

MINUTES
Town of Blowing Rock
Board of Commissioners
Regular Meeting-February 14, 2012

The Town of Blowing Rock Board of Commissioners met in regular session on Tuesday, February 14, 2012 at 5:05 p.m. The meeting took place in the Town Council Chambers at Town Hall located at 1036 Main Street, Blowing Rock. Present were Mayor J.B. Lawrence, Commissioners Albert Yount, Dan Phillips, 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, Public Works Director Mike Wilcox, Police Chief Eric Brown, Finance Director Nicole Norman, Emergency Services Director Kent Graham, Assistant Parks & Recreation Director Jason Balcom, and Town Clerk Sharon Greene.

CALL TO ORDER

Mayor Lawrence called the meeting to order at 5:05 p.m. and welcomed everyone.

APPROVAL OF MINUTES

A motion to approve the minutes for meetings held on January 10 and January 15-17, 2012 which included Closed Session minutes was made by Commissioner Steele with the following change; Commissioner Steele stated during the January 15th meeting, Council had agreed to review personnel issues quarterly in closed session. Commissioner Klutz seconded the motion. Unanimously approved.

APPOINTMENTS

Town Manager Hildebran advised that based on Council's discussions during the 2012 Retreat, the following individuals had been contacted and had agreed to serve on the various volunteer boards.

- **Planning Board (Appointments effective March 2012 meeting)**
Jim West, reappointed to a three-year term ending 2015
Alice Roess, appointed to a three-year term ending 2015
Brenda Fairbetter, reappointed to a three-year term ending 2015 (ETJ)
- **Board of Adjustment (Appointments effective March 2012 meeting)**
Jerry Starnes, reappointed to a three-year term ending 2015
Tim Ford, reappointed to a three-year term ending 2015 (Alternate)
Larry Faulkner, appointed to unexpired term ending 2013 (Alternate)
Terry Story, appointed to a three-year term ending 2015 (ETJ)
- **ABC Board (Appointments effective July 2012)**
David Greene, reappointed to a three-year term ending 2015
- **TDA Board (Appointments effective April 2011)**

Dean Bullis, reappointed to a three-year term ending 2015 (Business/Tourism-Related)

Doug Matheson, appointed to a three-year term ending 2015 (Council Representative)

Kent Tarbutton, reappointed as Chairperson for a one-year term

Commissioner Steele made a motion for approval of the appointments as presented, seconded by Commissioner Klutz. Unanimously approved. Mayor Lawrence thanked the appointees for their interest in the Town.

OLD BUSINESS

1. Town Code Amendment – Weapons on Town Property (Ordinance #2012-01)

Planning Director Kevin Rothrock stated that Draft Ordinance #2012-01 was introduced during the January 10, 2012 Town Council meeting to prohibit concealed handguns in Memorial Park, at Robbins Pool, and Davant Field. After the public hearing, the vote was 3 to 2 in support of the draft ordinance. Pursuant to NCGS 160A-75, no ordinance may be finally adopted on the date in which it was introduced except by a 2/3 (two-thirds) or greater vote of the Council. For the Blowing Rock Town Council an affirmative vote of 4 of the 5 Council members would be required. Approval of the draft ordinance at the second reading would not require a 2/3 majority, but instead a simple majority vote.

Mr. Rothrock also noted that a public hearing was not required for the second reading of the draft ordinance.

Mayor Lawrence asked Town Attorney Moseley if a new motion was needed or would a simple vote suffice. Mr. Moseley stated a new motion was needed. Mayor Lawrence then called for a motion. Commissioner Steele made a motion to approve Ordinance #2012-01, seconded by Commissioner Matheson. In favor of the motion were: Steele, Yount and Matheson. Against: Klutz and Phillips. Motion passed. **Ordinance #2012-01 Weapons on Town Property Code Amendment – Exhibit A**

Commissioner Yount questioned why this Ordinance was required to have another vote; when Council had voted on the Dogs in Town Parks Ordinance and that ordinance received a 3 to 2 vote yet another vote was not required at that time. Town Manager Hildebran explained the Dogs in Town Parks Ordinance had been discussed on several occasions prior to being voted on; so there had been a waiting period in between the introduction and approval of the ordinance.

NEW BUSINESS

1. Blowing Rock Conference Center - Annexation Petition (Res #2012-06 & #2012-07)

According to Planning Director Rothrock, the Blowing Rock Conference Center had submitted a petition of voluntary satellite annexation for Council consideration. The 58.9 acre subject property is located in the ETJ along Goforth Road outside of the Town's corporate limits and is zoned O-I and R-10S.

Mr. Rothrock discussed the following key points:

- The applicant had submitted a petition for satellite annexation with the intention of connecting to the Town's sewer utilities. Consistent with Town policy, any property that desires connection to Town utilities must be located within the corporate limits.
- Blowing Rock Conference Center is responsible for the costs of extending water and gravity sewer along Goforth Road to serve their property and for the availability fees for any buildings connected to the system.
- At this time, only the dining hall has an immediate need for sewer connection.
- Per Council discussion at the Retreat, the Town is willing to allow the availability fee payment to be spread over a ten-year period, based on the fact that the Conference Center agreed to reserve an area on their property for the Town to place a future water tank if needed.
- Due to its religious affiliation tax-exempt status, the Conference Center would not pay Town taxes.
- Based on research completed by the Town, occupancy taxes will be collected from non-religious guest groups only.

Since the boundaries of the subject property were not contiguous with the Town's corporate limits, certain rules pertaining to satellite annexation would have to be followed. Mr. Rothrock then reviewed the five (5) basic rules for satellite annexation in North Carolina found in G.S. 160A-58.1(b).

Commissioner Steele inquired as to why the Conference Center was requesting to be connected to the Town's sewer system only and not to water. Town Manager Hildebran stated the Conference Center had several wells on their property that provided adequate water supply at this time. Commissioner Steele also asked if this annexation and connection to the Town's sewer system would have any financial burden on the Town. Mr. Rothrock and Mr. Hildebran both stated the proposed annexation would not be a financial burden to the Town because it was a voluntary annexation request and any cost for sewer line installation would be paid by the Conference Center, rather than the Town.

Commissioner Phillips questioned what short-term/long-term effect the annexation of the Conference Center would have on the Town. Mr. Rothrock stated it would allow for growth in the Extra-territorial Jurisdiction of the Town and provide an extension of sewer lines at no cost to the Town that would allow for the eventual expansion of the Town's sewer system to Rocky Glen and other homes along Goforth Road.

Town Manager Hildebran also stated that it was difficult to find land with the elevation of the Conference Center for the possible addition of a water storage tank if needed in the future. The Conference Center had agreed to designate property for this purpose.

Commissioner Yount made a motion for approval of Resolution #2012-06 Directing the Town Clerk to Investigate a Petition Received Under G.S. 160A-31 and Resolution #2012-07 Fixing Date of Public Hearing on Question of Annexation Pursuant to G.S. 160A-31 as presented. Commissioner Phillips seconded the motion. Unanimously approved. **Blowing Rock Conference Center – Annexation Petition (Res #2012-06 & #2012-07) – Exhibit B**

2. Chamber of Commerce – Fresh Market Event Renewal

Town Manager Hildebran stated that Blowing Rock Chamber of Commerce Executive Director Charles Hardin had submitted a request for renewal of the Downtown Fresh Market Agreement on Wallingford Street. The proposed dates for the 2012 season are Thursdays beginning May 17, 2012 through October 18, 2012 (4:00 p.m. – 6:00 p.m.).

Commissioner Phillips commented that the Fresh Market had struggled with visibility problems at their current location and he suggested that they be allowed to relocate further up the street in front of the old fire station building on Park Avenue. Mr. Hardin agreed that it would be helpful if the Fresh Market was located closer to Main Street. He also explained that most vendors would need at least 30 feet of space which would close one lane of traffic.

Commissioner Klutz made a motion for approval of the Fresh Market Event Agreement as presented. Commissioner Matheson seconded the motion.

Commissioner Phillips asked if Commissioner Klutz would be agreeable to amending his motion to extend the area up Park Avenue. Commissioner Klutz asked if this would be only on the south side of the street and up to the Police Department entrance. Commissioner Phillips stated he would open for discussion regarding the details and agreed only the south side of Park Avenue should be utilized.

Commissioner Klutz amended his motion to include extending the Fresh market location up to the entrance to the Police Department on the south side of the street on Park Avenue. The motion was seconded again by Commissioner Matheson.

Town Manager Hildebran suggested that Council vote on what was currently proposed and continue to work out the details of any changes to the agreement then bring the amended agreement back to Council at their next regular meeting. Council agreed to further discuss the location of the event and present the amended agreement at their next meeting for consideration.

Commissioner Klutz then made a motion to return to his original motion for approval of the Fresh Market Agreement as presented, seconded by Commissioner Matheson.

Unanimously approved. **Chamber of Commerce – Fresh Market Event Renewal-Exhibit C**

3. Ambulance Base – Resolution (Res #2012-05)

Per Council's direction at their 2012 Retreat, Town Manager Hildebran presented Resolution #2012-05 Supporting Improvements to the Distribution of Ambulance Base Locations in Watauga County to Council for review and consideration.

Over the past several years, Council had discussed the need for improved medical transport response times in the Blowing Rock area. During this period, Emergency Services Director Kent Graham had reviewed with Council the issues surrounding emergency medical response within the county.

Mr. Hildebran further explained that Blowing Rock Fire and Rescue serves as a first responder and covers an area of approximately 52 square miles that included Blowing Rock, the Blowing Rock Fire District and North Caldwell Fire District. Medical response is normally initial treatment at the paramedic level of care.

He also addressed the following items:

- Approximately 50% of emergency medical calls in Watauga County are located outside of the Boone Fire district and all ambulances in Watauga County are based in the Town of Boone.
- All fire districts in Watauga County, with the exception of Boone, receive ambulance response times greater than the 10-minute contractual maximum.
- Blowing Rock citizens and visitors have experienced delayed transport response times.
- The Blowing Rock Fire District generates approximately 15% of the emergency medical calls in Watauga County, second only to the Boone district call volume.
- The Blowing Rock Fire District provides approximately 22.1% of the tax revenue applicable to the supplement provided to Watauga Medics, Inc. by Watauga County.
- Watauga County Commissioners determine the locations of the medic bases.

Commissioner Klutz asked if anyone had spoken with any of the County Commissioners regarding this issue.

EMS Director Kent Graham explained that he had gathered information and had spoken with all 100 counties in North Carolina and presented his findings to the Watauga Emergency Management Advisory Board. He also advised that he had attended meetings with Mayor Lawrence, Town Manager Hildebran, Watauga County Commissioner Jim Deal, previous Watauga County Manager Rocky Nelson (retired) and previous Assistant Watauga County Manager Deron Geouque (current Watauga County Manager) regarding this matter. Mr. Graham stated that a transitional approach with the possibility of a seasonal/part-time truck in this area had been discussed.

Commissioner Steele asked if there would be an extra cost to the County if a truck was relocated to this area. Mr. Graham stated there was a cost of \$340,000 per year for an additional truck and personnel and Watauga Medics, Inc was asking for another truck this budget year. He further explained there would be no extra cost to the County just to house a truck and personnel here if they utilized one of the four trucks they already had. Commissioner Phillips asked if there would be an additional cost to Blowing Rock. Town Manager Hildebran stated there would be no extra costs to the Town. Mr. Graham also stated he thought the Town was very generous offering to house a truck at the Town's fire station.

Commissioner Yount stated if Blowing Rock received an ambulance, other areas within the county would also request one. Mr. Graham stated that it would take three other fire districts in the county to make up the call volume that Blowing Rock has.

A motion was made by Commissioner Steele, seconded by Commissioner Klutz to approve Resolution #2012-05 as presented. Unanimously approved. **Ambulance Base-Resolution (Res #2012-05) – Exhibit D**

4. Spay Day – Resolution (Res #2012-08)

Town Manager Hildebran presented Resolution #2012-08 to Council for their consideration designating February 28, 2012 as “Spay Day” in the Town of Blowing Rock.

With no further discussion, a motion was made by Commissioner Phillips to approve Resolution #2012-08 as written. The motion was seconded by Commissioner Klutz. Unanimously approved. **Spay Day – Resolution (Res # 2012-08) – Exhibit E**

5. Regular Meeting Times Modification

Town Manager Hildebran stated that based on Council discussions during their 2012 Retreat regarding regular meeting times, formal action would be needed to establish regular meeting times at 5:30 p.m. during the months of April through November. All other months, meetings would continue to be held at 5:00 p.m.

Commissioner Klutz made a motion to approve the regular meeting time modifications as stated. Commissioner Phillips seconded the motion. Unanimously approved.

6. Tax Collectors 2011-12 Delinquent Report & Advertisement of Tax Liens Order

Town Manager Hildebran stated that pursuant to N.C.G.S. 105-373, Tax Collector Greene had submitted the 2011-12 Delinquent Report as well as an authorization request to advertise unpaid taxes beginning March 22, 2012. He also mentioned that tax collections were ahead one (1) percent over last year at this time.

With no further comments, Commissioner Steele made the motion for approval of the 2011-12 Delinquent Report and Advertisement of Tax Liens Order as presented.

Commissioner Klutz seconded the motion. Unanimously approved. **Tax Collectors 2011-12 Delinquent Report & Advertisement of Tax Liens Order – Exhibit F**

SPEAKERS FROM THE FLOOR

None

DEPARTMENTAL REPORTS

Commissioner Klutz presented plans for improvements to the Memorial Park to Council for their review. He stated that he had met with Parks & Recreation Director Jennifer Brown and Maintenance Supervisor Tom Shelley recently to discuss improvements that were needed to areas of Memorial Park. Commissioner Klutz stated that two options for improvements had resulted from these meetings and he would like for Council to consider them. The first option would cost approximately \$1,517.00 for pavers and sod to be placed in high traffic areas in the park where it was difficult to get grass to grow. The second option would cost approximately \$6,544.00 for stamped concrete in the same areas as in the first option. Commissioner Klutz recommended that Option #2 be approved even though it was not budgeted this year. Commissioner Klutz then made a motion to allow Town Manager Hildebran to find \$6,500 to complete Option #2 as proposed.

Commissioner Steele asked if the Blowing Rock Appearance Advisory Commission (BRAAC) had been contacted regarding this matter. Commissioner Yount also asked if this issue had gone through the chain of command beginning with Town Manager Hildebran. Mayor Lawrence commented that it seemed that Council had been blindsided by the proposal, but he agreed that Memorial Park was in need of improvements to certain areas. Mayor Lawrence asked if Town Manager Hildebran was aware of the proposals. Town Manager Hildebran stated that Ms. Brown had mentioned them to him, but there were no funds to cover the costs unless Council chose to reallocate money set aside for a used vehicle for the recreation department.

Commissioner Klutz apologized for failing to contact other Council members regarding the matter. He mentioned that due to Ms. Brown's medical condition at the present time, it was doubtful that she would be able to present this to Council during the upcoming budget works sessions; therefore he felt it should be brought to Council's attention for a decision at this time.

Commissioner Phillips asked if there was a Master Plan in place that addressed changes and improvements to Memorial Park. He also stated that he would be in favor of Town Manager Hildebran trying to find funds for the improvements. Mayor Lawrence also stated that the idea of using stamped concrete would be a better long-term solution to the problem areas in the park. It was the consensus of Council for Town Manager Hildebran to review the options presented and possibly discuss them with BRACC.

Commissioner Klutz's motion failed for lack of a second.

Town Manager Hildebran asked that everyone remember Jennifer Brown in their thoughts and prayers since she was hospitalized awaiting the birth of her second child.

Mr. Hildebran mentioned there would be an Intergovernmental Retreat on March 5th at 5 p.m. at ASU to discuss state revenue issues.

Also, the Watauga County Economic Development Summit would be held on Wednesday, March 7, 2012 at the Blowing Rock Art and History Museum from 1-5 p.m.

A 2-hour incident command course would also be held by ASU on March 28, 2012 from 4-6 p.m. and all members of Council were encouraged to attend.

In closing, Town Manager Hildebran reminded everyone of the Town's 123rd Birthday Party to be held on March 9th at Town Hall beginning at 3:30 p.m. During the party recipients of the Historical Society Marker Program plaques would also be recognized.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 5:55 p.m.

MAYOR _____
J.B. Lawrence

ATTEST _____
Sharon Greene, Town Clerk

ATTACHMENTS 02-14-12

Ordinance #2012-01 Weapons on Town Property Code Amendment – Exhibit A
Blowing Rock Conference Center – Annexation Petition (Res #2012-06 & #2012-07) – Exhibit B
Chamber of Commerce – Fresh Market Event Renewal- Exhibit C
Ambulance Base- Resolution (Res #2012-05) – Exhibit D
Spay Day – Resolution (Res #2012-08) – Exhibit E
Tax Collectors 2011-12 Delinquent Report & Advertisement of Tax Liens Order – Exhibit F