which Mayor Holland noted that it had been discussed at the budget meeting a few months ago. Mr. Mooradian informed the Council that he was opposed to getting rid of the sign and suggested moving it out closer to the road.

After a lengthy discussion Mr. Owen recommended that the Committee go ahead with the visitors center sign. With regards to the Town sign Mr. Owen indicated that money had been budgeted to do something with the sign but he was not ready to make a recommendation on whether to keep it or change it.

Mayor Holland placed the Town sign on the agenda for the next meeting, December 11th for further discussion. Riley Hatch was asked to look at the sign and make a recommendation at the next Council meeting.

Peggy Corsica asked if the Town could do anything about all the signs that are together when you first get into town. After a brief discussion Mayor Holland asked Mr. Hatch to look at the situation to see if there were any changes that could be made.

e. Trail Map

Mayor Holland informed the public that a committee had been working on developing a new trail map for the Town. The question before the Council was whether or not to order color maps. 5,000 maps in black and white would cost \$1,057.39, for color it would be \$1,875.64.

Mr. Mooradian moved to print the maps in color and sell them for 50 cents and order 5,000. Mr. Owen seconded the motion and it passed unanimously.

f. Resolution 01-11-01 – Greenspace Preservation

Mayor Holland gave an overview of Resolution 01-11-01, which dealt with preserving green space. The Resolution outlined required deed restrictions on any undeveloped lots the Town might choose to sell in the future.

After a brief discussion Mr. Mooradian moved to adopt 01-11-01. Gil Adams seconded the motion and it passed unanimously.

g Resolution 01-11-02 – Release Region D Funds

Mr. Owen moved to accept Resolution 01-11-02 to release Region D funds in the amount of \$74 77. Mr. Mooradian seconded the motion and it passed unanimously.

h Request to Purchase A-18

Mayor Holland noted that the original request, made by Larry Parent, had come before the Council in December. The request had been put on hold pending the outcome of the Planning Board study of the selling of Town owned lots.

Mr. Owen recommended, based on the criteria set forth in Resolution 01-11-01, that the Council each go take a look at the lot before making any decisions. The Council agreed to reschedule this discussion until the December 11th meeting.

i Police Department Grant

Mayor Holland informed the Council and audience that the Town was scheduled to receive \$9,000 from the Governor's Crime Commission, the Town is required to match this grant with \$1,000 in Town funds. Chief Hefner, following the guidelines of the grant, submitted a list of items the department wished to purchase with the funds.

Mayor Holland noted that no action was required by the Council allowing Chief Hefner to purchase the requested items.

j Set Date/Time for Organizational Meeting

Mayor Holland informed the audience that the organizational meeting would take place directly after the Council meeting ended tonight.

k Consider Budget Amendment

Mr. Mooradian moved to accept the amendments regarding the lease/purchase of a backhoe for the Town. Mr. Adams seconded the motion and it passed unanimously.

6. *Staff/Consultant Reports.*

a Town Engineer's Report.

Ed Powell reported that the paving company, Smith & Sons, is on the mountain doing patching and storm damage repair in preparation to begin the paving projects. Ski Beech is working on their waterline project in the Lakeledge area so they are going to hold up on doing anything to the storm damage in that area.

Ed Waligroski asked if the Town could put padding on the post at the Lake Coffey basketball court. Mayor Holland indicated that they would have Mr. Lawless look into it.

b. Public Works Director's Report.

Riley Hatch reported that he was aware that the gravel roads need attention, but the Town must wait for it to rain before scraping. Mr. Hatch noted that the recycling center is being opened at 7:30 A.M. with no problems to date. The recycled paper was refused; however, there was a 2-week period when the center was not manned. The report was accepted as submitted.

c. Town Attorney's Report. Mr. Paletta had no report.

d. Police Report

Chief Hefner went over the police report and it was accepted as submitted.

e. Town Manager's Report.

Mayor Holland read the report Mr. Lawless had presented to the Council. 1) Jonathan Hobbs had been selected as the new Sugar Mountain Village Manager. 2) The Town received a 'Superior Second' award at the annual Watauga County Farm City banquet for the Buckeye Lake project. 3) Town Hall will be closed the 22nd & 23rd for Thanksgiving. 4) The Wastewater notices were mailed on November 6th. 5) The Municipal Association will meet Thursday November 15th at 6:00 P.M. Mayor Holland asked that Vice Mayor Owen attend, as he would be out of Town. 6) The Halloween party was a success. 7) Some decisions will have to be made in the coming months with regards to the Buckeye Lake Recreation area requiring a meeting of the Long-Range Planning Committee. Seth Lawless report was accepted as submitted.

f. Tax Report and the Building Inspections Report were accepted as submitted.

Mayor Holland then returned to the previous items postponed until Mr. Paletta's arrival.

7. *Other Business*

Mr. Mooradian asked about the requirements for appointment to the Board of Adjustments, his concern being that they do not have to live in the Town. Mr. Mooradian went on to say that it might be a good idea to add a requirement saying that they must be a property owner in the Town.

Mr. Paletta indicated the best way to handle that would be to not put that into the ordinance, but simply choose to not vote for someone who is not a property owner. Mr. Paletta noted that in other areas of government the property ownership issue raised 'red flags'.

Mayor Holland asked that Mr. Paletta prepare wording on the residency requirement issue for the Board of Adjustments and direct the Town as to the proper place to put it in the Ordinances.

The Council thanked Mr. Mooradian for his dedication to the Town.

8. *Adjournment*

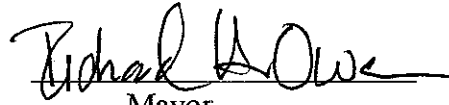
There being no further business to come before the Council, the meeting was adjourned at 8:30 P.M. upon a motion by Reub Mooradian, seconded by Rick Owen. All agreed.

Respectfully submitted,


Reba G. Greene
Town Clerk

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Minutes approved by Town Council on December 1st, 2001.


Mayor

ATTEST:


Town Clerk