

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
Regular Meeting – October 8, 2013

I. CALL TO ORDER

Mayor Owen called the regular meeting of the Beech Mountain Town Council to order at 3:01 p.m., Tuesday October 8, 2013 in the Town Hall Council Chambers. Other Council Members present were Alan Holcombe, Paul Piquet and E. 'Rick' Miller. Councilwoman Cindy Keller was not present. Town Attorney Stacy C. Eggers, IV. was present. Staff members present were Town Manager Randy Feierabend; Town Clerk Jennifer Broderick, Town Planner James Scott, Public Utilities Director Robert Heaton, Public Works Director Riley Hatch, Fire Chief Robert Pudney, Finance Officer Nancy Johnson, Parks and Recreation Director Tim Fox and Police Chief Jerry Turbyfill.

II. Invocation – Dewey 'Cyclone' Brett presented the invocation.

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

IV. Adoption of Agenda – Mayor Owen stated that the agenda would stand as presented.

V. Approval of the Minutes

a. September 10, 2013 Regular Meeting – Councilman Holcombe motioned to approve the September 10, 2013 Regular Meeting Minutes as amended. Councilman Miller seconded the motion and the vote passed unanimously.

b. September 10, 2013 Closed Session – Vice Mayor Piquet motioned to approve the September 10, 2013 Closed Session Minutes. Councilman Holcombe seconded the motion and the vote passed unanimously.

VI. Public Comment

Kim Barley of 1312 Beech Mountain Parkway stated that he was concerned about the water sewer issue. Mr. Barley stated that he has held discussions with the Local Government Commission and has been informed that the amount of \$50,000,000 could be funded by the Town. The plan of action would be for the Town to hold an election to put to vote a general obligation bond in this amount. Mr. Barley stated that this way the work could be done in one year. This plan would not raise the taxes nor would there be an increase in utility fees. Mr. Barley stated that the \$50,000,000 has to come out of reduction spending. In order to handle the principle and interest for this payment it would take \$2,500,000 a year. Cutting the budget would be hard but it is time to have good spending.

Barry Schorr of 205 Foxgrape Hollow stated that he had sent an email to the Mayor and Town Manager. Mr. Schorr stated that his campaign sign was stolen and that this act was chargeable as a misdemeanor. Mr. Schorr requested a reverse 911 been done instructing the community on the legality of signs and that stealing signs is illegal.

Frank Steele of 107 Christie Way asked if Council was going to follow up on getting an audio system for the Council room. Mr. Steele also asked when the AT&T Telecommunication Tower was going to be serviceable? Mr. Steele stated that he had a campaign sign removed and that he found it disconcerting that Councilman Miller had asked that signs be removed. Mr. Steele also stated that Mr. Barley was correct in cutting spending to take care of the Town's water and sewer issues especially with interest rates being low right now.

Hal Halliburton of 132 Skiway Circle stated that he had came before Council a year and half ago about the Town's infrastructure and was told that the Town was in a good financial position. Mr. Halliburton stated that Mr. Barley has been working with the Local Government Commission to come up with his information and is saying the same things that Larry Price was saying. Mr. Halliburton stated that people need to know what is going to happen prior to the election. Mr. Halliburton recommended that Council members that were running should step aside. Mr. Halliburton stated that campaign signs have been tampered with and that they are going to start electronically monitoring their campaign signs.

VII. New Business

a. Public Hearing Request for Board of Adjustment Ordinance Amendments – Town Planner James Scott stated the State has changed the rules for how the Board of Adjustment is to run. Mr. Scott stated that the criteria for granting variances and new standards in voting on Board of Adjustment are items that have changed. Mr. Scott stated that there is also a proposed amendment which would require interveners to a Board of Adjustment case to complete an application before hand in order to assist with the efficiency of these meetings. Vice Mayor Piquet motioned to set the public hearing for Councils next regular Council meeting. Councilman Holcombe seconded the motion and the vote passed unanimously.

b. Record Retention Schedule Amendment – Town Clerk Jennifer Broderick stated that the North Carolina Department of Cultural Resources had released the new Municipal Record Retention Schedule in September 2012 and that Council had subsequently adopted the new Municipal Record Retention Schedule in October 2012. Ms. Broderick stated that what Council had before them were four proposed amendments to the Municipal Record Retention Schedule that the North Carolina Department of Cultural Resources recommended. Vice Mayor Piquet motioned to approve the amendments. Councilman Holcombe seconded the motion and the vote passed unanimously.

VIII. Town Manager and Staff Reports

Report on Progress on Parkway Path – Manager Feierabend stated that paving has been completed on the Parkway Path and that the final process of pulling the shoulders and creating an area to grow grass was being completed.

Economic Development Forum for Rural Western North Carolina – Manager Feierabend stated that the Economic Development Forum for Rural Western North Carolina would be held on November 1, 2013 from 9:00 a.m. to 2:00 p.m. at the San Center Auditorium at

Mayland Community College. Manager Feierabend asked that those Council members who wished to attend inform staff.

Municipal Drug Task Force – Vice Mayor Piquet thanked staff for including information about the Municipal Drug Task Force in the agenda packet.

Audio Equipment for Council Room – Mayor Owen asked staff to look into the costs for audio equipment for the Council Chamber room. Manager Feierabend stated that staff would look at the prices.

AT&T Telecommunication Tower – Mayor Owen stated that the AT&T Telecommunication Tower is up. Building Code Inspector John Merritt stated that the Town has released AT&T. Mr. Merritt stated that AT&T has received a request to change the antennas which are only two months old. Lee O’Neal of 220 Birchwood Lane stated that homeowners could install a relay in their homes to strengthen their signal.

Plan – Mayor Owen stated that Council does have a plan for the Town’s infrastructure and does have the plan in place to work on the Town’s infrastructure. Mayor Owen stated that he appreciates Mr. Prices and Mr. Barley’s viewpoints and always wants to hear everyone’s viewpoints. Larry Price of 1003 Charter Hills Road asked when the plan was going to be released. Mayor Owen stated that the plan has been released and asked staff to prepare a copy for Mr. Price. Mr. Barley stated that he has read the plan and knows the plan. Mr. Barley asked what the plan was to do the infrastructure and what the cost of that would be. Mayor Owen stated that the Town’s plan is not to fund the entire amount. Mayor Owen explained that the plan and what was given to the Town by the engineer was a worst case scenario. Mayor Owen stated that the Town has an 8-10 year plan in place to do the Water Plant Project and the Water Intake Project.

Mayor Owen stated that Council would take a short break at 3:42 p.m.

IX. Closed Session – Pursuant to NC GS 143-318.11(a)(3) Attorney Client Matters; NC GS 143.318.11(a)(6) Personnel Matters – Upon motion by Councilman Miller at 3:54 p.m., seconded by Vice Mayor Piquet the Council voted unanimously to go into closed session pursuant to NC GS 143-318.11(a)(3) for Attorney Client Matters, including Beech Mountain v. Genesis Wildlife Sanctuary and Beech Mountain v. Birchwood Properties; NC GS 143.318.11(a)(6) Personnel Matters. Vice Mayor Piquet motioned to exit closed session at 4:28 p.m., which was seconded by Councilman Holcombe. The motion passed unanimously.

X. Other Business

Cherry Gap Subdivision – Mayor Owen stated that this proposed subdivision that is outside of the Town has a deeded easement to Town road. Councilman Miller motioned to permit the connection of the Cherry Gap Intersection to Town road with the condition that the road be built to Town standards. Councilman Holcombe seconded the motion and the vote passed unanimously.

XI. Adjourn – Councilman Holcombe motioned to adjourn the meeting at 4:31 p.m., which was seconded by Vice Mayor Piquet. The motion passed unanimously. The meeting was adjourned at 4:31 p.m.

Minutes approved by Town Council on November 12, 2013.

Richard H. Owen, Mayor

ATTEST:

Jennifer Broderick, CMC
Town Clerk