

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
October 11, 2005

CALL TO ORDER

Mayor Rick Owen called the regular meeting of the Beech Mountain Town Council to order at 6:00 p.m. in the Town Hall Council Chambers. Other Council Members present were Gil Adams, Pete Chamberlin, Paul Piquet and Dr. Ed Waligroski. Also present were Interim Town Manager Joe Perry, Assistant Police Chief Dana Crawford, Assistant Public Works Director Dolin Carpenter, Building Inspector Keith Cook, Indoor Recreation Director Rosemary Burnett and Town Attorney David Paletta. There were a number of interested parties in the audience.

Invocation – Charlie Burleson opened the meeting with scripture reading and prayer.

Pledge of Allegiance – All present joined in the Pledge of Allegiance to the flag.

1. Adoption of Agenda – The Agenda was adopted with the removal of item 4. a.

2. Public Hearing – Proposed Zoning Ordinance Amendment – Mayor Owen opened the Public Hearing at 6:03 p.m. noting that the purpose of the hearing was to receive comments on the recommendations for the R2 Zoning for the Beech Mountain Club parking area. Hearing no comments from the public Mr. Chamberlin moved to close the Public Hearing at 6:05 p.m. Mr. Piquet seconded the motion and it passed unanimously.

3. Consent Agenda – Minutes of September 13th Regular Meeting – Mr. Chamberlin moved to adopt the minutes of the September 13th Regular Meeting as amended. Mr. Piquet seconded the motion and it passed unanimously.

4. Public Comment –

No public comments were made.

5. Old Business –

A. Zoning Ordinance Change – Mayor Owen – Mr. Piquet opened the discussion recommending that the changes to the zoning ordinance include the prohibition of any type of structure. Mr. Adams felt that utility buildings should be noted. After a lengthy discussion Mr. Paletta recommended the following:

Parking as a Conditional Use in R2 Zoned Areas. Section 1002.15.

- a) Conditional use permit for parking in an R2 zoned district shall be adjacent to a lot zoned CS, PS, or BMRI.
- b) The parking must be for the benefit of a contiguous lot zoned CS, PS, or BMRI.
- c) The lot shall not be intended to benefit a contiguous residential lot.

- d) The parking shall not create a significant nuisance to any adjoining residential lot.
- e) The lot must also meet the conditions listed in Section 1001.06 of the Zoning Ordinance.
- f) No structures shall be built on the lot.

After a brief discussion, Mr. Chamberlin moved to approve the recommendations made by the Town Attorney to the Zoning Ordinance. Mr. Piquet seconded the motion and it passed unanimously.

6. New Business –

A. Budget Amendment and Resolution 05-10-01 for 5 year lease purchase of fitness equipment. – After a brief discussion on the budget amendment and Resolution 05-10-01 for the lease/purchase of the indoor recreation department equipment, Mr. Piquet moved to approve the budget amendment of \$45,340 for the lease/purchase of the fitness equipment for the indoor recreation building through BB&T at 3.71% interest. Mr. Chamberlin seconded the motion and it passed unanimously.

B. Budget Transfer – E-911 Fund – Assistant Police Chief Dana Crawford explained to the Council and audience that the reason for the budget transfer request from the E-911 Reserve was to cover the TDD (The Device for the Deaf) phone for \$4,940, EMD (Emergency Medical Dispatch) and DCI (Division of Criminal Information) software for \$30,010, and the annual maintenance agreement for \$1,890. Assistant Police Chief Crawford noted that the TDD equipment currently in use by the department was 14 years old. The EMD equipment was for the emergency medical dispatch and the DCI program was used to check driver's license and plates with the state. Assistant Police Chief Crawford also noted that the E-911 funds were strictly regulated with regards to the spending. After a brief discussion Mr. Chamberlin moved to approve the E-911 Budget Transfer of \$36,840. Mr. Piquet seconded the motion and it passed unanimously. Mr. Randy Corn noted that the Town has the option of reducing the rate charged to the 387 exchange and indicated that the Council should consider a reduction. Mayor Owen noted that the Council would take the suggestion under advisement.

C. Sewer Line Request – Martin and Ellen Osman – Mr. Osman addressed the Council asking for a sewer line for his lot PA-61, 126 Hawthorne Road. Mr. Osman indicated that he had an engineering firm look at the property and Mr. Osman presented the Council with the feasibility study. Mr. Osman was requesting an easement from PA-61 down to Pine Ridge Road, the line would be approximately 3,200 feet. After a brief discussion, Mr. Paletta recommended that the Town Engineer approve the sewer line, the property owner bear all the expenses connected to the sewer line easement and that the tap on for the sewer line be in the street. Mr. Chamberlin made a motion to recommend that Mr. Osman be granted the sewer line request for PA-61 with the recommendations made by Mr. Paletta and after Mr. Perry, Mr. Powell and Mr. Hatch approve the design. Mr. Piquet seconded the motion and it passed unanimously.

7. Staff/Consultant Reports

A. Town Engineer's Report – Ed Powell – Mr. Powell was unable to attend the Council's meeting. Mr. Perry reported that Lakeview Construction, Inc. had started the

replacement of the two culverts on Beech Mountain Parkway in anticipation of resurfacing. The resurfacing projected would take 3 to 4 weeks to complete, depending upon the weather. The report was accepted as submitted.

B. Public Works Director's Report – Assistant Public Works Director Dolin

Carpenter – Mr. Carpenter reported that the Town has received the majority of the sand for the winter and that a demo leaf vacuum would be delivered in a few days.

C. Town Attorney's Report – David Paletta – Mr. Paletta thanked the Council for rescheduling the October meeting. Mr. Paletta indicated that Mr. Piquet had asked at the last meeting about a road assessment payment, the check had been returned with payment in full without any conditions. Mr. Paletta noted that he had mailed out approximately 5 foreclosure letters with 5 more to send out and also noted that he would be proceeding as soon as possible with the unknowns. Mr. Piquet asked if Ms. Norwood had contacted the Watauga County Tax Collector with regards the non payment of Town tax to which Mr. Paletta indicated that he would find out.

D. Assistant Chief of Police's Report – Dana Crawford – Assistant Chief of Police, Dana Crawford indicated that the property crimes in Town had decreased each year for the past 6 years. Assistant Chief Crawford credited the decline to the great job the patrol officers were doing.

E. Interim Town Manager's Report – Joe Perry – Mr. Perry reported: a) That he was checking into the use of pesticides under the TVA electric lines, noting that he would be meeting with a Mountain Electric representative tomorrow, October 13th. b) Hobbs, Upchurch submitted a quote of \$18,600 to do a hydrology study of the water system. After a brief discussion Mr. Chamberlin moved to proceed with the hydrology study. Mr. Piquet seconded the motion. Mayor Owen, for further discussion, recommended that Mr. Perry call Mr. Powell for his opinion.

F. Quarterly Financial Report – The report is on file with the Town Clerk.

G. Quarterly TDA Report – The report is on file with the Town Clerk.

H. Tax Collection Report – Melissa Norwood – The report is on file with the Town Clerk.

I. Building Inspection Report – Keith Cook – Mr. Cook reported that his new vehicle had been ordered. Mr. Cook also indicated that he anticipated 6 to 10 new building permits to be issued before the end of the season. The report is on file with the Town Clerk.

8. Other Business –

Mayor Owen introduced Rosemary Burnett, the Recreation Director.

9. Executive Session – NCGS 143-318.11(5), (6). Personnel Matter - Upon a motion by Mr. Piquet, seconded by Mr. Chamberlin the Council entered into Executive Session at 7:35 p.m.

under NCGS 143-318.11 (5), (6) to discuss a personnel matter. Upon a motion by Mr. Chamberlin, seconded by Mr. Piquet the Council came out of Executive Session at 8:24 p.m. No action was taken.

10. Recess – Upon a motion by Mr. Piquet, seconded by Mr. Adams, the meeting recessed at 8:25 p.m. to resume on Friday, October 21st at 1:00 p.m. at a location to be determined. The motion passed unanimously.

11. Executive Session – NCGS 143-318.11(5), (6). Personnel Matter - Upon a motion by Mr. Chamberlin, seconded by Mr. Piquet, the Council entered into Executive Session at 1:01 p.m. on October 21st at the Sagebrush Restaurant in Boone under NCGS 143-318.11 (5), (6) to discuss a personnel matter. Upon a motion by Mr. Chamberlin, seconded by Mr. Piquet, the Council came out of Executive Session at 3:45 p.m. No action was taken.

12. Recess – Upon a motion by Mr. Piquet, seconded by Mr. Adams, the meeting recessed at 3:45 p.m. to resume on Monday, October 24th at 1:01 p.m. at the Sagebrush Restaurant in Boone. The motion passed unanimously.

13. Executive Session – NCGS 143-318.11(5), (6). Personnel Matter - Upon a motion by Mr. Piquet, seconded by Mr. Chamberlin the Council entered into Executive Session at 1:01 p.m. on October 24th at the Sagebrush Restaurant in Boone under NCGS 143-318.11 (5), (6) to discuss a personnel matter. Upon a motion by Mr. Chamberlin, seconded by Mr. Piquet the Council came out of Executive Session at 4:00 p.m. No action was taken.

14. Adjourn – Having no other business to discuss the Council adjourned upon a motion by Mr. Piquet at 4:00 p.m. Mr. Chamberlin seconded the motion and it passed unanimously.

Minutes approved by Town Council on _____, 2005.

Mayor

ATTEST:

Town Clerk