

MINUTES
Town of Blowing Rock
Town Council Special Meeting
August 26, 2024

The Town of Blowing Rock Town Council met for a special meeting on Monday, August 26, 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, Council Members Cat Perry, David Harwood, Melissa Pickett and Pete Gherini. Others in attendance were Town Manager Shane Fox, Town Attorney Tucker Deal, Finance Director Tasha Brown, Emergency Services Director Kent Graham, Interim Police Chief Nathan Kirk, Planning Director Kevin Rothrock and Town Clerk Hilari Hubner, who recorded the minutes.

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

AGENDA ADOPTION

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

PLANNING BOARD MEMBERSHIP DISCUSSION

Mayor Sellers stated he had called the special meeting and explained no matter how we feel as a Council Member, Board Member or citizen we are all charged with dealing with situations. However these situations should be handled in a positive manner.

Mayor Sellers received an editorial sent to the High Country Press on August 21st by Planning Board member, Mr. Gregg Bergstrom. While he agrees everyone has their right to speak, he quoted Mr. Bergstrom's letter "the simple fact of the matter is the Town of Blowing Rock has not been open, honest or transparent about the sudden need to replace this tower now" and expressed his disappointment in the comments. He advised Mr. Bergstrom could have come to him, Manager Fox or any Council Members to get as much information as possible before making any comments on the matter.

Mayor Sellers quoted the letter "the Town attempted to skirt its own written codes to push this matter forward without any studies concerning the adverse effects of increasing the tower height, which in fact in and of itself is only a band-aid solution considering the trees will continue to grow and technology will only improve". He stated that tower, pole or whatever someone wants to call it has been "on the books" since 2014, the state wanted to put a viper tower up there to increase the radio frequency and that didn't happen. He restated the comments in the letter to the editor really disappointed him, Council and citizens.

Mayor Sellers stated as a member of a board a person should be transparent, but also be careful what is said and have all the information first. He re-emphasized everyone is entitled to their opinions, but he didn't appreciate being called a liar.

Manager Fox reviewed the Planning Board bylaws for potential removal of members. He stated any member of a board can be removed by the Board of Commissioners for inefficiency, neglective duty, malfeasance or conflict of interest. Manager Fox then shared Town Land Use Code Section 16-3.1.1 which states, "*members may be removed by the Town Board of Commissioners at anytime for failure to attend three (3) consecutive regular scheduled meetings or failure to attend four (4) or more meetings within a twelve month period or for any other good cause related to performance of duties.*"

Town Attorney Tucker Deal explained the Council has the power to appoint members to the Town Boards and equally has the power to remove members of the boards. He further added that Section 16-3.1.1 of the Town Land Use Code is what governs this process and is the guiding principal for the Council to use in making their decision.

Council Member Pickett explained while every citizen, board member etc. is entitled to their opinions, her concern is that opinion was shared in a public format on an open project. Her other concern is that public opinion puts the Town in a disparaging light and anyone who serves on a Town Board has a responsibility to uphold our Town whether you agree with an opinion or not. She restated the Town was put in a bad light and she didn't think it was appropriate for any Town Board member to put the Town in that position.

Council Member Gherini stated when he ran for Council it was to take care of the residents in Town and when it comes to public safety there is nothing that will overcome that. He agreed with Mayor Sellers that this is not good to see out in the newspapers. It's Council's job to handle the safety of the residents and this isn't making Council's job any easier as it now has people calling and question what is going on due to this misrepresentation. He concluded that everyday we don't have proper communications is a day something bad could happen.

Mayor Pro-Tem Matheson agreed with Council Member Pickett's points. He felt like it was a personal attack on Council with the accusations of the Town not being open and honest and cannot see where there was any truth to that accusation from the Town's standpoint.

Council Member Perry commented that when you are appointed to a board you have a higher level of responsibility. By publicly making disparaging comments without even speaking with the Manager, Mayor or Council to get all the information opens unnecessary doubt and judgement to the other citizens based on what they read. She further commented this puts the Town in a bad light and a Board Member should be held to a higher standard.

Council Member Harwood started by thanking all the wonderful people in our community

that give up their time to serve on these volunteer boards and committees. He expressed those people do that selflessly, don't seek recognition or compensation and he really appreciates those individuals including Mr. Bergstrom. Council Member Harwood further stated he has spent significant time the last few days thinking about this and he fully supports Mr. Bergstrom's first amendment right of free speech. However, his letter alleges dishonesty, lack of transparency from the Town Council and Town staff disregarding municipal ordinances. He recognized Mr. Bergstrom was primarily responding in his letter to Mr. Wayne Miller, but these statements broadly implicate the Council and Town operations. As Mayor Sellers indicated the Planning Board is an advisory board to the Town Council and it's important for these two bodies to function well together and have a collaborative working relationship together. He stated the comments of Mr. Bergstrom risk undermining the public trust that the public places in Council and the Planning Board. He further stated Mr. Bergstrom's comments lacked professionalism and were very careless. While the Planning Board bylaws provide for the removal on four things, which Manager Fox stated, and while he thinks Mr. Bergstrom's comments were unprofessional he didn't feel they qualified for his removal from Planning Board. So rather than removal Council Member Harwood proposed a motion for a resolution of censure for Mr. Bergstrom. With no second to Council Member Harwood's motion the motion failed.

Mayor Pro-Tem Matheson made a motion to remove Gregg Bergstrom from the Planning Board because he no longer has confidence in his ability to serve. He believes Mr. Bergstrom demonstrated a biased opinion during the Planning Board meeting on July 11th and then confirmed that biased opinion with his letter to the editor published in the High Country Press on August 21, 2024. His behavior during the July 11th meeting along with his editorial in the High Country Press on the Town "not being open, honest, or transparent" demonstrates a conflict of interest to serve the Town. Mr. Matheson added that Mr. Bergstrom claimed the Town had attempted to "skirt its own codes" as well, which shows his inability to serve the Planning Board and loss of confidence from my position as member of the Town Council. The motion was seconded by Council Member Gherini.

Mr. Gregg Bergstrom asked from the audience if "the accused was allowed to speak."

Mayor Sellers allowed Mr. Bergstrom to speak and asked him to keep his comments brief.

Mr. Bergstrom of 126 Hilltop Way stated he is currently a member of the Planning Board and when he wrote his letter to the editor, he didn't in any way say he was a Planning Board member. It was simply a personal opinion that was directed at Mr. Wayne Miller for his inaccurate letter he had written to the editor prior. He cleared up he did not call Mayor Sellers a liar and if he did he would like to know when he did. In regards to his statement in his editorial "the simple fact of the matter is the Town of Blowing Rock has not been open, honest or transparent about the sudden need to replace this tower now" with the emphasis on the word "now" it's true in his opinion. He continued that Attorney Nathan Miller who is representing the Protect Blowing Rock Neighborhoods LLC stated the Town was not being open, honest and transparent. Mr. Bergstrom stated you can take it from him or take it from Mr. Miller and he was sorry if the Council felt it wasn't true, but in his opinion it is true. Mr. Bergstrom added the Town did attempt to skirt their own

ordinances and he had those he could go over if Council wanted him to.

Mr. Bergstrom and Mayor Sellers both got off topic and began to debate issues surrounding the emergency communications tower.

Town Attorney Deal asked Mayor Sellers to bring the discussion back to the agenda topic.

Mr. Bergstrom advised it appears to him that as a private citizen who did not identify himself as a Planning Board member, stating a personal opinion as his first amendment right, trying to get all the information out and if the Council doesn't agree with that opinion or it's different from the Town's then their idea is to remove that member. He further advised if that is the Council's choice, it's their choice and he cannot do anything about it, but felt it was a small-minded way to advance the interest of Blowing Rock in the future. He concluded this will probably deter people in the future from wanting to volunteer for boards with the fear of saying something wrong and in turn be removed from the board.

Mayor Sellers thanked Mr. Bergstrom and asked Council how they would like to proceed.

Council Member Perry asked to go on record as stating she felt Mr. Bergstrom's comments were a misinterpretation of what Council is saying.

With no further comments, Mayor Pro-Tem Matheson's motion stood, seconded by Council Member Gherini. For the motion: Mayor Pro-Tem Matheson, Council Members, Perry, Pickett and Gherini. Against the motion: Council Member Harwood. Motion was approved.

ADJOURNMENT

At 5:25 p.m. Council Member Perry made a motion to adjourn, seconded by Council Member Pickett. Unanimously approved.

MAYOR _____
Charlie Sellers, Mayor

ATTEST _____
Hilari Hubner, Town Clerk

Attachments

None