

MINUTES
Town of Blowing Rock
Board of Commissioners
April 13, 2010

The Town of Blowing Rock Board of Commissioners held their regular meeting on Tuesday, April 13, 2010 at Town Hall located at 1036 Main Street, Blowing Rock. In attendance were Mayor J.B. Lawrence, Commissioners Albert Yount, Phillip Pickett, Tommy Klutz, Douglas Matheson, and Jim Steele. Others attending were Town Manager Scott Hildebran, Town Attorney Allen Moseley, Town Engineer Doug Chapman, Planning Director Kevin Rothrock, Police Chief Eric Brown, Public Works Director Mike Wilcox, Building Inspector Jesse Horner, Parks & Recreation Director Jennifer Brown, Finance Director Nicole Norman, and Town Clerk Sharon Greene.

CALL TO ORDER

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

APPROVAL OF MINUTES

Prior to the meeting, Council was given a correction to the March 8, 2010 minutes. Commissioner Pickett made a motion to approve the minutes for meetings held on March 8, 9, 10, 22 and April 1, 2010 with the correction. The motion was seconded by Commissioner Steele. Unanimously approved.

PUBLIC HEARINGS

1. Water Shortage Response Plan (Ord. #2010-09)

Town Manager Hildebran presented Council with a modified Water Shortage Response Plan (Ordinance #2010-09) for consideration. Mr. Hildebran advised that pursuant to NC Session Law 2008-143 (Drought/Water Use Management Legislation), the NC Department of Environment and Natural Resources was granted authority to develop criteria for the development and approval of water shortage response plans.

According to Mr. Hildebran, the existing Town Water Shortage Plan was adopted to incorporate the new state requirements. He advised the Town had received confirmation from NCDENR that the revised plan satisfied the requirements as outlined in the General Statutes.

Mr. Hildebran stated that once the plan was approved, it would be submitted to the State Water Supply Planning Section in order to comply with NCGS 143-355(1). He commented that water systems that failed to adopt plans that meet the new legislation would be subject to state default rules during periods of extreme or exceptional drought.

Commissioner Klutz responded that under Section 14-92 "Enforcement", he would like the fee to be waived for the first violation of Level 4 and Level 5 and a warning given. Mr. Hildebran commented that the water shortage level was severe when it reached Level 4 and 5. Mayor Lawrence and Commissioners Steele and Yount felt that violators should be fined if the water shortage levels had reached that point of severity.

Commissioner Matheson asked how residents would know about the water shortage levels. Mr. Hildebran stated the public would be made aware several days in advance by notices hung on their doors, the Reverse E-911 system and from the media.

With no further comments, Commissioner Pickett made a motion to close the public hearing, seconded by Commissioner Yount. Unanimously approved.

A motion was made by Commissioner Yount to approve Ordinance #2010-09 as presented, seconded by Commissioner Pickett. Unanimously approved.

Water Shortage Response Plan Ordinance #2010-09 – Exhibit A

Mayor Lawrence asked to be recused from the following item due to his membership on the Board of Directors for Blue Ridge Electric. Council concurred. Mayor Pro-tem Yount then called upon Planning Director Rothrock to present the next agenda item.

OLD BUSINESS

1. Telecommunications Ordinance Amendment (Ord. #2010-05)

Planning Director Kevin Rothrock presented an amendment to Ordinance #2010-05 to Council for their approval. He advised that after the March Town Council public hearing, staff had considered comments that were received during the hearing and had amended the ordinance in order to allow placement of commercial antennas in all zoning districts through the approval of a zoning permit.

Mr. Rothrock stated the revised draft ordinance proposed standards for commercial wireless telecommunication antennas that included:

- Limiting antennas to 8 feet in total length and not extending more than 6 feet above the top of the support structure.
- In order to prevent unlimited proliferation in downtown or neighborhoods, antenna must be located at least 500 feet from another antenna unless mounted on a government-owned support structure.
- Antennas shall only be attached to select support structures that offer the most concealment from public view. The Administrator shall have the final discretion on the approval of support structures for proposed antenna mounts.
- Equipment cabinet and hardware colors shall match the support structure colors. Antenna colors shall be light gray or other blending color and approved by the Administrator.

Mayor Pro-tem Yount asked Mr. Rothrock to define support structures. Mr. Rothrock stated that a support structure could be a tower, building, utility pole, etc. Mr. Yount also asked how staff would determine which carriers were placed on these structures. Mr. Rothrock stated it would be on a first-come first-serve basis.

Commissioner Pickett made a motion to approve the Telecommunications Ordinance Amendment Ord. #2010-05 as written, seconded by Commissioner Klutz. Unanimously approved.

Telecommunications Ordinance Amendment Ord. #2010-05 – Exhibit B

Mayor Lawrence re-entered the meeting.

NEW BUSINESS

1. Operation Medicine Cabinet Resolution (Res. #2010-05)

Town Manager Hildebran presented Resolution #2010-05 supporting the High Country Operation Medicine Cabinet project sponsored by Watauga County Cooperative Extension.

He mentioned this was an event to collect unused and expired pharmaceuticals from homes and dispose of the drugs in a safe manner. He stated that residents would be encouraged to dispose of their unwanted medications by bringing them to designated drop-off sites so they wouldn't end up in the wrong hands or in the area waterways.

A motion was made by Commissioner Pickett to approve Resolution #2010-05 as presented. The motion received a second from Commissioner Klutz. Unanimously approved.

Operation Medicine Cabinet Resolution #2010-05 – Exhibit C

2. Robbins Pool Change Order #2

Mr. Hildebran presented Change Order #2 for the Robbins Pool Project to Council for approval. He stated that Change Order #2 had a net contract sum increase of \$4,353.00 and extended the final contract completion time by twenty-eight days (with 23 weather related). Change Order #2 items included – entrance hallway window to ticket office requiring demolition, installation of a new window with steel lintel, siding/trim, electrical relocation, stone veneer and painting.

Change Orders to date for the project total \$6,824.50 and the budget included \$31,663.00 for contingencies for the project. According to Mr. Hildebran, the revised contract amount totaled \$1,094,161.50.

Mr. Hildebran stated that Town Engineer Doug Chapman was present to answer any questions Council might have regarding this issue. Mr. Chapman gave further explanation for this change. He stated while reviewing the project, it was noticed a window was needed in the pool house hallway because it would be difficult to see in the hallway area. A window would also prevent customers from entering the pool area without being seen.

Commissioner Klutz suggested a surveillance camera be installed for an approximate cost of \$1,000.00 instead of adding a window.

Commissioner Pickett commented after looking at the plan, it would have been better to install a window in the hallway instead of having the ticket window in the front.

Commissioner Steele suggested a smaller window be installed for a lesser cost. Mr. Chapman stated it depended on how much smaller, because the window height had to meet ADA requirements. Mr. Chapman also gave Council a breakdown on the cost of the window.

Commissioner Klutz reiterated that he would rather have surveillance cameras. Commissioner Matheson stated if surveillance cameras were installed, someone would need to watch them the majority of the time to alleviate potential problems.

Mayor Lawrence commented that the Town Engineer felt the change was warranted and there were funds to cover the addition in the project contingency.

Parks and Recreation Director Jennifer Brown further explained this change was needed due to safety issues. She stated that staff needed to be able to see what was going on in the hallway area.

Commissioner Yount asked Mr. Chapman if McGill Associates would consider paying some of the costs of the change order since it was an oversight in the plans. Mr. Chapman stated that McGill Associates were partners with the Town and would pay for a portion of the change order. Commissioner Pickett inquired if McGill Associates would pay half of the total amount of \$4,353.00. Mr. Chapman concurred. Commissioner Pickett made a motion to approve Robbins Pool Project Change Order #2 as presented with the Town paying one half of the total amount and McGill Associates paying the remainder. Commissioner Matheson seconded the motion. Unanimously approved.

Robbins Pool Project Change Order #2 – Exhibit D

Commissioner Steele stated, as a Council member his job was to be a good fiduciary of town funds and he would like to have more than one option to choose from in instances such as this. Mrs. Brown stated that she and Mr. Chapman had discussed other options, but felt the window addition was best.

3. Surplus – Vehicles/Equipment (Res #2010-06)

Resolution #2010-06 was presented for consideration declaring vehicle/equipment surplus and authorize its disposal.

Mr. Hildebran stated that pursuant to N.C.G.S. 160A-270(c), Council was authorized to sell personal property by electronic auction upon adoption of a resolution. He stated that Resolution #2010-06 would authorize the Town Manager or his designee to sell the property (truck and trailer) via electronic auction on www.GovDeals.com.

A motion was made by Commissioner Yount, seconded by Commissioner Pickett to approve Resolution #2010-06 as presented. Unanimously approved.

Surplus –Vehicle/Equipment Resolution #2010-06 – Exhibit E

4. Budget Amendment (Ord. #2010-10)

Town Manager Hildebran presented Budget Amendment Ordinance #2010-10 for fiscal year 2009-2010 to Council. He stated that Section 1 (General Fund) was to account for loan proceeds received to fund a portion of the cost of two police vehicles that were purchased and received earlier in the fiscal year. Section 2 (General Capital Fund) and Section 3 (water/Sewer Capital Fund) was to close out the remaining minor budget amounts related to completed projects.

With no further comments, a motion was made by Commissioner Yount to approve Budget Amendment #2010-10 as presented, seconded by Commissioner Klutz. Unanimously approved.

Budget Amendment Ordinance #2010-10 – Exhibit F

SPEAKERS FROM THE FLOOR

Mr. O. Wayne Green of Vilas, NC commented that several weeks ago he had asked the Planning Department for two supporting documents for a project that he was working on at that time. He stated the Planning Department found one document that he requested but was unable to find a map that he needed despite their many efforts in looking. Mr. Green suggested that all documents pertaining to any conditional use permits be scanned and put on the internet for easier access. He felt this would save time and money if the Town recorded all documents when conditional use permits were given. Mayor Lawrence thanked Mr. Green for his suggestions.

DEPARTMENTAL REPORTS

Mr. Hildebran reminded everyone of the Town Clean Up day scheduled for April 24, 2010.

He also stated the debris removal in Memorial Park had been completed and they would concentrate on removing debris in the downtown area next.

Mayor Lawrence asked everyone to keep Jerry and Janice Burns in their thoughts and prayers due to illness.

ADJOURN

There being no further business to discuss, the meeting was adjourned at 7:55 p.m.

MAYOR _____
J.B. Lawrence

ATTEST _____
Sharon Greene, Town Clerk

ATTACHMENTS (April 13, 2010)

Water Shortage Response Plan Ordinance #2010-09 – Exhibit A

Telecommunications Ordinance Amendment Ord. #2010-05 – Exhibit B

Operation Medicine Cabinet Resolution #2010-05 – Exhibit C

Robbins Pool Project Change Order #2 – Exhibit D

Surplus –Vehicle/Equipment Resolution #2010-06 – Exhibit E

Budget Amendment Ordinance #2010-10 – Exhibit F