



Town of Blowing Rock

Date: Tuesday, December 12, 2023, 6:00 p.m.

Location: 1036 Main Street, Blowing Rock, NC 28605

Agenda

<i>Item</i>		<i>Present & Participants</i>
I.	CALL TO ORDER – ROLL CALL FOR ATTENDANCE	Mayor Charles Sellers
II.	PLEDGE OF ALLEGIANCE	Mayor Charles Sellers
III.	APPROVAL OF MINUTES – By Roll Call 1. November 14, 2023 – Regular Meeting Minutes	Mayor & Council
IV.	SPECIAL RECOGNITION: 1. Council Member – Albert Yount OATH OF OFFICE: 2. Incumbent Mayor Charlie Sellers 3. Incumbent Council Member David Harwood 4. Newly Elected Council Member Cat Perry SELECTION OF MAYOR PRO-TEM	Interim Town Manager Kevin Rothrock Town Clerk Hilari Hubner Mayor & Council
V.	REGULAR AGENDA ADOPTION CONSENT AGENDA: 1. Budget Amendment - #2023-22 2. Tax Release – #2023-05, #2023-06 and #2023-07 3. Tax Refund - #2023-01	Mayor & Council Mayor & Council
VI.	PUBLIC COMMENTS.....<i>comments shall be limited to three (3) minutes</i>	

VII.	PUBLIC HEARINGS: 1. Topography Setback Reduction	Planning Director Brian Johnson
VIII.	REGULAR AGENDA: 1. Oath of Office - Tasha Brown as Finance Director 2. Presentation of FY 2022-2023 Audit 3. RTAC Appointment – Discussion and Appointment 4. Memorial Park Phase II – Bid Award & Financing Options	Town Clerk Hilari Hubner Hunter Wiseman, Scott, Price & Thompson Audit Firm Interim Town Manager Kevin Rothrock Interim Town Manager Kevin Rothrock and Town Engineer Jared Wright
IX.	OFFICIALS REPORTS & COMMENTS: 1. Mayor 2. Council Members 3. Town Attorney 4. Town Manager	
X.	CLOSED SESSION – NCGS 143-318.11. (a)(3) – <i>To consult with attorney retained by the public body in order to preserve the attorney-client privilege</i>	
XI.	ADJOURNMENT/RECESS...<i>Mayor Charles Sellers entertains a motion and second to adjourn or recess the meeting.</i>	

Draft
MINUTES
Town of Blowing Rock
Town Council Meeting
November 14, 2023

The Town of Blowing Rock Town Council met for their regular monthly meeting on Tuesday, November 14, 2023, 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 Doug Matheson and Council Members Albert Yount, David Harwood, Melissa Pickett and Pete Gherini. Others in attendance were Interim Town Manager Kevin Rothrock, Town Attorney Tucker Deal, Parks and Recreation Director Jennifer Brown, Town Engineer Jared Wright, Police Chief Aaron Miller, Interim Planning Director Brian Johnson, Public Works Director Matt Blackburn, IT Director Thomas Steele and Town Clerk Hilari Hubner who recorded the minutes. Finance Director Tasha Brown was unable to attend the meeting.

CALL TO ORDER

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

THE PLEDGE OF ALLEGIANCE

MINUTE APPROVAL

Council Member Gherini made the motion to approve the minutes from the October 10, 2023, regular meeting, seconded by Council Member Pickett. Unanimously approved.

REGULAR AGENDA ADOPTION

Interim Manager Kevin Rothrock made note of two changes to the agenda. Remove number three (3) under special recognition; *Town Employee Recognition – Police*, he noted Council Member Matheson will address that during official reports. Under Public Hearings change the order and move *Blowing Rock Lodge Annexation to number one (1)* and *Blowing Rock Lodge Rezoning to number two (2)*.

Mayor Pro-Tem Matheson made a motion to approve the agenda as presented, seconded by Council Member Harwood. Unanimously approved.

CONSENT AGENDA

1. Budget Amendment - #2023-16
2. Tax Release - #2023-02, #2023-03 and #2023-04
3. Gifts/Donation Policy

Council Member Pickett made a motion to approve the consent agenda as presented, seconded by Council Member Harwood.

SPECIAL RECOGNITION

1. Town Attorney Allen Moseley

Mayor Sellers recognized Allen Moseley for his forty (40) years serving as Attorney to the Town of Blowing Rock. Mr. Moseley took the time to reflect on the past forty years (40) and thanked Council and staff for making his years serving the town so wonderful.

2. Town Employee Recognition – Public Works

Mayor Sellers recognized JT Iscacs, Colton Wilson, Tim Williams and Chris Key for going above and beyond when they gave a little toy garbage truck to the grandson of a local resident, Jane Airington. Ms. Airington's grandson is fascinated by the garbage truck and the Public Works staff made his day with their generous gesture.

3. Service Weapon – Dan White

Chief Aaron Miller stated several years ago, the Town of Blowing Rock established the precedent of presenting police officers with their service pistol upon their retirement. Lieutenant Dan White retired in March of 2019. Upon his retirement, Lieutenant White had continued to serve as an active reserve officer with the Police Department, but is now moving into an inactive role. Chief Miller requested Lieutenant White's pistol be presented to Lieutenant White.

Council Member Gherini made a motion to approve the request as presented, seconded by Council Member Pickett. Unanimously approved.

SPEAKERS FROM THE FLOOR

None

PUBLIC HEARINGS

1. Blowing Rock Lodge Annexation

Interim Planning Director Brian Johnson stated Mountain Rentals LLC (Blowing Rock Lodge) is requesting a petition of voluntary satellite annexation. The property is located in the ETJ between US Highway 321 and Old US Highway 321 and is currently zoned GB (General Business). The applicant has requested the annexation with the purpose of connecting to the Town utilities. The property owner shall be responsible for all costs associated with the extension of public water and sewer to serve the subject property. The current sewer system is declining, prompting them to make the request. The applicant will be requesting water services as well. Sewer is available to the property, as there is a pump station located next to the property. Water service hasn't been available in that area, even though there is a water line in that area, availability was contingent on the interconnect agreement between the Town of Boone and Town of Blowing Rock. A settlement agreement has been adopted, so they will be able to connect to water.

The property has two dwelling units behind the lodge, served by wells and septic systems which are adequate at this time. The applicant has requested to leave those as is at this time. The owner has no future plans to re-develop the property at this point. All requirements for satellite annexation have been met.

Mayor Sellers opened the public hearing.

Council Member Gherini asked Mr. Johnson what the estimated cost of the water, sewer and hookup fees would be. Mr. Johnson stated he didn't have the total cost but reiterated if approved, that cost would be the applicant's responsibility to pay for the entire cost. Mr. Johnson further stated if approved, the applicant would have to submit plans to be approved by the Public Works Director as well as the Town Engineer.

Council Member Harwood asked if the conditional rezoning had gone to the Planning Board. Mr. Johnson advised both the annexation request and conditional rezoning request

went to Planning Board and there were no concerns with either request.

Council Member Yount asked for clarification that the agreement with the Town of Boone was confirmed.

Mayor Sellers stated it was.

Interim Manager Rothrock confirmed the agreement was complete. And this request was consistent with that agreement.

Mayor Pro-Tem Matheson made a motion to close the public hearing, seconded by Council Member Yount. Unanimously approved.

With no further discussion. Council Member Yount made a motion to approve the annexation request as presented, seconded by Mayor Pro-Tem Matheson. Unanimously approved.

2. Blowing Rock Lodge Conditional Rezoning

Mr. Johnson explained the second part of this request to meet the requirements of the contract with the Town of Boone is to require the property to be rezoned to CZ. Mr. Johnson further explained the tenants of the Blowing Rock Lodge are long term renters and workforce employees. If approved tonight any re-development in the future would have to go back through this process.

Staff recommends a condition requiring trash service be provided and to add a dumpster and enclosure meeting the requirements of the Land Use Ordinance. The applicant has requested that no dumpster area be required as they currently require their tenants to utilize the Aho dumpster site. Staff will monitor for the first year and reserve the right to require if needed. Staff recommends signage be brought into compliance with Town regulations as well.

Mayor Sellers opened the public hearing.

Mayor Pro-Tem Matheson asked for clarification that as of right now they will have all trash taken to the Aho dump site. Mr. Johnson stated the applicant will continue to have the tenants take trash on their own and the reason for not wanting a dumpster is to keep the neighborhood from using their dumpsters if they were to have one onsite. He further stated the applicant has advised they have not had any issue with tenants not taking trash to the dumpster site.

Mayor Pro-Tem Matheson asked since the Town would be accepting this property as long term, if the property owners were to consider this property as anything other than long-term rentals, would they have to go back through Planning Board and then to Council to make that change. Mr. Johnson explained it would have to go through the Town with the way it's zoned, if there is a change of use and there is an application process they would have to go through to make that change.

Council Member Gherini asked how many of the units are currently occupied and if there was an estimate on water usage. Mike Trew, engineer for the applicant, stated that it would be approximately 4,000 gallons per day.

Council Member Harwood asked Mr. Trew how many parking spaces are currently provided. Mr. Trew stated there are thirty-two (32) spaces at the main building, so that would give them ten (10) surplus spaces of the twenty-two (22) spaces required.

Council Member Yount asked Mr. Trew if this would be a gravity sewer. Mr. Trew advised it would be and that their current septic system for the Lodge is failing which is why this request is being made. He further advised the water line will be tied in at Old 321 and they would be doing one meter for the entire property.

Council Member Harwood asked if the other two houses would be connected as well. Mr. Trew explained they would not be at this time as they are on a separate septic system and separate well. The applicant is requesting to have the option to connect in the future if they were to have a problem with the water or sewer at the houses.

Council Member Harwood asked Mr. Johnson why staff is delaying up to twelve (12) months to address dumpsters and signages. Mr. Johnson explained in the conditions the garbage is the only item that has been requested to be accessed in a year. He further explained staff will monitor and if they see issues will make them get into compliance. Mr. Johnson mentioned the landscaping will be done immediately and the applicant agreed to work with staff to get that completed.

Council Member Yount made a motion to close the public hearing, seconded by Council Member Gherini. Unanimously approved.

Council Member Yount made a motion to approve as presented, seconded by Council Member Harwood.

Mayor Pro-Tem Matheson clarified that the motion included all the recommendations that had been asked for.

With that the motion was unanimously approved.

3. BRAAC Ordinance Change

Mr. Johnson reviewed at the mid-year retreat in June, Council asked staff to consider reorganization of BRAAC that added a recreation/public land representation to the commission. BRAAC Members reported at the retreat that they wanted public projects to go before them prior to going to the Council for consideration. The draft language was discussed at the September 12th Council meeting. It was decided to revisit several areas of the language including the board name and number of members, and to further clarify the board's process, responsibilities, and duties. The Planning Board discussed the language at the September 21st Planning Board meeting and offered the following name change for consideration, Public Land, Appearance, and Recreation Board. The board all agreed and felt that the Appearance should be part of the name. The proposed draft ordinance would widen the scope of BRAAC with the addition of a recreation/public land oversight component. Language has also been added to clarify that the BRAAC has the responsibility of acting as the Tree Board since 2020. Additional language was also added to clarify the responsibilities and duties of the board regarding public art, murals, and outside agencies and organizations. A few highlighted changes would be increasing the number of Board Members from five (5) to seven (7) members, the two (2) new members would cover the recreation element of the board. Another would be to stagger the terms since there will be three (3) members terms ~~6~~ up on the existing board, staggering the new

member terms would help spread the terms out a little bit. Clarification has been made to the board's responsibilities as well.

Council Member Pickett asked if BRAAC members were the ones who wanted to incorporate recreation into their fold since that hasn't really been a part of that board in the past.

Interim Manager Rothrock explained he had written the first draft and included elements that were discussed at the mid-year retreat and then turned it over to Mr. Johnson to come up with this draft.

Mr. Johnson mentioned the Planning Board's only recommendation was the name but were fine with everything else in the draft ordinance.

Council Member Pickett asked for clarification that the BRAAC board would still be the ones coming up with the draft for the applications for the projects that happen on public land. Mr. Johnson confirmed they would, he felt that was an internal process we need to have in place.

Council Member Harwood asked Mr. Johnson to proof and make sure all the word "commissions" were changed to "board" as that language is an older term. He further asked if under responsibilities and duties number eight (8) to clarify what "improvements" means as he doesn't want that to get confused with "maintenance". Council Member Harwood explained the reason he was bringing this up, is he didn't want the Landscape Department or Parks and Recreation Department to feel like they had to go to this board every time they wanted to fix or improve something. He felt that needed to be clarified better.

Council Member Pickett pointed out there was clarification to that further down in the next section.

Council Member Yount stated it isn't his intention a knock to anyone who has ever served on BRAAC before, but asked why are we here.

Mr. Johnson explained from his understanding there are a lot of people that didn't know what the mission of BRAAC is or what it stands for. And part of that is to have one board to come to and put a process in place that will help Council to know what is being proposed out there. He further stated he felt that BRAAC may need to announce what their mission is and stick to that mission as they get new members and so forth.

Council Member Yount mentioned they sometimes can't get a quorum with five (5) members, so now they are going to solve that by increasing to seven (7) members. Mr. Johnson stated that is the proposal.

Council Member Yount stated he felt this was an inflated view of somebody of being a committee or a board. He further stated he has a core belief that "less government is the best government" and he is not voting for this. He felt Planning Board was more than capable of doing all of these tasks.

Council Member Harwood stated he understood Council Member Yount's position, but he felt our Parks and Recreation could use some advocacy and his hope is this board can

help with that. He explained there is a lot of deferred maintenance, and he is hoping through this there can be a group to advocate for our parks and keep up with maintaining the things we have in our parks and keep the maintenance up to date. He feels like this will help keep the “new shiny things” from deteriorating.

Council Member Yount stated he disagreed, they are getting a \$2 million dollar bathroom put up currently and felt maybe they didn't need anymore advocacy.

Council Member Pickett mentioned to keep in mind if you did away with BRAAC they are the 501(c)(3) that donations come through for the Town for the flowers and if BRACC didn't exist you would have to find another organization to accept those donations.

Council Member Yount stated that was easy.

Mr. Johnson stated as the Town has grown, this board has grown and has accepted a lot more responsibilities.

Council Member Pickett made a motion to approve the changes as presented, seconded by Mayor Pro-Tem Matheson. For the motion: Council Members Harwood, Pickett and Gherini and Mayor Pro-Tem Matheson. Against the motion, Council Member Yount. Motion passed.

Mayor Sellers reminded Mr. Johnson to make the changes to the language from the word “commission to board” as requested by Council Member Harwood.

4. Dumpster Ordinance Update

Mr. Johnson stated the proposed draft ordinance language was to amortize trash enclosure areas that are not compliant with Land Use Ordinance Sections. The purpose of the proposal is to get existing trash receptacles, dumpsters, and rollouts in compliance and clean up the appearance of the areas. Staff conducted a survey of all Commercial, Multi-Family, and Central Business districts and found that 75% were in compliance and 25% were non-compliant. The Planning Board recommended approval of the ordinance amendment at the October 19th meeting.

Mr. Johnson explained what staff would recommend is giving the ones not in compliance a year to get in compliance. Staff will work with those individuals and help get them to where they need to be.

Mayor Pro-Tem Matheson asked if in Mr. Johnson's observations of the dumpsters if he found any areas that would face a hardship to create the dumpster enclosures. Mr. Johnson stated there will be some of those areas and staff will work with them to create the best situation for them.

Council Member Yount asked what would be done if they failed to comply. Interim Manager Rothrock stated if they operate outside of the ordinance civil penalty is always an option. He further stated staff looking for compliance first and then will go from there if need be.

With no further questions or comments. Council Member Gherini made a motion to approve the ordinance as proposed, seconded by Council Member Harwood. Unanimously approved.

REGULAR AGENDA

1. Appoint Tasha Brown as Finance Director

Interim Town Manager Rothrock explained Tasha Brown was hired as Finance Director on October 23rd and to be consistent with GS 159-24, a local government shall at all times have an appointed Finance Director. Over the past few months, Misty Watson has served as Interim Finance Director on a contractual basis. With the hiring of Ms. Brown, Council needs to officially appoint her as Finance Director. Ms. Watson will continue to assist over the next few months on a contractual basis.

Interim Manager Rothrock further explained Ms. Brown was unable to attend the meeting due to a Budgeting class she is attending this week at the School of Government. Ms. Brown will take her oath when she returns to the office and the board can do something more formal at next month's meeting to recognize her.

Council Member Yount made a motion to appoint Ms. Brown as Finance Director, seconded by Council Member Pickett. Unanimously approved.

2. Memorial Park Tree Replacement

Interim Manager Rothrock reported that the two remaining maple trees in the center of Memorial Park need to be replaced. In discussion with Corey Cathcart and Brian Johnson, the large maple trees need to be removed as they pose a safety risk for the public with large limbs falling in the park. Mr. Cathcart recommends adding drainage to the rock planter wells to assist in the future tree planting and growth. The plan is to remove the trees with Town crews, grind out the stumps and roots, add soil and drainage to lift the tree root ball planting level and finally add two (2) healthy maple trees with a caliper of 4-5 inches. The overall plan was presented to BRAAC for review and comment at their last meeting. BRAAC was in support of the plan to move forward with replacement of the trees. If approved, it is anticipated to have the existing trees removed and new trees planted right after Thanksgiving.

Council Member Harwood made a motion to approve, seconded by Council Member Gherini. Unanimously approved.

OFFICIAL REPORTS & COMMENTS

- Mayor Sellers expressed he is glad the election is over, felt all four of the candidates that ran could have done a great job. Hopes in the future that the election doesn't focus on personalities, but rather to love the Town and keep the Town quaint and work for the citizens. He further expressed it's not a proponent of negativity. He thanked each one that ran and congratulated the election winners.
- Council Member Yount stated this is his last meeting and his last vote ever.
- Council Member Harwood welcomed Tucker Deal, thanked him for joining the Town and looks forward to working with him. Thanked Ms. Brown for accepting the Finance position and stated he loves to see internal promotion. Thanked Council Member Yount and stated he's done nothing but serve his community and his country. He recognized Council Member Yount for sixteenth years as commissioner and he has left it better than he found it.
- Council Member Pickett mentioned Council Member Yount had served with all three members of her family on Council and even though they may not always see eye to eye they have always been friends and he will sorely be missed.

- Mayor Pro-Tem Matheson thanked Officer Gunnells and Officer Hayes for their help during the Monster March. There was a lady that fell off the curb near Kilwin’s and they were there to help until the ambulance arrived. The lady wanted to thank them, and he promised her he would recognize them at the next meeting.
- Council Member Gherini congratulated Council Member Harwood on his re-election and welcomed Cat Perry who will be sworn in at the December meeting. Asked the media to help get residents to call their cellular providers to see if they can help with the poor cell service in Town.
- Tucker Deal thanked the Council for allowing him to serve the board and he looked forward to working with them.
- Parks and Recreation Director Jennifer Brown updated on the events for the Christmas festival.
- Town Engineer Jared Wright updated on a few projects in Town including the Memorial Park restrooms, Main Street Water and Sewer and the sidewalk project which is now complete.
- Interim Manager Kevin Rothrock stated the sidewalk in front of Town Hall was replaced and new Conduent for all the lighting out front had installed conduit. The Town Hall bathroom and office project is 99% complete. Watauga and Caldwell are under burn bans, continue to monitor the reservoir water levels, need rain in a bad way. Will be considering opening the temporary grass parking lot by the Fire Department for Thanksgiving weekend.

EXECUTIVE SESSION

None

ADJOURNMENT

At 7:35 p.m. with no further business, Council Member Yount made a motion to adjourn, seconded by Council Member Pickett. Unanimously approved.

MAYOR _____
Charlie Sellers

ATTEST _____
Hilari Hubner, Town Clerk

Attachments

- Budget Amendment - #2023-16 – Attachment A**
- Tax Releases - #2023-02, #2023-03, #2023-04 - Attachment B**
- Blowing Rock Lodge Rezoning – Attachment C**
- Blowing Rock Lodge Annexation – Attachment D**
- BRAAC Ordinance Change – Attachment E**
- Dumpster Ordinance Update – Attachment F**



Town of Blowing Rock

1036 Main Street ★ Post Office Box 47 ★ Blowing Rock, North Carolina 28605

To: Mr. Kevin Rothrock, Mayor Sellers, and Members of Town Council
From: Tasha Brown, Finance Officer
Subject: Budget Amendment Ordinance to Account for Various Items
(Ordinance #2023-22)
Date: December 12, 2023

Enclosed please find a Budget Amendment Ordinance for the fiscal year 2023-2024 for your consideration.

Section 1 (General Fund) allocates funding as follows:

- Allocates fund balance (\$7,000) towards the purchase of FY 22–23 night vision for SWAT not received until FY 23-24. This allocation has been directed towards Capital Outlay.

Section 2 (General Fund) allocates funding as follows:

- Allocates fund balance (\$2,176) towards the purchase of FY 22-23 less lethal munitions not received until FY 23-24. This allocation has been directed towards Materials/Supplies.

Section 3 (General Fund) allocates funding as follows:

- Allocates BRAAC fund balance (\$9,300) as approved by the BRAAC Board at the 11.30.23 meeting towards the purchase of a bubbler system for Broyhill Lake. This allocation has been directed towards P&R Maintenance/Repair Park.

Section 4 (General Fund) allocates funding as follows:

- Allocates funds from the managers discretionary fund (\$8,000) to help cover demolition & replacement of sidewalks in front of TH. This allocation has been directed towards Maintenance/Repair Buildings.

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

The following Internal Budget Amendments (moving funds across line items within departments) were approved by the Town Manager and executed by the Finance Officer during the Month of November 2023:

- Internal Budget Adjustment Request # 2023-19- Sanitation (\$575.55) moved funds from Materials/Supplies-Sanitation to uniforms - Sanitation.
- Internal Budget Adjustment Request # 2023-20 – BRAAC (\$136.37) moved funds from Clean-up Day – BRAAC to printing - BRAAC
- Internal Budget Amendment Request #2023-21 – W/S Admin (\$15,115) moved funds from Manager's Discretionary Fund – W/S Admin to Maint./Repair Buildings – W/S Admin

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, 2024:

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>
10-00-3400-399	Fund Balance Appropriation	\$ 393,020	\$ -	\$ 7,000	\$ 400,020
			\$ -	\$ 7,000	

This will result in a net increase of \$7,000 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>
10-10-4310-500	Capital Outlay	\$ 289,490	\$ -	\$ 7,000	\$ 296,490
			\$ -	\$ 7,000	

Section 2. 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>
10-00-3400-399	Fund Balance Appropriation	\$ 393,020	\$ -	\$ 2,176	\$ 395,196
			\$ -	\$ 2,176	

This will result in a net increase of \$2,176 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>
10-10-4310-033	Materials/Supplies	\$ 31,500	\$ -	\$ 2,176	\$ 33,676
			\$ -	\$ 2,176	

Section 3. To amend the BRAAC 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>
15-00-2900-000	BRAAC Fund Balance	\$ -		\$ 9,300	\$ 9,300
15-00-6100-500	Transfer to General Fund	\$ 8,000		\$ 9,300	\$ 17,300
			\$ -	\$ 18,600	

This will result in a net increase of \$9,300 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>
10-80-6100-015	Maintenance/Repair Park	\$ 10,152	\$ -	\$ 9,300	\$ 19,452
10-00-3400-402	BRAAC Fund Transfer In	\$ 8,000	\$ -	\$ 9,300	\$ 17,300
			\$ -	\$ 18,600	

Section 4. 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>
10-00-4200-508	Managers Discretionary Fund	\$ 15,000	\$ 8,000	\$ -	\$ 7,000
			\$ 8,000	\$ -	

This will result in a net increase of \$8,000 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>
10-00-4260-015	Maintenance/Repair Buildings	\$ 39,975	\$ -	\$ 8,000	\$ 47,975
			\$ -	\$ 8,000	

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 12th day of December, 2023.

Attested by:

Charles Sellers, Mayor

Hilari Hubner, Town Clerk



TOWN OF BLOWING ROCK

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

Release Request No: 2023-05

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

Assessment Release	Tax Release	Interest	Total	Tax Year
\$52,430	\$204.48		\$204.48	2023

Reason for Releases: Per Watauga County, the following account was billed in error for personal property. They do not have any items located within the Town limits. Account# 1599599 Illustrated Corp.

Approved By: _____ Date: _____



TOWN OF BLOWING ROCK

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

Release Request No: 2023-06

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

Assessment Release	Tax Release	Interest	Total	Tax Year
\$151,340	\$590.23		\$590.23	2023

Reason for Releases: Per Watauga County, the above property was billed for the incorrect value of personal property. Account# 1543865 Great America Financial Services.

Approved By: _____ Date: _____



TOWN OF BLOWING ROCK

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

Release Request No: 2023-07

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

Assessment Release	Tax Release	Interest	Total	Tax Year
\$45,000	\$175.50		\$175.50	2023

Reason for Releases: Per Watauga County, the above property didn't have their veteran exemption applied to their account due to a clerical error. Parcel - 2818303686000 Jenny Ellerbe.

Approved By: _____ Date: _____



TOWN OF BLOWING ROCK

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

Tax Refund Request No. 2023-01

Refund Request pursuant to NC General Statute 105-381 For Year 2023

Year	Value Amt. Released	Int/Penalties	Total Refund
2023	\$45,000	\$0	\$175.50

Specific Reason for Refund: Ms. Ellerbe has a veteran exemption on her account that wasn't applied do to a clerical error. She has already paid the 2023 tax amount and is due a refund for the exemption amount.

Person Receiving Refund: Jenny Ellerbe – Parcel 2818303686000

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

Council Meeting Date:

Approved By _____ Tax Collector _____

Blowing Rock Town Council

STAFF REPORT

To: Mayor Charlie Sellers and Blowing Rock Town Council
From: Brian Johnson, Acting Planning Director *BJ*
Subject: Topography Setback Reduction
Date: December 12, 2023

Attached is proposed draft ordinance language to Section 16-12.4.7, 16-12.4.7.1 and 16-12.4.7.2 to allow the Administrator authority to provide the calculations for determining the setback reduction based on topography. This only applies to the front street setback.

The purpose of the proposal is to help offset delays in obtaining a North Carolina Surveyor to perform the calculations as they are very busy and sometimes 3-4 months out to perform the work. This is a simple measurement that staff can perform with the use of a transit. The max reduction is limited to 5 feet and the language proposes to remain at a maximum 5 foot reduction. This will allow projects to move forward more expeditiously.

At the August 17, 2023 meeting, there was consensus of the Planning Board in favor of the amendment with the addition of language clarifying applicability to residential and commercial.

ORDINANCE NO. 2023-22**AN ORDINANCE TO MODIFY TEXT IN THE LAND USE ORDINANCE TO ALLOW THE ADMINISTRATOR AUTHORITY TO CALCULATE SETBACK REDUCTIONS BASED ON TOPOGRAPHY IN THE TOWN OF BLOWING ROCK, NORTH CAROLINA**

WHEREAS, the Land Use Ordinance allows various methods to reduce the front street setback to allow structures on steep lots to be built closer to the street; and

WHEREAS, this flexibility in the front street setback allows for less land disturbance, less cost for foundations and improved driveway grades; and

WHEREAS, the Land Use Ordinance currently requires a licensed North Carolina surveyor to provide topographic calculations and perform elevation calculations; and

WHEREAS, an amendment to the Land Use Ordinance is needed to allow staff the ability to provide this administrative waiver that will help facilitate a timely review process; and

WHEREAS, the Planning Board and Board of Commissioners agree that this ordinance amendment is consistent with the 2014 Comprehensive Plan Update, and helps to promote the health, safety, and general welfare of the citizens of the Town of Blowing Rock.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Blowing Rock, North Carolina, that:

Section 1. Section 16-21.4 of the Land Use Code of the Town of Blowing Rock is hereby added to read as set forth herein.

“Section 16-12.4. Building Setback Requirements.

16-12.4.7. Notwithstanding any other provisions of this Section, lots with a single-family residential use, the Administrator may grant an administrative waiver or variance of the setback requirements contained herein due to topography. In such case, the minimum distance required under this Section for placement of a building from the street right-of-way line or street centerline may be reduced up to 5 feet by using one of the calculations, described herein. The property owner shall be entitled to choose from either method.

16-12.4.7.1. The elevation shall be calculated by the Administrator ~~a licensed North Carolina Surveyor~~ at two points in each of the side lot property lines, one of which is located in the street centerline or the street right-of-way line, and the other of which is located 45 feet or 30 feet from said point, as may be appropriate, running the same course as the lot boundary line. The two elevations and the street centerline or the street right-of-way line shall be averaged, and the two elevations and the lot boundary lines shall be averaged, and for every two feet of decrease or increase in elevation as determined by the Administrator ~~a licensed North Carolina Surveyor~~ between the two

averaged elevations, one foot of setback may be deducted from the front setback requirements of this chapter; or

16-12.4.7.2. The elevation shall be calculated by ~~the Administrator a licensed North Carolina Surveyor~~ at two points, one of which is located at a point in the street centerline or street right-of-way line which is in the center of said lot, and the other of which is located 45 feet or 30 feet from said point, as may be appropriate, running perpendicular from said point in the center of the lot. For every two feet of decrease or increase in elevation as determined by ~~the Administrator a licensed North Carolina Surveyor~~ between the two elevations, one foot of setback may be deducted from the front setback requirements of this chapter.

Section 2. Severability; Conflict of Laws. If this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given separate effect and to that end, the provisions of this ordinance are declared to be severable. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. Effective Date. This ordinance shall be effective upon being signed by the Mayor and Town Clerk.

Adopted this the ____ day of _____, 2023.

TOWN OF BLOWING ROCK

Charlie Sellers, Mayor

ATTEST:

Hilari H. Hubner, Town Clerk

Section 16-12.4. Building Setback Requirements.

16-12.4.7. Notwithstanding any other provisions of this Section, lots with a single-family residential use, the Administrator may grant an administrative waiver or variance of the setback requirements contained herein due to topography. In such case, the minimum distance required under this Section for placement of a building from the street right-of-way line or street centerline may be reduced up to 5 feet by using one of the calculations, described herein. The property owner shall be entitled to choose from either method.

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TO: Mayor Charlie Sellers and the Blowing Rock Town Council

FROM: Kevin Rothrock, Interim Town Manager

SUBJECT: Swearing In of Tasha Brown as Finance Director

DATE: December 7, 2023

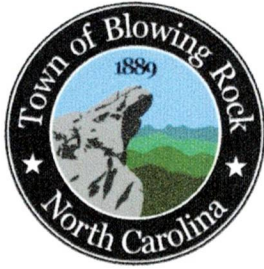
Tasha Brown was appointed as the Town's Finance Director at the November 14th Council meeting. Tasha was officially sworn in that same week in November, so this swearing-in procedure is more ceremonial. Some background on Tasha is as follows:

Tasha Brown started her career in the private sector, working for Larry Smith Toyota in Hickory under her father assisting with customer service in parts and service. She then moved on to work for the Caldwell County School System as a receptionist and financial secretary at the elementary and middle school level. Tasha then went to serve in local government for ten years for Caldwell County in the Property Tax collections department and was later promoted as a Certified Personal Property Tax Assessor.

She started with the Town of Blowing Rock in 2017 processing all the Town's accounts payable invoices and purchase orders and assisted with accounts receivable. In 2022, Tasha was promoted to Finance & Accounting Support Specialist to assist the former Finance Director with related tasks, processed bank reconciliations and collected and balanced occupancy taxes for the Town. Tasha has 16 years of local government experience and has served the Town of Blowing Rock for almost 7 years.

Tasha has been instrumental in maintaining the Town's financial and budget stability over the past several months through the transition of hiring a new Finance Director. In addition, Tasha has been very effective in the audit process providing background knowledge and resources to the auditors for submittal of the FY22-23 Audit to the Local Government Commission.

Tasha is married to Peter Brown and has a daughter, Caitlyn and granddaughter Jane. Her son-in-law Roark works for the Town's Landscaping Department.



Town of Blowing Rock

1036 Main Street ★ Post Office Box 47 ★ Blowing Rock, North Carolina 28605

Town of Blowing Rock Oath of Office – Finance Director

I, Tasha Brown, do solemnly swear that I will support and maintain the Constitution and Laws of the United States, the Constitution and Laws of the State of North Carolina, and the Town of Blowing Rock, not inconsistent therewith, and that I will faithfully discharge the duties of the office of Finance Director to which I have been entrusted. Furthermore, my actions will not be influenced by personal or political friendships or obligations, so help me God.

Tasha Brown, Finance Director

I, Hilari H. Hubner, Town Clerk of the Town of Blowing Rock, administered the Oath of Office to Tasha Brown as Finance Director for the Town of Blowing Rock, North Carolina, this, 20th day of November, 2023.

Hilari H. Hubner, Town Clerk





Town of Blowing Rock
Presentation of Audit Results

Fiscal Year Ended
June 30, 2023



Alan W. Thompson, CPA
1626 S Madison Street
PO Box 398
Whiteville, NC 28472
910.642.2109 phone
910.642.5958 fax
www.tpsacpas.com

TOWN OF BLOWING ROCK

Presentation Agenda

	<u>PAGE(S)</u>
I. GENERAL COMMENTS	
II. REQUIRED COMMUNICATIONS SAS 114	1-3
III. AUDIT RESULTS	4-9
IV. REQUIRED COMMUNICATION	10
V. QUESTIONS AND COMMENTS	
VI. CLOSE	



Thompson, Price, Scott, Adams & Co, P.A.

P.O. Box 398

1626 S Madison Street

Whiteville, NC 28472

Telephone (910) 642-2109

Fax (910) 642-5958

Alan W. Thompson, CPA

R. Bryon Scott, CPA

Gregory S. Adams, CPA

November 29, 2023

To the Honorable Mayor
And Members of the Town Council
Blowing Rock, North Carolina

We have audited the financial statements of the governmental activities, business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the Town of Blowing Rock for the year ended June 30, 2023. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, *Government Auditing Standards*, and Uniform Guidance, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated May 12, 2023. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Matters

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the Town of Blowing Rock are described in Note 1 to the financial statements. The Town adopted GASB Statement 96 "Subscription Based IT Arrangements," effective for fiscal year ended June 30, 2023. We noted no transactions entered into by Town of Blowing Rock during the year that were both significant and unusual, and of which, under professional standards, we are required to inform you, or transactions for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. There were no significant estimate(s) or assumptions noted during the audit.

Certain financial statement disclosures are particularly sensitive because of their significance to the financial statement users. There are no such disclosures identified.

The financial statement disclosures are neutral, consistent, and clear.

Members

American Institute of CPAs - N.C. Association of CPAs - AICPA Division of Firms

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. Some of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to each opinion unit's financial statements taken as a whole.

Disagreements with Management

For purposes of this letter, a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction that could be significant to the financial statements or the auditors' report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated November 29, 2023.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the governmental unit's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Auditing Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the Town of Blowing Rock's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Prior Period Adjustments were recorded to correct beginning balances (please refer to Note VI in the notes to the financials and Finding 2023-001).

The Local Government Commission (LGC) will no longer initiate communications about concerns or findings (formerly considered unit letters). They have created a spreadsheet that has to be completed and submitted with the audit report. If that worksheet identifies what they consider a "Financial Performance Indicators of Concern" (FPICs), we are required to communicate those items to the Board. The Town is required to submit a response within 60 days of the Board meeting in which the financial statements are presented. The detailed audit response should be presented to the entire Board, and signed by the entire Board, Finance Officer, and Town Manager. The indicators identified on the Data Input sheet related to the prior period adjustment, as well as a budgetary violation identified in the Water & Sewer Plant Operations (2023-002).

Other Matters

With respect to the supplementary information accompanying the financial statements, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

Please ensure that management and the Board is aware of the new GASB pronouncements for the upcoming fiscal year.

Restriction on Use

This information is intended solely for the use of the Mayor and Town Council of the Town of Blowing Rock and is not intended to be and should not be used by anyone other than these specified parties.

Very truly yours,

Thompson, Price, Scott, Adams & Co., P.A.

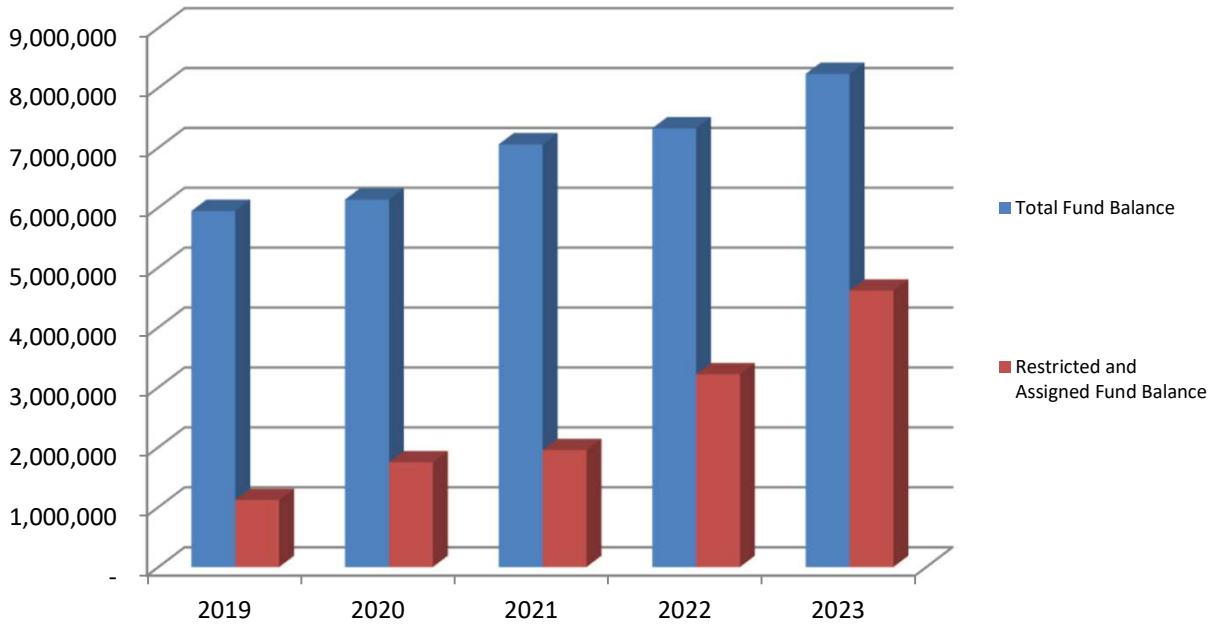
Thompson, Price, Scott, Adams & Co, P.A.

TOWN OF BLOWING ROCK

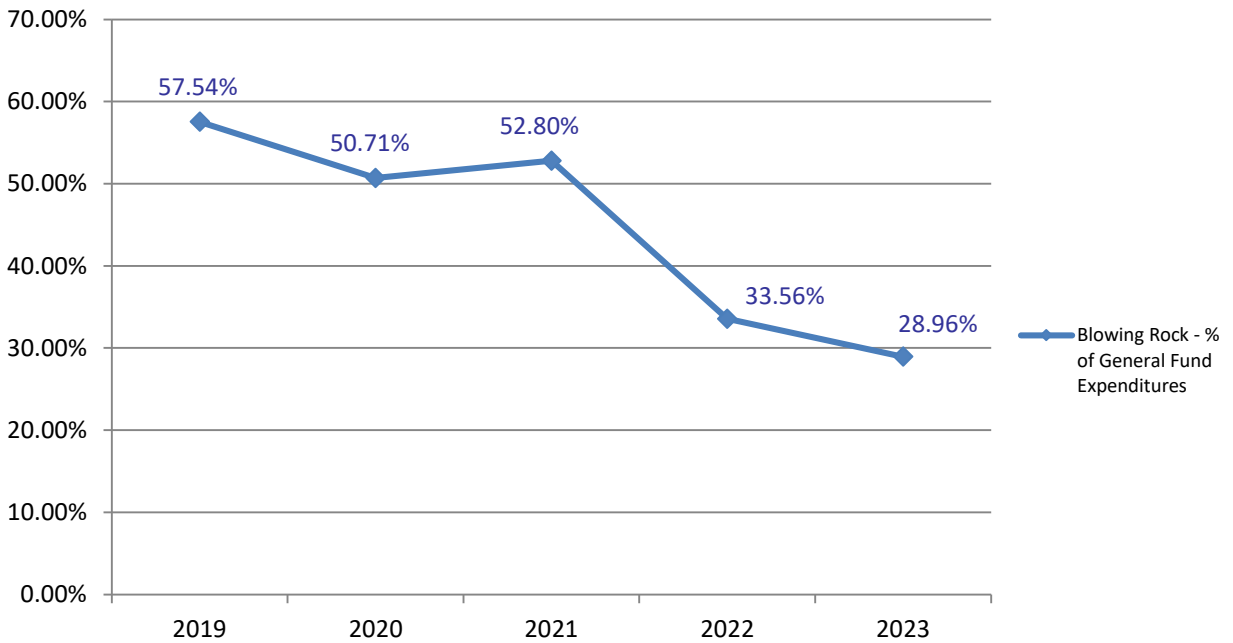
FINANCIAL INFORMATION FOR 5 YEARS

	2023	2022	2021	2020	2019
Total Fund Balance - General Fund	\$ 8,234,281	\$ 7,324,251	\$ 7,056,396	\$ 6,135,034	\$ 5,942,793
Unavailable Fund Balance (Reserve for State Statute, Inventories, Prepaids)	4,472,837	3,070,526	1,924,341	1,325,855	873,442
Restricted and Assigned Fund Balance	4,611,379	3,217,402	1,950,454	1,745,896	1,116,942
General Fund Expenditures (including transfers out, less leases and installment purchases)	12,990,374	12,673,710	9,718,941	9,483,891	8,810,825
Fund Balance Available as % of General Fund Expenditures	28.96%	33.56%	52.80%	50.71%	57.54%
Unassigned Fund Balance	3,598,928	4,044,257	5,040,860	4,337,838	4,819,168
Unassigned Fund Balance as % of General Fund Expenditures	27.70%	31.91%	51.87%	45.74%	54.70%
Revenues over (under) expenditures before contributions and transfers					
General Fund	137,192	733,318	844,803	493,448	551,726
Capital Project Fund	(41,119)	(2,355,339)	(2,339,218)	(1,915,185)	(1,386,717)
Water and Sewer Fund	203,051	242,341	(212,068)	(79,900)	(144,082)
Other Governmental Funds	226,832	196,754	24,002	20,053	11,443
Cash vs. Accumulated Depreciation - Water Fund					
Total Fixed Assets	28,010,777	26,515,427	25,401,987	25,324,698	23,932,271
Accumulated Depreciation	11,995,315	11,438,673	10,957,125	10,427,284	9,920,477
Cash	2,838,578	1,964,568	2,549,903	2,395,207	2,943,292
Cash & Investments vs. Fund Balance/Net Position					
Cash - General	4,821,719	5,263,696	5,875,337	5,410,374	5,736,940
Cash - Capital Project Fund	4,561,434	1,895,192	1,890,537	3,705,438	1,002,596
Cash - Water and Sewer Fund	2,838,578	1,964,568	2,549,903	2,395,207	2,943,292
Cash - Other Governmental	170,748	72,718	38,590	37,006	38,213
Fund Balance - General	8,234,281	7,324,251	7,056,396	6,135,034	5,942,793
Fund Balance - Capital Project Funds	1,789,192	732,046	797,064	3,092,430	418,716
Net Position - Water and Sewer Fund	13,374,036	12,996,206	12,594,202	12,878,061	13,000,626
Fund Balance - Other Governmental Funds	127,418	42,492	38,590	27,588	27,941
Property Tax	\$ 0.37	\$ 0.43	\$ 0.39	\$ 0.38	\$ 0.38
Collection Percentages	99.34%	99.35%	98.94%	98.64%	98.70%
Collection Percentages (excluding Motor Vehicle)	99.32%	99.34%	98.91%	98.61%	98.68%
Total Property Valuation	1,643,422,452	1,224,401,163	1,204,072,821	1,182,263,421	1,156,740,173
Total Net Levy Amount	6,138,893	5,264,925	4,695,884	4,492,601	4,395,613
Debt (excluding OPEB, compensated absences, LGERS)					
Governmental Activities	11,408,737	11,211,576	10,677,553	11,728,007	8,445,240
Business-Type Activities	4,626,641	2,935,677	3,155,730	3,452,667	2,908,461
Breakdown of General Fund Revenues					
Ad Valorem Taxes	6,139,917	5,331,792	4,745,261	4,467,309	4,405,284
Other Taxes, License & Permits	2,844,038	2,725,660	1,770,906	1,472,046	1,544,417
Intergovernment Revenue	3,556,202	3,272,244	2,854,967	2,573,317	2,434,146
Sales and Services	107,297	136,446	185,721	198,300	256,537
Investment Earnings	91,336	3,607	2,219	62,988	95,226
Other	791,773	1,117,708	883,483	734,425	646,684
Total	13,530,563	12,587,457	10,442,557	9,508,385	9,382,294
Breakdown of General Fund Expenditures					
General Government	4,635,015	4,201,721	3,297,047	2,964,917	2,879,578
Public Safety	3,783,843	3,114,474	2,597,742	2,571,641	2,548,859
Transportation	1,413,903	1,450,184	1,051,041	1,019,824	969,210
Environmental Protection	361,604	364,177	402,716	336,866	349,964
Cultural & Recreational	1,680,380	1,320,526	755,461	833,391	832,973
Debt Service	1,518,626	1,403,057	1,493,747	1,288,298	1,249,984
Total	13,393,371	11,854,139	9,597,754	9,014,937	8,830,568

TOWN OF BLOWING ROCK Analysis of Fund Balance

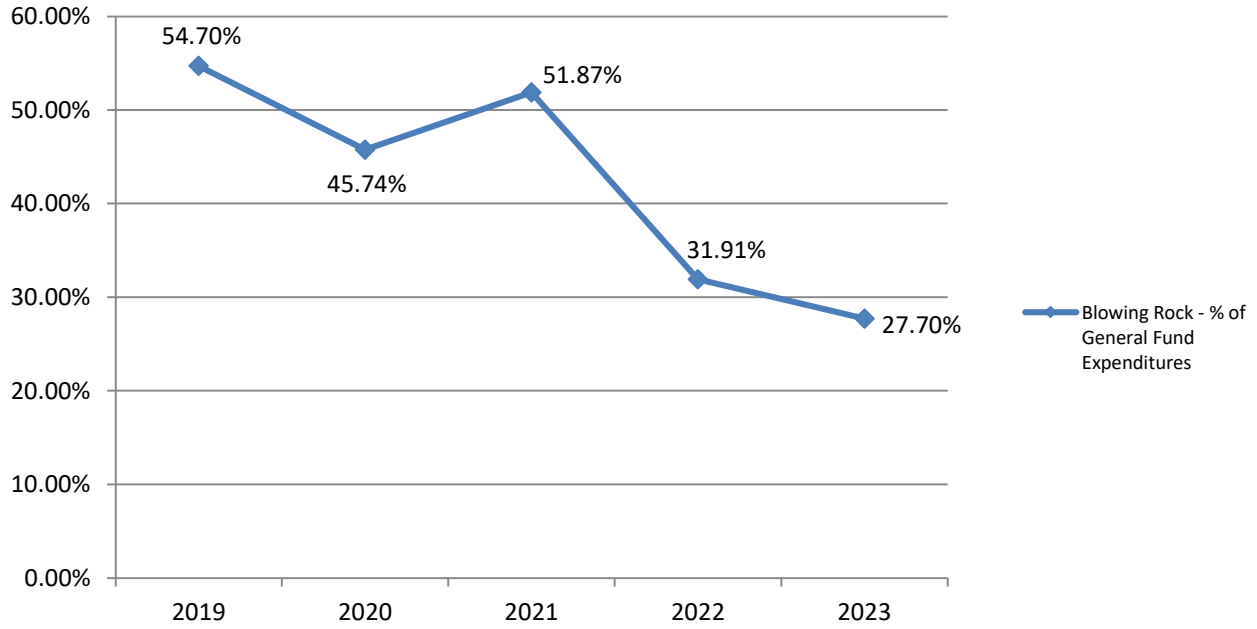


TOWN OF BLOWING ROCK Analysis of Fund Balance Available



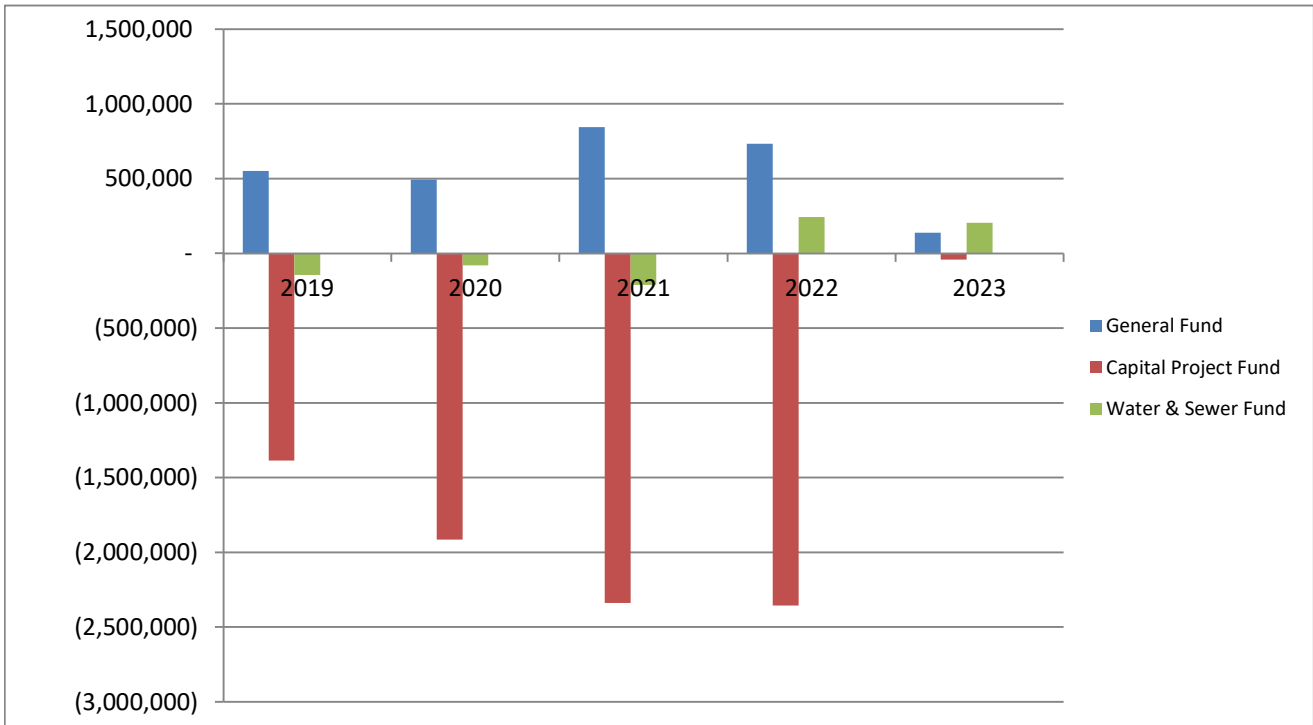
TOWN OF BLOWING ROCK

Analysis of Unassigned Fund Balance as a % of General Fund Expenditures



TOWN OF BLOWING ROCK

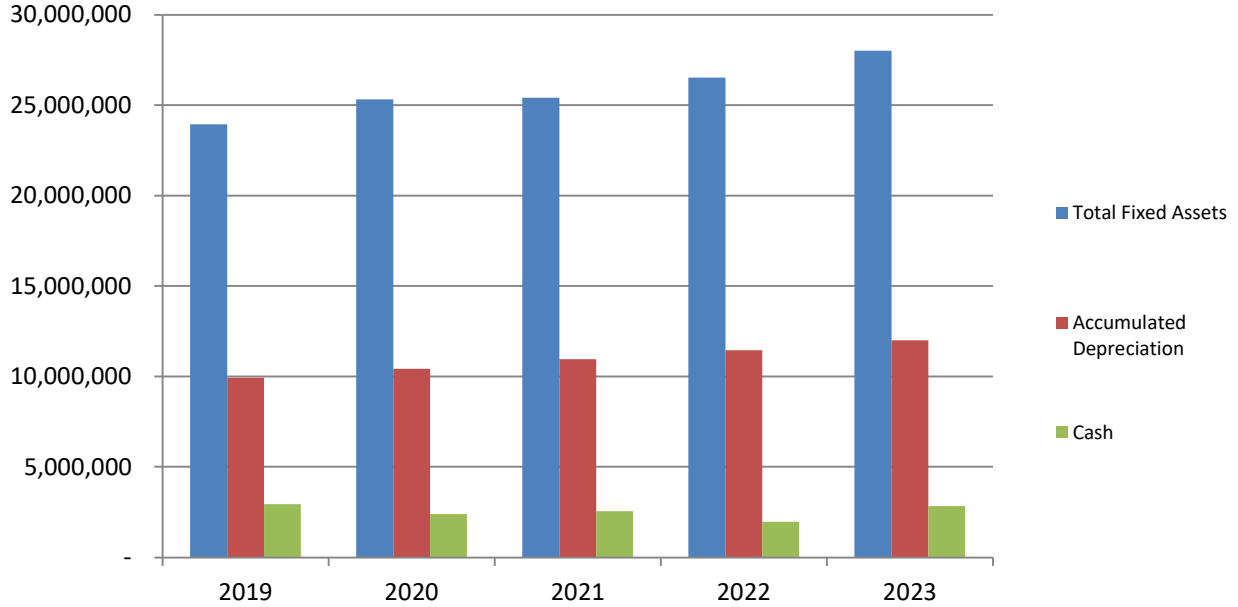
Analysis of Revenues Over (Under) Expenditures before Transfers and Contributions



TOWN OF BLOWING ROCK

Cash vs. Accumulated Depreciation (Funded Depreciation)

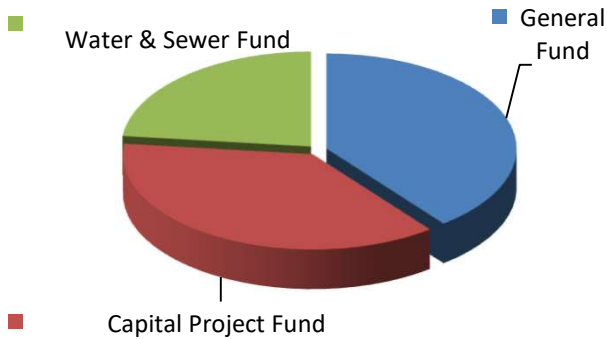
Water & Sewer Fund



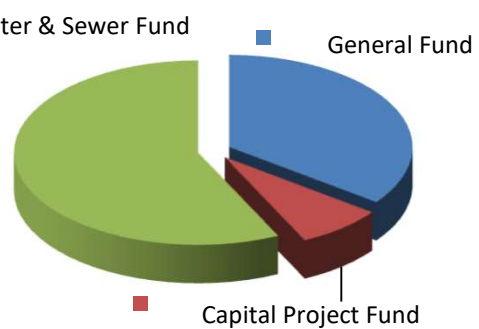
TOWN OF BLOWING ROCK

Analysis of Cash and Fund Balances at June 30, 2023

CASH BALANCES



FUND BALANCES

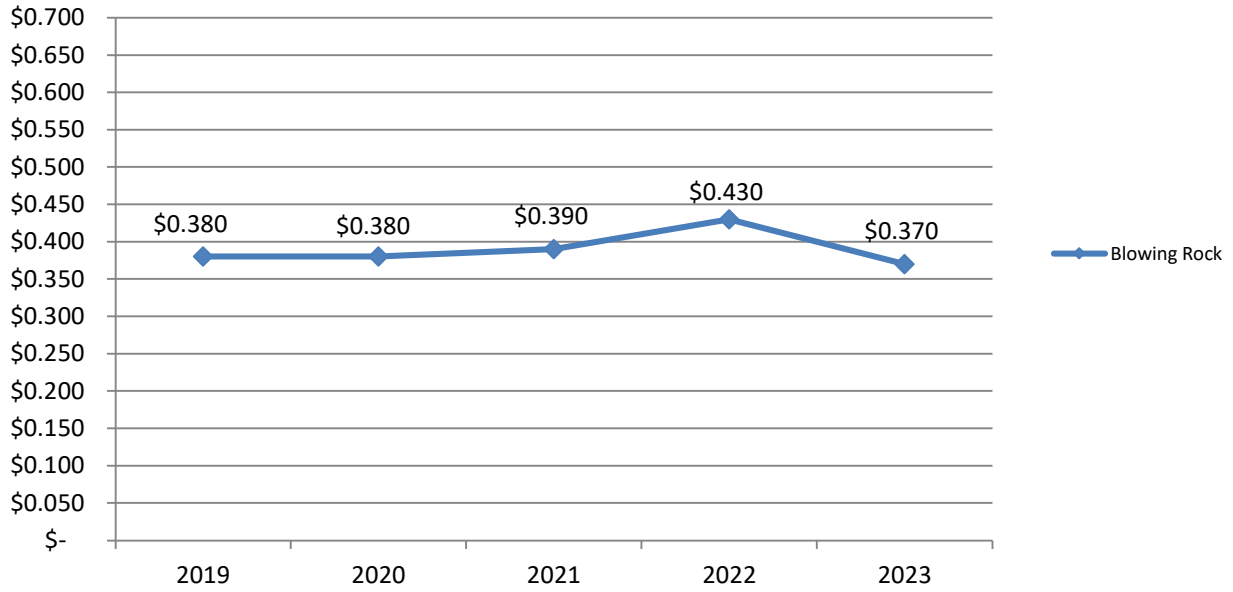


	<u>Cash Balances</u>
General Fund	\$ 4,821,719
Capital Project Fund	4,561,434
Water & Sewer Fund	2,838,578
Total:	<u><u>\$ 12,221,731</u></u>

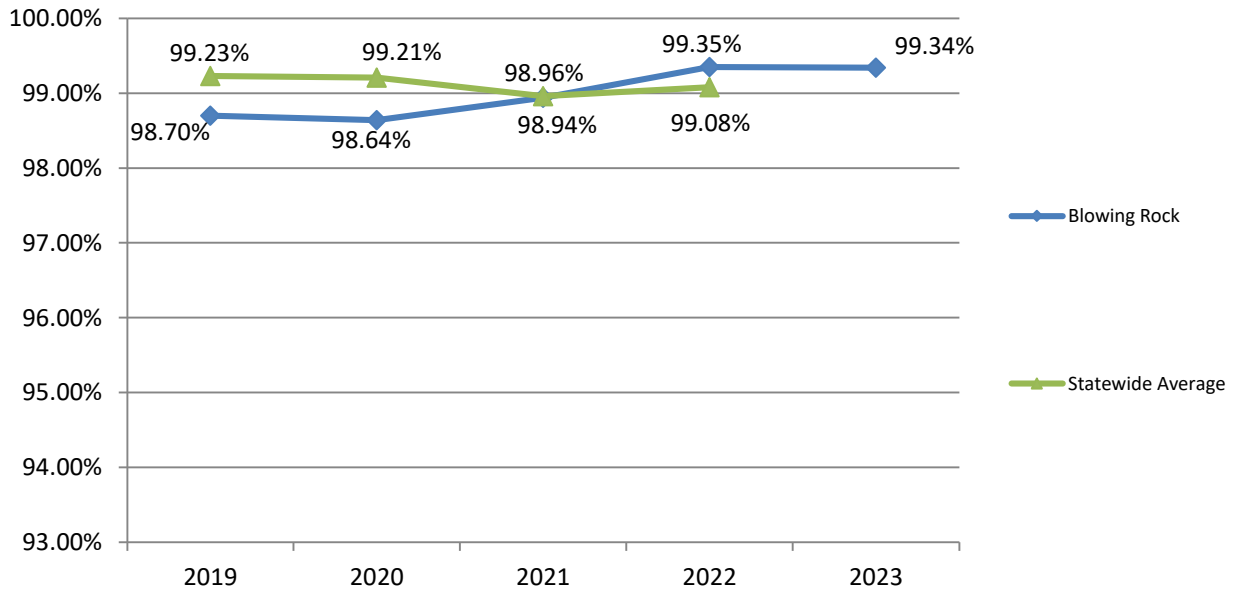
2023

	<u>Fund Balances</u>
General Fund	\$ 8,234,281
Capital Project Fund	1,789,192
Water & Sewer Fund	13,374,036
Total:	<u><u>\$ 23,397,509</u></u>

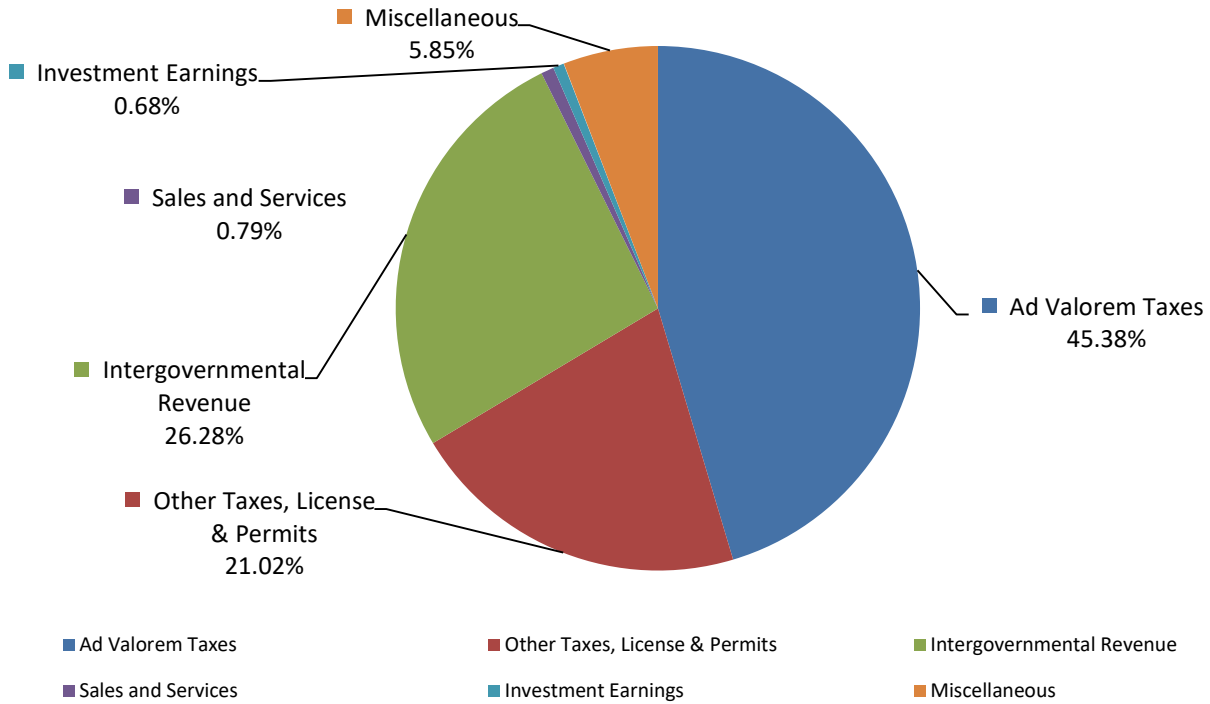
TOWN OF BLOWING ROCK Property Tax Rates



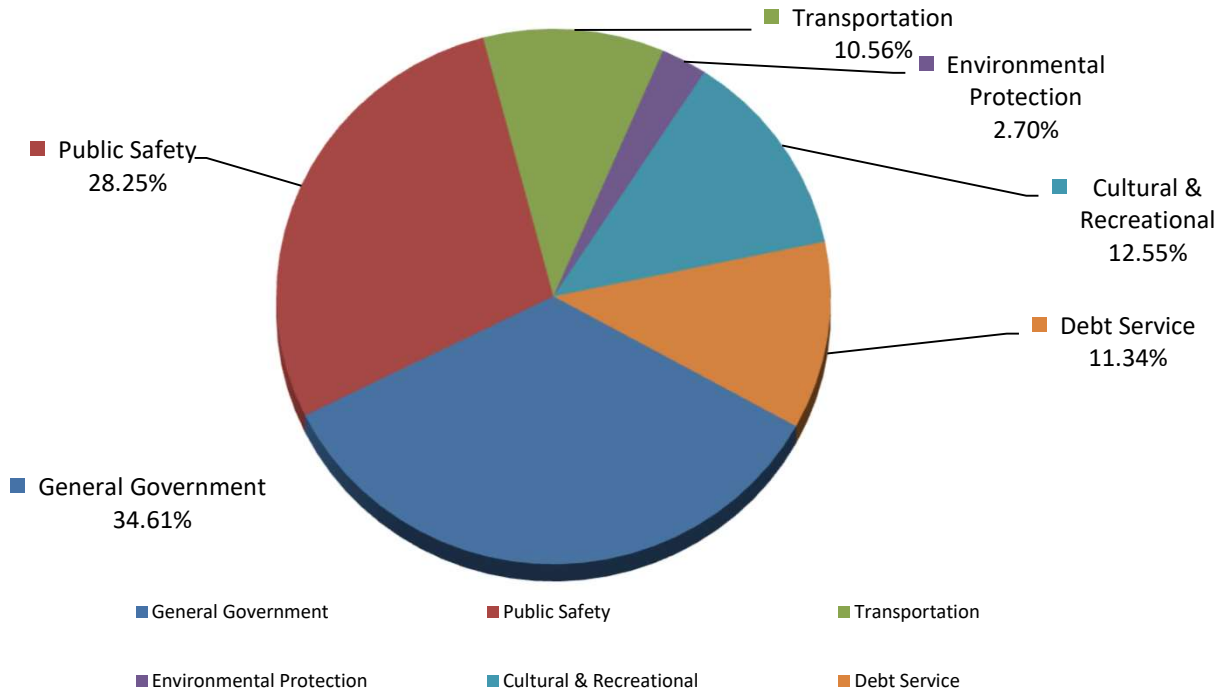
TOWN OF BLOWING ROCK Collection Percentages



TOWN OF BLOWING ROCK
Break Down of General Fund Revenue
FYE June 30, 2023



TOWN OF BLOWING ROCK
Break Down of General Fund Expenditures
FYE June 30, 2023



ADDITIONAL REQUIRED COMMUNICATIONS

Changes to the Audit Process

The Local Government Commission (LGC) will no longer initiate communications about concerns or findings (formerly considered unit letters). They have created a spreadsheet that has to be completed and submitted with the audit report. If that worksheet identifies what they consider a "Financial Performance Indicators of Concern" (FPICs), we are required to communicate those items to the Board.

You are required to submit a response within 60 days of the Board meeting in which the financial statements are presented. The detailed audit response should be presented to the entire Board, and signed by the entire Board, Finance Officer, and Manager.

The following FPIC's were identified on the LGC's transmittal document that we are required to notify you about:

GENERAL PERFORMANCE INDICATORS:

	2023	Target	
Did your audit disclose any budget violations at the adopted ordinance level? (Yes or No)	Yes	No Over-Expenditures	The unit has expenditures that exceed legal budget ordinance. This indicates that the unit's purchase order system, contract approval process and / or payment process is not in compliance with North Carolina General Statute 159.

TO: Mayor Charlie Sellers and the Blowing Rock Town Council

FROM: Kevin Rothrock, Interim Town Manager

SUBJECT: Appointment to HC-COG RPO Regional Transportation Advisory Committee

DATE: December 5, 2023

The High Country Council of Governments is requesting an appointment to the Rural Planning Organization (RPO) Regional Transportation Advisory Committee (RTAC). This position rotates every two years between Blowing Rock and Seven Devils. This position has been filled by Wayne Bonomo of Seven Devils for the past 2 years. The RTAC meets quarterly throughout the year.

David Graham of HC-COG has requested a representative from the Blowing Rock Town Council be selected prior to January 5, 2024. A memo from Mr. Graham is attached.

Todd McNeill
Chair of the Board

Doug Matheson
Vice-Chair



Dennis Aldridge
Secretary

Larry Fontaine
Treasurer

468 New Market Blvd.
Boone, NC 28607

www.hccog.org

Phone: 828-265-5434

Fax: 828-265-5439

TO: Kevin Rothrock, Blowing Rock Town Manager
Johnathan Harris, Seven Devils Town Manager

FROM: David Graham
Transportation Planner

SUBJECT: Appointment for High Country Rural Planning Organization (RPO)
Rural Transportation Advisory Committee (RTAC)

DATE: October 23, 2023

The High Country RPO's Rural Transportation Advisory Committee (RTAC) is the RPO's governing board and is comprised of one county commissioner from each county, one municipal elected official from each county, one elected official from each municipality with a population of 10,000 or more, and one member representing the NC Board of Transportation.

Wayne Bonomo, Seven Devils Town Council Member has been serving as the Watauga County Municipal Representative on the RTAC. Wayne Bonomo's two-year term is set to expire on December 31, 2023. Therefore, I am requesting a Town Council Member from Seven Devils or Blowing Rock to fill Wayne Bonomo's vacancy on the RTAC. *Please note that a reappointment is possible.*

The RTAC's regular meeting date/location is the third Wednesday of February, May, August, and November at the High Country Council of Government offices in Boone.

Municipal representatives on the RTAC are chosen by a caucus of the municipalities within each county. No procedure is spelled out in the RTAC bylaws that describe alternating representation among towns or process for selecting a municipal representative. Therefore, decisions on appointments or reappointments of municipal representatives to the RTAC are left to the towns' administration and governing boards.

Please consider Title VI of the Civil Rights Act of 1964 which prohibits discrimination on the basis of race, color, or national origin when deciding on an appointment to the RTAC.

Please have the appointment to the RTAC selected prior to January 5, 2024 and notify me of this appointment. I will be glad to help in any way or answer any questions you may have regarding this request. You may contact me at 828-265-5434, ext. 135 or by email at dgraham@hccog.org.

TO: Mayor Charlie Sellers and the Blowing Rock Town Council

FROM: Kevin Rothrock, Interim Town Manager

SUBJECT: Memorial Park Improvements – Phase II
Bids, Project Alternates, and Funding Options

DATE: December 8, 2023

In the Spring of 2023, the Memorial Park Improvements Project came in way over budget estimates of \$1.3 million. The lowest bid for the complete project was \$2.9 million. The project was divided into 2 phases in hopes of realizing some savings through re-bidding.

Phase I of the project was re-bid as a bathroom addition and remodel project in summer of 2023 and VPC Builders submitted a bid price of \$901,000. The Town entered into a contract for the bathroom project with VPC Construction in July of 2023 with a total cost including engineering and contingencies of \$1,120,700. Funding sources for Phase I are summarized by the following:

Town Fund Balance Allocation	\$152,000
GO Bond Funds	\$431,000
TDA 1/3rd Fund Balance Allocation	\$152,000
ABC Store Contribution	\$50,000
BRAHM Property Sale (portion of net loan payoff)	\$252,500
TDA BRAHM Parking Deck Debt Service Allocation	\$83,200
Total	\$1,120,700.00

Phase II of the project consists of replacing the tennis court, a new double pickleball court, reworking the volleyball court, shuffleboard, new horseshoe pit, a picnic shelter, retaining walls and sidewalk to provide ADA accessibility from Wallingford Street, drainage, and landscaping. This project was bid in October and again in November to receive at least 2 qualified bids. VPC Builders was the lowest qualified bidder with a base bid of **\$1,691,774**. Alternate # 1 is \$189,096 (sidewalk along Wallingford) and Alternate # 2 is \$12,454 (sod installation). Completing designated qualifying portions of this project will allow the Town to realize a \$500,000 PARTF grant that was awarded in 2022. The bathroom improvements in Phase I do not count towards the PARTF grant match.

Knowing the bids were higher than expected, McGill Associates worked with VPC to lower the base bid by \$274,757 through value engineering. The summary of those savings are attached. The biggest savings would be removing the new pickleball court at \$192,000. Through these

savings, the base bid would be reduced to \$1,417,017. The following project options are available for selecting and deleting project elements based on priority.

Options:

1. Entire Project Bid with both alternates

Base Bid	\$1,691,774
Alternate # 1 Sidewalk along Wallingford	\$189,096
Alternate # 2 Sod installation	\$12,454
Project Cost	\$1,893,324
Construction Engineering	\$52,000
Contingency	\$189,332
Total	\$2,134,656

2. Entire Project Bid with both alternates but removing pickleball court, retaining walls, and sidewalk through lower park

Base Bid	\$1,691,774
Alternate # 1 Sidewalk along Wallingford	\$189,096
Alternate # 2 Sod installation	\$12,454
Value Engineering Savings	-\$274,757
Project Cost	\$1,618,567
Construction Engineering	\$52,000
Contingency	\$161,857
Total	\$1,832,424

3. Project Base Bid with no alternates and removing pickleball court, retaining walls, and sidewalk through lower park

Base Bid	\$1,691,774
Value Engineering Savings	-\$274,757
Project Cost	\$1,417,017
Construction Engineering	\$52,000
Contingency	\$141,702
Total	\$1,610,719

Please note that there may be some plan revisions in either option 2 or 3 that would add to the overall project cost.

With the funds used for Phase I, there is no more funding currently allocated for Phase II except for the \$500K from the PARTF grant.

In order to move forward with Phase II, Council needs to choose project Option 1, 2, 3, or an option that would include a combination of alternates and value savings.

For financing purposes, options include:

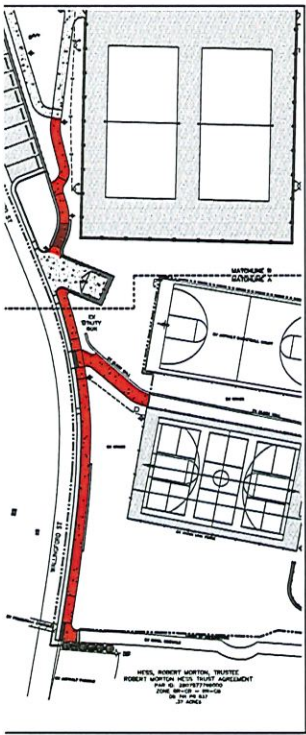
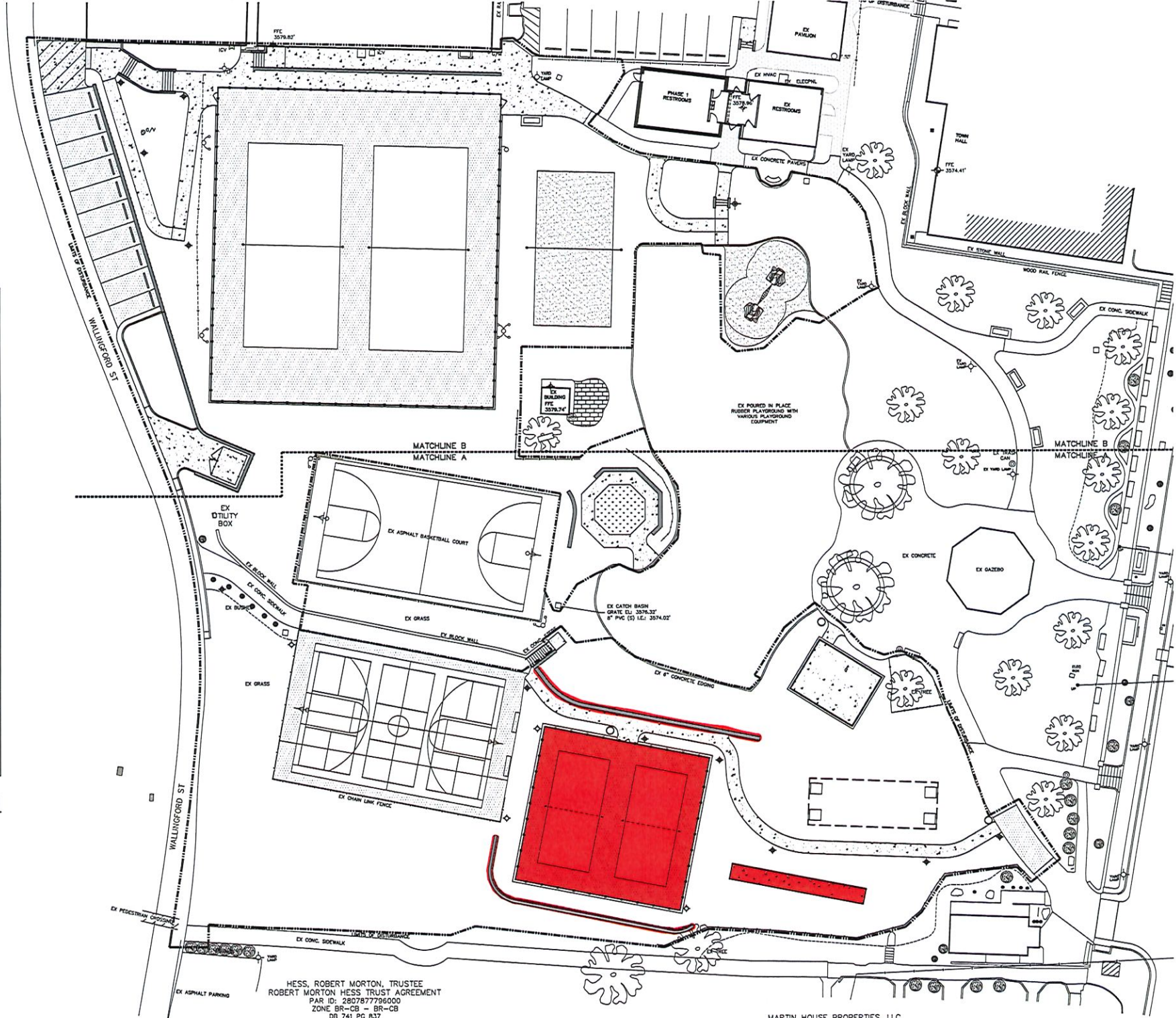
1. ***Fund the project from current fund balance*** and partner with the TDA to contribute between \$80K to \$100K per year for the next 7 years and utilize other funding sources (ABC, Village Foundation, etc.) to offset fund balance allocation. \$500,000 of PARTF grant applied to reduce overall cost.
2. ***Finance the project over a 5-7 year period*** and partner with the TDA to contribute between \$80K to \$100K per year for the next 7 years and utilize other funding sources (ABC, Village Foundation, etc.) to offset fund balance allocation. \$500,000 of PARTF grant applied to reduce overall cost.

Attachments:

- Phase II Project Plan
- Phase II Project Plan revision
- VPC Builders Bid Form
- Certified Bid Tabulation
- Phase II Project Value Engineered Cost Reduction Summary



PHASE 2
IMPROVEMENTS
 MEMORIAL PARK IMPROVEMENTS
 TOWN OF BLOWING ROCK
 WATAUGA COUNTY, NORTH CAROLINA



RNATE #1 SITE PLAN

HESS, ROBERT MORTON, TRUSTEE
 ROBERT MORTON HESS TRUST AGREEMENT
 PAR ID: 280787796000
 ZONE BR-CB - BR-CB
 DB 741 PG 837
 .37 ACRES

MARTIN HOUSE PROPERTIES, LLC
 PAR ID: 2807879754000
 ZONE BR-CB - BR-CB
 DB 792 PG 019
 .93 ACRES

42

BASE BID

ARTICLE 1 – BID RECIPIENT

This Bid is submitted to:

**Town of Blowing Rock
Attn: Kevin Rothrock, Interim Town Manager
1036 Main Street
Blowing Rock, NC 28605**

The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2 – BIDDER’S ACKNOWLEDGEMENTS

2.01 Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 90 days after the date of the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

ARTICLE 3 – BIDDER'S REPRESENTATIONS

3.01 In submitting this Bid, Bidder represents that:

A. Bidder has examined and carefully studied the Bidding Documents, the other related data identified in the Bidding Documents, and the following Addenda, receipt of which is hereby acknowledged.

<u>Addendum No.</u>	<u>Addendum Date</u>
#1	10-10-23
#2	10-10-23
#3	10-18-23
_____	_____
_____	_____

B. Bidder has visited the Project Site and has become familiar with and is satisfied as to the general, local and Site conditions that may affect cost, progress, and performance of the Work.

C. Bidder is familiar with and is satisfied as to all federal, state and local Laws and Regulations that may affect cost, progress and performance of the Work.

D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions in or relating to existing surface or subsurface structures, including Underground Facilities, at or contiguous to the Site which have been included as a part of the Contract Documents.

- E. Bidder has obtained and carefully studied (or accepts the consequences for not doing so) all additional or supplementary examinations, investigations, explorations, tests, studies and data concerning conditions (surface, subsurface and Underground Facilities) at or contiguous to the Site which may affect cost, progress, or performance of the Work or which relate to any aspect of the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder, including applying the specific means, methods, techniques, sequences, and procedures of construction expressly required by the Bidding Documents to be employed by Bidder, and safety precautions and programs incident thereto.
- F. Bidder does not consider that any further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price(s) bid and within the times and in accordance with the other terms and conditions of the Bidding Documents.
- G. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
- H. Bidder has correlated the information known to Bidder, information and observations obtained from visits to the Site, reports and drawings identified in the Bidding Documents, and all additional examinations, investigations, explorations, tests, studies, and data with the Bidding Documents.
- I. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and the written resolution thereof by Engineer is acceptable to Bidder or, if no written response was made by Engineer, that Bidder has resolved the issue to its satisfaction prior to the submittal of its Bid.
- J. The Bidding Documents are sufficient to indicate and convey understanding of all terms and conditions for the performance of the Work for which this Bid is submitted.
- K. Bidder will submit written evidence of its authority to do business in the state where the Project is located not later than the date of its execution of the Agreement.
- L. Bidder has not relied upon any information provided by the Engineer except information which is part of the Bidding Documents and is in writing and in the form of a formal addendum.
- M. The submission of a Bid constitutes an incontrovertible representation by Bidder that Bidder has complied with every requirement of the Bid Documents and the Instructions to Bidders, and that without exception the Bid is premised upon performing and furnishing the Work required by the Bidding Documents and applying any specific means, methods, techniques, sequences, and procedures of construction that may be shown or indicated or expressly required by the Bidding Documents.

ARTICLE 4 – FURTHER REPRESENTATIONS

4.01 Bidder further represents that:

- A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation;
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;

- C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and
- D. Bidder has not sought by collusion to obtain for itself any advantage over any other Bidder or over Owner.

ARTICLE 5 – BASIS OF BID

Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

LUMP SUM BASE BID

Lump Sum Base Bid Price: one million six hundred ninety one thousand seven hundred and seventy four dollars & ⁰⁰/₁₀₀
dollars

(words)

(\$ 1,691,774 ⁰⁰/₁₀₀)

(numbers)

ALTERNATES:

The lump sum alternate bid amounts entered below may be considered at the time of contract award at the Owner's discretion. The Owner reserves the right to select any combination of the Base Bid and Alternate Bid Items.

1. Alternate 1 Bid Item:

Alternate 1 as shown on the drawings. The days to complete the work remain the same. The alternate #1 bid amount entered below shall be an add to the lump sum base bid amount.

Alternate #1 Lump Sum Price: one hundred eighty nine thousand ninety six dollars and ⁰⁰/₁₀₀
dollars

(words)

(\$ 189,096 ⁰⁰/₁₀₀)

(numbers)

2. Alternate 2 Bid Item:

Alternate 2 as shown on the drawings. The days to complete the work remain the same. The alternate #2 unit bid amount entered below shall be added to the lump sum base bid amount. Owner reserves the right to alter the quantity of the tall fescue to be installed.

Alternate #2 Unit Bid Price

ITEM	DESCRIPTION	QUAN.	UNIT	UNIT PRICE	TOTAL
1	Tall Fescue Sod	853	SY	14.60	\$12,454 ⁰⁰ / ₁₀₀

ARTICLE 6 – TIME OF COMPLETION

- 6.01 Bidder agrees that the Work will be substantially complete within **240 calendar days** after the date when the Contract Times commence to run as provided in the Modified General Conditions, and will be completed and ready for final payment in accordance with the Modified General Conditions within **270 calendar days** after the date when the Contract Times commence to run.
- 6.02 Bidder accepts the provisions of the Agreement as to liquidated damages in the event of failure to complete the Work within the Contract Times.

ARTICLE 7 – ATTACHMENTS TO THIS BID

- 7.01 The following documents are attached to and made a condition of this Bid:
 - A. Required 5% Bid security in the form of cash deposit or certified check
 - B. Hub Certified/Minority Participation Forms
 - C. Affidavit of Non-Collusion
 - D. E-Verify

ARTICLE 8 – BID SUBMITTAL

This Bid Submitted By:

If Bidder is:

An Individual

Name (typed or printed): _____

By: _____ (SEAL)
(Individual's signature)

Doing business as: _____

A Partnership

Partnership Name: _____ (SEAL)

By: _____
(Signature of general partner -- attach evidence of authority to sign)

Name (typed or printed): _____

A Corporation

Corporation Name: VPC Builders, LLC (SEAL)

State of Incorporation: North Carolina
Type (General Business, Professional, Service, Limited Liability): LLC

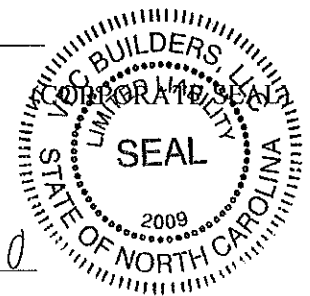
By: Math Ust
(Signature -- attach evidence of authority to sign)

Name (typed or printed): Matthew Vincent

Title: Member manager

Attest Jean Matter

Date of Authorization to do business in North Carolina is 10-12-10



A Joint Venture

Name of Joint Venture: _____

First Joint Venturer Name: _____ (SEAL)

By: _____
(Signature of first joint venture partner -- attach evidence of authority to sign)

Name (typed or printed): _____

Title: _____

Second Joint Venturer Name: _____ (SEAL)

By: _____
(Signature of second joint venture partner -- attach evidence of authority to sign)

Name (typed or printed): _____

Title: _____

(Each joint venturer must sign. The manner of signing for each individual, partnership, and corporation that is a party to the joint venture should be in the manner indicated above.)

Bidder's Business Address _____

Phone No. _____ Fax No. _____

SUBMITTED on _____, 20____.

State Contractor License No. _____.

CERTIFIED BID TABULATION
MEMORIAL PARK IMPROVEMENTS - PHASE 2
TOWN OF BLOWING ROCK, NORTH CAROLINA

Thursday, November 9, 2023 10:00 am
 Town Hall, 1036 Main St, Blowing Rock, NC 28605

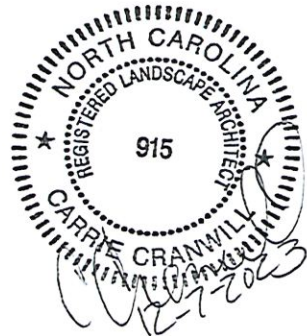
Bidder	TOTAL SITE WORK BASE BID	ALTERNATE BID ITEMS		TOTAL BID W/ ALTERNATES
		No. 1 <i>Add</i>	No. 2 <i>Add</i>	
VPC Builders	\$1,691,774	\$189,096	\$12,454	\$1,893,324
Mountain Crest, LLC	\$3,392,900	\$202,400	\$17,060	\$3,612,360

This is to certify that the bids tabulated herein were accompanied by a 5% bid bond or certified check and publicly opened and read aloud at 9:00 Am local time on the 9th of November, 2023 in the Town Hall, Blowing Rock, 1036 Main St., Blowing Rock, NC 28605.

CARRIE CRANWILL, PLA, EI



1240 19th Street Lane NW
 Hickory, North Carolina 28601
 License No. C-0459



VPC – Cost Reduction Summary

From: Jordan Mattar <jmattar@vpbuilders.com>
Sent: Wednesday, November 22, 2023 11:49 AM
To: Carrie Cranwill <carrie.cranwill@mcgillassociates.com>
Subject: VE for Memorial park Ph 2

Carrie,

Happy thanksgiving! I went through and did the value engineering on a few items. I tried to clearly spell out the changes for all our records, as well as the savings associated with each.

Remove Pickleball Court: Savings \$192,152.00

This includes removing all grading and site work, all retaining walls, foundations, etc. It includes eliminating the sidewalk from the bottom of the stairs, between the court and the retaining wall, and to the asphalt pathway. As well as any grading and excavation associated. This also includes eliminating the pickleball court, its base, asphalt, coating, posts, and fence. The value here also includes 4 trees to remain that were previously shown to be removed.

Eliminate Horseshoe pit: Savings \$8,000.00

This includes leaving the existing horseshoe pit as is and not relocating as previously bid. This would mean the horseshoe pits do not change at all from the existing.

Misc: Savings \$32,266.00

Due to the smaller scope we have reduced our general conditions, supervision, misc. tree protection, and a portion of surveying to reflect the other listed credits.

Handrail substitute: Savings \$10,020.00

This would be to substitute the stainless steel handrail material as it's called for and install powder coated aluminum rails instead. The rails would keep the same design and sizing. The finish would be black powder coat.

Cedar T&G substitute: Savings \$10,209.00

The picnic shelter was bid with cedar T&G on the ceiling surface. This could be substituted for pine T&G material. All the design and dimensions would remain the same.

Landscaping: Savings \$22,110.00

This included the elimination of all landscaping as described in the drawings. The landscaping would be turned over to the Town of Blowing Rock. We will retain some landscaping costs to stabilize and cover the excavated area per NC Building code.

Total VE \$274,757.00