

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

Prior to the meeting, a ribbon cutting was held at the Pool Picnic Shelter located on Lakeside Drive at 5:00 p.m. to show appreciation to those who made donations to the project.

The Town of Blowing Rock Board of Commissioners met in regular session on Tuesday, August 14, 2012 at 5:30 p.m. 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, Police Chief Eric Brown, Finance Director Nicole Norman, Public Works Director Mike Wilcox, Emergency Services Director Kent Graham, Parks & Recreation Director Jennifer Brown, Planning Intern Taylor Gupton and Town Clerk Sharon Greene.

**CALL TO ORDER**

Mayor Lawrence called the meeting to order at 5:30 p.m. and welcomed everyone.

**APPROVAL OF MINUTES**

A motion was made by Commissioner Klutz to approve the minutes as written for meetings held on July 10<sup>th</sup> and 17<sup>th</sup>, 2012, seconded by Commissioner Matheson. Unanimously approved.

**OLD BUSINESS**

**1. Update – Town Comprehensive Plan Process (Survey)**

Planning Director Kevin Rothrock updated Council regarding the Town Comprehensive Plan Survey by stating the survey was completed and ready to be sent on August 16<sup>th</sup>. Respondents would have until September 15<sup>th</sup> to complete and submit their survey.

According to Mr. Rothrock all in-town property owners in Watauga and Caldwell County would receive a postcard with the survey link and information on how to log in to the survey. He also advised that owners could call and request a paper survey to complete.

Commissioner Klutz wanted the record to state that he felt anyone 18 years of age and allowed to vote should be allowed to complete a survey.

**NEW BUSINESS**

**1. Downtown Streetscape (Phase III) – Bids**

Town Manager Hildebran stated the Town received bids for the Downtown Streetscape (Phase III) on August 2, 2012.

Mr. Hildebran advised the project would consist of construction of new sidewalks, curb & gutter, paving, concrete pavers, utilities, and related appurtenances located on the East Side of Main Street/US 321A Business from St. Mary's Episcopal Church to the north end of Storie Street.

The following bids were received:

<b>Vannoy Construction, Inc. (Jefferson)</b>	<b>No Bid</b>
<b>Mountain Crest, LLC (Lenoir)</b>	<b>\$52,975.00</b>
<b>Greene Construction, Inc. (Boone)</b>	<b>\$95,317.34</b>

Mr. Hildebran stated staff recommended awarding the low bid to Mountain Crest, LLC for \$52,975.00 and that Town Engineer Doug Chapman was present to answer any questions that Council might have on the project.

Mr. Chapman explained Phase III of the project and stated it should be completed within a 30-day period.

Commissioner Klutz wanted clarification that the plans did not include bulb-outs. Mr. Chapman confirmed there would be no bulb-outs. Commissioner Klutz also stated in a line item between the two bidders there was a \$19,719.27 difference in amounts and he hoped that Crest Mountain, LLC had not made a mistake in determining what to charge for that line item, because he did not want them to come back to the Town requesting more money. Mr. Chapman explained the reasoning behind the difference and also stated that recently Green Construction Co. had acquired several jobs. Town Manager Hildebran also confirmed that Greene Construction, Co. had a lot of projects in the works, one being the Wastewater Treatment Plant improvements for the Town.

Commissioner Yount asked if the Town had received a performance bond from Mountain Crest, LLC for this project. Mr. Chapman stated a performance bond had been received.

With no further questions or comments, Commissioner Yount made a motion to award this project to low bidder Mountain Crest, LLC with a bid of \$52,975.00 for the project. The motion was seconded by Commissioner Matheson. Unanimously approved.

## **2. Quitclaim Deed Request – Brian & Suzanne O'Neil**

Town Manager Hildebran presented a letter from Attorney Stacy Eggers, IV on behalf of Brian and Suzanne O'Neil requesting a Quitclaim Deed for an area of land between Green Street and their property which resulted from the 1968 NCDOT relocation of Hwy. 221. The area in question was currently being used as parking and landscape area according to Mr. Hildebran.

Mr. Hildebran also advised the Quitclaim Deed reserved an easement to the Town for repair/replacement of existing utility lines within the proposed area to be deeded. Commissioner Klutz asked if anyone was using the property. Mr. Hildebran stated that

Mr. & Mrs. O'Neil were maintaining and using the property. Commissioner Yount inquired if Town Attorney Moseley was satisfied with this request. Mr. Moseley stated that the request would enable Mr. & Mrs. O'Neil to later obtain a clear title to the property.

Commissioner Matheson made a motion to approve the Quitclaim Deed request as present, seconded by Commissioner Steele. Unanimously approved. **Quitclaim Deed Request – Brian & Suzanne O'Neil – Exhibit A**

### **3. Blue Ridge Vistas (Village Gate) – Annexation Petition (Res. #2012-16 & 17)**

According to Planning Director Rothrock, Blue Ridge Vistas Condominiums had submitted a voluntary annexation petition on August 7, 2012 to Council for consideration. The petition initiated the satellite annexation process for the 3.03 acre tract located off Hwy 321 in Caldwell County. Mr. Rothrock advised the property owners were in need of Town water service after the purchase of right-of-way from NCDOT. Annexation would be required in order to service the property with water.

With the 321 widening project, NCDOT agreed to fund the engineering and installation of Town water to serve the property. In 2010, Council had agreed to allow the connection to the water system contingent on annexation and payment of all applicable fees.

According to Mr. Rothrock, pursuant to G.S. 160A-58.1 (b), certain rules for satellite annexation had to be met due to the boundaries of the property not being contiguous with the Town's corporate limits. He then stated that all rules had been satisfied and staff recommended approval of resolution No. 2012-16 and 2012-17 initiating the annexation process with a public hearing date of September 11, 2012.

Mr. O. Wayne Green inquired if there were future plans to extend the Town's extra-territorial district (E.T.J.) in the area or for involuntary annexation. Mayor Lawrence responded there had not been any discussion that he was aware of. Mr. Green also asked if the condo property septic system failed would Town sewer become available. Town Manager Hildebran stated if this should occur, Blue Ridge Vistas would be responsible for the costs of extending public sewer to their property.

Commissioner Phillips had questions regarding the E.T.J. district and if water would be available to any other properties in the proposed area. Planning Director Rothrock explained the E.T.J. district was on the north side of town, not the south side near the Blue Ridge Vistas property, and that Blackberry Ridge Condos were already on the Town's water system.

Audience member Regina Pelsmaecker asked if a study of the Town's infrastructure had been conducted in 2010 when Council had committed to allowing water to be extended to the condominiums and could the Town's water plant support this addition as well as the new hospital property that was recently annexed into Town. Mayor Lawrence stated the 31 single bedroom units would not have a huge impact on the town's system and

the new hospital would replace the old hospital and more than likely be less of an impact.

With no further discussion, Commissioner Phillips made a motion to approve Blue Ridge Vistas (Village Gate) – Annexation Petition Resolution No. 2012-16 and 2012-17 as presented. The motion was seconded by Commissioner Steele. Unanimously approved. **Blue Ridge Vistas (Village Gate) – Annexation Petition (Res. # 2012-16 & 2012-17) – Exhibit B**

#### **4. Blowing Rock Pre-K – Temporary Building Use**

Town Manager Hildebran stated the Parks and Recreation Department had received a request from the Blowing Rock Pre-K to utilize the Blowing Rock Club House (old Ruritan Building) temporarily for a pre-school program.

Mr. Hildebran advised that Ms. Jenny Bachman was present to speak regarding this request. According to Ms. Bachman, until recently the Town had a More at 4 Program and a Pre-K/Preschool Program at Ruple Memorial Presbyterian Church. Due to budget cuts at the county level several of the More at 4 programs had been eliminated and the pre-school program at Ruple had closed as well creating a need for this type of program in the area.

Ms. Bachman stated the Blowing Rock Pre-K was looking for a temporary site to begin the much needed program until it could be integrated into the First Baptist Church program at the beginning of 2013.

The program would be a non-profit program with three (3) staff members who would be overseen by a committee that meets quarterly. The program would run Monday-Thursday from 8:30 a.m. to 12:00 p.m. Expected enrollment would be approximately twelve to fifteen children. Cost of the program for each child would be \$225.00/month. Operating costs were estimated to be \$3,000-\$3,500.

Ms. Bachman also mentioned the program was willing to compensate the Town for use of the facility with approximately \$200/month. She reiterated they would only need temporary use of the building and the facility could still be rented out to other groups and organizations.

Commissioner Phillips asked what percentage of the program would be utilized by Blowing Rock residents. Ms. Bachman stated approximately 90%. Commissioner Phillips also asked if an inspection was needed. Mr. Hildebran advised since the program would be less than four (4) hours per day Monday – Thursday, the use was not considered a day-care by definition, however, a building and fire inspection would be required.

Mr. Hildebran mentioned the Town's portion of the monthly expenses would be closer to \$250.00 per month. Commissioner Klutz asked if the fee could be waived. Mr.

Hildebran stated if the fee were to be waived the Town's taxpayers would be subsidizing the program.

Commissioner Matheson felt this was a good service and he was glad a new program was beginning.

Commissioner Steele wanted confirmation the program would only be using the Town's facility for a period of four (4) months. Ms. Bachman stated that was correct. Commissioner Steele mentioned after speaking with the assistant pastor at the Baptist Church, he felt this program would be acceptable and therefore he was in favor of the program and temporary use of the town facility.

Commissioner Klutz made a motion to approve the temporary use of the Blowing Rock Club House to the Blowing Rock Pre-K Program for a period of four months as outlined by the Town Manager, seconded by Commissioner Phillips. Unanimously approved.

#### **5. Surplus – Vehicles/Equipment (Res #2012-18)**

Town Manager Hildebran presented resolution #2012-18 to Council for approval. Pursuant to N.C.G.S. 160A-270 (c), Council is authorized to sell personal property by electronic auction upon adoption of a resolution authorizing an appropriate town official to dispose of the property on [www.GovDeal.com](http://www.GovDeal.com). GovDeals would be compensated at 7.5% of the total gross sale price, with the benefit of using GovDeals being that it produced higher sale prices, offers more efficient and timely disposal of surplus items, is cost effective, etc.

With no further discussion, Commissioner Klutz, seconded by Commissioner Phillips made a motion to approve Resolution #2012-18. Unanimously approved. **Surplus – Vehicles/Equipment (Res #2012-18) – Exhibit C**

#### **SPEAKERS FROM THE FLOOR**

None

#### **DEPARTMENTAL UPDATES**

Town Manager Hildebran thanked everyone who donated time, money, materials, etc. for the construction of the picnic shelter at the pool facility. He advised with the donations the picnic shelter was constructed at no charge to the taxpayers of Blowing Rock.

Mr. Hildebran advised that Green Construction Co. would begin work on the upgrades to the Wastewater Treatment Facility the following week. Also, the roof replacement at Town Hall would commence in the near future.

The resurfacing of Main Street was scheduled to begin in late August, most likely after Labor Day.

Community Service Days were in progress and Mr. Hildebran encouraged everyone to attend the scheduled events.

Blowing Rock Art & History Museum (BRAHM) would be hosting new exhibits featuring Bob Timberlake, Glenn Bolick, and Max Moody.

Mr. Hildebran also mentioned that Timberlakes Restaurant at Chetola and Subway were open for business.

Commissioner Klutz commented while reading the minutes for the Blowing Rock Fire & Rescue Department that Lt. Lewis, Lt. Norwood, Lt. Ray, Mark Hollars, Sterling Lewis, and Matt Snyder had mentioned they did not think their pagers were activating all the calls. Commissioner Klutz stated he would like to hear the specifics as to why these responders were not receiving all calls.

Commissioner Phillips wanted to know if the calls were being dropped due to the main dispatch from Watauga County. Mr. Graham stated the problem depended on where the responder was located at the time and had nothing to do with where the call was being dispatched from. He explained it was probably due to a failure between the pager and the tower located on Green Hill.

Commissioner Phillips stated this could be quite dangerous and wanted to know what could be done to remedy the problem. Mayor Lawrence stated the problem was similar to having a bad signal on a cell phone and depended on where you were located at the time the call was dispatched.

Commissioner Phillips asked if studies had been conducted regarding the issue. Mr. Graham advised that studies had taken place and progress was being negotiated on an area to install another repeater which would improve the signal in some areas but would not completely alleviate the issue.

Commissioner Klutz commented that he did not think this was an isolated event; that it happened frequently according to his understanding of the minutes and it was too dangerous in the fire/rescue business to have dropped calls.

Town resident Karyn Herterich wanted to know if the problem had anything to do with Watauga County dispatching the calls. Mr. Graham assured Ms. Herterich that it did not. Ms. Herterich also wanted to know how the firefighters knew they had not received the calls. Commissioner Matheson explained, at their monthly meetings, all calls were reviewed and this was when he had heard about a portion of the calls not being received by the six members previously mentioned.

Mr. Graham stated this may not have been an isolated event, but the system in place currently was much better than it used to be when calls were received on a dedicated phone line. He stated that all staff members carried radios with open channels in case they did not receive a signal on a pager they would at least hear radio traffic. Mr.

Graham advised that his department was always striving to improve the communication system and he did not feel this was a critical issue at this point. Commissioner Klutz reiterated that he wanted the problem resolved.

Mayor Lawrence inquired as to how many firefighters the department had. Commissioner Matheson responded there were 52 names on the department roster. Mayor Lawrence stated that out of 52 there were possibly six (6) who felt they did not receive all the calls. Mr. Graham stated he did not have the specifics regarding which calls they did not get. He advised that the six people mentioned had stated they did not think their pagers had detected all 80 calls.

Ms. Herterich also wanted to know if this problem was due to outdated equipment. Mr. Graham responded their department had the standard equipment. Commissioner Matheson also mentioned that responders received a text message on their cell phone when a call was dispatched, if they had cell phone service at the time.

Mayor Lawrence asked if there was anything else to be discussed.

Commissioner Klutz commented that he had questions regarding the minutes for Fire/Rescue concerning the fire hydrants for the Boone/Blowing Rock interconnect. According to Commissioner Klutz, the minutes stated the fire hydrants on the interconnect line were not in service and he wanted to know why.

Mr. Graham stated that currently the hydrants were not useful to the fire department because the pressure was too forceful. Public Works Director Mike Wilcox explained, with the pressure being too high it was affecting the seals on the fire department equipment. Commissioner Klutz then asked if the engineer for the project had missed a pressure reducing valve during the construction of the project. Town Engineer Doug Chapman explained that a pressure reducing valve had not been omitted and work was being done to alleviate the pressure problem.

Pursuant to N.C.G.S. 143.318.11(6), Council entered into executive session to discuss personnel matters at 6:15 p.m.

**ADJOURN**

There being no further business to discuss, the meeting was adjourned at 6:40 p.m.

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

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

**ATTACHMENTS** (08-14-12)

Quitclaim Deed Request – Brian & Suzanne O’Neil – Exhibit A

Blue Ridge Vistas (Village Gate) – Annexation Petition (Res. # 2012-16- and 2012-17) – Exhibit B

Surplus – Vehicles/Equipment (Res. #2012-18) – Exhibit C