

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
February 5, 2007

I. CALL TO ORDER

Mayor Rick Owen called the regular meeting of the Beech Mountain Town Council to order at 2:00 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 Attorney David Paletta, Town Engineer Ed Powell, Public Works Director Riley Hatch, Building Inspector Keith Cook, and Assistant Building Inspector Bobby Dziewulski. There were a number of interested individuals 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 – The Agenda was adopted with the removal of: Old Business, item b. Surveyors Set Construction Corners. The agenda was approved as amended.

V. Public Hearing Conditional Use Overlay District – Mayor Owen opened the Public Hearing on the Conditional Use Overlay District at 2:05 p.m. Hearing no comments from the public, Mr. Corn moved to close the Public Hearing at 2:06 p.m. Mr. Chamberlin seconded the motion and it passed unanimously.

VI. Approval of Minutes – Mr. Piquet moved to approve the Regular minutes of January 22, 2007. Mr. Corn seconded the motion and it passed unanimously.

VII. Public Comment – There were no comments from the public.

VIII. Old Business –

a. Conditional Use Overlay District – Mr. Boaz indicated that the Council had reviewed the proposed Conditional Use Overlay District. Mr. Chamberlin questioned what was being changed to which Mr. Boaz responded that Section 700.01 Definitions adding the Conditional Use Overlay to the use districts. Section 700 will become 700.02 and Section 704.11 will be changed to 705. Mr. Chamberlin moved to approve the proposed changes. Mr. Corn seconded the motion. Mayor Owen, Mr. Chamberlin, Mr. Corn and Mr. Piquet voted yea. Mr. Adams voted nay. The motion passed 4 to 1.

b. Board of Adjustment Alternate – Mr. Chamberlin moved to appoint Mary Jane Borden as the 3rd Alternate to the Board of Adjustment. Mr. Piquet seconded the motion and it passed unanimously.

IX. New Business –

a. Fred Hoilman Resolution – Mr. Chamberlin moved to approve Resolution 07-02-01 honoring Fred Hoilman. Mr. Piquet seconded the motion and it passed unanimously.

b. Setback Requirement Changes – Mayor Owen noted that there were some concerns to the changing of the zoning ordinance reference to the center of the road for construction requirements asking how the center would be determined and by whom. Mr. Hatch indicated that he and Mr. Cook would have the responsibility of locating the center of the road and noted that the width of the roads vary. Mr. Paletta indicated that it was at the Town's discretion to set regulations of this nature. After further discussion the Council agreed to direct the Planning Board to review the proposed amendment.

c. Modular Home Ordinance Amendment – Mr. Boaz indicated that the proposed amendment to the Modular Home Ordinance would require contractors to give 3 business days notice when setting a modular home. Mr. Piquet moved to set a Public Hearing on the Modular Home Ordinance for March 13, 2007 at 2:00 p.m. Mr. Corn seconded the motion and it passed unanimously.

X. Town Manager's Report – Michael Boaz – Mr. Boaz reported: a) The staff at the water treatment plant had been diligently working to discover the cause of the positive test for coli form bacteria. Mr. Powell and the staff speculate that the problem was most likely due to a sampling error or a lab error. b) Mr. Boaz noted that he had received complaints on the notification process used to inform the residence of the water issue. Mr. Boaz reported to the Council and audience that he was discussing a reverse 911 service with a company called Connect C.T.Y. Mr. Chamberlin indicated that the felt the Town did everything they could to notify the utility customers. After further discussion, the Council agreed to discuss the program at a later date. c) Mr. Powell noted that the West Pond Creek Water Treatment project had been placed on hold until April 2nd. d) Mr. Boaz reported that the Public Works, Police Department, Building Inspections and the Indoor Recreation Reports were on file with the Town Clerk.

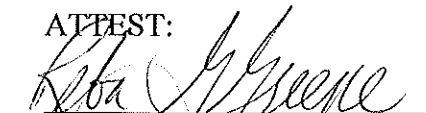
XI. Other Business – There was no other business to come before the Council.

XII. Adjourn – The Council adjourned upon a motion by Mr. Piquet at 2:50 p.m. Mayor Owen seconded the motion and it passed unanimously.

Minutes approved by Town Council on MARCH 13, 2007.


Mayor

ATTEST:


Town Clerk