

**MINUTES**  
**BEECH MOUNTAIN TOWN COUNCIL**  
**Regular Meeting – February 12, 2013**

***I. CALL TO ORDER***

Mayor Owen called the regular meeting of the Beech Mountain Town Council to order at 3:06 p.m., Tuesday February 12, 2013 in the Town Hall Council Chambers. Other Council Members present were Alan Holcombe, Paul Piquet, E. 'Rick' Miller and Cindy Keller. Town Attorney Stacy C. Eggers, IV. was present. Staff members present were Town Manager Randy Feierabend; Town Clerk Jennifer Broderick, Town Planner James Scott, Fire Chief Robert Pudney, Public Utilities Director Robert Heaton, Tourism Development Authority Coordinator Amy Morrison and Building Code Inspector John Merritt.

***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. January 8, 2013 Regular Meeting*** – Vice Mayor Piquet motioned to approve the January 8, 2013 Regular Meeting Minutes as amended. Councilman Holcombe seconded the motion and the vote passed unanimously.

***b. January 8, 2013 Closed Session*** – Councilman Holcombe motioned to approve the January 8, 2013 Closed Session Minutes. Vice Mayor Piquet seconded the motion and the vote passed unanimously.

***VI. Public Comment***

There was no public comment.

***VII. New Business***

***a. Request to Schedule Public Hearing to Amend Regulations Regarding the Number of Kitchens in Single Family Dwellings*** – Town Planner James Scott stated that the Towns ordinance currently prohibits there being more than one kitchen in a single family residency. Mr. Scott stated that the rationale behind this stipulation in the ordinance had been to prevent such types of properties as duplexes from being permissible. Staff has found that this is not a reasonable provision and that there are better ways to establish single family residency. Mr. Scott requested that Council schedule a public hearing to consider adoption of this amended ordinance. Vice Mayor Piquet motioned to schedule the public hearing for Councils next regularly scheduled Council meeting. Councilman Holcombe seconded the motion and the vote passed unanimously.

***b. Request to Schedule Public Hearing for Amending Sign Regulations in Beech Mountain for Open, Closed and Vacancy Signs*** – Town Planner James Scott stated that there seems to be a lot of support to allow a business to have one internally lit sign. Mr. Scott stated that the proposed ordinance would be limited to 2 square feet. Mr. Scott stated that Attorney Eggers has provided a slight modification which will be seen in the version that Council will have before them at the public hearing. Mayor Owen asked if this was a substantial change that would change the meaning. Mr. Scott reported that it was not. Vice Mayor Piquet motioned to schedule the public hearing for Councils next regularly scheduled Council meeting. Councilman Holcombe seconded the motion and the vote passed unanimously.

***c. Request for Property Tax Releases*** – Mayor Owen stated that the first 4 tax release requests before Council were being requested because these properties were removed from the County tax scrolls. Councilman Miller motioned to approve the 4 tax releases. Vice Mayor Piquet seconded the motion and the vote passed unanimously. Mayor Owen stated that the next tax release request before Council was to release personal property. Mayor Owen stated that there is no personal property listed at this location. Councilman Holcombe motioned to approve the tax release for personal property. Vice Mayor Piquet seconded the motion and the vote passed unanimously. Councilwoman Keller asked about personal property tax and whether the Town receives these monies. Manger Feierabend stated that he would get back to her with a response. Mayor Owen stated that the 6<sup>th</sup> tax release was before Council because this property should have shown up on the Blowing Rock tax scroll. Councilman Miller motioned to approve this tax release. Vice Mayor Piquet seconded the motion and the vote passed unanimously.

***d. Request by Tourism Development Authority for Council to Memorialize Ray Costin*** – Tourism Development Authority Coordinator Amy Morrison addressed Council. Ms. Morrison stated this idea was being brought to Councils attention by Tourism Development Authority Chairperson Calder Smoot. Ms. Morrison stated that Ray Costin contributed a lot to this community when this community was coming out of bankruptcy. Ms. Morrison stated that two suggested areas to memorialize Mr. Costin had been Snow Lake or Summer Road. Both of these areas had been recommended because of their close ties to the Beech Mountain Resort. Mayor Owen stated that neither of these locations were Town property. Council agreed that something needed to be done for Mr. Costin. Council stated that they were in support of a resolution and suggested that Ms. Morrison contact the Beech Mountain Resort on behalf of the Tourism Development Authority to see if they wished to do this with their property. Mayor Owen stated that now that this idea was public other individuals may come forward with ideas for the Tourism Development Authority. Ms. Morrison stated that she would follow up with the Tourism Development Authority and the Beech Mountain Resort. Mayor Owen stated that the Town would be happy to participate in the memorial and that this could be discussed further once the Tourism Development Authority had a final idea. Councilwoman Keller suggested a sculpture at the entrance to the Beech Mountain Resort.

***e. Request by Tourism Development Authority for Council to Consider Allowing Off-Site Signs in the Sledding Hill Park Area*** – Tourism Development Authority Coordinator Amy Morrison stated that this idea is still in the conceptual stage and that there are some specific ideas but nothing permanent yet. Ms. Morrison stated that the Tourism Development Authority recognizes that a lot of people come to the sledding hill and are not aware of the

rest of the tourist attractions on the mountain. Ms. Morrison stated that by putting up signs tourists would be made more aware of other opportunities on the mountain. Ms. Morrison stated that the Tourism Development Authority does not want a bunch of banners put up but are exploring the possibility of using wayfaring signage. This could be more appropriate in that it would provide the name of the attraction and the distance. Ms. Morrison stated that the Tourism Development Authority would also like to explore the possibility of placing wayfaring signs on the fence of the sledding hill for traffic that is coming through on the Beech Mountain Parkway. Mayor Owen stated that he was appreciative of the Tourism Development Authority acknowledging how important the sledding hill was to the mountain. Mayor Owen stated that he did not want the sledding hill to be a commercial venture for every business on this mountain and suggested that the Tourism Development Authority consider an addition to the Emerald Outback sign. Mayor Owen asked Town Planner James Scott what the Towns ordinance permitted. Mr. Scott stated that it would be best to wait and see what the Tourism Development Authority actually wanted to propose and to then hold these ideas up to the Towns ordinance to see how they fit. Mr. Scott suggested that if there was any issue then the Planning Board could be asked by Council to address those issues. Vice Mayor Piquet stated he was in favor of a directory such as a kiosk; believing this to be more appropriate as it did not lead to a heavily commercialized area.

#### **VIII. Old Business**

***a. Request to Schedule Public Hearing to Amend Sign Regulations in Beech Mountain for Temporary, Small Scale Event Signs*** – Town Planner James Scott stated that from Councils consensus there was a desire to change the current rule. Mr. Scott stated that the following changes have been made since the last Council meeting: the number of turns now says the number of intersections, removed the provision that gave the adjacent property owner the right to have a sign in the public right of way removed if it was immediately in front of their property, changed the time frame during which signs could be erected from weekends to only during the event and a max of 24 hours prior, limited the amount of time a sign can be up to 48 hours from the beginning of the event and limited the recurrence of signs to once every 7 days. Mr. Scott stated that the intent is that the signs do not become permanent signs and overly excessive. Councilman Miller stated that banners are being put up and asked Mr. Scott if these were permissible. Mr. Scott stated that the Town does permit certain types of banners and has guidelines for them. Mr. Scott stated that he has recently informed some businesses that their banners have been out a little longer than the ordinance states. Vice Mayor Piquet motioned to schedule the public hearing for Councils next regularly scheduled Council meeting. Councilman Holcombe seconded the motion and the vote passed unanimously. Mayor Owen thanked Mr. Scott.

***b. Tourism Development Authority Appointment*** – Mayor Owen asked Council for nominations. Vice Mayor Piquet motioned to appoint Carl Marquardt to fill the Tourism Development Authority vacancy. Councilman Miller seconded the motion. After much discussion Mayor Owen called for Councils vote. Councilman Holcombe was recused from the vote and the motion passed unanimously.

***c. Appointment of Tourism Development Authority Chairperson and Vice Chairperson*** – Mayor Owen asked Council for nominations. Councilman Miller motioned to appoint Brian Barnes as the new Chairperson to the Tourism Development Authority. Councilman

Holcombe seconded and the motion passed unanimously. Councilman Holcombe motioned to appoint Judy Decker as the Vice Chairperson to the Tourism Development Authority. Councilman Miller seconded and the motion passed unanimously.

#### ***IX. Town Manager and Staff Reports***

***Watauga Intergovernmental Retreat*** – Manager Feierabend stated that the Watauga Intergovernmental Retreat was scheduled to be held on Monday, March 4, 2013 at 5:00 p.m. The location has not been identified yet but they are asking to know who will wish to attend. Those Council members who wished to attend need to notify staff.

***Codification*** – Manager Feierabend informed Council that Town Clerk Jennifer Broderick was working on the codification process for the S6 Supplement which will embody legislation passed since the last codification process.

***High Country Municipal Association*** – Mayor Owen stated that the High Country Municipal Association meeting will be Thursday, February 21, 2013 at 6:30 p.m. and that the location would be Banner Elk Town Hall.

***Recreation Report*** – Councilwoman Keller asked Manager Feierabend about the Recreation Report. Manager Feierabend stated that attendance is down because the military has not used the facility as much this winter. Councilwoman Keller stated that the fitness classes were down also and that the classes had done better when they were held at the top of the mountain last year.

***Buckeye Recreation Plan*** – Councilwoman Keller asked Manager Feierabend if, as a result of the Buckeye Recreation Plan, there was another employee being brought on board. Manager Feierabend stated no and that Jay Frick of North Carolina Public Water Supply has accepted that the recreation staff will be in charge of renting the canoes and picking up the trash. Manager Feierabend stated that the Towns Police Department will provide sufficient security. Councilwoman Keller reiterated that staff would not be hiring another employee as a result of this plan. Manager Feierabend stated that a new employee would not be hired due to this plan being adopted. Mayor Owen thanked Councilwoman Keller for bringing this issue up.

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

- X. Closed Session – Pursuant to NC GS 143-318.11(a)(3) Attorney Client Matters; NC GS 143.318.11(a)(5) Potential Acquisition of Real Property*** – Upon motion by Councilman Miller at 3:49 p.m., seconded by Councilman Holcombe the Council voted unanimously to go into closed session pursuant to NC GS 143-318.11(a)(3) for Attorney Client Matters; NC GS 143.318.11(a)(5) Potential Acquisition of Real Property. Vice Mayor Piquet motioned to exit closed session at 4:18 p.m., which was seconded by Councilman Holcombe. The motion passed unanimously.

#### ***XI. Other Business***

***Beech Mountain Historical Society*** – Councilman Miller asked if there had been any follow up with the bank regarding the Beech Mountain Historical Society renting space in the building they owned. Manager Feierabend stated that staff is supposed to present the bank with a proposal. Councilman Miller asked staff to move forward with presenting the proposal. Manager Feierabend stated that he has been out to the site with Ann Illes of the Beech Mountain Historical Society and that he would follow up.

***West Consultants PLLC*** – Councilman Miller asked how West Consultants PLLC was coming along with the preliminary drawings for the Towns Water Plant Project. Manger Feierabend stated that he believes that these drawings will be completed within 6 weeks.

***Sledding Hill*** – Councilman Miller stated that this week the Town had 5 or 6 injuries on the sledding hill because of the icy conditions. Councilman Miller would like for staff to look into the possibility of moving the sledding hill across the street. Councilman Miller stated that there is the benefit of a well being located on the other side of the road. Mayor Owen stated that it is fine for staff to work on this and that Council is open to hearing more about this idea. Vice Mayor Piquet stated that the sledding hill could be turned over to the Chamber. Manager Feierabend stated that staff would look into more information about this possibility.

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

Minutes approved by Town Council on March 12, 2013.

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Richard H. Owen, Mayor

ATTEST:

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Jennifer Broderick, CMC  
Town Clerk