

MINUTES
Town of Blowing Rock
Board of Commissioners
Regular Meeting-October 12, 2010

The Town of Blowing Rock Board of Commissioners met in regular session on Tuesday, October 12, 2010 at 7:05 p.m. Present were Mayor J.B. Lawrence, Commissioners Albert Yount, Phillip Pickett, Tommy Klutz, Doug Matheson, and Jim Steele. Others in attendance 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, Finance Director Nicole Norman, Emergency Services Director Kent Graham, and Town Clerk Sharon Greene.

CALL TO ORDER

Mayor Lawrence called the meeting to order at 7:03 p.m. and welcomed everyone.

APPROVAL OF MINUTES

Commissioner Pickett made a motion to approve the minutes as written for meetings held on September 14th and 28th, 2010 including closed session minutes. The motion received a second from Commissioner Klutz. Unanimously approved.

NEW BUSINESS

1. Code of Ethics Policy (Resolution #2010-15)

Town Manager Hildebran presented Code of Ethics Resolution #2010-15 for Council's approval. Under NCGS 160A-86, all North Carolina cities, counties and local boards of education must by January 1, 2011, adopt a resolution, ordinance or policy containing a code of ethics to guide actions by the governing board in the performance of their official duties as board members. Mr. Hildebran then gave a brief synopsis of the five areas that are to be addressed in the resolution and advised that all members of the board had participated in the required ethics training.

A motion to adopt the Code of Ethics Policy (Resolution #2010-15) was made by Commissioner Steele, seconded by Commissioner Yount. Unanimously approved.

Code of Ethics Policy Resolution #2010-15 – Exhibit A

2. Blowing Rock/Boone Water Interconnection – Change Order #1

In November of 2009, Council authorized the execution of a contract with Ronny Turner Construction, Inc. for \$2,998,196 to construct the Blowing Rock/Boone Water Interconnection.

According to Town Manager Hildebran, McGill Associates recommended a proposed contract addition/deletion for a net sum of \$30,340. Mr. Hildebran advised the project

budget included a contingency amount of \$149,910 and it was also expected that the Town would receive a deduction from the contract for several items, such as rock excavation, where costs came in under budget. Mr. Hildebran confirmed that the final numbers for savings on project costs were yet to be calculated.

Commissioner Pickett questioned if items such as patching and overlay paving of the road in various areas had been included in the project. Mr. Hildebran acknowledged that it had, but in some areas open cuts had to be made instead of boring the area and by doing it this way, the overall cost was less. Town Engineer Doug Chapman mentioned the open cut at the Roaring River Intersection was due to it being a private road and that NCDOT had informed them if a longitude cut was made, overlay paving would be needed instead of patching the area.

Commissioner Klutz also had questions in reference to the paving of these mentioned areas, he felt that patching would have been sufficient. Mr. Klutz questioned the cost for a stub out for a hydrant that was to be placed along the area.

Commissioner Steele inquired who gave authorization for any unexpected items to be completed in the project that had not been included in the specifications. Mr. Hildebran acknowledged in this situation, the cost of the work being discussed was less than one percent of the total project cost and within the contingency, and that he ultimately authorized the work to be done. If the magnitude of the work had been more he would have consulted with Council before completing the work. Commissioner Steele also inquired if Mr. Chapman anticipated any further changes to exceed \$30,000-\$50,000. Mr. Chapman stated he did not foresee further changes unless it were to be with electrical/radio controls at the lift station since the project was close to completion.

Mr. Chapman also anticipated the completed project to be considerably less than the awarded bid amount and that it was better to take the change order amount from the contingency line since grant funding was being utilized for the project.

With no further discussion, Commissioner Pickett made a motion to approve Change Order #1 in the amount of \$30,340 as presented. The motion was seconded by Commissioner Yount. Unanimously approved.

Blowing Rock/Boone Water Interconnection Change Order #1 – Exhibit B

3. Budget Amendment (Ordinance #2010-19)

Town Manager Hildebran presented Council with Budget Amendment Ordinance #2010-19 for their approval. According to Mr. Hildebran, Section 1 (General Fund) allocated ABC grant proceeds to the Police Department for expansion of their DARE program as well as allocated funds to be received from Blowing Rock Fire & Rescue (volunteer group) to be allocated towards part-time Fire Department salaries for this fiscal year.

A motion was made to approve Ordinance #2010-19 as written by Commissioner Pickett, seconded by Commissioner Yount. Unanimously approved.

Budget Amendment Ordinance #2010-19 – Exhibit C

SPEAKERS FROM THE FLOOR

Mr. Tom Robertson spoke regarding short-term rentals and asked that Council revisit the Town Code regarding this issue. He maintained that Blowing Rock was a resort town that thrived from tourism and by allowing short-term rentals in residential neighborhoods it would boost the depressed real estate market as well as bring more occupancy tax money to the town. He stated with the current economy, families with young children were unable to take extended vacations for periods of more than 1 to 2 weeks and desired staying in homes to better accommodate their families. Mr. Robertson suggested that Council repeal or modify the Code and make short-term rentals in residential neighborhoods complaint based; the first complaint being a warning to the property owner, the second complaint; a fine of \$250.00 etc.

Mr. & Mrs. Brian Summers, owners of the Hemlock Inn on Morris Street were present to speak regarding the closing of Main Street during the Heritage Day event held recently. Mr. Summers stated he did not receive notification regarding the closing of Main Street and this event had been detrimental to his business. He didn't think there was adequate signage detouring traffic during the event and stated that Main Street was not reopened at the time specified.

Mr. Dennis Quinn of 386 Green Hill Circle stated he had owned his property for approximately 18 years and did not feel the need for short-term rentals to be expanded into residential zoning. He assured Council if this item were to be placed on the regular agenda many residents would be supportive of leaving the Town Code as is.

Ms. Ginny Stevens also expressed her desire for short-term rental regulations to remain the same. She acknowledged that her neighborhood had dealt with this issue in 2003 and it had been a very upsetting situation to the full-time residents in her area. She stressed that full-time residents should not be forced out of their neighborhoods due to the inconveniences of having short-term rental properties to contend with.

Commissioner Klutz made a suggestion that a survey be sent to residents regarding short-term rentals.

DEPARTMENTAL REPORTS

The following items were also briefly discussed:

- Annual fall clean-up week would be held the week of October 16th through the 19th.

- Due to Watauga County cancelling the Reverse 911 program, the Town was currently in the process of getting a price quote from Code Red in order for the Town to continue this must needed and utilized service.
- A proposal from NCDOT regarding the Town taking over the winter maintenance of Main Street between the Intersection of Business 321/Hwy 321 and Hwy 221 would be forthcoming.
- A work session between Council and NCDOT regarding the Hwy 321 Widening Project is expected be held sometime in early November.
- The Blowing Rock Commons project had received an extension from the State or until December 31, 2011.
- The Town has received a quarterly report from BRAHM; they currently had funds in-hand to complete the outside of the building.
- The NC Highway Patrol has advised they would not receive funding for the Green Hill Water Tank cell tower until 2012. Stealth antennas supporting smart phones are now being installed around town.
- The Comprehensive Plan survey is expected to be sent out in early 2011.

ADJOURN

There being no further business to discuss, the meeting was adjourned at 7:40 p.m.

MAYOR _____
J.B. Lawrence

ATTEST _____
Sharon Greene, Town Clerk

Attachments (Oct. 12, 2010)

- Code of Ethics Policy Resolution #2010-15 – Exhibit A
- Blowing Rock/Boone Water Interconnection Change Order #1 – Exhibit B
- Budget Amendment Ordinance #2010-19 – Exhibit C