

MINUTES
Town of Blowing Rock
Town Council Meeting
March 9, 2021

The Town of Blowing Rock Town Council met for their regular monthly meeting on Tuesday, March 9, 2021 at 6:00 p.m. The meeting took place at Town Hall located at 1036 Main Street Blowing Rock, NC. Present were Mayor Charlie Sellers, Mayor Pro-Tem Sue Sweeting and Council Members Albert Yount, David Harwood, Doug Matheson, Virginia Powell, Town Manager Shane Fox, Town Attorney Allen Moseley, Town Engineer Doug Chapman, Public Works and Utilities Director Matt Blackburn, Planning and Inspections Director Kevin Rothrock, Police Chief Aaron Miller, Parks and Recreation Director Jennifer Brown and Town Clerk Hilari Hubner who recorded the minutes. Others in attendance via Zoom virtual/phone session were Fire Chief Kent Graham, and Finance Officer Nicole Norman.

CALL TO ORDER

Mayor Sellers called the meeting to order at 6:00 p.m. and welcomed everyone. Mayor verified attendance via roll call.

THE PLEDGE OF ALLEGINANCE

MINUTE APPROVAL

Council Member Matheson made a motion to approve the regular session minutes from the February 9, 2021, seconded by Mayor Pro-Tem Sweeting. Unanimously approved.

Council Member Powell made a motion to approve the special meeting minutes from the February 22, 2021 meeting, seconded by Council Member Yount. Unanimously approved.

REGULAR AGENDA ADOPTION

Mayor Pro-Tem Sweeting made a motion to approve the Agenda as presented, seconded by Council Member Powell. Unanimously approved.

CONSENT AGENDA

1. Budget Amendment - #2021-03

To account for various items. **Budget Amendment #2021-03 – Attachment A**

2. New River Sign

On February 2, 2021, the Blowing Rock Appearance Committee (BRAAC) approved and recommended to the Town Council a sign marking the New River to be placed at the Sunset Drive crossing. BRAAC is seeking Town Council approval for the sign to be placed.

3. ETJ Representative – Planning Board/BOA

The Town of Blowing Rock's Planning and Board of Adjustment are required to have an ETJ representative member to represent the ETJ area for each board. The formal process is for the Watauga County Commissioners to make a formal recommendation to the Town of Blowing Rock Town Council for whom they recommend to represent the ETJ. On February 16, 2021, the Board of Commissioners formally recommended Harrison Herbst to both the Planning Board and Board of Adjustment. The Town of Blowing Rock Town Council needs to approve Mr. Herbst to serve on the boards.

4. Delinquent Tax Notice Approval

Approval to advertise 2020 delinquent taxes on April 22, 2021 in the local newspaper.

Mayor Pro-Tem Sweeting made a motion to approve as presented, seconded by Council Member Yount. For the motion: Mayor Pro-Tem Sweeting, Council Members Yount, Matheson and Harwood. Council Member Powell abstained from voting.

SPEAKERS FROM THE FLOOR

Mayor Sellers Read a letter from Adian Waite. **Citizen Letters – Attachment B**

Ms. Pam Lowry, 389 Fairway 11 Court spoke via Zoom and voiced her concern about the traffic on Green Hill Road and concern with the traffic study. Ms. Lowry advised she did not feel the traffic study would truly take into account the everyday factors that play into the dangerous elements of Green Hill Road. She explained people walking their dogs, wildlife, trucks, and speeding traffic keep the road very dangerous and unless you live on that road you do not truly understand the danger and “near misses” that occur on Green Hill. Ms. Lowry advised she didn't know what a traffic study could truly tell about these issues and she was very concerned with what happens next.

PRESENTATION

1. Tree City USA – Approval

During the December 15, 2020 Town Council Meeting, Town Council approved to allow the Blowing Rock Appearance Advisory Commission to apply to become a Tree City USA. Becoming a Tree City USA community means that our community is willing to manage and expand our public trees.

BRAAC applied by the end of December and was notified in February that the Town was approved to become a Tree City USA Community. The Town received a plaque, flag and two signs to hang advertising the Town of Blowing Rock is a Tree City USA community.

BRAAC Chair Melissa Pickett accepted the plaque on BRAAC's behalf and thanked Council for their help making the possible.

2. Audit Presentation

Each year the Town of Blowing Rock has an independent third-party audit firm perform a complete audit on the Town's finances and internal controls. Martin Starnes and

Associates, CPA, P.A. conducted the June 30, 2020 audit. **Audit Power Point – Attachment C**

Ms. Carrie Dunlap gave a presentation of the results of the June 30, 2020 audit.

3. Middle Fork Greenway Update

Wendy Patoprsty, Director of the Middle Fork Greenway gave an update on the Middle Fork Greenway.

PUBLIC HEARING

1. NCGS 160D Ordinance Amendments – Adoption #2021-04

Planning Director Kevin Rothrock advised in 2019, the General Assembly adopted sweeping changes for Land Use Law in North Carolina as a new chapter 160D in the NC General Statutes. Due to the onset of the Coronavirus pandemic, the deadline to adopt changes to local ordinances was extended from January 1, 2021.

Planning Board member Bill McCarter volunteered and provided an update to the entirety of Chapter 16 – Land Use Ordinance. Mr. McCarter also updated Chapter 17, the Town's minimum housing standards, and Chapter 3 of the Town Code. The full ordinance revisions for Chapter 16, 17 and 3 are attached for your review and consideration.

The effective date for these new changes is upon adoption, but not later than July 1, 2021.

Mr. Rothrock advised a few minor changes included:

- Switching all references from Conditional Use Permits (CUP's) to Special Use Permits (SUP's)
- Conflicts of interest clarifications and statements for the Town Council and appointed board membership. With respect to legislative decisions, the governing body members or appointed board members should not participate in voting on map or text amendments if they have a direct financial impact on the member, a member's family, or a member's close personal relationship (Section 16-3.5)

Other Amendments

- Allowing Single-family with accessory apartment uses CB, TC, GB and O-I districts to be permitted with a zoning permit
- Removing the commercial design requirements for single-family uses and two-family uses which was prohibit by General Statutes a few years ago.

Council Member Powell thanked Mr. McCarter for all his help.

Mayor Sellers read a letter from Lee Rocamora with two questions; In section 16-4.13.1, what are the conditions that justify vesting beyond 2 years? As written, the ordinance seems vague. Should those conditions and a specific time limit be stated?

Also in the content, there are still some gender specific references such as “ he shall..” Should these be changed to gender neutral? (16-7.3)

Mr. Rothrock advised they could make the changes to update to he/she references and advised his question about the conditions time frame would be up to Council on a project-by-project basis.

Mayor Pro-Tem Sweeting thanked Mr. McCarter for his work. She asked if page 40 “*Allowing Single-family with accessory apartment uses CB, TC, GB and O-I districts to be permitted with a zoning permit*” was part of the requirement of 160D. Mr. Rothrock advised it wasn’t. Mayor Pro-Tem Sweeting advised she would like to bring to the attention of the Council what is changing is for approval to be done by the Planning Director. She explained what concerns her is the real estate is booming in our Town and for Planning Board and Town Council to lose control she felt Council might not want to put this amendment in and change all of those to a special use permit to maintain control of what is about to happen.

Council discussed in detail the districts and scenarios of single family with accessory apartments and duplexes.

Mayor Pro-Tem Sweeting advised she would like to strike that out. Council discussed further and agreed if it’s not broken why fix it.

Council Member Harwood asked if that could be pulled since it’s not required and keep Council’s focus on the work that needs to be done on 160D. Mr. Rothrock advised it could.

Council Member Harwood made a motion to approve the changes with the removal of number 1 under Other Amendments; *Allowing Single-family with accessory apartment uses CB, TC, GB and O-I districts to be permitted with a zoning permit*, seconded by Mayor Pro-Tem Sweeting. Unanimously approved.

Council Member Yount asked when that could be re-visited. Council agreed it could be re-visited at any time.

Council Member Matheson thanked Mr. McCarter for his hard work. **NCGS 160D Ordinance Amendments – Attachment D**

BUSINESS MATTERS

1. PARTF Grant Discussion – Options and Timeline

Council Member Harwood advised he would like to thank the members of the Parks Strategy Committee for all their hard work in a short amount of time. Those members are Melissa Pickett, Pete Gherini, Manager Fox and Jennifer Brown. Special thanks to Doug Chapman, Mike Norris, Curt Andrews and Nicole Norman for their hard work as well.

Parks and Recreation Director Jennifer Brown advised during the Town Council retreat in January, the Parks Strategy Committee presented a drawing of park improvement needs to Town Council. Town Council encouraged the Parks Strategy Committee to pursue applying for a Parks and Recreation Trust Fund Grant (PARTF). This grant is a matching grant that the Town would match with the current approve bond money.

The Parks Strategy Committee has met several times and has options that they need Town Council to decide which option they would like to pursue for the PARTF Grant.

Ms. Brown and Town Engineer Doug Chapman presented via PowerPoint needs/improvements for Memorial Park and next steps for the PARTF Grant application. The timeline was reviewed.

Council set a special meeting for March 22nd at 5:00 P.M. for review and citizen input.

Council Member Matheson made a motion to approve guidance looking at option two, seconded by Council Member Powell. Unanimously approved.

Council Member Powell thanked the Parks Strategy Committee.

Council Member Matheson advised he wanted to make sure it was known that no tax payer money has been spent to this project.

A 10-minute recess was taken.

2. Green Hill Road Traffic Study

During the Town Council Regular Meeting on February 9th, the Town Council instructed the Town Manager to solicit and receive an updated formal quote, and scope of services for a Green Hill Road traffic study. The Town has received a quote and scope of services from Ramey Kemp Associates, a professional transportation engineering firm located in Raleigh, NC.

Manager Fox reviewed the proposal specifics of the study and advised the study would go Memorial Day to the August time frame. He further advised the cost estimate is \$12,300.

Council Member Yount made a motion to approve, seconded by Mayor Pro-Tem Sweeting. Unanimously approved. Unanimously approved.

3. Blowing Rock Ambulance Update

During the Town Council's Special Meeting held on Monday February 22, 2021, the Town Council asked several follow-up questions to be answered by Mr. Craig Sullivan, Owners of Watauga Medics. Since that time, Mr. Sullivan has been in conversation with the Town Staff regarding those questions and the potential next steps.

Manager Fox advised the updates he had were the questions Council asked are as follows with the answer to the questions.

- Can the Town hire Watauga Medics – Mr. Sullivan believes the Town can, however he has referred back to the County Manager and County Attorney for full clarification.
- Can the Town potentially hire an outside entity to perform those same services
- Do we have a contract to provide back-up services

Manager Fox further advised all the question had been received by the County and are now awaiting the answers back from the County.

OTHER BUSINESS

- Mayor Sellers – Advised vaccines are going well in the county and advised its possible for meetings to go back to normal in April dependent of what the Governors orders are at that time.
- Council Member Yount – Gave an update on the Status of the American Legion post and advised enough members have been reached to keep their charter.
- Council Member Harwood – Advised so much to be thankful for
- Mayor Pro-Tem Sweeting – Thanked Council Member Harwood.
- Council Member Matheson – Gave an League update.
- Council Member Powell – None
- Manager Fox – ABC sales are up \$60,000 or 43% over the last year, January TDA \$95,500 or 30% increase over last year, Staff has been signing up to receive their vaccine, Bass Lake Sidewalk has started and gave an update on the timeline, Sunset Drive landscaping met with Jenkins and 4 Forty Four to start that project back up, Chemical tanks at the Water Plant – work will soon be started and won't take too long to complete.

EXECUTIVE SESSION

At 8:15 p.m. Council Member Harwood made a motion to go into executive session *NCGS 143-318.11. (a)(3) – Attorney/Client update on current litigation*, seconded by Mayor Pro-Tem Sweeting. Unanimously approved.

ADJOURNMENT

With no further business Council Member Powell made a motion to adjourn at 9:30 p.m., seconded by Council Member Yount. Unanimously approved.

MAYOR _____
Charlie Sellers

ATTEST _____
Hilari Hubner, Town Clerk

Attachments

Citizen Letters – Attachments A

Budget Amendment #2021-1 – Attachment B

Audit Power Point – Attachment C

NCGS 160D Ordinance Amendments – Attachment D