

**MINUTES**  
**Town of Blowing Rock**  
**Board of Commissioners**  
**Regular Meeting-November 9, 2010**

The Town of Blowing Rock Board of Commissioners met in regular session on Tuesday, November 9, 2010 at 7:00 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, Assistant Public Works Director Matt Blackburn, Finance Officer Nicole Norman, Parks & Recreation Director Jennifer Brown 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**

Commissioner Pickett made a motion to approve the minutes for the meeting held on October 12, 2010. Commissioner Klutz asked that an addition be made referencing his request to include short-term rentals on the town survey that is to be sent out. Commissioner Pickett agreed to amend his motion to include the addition. Commissioner Klutz seconded the motion. Unanimously approved.

**PUBLIC HEARINGS**

**1. Amendments to Land Use Ordinance (Ordinance #2010-20)**

Planning Director Kevin Rothrock presented Ordinance #2010-20 Amendments to the Land Use Ordinance for review. Mr. Rothrock advised the proposed revisions were recommended by Town Consultant Michael Egan and the Planning Board. Due to a prior commitment, Mr. Egan could not be present at the meeting. Mr. Rothrock stated that Ms. Linda Wilson, former Planning Director for Jackson County and County Administrator for Swain County was present to answer questions since she had assisted with the revisions.

Mr. Rothrock gave a summary of the changes that were being proposed. After some discussion, Commissioner Klutz made a motion to table the issue in order to hold a work session to further review the changes. Commissioner Pickett seconded the motion. Commissioner Yount commented that seasonal residents were gone for the winter and he did not feel the proposed changes should be done until their return in the spring. It was the consensus of Council to schedule a work session to discuss the proposed revisions to the Land Use Code. Unanimously approved.

## **NEW BUSINESS**

### **1. CodeRed Services Agreement**

Town Manager Hildebran presented a 3-year service agreement with Emergency Communications Network, Inc. for the continuation of the reverse 911 system known as "CodeRed".

He explained that "Reverse 911" was an emergency telephone messaging system that provided 911 centers with the technology to deliver customized, pre-recorded messages to citizens.

Mr. Hildebran further explained that due to Watauga County ending the interlocal agreement for the CodeRed system and based on discussions with Police, Emergency Services and Public Works staff, this service proved to be quite valuable and needed to be continued.

According to Mr. Hildebran, the Blowing Rock Fire & Rescue Department agreed to split the \$5,610 annual contract cost with the Town. The annual cost to the Town would now be \$2,805 as opposed to a fee of \$1,500 per year under the old agreement. He also advised the contract could be absolved with a 30-day notice. Commissioner Steele inquired if this service was available to residents outside Blowing Rock. Mr. Hildebran responded the service was available to citizens within the Blowing Rock Fire District. Commissioner Pickett, seconded by Commissioner Klutz, made a motion to approve the agreement as presented. Unanimously approved.

#### **CodeRed Services Agreement – Exhibit A**

### **2. NCDOT – Main Street Snow & Ice Removal Agreement**

Mr. Hildebran presented a maintenance agreement between the N.C. Department of Transportation (NCDOT) and the Town of Blowing Rock authorizing the Town to provide for snow and ice removal along Main Street for approximately 1.97 miles.

Mr. Hildebran advised that staff had contacted NCDOT at Council's request, regarding winter weather maintenance along Main Street on a reimbursement basis. Historically the Town performed similar winter maintenance duties on the following state roads – Green Hill Road (Town limits to the Parkway), Wonderland Drive, Goforth Road, and Globe Road (321 Business to Town Limits) under a reimbursement basis.

Commissioner Klutz inquired if the Town needed to purchase additional equipment in order to provide maintenance to Main Street. Mr. Hildebran stated there would be no need to purchase additional equipment and the Town would be reimbursed from NCDOT for the associated costs of maintaining Main Street. Commissioner Klutz stated he wished for the State to continue the maintenance of Main Street.

Commissioner Yount spoke regarding his concern with the Town taking over the maintenance of Main Street and how many hours, days, etc. would be taken away from maintenance devoted to residential neighborhoods. Mr. Hildebran stated a definite time could not be determined and most likely depended on the accumulated snowfall.

Commissioner Steele suggested the Town enter into this agreement for one year only. Commissioner Pickett made a motion to approve the maintenance agreement between NCDOT and the Town for one year. Commissioner Steele seconded the motion. For: Pickett, Steele, & Matheson; Against: Yount & Klutz Motion carried 3-2.

#### **Maintenance Agreement Snow & Ice Removal – Exhibit B**

### **3. Resolution of Support – Blowing Rock Alcoholic Beverage Control (Resolution #2010-16)**

Council was presented with Resolution #2010-16 in support of the local ABC store for consideration.

Mr. Hildebran reported that the State of North Carolina was evaluating the possibility of privatization of the ABC System. The proposed resolution would support the spirituous sales through locally controlled ABC Stores and opposed privatization.

The Blowing Rock ABC Store generates substantial revenue for the Town's general fund and contributes funds for alcohol education and rehabilitation as well as alcohol law enforcement.

With no further discussion, Commissioner Yount, seconded by Commissioner Pickett made a motion to approve Resolution #2010-16 as written. Unanimously approved.

#### **Resolution of Support #2010-16 – Exhibit C**

### **4. Budget Amendment (Ordinance #2010-21)**

Town Manager Hildebran presented Budget Amendment Ordinance #2010-21 for fiscal year 2010-2011 for consideration.

According to Mr. Hildebran, the budget amendment would allocate funds in Section 1 (General Fund) for a portion of the release of a performance bond (Outback Steakhouse) to be placed in the sidewalk reserve, as well as grant funds received from the Blowing Rock Community Foundation towards the purchase of a radio at the Police Department.

Section 2 (General Capital Fund) closes out budget amounts with the completion of both Phase 1 of the Downtown Streetscape and the Robbins Pool at Broyhill Park. Funds would also be allocated from a portion of the release of a performance bond (Outback Steakhouse) towards the sidewalk reserve.

Sections 3 (Water/Sewer Capital Fund) allocates funds to close out budget amounts with the completion of various Wastewater Plant projects and Phase 1 of Water/Wastewater Improvements.

Commissioner Pickett made a motion to approve Budget Amendment Ordinance #2010-21 as presented. The motion received a second from Commissioner Yount. Unanimously approved.

#### **Budget Amendment Ordinance #2010-21 – Exhibit D**

### **SPEAKERS FROM THE FLOOR**

Ms. Mary Hendricks of 161 Morning Glory Lane spoke regarding concerns she had with short-term rentals in residential neighborhoods. Ms. Hendricks commented that she would like for the Town Ordinance to remain as it was currently in reference to short-term rentals. She felt if short-term rentals were allowed in residential neighborhoods, property values would be negatively impacted greatly and that Council was elected by their peers and were held to a high standard and should be held accountable.

Mr. Frasier Bingham of 207 Clawson Drive also spoke regarding short-term rentals. He stated that he too was a taxpayer and with the current status of the economy he would like to be able to rent his home weekly. Mr. Bingham stated it was getting increasingly hard to maintain two homes and if he were allowed to rent his home short-term it would aid with the up-keep expenses.

### **DEPARTMENTAL REPORTS**

Mr. Hildebran invited everyone to attend the following:

- Hometown Harvest to be held on Sunday, November 14<sup>th</sup> at 5:30 at the Emergency Services building.
- A Retirement Party for Sherrie Pitts to be held on Wednesday, November 10 from 3:00 p.m. to 5:00 p.m.

Commissioner Klutz inquired as to what was being done to fix a drainage problem at the Trexler residence on Morris Street. Town Engineer Doug Chapman responded that several improvements had been made in that area over the past few years. Mr. Chapman stated that due to the property's terrain a pipe was needed on the Trexler property in order to carry water away. Commissioner Klutz asked that Mr. Chapman explain this to Mr. Trexler.

At this time, Commissioner Pickett made a motion to enter into Closed Session to discuss terms/position regarding real property per NCGS 143-318.11(a)(5) seconded by Commissioner Steele. Unanimously approved.

Upon return from the closed session, Town Manager Hildebran summarized an offer to purchase town-owned real property by the NC Department of Transportation (NCDOT) due to right of way acquisition for the US 321 widening project (R-2237C) in Blowing Rock. Mr. Hildebran advised that the NCDOT formally offered to purchase – 1) the entire Visitor Center tract (6,752 square feet), both building and land, located at 7738 Valley Boulevard and 2) a portion of the Fire-Rescue property (3,267 square feet and temporary easement of 5,706 square feet) located at 8001 Valley Boulevard. The combined total offer was for \$518,250 for both acquisitions. In addition, Mr. Hildebran stated that NCDOT had offered \$20,000 for moving expenses for the relocation of the Tourism Development Authority.

After a brief discussion, a motion was made by Commissioner Yount and seconded by Commissioner Pickett to accept the offer to purchase the entire Visitor center tract and a portion of the Fire-Rescue tract as outlined by the Town Manager for \$518,250 and authorize the Mayor to execute any and all documents. Unanimously approved. Town Council also accepted the \$20,000 offer in relocation expenses for the Tourism Development Authority.

**ADJOURN**

There being no further business to discuss, the meeting was adjourned at 8:20 p.m.

**MAYOR** \_\_\_\_\_  
**J.B. Lawrence, Mayor**

**ATTEST** \_\_\_\_\_  
**Sharon Greene, Town Clerk**

- ATTACHMENTS** (11-09-10)  
CodeRed Services Agreement – Exhibit A  
Maintenance Agreement Snow & Ice Removal – Exhibit B  
Resolution of Support #2010-16 – Exhibit C  
Budget Amendment Ordinance #2010-21 – Exhibit D