

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
February 15, 2006

I. 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, Randy Corn and Paul Piquet. Also present were Town Manager Michael Boaz, Town Engineer Ed Powell, Police Chief Jay Hefner, Public Works Director Riley Hatch and Building Inspector Keith Cook. There were a number of interested parties in the audience.

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

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

IV. Adoption of Agenda – Mayor Owen removed item VIII. C. Klonteska from the Agenda. The Agenda was adopted as amended.

V. Consent Agenda – Mr. Chamberlin moved to approve the Consent Agenda a) Minutes of January 10, 2005 Regular Meeting as amended, b) Public Relations Policy, c) Customer Service Policy and d) Inclement Weather Policy, items were enclosed in January '06 packet. Mr. Piquet seconded the motion and it passed unanimously.

VI. Public Comment –

Mrs. Coscia, Chamber of Commerce Office Manager, reported that the Chamber had scheduled a brain storming session on March 8th, 11:00 a.m. in the Town Hall Council Chambers. An after hours business meeting was planned for May 25th to be co-sponsored by the Avery-Banner Elk Chamber. Mrs. Coscia hoped to have the after hours event at the Recreation Center. Mrs. Coscia also noted that a bike event was planned for Banner Elk/Beech Mountain on September 30th; more details will be made available at a later date.

VII. Persons Wishing to Address Council – Mr. Weider Abernathy, 120 Slopeside Road, addressed the Council with regards to the trash dumpster located across from the Alpen Haus, in the Slopes subdivision. Mr. Abernathy passed out photos showing the condition of the dumpster on January 21, 2006 noting that the photos were similar to the ones he gave to the Council last year at the August 8th meeting. Mayor Owen assured Mr. Abernathy that the situation would be investigated.

VIII. Old Business –

a. Planning Board Appointments – Mr. Corn tendered his resignation as a member of the Planning Board, allowing for an appointment to be made at the Council meeting. Mr. Boaz asked that a letter of resignation be submitted to the Town for the record. Mr. Piquet moved to nominate Andy Porter and Adolfo Sanmartino to the Planning Board. Mr. Adams seconded the motion and it passed unanimously.

b. Board of Adjustment Alternates – Mr. Chamberlin moved to appoint Dale Lethio to the Board of Adjustment Alternates. Mr. Piquet seconded the motion. After a brief discussion it was noted that Mr. Lethio had not been asked if he would serve as an Alternate. Mr. Chamberlin and Mr. Piquet tabled the motion for discussion at the March 14th Council meeting. Mr. Chamberlin noted that he would like to see the Council adopt a policy requiring that applicants for committee appointments submit a resume.

IX. New Business –

a. Budget Amendments – Mr. Piquet moved to approve the budget amendment transferring \$1,000 from Miscellaneous Revenue into Public Safety; \$650 for supplies and \$350 for travel and training. Mr. Chamber seconded the motion. Mr. Corn indicated that he was opposed to the Police Department taking funds for items such as the calendar. The fund revenue was a direct result of advertising on the Police Department calendar. Mr. Adams asked if there were any expenses related to the calendar to which Chief Hefner indicated that there was not. Mr. Corn pointed out that it did take time to organize the photo. Having no further discussion, the motion passed unanimously.

b. Set Public Hearing – Mr. Boaz reported that a Public Hearing was required for the elimination of the R-3 Zoning District relating to multi family districts, as recommended by the Planning Board. Mr. Chamberlin moved to hold the Public Hearing on March 14th at 6:00 p.m. Mr. Piquet seconded the motion. Mr. Corn questioned eliminating a zoning district when the Town had a contract with a developer that would meet the criteria for R-3. Mayor Owen noted that this would not be a problem if someone outside the Town is annexed and the R-3 zoning was not available. The motion passed unanimously.

c. Intern Program – Mr. Boaz proposed bringing an intern to work for 10 hours per week from now until mid May for the purpose of working on various projects. The Council unanimously agreed.

X. Staff/Consultant Reports

a. Town Engineer's Report – Mr. Powell – Mr. Powell reported that the Pond Creek Waste Water Treatment Plant project was still in the final review stages in Raleigh with the delay relating to available funds. Mr. Corn asked if there was a problem with the design to which Mr. Powell noted that there was not a design issue, only a financial issue. Mr. Powell noted that plans were still on schedule for the bid and construction process as planned. Mr. Chamberlin asked if the plans were ready for the bid process to which Mr. Powell indicated that everything was set and Mr. Boaz had a copy. Mr. Powell indicated that he and Mike Slusher would go to Raleigh the week of February 20th to check on the approval progress. Mayor Owen asked about the Hobbs Upchurch water system study to which Mr. Boaz noted that the project was 40% complete and should be finished by the end of March.

b. Public Works Director's Report – Riley Hatch – Mr. Hatch reported the public works department was ready for a very busy weekend. a) The water department was on stand by. b) The department had some complaints with the snow blocking driveways, it was noted that the Town did not plow private driveways and it was not possible to plow the roads and not have snow blocking the driveways. c) The recycling center is being manned and kept clean.

d) The trail maintenance/sledding hill employee has found other employment. Ms. Coscia noted that the Chamber office would be open Sunday 19th and Mr. Hatch indicated that safety guards would be manning the hill. There was some discussion with regards to mailboxes in the Town right of way and Mr. Hatch indicated that the department was not responsible for damage to such items.

c. Town Attorney's Report – David Paletta – Mr. Paletta was not in attendance.

d. Chief of Police's Report – Chief Jay Hefner – Chief Hefner indicated that the Department had worked a number of cases, lost cell phone, camcorder and snow board. A contractor's calculator had been taken, a dismissed employee was suspected, no charges were filed. Chief Hefner reported that an arrest had been made in a breaking and entering on Pinnacle Ridge Road, the department was in the process of getting the stolen items back to the owner. Chief Hefner noted the case listed as kidnapping was a false imprisonment by someone posing as Ski Beech Security, charges were filed. Mr. Corn expressed his appreciation for the revised report and asked about medical and fire calls. Chief Hefner indicated that the department was still refining the reports. The report is on file with the Town Clerk.

e. Tax Report – Missy Norwood – Not available.

f. Building Inspection Report – Keith Cook – The report is on file with the Town Clerk.

g. Recreation Center Director – Michael Boaz – Mr. Boaz reported that the flooring for the Recreation Center Building had been installed. Ms. Burnett's report was is on file with the Town Clerk.

h. Town Manager's Report – Michael Boaz – Mr. Boaz reported: a) The suggested dates for the Planning Retreat were in the packet. After a brief discussion, Mayor Owen recommended that the Council not set a date for the meeting at this time. Council agreed. Discussion followed with regards to the budget presentation, Council agreed to have discussions regarding the budget at the Planning Retreat followed by workshops to refine the budget. b) Mr. Boaz reported that the High Country Municipal Association would meet on Thursday, February 16th at 6:00 p.m. in the Sugar Mountain Town Hall. Mr. Boaz noted that he would be unable to attend the meeting. Mr. Corn indicated that he would attend the meeting. c) Mr. Boaz asked the Council to direct that the Planning Board look into the delivery of modular homes in the winter because of the limited parking spaces available. Mr. Adams noted that B.M.R.I. would no longer allow the use of their parking lots any time of the year for modular parking. Mr. Piquet moved to direct the Planning Board to look into the modular home issue. Mr. Chamberlin seconded the motion and it passed unanimously.

Mr. Corn questioned the steep slope study that Banner Elk was going to undertake, which also included other than slope analysis and asked if the Town might be interested the other issues being studied. After a brief discussion, it was agreed that the Town would not benefit from the issues in the study.

d) Mr. Boaz continued his report, noting that a representative for the Beech Mountain Volunteer Department had requested permission to hold a 'Casino Night' at the Recreation Center Building on August 4th. The event would be part of the annual fundraiser held by the Volunteer Fire Department. The event could not be held at the Beech Mountain Club because the Fire Department would be serving alcohol at the event and the Club's liquor license would prohibit them from doing so. Chief Hefner indicated that he had been contacted with regards to the event and as long as no money changed hands it would be legal. The Council agreed that they would not charge the Fire Department the rental fee for the fund raiser. After a lengthy discussion, Council agreed that further information was necessary before a decision could be made. Mayor Owen asked that Mr. Boaz discuss the proposed event at the Recreation Center meeting on Friday, February 17th.

Mayor Owen noted that there was no other business to discuss and asked for a recess before entering into Executive Session.

XI. Executive Session – NCGS 143-318.11(a), (3). - Upon a motion by Mr. Piquet, seconded by Mr. Chamberlin the Council entered into Executive Session at 7:15 p.m. under NCGS 143-318.11 (a), (3) to consult with the Town Attorney. Upon a motion by Mr. Chamberlin, seconded by Mr. Piquet the Council came out of Executive Session at 7:49 p.m. No action was taken.

XII. Adjourn – Having no other business to discuss the Council adjourned upon a motion by Mr. Piquet at 7:50 p.m. Mr. Chamberlin seconded the motion and it passed unanimously.

Minutes approved by Town Council on March 14, 2006.



Mayor

ATTEST:



Town Clerk