



Town of Blowing Rock

Board of Commissioners Meeting

Date: *Tuesday, March 12, 2024, 6:00 p.m.*

Location: *1036 Main Street, Blowing Rock, NC 28605*

Agenda

Item	Topic	Presenter and Participants
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. February 13, 2024 – Regular and Closed Session Meeting Minutes REGULAR AGENDA ADOPTION	Mayor & Council Mayor & Council
IV.	CONSENT AGENDA: 1. Budget Amendment – #2024-12 2. 2023 Tax Advertisement Request 3. Mayview Madness Run	Mayor & Council
VI.	PUBLIC COMMENTS <i>Comments shall be limited to three (3) minutes</i>	
VII.	REGULAR AGENDA: 1. Street Right-of-Way Maintenance Strategy	Interim Manager Kevin Rothrock
VIII.	OFFICIALS REPORTS & COMMENTS: 1. Mayor 2. Council Members 3. Town Attorney 4. Town Manager	

IX.	CLOSED SESSION – NCGS 143-318.11. (a)(6) – <i>To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee</i>	
X.	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
February 13, 2024

The Town of Blowing Rock Town Council met for their regular monthly meeting on Tuesday, February 13, 2024, 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 Cat Perry, David Harwood, Melissa Pickett and Pete Gherini. Others in attendance were Interim Town Manager Kevin Rothrock, Town Attorney Tucker Deal, Town Engineer Jared Wright, Interim Planning Director Brian Johnson, Public Works Director Matt Blackburn, Landscape Director Cory Cathcart, IT Director Thomas Steele, Finance Director Tasha Brown and Town Clerk Hilari Hubner.

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 Harwood made the motion to approve the minutes from the January 9, 2024, regular meeting, seconded by Council Member Perry. Unanimously approved.

Council Member Gherini made the motion to approve the minutes from the January 9, 2024, closed session meeting, seconded by Council Member Harwood. Unanimously approved.

Council Member Pickett made the motion to approve the minutes from the January 29, 30 and 31, 2024, winter retreat meetings, seconded by Mayor Pro-Tem Matheson. Unanimously approved.

REGULAR AGENDA ADOPTION

Mayor Pro-Tem Matheson made a motion to add a closed session; NCGS 143-318.11(3) to the end of the regular meeting agenda, seconded by Council Member Pickett. Unanimously approved.

CONSENT AGENDA

1. **Budget Amendment #2024-04**

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

SPEAKERS FROM THE FLOOR

None

PUBLIC HEARING

1. Comprehensive Plan Review and Adoption

Interim Planning Director Brian Johnson explained early in 2023 the Comprehensive Plan began with multiple public workshops and extensive work by the Comprehensive Plan Subcommittee and consultant Benchmark Planning. At the January 18th meeting, Planning Board unanimously made a recommendation to approve the draft Comprehensive Plan Update. Mr. Johnson advised Council has a copy of the final draft document in front of them as well as a draft resolution to be read and approved if that is the desire of Council. Mr. Johnson extended his appreciation to Benchmark Planning and the Subcommittee for all the hard work they put into the plan.

Mr. Vagn Hansen with Benchmark Planning reviewed the purpose of the Comprehensive Plan including the requirement for the Town to have an adopted plan that is regularly maintained. Mr. Hansen also reviewed the project timeline with the Board.

Mayor Sellers opened the Public Hearing.

Council Member Gherini asked Mr. Johnson if he was satisfied that the plan reflected everything that needs to be in there. Mr. Johnson stated he felt it does, he explained after the feedback provided at the public open houses, the subcommittee spent a lot of time making sure everything was through and added suggestions from those public meetings.

Mayor Pro-Tem Matheson asked Mr. Johnson if with this plan it would be easier to go back and make changes to the Downtown Ordinances when the time comes to do so.

Mr. Johnson stated he felt it would and the plan is to get the subcommittee back together to start working on that process. He further stated with this updated plan the framework has been laid to start that process.

With no further questions or comments, Mayor Pro-Tem Matheson made a motion to close the Public Hearing, seconded by Council Member Pickett.

Mayor Pro-Tem Matheson thanked Benchmark Planning for their work.

Mayor Sellers thanked everyone that was involved for all their hard work. He stated this plan is a lot more targeted, focused and doable.

Council Member Gherini thanked Mr. Johnson, the subcommittee and Benchmark for their hard work.

Interim Manager Rothrock thanked Benchmark. He explained the Town has used them for several projects over the years, including the 2014 Comprehensive Plan, Sign Ordinance and the 321 study. He further explained they always capture what the

community wants and are always great to work with. Interim Manager Rothrock also thanked the subcommittee for their hard work.

Mayor Sellers read the resolution.

Council Member Gherini made a motion to approve the resolution as written, seconded by Council Member Perry. Unanimously approved.

REGULAR AGENDA

1. RFPs For Tank Maintenance

Town Engineer Jared Wright gave a little background information to the Board about tank maintenance. The previous contract expired in 2018 and wasn't renewed. Since that time only minor maintenance has occurred on both water tanks. In 2023 working with Town Staff, McGill Engineers created a request for proposals for a ten (10) year annual tank maintenance contract, with an option for a five (5) year renewal, for a total of fifteen (15) years if Council elects to award the contract. December 15th five (5) solicitations were mailed out to tank maintenance contactors. Bids were due on January 25th, two (2) bids were received, American Tank and USG. Mr. Wright advised there is a significant difference in cost between the two (2) bids. Mr. Wright noted one of the contractors had mathematical errors in the calculation of their bid he wanted to make sure to point out to the Board. He further noted it didn't affect the outcome of their bid, they were still the highest bidder.

Mayor Pro-Tem Matheson clarified the tanks would be cleaned year one (1), year five (5) and year ten (10). Mr. Wright confirmed that was correct.

Mayor Sellers asked if the contractor would do an inspection every five (5) years. Mr. Wright stated the contractor would.

Mayor Sellers further asked how often the tank would be painted. Mr. Wright explained that was only included in year one (1) as an alternate, and exterior coating was not included in the bid for the Green Hill water tank, but that could be addressed at a later date.

After further discussion. Council Member Harwood made a motion to accept the bid from American Tank, seconded by Council Member Perry. Unanimously approved.

2. Summary of 2024 Winter Retreat

Interim Manager Rothrock gave an update from the Winter Retreat where nine topics were discussed and ranked in order from one to nine, with one being the top priority. In addition, six more topics were discussed for staff to begin working on bringing a plan and cost estimates back to Council.

3. Town Board Appointments

Council voted on each Board appointment by ballot. The following appointments

were made:

- **Planning Board:** Gasper Naquin, Steven Cohen and Joe Hubbard (ETJ)
- **Board of Adjustment:** Stephen Schiller and Brandon Walker (Full Time Members) Lee Rocamora (Alternate Member) and Joe Hubbard (ETJ)
- **ABC Board:** Sylvia Tarlton
- **TDA Board:** Dean Bullis
- **Public Land, Appearance and Recreation Board:** Alice Roess and David Goodson (2-year terms) and Carol Knapp, Aidan Waite and Deborah Boyd (3-year terms)

Council Member Gherini made a motion to approve the newly appointed board members, seconded by Council Member Pickett. Unanimously approved.

OFFICIAL REPORTS & COMMENTS

- Mayor Sellers extended his thanks to Police Chief Aaron Miller for his years with the Town and congratulated him on his recent retirement. He extended his thanks to Nathan Kirk for accepting the Interim Police Chief position. Congratulated Charles Hardin for twenty (20) years with the Blowing Rock Chamber.
- Council Member Perry nothing to report.
- Council Member Harwood thanked Interim Manager Rothrock and staff for a great retreat. He felt Council had productive conversations. Appreciated everyone's efforts to make it a good retreat.
- Council Member Pickett nothing to report.
- Mayor Pro-Tem Matheson thanked staff for all they did to make the retreat successful. Thanked Lonnie Webster for taking the Council pictures and getting those to Council.
- Council Member Gherini thanked staff for a great retreat. Got a call from a business owner that walks up and down Sunset Drive who is concerned with school children's safety. This person observed a child almost being hit and wanted to know why there isn't a flashing light during school crossing hours. Mayor Sellers stated a light was ordered several years ago. Public Works Director Matt Blackburn confirmed a light was in place and if the lights were not working he wasn't aware. He further confirmed he would check and investigate some flashing lights.
- Town Attorney Tucker Deal will be attending the Bi-annual Municipal Attorney's Conference at the School of Government.
- Interim Manager Kevin Rothrock reported the Blowing Rock Academy is almost open. Thanked Public Works for their hard work with snow removal over the last month. There will be a community group utilizing Town Hall this upcoming Saturday. There isn't a current policy on how we handle those groups using Town Hall, his suggestion is staff develop a policy for Council to review and adopt for

groups to following when utilizing Town space for those meetings.

Council took a 10 minute recess before going into closed session.

EXECUTIVE SESSION

At 7:20 PM Council Member Perry made a motion to go into closed session, **NCGS 143- 318.11.(3)** – *To consult with attorney retained by the public body in order to preserve the attorney-client privilege*, seconded by Council Member Harwood. Unanimously approved.

ADJOURNMENT

At 7:30 p.m. Council returned to open session and with no further business, Council Member Harwood made a motion to adjourn, seconded by Council Member Pickett. Unanimously approved.

MAYOR _____
Charlie Sellers, Mayor

ATTEST _____
Hilari Hubner, Town Clerk

Attachments

Budget Amendment #2024-04 – Attachment A
Comprehensive Plan Resolution – Attachment B



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 #2024-12)
Date: March 12, 2024

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 revenues received (\$46,000) above budget towards the purchase of a Town vehicle due for purchase in the FY 2024-25 budget cycle, to be purchased in FY 2023-24 due to supply and demand issues.

Section 2 (Water/Sewer Fund) allocates funding as follows:

- Allocates Water/Sewer Fund Balance (\$36,310) towards the cost of replacement of Transfer Pump VFD allocated in FY 2022-23 but not repaired/replaced until FY 2023-24.

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 February 2024:

- Internal Budget Adjustment Request # 2024-05 - W/S Plant Ops (\$1,150) moved funds from Maint. /Repair – W/S Plant Ops to Permits& Dues – W/S Plant Ops
- Internal Budget Adjustment Request # 2024-06 – BR Academy (\$100) moved funds from Telephone – BR Academy to Employee Development – BR Academy
- Internal Budget Adjustment Request # 2024- 07– Central Govt. (\$10,000) moved funds from Legal Svcs (\$5,000) – Central Govt. & General Fund Engineering Svcs. (\$5,000) – Central Govt. to Miscellaneous – Central Govt.
- Internal Budget Adjustment Request # 2024-08 – Police Dept. (\$7,863.76) moved funds from Gasoline – PD to Materials & Supplies – PD
- Internal Budget Adjustment Request # 2024-09 – Police Dept. (\$1,500) moved funds from Dare Program – PD to Materials/Supplies – PD
- Internal Budget Adjustment Request # 2024-10 – Police Dept. (\$3,011.33) moved funds from Salaries – PD to Dispatch Overtime – PD
- Internal Budget Adjustment Request # 2024-11 – Police Dept. (\$1,033.33) moved funds from PT Parking Enforcement – PD to Maint/Repair Bldg./Equip – PD

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>
10-00-4300-329	Interest on Investments	\$ 30,000		\$ 46,000	\$ 76,000
			\$ -	\$ 46,000	

This will result in a net increase of \$46,000 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>
10-20-4500-017	Maint./Repair Vehicles	\$ 19,000	\$ -	\$ 46,000	\$ 65,000
			\$ -	\$ 46,000	

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

<u>Acct. No.</u>		<u>Current Appropriation</u>	<u>Decrease</u>	<u>Increase</u>	<u>Proposed Appropriation</u>
30-91-3400-399	Fund Balance Appropriated	\$ -	\$ -	\$ 36,310	\$ 36,310
			\$ -	\$ 36,310	

This will result in a net increase of \$36,310 in the appropriations of the Water/Sewer Fund. As a result, the following revenue will be increased.

<u>Acct. No.</u>		<u>Current Appropriation</u>	<u>Decrease</u>	<u>Increase</u>	<u>Proposed Appropriation</u>
30-91-7120-016	Maint./Repair	\$ 25,000	\$ -	\$ 36,310	\$ 61,310
			\$ -	\$ 36,310	

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 March 2024.

Attested by: Charles Sellers, Mayor

Hilari Hubner, Town Clerk

Town of Blowing Rock

Request for Council Action

FROM: Hilari H. Hubner, Town Clerk/Tax Collector
SUBJECT: 2023 Tax Advertisement Request
TO: Mayor and Council
DATE: March 12, 2024
REQUESTED BY: Tax Collector

Public Hearing Yes No Not required NA
Properly Advertised Yes No Not required NA

BACKGROUND:

Pursuant to North Carolina General Statute 105-363(a), I herein submit the following report under oath.

The total 2023 real property tax levy billed is \$6,383,471; as of February 29, 2023, \$6,387,900 or 100.07% of the total net levy has been collected.

Unless otherwise directed, I will advertise for 2023 past due taxes on April 24, 2024.

Following Council approval to advertise the tax liens outstanding per North Carolina General Statutes 105-369(B1) each property owner will be notified by first class mail on or before March 18, 2024 to allow 30 days for payment prior to publishing the real property owner names and amounts outstanding at that time.

ATTACHMENTS:

STAFF RECOMMENDATION:

Approve the request to advertise delinquent taxes on April 24, 2024.

Town of Blowing Rock

Request for Council Action

FROM: Jennifer Brown, Director of Parks & Recreation
SUBJECT: Mayview Madness
TO: Town Council
DATE: March 8, 2024
REQUESTED BY: Blue Ridge Conservancy

BACKGROUND:

Blue Ridge Conservancy is requesting to hold its annual Mayview Madness 5K road race on Saturday, September 21, 2024. Set-up will begin at 6:00 am, the race will begin at 8:00 am, and clean-up will be completed by 11:00 am. The race begins at the corner of Wallingford and Laurel Lane and ends at Bistro Roca.

The application was reviewed by department heads, and no one had any issues.

Attachments:

1. Special Event Application



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

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

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

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

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

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

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

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

APPLICANT INFORMATION

Name of Event: Blue Ridge Conservancy 5K
 Applicant Name & Title: Sydney Phillips, Admin Asst
 Organization: Blue Ridge Conservancy
 Mailing (Billing) Address: PO Box 568
 City / State / Zip: Boone, NC 28607
 Daytime Phone: 828-264-2511 Cell: 252-467-5979 Email: sydney@blueridgeconservancy.org
 Description of the Event: annual 5K - through Mayview Neighborhood
 Does the event have a Twitter, Facebook or other social networking page: _____
 If yes, please list URL(s): _____

Event Address: 333 Wallingford Road, Blowing Rock
Date of Event: Saturday, September 21, 2024
Event Start Time: 8 am Event End Time: 10 am
Set-Up Begins: 6 am Clean-Up Ends: 11 am
Preferred Date & Time of Inspection:
Estimated Attendance: 300
The Event is: <input type="checkbox"/> Private (by invitation only) or <input checked="" type="checkbox"/> Open to General Public

APPLICANT'S SIGNATURE DATE: 3/8/2024

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

TENTS & MEMBRANE STRUCTURES

**** Tent is a structure, enclosure, or shelter, with or without sidewalls or drops ****

Will tent(s) be used for the event? Yes No

Number of Tent(s) planned: 2

Size of Tent(s) planned: 10x10 pop up tents

Percentage of side walls if any to be used for each tent: 0

Detail tent location, size, percentage of side walls and spacing for each on required site plan.

**** Membrane structure is an air-inflated or air supported structure ****

Will inflated/air Supported membrane(s) structures be used for the event? Yes No

Number of air inflated/air supported membrane structures planned: 1 - Start and finish line arch

Size(s) air inflated/air supported membrane structures planned: 20 feet

Detail air inflated/air supported membrane structure location(s), size and spacing for each on required Site plan.

POWER SOURCES

Will you use electric generators? Yes No

If yes, will Power Distribution boxes be used? Yes No

Provide contact information for contractor supplying generator power:

Name: _____ Phone: _____ Email: _____

Will you use electric power from an existing structure? Yes No

If yes, will direct wiring to breakers be required? Yes No

Provide contact information for person responsible for setup of power:

Name: _____ Phone: _____ Email: _____

HAZARDOUS MATERIALS

Will there be any portable heaters?? Yes No

Will there be any deep fat fryers?? Yes No

Will the event have any hazardous materials such as propane, butane, gasoline, diesel tanks, helium cylinders or other upright tanks? Yes No

If yes, all tanks must be secured in a manner to prevent accidentally being knocked over. All helium tanks not being used shall have their caps in place.

Will there be any fireworks, lasers, torches, candles or pyrotechnics? Yes No

If yes, contact the Blowing Rock Fire & Rescue office at 828-548-2800 for more information.

VOICE/MUSIC AMPLICATION

Are there any musical entertainment features related to your event? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (If no proceed to next section)
If yes, state the number of bands and type of music: Number of bands: _____ Type(s) of music: _____
Will a portable or temporary stage be utilized? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes*, state the number of portable or temporary stages: _____ Will stage have canopy with frame that supports equipment (lighting, etc.)? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes* state the size of canopy: _____
Provide contact information for contractor providing stage: Name: _____ Phone: _____ Email: _____
Will your event use amplified sound? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please indicate times: Start time: <u>7 am</u> Finish time: <u>10 am</u>

ALCOHOL

Will alcoholic beverages be served? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (If yes, NC ABC permit required)
Will alcoholic beverages be sold? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (If yes, NC ABC permit required)
What type of alcohol will be served? <input type="checkbox"/> Draft Beer <input checked="" type="checkbox"/> Can/Bottle Beer <input type="checkbox"/> Wine <input type="checkbox"/> Liquor
Who will be serving the alcohol? Brewery staff
Times for alcohol to be served: 8 am
Locations within event site where alcohol will be served: Bistro Roca parking lot
Have you applied for a North Carolina temporary ABC permit? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

MECHANICAL RIDES

Does the event include mechanical rides, or other similar attractions? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please describe attractions: _____ _____ _____
<i>Applicants contracting with amusement ride companies are required to provide the Town of Blowing Rock with a certificate of insurance, naming applicant and the Town of Blowing Rock (if applicable) as additional insured on general liability.</i>

VENDORS

PLEASE ATTACH COMPLETE LIST OF VENDORS IF ON PUBLIC PROPERTY.

Does the event include food vendors? Yes No

If the event will have food vendors, please check the following that apply:

Served Sold Free Catered Prepared Outdoors

Does the event include food concession and/or cooking areas? Yes No

If yes, please list each vendor and specify cooking method (Gas, Electric, Charcoal, Other)

(Use additional sheet if necessary)

VENDOR	COOKING METHOD	FOOD ITEM
Stick Boy	none	sweet rolls

Fire Code requires a fire extinguisher at each cooking location. Event organizers are responsible for arranging health inspections for their events.

EVENT SCHEDULE

Provide a detailed schedule of the event including dates and times for entertainment, activities, hours of event, start time, finish time, etc. If the event requires an extended time frame for set-up, include details with a timeline listing the times and locations where streets or public property will be impacted and when dismantling will be completed. (Use additional sheet of paper if necessary)

DATE	TIME	ACTION	ADDITIONAL NOTES
9/16/2023	6:30 am	registration/packet pick-up	
9/16/2023	8 am	5k start	
9/16/2023	9 am	1 mile fun run start	
9/16/2023	9:30 am	awards	

TOWN SERVICES

The Town of Blowing Rock does not provide amenities such as portable washrooms, sound systems, tables, chairs, tents, canopies or other equipment.

TRASH AND RECYCLING PLAN

In order to determine what types of containers are needed for the event, please answer the following questions: Are you requesting trash/recycle bins from the town?(Additional Fee Will Be Required) Yes / No

How many trash bins are you requesting for trash? NO

How many recycle bins are you requesting? _____

Date and Time for trash or recycling bins to be emptied\picked up: _____

Delivery Location?

N/A

_ Applicants are responsible for cleaning and restoring the site after the event. The cost of any employee overtime incurred because of an applicant's failure to clean and/or restore the site following the event will be paid for by the applicant. If you reasonably believe that no litter will be generated during your event, please state this in your plan.

PUBLIC PROPERTY CLEAN-UP

Contracted personnel or volunteers may be used if indicated below. What is the clean-up plan for the event? BRC staff & volunteers will be responsible for clean-up

If town personnel are needed to assist with event site clean-up the applicant will be required to hire off Duty personnel.

If needed, please list preferred Date & Time for clean-up staff to arrive: N/A

Will any of the following services be used for the event:

- Water Service
- Portable Toilet Services
- Wastewater Service
- Public Restrooms
- Public Electric Power

SAFETY AND SECURITY (CHECK TYPES OF SECURITY USED)

- Beer/Alcohol Security
- Stage Security
- Event Area Security
- Gate Security
- Road Closure Security
- Money Handling Security
- Other _____
- Overnight Security From 9/21/24 : 7:30am To 9/21/24 : 9:30am

Dates & Times security will be on site: 9/21/2024 7:30 am to 9:30 am

Security provided by: Off-duty Blowing Rock PD Number of Security Personnel: 2

Applicant may be required to hire sworn off-duty Town of Blowing Rock police officers to provide security to insure public safety. The Blowing Rock Police Department will determine the number of security personnel required on site.

WALK, RUN, CYCLE EVENTS ON PUBLIC ROADWAYS

Number of participants expected: _____ % of participants expected under 18: _____

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

Number of volunteers expected: _____ % of volunteers expected under 18: _____

ADDITIONAL GUIDELINES AND REQUIREMENTS

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

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

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

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

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

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

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

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

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

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

Event organizers to assist in enforcing safe roadway rules. _____

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

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

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

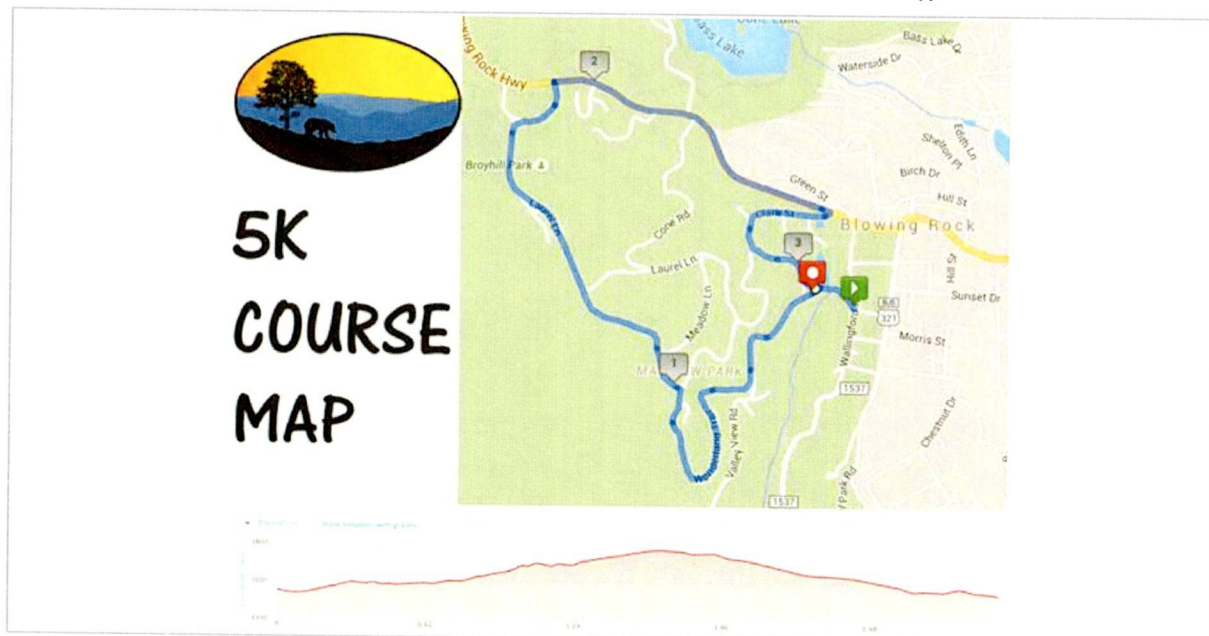
SITE PLAN

Provide a detailed Site-Plan sketch of the event. Include maps, outline or diagram of the entire event venue including the names of all streets or areas that are part of the venue and the surrounding area. The plan should include the following information (if applicable):

- Location of the event/activity on the property with approximate distances from roads, fire hydrants, existing buildings, etc.
- Location of temporary structures that will be used during the event. Must indicate size of temporary structures, distances between temporary structures and existing buildings.
- Identify how each temporary structure will be used. Example: type of vendor, food preparation, alcohol sales, etc.
- Identify location of all cooking devices and open flames.
- Location of all fencing, barricades, or other restrictions that will impair access to and from the event or property.
- Identify all designated parking areas.
- Identify location of any generators and fuel storage.

SITE PLAN SKETCH

Parking in Blowing Rock parking deck, starting line at corner of Wallingford and Laurel. Finish-line (20ft inflated structure) and post-race event in Bistro Roca parking lot. 5 BRC staff and approximately 20 volunteers will be responsible for set up and clean-up, locations in the recreation center, Bistro Roca parking lot, and along 5K course.



ATTACHMENT CHECKLIST

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

All Events:

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

All Public Property Events:

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

Public Property Event at a Public Park:

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

Waiver Request:

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

USE OF PUBLIC PLACES

**** THIS SECTION IS ONLY TO BE COMPLETED IF REQUESTING TO HOLD AN EVENT IN PUBLIC PLACES AND PARKS ****

RULES REGULATING THE USE OF PUBLIC PLACES AND PARKS FOR SPECIAL EVENTS

- The Town Council reserves the right to reject any application as to the use of any area for any special event. If the Town Council learns that the event or vendors participating were misrepresented to the Town Council or that the event in any way fails to comply with the rules regulating the use of public places or fails to comply with any applicable local, state, or federal laws, it reserves the right to rescind any approved application up to and during the course of the event. In the case of a special event being held at a Town-owned facility for which a rental fee is usually charged, the normal rental fee shall be charged to the applicant unless the Town Council waives such rental.
- Application must be filed in the Parks & Recreation Office at least ninety (90) days prior to the time that the applicant desires to first take possession of the area to make preparations for the special event. The applicant for a special event must be a non-profit organization, organized and existing for the purpose of either some charitable or public benefit or for the promotion of business in the area of Blowing Rock. In addition, said non-profit organization may at the request of the Council be required to produce evidence of their non-profit corporation status as defined by state and federal laws. In addition, procedures to be used for selecting participants and vendors must be included with the application.
- The applicant shall provide to the Parks & Recreation Director at least two (2) weeks prior to the beginning of the public participation in the special event a list of all of the vendors or others having booths or display tables during the special event. No other persons may sell merchandise or operate any booth or display tables during the special event, unless the applicant, in writing, requests the Town Manager to amend such list accordingly and permission is granted.
- No motor vehicles or other large equipment or manufactured items or livestock will be permitted within the area unless they are clearly identified and described and the proposed location is stated in the application and specific approval is given.
- The size, type of construction and location of display tables and booths must be described generally in the application; all construction must be safe and self-sustaining; no spikes or other holding devices may be driven into the ground of any street, sidewalk or tied to any tree.
- When food preparation, painting and/or pottery making activities or similar activities are held, appropriate protective materials must be placed over any paved or brick areas for protection.

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

Blue Ridge Conservancy

NAME OF NON-PROFIT ORGANIZATION

BRIEFLY DESCRIBE THE PURPOSE OF THE NON-PROFIT ORGANIZATION:

Blue Ridge Conservancy partners with landowners and local communities to permanently protect natural resources with agricultural, cultural, recreational, ecological and scenic value in northwest North Carolina.

LIST ORGANIZATIONS OFFICERS:

Charlie Brady, Executive Director 828-264-2511

Don Mikush, Chairperson **TELEPHONE**
828-264-2511

Bonnie Weyher McLamb, Vice Chair **TELEPHONE**
828-264-2511

TELEPHONE

CHAIRPERSON OF THE SPECIAL EVENT:

Sydney Phillip 828-264-2511

NAME **TELEPHONE**

PO Box 568 Boone, NC 28607

ADDRESS

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

Date _____
President
Blue Ridge Conservancy
Non-Profit Organization

Approved by:

TOWN MANAGER _____
DATE

DATE APPROVED BY BLOWING ROCK TOWN COUNCIL: _____

NORTH CAROLINA

RELEASE AND INDEMNITY AGREEMENT

WATAUGA COUNTY

THIS RELEASE AND INDEMNITY AGREEMENT, entered into by THE TOWN OF BLOWING ROCK, a North Carolina Municipal Corporation, party of the first part, and the Blue Ridge Conservancy, a non-profit organization with its principal place of operation being Watuaga County, North Carolina, party of the second part:

WITNESSETH

WHEREAS, the party of the first part is desirous of allowing the party of the second part to conduct a special event within the Town Limits of Blowing Rock, North Carolina, pursuant to the Blowing Rock Town Code; and

WHEREAS, the party of the second part is desirous of conducting a special event within the Town Limits of Blowing Rock, North Carolina; and

WHEREAS, to this end, said party of the second part has heretofore filed with the Town of Blowing Rock an application for approval of said event, and wishes to enter into this Release and Indemnity Agreement pursuant to the Blowing Rock Town Code and the administrative rules of the Town of Blowing Rock;

NOW, THEREFORE, for and in consideration of the mutual promises and covenants herein contained, and for other good and sufficient consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

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

This the _____ day of _____, 20_____.

President

Witness

TO: Mayor Charlie Sellers and the Blowing Rock Town Council

FROM: Kevin Rothrock, Interim Town Manager

SUBJECT: Street Right-of-Way Maintenance Strategy

DATE: February 29, 2024

As discussed at the February Council staff is developing a process for maintenance of Town street rights-of-way that have vegetative and other physical obstructions. Chapter 6 of the Town Code requires that town streets be kept free of obstructions and that once notified of a violation property owners have 3 days to remove the obstruction.

A possible strategy to eliminate the safety concerns with street obstructions is for town staff to identify all locations where trees, limbs, shrubs, fences, trash enclosures, etc., protrude into the traveled portion of the street. Staff would then contact all property owners or persons responsible for the obstructions and provide 45 days to clear vegetation and 60 days to remove physical (fence/wall/built) obstructions. If not corrected within the prescribed timeframes, the Town street maintenance department will clear referenced obstructions. Section 7-2 of the Town Code is attached below.

If acceptable with Town Council, staff will proceed with identifying areas needing street R/W maintenance and communicating with property owners.

Section 7-2 Overhanging or Protruding Trees, Shrubs, Fences, et cetera

(A) No person may cause or allow (from property under his control) any tree limb, bush, shrub, or other growth or any trellis, fence, awning or other obstruction to overhang a public street at a distance of less than twelve feet above the traveled portion of such street or a public sidewalk at a distance of less than seven feet above such sidewalk.

(B) No person may cause or allow grass, vines, weeds, or other vegetation to grow from property under his control over, onto, or across any public street or sidewalk.

(C) Any violation of subsection (A) or (B) is declared to be a public nuisance, and if not corrected by the responsible person within three days after being notified of the violation by the administrator, the town may summarily abate such nuisance.