

MINUTES
Town of Blowing Rock
Board of Commissioners
September 9, 2008

The Town of Blowing Rock Board of Commissioners held their regular meeting on Tuesday, September 9, 2008 at 7:00 p.m. The meeting took place in the Council chambers located at 1036 Main Street, Blowing Rock. 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, Emergency Services Director Kent Graham, Parks & Recreation Director Jennifer Brown, Finance Director Nicole Norman and Town Clerk Sharon Greene.

CALL TO ORDER

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

APPROVAL OF MINUTES

Commissioner Tester made a motion to approve minutes for meetings held on August 11 and 12, 2008 as written, seconded by Commissioner Ball. Unanimously approved.

Mayor Lawrence stated due to out of town speakers for the Oasis Shriners request and their long travel time, he requested the agenda order be changed to accommodate this request.

NEW BUSINESS

1. Oasis Shriners- Parade Request (June 6, 2009)

Mr. Tracy Brown of the Tourism Development Authority advised the Oasis Shriners wished to hold their Spring Ceremonial Parade in Blowing Rock on Saturday, June 6, 2009 at 1:00 p.m. Mr. Brown advised this would bring many people to town during the event. He introduced Mr. Mike Downs of the Oasis Shriners and asked him to speak regarding the request. Mr. Downs stated Mr. Harvey Byrd, Oasis Shriners Business Manager, and Mr. Johnny King, Director of Units were also present. Mr. Downs stated the event would bring approximately 900 people to Blowing Rock and they were looking forward to their visit here.

Commissioner Yount asked Mr. Downs to give a brief overview of what the Shriners did. Mr. Downs advised there were 22 Shriners hospitals in North America that offered the best possible care to children free of charge. He advised the closest pediatric hospital to this area was in Greenville, SC and currently there were approximately 450,000 Shriner members nationwide.

The parade would consist of 40 units, up to 200 participants and would last approximately 1 hour. In pertinent information regarding this request, Council received a map of the proposed route.

A motion was made by Commissioner Pickett, seconded by Commissioner Klutz for approval to hold the Spring Ceremonial Parade on Saturday, June 6, 2009 at 1:00 p.m. in Blowing Rock with the condition that the Town to be added as an additional insured on the Oasis Shriners general liability insurance policy. Unanimously approved. **Parade Route Map – Exhibit A**

PUBLIC HEARINGS

Commissioner Pickett was recused due to a conflict of interest.

Mayor Lawrence reconvened the public hearing and asked that anyone wishing to speak that had not been sworn during the August 11, 2009 public hearing do so now. Several citizens were sworn to speak by the clerk.

1. CUP #2007-04- Blowing Rock Commons (Continued)

Mr. Tom Terrell, independent legal counsel for the Town, gave an overview regarding the procedural aspect of the public hearing. He stated this was a quasi-judicial hearing and Council must base their judgment on factual evidence not by opinion. He advised that all testimony must be under oath and those present had a right to inspect all documents entered as evidence in this hearing. According to the Town Ordinance Section 16-54 the following standards must be met.

- The project must not materially endanger public health and safety.
- The project must not substantially injure adjoining properties.
- It must be harmonious with the area in which it is located.
- The project must be within general conformity with the Master Plan or any other official plan adopted by the governing board.

Mr. Terrell advised that Council's decision must have specific findings and the applicant had a right to rebuttal.

Planning Director Kevin Rothrock updated Council and those present on several items of concern during the August public hearing. He stated the Applicant had provided five additional items and proposed changes. He spoke briefly regarding

buildings 3 and 4 being moved further from Main Street to provide more green space as requested by Council.

Mr. Rothrock gave the chronology in which this project had progressed as requested by Commissioner Yount.

Mr. Tom Griffin of Chetola Severn thanked Council for allowing the public hearing to be tabled during the last meeting so they could address several concerns. Mr. Griffin stated normally he would give his presentation at this time, but there were several people present who wished to speak regarding the project and he asked if Council minded if they spoke first. Council agreed.

Dr. Bunky Davant of 378 Chestnut Circle stated he had lived in Blowing Rock since 1948 and had spent 12 years on the Planning Board. During his time on the board, Food Lion and Shoppes on the Parkway were being proposed and he was hearing the same sentiments now that he had heard then. He felt both of those projects had turned out well and changes were going to occur in town. Dr. Davant stated the project would increase the tax base and add needed parking spaces, and would have minimal impact. Dr. Davant also thought this project would be the most desirable use for this large tract of land. He requested that Council vote in favor of the project.

Mrs. Betty Pitts of 193 Edgewood Path also spoke in favor of the project. She stated while her husband, Mr. Hayden Pitts was Mayor of Blowing Rock the Food Lion project and Shoppes on the Parkway came before Council and the same complaints were being voiced now that were being heard then. Mrs. Pitts thought the project would be a great asset to the Town. She also commended Mr. Tarbutton for everything that he does for the community. She asked Council to support this project because it would make Blowing Rock an even more beautiful place in which to live.

Mr. Bill Mauldin of 1940 Main Street stated he had been coming to the area for 13 years and was also in favor of this project. He felt the town would be enhanced with the unique blend this project was offering. Mr. Mauldin thought in time this property could be developed with something less desirable. He urged Council to pass this project.

Mr. Lee Dunston of 1922 Main Street stated he had been coming to Blowing Rock for over 35 years and was now a full-time resident. He thanked Council for their careful and thorough work on this project. Mr. Dunston's main concern was the loss of the project. He felt one of the main components were the 36 town homes and the families who would be purchasing them. He felt the owners of the town homes would be watching after the Town's best interest to insure the Town remains harmonious with what residents want Blowing Rock to be. He did not want this project to slip away.

Mr. Cobb Milner a resident of 212 Gideon Ridge Road since 1992 and owner of the Gideon Ridge Inn and the Bistro Roca restaurants spoke in favor of the project. Mr. Milner stated the project was a good project and would be an enhancement to the Town by providing more retail space, more restaurants, etc. He felt other motels in town would be forced to revitalize due to the addition of the proposed hotel. He also welcomed the competition the restaurants would bring to town. Mr. Milner thanked Council for their careful decisions and asked that the project not be lost.

Mr. Dick Goosman of 100 Sledding Hill Court and owner of the Meadowbrook Hotel spoke favorably about Blowing Rock Commons. He felt the hotel would attract large groups to the area. Mr. Goosman advised that he had heard concerns regarding density, green space, etc., but this property had been zoned as Central Business for years. Mr. Goosman also compared the value of this property and nearby property zoned residential and the great diversity in values and taxes collected on the two. He asked that Council pass the project.

Ms. Marcia Greene, Marketing Director for Chetola Resort spoke in favor of Blowing Rock Commons. She felt it would enhance the beauty of Blowing Rock. She also advised after working with Mr. Tarbutton for the past 11 years, she knew he would do his best to preserve the history and character of Blowing Rock.

Executive Director Charles Hardin spoke on behalf of the Chamber of Commerce. He thanked Council for the great job they did serving their community. Mr. Hardin stated the mission of the Chamber of Commerce was to contribute to the cultural, social and economic growth of the village while preserving its character and charm. Mr. Hardin advised the Chamber supported the overall benefits this project would generate for the town. Mr. Hardin stated the recently completed Retail Strategy Report advised the Town could absorb the addition of this large project. Mr. Hardin felt smart growth was essential in maintaining the village.

Mrs. Iris Thirtle, a resident of Sunset Drive, said the project was very charming and badly needed in town. Mrs. Thirtle asked that Council support Mr. Tarbutton and the others involved with Blowing Rock Commons. Mrs. Thirtle closed by saying the project would be a beautiful backdrop for the natural beauty of the area.

Mr. Griffin stated the most important concerns of Council were appearance, density and green space. He felt they had made several changes to the project to accommodate these concerns. Mr. Griffin asked Mr. Douglas Wilkins to come forward to give a visual presentation.

Mr. Wilkins stated Council had been very clear at the last meeting with issues they felt needed further attention. Mr. Wilkins advised Chetola Severn had spent

a considerable amount of time and resources in the last several weeks addressing these concerns. He felt the current visual presentation would show how the project would look from several aspects.

After the presentation, Mr. Terrell stated this was only illustrative evidence and the buildings shown were in concept only. All buildings for the project would have to come before Council for approval.

Mr. Griffin asked the record to reflect that a copy of the project disc had been given to Mr. Hildebran as evidence. He also wanted the record to state that Mr. Rothrock, Mr. Hildebran, and Mr. Terrell had worked very hard with their group to insure that this project was done correctly.

Mr. Griffin began a walk-through of all the changes and added information in reaction to Council's concerns. He advised that Buildings 3 and 4 had been moved to accommodate 4800 square feet of additional green space. Also, approximately 26 trees had been added. He stated they had looked at moving the parking to the outside next to the road but the Town Code discouraged this.

Also, Chetola Severn obtained additional property from Chetola Resort to accommodate the green space requirements and they now had 4.5 acres set aside to provide for the 24% density requirements for the residential portion of the project.

Mr. Griffin also conveyed that representatives of Chetola Severn had walked Main Street and the average impervious density was 78% and their project was 66.3%. Mr. Griffin presented aerial photos showing a different perspective of the project.

Mr. Griffin introduced Mr. Austin Smith a North Carolina Certified Appraiser from Hickory to speak regarding the marketability impact the project would have on the Town. Mr. Smith began by highlighting several areas of his report. Mr. Smith listed his credentials and the basis as to why he felt confident in making an opinion regarding impact on the town and adjoining properties.

Mr. Smith was impressed with the Town Ordinance and overall plan for the town. He stated Blowing Rock Commons would only enhance the value of adjoining properties. He did not feel the project would negatively impact hotels, restaurants or other businesses in town.

Mr. Terrell asked the record to reflect no market studies or appraisals were done by Mr. Smith and the impact this project will have on surrounding properties. Mr. Smith conveyed he looked at the general appearance, age and condition of these properties to form an opinion only, as a consultant. Mr. Smith advised that he was bound by the Code of Professional Ethics of the Appraisal Institute and he

was confident the report and statements made regarding Blowing Rock Commons complied with this.

Mr. Griffin advised there were more letters of support from Mr. Bob Timberlake and Monterey Campbell to present to Council. Mr. Terrell interjected this was only classic hearsay evidence and an opinion could not be based upon these letters.

Mr. Griffin wanted to clarify changes made to the draft conditional use permit regarding appearance and building elevations proposed. He stated a change had been made to the CUP clarifying site plans, and that designs and materials would all be subject to Council's approval. He also advised prior to the issuance of a building permit for each building, the Applicant would be required to present building elevations and proposed exterior materials to Council for approval.

Another change made to the CUP was added acreage acquired by the Applicant by fee simple title to go towards the pervious area calculations.

Mr. Griffin stated Mrs. Ball had made a suggestion regarding lighting which was included in the revised draft CUP.

In closing, Mr. Griffin stated Chetola Severn had addressed the four issues in which Council is to base their decision to approve or disapprove the project. The first being public health and safety of the community; Mr. Griffin advised by doing the traffic study, the addition of the left turn lane, the water/sewer issues and improvements they felt this was covered.

Mr. Griffin spoke regarding compliance with the Town's Master Plan and being harmonious with the area. He stated after reading the Town's Master Plan there were several things mentioned in the Master Plan such as the preservation of the unique character, compatible with the density of the town, preserving quality of the Village to attract tourism, etc. and this project was compatible. He mentioned the people who live in Blowing Rock that stood up and spoke in favor Blowing Rock Commons as well as the people who are involved in the project who live in Blowing Rock and have so much invested here.

He spoke regarding Council's concerns on how this project would change the entrance to Blowing Rock and what their group had done in remedy of this concern.

Mr. Griffin also requested that Council accept the pervious area exhibits, aerial photographs, the before and after landscape plans, Mr. Smith's report, as well as the project disc as attachments to the CUP.

Mr. Tony DiSanti stated he felt very privileged in being able to represent Chetola Severn and felt this project would be a wonderful enhancement to the town. Mr.

DiSanti stated he was on Council when the current ordinance was adopted and when Shoppes on the Parkway was being proposed and heard arguments the downtown area would die if this project was approved. He stated this did not happen and now we were using Shoppes on the Parkway as an example. He hoped in the future Blowing Rock Commons would also be used as an example. Mr. DiSanti commended Council for fighting hard in order to make this a better project.

Commissioner Tester stated his and Mr. Tarbutton's ideas regarding this project and whether it extends the village are fundamentally different. Mr. Tester desired this to be a first class project that complimented the village. He wanted to be able to walk the streets of Blowing Rock ten years from now and see that the character had been maintained.

Mr. Tester also said this project was not preserving the past of Blowing Rock, but was the future of Blowing Rock and in going forward we did not have to take away from the past.

Mr. Tester advised it was his job to look at the dimensions of the project to see if it fit and for the last six months he had studied it many times. Mr. Tester stated this was a great project and Chetola Severn had been very responsive to the issues he had raised. One key issue of concern from the beginning had been the density. However, while looking at the changes, additional green space had only been added in the curve which wasn't necessarily a bad thing. Mr. Tester stated he still did not think there was ample buffering between the buildings and the roadway. He suggested they do away with the sidewalk proposed behind Buildings 3 and 4 since a sidewalk was located across the road. If done, this would give them another five feet of space to put grass or gravel and add more of a buffer. He also suggested they move the buildings up 10 to 15 feet so there would be approximately 50 to 60 feet of green space at the curve in which to plant trees. Mr. Tester advised he could approve this project to move forward if this could be accomplished, but if Chetola Severn felt they could not do this, he still had an issue with the amount of green space between the project and the road. Mr. Wilkins of Chetola Severn stated they would be happy to work with the Town regarding these suggestions.

Commissioner Ball added she would like several large evergreen trees at least 15 to 25 foot in height to be added in the curve area.

Mr. Terrell stated anyone opposed to the project needed a chance to speak.

Commissioner Yount asked for further clarification regarding the no right turn onto Hill Street when exiting the area. He wanted to know if signage would be erected prohibiting this turn. Mr. Wilkins stated they had contemplated putting a high curb there to keep people who were not local from turning right onto Hill Street or signage prohibiting the turn. He also stated their architect had spoken

with Emergency Services regarding this issue to insure emergency vehicles have enough space to get in and out of the project and his suggestion was to add a traffic mound with a soft curb, plus signage discouraging the right turn.

Commissioner Yount also inquired if the gentlemen involved with Blowing Rock Commons were going to “jump ship” a few months or possibly a year down the road. Mr. Wilkins assured Mr. Yount this would not happen.

Mayor Lawrence asked if there were any other public comments at this time. Mr. Steven Clipp of 157 Dogwood Lane spoke regarding the project. He stated the motel and townhouses would be a great addition to Blowing Rock, but he had concerns regarding the retail portion. He was unsure if there was enough demand for that much retail and office space and suggested the applicant wait until last to build these buildings. He also had several suggestions regarding Buildings 3, 4 and 5. He felt those buildings should be moved further back to allow for more green space area. Also, vegetation in the curve area should be preserved and this area should be further enhanced. Other suggestions were made regarding the sidewalks for the project and the open space between each building.

Commissioner Yount had questions regarding whether or not the added retail space can be absorbed by the Town. Mayor Lawrence responded the Hyett/Palma Retail Strategy Report stated the added retail could be readily absorbed, and more. Mr. Tarbutton stated page 21 of the report stated the square footage of retail space in town now was 434,000 square feet and this project was increasing retail space by 5 percent.

Mr. DiSanti asked that a copy of the Hyett/Palma report be included in the information regarding the project.

Mr. Terrell stated this was a challengeable point, but, according to Mr. Terrell, Council could consider information from the Hyett/Palma report.

Mr. Griffin stated Chetola Severn would commit to an extra 10 feet of green space behind buildings 3 and 4 if the CUP were to receive approval. But, if they found 10 feet was not feasible and they could only get 6 feet for example, would they need to seek an amendment for the CUP from Council.

Mr. Wilkins asked if members of Chetola Severn could meet one on one with members of Council to work out issues of concern. Mr. Terrell advised this would not be proper they would need to work through Mr. Rothrock or another designee of the town.

Commissioner Klutz made a motion to close the public hearing, seconded by Commissioner Ball. Unanimously approved.

Mr. Klutz then made a motion to approve CUP #2007-04 Blowing Rock Commons with the incorporation of Mr. Tester's suggestion to add 5 feet in back and more trees with the exception of Buildings 3 and 4 they were to have sidewalks as discussed previously. Commissioner Ball seconded the motion. Mayor Lawrence further clarified the discussion was to eliminate the sidewalk completely behind those buildings because green space was more desirable. He asked if Mr. Klutz would like to amend his motion. Commissioner Tester stated he had a problem with Mr. Klutz's motion because he did not feel they were ready to approve the CUP. Mayor Lawrence called for a vote on Mr. Klutz's motion. In favor: Klutz Against: Ball, Tester & Yount Motion failed.

Commissioner Tester made a motion to tentatively approve CUP #2007-04 in concept with changes; specifically to include a minimum of 10 feet of additional green space on the curve behind Buildings 3 and 4 and to direct town staff to communicate with the Applicant: 1) to review all drawings and site plans to confirm that all of the calculations are correct and reflect the cumulative set of agreements and: 2) to work with the Applicant in drafting any and all final changes to the CUP so that it is consistent with the site plans.

Mr. Tester continued his motion to include, Chetola Severn return for final consideration of the CUP at the next regularly scheduled meeting on October 14, reserving Council's right to deny the permit if all changes have not been made to the Town's satisfaction. The motion was seconded by Commissioner Ball. Unanimously approved.

2. Noise Ordinance Amendment (Ordinance #2008-13) Construction

Planning Director Mr. Rothrock presented Council for their review, suggested changes made by the Planning Board at Council's urging with respect to exemptions for construction hours and other minor changes to reflect consistency in the current ordinance in Section 5-1.5. The recommended changes were for construction hours on Sundays and holidays to be limited to 1:00 p.m. to 9:00 p.m. and noise from parties to be limited from 11:00 p.m. to 7:00 a.m.

Commissioner Ball inquired if fines would be given to those who did not comply with the ordinance. Mr. Rothrock stated fines began at \$100 and increased per event each calendar year and violations had to be observed by the Police Department before a fine could be given for noncompliance of the noise ordinance.

Mrs. Ball voiced her displeasure with major construction being allowed on Sundays. Mayor Lawrence stated there were people who only had the weekend to work on projects and felt construction should be allowed on Sundays, during limited times. Commissioner Pickett agreed with Mrs. Ball but he also felt it would be difficult in determining between major construction and residents doing projects around their homes etc. Commissioner Klutz also felt that construction work should be allowed on Sundays.

Mrs. Ginny Stevens spoke regarding this issue. She advised that she had pulled information from nine different resort areas on how their code dealt with this problem and there was a tremendous difference in each one. She felt a compromise should be met.

Commissioner Ball made a motion to send this issue back once again to the Planning Board, seconded by Commissioner Yount. Commissioner Tester stated specific instructions should be given to the Planning Board on what Council was hoping to achieve. Consensus was for a compromise to be reached regarding construction noise on Sundays and holidays. Unanimously approved.

OLD BUSINESS

1. Art in the Park – Location Approval (September/October 2008)

During the September Council meeting, Council asked that the Chamber of Commerce Executive Director, Charles Hardin discuss with Town representatives alternative locations for the September and October Art in the Park shows.

Mr. Hardin presented Council with a diagram of the proposed temporary location for the September and October shows while construction is being done on the American Legion parking facility. He stated 53 booths had to be relocated. He also stated one lane of Park Avenue would be blocked for pedestrians and residents would still be able to access their properties along that area.

Commissioner Pickett asked if Mr. Hardin spoke with the residents along Park Avenue. Mr. Hardin responded that he had. Commissioner Klutz was concerned with the safety of pedestrians walking along Park Avenue in case someone walked in the open lane for automobiles. Mr. Hardin felt very little traffic would be in that area, but cones could be placed to divide the two areas. Public Works Director Lentz stated his department had barrels the Chamber could use for that purpose.

Mr. Yount asked if Mr. Hardin had talked with commercial owners located on Park Avenue. Mr. Hardin stated he had, and this should not affect Blowing Rock Market or the real estate office. A motion to approve the proposed location for the September and October 2008 shows was made by Commissioner Pickett, seconded by Commissioner Ball. In favor: Ball, Tester, Pickett, Klutz Commissioner Yount failed to vote on this issue, without permission to abstain the vote is in favor. Unanimously approved. **Art in the Park September/October 2008 diagram – Exhibit B**

2. Drought Update

Town Manager Hildebran stated the reservoir was at “full pond” and his recommendation was to remain in Stage I Voluntary Conservation.

NEW BUSINESS (continued)

3. Mayview Madness- 5K Road Race (November 2, 2008)

Town Manager Hildebran stated a request from the High Country Conservancy to hold their 9th Annual Blowing Rock Mayview Madness 5K Run on Saturday, November 8, 2008.

Mr. Hildebran advised the 3.1 mile race would begin at 8:00 a.m. at Blowing Rock School and continue up to the Mayview area ending at Memorial Park. He also advised they would coordinate with the Police Department regarding traffic control during the event and a certificate of insurance had also been received.

A motion was received from Commissioner Pickett, seconded by Commissioner Ball for approval of the Mayview Madness 5K Road Race on November 8, 2009. Unanimously approved.

Bids/Financing – 2008-09 Capital Equipment Purchases

Bids – FY 2008-09 Capital Equipment

Police Vehicles/Cameras

Town Manager Hildebran advised that Police Chief Eric Brown had received bids on August 4, 2008 for two 2009 Police Sedans (one marked with in-car camera and one unmarked), which were included in the 2008-2009 fiscal year budget. Bids received were as follows:

(2) 2009 Police Sedans/Cameras

Bobby Jones Ford	\$54,570.02
Smith Ford	\$57,950.00
Abernathy Chrysler Jeep Dodge	\$62,262.00
Boone Ford	\$65,317.78

According to Mr. Hildebran, staff recommended the bid be awarded to low bidder Bobby Jones Ford for \$54,570.02, excluding tax, title and tags. Both vehicles would be available in 4-6 weeks.

Bobby Jones Ford would also accept market value trade-in on one (1) police vehicle that is scheduled to be retired, which will also reduce the cost.

Public Works Equipment

Public Works Director Johnny Lentz also received bids for the following capital equipment, included in the 2008-2009 Fiscal Year Budget. They were as follows:

(1) 2009 4X4 Extended Cab Truck

Crossroads Ford	Ford Ranger Ext. Cab 4X4	\$18,598.00
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Bobby Jones Ford	Ford Ranger Ext. Cab 4X4	\$18,626.40
Abernathy Dodge	Dodge Dakota 4X4	\$19,219.70
Abernathy Chevrolet	Chevrolet Colorado Ext. Cab 4X4	\$21,862.90
Everett Chevrolet	Chevrolet Colorado Ext. Cab 4X4	\$23,300.00
Toyota of Boone	Toyota Tacoma Ext. Cab 4X4	\$24,668.00

Staff recommended the bid be awarded to low bidder Crossroads Ford for \$18,598.00

(1) 2009 4X4 Extended Cab Utility Truck

Crossroads Ford	Ford XL	\$37,131.00
Abernathy Chevrolet	Chevrolet	\$40,118.89
Bobby Jones Ford	Ford XL	\$40,119.04
Crossroads Ford	Ford XLT	\$41,140.00
Bobby Jones Ford	Ford XLT	\$42,301.40

Staff recommended that the bid be awarded to low bidder Crossroads Ford for \$37,131.00.

(1) 16-Yard Refuse Truck

Nu Life Environmental	F750 Ford & Winch	\$98,600.00 (camera/monitor)
Whites International	International & Winch	\$104,593.00 (no camera)
Carolina Environmental	Sterling & Winch	\$106,200.00 (no camera)
Cavalier Equipment Co.	Sterling & Winch	\$112,856.00 (no camera)

Staff recommended the bid be awarded to low bidder Nu Life Environmental for \$98,600.00 excluding tax, title and tag.

Commissioner Ball made a motion to accept staff's recommendations for the above mentioned capital equipment purchases for (2) 2009 police sedans, (1) 2009 4X4 Extended Cab Truck, (1) 2009 4X4 Extended cab utility truck, and (1) 16-yard refuse truck to be awarded to the low bidder in each category (with trade-in of one police vehicle). The motion received a second from Commissioner Yount. Unanimously approved. **FY 2008-2009 Capital Equipment Bids –Exhibit C**

Financing Proposals – Capital Equipment

Refuse Truck – 5 Year not to exceed \$100,000

The Town received financing proposals from area banks to finance the acquisition of a refuse truck approved in the FY 2008-09 Budget.

The quotes were as follows:

<u>Bank</u>	<u>Fees</u>	<u>Rates</u>
RBC Bank	\$0.00	3.49%
First Citizens Bank	\$300.00	3.93%

High Country Bank	\$250.00	4.04%
United Community Bank	\$0.00	4.84%
Sun Trust		No Response
Bank of America		No Response
Wachovia Bank		No Response
BB&T		No Response

Mr. Hildebran stated that staff recommended the financing for the lease-purchase equipment be awarded to the low bidder – RBC Bank. A financing proposal authorizing the lease purchases was presented to Council for their review.

The loan amount will be for up to \$100,000 for a term of 5 years. The first payment of \$21,518.29 (included in the approved FY 2008-09 Budget) will be due on December 14, 2008.

Other Equipment - 3 Year not to exceed \$120,000

The Town received financing proposals from area banks to finance the acquisition of (2) police sedans, a pick-up truck and a utility truck approved in the FY 2008-09 budget.

The quotes were:

<u>Bank</u>	<u>Fees</u>	<u>Rates</u>
RBC Bank	\$0.00	3.26%
First Citizens Bank	\$300.00	3.65%
High Country Bank	\$300.00	3.70%
United Community Bank	\$0.00	4.67%
Sun Trust		No Response
Bank of America		No Response
Wachovia Bank		No Response
BB&T		No Response

Mr. Hildebran advised that staff recommended the financing for the lease-purchase equipment be awarded to low bidder-RBC Bank. A financing proposal authorizing the lease purchase was presented to Council for their consideration.

The loan account would be for up to \$120,000 for a term of 3 years. The first payment of \$41,625.42 (included in the approved FY 2008-09 Budget) would be due on January 14, 2009.

Commissioner Pickett made a motion to approve the recommended financing for the above mentioned lease-purchase equipment, seconded by Commissioner Yount. Unanimously approved. **Financing Proposals – Exhibit D**

1. Tax Release #2007-17

Pursuant to N.C.G.S. 105-381(b) Mr. Hildebran presented Tax Release #2007-17 to Council for their consideration. He expressed the Tax Collector had reviewed the release with Watauga County and was satisfied the release met the statutory requirements. The release would be in the amount \$786.25 for property owned by Mrs. Pamela Dunston of 1922 Main Street Blowing Rock.

With no further comments, a motion to approve the refund was made by Commissioner Pickett, seconded by Commissioner Yount. Unanimously approved. **Tax Release #2007-17 – Exhibit E**

SPEAKERS FROM THE FLOOR

Mr. Hildebran inquired if September 25th at 9:30 a.m. was convenient for Council to meet to discuss the feasibility of natural gas being available to the area possibly in conjunction with the waterline interconnection with Boone. He stated after the discussion, Frontier Gas would hold a public meeting at 10:00 a.m. in to receive public input. Council agreed to meet with Frontier Gas at 9:30 a.m. on this date.

Mrs. Pat Fountain of 134 Kings Ransom addressed concerns she had regarding parking and bids. First Mr. Fountain asked if the parking decks could be on a ballot where all residents could vote on this issue. Mr. Hildebran stated legally this could not be done. Town Attorney Moseley concurred.

Mrs. Fountain also stated she did not think it was fair for members of Council to appoint other board members such as the Planning Board, ABC Board, etc. and be able to present bids to these boards such as banking, etc. she felt this was a conflict of interest. Mrs. Ball responded, Blowing Rock was a small town and it was difficult not to interact with one another and she could understand if it was a large area such as Charlotte.

Council thanked Mrs. Fountain for her comments.

DEPARTMENTAL REPORTS

Commissioner Klutz stated the sidewalks in town were in poor shape and he would like for the town to make upgrades to them and not wait on the streetscape plan. Commissioner Pickett agreed with Mr. Klutz. Mr. Hildebran stated Main Street was under NCDOT control. He stated the streetscape plan had been delayed due to many issues the Town had been dealing with lately, but NCDOT was reviewing the plan presently and hopefully Council would receive it late September or early October.

Commissioner Tester directed Mr. Hildebran to do whatever it took to expedite this issue. He stated that 7 years ago he ran for office and was hearing about sidewalks in town then and in another year he would be leaving office and did not want the sidewalk issue to be unresolved.

Mrs. Danielle Tester also spoke regarding the crosswalk areas needed to be re-stripped.

Commissioner Klutz asked why the Town had to wait on NCDOT. Mr. Hildebran stated he did not have the authority to approve certain changes to the sidewalks in town. Town Engineer Doug Chapman stated the sidewalks could be replaced, but the problem was with curbing, etc. He stated that NCDOT had to approve work that was to be done to the curbing, etc. Mr. Chapman felt the Town could prioritize the needed improvements and begin some of the upgrades.

Commissioner Klutz stated the town was spending lots of money getting people to visit Blowing Rock and the sidewalks were in terrible shape. He wanted money to be given to the street department and for the public works director to move forward with the repairs. He wanted the funds to be found in order to fix the sidewalks now. He did not want to wait on NCDOT. Mr. Chapman stated this was a local issue and he felt the Town would have the streetscape plan back in the near future.

Commissioner Yount agreed there was a problem with sidewalks, but he did not want the work to be done twice. Public Works Director Johnny Lentz stated the sidewalk repairs would cost at least a \$225,000.00. Mr. Hildebran stated the budget had \$125,000.00 set aside for sidewalk repairs and the town needed to coordinate the repairs because drainage problems needed to be fixed also and he did not think it was feasible to pour sidewalks then tear them up to install drainage pipes. Mr. Hildebran stated he could spend the money now, but felt they needed to prioritize the upgrades. Commissioner Klutz stated he wanted the money to be spent now. Mr. Hildebran stated this was a Board decision and he felt the streetscape plan would be needed in order to prioritize the needed repairs. It was consensus of the Board to wait on the streetscape plan then move forward with repairs.

Mr. Hildebran stated safety issues would be addressed first then Council could decide on amenities. Commissioner Klutz asked how much could be done with \$125,000. Mr. Lentz stated if done in-house there would be a lot of disruptions along Main Street and some of the sidewalks were beyond repair. Mr. Klutz stated he would like all new sidewalks in the downtown area.

Mrs. Ball suggested brick sidewalks. She stated that she had visited an area that had brick sidewalks and they were wonderful.

Audience member Greg Grana suggested that NCDOT abandon Main Street, so that it could be under the Town's control.

ADJOURNMENT

With no further business to discuss, the meeting adjourned at 10:35 p.m.

MAYOR _____
J.B. Lawrence

ATTEST _____
Sharon Greene, Town Clerk

ATTACHMENTS (09-08-08)
Parade Route Map- Exhibit A
Art in the Park Diagram Exhibit B
Capital Equipment Bids Exhibit C
Financing Proposals Exhibit D
Tax Release #2007-17 Exhibit E