

MINUTES
Town of Blowing Rock
Board of Commissioners
Regular Meeting-October 9, 2012

The Town of Blowing Rock Board of Commissioners met in regular session on Tuesday, October 9, 2012 at 5:30 p.m. Present were Mayor J.B. Lawrence, Commissioners Albert Yount, Dan Phillips, Doug Matheson and Jim Steele. Commissioner Tommy Klutz was out of town and unable to attend. 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, Building Inspector Jesse Horner, Parks & Recreation Director Jennifer Brown, and Town Clerk Sharon Greene.

CALL TO ORDER

Mayor Lawrence called the meeting to order at 5:30 p.m. and welcomed everyone. He also announced that the regular meetings for November through April would begin at 5:00 p.m.

APPROVAL OF MINUTES

A motion was made by Commissioner Phillips to approve the minutes as written for meetings held on September 4th & 11th, and October 1st, 2012, seconded by Commissioner Matheson. Unanimously approved.

PUBLIC HEARINGS

1. Blue Ridge Vistas (Village Gate) - Rezoning (RZ #2012-01)

Planning Director Kevin Rothrock advised that Blue Ridge Vista was requesting a rezoning of their property located at 5800 Blowing Rock Blvd. The property was recently approved for satellite annexation effective June 30, 2013. Located in the Caldwell County jurisdiction, the property is currently zoned R-20 and a request was made to change the zoning to General Business. Mr. Rothrock stated the annexation of the property was approved on September 11, 2012 mainly for the purpose of extending Town water to the property after NCDOT purchased a right-of-way that included the condominium's well. All costs associated with water line extension to be installed during the road widening process would be covered by NCDOT.

Mr. Rothrock then gave a brief history of the property, stating before being converted to condominiums it was a motel. The property owners had continued short-term rentals since the conversion and the annexation ordinance would maintain their vested right to continue doing so.

After reviewing the request for General Business zoning, the Planning Board at their September meeting recommended rezoning the property to R6-M Multi-family since that would be more consistent with the 2004 Comprehensive Plan.

Commissioner Steele questioned why the effective date was June 30, 2013 instead of the date initially approved. Planning Director Rothrock explained the June 30, 2013 date was for taxing purposes.

Commissioner Steele then asked about the proposed zoning of the property to R-6M versus General Business (GB). Mr. Rothrock stated the Planning Board suggested the zoning be R-6M because that would be more consistent with the surrounding property and would be more restrictive than GB zoning.

Commissioner Phillips had questions regarding other properties in the area remaining R-20 zoning. Mr. Rothrock stated that the majority of property in Caldwell County located outside the city limits was zoned R-20.

Commissioner Steele commented since there were other properties within the area that had commercial use he was unsure as to why it was recommended that Blue Ridge Vistas be zoned R-6M instead of GB. Mr. Rothrock advised the property was currently multi-family and the zoning of R-6M was appropriate.

Commissioner Steele also asked if the property were to sell at some point and the new owner wanted to build a restaurant at that location, could this be allowed. Mr. Rothrock stated that Council would have to approve the request in order to rezone the property to allow for a restaurant.

Commissioner Yount stated the Town had specifically excluded sewer availability to the property and should their septic system fail, would this stand up in court. Mr. Moseley responded that it would.

With no further discussion, Commissioner Matheson made a motion to close the public hearing, seconded by Commissioner Phillips. Unanimously approved.

A motion for approval of Blue Ridge Vistas (Village Gate) – Rezoning (RZ #2012-01) was made by Commissioner Yount, seconded by Commissioner Matheson. Unanimously approved. **Blue Ridge Vistas (Village Gate) – Rezoning (RZ #2012-01) – Exhibit A**

2. Amendment to Land Use Ordinance _ Solar Roof Panels (Ord #2012-13)

Commissioner Rothrock presented Ordinance #2012-13 to Council for consideration. He expressed that several contractors and business owners were beginning to make requests to install solar panels on building roofs. Mr. Rothrock also stated that the Town's commercial design standards regulated the color and style of roofing materials and if solar panels were to be regulated as well, there should be a permitting procedure to follow. He advised that staff had recommended allowing certain size solar panels on commercial roofs through an exterior change permit authorized at the administrative level and that large solar panels be approved through the CUP process. The draft ordinance would be applicable to all non-single family buildings with the exception of

those located in TC or CB zoning districts where commercial design standards are regulated.

Mr. Rothrock proceeded to review the proposed changes to the Town Ordinance pertaining to the request and showed solar panel/roof plan examples. Commissioner Steele inquired if the solar panel could not be seen from the street could a larger panel be installed. Mr. Rothrock stated if the panel could not be seen from the street or from adjacent properties there would be no size restriction.

After further explanation regarding the roof plane regulations, Commissioner Steele made a motion to close the public hearing, seconded by Commissioner Phillips. Unanimously approved.

Commissioner Steele then made a motion for approval of Ordinance #2012-13 as written, seconded by Commissioner Phillips. Unanimously approved. **Amendment to Land Use Ordinance – Solar Roof Panels (Ord #2012-13) – Exhibit B**

OLD BUSINESS

1. Update – Town Comprehensive Plan Process (Survey)

Planning Director Rothrock updated Council regarding the Comprehensive Plan Survey. He stated the online link to complete the survey closed as of September 30th with approximately 510 respondents, which would be about 25% of the 2050 people who received the survey postcard. According to Mr. Rothrock, NCSU would begin their analysis of the results and provide an extensive summary toward the end of November. Mr. Rothrock also stated that visioning workshops would begin in May of 2013.

Commissioner Steele asked if the visioning workshops could begin sooner than May of 2013. Mr. Rothrock stated it would be best to wait until the analysis had been received. Town Manager Hildebran also commented that previously this procedure was followed because it was best to wait until the seasonal residents had returned to town so they could attend the workshops as well.

Town resident Karyn Herterich inquired about the percentage of respondents for previous surveys that had been sent. She suggested the surveys be mailed to residents because she felt more people would respond. Mr. Rothrock explained that 25% was a high response percentage according to NCSU.

Council thanked Mr. Rothrock for the update.

2. Update – Ambulance Base

Mr. Hildebran stated there was continued concern regarding the improvement of response time for medical transport units and an ambulance base location in Blowing Rock was dependent upon the addition of another unit to the system. Mr. Hildebran stated that EMS Director Kent Graham was available for comment on the issue. Mr. Graham began by stating that the status remained as it had in previous years because the decision to place a unit in Blowing Rock was not a staff decision, but a decision that

was made by the Watauga County Commissioners. Mr. Graham stated the director of the ambulance base was in favor of placing a unit in Blowing Rock and felt there was a critical need.

Commissioner Phillips asked Mr. Graham if response times were tracked. Mr. Graham stated that response times were tracked and the current average time was between 11 and 15 minutes for calls by Watauga Medics to Blowing Rock.

Commissioner Phillips stated that he understood this to be a “money thing” and that Watauga County basically did not want to have to pay to have a unit in Blowing Rock. Mr. Graham explained that Watauga County only supplemented the cost since the ambulance service was a privately owned business with a portion of the costs coming from service billing. Commissioner Phillips then asked if there was an alternative to the current situation. Mr. Graham stated without a change in contracts which would be detrimental to the ambulance service, he felt there was no good alternative.

Commissioner Steele stated that citizens were aware of the assets that Blowing Rock had regarding emergency care but did not understand why Blowing Rock EMS could answer the calls but could not transport to a healthcare facility. Mr. Graham explained that calls in the Caldwell County portion of Blowing Rock could be transported by the Blowing Rock EMS, but calls in the Watauga County portion could not. He also expressed that his department strived to improve the level of service to the citizens of Blowing Rock by having trained paramedics as well as the capability in which to transport patients.

Town Manager Hildebran suggested this item be added to the agenda for the Intergovernmental Meeting to be held on October 11th. Commissioner Phillips reiterated the need for an alternative solution because Blowing Rock had an aging population and even though a response time of 13 minutes was good, it was sometimes crucial to have an even better response time.

Mayor Lawrence asked what the response time for the QRV unit inside the town limits of Blowing Rock. Mr. Graham responded that the average response time was between 3 and 5 minutes.

Mr. Graham also stated the call volume in Blowing Rock definitely warranted an ambulance base in the area.

Commissioner Steele asked if the contract was renewed on a yearly basis. Mr. Graham responded that he thought it was a 5-year contract with approximately 4 years remaining. He stated a proposal was sent to Watauga County almost yearly requesting that a base be added in the Blowing Rock area at a cost of approximately \$400,000.

Commissioner Yount asked for further clarification regarding the agreement to transport residents in the Caldwell County area of Blowing Rock but not Watauga County. Mr. Graham stated that Caldwell County approached Blowing Rock regarding answering

calls and transporting residents in the Caldwell County section of Blowing Rock but there was no agreement to transport patients located in the Watauga County portion of town.

Commissioner Yount then asked why Blowing Rock couldn't contract with Watauga County to do the same. Mr. Graham stated that Blowing Rock could, but the cost would be at least \$400,000 to do so. Mr. Graham also commented that losing Blowing Rock would be detrimental to the ambulance service.

Commissioner Phillips asked if Blowing Rock could raise the tax rate to pay for this service and no longer be in a contract with Watauga County if they should decide to do so. Mr. Graham responded that Watauga County would have to allow the change.

Commissioner Yount stated that in all fairness to Watauga County, if Blowing Rock received their own ambulance base; other areas such as Cove Creek, Deep Gap, etc. might also want their own base. Mr. Graham stated that most likely that was part of the decision not to add an ambulance base, but to get the same amount of call volume that was in the Blowing Rock district, you would have to add three other districts together. Commissioner Steele stated he felt if Blowing Rock was removed from the equation, it could possibly improve the response time to other areas.

It was the consensus of Council to inquire if this issue could be placed on the agenda for the Intergovernmental Meeting on October 11th in order to discuss the matter with representatives from Watauga County.

NEW BUSINESS

1. American Legion – N.C. Parks & Recreation Trust Fund Grant

Town Manager Hildebran stated the NC Parks and Recreation Trust Fund Authority had approved a \$142,500 grant to the Town for the American Legion Building. During a recent work session, Council had discussed various options in order to determine a direction for moving forward with the project.

Since that time, staff confirmed the need to respond with a grant decision to the Authority by mid-October. Also, the Authority advised that modifications to the proposed renovation plan could be made as long as the required elements of the PARTF grant were met.

Mr. Hildebran also advised that an asbestos inspection had been done at Council's request and the report had concluded there was no asbestos found.

Mr. Hildebran stated that McGill Associates had prepared a conceptual exterior rendering of the building based on comments suggested during the work session and that Council had been given a copy to review.

The grant was to be used for improvements to the existing building to allow for the facility to be used as a community/recreation center space. The proposed facility would

include a multipurpose room, community/fitness room, and an outdoor picnic area. Mr. Hildebran further reviewed the proposed changes to be made to the existing American Legion Building and further stated the Town would provide a 50% local match (or \$142,500). The local match would come from existing capital reserve funds and from community contributions. Mr. Hildebran also advised that prior to the approval of the grant, the roof and guttering had been replaced on the building. He further stated the Town currently had \$116,800 set aside for the project and that staff would proceed forward according to Council's decision.

Commissioner Yount stated that Council needed to discuss two things; 1) whether to accept the grant and 2) what specifically would be done to the building.

Mr. Hildebran advised there was approximately \$18,300 set aside for a design plan. Town Engineer Doug Chapman commented that specifics could be decided later in the 3-year window to complete the project.

Town resident Ginny Stevens asked if there was a possibility of the American Legion Building being torn down. Mayor Lawrence stated with the acceptance of the grant it would not mean the building would be torn down for at least a 25-year period.

Ms. Herterich also wanted to know if there were restrictions on expanding the existing footprint of the building if the grant was accepted. Mayor Lawrence stated with the acceptance of the grant money, there were three elements that had to be met and if an expansion was done, the Town would have to pay for it. Ms. Herterich urged Council to look long term into the future of the building and what would be needed. She felt the building could become a marketable investment for the Town if the correct renovation/expansion was done.

Commissioner Phillips wanted to know if any questions regarding the American Legion Building had been included on the survey that was sent to residents. Mr. Rothrock stated that specific questions regarding the American Legion Building had not been asked, but there were questions regarding the need for a community center as well as other questions about all Town buildings.

Mr. David Rogers also asked if there were any plans to include office spaces for Town departments in the building. Mayor Lawrence responded that he had not heard offices mentioned. Town Manager Hildebran stated since the Town had acquired the building it had been used for roughly 200 events. Ms. Herterich then asked about the income from these events. Mr. Hildebran stated the income had been nominal. Mayor Lawrence commented the building was in need of renovation/updating before any substantial revenue would be received.

Ms. Herterich also wanted to know if the name of the building would be changed. Mr. Hildebran stated according to the termination of the lease between the American Legion and the Town, the name should remain as is.

Commissioner Matheson stated that he felt as money became available the building would be expanded possibly in several phases.

Commissioner Phillips made a motion to accept the NC Parks & Recreation Trust Fund Grant and for the Town to match the funds, with no further money to be spent until a design plan had been decided upon. The motion was seconded by Commissioner Matheson.

Commissioner Phillips expressed the American Legion property was a very important piece of real estate overlooking the lake and Broyhill Park and the Town had one chance to renovate/update it correctly. Commissioner Phillips continued by stating the Town could draw upon resources available to turn this property into something that the community could be very proud of.

Commissioner Steele suggested that Council hold a work session in order to receive input because there were many people in town who were interested in the building that might have some great ideas. He also remarked the Town needed to move forward carefully with the project in order to have something nice as well as usable and if in the future the demand grew, could the building be expanded to meet those needs.

Mayor Lawrence also stated that he didn't think the income generated from the use of the building would be the biggest benefit, he thought the greatest benefit would be from the people who came to town for events held at the American Legion Building staying at the motels/hotels, eating at the restaurants and shopping in the shops etc.

Ms. Ginny Stevens also stated that she and other members of the Blowing Rock Historical Society would like for the building to remain affordable so that everyone could utilize it, because there were several upscale facilities in town already.

Mayor Lawrence called for a vote on Commissioner Phillip's motion. The motion passed unanimously.

2. Samaritan's Purse – Resolution (Res #2012-19)

Town Manager Hildebran presented Resolution #2012-19 welcoming Samaritan's Purse upon their acquisition of the former Hayes Performing Art Center to Council for their consideration.

After Commissioner Phillips read the resolution, Commissioner Steele made a motion to accept Resolution #2012-19 as written, seconded by Commissioner Phillips.
Samaritan's Purse – (Res #2012-19) – Exhibit C

3. Bids – Salt Bin

Town Manager Hildebran advised that bids had been received for the Public Works Facility Salt Bin on October 3, 2012.

The project included a base bid for one 20' wide x 40' deep salt storage bin, with alternate bids for the addition of one 12' wide x 25' deep storage bin on each side of the larger bin. Mr. Hildebran discussed the construction materials included in the bids received.

The bids were as follows:

	<u>Base</u>	<u>Alt 1</u>	<u>Alt 2</u>	<u>Alt 3</u>	<u>Alt4</u>	<u>Alt 5</u>
Greene Construction, Inc. (Boone)	\$116,289	\$33,079	\$36,220	\$50	\$500	\$750
M & M Construction (Banner Elk)	\$125,250	\$33,000	\$33,000	\$2,000	\$1,000	\$1,000
Brush Mountain Builders, Inc (Lenoir)	\$160,282	\$29,620	\$29,620	\$2,500	\$2,100	\$2,100
Gilbert Engineering Co (Statesville)	\$170,000	\$55,000	\$55,000	\$1,500	\$1,000	\$1,000
Hickory Construction, Co (Hickory)	\$172,900	\$30,600	\$30,600	\$2,850	\$1,685	\$1,685
Wilkie Construction Co. (Lenoir)	\$196,828	\$33,785	\$33,785	\$0	\$0	\$0

According to Mr. Hildebran, the bids exceeded the preliminary budget estimate and monies on hand. McGill Associates has begun negotiations with the low bidder, Greene Construction, to ascertain if the scope of work and project costs could be reduced to within current budget limits. After a thorough review, the Town would still need to allocate an additional \$30,000 to complete the base elements of the project or up to \$90,000 to complete all elements of the project.

Based on project costs exceeding the current budgeted revenues and the approach of winter, staff recommended that Council defer action at this time. Staff could then reevaluate the elements of the project and depending on the identification of additional funding; the project could be re-bid in early spring. Until that time, all monies would remain reserved.

Commissioner Steele asked why the bids were more than the estimated costs for the project. Mr. Chapman stated the bid came in at about what was estimated which was around \$116,000 for one bin. Commissioner Steele asked if the project could be designed cheaper. Mr. Chapman stated there were some modifications that could be done.

Commissioner Matheson voiced that he would like for at least one salt bin to be constructed because of the immediate need. Commissioner Yount agreed.

Town Manager Hildebran stated that staff could renegotiate and modify the design with low bidder Greene Construction, Co. Mayor Lawrence asked if there would be adequate time to build a bin before bad weather. Mr. Chapman stated that he thought one bin could be constructed before Christmas. Per the consensus of Council to proceed, Town Manager Hildebran stated that staff would look at negotiating further with Greene Construction Co. for a less expensive building design then move forward with construction of one salt bin if costs allowed.

SPEAKERS FROM THE FLOOR

None

DEPARTMENTAL UPDATES

Mr. Hildebran gave the following updates:

- Intergovernmental Meeting on Thursday, October 11, 2012 at 5:00 p.m. at ASU
- Clean up week begins October 15th-19th
- Parks & Recreation Halloween Festival – October 27th
- Paving of Main Street as temperature allows
- Henkel Street paving on October 10th
- Tax bills will be sent in the next few days
- Hometown Harvest - November 11th 5:30 p.m. to 7:30 p.m. at the Fire Department

Commissioner Phillips asked about the pressure reducing value issue with the Interconnect between Boone and Blowing Rock. Mr. Chapman responded that he had spoken with the supplier of the valve and was told it could be another 30 days before the valve was received. Mr. Chapman also stated the time for the repair to be made could exceed 30 days.

EMS Director Graham stated Fire Prevention Week was approaching and the Fire Department would be at Blowing Rock School teaching fire prevention to the students. He stated that 44% of all fires started from cooking.

Commissioner Yount commented that he had heard that traffic might be routed downtown during the blasting of stone near the Cliff Dwellers Motel. Mr. Hildebran explained the traffic could possibly be routed downtown for approximately 3 hours on certain days of the week. Mr. Rothrock also mentioned that local traffic would be directed through Main Street but large trucks would be redirected another route.

ADJOURN

There being no further business to discuss, the meeting was adjourned at 6:50 p.m.

MAYOR _____
J.B. Lawrence

ATTEST _____
Sharon Greene, Town Clerk

ATTACHMENTS (10-09-12)

Blue Ridge Vistas (Village Gate) – Rezoning (RZ #2012-01) – Exhibit A
Amendment to Land Use Ordinance – Solar Roof Panels (Ord #2012-13) – Exhibit B
Samaritan’s Purse – Resolution (Res #2012-19) – Exhibit C

