

**MINUTES
BEECH MOUNTAIN TOWN COUNCIL
October 9, 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, Building Inspector Keith Cook and Assistant Building Inspector Bobby Dziejwski. There were a number of interested parties in the audience.

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

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

IV. Adoption of Agenda –The Agenda was accepted with the addition of a Closed Session, N.C.G.S. 143-318.11 (c) 3 under item XI.

V. Approval of the Minutes of October 9, 2007 Regular Meeting – Mr. Piquet moved to approve the minutes of the October 9, 2007 meeting as amended. Mr. Chamberlin seconded the motion and it passed unanimously.

VI. Public Hearing–

a. Zoning Ordinance Amendment – Mayor Owen opened the Public Hearing at 2:06 p.m. Hearing no comments from the public, Mr. Chamberlin moved to close the Public Hearing at 2:08 p.m. Mr. Piquet seconded the motion and it passed unanimously.

b. Rezoning of Holland Lot – Mayor Owen opened the Public Hearing at 2:09 p.m. Hearing no comments from the public, Mr. Piquet moved to close the Public Hearing at 2:10 p.m. Mr. Chamberlin seconded the motion and it passed unanimously.

VII. Public Comment -

a. Nancy Raymond, 519 Pine Ridge Road, addressed the Council with concerns involving the maintenance on the state portion of Beech Mountain Parkway. Mrs. Raymond also expressed her displeasure in not being able to open the Town e-mail sent out by the clerk because of the computer program incapability.

b. Steve Underwood, 3363 Beech Mountain Parkway, pointed out that there were a number of pot holes in the road and noted that he had car damage due to the pot holes on Pinnacle Ridge Road.

VIII. Old Business –

a. Zoning Ordinance Amendment – Mr. Boaz reported that the Zoning Ordinance amendment to Section 605.02 and Section 1401.01 would change the number of days to 10 that an individual has to come into compliance once they have received a notice of violation. Mr. Piquet moved to approve the amendment to the Zoning Ordinance. Mr. Chamberlin seconded the motion and it passed unanimously.

b. Rezoning of Holland Lot – Mr. Chamberlin moved to approve the rezoning of 102 Squirrel Lane, 1940-85-3477-000, from R-3A to Conditional Use Overlay districts. Mr. Piquet seconded the motion and it pass unanimously.

IX. New Business –

a. DOT Bridge Inspection Agreement – Mr. Boaz reported that the Federal Government required that all bridges be inspected every two years. After a brief discussion, Mr. Corn moved to approve Resolution 10-07-01 allowing the Town to enter into an agreement with the NC Department of Transportation for the inspection of the Buckeye Creek Road Bridge. Mr. Piquet seconded the motion and it passed unanimously.

b. Budget Amendment –

1. Water/Sewer Fund – Mr. Corn moved to approve the Budget Amendment in the amount of \$27,675 for additional appropriation to fund the sludge removal at the Pond Creek Waste Water Treatment Plant. Mr. Piquet seconded the motion and it passed unanimously.

2. Pond Creek Waste Water Treatment Plant Capital Project Fund – Mr. Corn moved to approve the Budget Amendment to the Pond Creek WWTP Capital Project Fund in the amount of \$27,675. Mr. Piquet seconded the motion. The motion passed unanimously.

c. Annexation Request – Steve Underwood, 3363 Beech Mountain Pkwy., presented a request for voluntary annexation into the Town with a list of request. After a lengthy discussion, Mayor Owen asked that Mr. Underwood work with Mr. Cook to resolve the sign issues and return the Council with a determination of sign regulation square footage.

d. Vehicle Tax Settlement – Mr. Piquet moved to approve the Avery and Watauga Counties vehicle tax settlements for the 2006-2007 tax year. Mr. Corn seconded the motion and it passed unanimously.

e. Set Public Hearing – Mr. Chamberlin moved to set a public hearing on the amendments to the Planning and Zoning Ordinance for November 13, 2007 at 2:00 p.m. in the Town Hall Council Chambers. Mr. Corn seconded the motion and it passed unanimously.

- f. Right Of Way Clean Up* – Mr. Corn expressed his disapproval of the practice of Mountain Electric Cooperative to drop trees and no property owner follow up, leaving downed trees. Mr. Cook noted that the Town did not have an ordinance requiring the property owners to clean up debris from the right of way clearing as well as debris from construction sites. After a brief discussion, Mr. Corn moved to set a Public Hearing with regards to the Zoning Ordinance Amendment for November 13, 2007 at 2:00 p.m. in the Town Hall Council Chambers. Mr. Piquet seconded the motion and it passed unanimously.

IX. Town Manager's Report – Michael Boaz – Mr. Boaz reported the following:

a. The NCLM Annual Conference is scheduled for October 14 -16 in Fayetteville. b. The boardwalk and sod project at the Recreation Center is completed. c. The Leathers Group will hold a design day meeting on October 25, 2007 at the Recreation Center to discuss the proposed playground. d. Mr. Boaz reported that the state has authorized construction of the water line and pressure reducing station project, HUA is preparing the final easement documents. The project is scheduled for bid in the late winter with construction in the spring.

X. Closed Session Pursuant to NCGS 143-318.11 (6) – On a motion by Mr. Piquet, seconded by Mr. Chamberlin, the Council voted to go into closed session at 3:50 p.m. to discuss matters related to Personnel. Mr. Chamberlin moved to come out of closed session at 5:00 p.m. Mr. Piquet seconded the motion and it passed unanimously. No action was taken.

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

XII. Adjourned – Mr. Corn moved to adjourn the meeting at 5:05 p.m. Mr. Adams seconded the motion and it passed unanimously.

Minutes approved by Town Council on _____, 2007

Mayor

ATTEST:

Town Clerk