

MINUTES
Town of Blowing Rock
Town Council Meeting
December 12, 2023

The Town of Blowing Rock Town Council met for their regular monthly meeting on Tuesday, December 12, 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 newly elected Council Member Cat Perry. Others in attendance were Interim Town Manager Kevin Rothrock, Town Attorney Tucker Deal, Parks and Recreation Director Jennifer Brown, Town Engineers Jared Wright and Doug Chapman, Police Chief Aaron Miller, Interim Planning Director Brian Johnson, Public Works Director Matt Blackburn, IT Director Thomas Steele, Finance Director Tasha Brown and Town Clerk Hilari Hubner who recorded the minutes. Council Member Gherini 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

SPECIAL RECOGNITION

Mayor Sellers recognized outgoing Council Member Yount for sixteen (16) years of service to the Town.

MINUTE APPROVAL

Council Member Pickett made the motion to approve the minutes from the November 14, 2023, regular meeting, seconded by Council Member Harwood. Unanimously approved.

OATH OF OFFICE

Judge Tom Lambeth administered the Oath of Office to incumbent Mayor Sellers.

Town Clerk Hilari Hubner administered the oath of office to incumbent Council Member Harwood and newly elected Council Member Cat Perry.

SELECTION OF MAYOR PRO-TEM

Mayor Sellers opened the floor for nominations for Mayor Pro-Tem. Mayor Sellers stated Council Member Gherini nominated current Mayor Pro-Tem Matheson. Council Member Perry made a motion to accept the nomination, seconded by Council Member Pickett. Unanimously approved.

REGULAR AGENDA ADOPTION

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

CONSENT AGENDA

1. Budget Amendment - #2023-22

2. Tax Release - #2023-05, #2023-06 and #2023-07
3. Tax Refund - #2023-01

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

SPEAKERS FROM THE FLOOR

Rick Parsons – 1500 Green Hill Road spoke regarding speeding on Green Hill Road. Mr. Parsons explained this is the sixth (6) year he has come before Council with a complaint about speeding on Green Hill Road. His hope is Council will come up with some sort of solution for known problem areas in Town.

PUBLIC HEARINGS

1. Topography Setback Reduction

Interim Planning Director Brian Johnson stated Ordinance #2023-22 is being proposed 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 3-5 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 five (5) foot reduction. This will allow projects to move forward more expeditiously. At their August 17th meeting, Planning Board was in favor of the amendment.

Mayor Pro-Tem Matheson stated he felt given the size of Blowing Rock this wouldn't be a problem being overused. He asked Mr. Johnson what the average time to acquire a surveyor would be.

Mr. Johnson explained staff holds to getting a permit issued within 2 or 3 days and this particular piece could hold up the property owner 3-5 months because it requires a North Carolina Surveyor. He further explained it's an easy calculation and staff sees approximately two (2) a year, but the concern is that number is going to increase.

Council Member Harwood mentioned in his work he completely understands the wait time for a surveyor, but felt if a property owner plans well and calls a surveyor 40-60 days prior this wouldn't be an issue. He further mentioned he didn't understand why the Town needs to put this in place for poor planning on the property owners part. He stated if this were to be put in place he would like the Town to be reimbursed for staff's time.

Mayor Sellers asked if there would be any legal issues.

Mr. Johnson stated it wouldn't with this simple measurement.

Mayor Sellers asked for clarification on this would be for residential only and not commercial too.

Mr. Johnson advised that was correct.

Council Member Harwood asked what the frequency this was of a problem. Mr. Johnson stated once or twice a year.

After further Council discussion. Council Member Harwood stated he would be happier if the language included the administrator or a Licensed North Carolina Surveyor.

Mayor Sellers opened the Public Hearing, with no comments or questions Council Member Harwood made a motion to close the Public Hearing, seconded by Council Member Pickett. Unanimously approved.

Council Member Harwood stated if this is only going to be done a couple of times a year he didn't feel the Town needed to charge for this. He further stated if that were to change or become problematic staff can revisit and bring back to Planning Board and Council.

With no further discussion, Council Member Harwood made a motion to accept with the language change to administrator or a Licensed North Carolina Surveyor in the applicable places, seconded by Mayor Pro-Tem Matheson. Unanimously approved.

REGULAR AGENDA

1. Oath of Office - Tasha Brown as Finance Director

Town Clerk, Hilari Hubner administered the oath of office to Finance Director Tasha Brown.

2. Audit Presentation 2022-2023 Audit

Hunter Wiseman with Thompson, Price, Scott, Adams Audit Firm presented the FY 22-23 Audit. Mr. Wiseman stated the firm received excellent help from all of the staff during their audit. Staff was very attentive and quick to respond.

Mr. Wiseman outlined two findings in detail; 1st finding was for a prior period adjustment relating to opening debt balance on the installment purchases, in both governmental and the water and sewer activities. The debt was overstated as of June 30, 2022, so the prior period adjustment was to reduce the opening debt balance which also resulted in increased fund balance at the July 1, 2022, point. 2nd finding was generated from the Local Government Commission data input sheet relating to a budgetary violation relating to the water sewer plant operations. Mr. Wiseman pointed out the budget for the water sewer was not overspent as a fund, but the budget for the department itself was overspent. He explained this can be corrected by timely budget amendments to move the budget to where it is available. He further explained he has discussed with Ms. Brown and she has already taking measures to inform Department Heads in a timely manner to ensure they don't have this happen in the future. He stated the Town has sixty (60) days starting today to send an explanation to the state informing of the measures the Town will take to correct these findings going forward.

Mr. Wiseman noted fund balance for the general fund had an increase of roughly \$900,000 for the year. Unavailable fund balance increased by \$1.4 million dollars, restricted and unassigned fund balance increased by roughly \$1.4 million and general fund expenditures increased by roughly \$300,000.

Mayor Pro-Tem Matheson asked if the financial statements had been sent and accepted by the LGC.

Mr. Wiseman stated they had been sent, but still waiting for the LCG to accept them. He explained there has been a delay from the LGC this year in accepting.

Mayor Pro-Tem Matheson asked if the findings may affect the Town in any way with the LGC going forward.

Mr. Wiseman stated he didn't feel it would given the findings seemed to be more of a timing issue and not an over budget issue.

Council Member Perry expressed she felt Mr. Wiseman did a great job presenting and explained the audit so well.

With no further questions or comments, Council Member Perry made a motion to accept the audit, seconded by Council Member Pickett. Unanimously approved.

3. RTAC Appointment

Interim Town Manager Kevin Rothrock stated 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 two (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.

Mayor Pro-Tem Matheson made a motion to nominate Council Member Pickett, seconded by Council Member Harwood. Unanimously approved.

4. Memorial Park Phase II – Bid Award and Financing Options

Interim Manager Rothrock reviewed in the spring of 2023, the Memorial Park Improvements Project can in way over budget estimates of \$1.3 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.

Phase II of the project consists of replacing the tennis court, a new double pickleball court, reworking the volleyball court, shuffleboards, 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 two (2) qualified bids. VPC Builders was the lowest 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 toward 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 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.

Options:

1. Entire Project Bid with both alternates: base bid, alternate #1 sidewalk along

Wallingford, alternate #2 sod installation, project cost, construction engineering, contingency – Total Cost \$2,134,656

2. Entire Project Bid with both alternates, but removing pickleball court, retaining walls, and sidewalk through lower park: base bid, alternate #1 sidewalk along Wallingford, alternate #2 sod installation, value engineering savings, project costs, construction engineering, contingency – Total Cost \$1,832,424
3. Project Base Bid with no alternates and removing pickleball court, retaining walls, and sidewalk through lower park: base bid, value engineering savings, project cost, construction engineering, contingency – Total Cost \$1,610,719

Town Engineer Doug Chapman gave a detailed presentation outlining the options.

Mayor Sellers expressed he had a few concerns. The positive was the Town has until 2025 to use the PARTF Grant. His concerns are interest rates are up considerably, he assumed the Town would have to borrow the money. In 2025 and 2026 there will be some debt rolling off and if the project were to be pushed to late 2024 with a target completion of 2025 the Town could still use the PARTF Grant, and the hope would be interest rates would be down as well. He further expressed he felt if the Town is going to do this project, it needs to be done right from the beginning.

Council Member Harwood commented it seems the project gets more expensive each time it's bid.

Mr. Chapman stated bidding the bathrooms separate from the rest of the project did make the bid considerably less.

Council Member Harwood agreed that was definitely a good move. He asked how removing elements from the project that he thought were "points" attached for the PARTF Grant could not effect that eligibility of the grant.

Mr. Chapman explained the "points" were with the tennis courts and not the pickleball courts.

Mayor Sellers asked if outside funds would be able to be used to match the PARTF funds.

Mr. Chapman stated PARTF just wants a match, but it doesn't matter where it comes from.

Council Member Pickett suggested tabling this until retreat have a chance to gather better idea of funding options.

Council Member Harwood stated he was all for tabling until retreat. He further stated he was having a hard time digesting the price tag.

Mr. Chapman mentioned his staff and Town staff could get with the PARTF Grant folks and discuss what can and can't be eliminated.

Council Member Harwood stated he didn't want to miss the opportunity of a half a million dollar grant.

The consensus of Council was to table until Retreat.

Interim Manager Rothrock stated no matter what is done with the project, the retaining wall

along Wallingford has to be done to protect what we have there.

Mayor Sellers asked staff to get a cost break down just for the retaining wall by retreat to have that quote.

OFFICIAL REPORTS & COMMENTS

- Mayor Sellers thanked all the citizens who went out and voted, thanked the candidates who ran for office, reminded citizens to apply for the volunteer boards. He wished Council Member Harwood a Happy Birthday and Merry Christmas & Happy New Year to all the citizens.
- Council Member Perry stated she is very happy to be on Council and was very optimistic about the future.
- Council Member Harwood welcomed Cat Perry to the board, and he is looking forward to working with her.
- Council Member Pickett seconded Council Member Harwood.
- Mayor Pro-Tem Matheson wished everyone a Merry Christmas and offered his congratulations to Mayor Sellers, Council Member Harwood and Council Member Perry. He looked forward to working with them in the new year.
- Tucker Deal wished everyone Happy Holidays and looked forward to the new year.
- Interim Manager Kevin Rothrock updated the Main Street water/sewer project the contractor is planning on completing the southside line near BRAHM by next week. The contractor has completed some paving and hopes to complete a little more before pulling off the project until after January 8th. Gave tentative notice the Town is waiting on approval from the NCDOT for specifics with the project, but the Town is trying to replace a 12 inch sewer line with an 18 inch sewer line. If approved it would be North of Chetola, work would begin after Winter Fest and Main Street would be closed downstream of Chetola Monday-Thursday February, March and maybe part of April. The road will be open on weekends and an official public press release will be done. Staff is currently working on a routing plan for that as well. Memorial Park bathrooms are nearing completion in the new section. The contractor is hoping to have those open soon and will then begin the remodel on the old section. The completion date for the whole project is still set for the first of February. Council Retreat is scheduled for Monday January 29th, Tuesday January 30th and Wednesday January 31st at the American Legion. Wished everyone a Merry Christmas.

EXECUTIVE SESSION

NCGS 143-318.11.(a)(3) – To consult with attorney retained by the public body in order to preserve the attorney-client privilege.

ADJOURNMENT

At 7:35 p.m. regular session ended with a 10 minute recess. At 7:45 p.m. Council entered into close session. At 8:15 p.m. with no further business, Council Member Harwood 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 - #2023-05, #2023-06, #2023-07 - Attachment B

Tax Refund - #2023-01 – Attachment C

Topography Setback – Attachment D

Audit Presentation – Attachment E

