

**MINUTES**  
**Town of Blowing Rock**  
**Town Council Meeting**  
**June 11, 2024**

The Town of Blowing Rock Town Council met for their regular monthly meeting on Tuesday, June 11, 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, Council Members Cat Perry, David Harwood, Melissa Pickett and Pete Gherini. Others in attendance were Town Manager Shane Fox, Town Attorney Tucker Deal, Planning Director Kevin Rothrock, Parks and Recreation Director Jennifer Brown, Landscape Director Cory Cathcart, IT Director Thomas Steele, Finance Director Tasha Brown, Public Works Director Matt Blackburn, Emergency Services Director Kent Graham and Town Clerk Hilari Hubner, who recorded the minutes. Mayor Pro-Tem Matheson 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 Perry made the motion to approve the minutes from the May 14, 2024, regular and closed session meetings, seconded by Council Member Harwood. Unanimously approved.

Council Member Gherini made a motion to approve the minutes from the May 21, 2024 budget work session meeting, seconded by Council Member Harwood. Unanimously approved.

**REGULAR AGENDA ADOPTION**

Council Member Pickett made a motion to approve the regular meeting agenda as presented, seconded by Council Member Perry. Unanimously approved.

**CONSENT AGENDA**

- 1. Budget Amendment - #2024-36**
- 2. Blowing Rock ABC Store – Travel Policy**
- 3. Fireworks Permit – Blowing Rock Chamber**

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

## **SPEAKERS FROM THE FLOOR**

Nathan Miller – 430 Old East Ridge Rd Boone, NC – Stated he was an attorney in Boone who was representing a group of citizens in the Green Hill Road area. Their understanding is a previously discussed communications tower is being revisited. He explained public records requests have been made, but not a lot of information has been forthcoming. Recently the Conditional Zoning application dropped and is supposedly set to go before Planning Board at the June 20<sup>th</sup> meeting. Mr. Miller suggested more information could be in the Planning Board packet or maybe it wouldn't, but the concern of the citizens is not getting all the information in a timely manner. He stated the citizens would like to ask the Town to slow down and get all the information to everyone so a good conversation can be had between all parties.

## **PUBLIC HEARING**

### **1. FY 2024-2025 Budget**

Town Manager Shane Fox gave the budget presentation via PowerPoint.

Mayor Sellers opened the Public Hearing.

Janie Sellers 412 Wonderland Dr. Blowing Rock – Vice-Chair of the Blowing Rock Civic Association. Ms. Sellers spoke on behalf of the BRCA organization offering their comments on the proposed Budget. She explained their organization provides an important voice for the Blowing Rock homeowners. Ms. Sellers commented their organization would like to clear the rumors up that they are against the 10% salary increases for Police and Fire and would like anyone who hears that rumor to dispense it and make the BRCA's position known, their organization supports this. The BRCA supports Manager Fox's statement that the Town needs a balanced budget that is fiscally responsible and that takes the conservative approach. Ms. Sellers stated the BRCA sees the proposed 2.5% COLA as fiscally responsible, and conservative given the current levels of inflation. She further stated BRCA is pleased with the proposed tax increase is minimum and is equivalent to the 2.5% COLA increase. Ms. Sellers concluded, BRCA would like to urge the Town to focus on fiscal responsibility and be conservative about expense increases. Do what is necessary to preserve public safety and maintain quality of life here, but don't go overboard.

With no other comments, Council Member Gherini made a motion to close the public hearing, seconded by Council Member Pickett. Unanimously approved.

Council Member Harwood stated he appreciated all the work that has gone into preparing the budget, and agreed with Ms. Sellers that the budget is fiscally responsible, appropriate and conservative. He further stated his concern is the budget may be too conservative. Council Member Harwood explained his concern is about deferred maintenance as the Town has a number of things that need attention. He commented the Council over the past few years has been good at focusing on items such as infrastructure, water plant & waste water plant, but still have roofs that need to be re-roofed, a spillway that needs to be repaired. He explained these items are not getting better and are only going to get worse and will be more expensive to fix as time goes on. Council Member Harwood stated he

would like Council to consider an additional cent on the tax increase to address those items. He further state the reasoning for his request is to not “kick the can down the road” and address these needs now. He has spoken with Manager Fox about his proposed request and that one cent going directly towards a new roof on the Fire Station and the spillway.

Mayor Sellers commented in the Council’s defense and part of the reason he ran for Mayor is things were not getting done in a timely manner, or at least in his opinion. He further commented things have gotten done the past several years thanks to Council, Department Heads and the Town Managers. He further stated the Town has been very blessed as the water/sewer project hasn’t cost the taxpayers any money out of the Town’s budget, the money for that work came from the state. That amount was \$4.8 million dollars. Mayor Sellers thanked Manger Fox and Staff for their work on getting money from the state to help with these types of projects. A lot of projects had been deferred and are now getting done at no additional cost to the taxpayers.

Council Member Pickett advised she would like to address Council Member Harwood’s point on the additional one cent increase. She preferred not doing the additional one cent increase at this time as the Town has so many projects currently going on with the water/sewer project, the contract to work on the water tanks, the USDA Loan to work on the two water plants, and the Mayview lift station. She would like to hold off on a two cent tax increase and start on the proposal of a new set of bonds. She explained that goes directly to the voters and lets them pick the projects they would like the Town to work on. She further explained the last set of bonds that went out in 2014, eighty percent (80%) of the voters agreed to those projects. She mentioned in doing the bonds the Town would have the potential to get higher amounts to cover those bonds and at better rates. Council Member Pickett commented if this comes back and the voters aren’t for these projects then Council needs to re-evaluate.

Council Member Gherini stated he agreed with Council Member Harwood on the items he mentioned needing to be addressed, but he also agreed with Council Member Pickett and her thoughts of now not being the right time to increase the proposed tax amount and leaving the budget as presented by Manager Fox.

Council Member Harwood commented he respected Council Member Pickett’s thoughts and too felt Council would be looking at doing a bond sooner than later. He further commented that the items he suggested are not “options” they are mandatory needs that will happen one way or another.

Council Member Pickett explained she knew the new roof for the Fire Station was a completely different scenario, but her thoughts with the spill way repair is it could be incorporated with bigger park maintenance needs that have been needed to be done for a long time, for example work to Annie Cannon, Broyhill park repairs which will help get increased funding with a lower rate for these items.

Manager Fox explained for something such as the roof repair, would either be incorporated into the upcoming budget or if not budged staff would then look at using “one time monies”

for those repairs.

Council Member Perry advised she would have a hard time adding another cent to the proposed tax rate without seeing the figures and being able to study the benefits of that amount.

With no more questions or comments, Council Member Pickett made a motion to pass the budget for FY 24-25 as presented, seconded by Council Member Gherini. Unanimously approved.

## **2. Special Use Permit Amendment #2024-02 – Heritage Village Subdivision**

Zoning Enforcement Officer Brian Johnson stated Mr. Hal Campbell is requesting a modification to a previously issued Conditional Use Permit for the Heritage Village Subdivision, with the purpose of allowing previously prohibited driveway connections to Wonderland Drive. The existing twenty-one (21) lot subdivision is zoned R-15 Single Family and is located on Heritage Lane.

The original Conditional Use Permit was approved on July 9, 1996, and an amendment to the permit was approved on August 12, 1997. The amended permit contains a condition (#17) that “All lots that border onto Wonderland Drive shall be accessed from Heritage Lane.” The applicant is requesting the amendment to allow a driveway to the rear of his property that will be accessed off Wonderland Drive.

Removal of the condition would allow all lots that border Wonderland Drive the right to construct a driveway connecting to Wonderland Drive. Any new driveways are required to meet all applicable requirements of the Town of Blowing Rock Land Use Ordinance.

The subdivision contains twenty-one (21) lots. Nine (9) of the lots also front Wonderland Drive to the South.

If approved, the construction of any additional driveways will require a zoning permit. Staff recommends driveway connections to Wonderland Drive shall not exceed 20% grade. Driveways should be paved for the first fifteen (15) feet and stormwater must be addressed with adequate stormwater conveyance to prevent any unreasonable burden to adjacent properties.

Per NC General Statute 160D-102(30), previous Conditional Use Permits are now defined as Special Use Permits. Special Use Permits replace all previous Conditional Use Permits or special exceptions, and this new permit will be an Amendment to the Special Use Permit.

Council Member Harwood asked hypothetically if this were to pass, what would prevent instead of a driveway, someone grading a parking space along side Wonderland Drive. He explained not necessarily a driveway that access the residence, but a pull off area/parking space off Wonderland Drive.

Mr. Johnson acknowledged that was a good question and it wouldn't prevent that unless

there were to be some sort of condition having a purpose for the driveway to connect to the house somewhere.

Mr. Johnson showed a map of the sub-division and explained Mr. Campbell's house is the closest to Wonderland Drive

Mayor Sellers asked if only one applicant is requesting this, could Council approve for the one applicant only.

Mr. Johnson explained Council could have the ability to add that condition, but do you want to prohibit if a few of the other surrounding neighbors decided they wanted to as well.

Town Attorney Tucker Deal stated doing that would be treating this in a context of a condition being placed on this amendment needing to be reasonably related to the impacts. Example looking at the slope of the other lots and state "XYZ" plots may have access. He further stated State Law states conditions need to be reasonably related to the impacts of the approval itself.

Council Member Gherini asked if this were to be approved if it would set a precedence for other property owners within the subdivision to come and make the same request.

Mr. Johnson explained it would allow property owners, if able to submit a zoning permit and staff would have to see if that property met requirements or not and go from there.

Council Member Gherini asked what the status of the development was.

Mr. Johnson stated there are only two (2) or three (3) lots vacant in the development.

Mr. Johnson mentioned this is a safety issue for Mr. Campbell, which initiated the request.

Council Member Harwood stated in the SUP there was mention of one (1) or two (2) twenty-five (25) foot easements that the Town had, but he was unclear where those were. He asked if Mr. Johnson knew.

Mr. Johnson advised he wasn't sure where those easements were.

Council Member Harwood explained he was curious if that had any bearing on this issue.

Town Attorney Deal stated in looking at the plat, that twenty-five (25) foot easement was for utilities.

Planning Director Rothrock gave a little history of the subdivision.

Mayor Sellers opened the Public Hearing.

The applicant, Mr. Hal Campbell – 257 Heritage Lane – explained he would like his request

to be applicable to all the residents as some have even worse problems than he does. Mr. Campbell responded to the ask of Council Member Harwood about parking on the street and stated that was being done already on Wonderland Drive, not by anyone on Heritage Lane. He explained people have built places to park on Wonderland Drive. Mr. Campbell stated he had considered that and spoken with some contractors, but it wasn't a feasible option for him.

Mr. Campbell advised Pete and Sarah Murphy, Lot 10 Heritage Lane, were the only other neighbor so far to express interest in the same request and they asked for Mr. Campbell to mention that to Council.

Council Member Gherini commented he was moved by the letter Mr. Campbell had submitted about the health scare that prompted this request.

Mr. Mark Hughes – 199 Heritage Lane stated he and Mr. Campbell were the two closest properties to Wonderland Drive and have a parking pad. He further stated they are also the only two properties without a driveway. Mr. Hughes mentioned that sixteen (16) out of seventeen (17) residents are in favor of the request.

With no more questions or comments, Council Member Harwood made a motion to close the public hearing, seconded by Council Member Gherini. Unanimously approved.

Council Member Gherini made a motion to approve the request with the following stipulations; removal of condition seventeen (17), allow driveway access but not on-street parking adjoining Wonderland Drive, seconded by Council Member Pickett.

Council Member Harwood stated he sympathizes with Mr. Campbell's health challenges but doesn't feel this request is in the best interest of the community. He further stated this goes against the grain of what the Town's subdivisions are designed around and he was not in support of the request.

After further discussion the motion stood. For the motion – Council Members Perry, Pickett and Gherini, against the motion – Council Member Harwood.

## **REGULAR AGENDA**

### **1. USDA Loan Offer**

Manager Fox stated on December 13, 2022, Council voted 5-0 to approve the Town of Blowing Rock to proceed with filing an application with the USDA for a low-interest loan for improvements at the Town's Water and Wastewater Plants along with replacement of the Mayview Sewer Lift Station. The Town Council held a public hearing on December 13, 2022, in which no citizens spoke towards or against the proposed application. The USDA has now completed the application and due diligence phases and has proceeded with offering the Town a loan in an amount not to exceed \$4,600,000 with an interest rate not to exceed 3.5% and a repayment term of forty (40) years. If it be the desire of Council, two (2) resolutions will need to be voted on separately, the first is the resolution to execute

the loan documents and the second is the resolution to authorize the Town's Bond Counsel to begin the process with the LGC to issue Revenue Bonds for security of the USDA loan.

Council Member Pickett made a motion to approve the resolution to execute the loan documents, seconded by Council Member Harwood. Unanimously approved.

Council Member Pickett made a motion to approve the resolution to authorize the Town's Bond Counsel to begin the process with the LGC to issue Revenue Bonds for the USDA loan, seconded by Council Member Gherini. Unanimously approved.

### **OFFICIAL REPORTS & COMMENTS**

- Mayor Sellers – Thanked Manager Fox and Department Heads for all their hard work on the budget. Has had some comments about some of the trees along Valley Blvd that have died, the landscaping department will be working on replacing those trees in the fall.
- Council Member Perry – Thanked Manager Fox and Finance Director Tasha Brown for their hard work on the budget.
- Council Member Harwood – Thanked staff and Manager Fox for their hard work. He wanted to personally thank Ms. Brown for her hard work on the budget, stepping into a new role and bridging the transition between Managers.
- Council Member Pickett – None
- Gherini – Echoed what everyone said. June 20<sup>th</sup> at the American Legion at 1:00 pm is the Economic Development meeting. The District Engineer from the Department of Transportation will be the guest speaker. He reminded the meeting is open to the public and anyone who would like to come is welcome.
- Town Attorney Tucker Deal – None
- Town Manager Shane Fox – Important dates to reminder, June 20<sup>th</sup> Planning Board meeting at 5:30 pm, June 25<sup>th</sup> is the Council Mid-Year Retreat at 1:00 pm and next Council Meeting is July 9<sup>th</sup> at 6:00 pm. Gave updates on the following: Parkway closure scheduled for later in the week, Main Street Water/Sewer project, paving for Main Street – will be handled by NCDOT, Police training -FBI training class – three of Blowing Rock's officers attended, thanked staff for their hard work on the budget and May 22<sup>nd</sup> approximately one hundred fifty (150) Blowing Rock School kids came to learn about Town operations/functions. Recognized Justin Dishman as he was selected for employee of the month. Thanked Mr. Norwood and his wife for a generous donation to go toward the employee of the month recognition.

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

### **EXECUTIVE SESSION**

At 7:50 PM Council Member Perry made a motion to go into closed session, **NCGS 143-318.11.(A)(3)** – *Attorney/Client privilege*, seconded by Council Member Harwood. Unanimously approved.

**ADJOURNMENT**

At 8:25 p.m. the Council returned to open session and with no further business, Council Member Pickett made a motion to adjourn, seconded by Council Member Perry. Unanimously approved.

MAYOR \_\_\_\_\_  
Charlie Sellers, Mayor

ATTEST \_\_\_\_\_  
Hilari Hubner, Town Clerk

**Attachments**

**Budget Amendment #2024-36 – Attachment A**

**FY 2024-2025 Budget – Attachment B**

**Special Use Permit Amendment #2024-02 – Attachment C**

**USDA Loan – Attachment D & E**