



# Town of Blowing Rock

Date: Tuesday, February 8, 2022, 6:00 p.m.

Location: 1036 Main Street, Blowing Rock, NC 28605

## Agenda

<i>Item</i>		<i>Present &amp; Participants</i>
I.	<b>CALL TO ORDER – ROLL CALL FOR ATTENDANCE</b>	Mayor Charles Sellers
II.	<b>PLEDGE OF ALLEGIANCE</b>	Mayor Charles Sellers
III.	<b>APPROVAL OF MINUTES – By Roll Call</b> 1. January 11, 2022 – Regular Meeting Minutes 2. January 20, 2022 – Special Meeting and Closed Session Minutes	Mayor & Council
IV.	<b>OATH OF OFFICE</b> 1. Newly Elected Council Member Pete Gherini	Town Clerk Hilari Hubner
V.	<b>REGULAR AGENDA ADOPTION</b>	Mayor and Council
VI.	<b>CONSENT AGENDA:</b> 1. Tax Release - #2021-02 2. Tax Refund - #2021-02 3. High Country Breast Cancer Race 4. Budget Amendment - #2021-03	Mayor and Council
VII.	<b>PUBLIC COMMENTS.....</b> <i>comments shall be limited to three (3) minutes</i>	
VIII.	<b>PRESENTATION:</b> 1. Resolution – Dr. John Davis	Mayor

<b>IX.</b>	<b>REGULAR AGENDA:</b> <ol style="list-style-type: none"> <li>1. <b>TDA Board – Council Appointment</b></li> <li>2. <b>Maple Street – One way vs Current</b></li> <li>3. <b>Chetola Lake Cofferdam</b></li> </ol>	Shane Fox, Town Manager Police Chief Aaron Miller Shane Fox, Town Manager
<b>X.</b>	<b>OFFICIALS REPORTS &amp; COMMENTS:</b> <ol style="list-style-type: none"> <li>1. <b>Mayor</b></li> <li>2. <b>Council Members</b></li> <li>3. <b>Town Attorney</b></li> <li>4. <b>Town Manager</b></li> </ol>	
<b>XI.</b>	<b>CLOSED SESSION – NCGS 143-318.11. (a)(3) –</b> <i>Attorney/Client update on current litigation.</i>	
<b>XII.</b>	<b>ADJOURNMENT/RECESS...</b> <i>Mayor Charles Sellers entertains a motion and second to adjourn or recess the meeting.</i>	

# Town Council Meeting - Tuesday, January 11th, 2022

The Town of Blowing Rock Town Council met for their regular monthly meeting on Tuesday, January 11, 2022, at 6:00 p.m. The meeting took place at Town Hall located at 1036 Main Street Blowing Rock, NC. And was via Zoom for the public. Present were Mayor Charlie Sellers, Mayor Pro-Tem Doug Matheson and Council Members Albert Yount and Melissa Pickett and Town Manager Shane Fox. Council Member Harwood was unable to attend. Via Zoom Town Attorney Allen Moseley, Town Engineer Doug Chapman, Fire Chief Kent Graham, Parks and Recreation Director Jennifer Brown, Police Chief Aaron Miller, Planning Director Kevin Rothrock and Public Works Director Matt Blackburn, Finance Officer Nicole Norman and Town Clerk Hilari Hubner who recorded the minutes.

Fri, 1/21 12:25PM • 1:06:11

## SUMMARY KEYWORDS

building, town, fountain, applicant, pine street, intersection, question, crosswalks, plan, MS brown, moving, approve, speak, chief, feet, laurel, Doug, council, review, police department

## SPEAKERS

Matthew Selves, Kevin Rothrock, Aaron Miller, Allen Moseley, Albert Yount, Mike True, Matt Blackburn, Steve Heatherington, Shane Fox, Doug Matheson, Melissa Pickett, Doug Chapman, Kent Graham, Charlie Sellers, Jennifer Brown

### **Charlie Sellers** 04:56

Ladies and gentlemen, welcome to our Town Council meeting this Evening, January 11 2022, I want to thank you all those that have joined us virtual via zoom. This was a decision I made after discussion with the Council, and Shane Fox to hold this meeting virtual because of the onslaught of COVID situations throughout the county and the state, and there's a few things that are going to be removed from the agenda. So I did not feel like that this would be a problem. So if anybody catches any flack for moving this meeting to zoom, please pass it on to me, but I felt like this was for the safety of the people in Town Hall, as well as the safety of our participants and our Council. That being said, also make note that Mr. Fox a few days ago, instituted a mask requirement for Town Hall so if you do visit Town Hall, please have your mask readily available. That being said, I call this meeting to order once again, and roll call for attendance.

### **Albert Yount** 06:19

Present

**Melissa Pickett** 06:21

Present

**Doug Matheson** 06:22

Present

**Charlie Sellers** 06:26

David Harwood is not going to be with us this evening. And Pete Gherini is having issues getting out of Italy. So hopefully we will get him sworn in sometime in this generation. But that being said, if you would please stand for the Pledge of Allegiance. All right. Do I have a motion to approve the minutes from December 13, 2021.

**Doug Matheson** 07:23

So moved

**Albert Yount** 07:25

Second

**Charlie Sellers** 07:26

We have a first and second. Any discussion? Okay. Those in favor?

**Albert Yount** 07:35

Yes

**Melissa Pickett** 07:35

Yes

**Doug Matheson** 07:35

Yes

**Charlie Sellers** 07:38

Okay, minutes, approval does pass. Alright. Before we go to approve the regular agenda, there are changes on this regular agenda. We are removing the Pete Gherini swearing in on this agenda because of course he's not available right now. Hopefully he'll be back soon. We are going to remove the TDA Board, the council applicant, which was going to be Pete. We're removing that for now. And we are removing the session on closed session that's normally held at the end of our meeting that will be held at a later date. That's something that we go into closed session. I feel like that all Council members need to be present when we're discussing matters under closed session. And so this will give us ample time to get Pete sworn in everybody in the same room. So, Council, that's my request.

**Doug Matheson** 08:43

Mr. Mayor, I would like to ask that we move the budget amendment #2022-02 off the consent down to maybe the fountain that will be holding discussion on a little later.

**Charlie Sellers** 09:00

Okay so you want just the portion of the Mayview Broyhill fountain moved to discussion

**Doug Matheson** 09:07

Correct

**Charlie Sellers** 09:07

Okay. All right. Albert, do I have a motion to approve the change in the agenda?

**Albert Yount** 09:14

So moved

**Charlie Sellers** 09:16

Second?

**Melissa Pickett** 09:17

Second.

**Charlie Sellers** 09:17

Melissa Pickett second. Those in favor?

**Albert Yount** 09:22

Yes

**Melissa Pickett** 09:22

Yes

**Doug Matheson** 09:22

Yes

**Charlie Sellers** 09:22

All Council voted in favor. Okay. Moving right along. Do I have a motion to approve the Consent Agenda?

**Melissa Pickett** 09:33

So moved

**Doug Matheson** 09:34

Second

**Charlie Sellers** 09:34

Melissa has made the motion to approve. And Doug Matheson has seconded there's no discussion allowed. All in favor.

**Albert Yount** 09:56

Yes

**Shane Fox** 09:57

We did not receive any public comments.

**Melissa Pickett** 09:57

Yes

**Doug Matheson** 09:57

Yes

**Charlie Sellers** 09:57

Consent Agenda is approved. Public Comments. Okay. We did not have any public comments at this time. All right, moving right along. We have a presentation from the North Carolina League of Municipalities Police Risk Assessment. This is a presentation. Shane, would you like to lead off with this.

**Shane Fox** 10:19

I would and I think Chief Miller has joined us as well, Chief would you like to maybe do the introduction And if chief is not able to do that, looks like he is having difficulties, I will be more than happy to introduce Matthew Selves. Matthew is with the League of Municipalities. Matthew, if you would just maybe spend the first couple minutes kind of sharing why you're here and then and then carry on with your presentation.

**Matthew Selves** 10:53

Thank you very much. And thank you, Mayor and Council for inviting me to present to the police department, the law enforcement risk review, for a little bit of background. My name is Matthew Selves I am the Public Safety Risk Management Consultant with the North Carolina League. I've been in law enforcement for over 24 years and was a Police Chief myself for 12 years in Trotman, North Carolina, which is in Iredale County, and work for the Statesville Police Department and the Iredale County Sheriff's Office. I'm still in law enforcement. I still work locally with the agencies, but of course I came to the League in May 2019. And took over the Public Safety Risk Management but mainly the Law Enforcement Risk Management. Of course, we do a lot of things with police departments that are pool members, or insurance members across the state, you got about 240 police departments that are insured by the League, Municipality wise and stuff, and we do training, we do grants, I think the manager can tell you that, that you got turned in several grants to us in the past couple of years. We work with the police departments on HR stuff, just a lot of things that could potentially cause issues for departments. So but today, again, I want to thank the Mayor and the Blowing Rock Town Council for this time and recognizing the Blowing Rock Police Department for completing the North Carolina League's Law Enforcement Risk Review program. Now to understand what the risk review involves, it's a comprehensive risk assessment and looks at high risk policies within a police department looking at policies, operations practices, and it also includes a detailed on site agency administrative operations review, which I did back in November, including we look at equipment, facility inspection, I actually rode

around with a couple officers that day and took the Blowing Rock loop and talk to them as well. But we did officer interviews, we looked at operations, operations all to validate the practice align with policies within the police department, and in turn compare them to the best practices that are across the state and the country. Now, again, we look at high ability areas that consist of response to resistance, which is like use of force evidence processing employment practices and procedures, training, in addition to 36 categories in all. The review, of course, is supported by the North Carolina Association of Chiefs of Police. And I want to let everyone know here in Blowing Rock that the powder report that the Blowing Rock Police Department successfully completed that risk review back in November, the chief, the command staff and the officers prioritize initiative, worked with me they were very, very transparent and proactive during the whole process. Now, I would like to thank Chief Miller and the command staff for their leadership and their willingness to participate in this very important initiative. They're very transparent. Again, I'd like to recognize the police department, and I'll be up there tomorrow afternoon, to meet with the chief to deliver a plaque on behalf of the League to show the completion of the risk review and in turn, you know, on best practices. Thank you.

**Charlie Sellers** 14:36

Thank you so much for the time that you've spent up here and I'm sure it's proven to be a true asset to our police force. And I think I can speak for the Council. We've been very proud of what our police force and Chief Aaron Miller have done.

**Matthew Selves** 14:55

I really love Blowing Rock is in a beautiful community. And it's I mean it's changed over the years is just more beautiful these days.

**Charlie Sellers** 15:08

Chief Miller, would you like to weigh in?

**Aaron Miller** 15:12

I apologize for being late. I think our internet went down for a few moments over here. So I had to reconnect. But thank you, Matthew. And I appreciate the League giving us this opportunity. It's taken us a little time we've been working on new policy reviews for, oh, at least a year and a half, I'm sure to get our policy manual and condition and get the policies in place that we needed to pass the audit. So we're just really excited. And I'd like all my staff to work hard to make that happen. So thank you very much.

**Charlie Sellers** 15:43

Chief, thanks again, for all that your staff does. We greatly appreciate your hard work All right, moving right along. This next section is a public hearing is conditional rezoning. The Lucrum 7 LLC Hotel. I'm gonna pass this off to Mr. Rothrock Are you on the line?

**Kevin Rothrock** 16:29

I'm here. Good evening. We do have Bill Dixon and Mike True for the project. Also Steve Hetherington, the applicant, and so they probably like to speak as well or answer questions and combination of there of. Run down through the staff report. And at some point Shane, share the screen I've got a couple of

slides and plans that you've received already. This is a Conditional Rezoning 2021-02 for Lucrum Seven LLC from Central Business to Conditional Zoning Central Business. It's the location between Pine and Laurel where the old stone pillar Bed Breakfast used to be and all that also snips demolished many years ago. The property is .337 acres and the applicant is proposing to construct a 14 room hotel. The proposed hotel will have parking access on the ground level, it will be one way traffic entering from Pine Street next in Laurel Lane. There'll be two floors above the garage first floor will have eight units, sixteen bedrooms total and the second floor will have six units with an additional six rooms. I know you're mostly familiar with the site. This shows just shows an aerial view and shows the property in between, it's currently gravel, it's used as a laydown yard for Steve's other project Main and Pine. I am going to go through the site plan. On the left side, we will see Pine Street and this is North and looking up on the top of the page would be toward Wallingford and over on the right would be Laurel Lane. This would be the site this really shows the footprint of the building But is also showing the first level which is the parking. I mentioned, there is gonna be parking on the ground level. Second floor would be eight units and sixteen bedrooms in those eight units and the next floor six units with an additional six rooms. Setbacks for the site are fifteen on both sides, on Pine and Laurel. And then on the on the ends along the vacant track, the DeVore track there and then also backing up into Village Shops is a five foot setback on each side. Let's discuss building height. The maximum building height is 30 feet, that's established finished sidewalk elevation. If you're using the standard 15 foot setback, once you get beyond 15 foot setback, you can increase that building height incrementally for every 5 feet of addition set back up to a maximum of 40 feet. The proposed building height for both ends of the hotel nearest the streets is 30 feet. So as you come in it's a 15 foot setback on Pine Street. On Laurel it'll be a little bit more because the distance off of Laurel Lane, the Town has some ownership of some land land there and then it's an additional 15 feet to the building. And I'll go back to the site plan there. But beyond that, once you get 65 feet from the sidewalk, you're going to increase the building height up to 40. And you can see how it staggers up. And when you get back to 85 feet, that's when the maximum peak of 40 feet is proposed. And it shows you how they're staggering that building in. The latest code allows building height to increase if the street setback is increased. The allowable building height can be increased to 40 feet and the applicant is asking, as condition, to allow the additional building height of 40 feet with the increased setback on that part of the building. Other parts of the building with less than 65 foot setback would meet the table that's in the code. And so it's staggered as you go up and then it's back down 30 feet as you get closer to the street. As far as the building design, you can see some of it here and I'll roll over to another view of it. They're gonna have some board and batten, some lap siding in there, some stone veneer on the bottom, some dormers and shed dormers, eve overhangs they'll have some metal roofing on some of those to give it some other accent. Move over to another design. So down here just the first perspective that you see at the top of the page there is from Wallingford looking through the meadow and looking at that side facing Wallingford. This view over here is perspective from Laurel Lane. Again, not all the trees are showing here that block some of that view but that's how it would look if there were no trees between Laurel Lane and the building. The other end is from Pine Street looking up towards Main Street. And this here is from Pine Street as you turn in I believe this will be controlled by gate access into the parking area and it shows where the gate is being placed. The project requires 22 parking spaces they're providing 22 angled spaces and you can meet all the criteria there. Stormwater then generated on site we collected underneath the building held in detention system and then released out the Pine Street. Sewer will also be connected to to Pine Street. The applicant will also extend a six inch water line to the corner of Pine and Main to the project



entrance. There will also be a hydrant there to provide fire protection to the building. Electric service will also be provided on the ground and there'll be a lighting plan produced that we will review prior to construction rolling proof. Garbage collection will be over here as you first enter the building, there'll be a crowd that they'll place it will be shielded from street view and the side view and they will just have rollouts, no need for a dumpster of this this level of garbage that will be created here I've got a landscape plan I'll show you. Same view, note that there's only about five or six feet between the property line and the building. So those trees that you see along that upper side, which is the west side of building facing Wallingford, they're not going to be very big, they're gonna be some ornamental type trees. Out on the street yards out on Pine, there'll be some shade trees, some maples or something like that. Then on the Laurel Lane side, there's some big pines in there. And we're asking that they remove those pines, some on town property, some of them their's. No value in them and most of them are dead and just pose risks. So they're going to replace those trees with some other shade trees in that area. They'll complete a landscape plan won't do a full review, but this is a schematic. One of the conditions in the in the list of conditions is that they remove those pines on town property as well as to be responsible that in replacing shade trees. So the draft ordinance provides an attachment that is the list of conditions, I'll read those in just a second. One of those that they've got to have going forward is to be allowed to increase the building height to 40 feet, with that portion of the building is more than 65 feet on the backside. Recap some of you attended the neighborhood meeting. There were a few other folks that live in the area that also attend that was back on October 27. The Planning Board met November 15, they made a recommendation to approve the conditional rezoning with the conditions that were listed on their ordinance application. I did receive one letter or an email rather, I included in your packet from Charlene Barham so you have got that for your review. I did not received any other emails or questions from anyone that wanted to speak for tonight's meeting at any time since November. So I'll read those, after the staff report is the ordinance that was provided in your packet and then conditions on Exhibit B and I'll read those into the record. Number one, the building height may be increased to the limits allowed for the parts of the building that meet the corresponding setbacks, consistent with section 16-12.6.5.4, as no as long as no roof exceeds 40 feet in height. Number two, the applicant will be responsible for the cost of removal of large dead or dying pines on the property adjacent to Laurel Lane. Number three, the applicant will be responsible for replacement of trees removed on Town property with the minimum tree size required by Land Use Code - Shade tree (3" caliper), ornamental tree (1.5" caliper). Number four, the applicant is responsible for extending a 6" water line from Main Street to serve the building for fire protection, including a fire hydrant. That's all I have, I would be glad to answer questions and roll through any slides that you want to see.

**Albert Yount 29:29**

Well Kevin that was a good presentation, I commend you for it and I am not sure you could make it any better. Can you summarize I did not get what Charlene Barham wrote for whatever reason. Can you summarize it if it isn't very lengthy.

**Kevin Rothrock 29:59**

It's not lengthy I'll just read it. It's like four sentences says the town should immediately stop approving short term rentals in the downtown area until traffic and dining issues to accommodate these visitors is addressed. The growth of available lodging, especially along Main Street and behind Speckled Trout has skyrocketed in the past two years. Perhaps the town codes are antiquated allowing this to happen.

COVID seems to have caused a rush of people from our surrounding large cities to Blowing Rock year round. Perhaps we are considered a safe environment. Locals now avoid going downtown and dining in our local restaurants is impossible.

**Albert Yount** 30:44

One other quick question, and it's not a deal killer at all for me, but is there any possibility or has there been discussion about a electric car charging station somewhere?

**Kevin Rothrock** 31:01

There has been no discussion.

**Steve Heatherington** 31:05

I would be very in favor of that. Hey, sorry, Kevin. I didn't know if I could speak yet.

**Kevin Rothrock** 31:09

Go ahead.

**Steve Heatherington** 31:10

Yeah, sorry. Personal Thank you, everyone for making this happen Mayor Sellers and Council Members. I am actually quarantined for COVID right now, but yeah, the

**Charlie Sellers** 31:23

Excuse me, if you would state your name, please.

**Steve Heatherington** 31:25

Yep. Steven Hetherington, the applicant, or the project.

**Charlie Sellers** 31:28

Thank you Steven.

**Steve Heatherington** 31:31

And to answer your question, yeah, part of my company's sustainability commitment is to add sustainable features like car charging on site. So that will be something we'll be adding on one of the spaces one or two of the spaces?

**Albert Yount** 31:52

I have one quick question, Steven, is Lucrum Welsh

**Steve Heatherington** 32:04

If I if I spoke Welsh, you wouldn't see my screen it would have spit all over it, you know?

**Albert Yount** 32:15

What does it mean if anything

**Steve Heatherington** 32:18

It means it's, actually Latin, means to happen to do.

**Melissa Pickett** 32:31

I'm good, it meets all the requirements except for the four that they're asking. And really one they're only asking for. So I'm good.

**Doug Matheson** 32:44

I got a couple of questions, Kevin. At the peak height of the building how does it compare with the surrounding buildings?

**Kevin Rothrock** 32:57

Well, so the Main and Pine and was at 34 and a half feet. Of course, it's higher, it's higher when you go up the street a little bit and sit higher. So it's probably the same or higher than what this is, there is probably at least 10 feet of elevation change. So that building is higher and the Village Shops is I think about 35 on the front end, and much lower you can go back towards this.

**Doug Matheson** 33:34

So with the drop in elevation it's not going to stand above it.

**Kevin Rothrock** 33:43

It is lower from the elevation on Main Street. I'd say eight to ten feet.

**Doug Matheson** 33:52

The other thing I had is could you talk a little bit more on the retention stormwater?

**Kevin Rothrock** 34:04

Yeah, they're collecting water that's coming off the building. And the building doesn't take up the entire site but most of it and so they'll collect it. Mike could probably chime in a little bit more and give you details that I couldn't but it's gonna be collected and taken out to Pine Street.

**Mike True** 34:32

Yes, we've we've already done that design. And what we're doing is underground detention system out in the 15 foot street yard setback, along Pine Street. There's actually no storm drainage infrastructure out in the Laurel Street other than just surface drainage all the way down pass the intersection and four way intersection. So we're going to collect all the roof drainage, put them in headers, and then put it in Kevin's showing the plan now there's a couple of bashed areas there, that we've been able to get enough volume there to pull all the required storm drainage detention underground then it will be connected to the storm drainage pipe that runs down Pine Street.

**Doug Matheson** 35:18

Thank you Mike.

**Kent Graham** 35:23

I've got I've got one note and I apologize for not being better prepared, Jason Potter would be normally doing the detailed review of this and he is out right now he lost his mother in law to COVID day before yesterday. So I know Mike that we've discussed some apparatus access and the FTC hybrid placement looking at this, I have only looked at the footprint and site plan. So this height, this building height, we may need to further discuss an area apparatus access so that should be, looks like from from these drawings that should be no problem to figure out is just an increased width basically. It's the same kind of distance measurement distances from the building, but the width of of the apparatus for an aerial device is a little bit increased because of the outriggers. So what would push it to that would be this height, this building height in the middle. We can we can talk about that. Unfortunately, where I would be looking this up is on the device that I'm joined this meeting so I'm kind of handicapped right now.

**Mike True** 37:17

The building will be fully sprinkled

**Charlie Sellers** 37:23

Chief Graham, Charlie, I've got a question for you and the applicant. This building is going to be fully sprinkled, is that correct?

**Mike True** 37:31

Yes

**Charlie Sellers** 37:33

Ok. Are there any other concerns Chief Graham that you have over this structure?

**Kent Graham** 37:40

Not at this time? No. And that's not I don't think that that's something that can't figure out I'll talk with Mike about that as soon as we can tomorrow.

**Charlie Sellers** 37:57

Thank you Chief

**Doug Matheson** 38:04

I'll make a motion that we accept it but I will add on that they do meet to get that worked out

**Albert Yount** 38:13

Contingent

**Charlie Sellers** 38:14

So you're making a motion that you would approve this pertent on the Fire Departments approval of the apparatus area

**Doug Matheson** 38:28

Correct

**Albert Yount** 38:29

Contingent on it

**Charlie Sellers** 38:30

Yes

**Albert Yount** 38:32

Second

**Charlie Sellers** 38:32

Albert seconded any further discussion

**Albert Yount** 38:35

The thing to remember about the sprinklers is they don't get people out of an upper level.

**Charlie Sellers** 38:48

We have first we have a second. Any additional discussion? Okay

**Albert Yount** 38:53

Yes

**Charlie Sellers** 38:53

Okay, so you have approval guys, and I'm sure you'll work with Chief Graham every way possible. Thank you so much.

**Melissa Pickett** 38:53

Yes

**Doug Matheson** 38:55

Yes

**Steve Heatherington** 39:04

Thank you so much.

**Charlie Sellers** 39:11

Moving right along here. Okay. This is under a regular agenda. The TDA board appointment has been delayed until Mr. Gherini can be present. So I guess we'll move on to Parks and Rec Update Part-F. Was Jennifer Brown gonna handle this?

**Shane Fox** 39:35

Yes, sir. So Jennifer is on the call. I will start by saying unfortunately Mr. Harwood, who's been leading this group now for about a year a little bit more than a year. Was planning on providing this update tonight and Ms Brown has some notes that she would like to share. Ultimately, a full update will be

coming at the retreat. Mr. Harwood just wanted to share some highlights of some work that's been put in the last few months and Ms. Brown can share that. We will save the thunder for David when he's feeling better and ready to go at the retreat. So Ms. Brown.

**Jennifer Brown 40:11**

Good evening Mayor and Council, for the past several months, our Parks Strategy committee has been meeting and reviewing and discussing each one of our parks. When we first started, we decided that we didn't need to have one assessment overall that we needed to assess each of the parks individually. And so the committee came up with a purpose assessment form that each committee member filled out individually. And then we would be in come together and sort of combine all of our thoughts into one. So what we did for each park individually, is we had a park assessment form that we looked at, basically, what was our target patron for the park? What was the use of the park, the different activities that occurred in the park? Would we recommend a different profile or different patron for that part. And then we also looked at what commitees should maybe be added or removed. We also looked at the access to the park primary, secondary improvements that were needed, ADA accessibility to guest ramp , parking, bicycles. We also looked at the safety, was there anything that was, you know, obviously, that need to be looked at immediately? Stuff that is done well, it wasn't just the stuff that was, you know, that needs improvement in the stuff that we do well, also in the parks. We also looked at landscaping, of the natural is it something that needs to be maintained, and then signage and wayfinding, which, you know, really doesn't need a lot of improving, but we've kind of held off waiting for the Roger Brooks report to come back and make it all sort of fit within his recommendations. Then we looked at the overall appearance of the park, is it clean? Does it look dated, is it well maintained? And then we kind of went into what are the critical conditions, the park that needs to be looked at immediately, we looked at different things that needed to be looked at, but maybe weren't critical. And then we also looked at, hey, this would be nice to add to a park or to do it doesn't necessarily mean it has to be done or that it's critical, but it was something that maybe we should look at adding to the park. And so we did all of that for Memorial Park, Broyhill Park, Annie Cannon, Glen Burney Trail, Devant Field, the pool, Legacy Trail and Kershner Gardens. And so when we meet at retreat, we will have a presentation that will kind of give you all of our results of what we kind of came up with with our critical needs, our essential needs and then maybe some desired additions to each one of those parks. If you have any questions, feel free ask.

**Charlie Sellers 43:33**

Thank you so much Ms Brown. And thanks to all the hard work that you guys have put into this and continue to put into it because as we know our parks are a centerpiece and focal point for our community. So thank you so much for what you do.. Yes, question. Okay, moving right along. Ransom Street Stop sign. Shane, would you like to lead this on off?

**Shane Fox 44:09**

Yes, Mayor I would like to. I'll read the staff report, it kind of tells the details but the topic potentially placing a three way stop the intersection of Ransom and Henkle Street has been discussed by several Town Council members with staff over the past several months. The intersection is heavily traveled especially during the commuting hours in which it is used for traffic into downtown from US Highway 321. During school traffic hours, as traffic utilize Henkle to navigate to Chestnut and onto Morris Street.

The intersection is similar in layout and typography as the intersection to allow Green Hill Road and Fairway 11. During the Green Hill Traffic Study, Ramey Kemp and Associates recommended placing a three-way stop at the intersection to allow for traffic to safely turn within the intersection. Staff requests that Council discuss the topic of placing a three-way stop intersection at Ransom and Henkel Streets. I will add that I did speak with Michael Karpinski at Ramey Kemp and he looked at aerial and Google Earth maps of the intersection and did agree the intersections similar in nature to what the Green Hill and Fairway 11 Court intersection is with higher traffic counts. So we did not do a traffic study. But it was made to my attention by several of you and others in the community that that intersection was a blind turn from those leaving Henkle. But left and right. So that's the reason for the topic, as it's been requested. Be glad to answer any questions. Thank you.

**Albert Yount** 45:43

I have no questions. I've always thought the world a lot of cities are totally going to it.

**Melissa Pickett** 45:59

Have we heard any incidents that the intersection?

**Shane Fox** 46:03

No, not to speak of, we have not.

**Doug Matheson** 46:05

We've been lucky there, going straight off that hill into a blind curve. I think it's gonna be much needed right there for future safety purposes.

**Charlie Sellers** 46:21

Would someone like to make a motion.

**Albert Yount** 46:27

I make a motion we do it.

**Melissa Pickett** 46:30

Second.

**Charlie Sellers** 46:34

Okay. Any further discussion?

**Albert Yount** 46:41

Yes

**Melissa Pickett** 46:41

Yes

**Doug Matheson** 46:41

Yes

**Charlie Sellers** 46:42

Okay. Mayview Broyhill Lake fountain.

**Shane Fox** 46:53

Thank you, Mayor. I will start and Ms Brown is still on the call she made like to join in. I'll read the staff report, approximately 15 years ago when BRRAC was not an official Town Board. They paid to have a fountain installed in Boiling Lake as well as the power to the fountain. Over the years the lake has been unfortunately filling up a sediment from storm drain erosion in banks etc and heavy rains washing into the lake. The current fountain is functioning however, it's not flushing at 100% and would add that some days are better than others and participation or the final outcome of the water being produced in the fountain. Blowing Rock Village Foundation is wanting to partially fund installation of a new fountain due to the deterioration of the current fountain. The fountain company chose not only could provide the fountain but would also be close enough to maintain the fountain. The estimated cost of the fountain with LED lights is \$11,500. This includes removing the current fountain installation, the new fountain. Blowing Rock Village Foundation has committed to funding \$6,000 of the fountain which leaves \$5,500 left to be funded by the Town. So this particular topic includes a couple of things to think about. So one would be their acceptance of you all of the \$6,000 this is a donation that would have to be voted on to be accepted to the Town. And then the expenditure of \$5,500 that is not currently budgeted for hence the moving of the portion of the budget amendment. Mr. Matheson mentioned earlier down to this item. So approval of it potential approval of this item would include again the acceptance of the \$6,000 donation from the Village Foundation and an additional expenditure \$5,500. That's not currently budgeted for Ms Brown, do you have anything you'd like to add? She's shaking her head no.

**Charlie Sellers** 48:43

Thoughts guys

**Doug Matheson** 48:47

One of the things I truly wanted to bring up on this is that what you hear call it's called the three P's public private partnerships. It is really starting to hit now in America, it wasn't big over here as it was overseas and it's really starting to get here is a great way that allows towns to get things done that they normally would it would be on their project list to do but they may not be able to afford it. Also as this builds I've read and saw some instances where it's even lowered some taxes in some towns because of the outpouring of public private partnerships being developed with the towns it's you know, one instances is the road in Charlotte you know, you look down there a public private partnership moved in got the highway built. Probably years ahead. When it was actually scheduled to be done. You know, it's So when you look around, it's a great asset. And that was that was the main thing I was wanting to try and get across tonight also, with this is, you know how helpful it will be going forward in the Town of some things that we might be able to do with with other you know, the foundation or other groups you're in town that we can't do on our own that might move projects.

**Charlie Sellers** 50:30

Good point, Doug. Thank you



**Albert Yount** 50:39

Just move we, we have two subjects, can this just be one motion.

**Shane Fox** 50:48

Yes sir

**Albert Yount** 50:49

I move we approve this project and the budget transfer as requested.

**Charlie Sellers** 50:58

Ok so Albert's made a motion that this be approved and that the monies of \$6,000 would be received from the Village Foundation as a donation. And Albert's motion also reflects that the approval of \$5,500 from the town budget. So that is the motion. Do we have a second?

**Melissa Pickett** 51:34

I'll second

**Charlie Sellers** 51:36

Any further discussion?

**Albert Yount** 51:41

**Melissa Pickett** 51:41

**Doug Matheson** 51:42

Yes

**Charlie Sellers** 51:44

Okay, now we're down to official reports. As mayor, I want to thank everybody I know the holiday season has been very trying when everyone under the best conditions it's trying and now that we've you know, having these issues with COVID Once again, my thanks to all the citizens for being supportive and, and doing their part and the Council for doing their part all of our town employees and department heads. And I also would like to also on another note, say that we lost a couple of people this this month Dee Hodges, who had been a business owner in town, and Carlos Hernandez, it was a business owner in town and so our prayers go out to their families. Moving forward, let's I'm hoping we've seen the low point of 2022. And hopefully we will climb upward from here. So But thanks again, it's I want to say thank you to all of you for tuning in this evening. So thank you.

**Albert Yount** 53:06

Well I have two things. One will be a question of Shane. And the other is I think Council we should think about anything that's going to be built commercially for rent or probably eating places should think about this charging station situation electric cars are coming faster than I ever thought that would. And I

would like for Kevin to give this thought if you folks agree, maybe report to us in a month or two or whatever. I think somehow it needs to be thought about in our town code.

**Charlie Sellers** 53:56

Probably a good item to bring up at retreat Albert.

**Albert Yount** 54:00

Okay, the other is a question and not my question its a question I've received from several people they want to know if the tent that Town Tavern has grown to the ground.

**Shane Fox** 54:15

Kevin I will ask you to answer that question regarding the tent at Town Tavern.

**Kevin Rothrock** 54:21

What I didn't hear what the question was the

**Shane Fox** 54:24

Question is regarding the Tent at Town Tavern is is it properly fastened and security to the ground?

**Kevin Rothrock** 54:34

Yes,

**Charlie Sellers** 54:35

I think Albert's question,

**Albert Yount** 54:38

The question coming to me is has that thing grown to the ground there other words, is it gonna be there? Or is it permanent or temporary?

**Kevin Rothrock** 54:49

Temporary they're limited to six months.

**Albert Yount** 54:57

Okay.

**Doug Matheson** 55:03

May I ask on that and how many times because it's like the first time, the tents been up and down in the last couple of months. How many times a year is that allowed?

**Kevin Rothrock** 55:15

One time. Last spring through I want to say May it's permitted for six month period per calendar year.

**Albert Yount** 55:30

Okay.

**Melissa Pickett** 55:32

Are they putting it up for the winter to help with seating since they are on limited seating,

**Albert Yount** 55:38

I'm sure

**Kevin Rothrock** 55:39

That's right. And they do depend a lot on their outdoor dining, because they've got quite a few seats out there. And so they're trying to utilize it.

**Albert Yount** 55:53

Well, I'm sure. I'm just asking what some people have been asking me

**Melissa Pickett** 55:58

Their tent was listed in the permits that Kevin put in his department reports.

**Albert Yount** 56:05

Well it's good to know. It's good to know the restrictions. I'll pass it on.

**Kevin Rothrock** 56:13

Okay.

**Charlie Sellers** 56:14

Kevin, if Albert puts in a permit for a tent in his yard, would you let us know?

**Kevin Rothrock** 56:22

Depends on what kind of tent like teepee Well, Shane's gonna be living up there and keeping better eye on him.

**Albert Yount** 56:34

Check data usage of the Blowing Rock sucking all the data available in the Southern part of Blowing Rock.

**Charlie Sellers** 56:42

Okay, moving right along.

**Melissa Pickett** 56:48

I just want to just, you know, kudos to our staff for hanging in there right now and just thoughts and prayers to our citizens. We'll get through it.

**Charlie Sellers** 57:01

Thank you, Melissa. Doug

**Doug Matheson 57:05**

Question and a comment. And I'll ask the question first. anymore on the crosswalks right now.

**Shane Fox 57:14**

So the crosswalks will begin the week after Winterfest is ending. So we we've delayed it and that was part of the process. February 1 was what the intended start date on that. So they've been gathering materials. Doug Chapman, I think is on the call. Do you have anything to add on that project? Doug? Regarding the crosswalks? I believe there's still

**Doug Chapman 57:35**

No I don't we have received shop drawings for the signals those were sent to DOT. I'm not 100% sure if they've been approved yet. And then we want to wait till they can get make sure they got those material before they start tearing things out.

**Charlie Sellers 57:54**

Did you hear that. Doug

**Doug Matheson 57:55**

Yes. And what about did we also talk about or was I asked about there at the crosswalk at school about putting some signals?

**Shane Fox 58:09**

Yes. And Mr. Blackburn, I think is on the call. We talked about that this morning. So those signs have been we've issued po and they've been ordered. He spoke with the sign designer, I believe yesterday about the final touches of those signs. So Matt, would you like to speak just a few moments on the signs on Sunset? The flashing lights?

**Matt Blackburn 58:31**

Sure, yeah, I spoke with the company yesterday morning and they're going to make some changes to sign. So apparently the sign that we want to get had to actually be the dedicated crosswalk and explain to them that this is gonna be more of a school zone type indicator. So they're going to make some changes to it and those should be coming to us in the very near future. And that we all timers we can hook a computer to it and it should be able to set the time so you can flash the morning and afternoon school hours. So they should be here relatively quickly.

**Doug Matheson 59:07**

And the only other thing I had was just a statement that I look forward to 2022 and the aspect is not what I was talking about the public private partnership not only just that with without groups here in town I look forward to the town this year hopefully developing great relationships and this being one of the best years that the town is seen in a while.

**Albert Yount 59:38**

Shane does this mean the material for the traffic signal are here

**Shane Fox** 59:50

For the crosswalks. I'm not sure what's been procured at this point. So they were procuring waiting on Winterfest that's that's what we've been waiting That was oh, it is we initially at the pre construction meeting decided that February 1 was kind of going to be our start date we hoped so we knew we had Winterfest and other things going on did not will obviously start tearing into those intersections with heavy traffic weekend that was planned for the end of January. So the rough goal is to have about a month or so worth of demo conduit being placed and then another month or so worth of work. No all weather dependent. So it's not a and Doug may may speak up. It's not a overly difficult project, so to speak. There is some work flatwork concrete work that has to be done weather dependent as well. So all should be completed prior to our busy season. So it has been coming back in place.

**Charlie Sellers** 1:00:53

Mr. Mosely, do you have anything for us to see?

**Allen Moseley** 1:00:57

No, but I just want you to know them here. You're looking good to see this month's.

**Charlie Sellers** 1:01:11

Likewise, have a good week.

**Allen Moseley** 1:01:15

Thank you, too.

**Charlie Sellers** 1:01:16

And now to the last and the best our Town Manager Shane Fox.

**Shane Fox** 1:01:24

Thank you, Mayor and Council. Thank you for good meeting. Very efficient meeting tonight, I'll echo a couple of comments. Start with Mr. Mathesons comments about working with groups in town we are planning at the retreat to have a segment that allows a number of groups in town to come to our retreat, give a little bit of a update of maybe who they are and what their purpose is, for the purposes within the town and ultimately how they could potentially work with the town now the town could work with them on hopefully accomplish some some great things in 2022. So we are looking forward to those groups coming to the Retreat. The Retreat is January 24th, 25th and 26th. That's a Monday, Tuesday Wednesday, here in town, roughly 8:30 to 5:00. It is currently at BRAHM that potentially could change depending on COVID. I have spoken to Lee Carol and I think she she and I plan on staying in touch we do have the Legion reserved for those three days as well if need be. So like a lot in the last little bit. Everything is ever changing. So we'll play that one by ear, we will have the retreat I hope, as planned is the goal as of right now. So unless something changes, that's the plan. I would like to mention Ms Ellie Nickels started today as an intern. She is a senior Watauga High School and she plans on being with us a couple of days a week for a few hours to get a better understanding of what Town Government entails. So she started today and kind of followed me around for a number of hours. I think enjoyed some of it. I think she was born on some of it as well. So say thank you to public works as always, obviously stepping up. We did have our first snowstorm of the year, last week and it came a little bit

heavier than I think it was originally predicted. But like always, snow removal went as planned. And then it appears Winter is here. We have a few more chances even this week and the next week coming up with snow so there'll be busy ABC board. I've always liked to update their numbers. I've lost track of how many months in a row. We've had record breaking sales over last year \$270,000 In November versus \$230,000. November of last year. So \$40,000 increase. Bass Lake Sidewalk was originally scheduled to be officially open today. Let everyone know and under the Chamber and others have put out email blast that has been postponed or was postponed until further dates will everyone know obviously when that time is here. In your packet, you had the Planning and Zoning calendar year update. So just wanted to point out this year. This is a calendar year update. We had a total of 404 permits that equal \$38 million. While that's a big number, and it is a big number \$32.6 million is residential. So I think that's telling in itself 16 new homes were started this year at \$18.1 million which has a value of \$1.132 million per house on average. Within the Town of Blowing Rock. Will also mention that at the retreat, we plan on hearing from the county and they will at that point update us on the results of the re-val so maybe there's some indication here that we should see some increases coming our direction. So with that that's my update for tonight and be glad to answer any questions

**Charlie Sellers** 1:05:16

Motion to adjourn.

**Doug Matheson** 1:05:26

Motion to adjourn.

**Albert Yount** 1:05:30

Second

**MAYOR** \_\_\_\_\_

**Charlie Sellers**

**ATTEST** \_\_\_\_\_

**Hilari Hubner, Town Clerk**

**ATTACHMENTS:**

**Tax Refund/Release #2021-01 – Attachment A**

**Budget Amendment - #2022-02 – Attachment B**

**Lucrum 7, LLC Hotel – Attachment C**

**Draft**  
**MINUTES**  
**Town of Blowing Rock**  
**Town Council Meeting**  
**January 20, 2022**

The Town of Blowing Rock Town Council met for a special meeting on Thursday, January 20, 2022, at 5:30 p.m. The purpose of the meeting was to discuss Police dispatch. The meeting took place at Town Hall located at 1036 Main Street Blowing Rock, NC. Present were Mayor Charlie Sellers, Mayor Pro-Tem Doug Matheson and Council Members Albert Yount, David Harwood and Melissa Pickett, Town Manager Shane Fox, Chief Aaron Miller, Finance Officer Nicole Norman and Town Clerk Hilari Hubner who recorded the minutes.

Council met to discuss options for the Town of Blowing Rock Police dispatch going forward. Council discussed several options available to continue to provide dispatch service inhouse including the Police Department hiring additional dispatchers to provide that service solely from the Town.

Mayor Pro-Tem Matheson made a motion to move forward with the proposal from Chief Miller. After further discussion Council Member Yount seconded the motion. Unanimously approved.

**CLOSED SESSION**

Council Member Harwood made a motion to go into closed session; *NCGS143-318.11.(a)(6)*, to consider the qualifications, competence, character, fitness, conditions of appointment, or conditions of initial public officer or employee or prospective public officer or employee, seconded by Council Member Yount.

**ADJOURNMENT**

At 6:45 p.m. Council returned to open session. There being no further business to discuss, Council Member Pickett made a motion to adjourn at 6:45 p.m., seconded by Council Member Yount. Unanimously approved.

**MAYOR** \_\_\_\_\_  
**Charlie Sellers**

**ATTEST** \_\_\_\_\_  
**Hilari Hubner, Town Clerk**



# TOWN OF BLOWING ROCK

1036 Main Street • Post Office Box 47 • Blowing Rock, NC 28605

## Release Request No: 2021-02

Property Owner: Don Hovey

Address: 7794 Globe Road

Parcel Number: 024W1512 Request Date: February 8, 2022

I Hereby Request Release of Tax Under G.S. 105-381 for the Following Year(s):

Assessment Release	Tax Release	Interest	Total	Tax Year
\$229,000	\$984.70	\$19.69	\$1,004.39	2021

Account Number: 00255

County: Caldwell

Date: February 8, 2022

Release Amount: \$1,004.39

**Specific Reason for Release:** Per Caldwell County a clerical error for this property. It was added to the Town of Blowing Rock's tax scroll. However this property is not located in the city limits. Therefore, no taxes are due to the Town of Blowing Rock.

Approved By: \_\_\_\_\_ Date: \_\_\_\_\_





# TOWN OF BLOWING ROCK

1036 Main Street • Post Office Box 47 • Blowing Rock, NC 28605

## Tax Refund Request No. 2021-02

Refund Request pursuant to NC General Statute 105-381 For Year 2016

<b>Year</b>	<b>Value Amt. Released</b>	<b>Int/Penalties</b>	<b>Total Refund</b>
2021	\$111,610	\$0	\$479.92

**Specific Reason for Refund: Per Watauga County – Over billed the value for personal property.**

**Person Receiving Refund: GreatAmerica (Parcel 543865999)**

Check No. \_\_\_\_\_ Check Amt. \$ \_\_\_\_\_ Date Pd \_\_\_\_\_

Council Meeting Date:

Approved By \_\_\_\_\_ Tax Collector \_\_\_\_\_



Town Of Blowing Rock  
 PO Box 47  
 1036 Main Street  
 Blowing Rock, NC  
 28605  
 Tel 828-295-5200

**Town Of Blowing Rock**  
**Special Events/Activities Application**  
 (Must be submitted to Blowing Rock Parks & Recreation)

The purpose of this application is to provide information about your event or activity in order for various departments and agencies to determine if they need to be involved in the approval and/or permitting process. Depending on the specific event, a permit application and/or fee(s) from individual departments may be required.

The applicant is responsible for providing complete and accurate information on the application, including an attached detailed site plan. The applicant is also responsible for notifying the Parks Department of any changes. Incomplete applications will not be accepted. \*\*A complete application should be submitted at least 90 days prior to the planned event to allow sufficient review time. Town staff may contact you with specific questions. Any official may require a pre-planning meeting.

Applications and events are prioritized based on a first come-first served basis and the Town may approve or disapprove an event's requested date based on availability of resources. Events that occur on an annual basis will receive priority the following year.

Applicant should contact the Parks Department to verify date availability prior to submission of application.

**\*\*NO MORE THAN 2 RACES WILL BE ALLOWED IN ANY GIVEN MONTH**

**\*\*If the event is to be held on public property, approval to use the property must be obtained from Town Council; therefore the application must be submitted 90 days prior to the event.**

**APPLICANT INFORMATION**

Name of Event: High Country Breast Cancer Foundation Annual 5K Walk/Run  
 Applicant Name & Title: Irene Sawyer, Founder/President  
 Organization: High Country Breast Cancer Foundation  
 Mailing (Billing) Address: P.O. Box 1029  
 City / State / Zip: Blowing Rock, NC 28607  
 Daytime Phone: 614-928-6544 Cell: 614-928-6544 Email: irene@hebcf.org  
 Description of the Event: Annual 5K Walk/Run  
 Does the event have a Twitter, Facebook or other social networking page: Yes  
 If yes, please list URL(s): www.facebook.com/highcountrybreastcancerfoundation

Event Address:	<u>Blowing Rock American Legion / Mayview Neighborhood</u>
Date of Event:	<u>10-22-2022</u>
Event Start Time:	<u>9:00 am</u> Event End Time: <u>12:00 p.m.</u>
Set-Up Begins:	<u>6:00 a.m.</u> Clean-Up Ends: <u>1:00 p.m.</u>
Preferred Date & Time of Inspection:	
Estimated Attendance:	<u>500</u>
The Event is:	<input type="checkbox"/> Private (by invitation only) or <input checked="" type="checkbox"/> Open to General Public

APPLICANT'S SIGNATURE [Signature] DATE: 1-11-2022

A pre-planning meeting may be required and will be scheduled to include the appropriate staff. The event applicant must attend the meeting. The town reserves the right to require others to attend.

WALK, RUN, CYCLE EVENTS ON PUBLIC ROADWAYS

Number of participants expected: 10 % of participants expected under 18: 50

\*Must be at least 100 participants and no more than 2,000 per route.

Number of volunteers expected: 1000 % of volunteers expected under 18: 5

\* we are hoping for 500 participants

ADDITIONAL GUIDELINES AND REQUIREMENTS

Please initial all guidelines below and provide the information requested at the time the application is submitted.

Must use a pre-approved route from the Town/NCDOT and/or pre-approved neighborhood route and/or track or one of the options not on roadways that are available at a park. 125

Must include a certificate of liability insurance for walk, run, and/or cycle event if the start/finish are on public property. 15

Must include a plan for volunteers for events with an anticipated attendance of 100 participants or more (how many, their duties). 15

Must include a parking plan for participants and volunteers (can be included in site plan). 15

The provision of twenty foot (20') minimum emergency access lanes throughout the event site. 15

Temporary signs may be used to mark a course. No markings of any kind (permanent or temporary) are allowed on roadways, sidewalks, or parking lots. 15

Any unauthorized traffic control device or other sign or message placed on the highway right-of-way by a private organization or individual constitutes a public nuisance and should be removed. Any violations of this policy will result in disapproval of future event(s). 15

Do not assume, advertise, or promote your event until you have a signed permit from the Blowing Rock Police Department, along with permission from town staff and Blowing Rock Town Council. Conflicts do arise and changes to the request may be necessary. 15

Organizers to make sure race starts at the time approved on the application. Any deviated start times shall be requested no later than 30 days prior to the event. A deviated time request cannot be guaranteed approval. 15

Event organizers to assist in enforcing safe roadway rules. 15

Event volunteers standing throughout the course to direct as well as instruct participants to stay out of the roadway. 15

Cancellation of any event must be in writing/email to the permit center no later than 30 days prior to the scheduled date of the event. 15

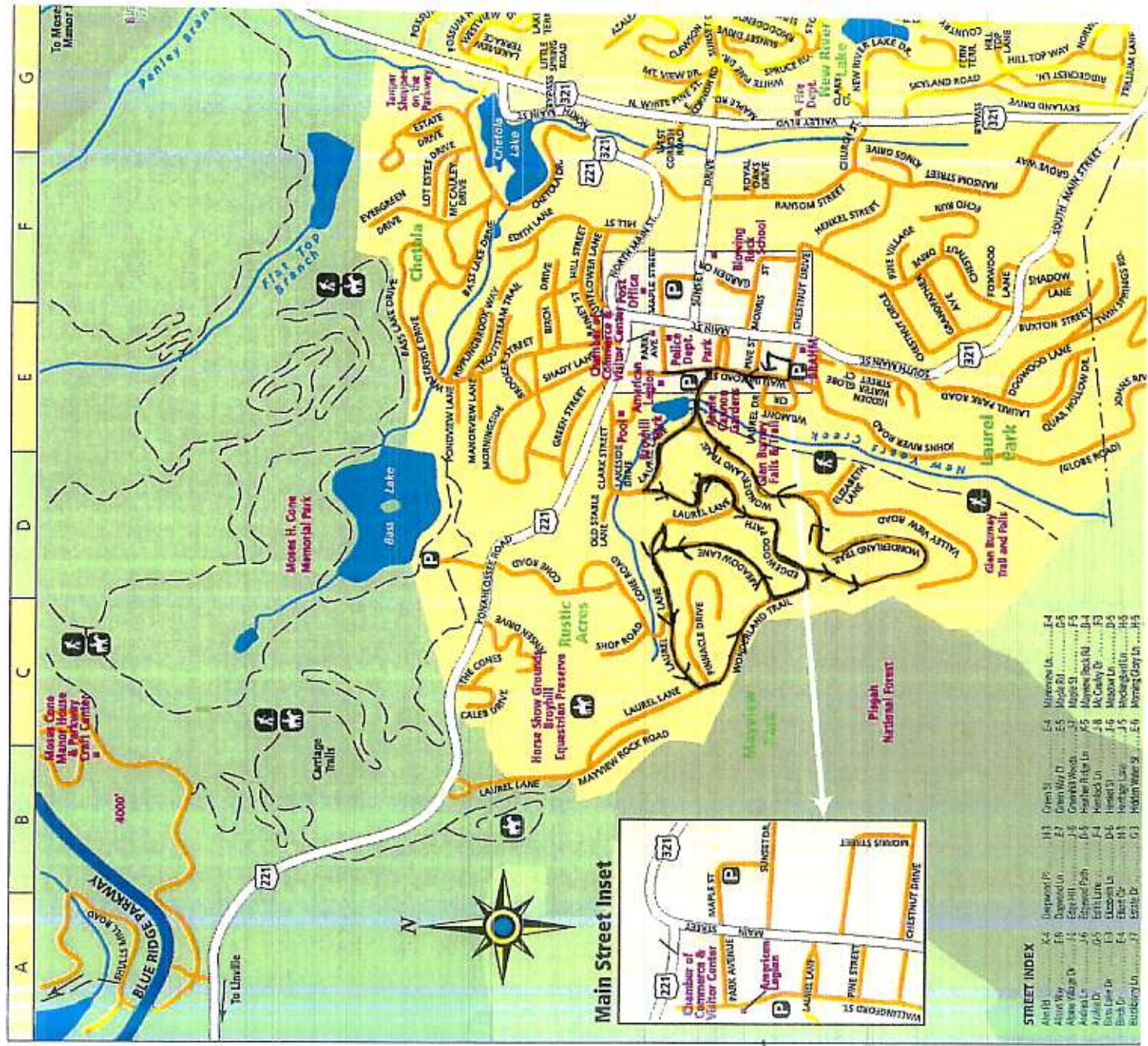
A VIOLATION OF ANY GUIDELINE REQUIREMENT COULD RESULT IN THE DENIAL OF FUTURE EVENTS. 15



# High Country Breast Cancer Foundation

5K Walk/Run - October 26, 2019  
8:00 a.m. - 11:00

- Start at American Legion
- Right on Laurel Lane
- Continue onto Edgewood
- Right onto Wonderland
- Right onto Meadow
- Left onto Laurel
- Left onto Wonderland
- Right onto Laurel
- Right onto Wallingford
- Left onto Chestnut
- Left into Ruple parking lot
- Run through parking lot to a right on Wallingford
- Wallingford to finish line



- Encouragement Station 1 = Intersection of Edgewood and Wonderland
- Encouragement Station 2 = Meadow and Wonderland
- Encouragement Station 3 = at condos (on the right)



## ATTACHMENT CHECKLIST

In addition to the Special Event Application form, the following supporting documents are required to complete your application package and begin the review process:

### All Events:

- Site Plan Sketch
- Parking Plan for participants and volunteers (May be included in site plan)
- Volunteer Plan for events with an anticipated attendance of 100 participants or more (how many, their duties)

### All Public Property Events:

- Certificate of Insurance listing the Town of Blowing Rock as certificate holder and additional insured.

### Public Property Event at a Public Park:

- Email from the Parks and Recreation Director indicating approval of the event date. Parks and Recreation Director may be reached at (828) 295-5222 or [jbrown@toibr.us](mailto:jbrown@toibr.us).

### Waiver Request:

- I am requesting a waiver from the Section which prohibits animals from special events on town property. I have included the required safety plan with the application.

- No tents may be placed in the area without being described and exhibited to the Fire Prevention Inspectors of the Blowing Rock Fire & Rescue Department and special approval by the Town Council.
- Public address systems can be used only if specifically requested in the application and special permission given, including limitations as to use.
- Sufficient portable toilets shall be provided for the expected number of participants.
- A first-aid station shall be provided, staffed by competent Emergency Medical Technicians, unless a waiver is requested and granted by the Town.
- The applicant shall be responsible for providing trash receptacles of the number and size as the town shall require in order to eliminate litter.
- If the applicant desires to sell alcoholic beverages, it shall specifically so state in its application and shall provide a sketch of the area where the same will be sold and consumed. The area shall be delineated by barricades, with the entrance to be clearly marked and so constructed as to allow ready control of patrons, including viewing of identification to avoid underage persons being within the barricaded area. Signs shall be posted stating that no one shall leave the barricaded area with alcoholic beverages.
- Application must be made to proper State authorities for special permit for sale of alcoholic beverages. Special permit shall be available for inspection by the Town at any time.
- The applicant shall assume full liability for all accidents or claims of accidents as a result of activities taking place at the special event and during the time the area is being readied for the event and while it is being cleaned up following the event. A copy of the insurance policy must be submitted to the Town Manager's office prior to the event. The policy is to be one of comprehensive general liability in the amount of not less than Three Hundred Thousand Dollars (\$300,000.00) for bodily injury per person and One Million Dollars (\$1,000,000.00) per occurrence and not less than One Hundred Thousand Dollars (100,000.00) for property damage per occurrence.
- The applicant will be responsible for the security or protection of any articles, items, merchandise, display tables, booths or other property owned by the applicant or others participating in the special event.
- Applicants must obtain any special use permits required by the Blowing Rock Fire Inspector, must comply with all applicable provisions of the North Carolina Fire Code and must at all times insure that all fire lanes in the area to be used remain unobstructed.
- Applicants must comply with all applicable Health Department regulations pertaining to the scheduled event.
- Applicants must comply with the requirements of the Blowing Rock Sign Ordinance.
- Applications must comply with any and all local, state, and federal laws pertaining to equal opportunity and should make every effort to make events accessible to the disabled public. In addition, applicants shall not deny access or a vendor's booth to any group based on national origin, race, religion, age, sex, or disability.

High Country Breast Cancer Foundation  
NAME OF NON-PROFIT ORGANIZATION

BRIEFLY DESCRIBE THE PURPOSE OF THE NON-PROFIT ORGANIZATION:  
The mission of the High Country Breast Cancer  
Foundation is to support breast cancer patients,  
survivors, and their families in the High Country  
of North Carolina

LIST ORGANIZATIONS OFFICERS:  
Irene Sawyer 614-928-6544  
TELEPHONE  
Joanie Venza 941-416-1676  
TELEPHONE  
Cindy Kovalcin 428-963-3800  
TELEPHONE

CHAIRPERSON OF THE SPECIAL EVENT:  
Irene Sawyer 614-928-6544  
NAME TELEPHONE  
P.O. Box 1029, Blowing Rock, NC 28605  
ADDRESS

*The undersigned Applicant is aware of the rules regulating the use of public places and parks for special events, and will abide with the same; and further understands that the Town of Blowing Rock will not be responsible for the security or protection of any articles, items, merchandise, display tables, booths or other property owned by the applicant or others participating in the special event. The undersigned Applicant agrees to reimburse the Town of Blowing Rock for the additional cost of providing police department and/or fire department personnel to supervise the event, including services rendered both before, during and after the event itself, to ensure the compliance with all laws and ordinance, to direct traffic and to promote the safety and welfare of participants and other citizens.*

1.11.2022  
Date  
Irene Sawyer  
President  
High Country Breast Cancer  
Non-Profit Organization Foundation

Approved by:  
\_\_\_\_\_  
TOWN MANAGER DATE  
DATE APPROVED BY BLOWING ROCK TOWN COUNCIL: \_\_\_\_\_

1. That the party of the second part hereby completely and unequivocally releases the party of the first part, the officials of the party of the first part, and all employees of said party of the first part, and their families, from any and all claims, damages, injuries or rights of action which the party of the second part may incur by reason of the special event being conducted by the party of the second part.
2. That the party of the second part hereby agrees to indemnify and hold harmless the party of the first part for any liability, injury or claim which may arise to the benefit of the party of the second part as a result of the special event being conducted by the party of the second part.
3. That the parties to this Release and Indemnity Agreement stipulate and acknowledge that there exists sufficient consideration for the execution of this instrument.

This the 11<sup>th</sup> day of January, 2022.

  
\_\_\_\_\_  
President

\_\_\_\_\_  
Witness



**Town of Blowing Rock**  
**Request for Council Action**

---

FROM: Jennifer Brown Director of Blowing Rock Parks & Recreation  
SUBJECT: 2022 High Country Walk/Run for Cancer  
TO: Town Council  
DATE: February  
REQUESTED BY: Irene Sawyer – High Country Breast Cancer Foundation

---

Public Hearing       Yes     No     Will be required  
Properly Advertised     Yes     No     Will be required

**BACKGROUND:**

We have received a request from the High-Country Breast Cancer Foundation, to hold their annual High-Country walk/Run for Breast Cancer Road race on Saturday, October 22, 2022.

It would begin at 9:00 am in front of the American Legion, and then return to the finish back at the American Legion.

Ms. Sawyer will coordinate activities with Parks & Recreation, Blowing Rock Fire & Rescue, and the Blowing Rock Police Department. A copy of their certificate of insurance will be provided prior to the event.

The Special Event Application was reviewed by all department heads before submitted to Town Council.

**ATTACHMENTS:**

1. Special Event Application



To: Shane Fox, Mayor Sellers, and Members of Town Council  
From: Nicole Norman, Finance Officer  
Subject: Budget Amendment Ordinance to Account for Various Items  
(Ordinance #2022-03)  
Date: February 8, 2022

---

Enclosed please find a Budget Amendment Ordinance for the fiscal year 2021-2022 for your consideration.

**Section 1 (General Fund)** allocates additional revenues received from occupancy taxes, recreation afterschool program fees, recreation rentals and sale of fixed assets towards line items currently exceeding budget or projected to exceed current budget levels including payment of occupancy tax disbursements to the TDA as projected through year end at this time. This section also allocates insurance proceeds towards PD vehicle repairs.

**Section 2 (General Capital Projects Fund)** allocates system/tap fees towards line items exceeding budget or projected to exceed current budget levels through year end.

Please let me know if you need further details on the proposed amendment.

**2021-2022  
Budget Amendment Ordinance 2022-03**

Be it ordained by the Town Council of the Town of Blowing Rock, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2022:

**Section 1. To amend the General Fund, the appropriations are to be changed as follows:**

<u>Acct. No.</u>		<u>Current Appropriation</u>	<u>Decrease</u>	<u>Increase</u>	<u>Proposed Appropriation</u>
10-00-4200-080	General Fund Engineering	\$ 20,000	\$ -	\$ 7,000	\$ 27,000
10-00-4200-503	Employee Recognition/Development	\$ 8,000	\$ -	\$ 3,500	\$ 11,500
10-10-4310-017	Maint./Repair Vehicles- PD	\$ 24,191	\$ -	\$ 4,926	\$ 29,117
10-00-4200-057	Miscellaneous	\$ 10,000	\$ -	\$ 9,000	\$ 19,000
10-00-4200-326	Occupancy Tax Expense	\$ 1,037,712	\$ -	\$ 953,950	\$ 1,991,662
10-10-4340-102	FD Emergency Paid Sick Leave	\$ -	\$ -	\$ 5,000	\$ 5,000
10-80-6100-135	Materials/Supplies- Afterschool	\$ -	\$ -	\$ 4,000	\$ 4,000
10-80-6100-056	Recreation Special Events	\$ 34,300	\$ -	\$ 6,000	\$ 40,300
10-80-6100-202	Recreation Seasonal Salaries	\$ 101,500	\$ -	\$ 7,000	\$ 108,500
10-10-4340-003	FD Overtime	\$ 36,900	\$ 5,000.00	\$ -	\$ 31,900
10-00-4200-004	Legal Services	\$ 35,000	\$ -	\$ 15,000	\$ 50,000
			<u>\$ 5,000</u>	<u>\$ 1,015,376</u>	

This will result in a net increase of \$1,010,376. in the appropriations of the General Fund. As a result, the following revenue will be increased.

<u>Acct. No.</u>		<u>Current Appropriation</u>	<u>Decrease</u>	<u>Increase</u>	<u>Proposed Appropriation</u>
10-00-3400-326	Occupancy Tax	\$ 1,604,199	\$ -	\$ 953,950	\$ 2,558,149
10-00-3400-335	Miscellaneous Revenue	\$ 32,016	\$ -	\$ 4,926	\$ 36,942
10-80-3400-375	Recreation-Afterschool Program Fees	\$ -	\$ -	\$ 12,074	\$ 12,074
10-80-3400-363	Recreation Rentals	\$ 10,000	\$ -	\$ 12,726.00	
10-00-3400-398	Sale of Fixed Assets	\$ 10,000	\$ -	\$ 26,700	\$ 36,700
			<u>\$ -</u>	<u>\$ 1,010,376</u>	

**Section 2. To amend the Water/Sewer Fund, the appropriations are to be changed as follows:**

<u>Acct. No.</u>		<u>Current Appropriation</u>	<u>Decrease</u>	<u>Increase</u>	<u>Proposed Appropriation</u>
30-91-7120-011	Water/Wastewater Plant- Telephone	\$ 6,000	\$ -	\$ 10,000	\$ 16,000
30-91-7120-004	Plant Ops.-Emergency Paid Sick Leave	\$ -	\$ -	\$ 3,500	\$ 3,500
30-91-7120-002	Plant Ops.-Salaries	\$ 276,526	\$ 3,500	\$ -	\$ 273,026
30-91-7120-203	Field Ops.-Overtime	\$ 4,100	\$ -	\$ 5,000	\$ 9,100
			<u>\$ 3,500</u>	<u>\$ 18,500</u>	

This will result in a net increase of \$15,000 in the appropriations of the General Capital Fund. As a result, the following revenue will be increased.

<u>Acct. No.</u>		<u>Current Appropriation</u>	<u>Decrease</u>	<u>Increase</u>	<u>Proposed Appropriation</u>
30-91-3400-374	Water System/Tap Fees	\$ 15,000	\$ -	\$ 7,500	\$ 22,500
30-91-3400-375	Sewer System/Tap Fees	\$ 25,000	\$ -	\$ 7,500	\$ 32,500
			<u>\$ -</u>	<u>\$ 15,000</u>	

**Section 3. Copies of this budget amendment shall be furnished to the Clerk to the Town Council and to the Finance Officer for their implementation.**

Adopted this 11th day of January, 2022.

Attested by:

\_\_\_\_\_  
Charles Sellers, Mayor

\_\_\_\_\_  
Hilari Hubner, Town Clerk

**Staff Report – Special Presentation – Resolution**

**To: Mayor Charlie Sellers and the Blowing Rock Town Council**

**From: Shane Fox, Town Manager**

**Subject: Special Item – Resolution – Dr. John Davis**

**Date: February 8, 2022**

**Request:** It has been requested by the Mayor and members of the Town Council, to honor former Blowing Rock Physician Dr. John Davis with a special resolution.

**Discussion/Proposal:** Dr. John Davis, former Physician that served the Blowing Rock community will be presented a Special Resolution by the Mayor on Tuesday Feb. 8, 2022 with the assistance of Dr. Bunky Davant.

**Attachments: Resolution will be read aloud on Tuesday night – not ready for packet**

**Staff Report –Regular Agenda Item**

**To: Mayor Charlie Sellers and the Blowing Rock Town Council**

**From: Shane Fox, Town Manager**

**Subject: Blowing Rock TDA Board Appointment**

**Date: February 8, 2022**

**Information:** The Town of Blowing Rock Tourism Development Board is comprised of a five members Board, one of which is a current seated Town Council Member. After the resignation of the prior TDA Council Member the seat has been vacant. The Town Council should appointment a new Member that will serve a 3-year term beginning immediately.

**Attachments:** None

**Staff Report –Regular Agenda Item**

**To: Mayor Charlie Sellers and the Blowing Rock Town Council**

**From: Aaron Miller, Chief of Police**

**Subject: Maple St**

**Date: February 8, 2022**

**Information:** Proposal to make Maple St one way from Main St. to Sunset Dr., based on the recommendation from Roger Brooks for better traffic flow.

**Attachments:** None



## Regular Agenda - Staff Report

**To: Mayor Charlie Sellers and the Blowing Rock Town Council**

**From: Shane Fox, Town Manager**

**Subject: Chetola Cofferdam Request**

**Date: February 8, 2022**

**Request:** Mr. Tarbutton is coming before the Town Council to respectfully request assistance in removing the soil and other debris that has collected in the stream and cofferdam area at the Chetola Resort. This is a following up request from the September 8, 2020, Regular Town Council Meeting in which the Council choose to table the topic until a future date.

**Background:** Please see the attached letter and documents from Mr. Tarbutton originally submitted as part of the September 8, 2020, meeting along with an email from Mr. Tarbutton received in late January 2022. You will also find attached the minutes from the September 2020 meeting for your review. Here is the body of the email received from Mr. Tarbutton on 1/27/2022:

*"Since September 2020, it has overflowed and dumped many cubic feet of soil into the lake, and we sure would appreciate some help from our town. Charles Taylor bid that at \$15 per cubic foot (today we charge \$18) and would remove one thousand cubic yards and put it into a large micro-filtering bag.*

*Dredging - \$15,000*

*Micro-filtering bag - \$4,431.60*

*Total - \$19,431.60*

*We are hoping that many from the town will come and take truckloads of soil away to their yards and gardens. And that would eliminate the expense of hauling and dumping. We will appreciate the council's consideration to help preserve this stormwater retention area that has served many as the backup water supply.*

*Best regards,*

*Kent"*

### **Attachments:**

1. Letter and packet of information from Kent Tarbutton, Chetola Resort (9/8/2020)
2. Minutes from the September 8, 2020 Town Council Meeting (page 2 and 3)



Gather Here.

To: Honorable Members of the Blowing Rock Town Council  
Subject: Chetola Storm Water Management & Emergency Water Supply  
Date: June 26, 2020

I come before the Council to respectfully request assistance in removing the soil and other debris that has collected in the stream that enters the property. The stream before the cofferdam by our entrance security hut is full and has reached the surface in several areas and no longer prevents soil from filling the Chetola Lake.

There is a good bit of history in the Town's use of this private lake that several of you may not know. I thought it might help to realize the value of Chetola Lake in assisting in your final decision.

In 1998 during a severe 3-year drought, JB Lawrence, as the Mayor, contacted me with an urgent request to pump water from our lake to provide for the Town's immediate need. At that time, I signed a one-year contract to remove all the water that they needed to get us all through the crisis without any remuneration.

Though that contract expired the following year, we continued to allow the Town to take water as needed for the next two decades. A large pump was placed at our dam and we had our own construction team fence around it to hide its presence and sound from our guest fishing on the lake.

In 1999 the Town attempted to get the State's approval for a new water source and ask Chetola to join in the request. I wrote the letter dated June 23, 1999 (attachment 1.)

Many years later, I had to have a full breach dam study done to prove that our lake was not a high-risk dam to the State. In the data collected for that study, the army corps determined that 84% of the Town's stormwater runoff came through Chetola Lake, where the soil and other debris settled before the water continued downstream over the dam.

Over many years the lake filled with debris and eventually got to an average depth of 2 to 3 feet. On November 29, 2013, I wrote to the Mayor and Council (Attachment #2) and gave an estimate for the cost of the dredging and removal of the debris (\$175,000) that later proved to be far less than the actual price would be. In that letter, I proposed seven terms to be considered.

Wisely, the Town Manager asked that I get actual bids for the Town to consider. I met with him after receiving two formal bids from JW Hamptons and USAqua Vac, Inc. with Darren Moretz Backhoe Service doing the hauling (\$632,305 and \$578,014 respectively) Stunned by the cost he asked that I try to find a third bidder in hopes of reducing the cost. As I researched, I did not find a lesser bidder but eventually concluded that Chetola could buy a small dredge and train a team of our staff to operate it. That allowed us to reduce the price of dredging Chetola Lake while increasing the amount of soil removed from three to an average of seven feet.



Gather Here.

On June 5, 2014, I wrote to Town Manager Scott Fogleman (attachment #3) with the two outside estimates we had received along with our proposal. I asked the Town to contribute 84% of the estimated cost (\$229,929) to help with removing the soil and then hauling it off. I recall telling the Council that I felt that they should help us since the soil came in from the Town, and our lake removed it, and then without charge gave all the water needed back to the Town.

The Town Council decided they would expend \$200,000 to help. Chetola (and its homeowners) paid the additional \$73,725. No profit was made by Chetola on the project, but the lake was dredged successfully under the contract the Council and Alan Mosely prepared, and Chetola agreed to. I believe it was the right thing to do, and I appreciate the Town negotiating with us on three separate occasions to come to an equitable agreement.

When considering Johnnie Lentz (then Blowing Rock Public Works Director) stated that over the twenty-plus years, the Town drew over 750,000,000 gallons from Chetola Lake. At the current posted Town of Boone water consumption rates of 20,000 gallons outside city limits at \$14.30, that equates to a savings of around \$536,250 without connection and pipeline fees. We believe it was a win for all concerned

Now that the stream coming from the Town into Chetola Lake has been filled with debris again, new incoming soil has nowhere else to be collected before it spills over the cofferdam into the lake. As it fills the lake, it is much more difficult and expensive to remove. As Chetola Lake fills with the stormwater sent from Blowing Rock, it reduces the amount of stormwater detention area as well as the emergency water supply that we can all count on in the future. I have attached a couple of photos of that area (Attachment #4.)

One hundred percent of this fill is coming from the Town's stormwater. As general runoff increases from construction, and the increase of buildings and paved areas in the village, it further diminishes the capacity for remaining areas to absorb the water. Today Chetola Lake handles more and more of the Town's stormwater needs.

On May 26, 2020, our Maintenance & Dredge Manager Charles Taylor sent me the cost of removing the soil that has accumulated in the stream bed before the cofferdam (attachment #5.) I ask that the Town Council contribute the \$19,431.60 so that Chetola Lake will continue to provide the necessary depth to provide good stormwater retention and be an adequate source for future emergency water supply needs.

I appreciate your responsible and fair consideration.

Sincerely,

Kent Tarbutton  
Managing Member



Attachment  
# 1

6/23/99

Region D Council of Governments  
Appalachian Regional Commission

To Whom It May Concern,

As a business and homeowner in the town of Blowing Rock, North Carolina, I wanted to express my concerns for the current and future need for an adequate new water supply for our community.

I am the proprietor of Chetola Resort, which is a 78 acre complex with 204 condominiums, a 42 unit hotel, two restaurants, a pub and a recreation center. Chetola employees 156 individuals from this area, not including numerous independent contractors and firms that lend support services.

We currently are building 18 pre-sold condominiums, with another 56 units already approved for development by the town. In addition, we will shortly be proposing an addition of 50 more hotel rooms and a new conference center.

Chetola's growth is very representative of what is occurring in this area of Watauga County. With well over 2,000,000 visitors per year, the county commissioner stated in 1997 that on any given day the county host 20,000 visitors. Blowing Rock is one of the prime communities in this area experiencing tremendous growth by both vacationers and business groups. Added to this, is the tremendous surge of secondary and retirement home buyers. This has been a determining factor in the achieving one of the lowest unemployment rates in the Western Carolina Mountain Region.

Starting in the mid 80's through 1997, Chetola Resort sold on average four to five new condominium units per year. Last year we sold 22 units and have sold 18 more in the first six months of 1999.

This growth does not happen without taxing the infrastructure of the township. This was easily seen during the drought last year, which appears to be coming around again to haunt us this summer. As I write this letter, our water table is down one foot and we have yet to see the great surge of tourist and homeowners that are just now beginning to arrive. Their arrival coincides with this areas warmest weather and time of least rainfall.

In 1997 the situation became critical and Mayor J.B. Lawrence informed me that we were within ten days of completely running out of water. This was merely a temporary solution, as we continue to grow at a robust rate. The township wisely considered the growth and the need for a new reliable and adequate supply of water. Their efforts have led the town to request a grant to make it possible to divert water from the Middle Fork of the New River.

I write to you today to encourage your support for this grant. Without proper funding for this proposal, our present water system will not be capable of fulfilling current demand. With the placement of a new water intake in the Middle Fork of the New River, Blowing Rock will have a reliable source of water for years to come.

Thank you for your serious consideration of this matter.

Sincerely,

Kent Tarbutton



ATA Chment  
#2



P.O. Box 17, 500 Main Street, Blowing Rock, North Carolina 28605, [www.chetola.com](http://www.chetola.com)

November 29, 2013

To The Honorable Mayor J.B. Lawrence and Blowing Rock Town Council,

I appreciate the time you have devoted to evaluate the long standing partnership between the Town of Blowing Rock and RSK Mountain Resort, L.L.C. d/b/a Chetola regarding Chetola Lake serving as an emergency water supply source for the water customers of the Town of Blowing Rock.

In the year 2000, Chetola Lake became the Town's back up water supply during three years of severe drought and has remained a water source ever since. The Town of Blowing Rock approved a one year agreement with Chetola allowing for the Town to install a large pump at the dam site and add a telephone pole to carry the power. Though the contract was never renewed, the need persisted and so the pump has remained.

Nine years later on September 6, 2009, I sent the Town Manager and Council a letter regarding the cost of retaining and cleaning the storm water and then providing the water to the town. In that letter I talked about Chetola removing 240 dump truck loads of silt at a cost of \$9,280.00 . I called Don Hollycross and told him that we intended to cover the entire cost of the removal, but needed assistance in finding a place to apply all this wet topsoil. Don said he would check around, but he never responded back.

I also wrote about the erosion that had occurred along the Lake's banks from where storm water was pouring into the lake during heavy rains. The erosion had also occurred from the Town's pump, which by draining water away from the banks and allowing it to refill and repeating the cycle over and over again had destabilized the banks. The Town staff is aware of the project we did in 2007 to shore up the most damaged areas where some eight feet of shore line had been lost over the last seven years. This project added back three to five feet of shoreline using large boulders, matting and soil at a cost of approximately \$15,250.58.

I asked for assistance with both the removal of the silt and finding a suitable place to put it back then and now some four years later we need to remove a minimum of 3 feet of sediment to get back to an average depth of a bit more than 5 feet. We estimate that to be somewhere around 3,600 dump truck loads. The estimated cost of the removal is \$175,000 (\$165,000 for dredging and an estimated \$10,000 for silt disposition).

The Town Council and Staff have made two offers of financial assistance over the last two years and I appreciate the effort to be fair for the Town and it's residents using the resources the lake provides. After discovering the real cost of the endeavor, I have come back to ask that you might reconsider the benefits provided to the Town of Blowing Rock and its utility customers over the years.

In order for Chetola Lake to continue performing satisfactorily as an emergency water supply source, the depth of the lake must be restored to a minimum depth of 5 feet. In recognition of the extremely strong community partnership between the Town of Blowing Rock and Chetola in the past and its continuance, Chetola proposes the following seven items, that if agreed to by the Blowing Rock Town Council, would be incorporated into an official agreement between the Town of Blowing Rock and RSK.

- 1) That the Town of Blowing Rock compensate RSK for the availability and use of Chetola Lake in the past as an emergency water supply source. The availability has been in place since the year 2000 when the Town installed a pump for the purpose of transferring water to the Town's reservoir in times of drought. The



amount proposed is \$175,000.00 (one hundred seventy-five thousand dollars). When looking at the cost that the Town would have had to pay through the previously unavailable interconnected water line with the City of Boone, utilizing Chetola Lake was a less expensive solution. By our calculations, just one hundred million gallons of water from Boone, had it been available, would have cost around \$281,692. As it turns out, Chetola Lake has provided the Town with far more than that. With over 500 million gallons provided to date, the Town of Blowing Rock utility customers have saved around \$1.4 million. Chetola is not trying to make a profit from any of this. The \$175,000 figure represents the estimated costs of dredging Chetola Lake to an average depth of five feet and the related silt disposition so Chetola Lake can remain a viable emergency water supply source for the Town of Blowing Rock.

- 2) That RSK be responsible for completing the dredging of Chetola Lake and related silt disposal within twelve months of the date of this agreement such that an average depth of five feet is provided in Chetola Lake to extend the life of Chetola Lake as an emergency water supply source for the Town of Blowing Rock.
- 3) That the Town of Blowing Rock and RSK agree to determine within one year of the date of this agreement a mutually agreeable annual payment to be made from the Town of Blowing Rock to RSK to be determined based on the actual costs to dredge Chetola Lake, remove and dispose of the resulting silt from Chetola Lake, and to clean the debris from the entrance to coffer dam near the entrance to Chetola . This dredging, silt removal, and coffer dam clearing of debris will occur within twelve months of the date of this agreement. This annual payment, proposed to be amortized equally over the projected life of the newly completed dredging and to include the annual costs of clearing the entrance to the coffer dam, will first be paid before the end of fiscal year 2015 (the fiscal year ending June 20, 2015). This amount will compensate RSK for its ongoing responsibility to maintain Chetola Lake at an average annual depth of four feet so that it will continue to have capacity to serve as an emergency water supply for the Town of Blowing Rock. This amount will also include the annual costs necessary to clear the headworks of the coffer dam leading into Chetola Lake. This clearing of debris has been deemed an integral part of reducing the amount of silt and debris entering the lake, thus reducing the frequency needed for dredging.
- 4) That the Town of Blowing Rock will assist RSK in determining a location for the disposition of silt removed from Chetola Lake that will allow it to continue serving satisfactorily as an emergency water supply source. The financial responsibility for silt disposition will rest with RSK.
- 5) That RSK grant a perpetual right-of-way and easement to the Town of Blowing Rock to operate, use, maintain, repair and replace an existing water intake line from Chetola Lake used to transfer water to the Town Reservoir
- 6) That the Town of Blowing Rock shall have the right to utilize the supply line upon an "as needed" basis as determined solely by the Town of Blowing Rock.
- 7) That agreement on the above points does not interfere with RSK's ability to use the Lake for storm water management for other properties.

Thank you for your careful consideration of our offer to reach an equitable agreement.

Sincerely,



Kent Tarbutton  
Managing Member RSK Mountain Resort, L.L.C.



Attachment  
#3



P.O. Box 17, 500 Main Street, Blowing Rock, North Carolina 28605, 1-800-Chetola, www.chetola.com

Mr. Scout Fogleman  
Blowing Rock Town Manager  
P.O. Box 47  
Blowing Rock, NC 28605

06/05/2014

Dear Mr. Fogleman,

I appreciate the time you and the Council Members have devoted to consider the emergency water supply and storm water management for the Town of Blowing Rock and its impact on Chetola Lake.

As you know Chetola Lake receives 84% of all the storm water runoff from the Towns many streets (according to the engineering study done by William Smith PE of Subsurface Engineering, Charlotte, NC and the Army Corps of Engineers). As Blowing Rock has continued to grow over the last couple decades the buildings and roadways permitted have decreased the amount of water absorbed by the earth, and so the lake sees a lot more of the water, top soil, leaves and debris that flows through Town. Now the average depth is a little shy of two feet and so we must consider digging out all that silt that has accumulated over many years.

Erosion has also impacted the Lake's banks as storm water races into the lake during heavy rains. As the Town's water pump is turned on to relieve drought situations over the years, the quick draining and then gradual refilling of the lake has also eroded the shoreline. Kevin Rothrock and the Town staff are aware of the project we did in 2007 to shore up the most damaged areas where some eight feet of shore line had been lost over the last seven years. This project added back around five feet of shoreline using large boulders, matting and soil at a cost to Chetola of \$15,250.58.

Last year the town saw an unusually large amount of rain in two 'hundred year floods' that taxed the various storm water retention areas of our community and as many systems failed the lake at Chetola saw much more soil and debris than is typical. As you are aware the small coffer dam near our entrance welcome center captures a lot of the soil when the water is flowing slowly, but during periods of heavy rain the water is moving so quickly for much soil to drop out at this catch basin.

Since the year 1998 Chetola Resort has voluntarily been the Town of Blowing Rocks emergency water supplier. It began in three terrible years of drought when the Mayor called to inform us that in less than a week's time the town reservoir would be completely empty. For the last 14 years Chetola Lake has been used to assure the citizens of Blowing Rock that an uninterrupted supply of good clean water would always be available.

We have had several conversations with the members of the Council individually and two of them have requested that Chetola give assurances to the Town of our willingness to continue offering this lake for future emergency water needs. We are amenable to entering into an arrangement with the Town of Blowing Rock to make this happen.

*Creating Great Appalachian Memories With Southern Hospitality & Superior Care.*



In looking towards the Town's future I am pleased that you and the Council have been considering various methods and approaches to maintaining a good storm water management system as well as a reliable emergency water supply.

I write today on behalf of RSK Mountain Resort, L.L.C. (dba Chetola Resort), to ask for assistance with removal of the many years of the silt that has accumulated. At its current shallow depth it will not be able to serve much longer as either a back up water supply or a storm water retention area.

In this regard we have attached three bids for the work.

The first from J.W. Hampton Company is the quickest, but most expensive coming in at \$632,305.00. This involves draining the lake down and shoveling out the wet mud with a large Cat 315 and hauling away approximately 40,000 cubic yards of mud in ten dump trucks.

The second bid from U.S. Aqua Vac would take about 5 months to complete but came in at \$508,289.00 for the dredging and another \$69,725.00 for Darren Moretz Backhoe Service to haul it off. This total of \$578,014.00 was still a lot more than we ever expected the cost to be. This service uses a floating dredge to pump the mud into hundred foot long silt retaining fabric bags that would slowly filter the released water and over several months dry the soil, reducing the amount that would need to be hauled off.

After much investigation we have created a much more economical solution, by using our own maintenance staff at Chetola Resort to do this work and cut out the middle man profits. We have found a receiving site for the dry soil and indentified a hauler and find that we can do this job saving a great deal of money. We will remove the required 3 feet of soil from the eight acre Chetola Lake for \$273,725.00.

So with due respect, I am requesting that the town consider the following;

1. Reimburse RSK Mountain Resort for 84% of the cost (\$229,929.00) of removing approximately 3 feet of silt from the lake to attain an average depth of 5 feet. Though we would like to see this paid in full, we would be willing to front the funds and ask for half the payment this year and would finance the other half into 2015 at 5% interest.
2. Annually reimburse RSK Mountain Resort for 100% of the cost (typically \$15,000) of soil removal from the stream bed above the coffer dam by the entrance to the Resort which all comes from the Town's storm water runoff.
3. Agree to start an annual fund indexed to inflation to assure the Lake at Chetola remains at a depth no less than 5 feet. Currently we believe that the work will need to be done again in approximately 3-4 years since the DOT project is adding so much sediment currently. After the roadway expansion project is complete, we believe that it will likely only be done once ever 8-10 years.

In order for Chetola Lake to continue being a great emergency water supply, storm water retention area for the Town of Blowing Rock and maintain a healthy lake environment, this work must be done this year.

Thank you for your careful consideration of our request.

Sincerely,



*Creating Great Appalachian Memories With Southern Hospitality & Superior Care.*



3632 Old 421 South  
 Boone, NC 28607  
 Phone: (828) 264-7103  
 Fax: (828) 264-7107

3/5/2014

Chetola Lake Excavation Wasted at Eco-Ventures

Bid Stewwork Items:

	Quantity	Unit	Unit Cost	Sub Total	Total Cost
1 Mobilization	1	ls			\$7,000.00
2 Erosion Control					\$50,305.00
a silt fence	6,000	ft			
b wattles	100	ft			
c construction entrance	4	ls			
d Non-woven Fabric	2	rolls			
e Class A Stone (3" Clean)	320	tn			
f Class B Rip Rap	85	tn			
g ABC non-spec Stone	320	tn			
h 57 Stone	64	tn			
i daily roadway cleanup	1	ls			
					\$557,000.00
3 Grading					
Lake Excavation Area					
a. Cat 315	430	hrs			
b. Ten Dump Trucks	4,300	hrs			
c. 1 laborer	430	hrs			
d. Long Boom	50	hrs			
e. Skid Steer	30	hrs			
f. JD 700 Dozer	300	hrs			
Waste Pit					
a. JD 700 Dozer	430	hrs			
b. Waste Pit Permit Extension	1	ls			
					\$7,000.00
4 Reclaiming Access Roads on Chetola Property					
Lake Excavation Area					
a. Cat 315	20	hrs			
b. One Dump Truck	20	hrs			
c. 1 laborer	20	hrs			
d. JD 700 Dozer	20	hrs			
					\$10,000.00
5 Seeding and Mulching					
a. Seeding and Mulching	5	ac			
					\$631,305.00

TOTAL = \$631,305.00



**U.S. Aqua Vac, Inc.**

16067 Colorado St  
 BLDG # 2  
 Hebron, IN 46341

# Estimate

**Phone:** 866-989-6825      info@usaquavac.com  
**Fax:** 708-887-5521      www.usaquavac.com

**Estimate Date:** 3/27/2014  
**Estimate #:** 923078

**Bill To:**

Chetola Lake Resort  
 Kent Tarbutton  
 500 Main St.  
 Blowing Rock, NC 28605

REP	TH
-----	----

Project:	
----------	--

Item	Description	Est. Days/Qty.	Rate	Total
Survey	Before sediment removal bathametric survey	1	3,500.00	3,500.00
(B) Lake / Pond Cleaning	Removing muck, sludge, & silt from waterway with small boat	37,000	11.85	438,450.00
USAV 60100 Muck Bag	28 x 100 Muck / Silt Bag	11	5,349.00	58,839.00
Survey	After sediment removal bathametric survey	1	3,500.00	3,500.00
Silt fence / Curtain	Type 1 heavy duty silt curtain to ensure sedpended solids do not move into sediment removal area while pumping  Based on a per cubic yds	8	500.00	4,000.00

Estimate is to remove muck / sludge / silt / sediment. No heavy sands.

	\$508,289.00
<b>(0.0%)</b>	<b>\$0.00</b>

Work will be done with a high volume U.S. Aqua Vac Vacuum or Pump removing muck, sludge, silt, and sediment over 1600 gallons of muck per minute.

Estimates are valid for 30 days, unless indicated otherwise.

**Total** \$508,289.00



Darren Moretz Backhoe Service

225 Tom Jackson Road  
Boone NC 28607

**Bid**

Date	Bid #
3/25/2014	1

Name / Address
Chetola Resort Kent Tarbutton

			Project
Description	Rate	Qty	Total
Load and haul away silt, muck, etc. from 12 100' x 28' x 6' bags filled by dredging Chetola Lake. Dispose of used bags. Clean up area where bags are filled.	69,725.00	1	69,725.00
<b>Total</b>			\$69,725.00

Phone #
828-964-1006

ATTACHMENT  
# 4

# Stream Leading to the Coffey Dam at Chetola Resort







Attachment  
#5

**kentt@chetola.com**

---

**From:** Charles Taylor <charles@chetola.com>  
**Sent:** Friday, June 26, 2020 9:35 AM  
**To:** kentt@chetola.com  
**Subject:** Sediment Removal Need for Stream Coming from Blowing Rock

Kent,

As we discussed on the phone this morning we need to consider doing some dredging right here at Chetola. The area I am most concerned with is the forebay area by Security. That area has washed full and is almost up to the level of the dam all the way across. There are parts of that area that are already above the water.

I looked at this and feel that we can get our dredge in the water. Using our dredge we will be able to get much farther up the stream, go all the way across to the other side and remove more material than we could with an excavator. We would have to use a bag for the project. Placement of the bag would be on the point about 40 yards behind the aerator controls. The bag would actually be at a lower elevation than the work which would mean no booster pump and will be a change from past projects. One bag would allow us to remove roughly 1,000 yards of material. After looking at it I am pretty sure there is more than 1,000 yards to be removed from that area. The per yard price for dredging based on our most recent calculations is \$15. That would put the cost of dredging approximately 1,000 yards at \$15,000 and the bag at \$4,431.60. The total would be \$19,431.60.

I have not done any measurements or estimates on the second area I am concerned about. That is the area immediately downstream of the dam by security. You can probably see what I am referring to from your office. Dredging that before the area above the dam is addressed would, however, be a waste of time and money.

Thank you,

Charles Taylor

Maintenance & Property Management Director  
[charles@chetola.com](mailto:charles@chetola.com)  
(828)295-5518





**MINUTES**  
**Town of Blowing Rock**  
**Town Council Meeting**  
**September 8, 2020**

The Town of Blowing Rock Town Council met for their regular monthly meeting on Tuesday, September 8, 2020 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, Public Works and Utilities Director Matt Blackburn and Town Clerk Hilari Hubner who recorded the minutes. Others in attendance via Zoom virtual/phone session were Town Attorney Allen Moseley, Town Engineer Doug Chapman, Fire Chief Kent Graham, Police Chief Aaron Miller, Planning and Inspections Director Kevin Rothrock and Parks and Recreation Director Jennifer Brown, 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**

Mayor Pro-Tem Sweeting made a motion to approve the minutes from the August 11, 2020 regular session minutes, seconded by Council Member Powell. Unanimously approved.

Council Member Sweeting made a motion to approve the August 11, 2020 closed session meeting, seconded by Council Member Harwood. Unanimously approved.

**REGULAR AGENDA ADOPTION**

Council Member Matheson made a motion to adopt the agenda as presented, seconded by Council Member Powell. Unanimously approved.

**CONSENT AGENDA**

**1. Patricia Aiken Annexation Request – 352 Heather Ridge Lane**

Patricia Aiken submitted a petition of voluntary satellite annexation with the intent to connect to Town sewer for Council consideration. **Aiken Annexation - Attachment – A1 and A2**

**2. Wonderland Drive Speed Limit Consent – NCDOT**

At the request of local residents on Wonderland Drive, the NCDOT is requesting permission from the Town of Blowing Rock to enact a 25 mile-per-hour municipal speed limit. **Wonderland Drive Speed Limit Consent NCDOT - Attachment - B**

### **3. Budget Amendment - #2020-09**

Budget Amendment to account for various items. **Budget Amendment #2020-09 - Attachment - C**

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

### **SPEAKERS FROM THE FLOOR**

Mr. Tim Gupton read a letter via Zoom on behalf of the Blowing Rock Civic Association regarding the EMS Service. Mr. Ron Curtis read a letter via Zoom on behalf of the Blowing Rock Country Club regarding EMS Service. Mayor Sellers read letter from Mr. Bob Greene regarding vehicle noise on Hwy 321.

### **PRESENTATION**

#### **1. Middle Fork Greenway**

Mr. Keith Pugh from WithersRavenel did a PowerPoint presentation via Zoom. **Middle Fork Greenway Presentation - Attachment - D**

### **BUSINESS MATTERS**

#### **1. Chetola Lake – Dredging Request**

Manager Fox advised Mr. Kent Tarbutton from Chetola Resort, would like to respectfully request assistance from the Town in the removal of soil and other debris that have collected in the stream and cofferdam area at Chetola Resort.

Mr. Tarbutton gave a brief background of the Town's use in the past of Chetola Lake when needed. He explained that in 1998 during a severe three-year drought, then Mayor JB Lawrence made an urgent request to pump water from Chetola Lake to provide for the Town's immediate need. At the time there was a one-year contract to remove all the water the town may need to without remuneration. Mr. Tarbutton further explained after the contract had expired, they have allowed the town for two decades to take water as needed.

Mr. Tarbutton advised over the years the lake has filled with debris coming from stormwater from the Town. Chetola has had to dredge the lake in the past and most recently in May of 2020. Mr. Tarbutton further advised he would like to request the Town consider reimbursing Chetola for \$19,431.60 for the cost of dredging in the '21-'22 Budget.

Council Member Powell advised she wasn't comfortable committing a large expense against the '21-'22 budget with the current pandemic. She explained the unknown of what could financially happen before it's over is the main reason she isn't comfortable.

Council Matheson advised he felt this wasn't something Council had budgeted for and the Town has had so many things have that have popped up this year. He explained the

Town has frozen all unnecessary spending and been as conservative as possible not knowing what the future holds. He advised he would like Council to consider discussing this at the Winter Retreat and then decide how to proceed.

Council Member Yount advised he would compromise with anything except not doing anything ever.

Mayor Pro-Tem Sweeting advised Chetola has been a good neighbor and during a heavy rainstorm water does end up there and she felt the Town needs to be good neighbors as well.

Council Member Harwood advised he concurred with Mayor Pro-Tem Sweeting that Chetola has been an excellent neighbor. He further advised he would like to ask Manager Fox, Town Engineers and Staff between now and winter retreat look things that would give Council an opportunity to be informed in terms of what we are looking at with storm water and what are major contributors of that. He explained he would like to have knowledge for more of a pro-active stance on addressing the issue.

Council Member Matheson made a motion to table the discussion until the Council winter retreat to discuss further, seconded by Mayor Pro-Tem Sweeting. Unanimously approved.

## **2. 321 Valley Blvd. Update**

Planning Director Kevin Rothrock gave an update of the Hwy 321 Valley Blvd. He advised since the August Council meeting the committee met with Planning Board during which time the Planning Board developed a sub-committee to study the issues and come up with a solution. Mr. Rothrock gave reviewed what the sub-committee has been discussing during their meetings.

Mayor Pro-Tem Sweeting thanked Mr. Rothrock for his work. She explained Council has been discussing stormwater run off and wanted to know if there was a committee that had been looking at that issue. Mr. Rothrock advised that had been sent over to McGill and he would follow up with Town Engineer Doug Chapman.

Mayor Pro-Tem Sweeting asked if they would be involving the Blue Ridge Conservancy as partner. Mr. Rothrock advised he would. She further asked if he had a targeted completion date. Mr. Rothrock advised he hoped to be done before winter retreat.

Council thanked Mr. Rothrock for his hard work.

## **OTHER BUSINESS**

- Mayor Sellers – thanks to the Department Heads. Very busy weekend, some water main breaks, had some unfortunate tragedy's in our community and expressed his condolences to the families. The ribbon cutting for Memorial Park playground was

this afternoon prior to the Council meeting and thanked all involved in making that project happen.

- Council Member Yount – None
- Council Member Harwood – Appreciated the Civic Association putting the ambulance service back into the forefront, felt it's important and worth talking about it. He wanted to also say to the other side of that, the Town has one of the best and most equipped and most qualified first responders in the state. Thought that it may be good to include something along those lines in the Town Newsletter. The playground was exactitude flawlessly and thanked Parks and Rec staff and the committee. He advised not only is it beautiful and a great addition, it's going to be a huge economic driver to the community.
- Mayor Pro-Tem Sweeting – thanked all emergency services for their hard work during a difficult weekend. She also thanked Public Works for their hard work on a major water leak.
- Council Member Matheson – echoed the other Council Members in thanking emergency service and Public Works for their work over the weekend. He advised he had spoken with a few individuals to work on getting broad band in Town to help with the kids accessing internet for school.
- Council Member Powell – Asked if there was an update on when the tax bills will be going out. Manager Fox explained there has been a software issue with the county conversion and should be resolved soon.
- Manager Fox – Thanked staff for all the hard work over the weekend with various issues that occurred. Chestnut Drainage is well underway, and they are making great progress. The crosswalks for Main Street will be discussed at the October meeting. The bulk tanks bid package was sent out and will be on the October Agenda.

Council took a ten-minute recess at 7:30 p.m. before.

### **EXECUTIVE SESSION**

At 7:40 p.m. Council Member Harwood made a motion to go into executive session *NCGS 143-3 18.11. (a)(3) – Attorney/Client update on current litigation*, seconded by Mayor Pro-Tem Sweeting. Unanimously approved. No action was taken.

### **ADJOURNMENT**

At 8:15 p.m. Council returned to open session, with no further business Council Member Powell made a motion to adjourn, seconded by Council Member Matheson. Unanimously approved.

**MAYOR** \_\_\_\_\_  
**Charlie Sellers**

**ATTEST** \_\_\_\_\_  
**Hilari Hubner, Town Clerk**



**Attachments**

**Aiken Annexation - Attachment – A1 and A2**

**Wonderland Drive Speed Limit Consent NCDOT - Attachment – B**

**Budget Amendment #2020-09 - Attachment - C**

**Middle Fork Greenway Presentation - Attachment - D**