

MINUTES

Town of Blowing Rock Board of Commissioners July 8, 2008

The Town of Blowing Rock Board of Commissioners met in regular session on Tuesday, July 8, 2008 at 7:00 p.m. The meeting took place at Town Hall, 1036 Main Street. Present were Mayor J.B. Lawrence, Commissioners Bobby Ball, Keith Tester, Phillip Pickett, Albert Yount, and Tommy Klutz. Others in attendance were Town Manager Scott Hildebran, Town Attorney Allen Moseley, Town Engineer Doug Chapman, Planning Director Kevin Rothrock, Public Works Director Johnny Lentz, Police Chief Eric Brown, Finance Director Nicole Norman, Parks & Recreation Director Jennifer Brown, EMS Director Kent Graham, and Town Clerk Sharon Greene.

CALL TO ORDER

Mayor Lawrence called the meeting to order at 7:00 p.m. and welcomed those in attendance.

APPROVAL OF MINUTES

Upon a motion received by Commissioner Tester, minutes for meetings held on June 10, 16, and 30, 2008 including Closed Session Minutes were approved as written, seconded by Commissioner Ball. Unanimously approved.

OLD BUSINESS

1. Drought Update

Town Manager Hildebran advised even though the extended 3-month forecast showed improvement he recommended the Town remain in Stage I Voluntary Conservation as the reservoir is down 14 inches.

It was consensus of Council to remain in Stage I Voluntary Conservation as recommended.

NEW BUSINESS

1. Hanna Family Trust – CUP #2008-02 Minor Amendment

Planning Director Rothrock presented Council with a request from The Hanna Family Trust for a minor amendment to CUP 2006-02 to remove the required loading zone for the project at the former Snips parking lot in exchange for two (2) permanently designated parking spaces for the tenants/employees of the Hanna Building. According to Mr. Rothrock, staff recommended two designated parking spaces be offered as a substitute for the loading zone if Council agreed. There are currently three (3) parking spaces on the Snips lot designated for use by the apartment tenants of the building. He advised the requirement of the

loading zone was listed as condition No. 12 of the CUP approved on May 9, 2006.

Town Manager Hildebran spoke regarding the impracticality of having a loading/unloading zone in that area.

Commissioner Ball inquired if the Snips building was renovated and possibly turned into a shop, would there be adequate parking then. Mr. Rothrock stated the building was in need of extensive work. Mr. Bill Dixon, Hanna Family Architect agreed with Mr. Rothrock stating it was his opinion the building was beyond repair.

Commissioner Pickett felt if the loading area was not used it should be done away with. Mayor Lawrence concurred.

Audience member Andy Whatley approached Council stating if the amendment was approved, it would not be in compliance with the Town Code.

Town Attorney Allen Moseley reviewed the Town Code pertaining to this matter and interpreted this amendment to be within the legal parameters of the code. Town Manager Hildebran also advised the spaces to be added were in excess of what was required and Hanna Family Trust had paid into the parking fund.

Commissioner Tester asked Mr. Moseley if the Town Code allowed for any flexibility in reference to the loading zone. Mr. Moseley stated if the area was overburdened, impractical, etc. it would be legal grounds for Council to allow an amendment.

Mr. Michael Trew of Municipal Engineering advised the owner requested relief from this requirement because it was not logical. He also advised the owner had agreed to exchange two more spaces with the Town but would like to be relieved of this stipulation completely.

Commissioner Tester questioned if the loading zone was turned to parking spaces and these spaces were attached to other property, he questioned how this would free up spaces for public parking. Mr. Hildebran responded the spaces could be used by tenants of the Hanna building instead of them parking along Main Street.

Commissioner Pickett made a motion to approve CUP #2006-02 as presented, seconded by Commissioner Klutz. Unanimously approved.

CUP #2006-02 Minor Amendment Hanna Family Trust – Exhibit A

1. Settlement of 2007 Property Taxes/Charges of 2008 Property Tax Collection

As required by N.C.G.S. 105-373, the Tax Collector submitted the annual settlement report for the 2007 property taxes for Council's review.

Also pursuant to G.S. 105-321(b), an Order of the Town Board for the Collection of Fiscal Year 2008-09 Property Taxes was presented for approval.

Town Manager Hildebran commended the Tax Collector on the collection rate for property taxes.

With no further comments, a motion was made by Commissioner Tester seconded by Commissioner Ball to accept the Settlement of 2007 Property Taxes and Charge for 2008 Property Tax Collection. Unanimously approved.

**Settlement for FY 2007-2008 Taxes – Exhibit A
Order of Collection for 2008-09 Taxes – Exhibit B**

2. Budget Amendment (Ordinance #2008-10)

Town Manager Hildebran presented budget amendment Ordinance #2008-10 for fiscal year 2008-2009 to Council for their approval.

Section one on the General Capital Projects Fund was to create a new line item in which to allocate revenues received or committed from the Rotary Club, Watauga County and the BR Breakfast Club for the Robbins Pool Project as well as interest earned.

This section would also set up a line in which to close out the old Parks & Recreation Building Repair Project.

With no further discussion, Commissioner Pickett made a motion to approve Ordinance #2008-10 as presented. The motion received a second from Commissioner Ball. Unanimously approved.

Ordinance #2008-10 – Exhibit D

SPEAKERS FROM THE FLOOR

Mr. Jim Burgess owner of Gems by Gemini located in the Martin House Properties on Main Street approached Council regarding a recent shoplifting incident at his place of business. He commended Lt. Dennis Swanson of the Blowing Rock Police Department for the thorough job he did while responding to the complaint. However, Mr. Burgess felt more manpower was needed along Main Street and asked Council for their support regarding this matter.

Mrs. Libby LaMotte of 961 Dogwood Lane addressed the town noise ordinance. Mrs. LaMotte stated her neighborhood was experiencing problems with construction noise that began early each morning, including Sundays and holidays. Mrs. LaMotte stated she understood their need to work but asked if

something could be done in order for the construction to begin later on Sundays as well as holidays.

Council agreed the noise ordinance should be further reviewed in reference to this type situation. Planning Director Rothrock stated if Council wished, a recommendation could be made and sent to the next Planning Board meeting for their review and then a public hearing could be held later.

Commissioner Ball felt the noise ordinance should not allow this type work to be done on Sundays at all. Mayor Lawrence stated presently the ordinance allowed work to begin at 7:00 a.m. until 9:00 p.m. each day and he felt the beginning time should be changed to later on Sundays and holidays. It was consensus of Council to request the Planning Board review the noise ordinance and make adjustments where needed.

DEPARTMENTAL REPORTS

Commissioner Pickett asked that Parks & Recreation Director Jennifer Brown be recognized for the great job she did during the July 4th festivities. Mr. Hildebran also thanked the Police Department, Public Works Department and EMS Department for all their hard work during this busy time.

Council and audience members had a brief discussion regarding animals along Main Street.

ADJOURNMENT

With no further business to discuss, the meeting adjourned at 7:40 p.m.

MAYOR _____
J.B. Lawrence

ATTEST: _____
Sharon Greene, Town Clerk

- Attachments** (July 8, 2008)
CUP #2006-02 Hanna Family Trust - Exhibit A
Settlement of 2007 Property Tax – Exhibit B
Charge of 2008 Property Tax Collection – Exhibit C
Ordinance #2008-10 – Exhibit D