

**MINUTES**  
**Town of Blowing Rock**  
**Board of Commissioners**  
**Regular Meeting-March 12, 2013**

Prior to the meeting, a Volunteer Board Reception was held to show appreciation to all members who serve on various volunteer boards.

The Town of Blowing Rock Board of Commissioners met in regular session on Tuesday, March 12, 2013 at 5:00 p.m. The meeting took place 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 Representative, Attorney Brian Martin on behalf of Attorney Moseley who was out of town and unable to attend, Town Engineer Doug Chapman, Planning Director Kevin Rothrock, Police Chief Eric Brown, Finance Director Nicole Norman, Public Works Director Mike Wilcox, Superintendent of Public Works Matt Blackburn, 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 5:00 p.m. and introduced Watauga County Commissioner John Welch and welcomed him to the meeting.

**APPROVAL OF MINUTES**

A motion was made by Commissioner Steele to approve the minutes for meetings held on February 12<sup>th</sup> and March 4<sup>th</sup> as written, seconded by Commissioner Klutz. Unanimously approved.

**PRESENTATION**

Mayor Lawrence called Ms. Susan Graham forward to present her with a plaque in recognition of her 4 years of service on the Blowing Rock Appearance Advisory Commission. He also recognized Ms. Brenda Fairbetter who was unable to attend for her service as the E.T.J. member of the Planning Board and the Board of Adjustments.

**PUBLIC HEARING**

**1. Land Use Amendment – Blowing Rock Appearance Advisory Commission (Ord #2013-04)**

Planning Director Rothrock advised that for the BRAAC to continue to operate under the Town's corporate authority and continue to accept donations and use Town funding for projects, the Land Use Code needed to be amended to include the BRAAC. According to Mr. Rothrock, language had been mistakenly removed regarding the BRAAC from the Land Use Code during the code restructuring process.

Mr. Rothrock continued by stating that it had been several years since Council had approved BRAAC appointments but this would be a requirement going forward. He

commented that Town Attorney Moseley had also recommended that the BRAAC remain a board under the Town due to the fact that most projects were operating on Town property and the commission received donations for Town improvements while using the Town's Tax Identification Number in past years.

Mr. Rothrock then reviewed the revisions to the ordinance and stated during their February meeting, the Planning Board had recommended approval of the draft ordinance.

Mr. Rothrock gave Council further clarification regarding the E.T.J. members of this board and other volunteer boards. Commissioner Yount questioned if BRAAC would have by-laws. Mr. Rothrock stated each volunteer board had by-laws that they followed.

Commissioner Phillips asked why this change was needed. Mr. Rothrock explained that BRAAC had been under the Town's authority and in the late 1990's began appointing their own members, but, the Town auditors had recommended they be placed under the Town's authority once again due to concerns with IRS regulations.

At this time, Commissioner Steele made a motion to close the public hearing, seconded by Commissioner Phillips. Unanimously approved.

Commissioner Phillips then made a motion to table the issue until further review, seconded by Commissioner Klutz. Unanimously approved.

## **OLD BUSINESS**

### **1. Extension Request – CUP #2010-01 Up on the Hill Subdivision**

Planning Director Rothrock stated that on March 15, 2011, Council approved a conditional use permit for a 17-lot single-family subdivision located off Goforth Road. The permit was approved at that time with a 2-year expiration period. The applicant, Mr. George Taylor was requesting a six-month extension with hopes of beginning construction later in 2013. Mr. Rothrock explained that Section 16-4.14.1 of the Land Use Code allowed Council to extend the permit for an additional six months if the permit had not yet expired, the permit recipient had proceeded with due diligence and in good faith, and conditions had not changed substantially as to warrant a new application. Successive extensions may also be granted for periods of up to six months upon the same findings, according to Mr. Rothrock.

Mayor Lawrence asked if staff would be able to handle the extensions should a motion be made to include such language. Attorney Martin stated he did not believe so, but he would refer this question to the Town Attorney Allen Moseley when he returned.

Commissioner Matheson made a motion to approve the request as presented, seconded by Commissioner Steele. Unanimously approved. **Extension Request – CUP #2010-01 Up on the Hill Subdivision – Exhibit A**

## **NEW BUSINESS**

### **1. 2013 Watauga County Comprehensive Transportation Plan**

Mr. David Graham, Transportation Planner for High Country Council of Governments and Mr. Cooper Sellers, NCDOT Planning Branch Engineer presented an overview of the draft 2013 Watauga County Comprehensive Transportation Plan (CTP) to Council for their consideration.

Mr. Sellers stated that in March of 2010, the Transportation Planning Branch of the NCDOT and Watauga County initiated a study to develop the CTP, which included Blowing Rock, Boone, Seven Devils and Beech Mountain. The long-range plan covered transportation needs through 2040. Mr. Sellers advised all local governments were being asked to adopt the plan. Once that occurred, the plan would be submitted to the NC Department of Transportation for adoption.

Mr. Sellers reviewed the major recommendations for improvements to various highways, public transportation with a proposed bus route between Boone and Blowing Rock and a new multi-use path between Boone and Blowing Rock parallel to US 321.

Commissioner Phillips inquired if there were any planned changes to Hwy 321 after the widening project was completed. Mr. Sellers stated there were none that he was aware of.

After further discussion, Commissioner Yount made a motion to adopt the 2013 Watauga County Comprehensive Transportation Plan, seconded by Commissioner Steele. In favor: Yount, Klutz, Matheson and Steele. Against: Phillips. Motion carried.  
**2013 Watauga County Comprehensive Transportation Plan – Exhibit B**

### **2. Chamber of Commerce**

Town Manager Hildebran stated the Blowing Rock Chamber of Commerce was asking to discuss the state bidding statutes.

Ms. Chelsea Garrett of the Blowing Rock Chamber of Commerce stated the Chamber shared in the frustration of many in the High Country and throughout the State with the current mandated competitive bidding process in North Carolina. She stated that over the years, the NC Legislature had considered ways that local governmental entities might be able to give special consideration to the economic development of their community.

Ms. Garrett explained the need for revisiting the bidding process to allow local governments to award bids to local companies who were within a certain amount or percentage of the lowest bid. She advised that in 2010 an Executive Order had been signed allowing state agencies to give North Carolina-based businesses an advantage in contracts if their bids were within 5 percent or \$10,000 of the lowest bid, whichever was the least.

Ms. Garrett stated the Chamber was requesting the Town join Watauga County and State Representatives in advancing these important changes by passing a resolution stating their support.

A motion was made by Commissioner Yount for a Resolution in support of these changes in the current mandated competitive bidding process, be adopted. Commissioner Phillips seconded the motion. Unanimously approved.

### **3. Personnel Policy - Revision**

Town Manager Hildebran presented Council with an amendment to the Town Personnel Policy for their consideration. The proposed changes to the policy would provide modernization and insure that the policy was in compliance with the Fair Labor Standards Act and Family and Medical Leave Act as they relate to public employment law. The amendment would also include the addition of a Light Duty Policy as recommended by the Town's insurance carrier.

With no further discussion, Commissioner Yount made a motion for approval of the Personnel Policy revisions as presented, seconded by Commissioner Matheson. Unanimously approved. **Personnel Policy – Revisions – Exhibit C**

### **4. High Country Half Marathon – Boone to Blowing Rock (August 24, 2013)**

Town Manager Hildebran presented a request to Council from the High Country Triple Crown to hold the 3<sup>rd</sup> Annual High Country Half Marathon on Saturday, August 24, 2013. Proceeds for the event would go to support the Girls on the Run of the High Country.

According to the request, plans would be coordinated with the Police Department and Emergency Services Department regarding traffic control for the event.

Commissioner Klutz made a motion to approve the request as presented, seconded by Commissioner Steele. Unanimously approved.

### **5. Bids/Financing – 2012-13 Capital Equipment Purchased (Res #2013-04)**

Town Manager Hildebran presented bids for FY 2012-13 Capital Equipment, Financing Proposals, and Surplus Resolution #2013-04 to Council for their approval.

#### **1) Bids – FY 2012-13 Capital Equipment**

The following bids were received for two (2) police SUV Vehicles – (2) AWD SUVs w/camera which were included in the 2012-2013 FY Budget as well as the Fleet Replacement Schedule:

<u>2 Police AWD SUV w/Camera</u>	<u>Bid</u>	<u>Total</u>
Dana Safety Supply (2013 Ford Interceptor)	\$37,601.00	\$75,202.00
Capital Ford (2013 Ford Interceptor)	\$37,633.00	\$75,266.00
Bobby Jones Ford (2013 Ford Interceptor)	\$37,976.68	\$75,953.36

Mr. Hildebran advised that staff recommended the bid be awarded to low bidder Dana Safety Supply for \$75,202.00, excluding tax, title, and tags.

Also, approval would be needed from Council to surplus two (2) police vehicles via GovDeals.

Next, Mr. Hildebran advised that Public Works Director Mike Wilcox had received quotes for two (2) medium trucks also included in the FY 2012-2013 Budget and the Fleet Replacement Schedule.

The following bids were received:

<u>(2) Medium 4x4 Trucks</u>	<u>Bid</u>	<u>Total</u>
Ashe Co. Ford (F350 Diesel)	\$38,167.96	\$76,335.92
Everett Chevrolet (3500 Diesel)	\$39,910.00	\$79,820.00
Randy Marion Chev. (3500 Diesel)	\$40,365.00	\$80,730.00
Terry Labonte Chev. (3500 Diesel)	\$40,441.25	\$80,882.25
Empire Chevrolet (3500 Diesel)	\$43,454.75	\$86,909.50
Ilderton Dodge (RAM 3500 Diesel)	\$45,248.99	\$90,497.98
Ross Dodge (RAM 3500 Diesel)	\$45,419.73	\$90,839.46

Mr. Hildebran advised that staff recommended the bid be awarded to Everett Chevrolet for \$79,820.00, excluding tax, title, and tags. The Silverado has a smaller turning radius than either the Ford or the Dodge which is an advantage when plowing snow. Note: This recommendation was reviewed by both the NC School of Government and the Town Attorney's Office.

Approval would also be needed to surplus two (2) trucks via GovDeals that are scheduled to be retired, per Mr. Hildebran.

**2) Financing Proposals**

The Town of Blowing Rock has requested financing proposals from nine (9) area banks to finance the acquisition of capital vehicles approved in the FY 2012-13 Budget.

The following responses were received:

<u>Bank</u>	<u>Fees</u>	<u>Rate</u>
BB&T	N/A	1.49%
Community One	N/A	3.00%
PNC (RBC)		No Bid
Wells Fargo		No Bid
Sun Trust		No Bid
United Community		No Bid

Staff recommended the financing bid be awarded to BB&T for 1.49%.

### **3) Surplus Resolution**

Town Manager Hildebran presented Resolution #2012-04 to Council for consideration that declared vehicles/equipment surplus and authorizes disposal.

Commissioner Phillips made a motion to accept staff's recommendation and award the bid for two (2) Police AWD SUV w/Camera to Dana Safety Supply for \$75,202.00, and to award the bid for Public Works two (2) medium trucks to Everett Chevrolet for \$79,820.00 excluding tax, title, and tags as well as award financing of said equipment to BB&T at a rate of 1.49% in addition to approving Resolution #2013-04 declaring vehicles/equipment as surplus to be sold on GovDeals. The motion was seconded by Commissioner Matheson.

Commissioner Yount advised that the Town of Blowing Rock was not saying that Chevrolet products were superior to Ford products, but the turning radius was better which would be helpful plowing snow and that was the reason for accepting a slightly higher bid.

In favor of Commissioner Phillips' motion were Yount, Matheson, Phillips and Steele Against: Klutz. Motion carried. **Bids – FY 2012-13 Capital Equipment-Financing Proposal-Surplus Resolution #2013-04 – Exhibit D**

### **6. Bids – Greenway Lane Sewer Line Replacement**

According to Town Manager Hildebran, the Town of Blowing Rock received bids on the Greenway Lane Sewer Replacement Project on February 28, 2013. The project generally consists of the construction of approximately 435 linear feet of 8-inch PVC SDR diameter gravity sewer line, including manholes and all related appurtenances. The project would replace and upgrade the sewer line in the area located behind Six Pence Pub and along Greenway Court and run to Garden Circle.

The following bids were received:

	<u>Bids</u>
M&M Construction, Inc (Banner Elk)	\$54,630
Iron Mountain (Mtn. City)	\$123,902
Max Prestwood (Lenoir)	No Bid
Water Brothers Construction, Inc. (Boone)	No Bid

Town Manager Hildebran advised that staff recommended the bid be awarded to low bidder M&M Construction, Inc. for \$54,630.00. He also advised that all easements had been executed and recorded for this project. If approved, work on the project was scheduled to begin the following week weather permitting.

A motion was made to accept the low bid of \$54,630.00 from M&M Construction, Inc. by Commissioner Yount, seconded by Commissioner Phillips. Unanimously approved.

### **SPEAKERS FROM THE FLOOR**

None

**DEPARTMENTAL REPORTS**

Town Manager Hildebran extended his appreciation to all members of the Town's Volunteer boards for their hard work.

**ADJOURN**

There being no further business to discuss, the meeting was adjourned at 6:05 p.m.

**MAYOR** \_\_\_\_\_ **ATTEST** \_\_\_\_\_  
**J.B. Lawrence** **Sharon Greene, Town Clerk**

**ATTACHMENTS** (03-12-13)

Extension Request – CUP #2010-01 Up on the Hill Subdivision – Exhibit A  
2013 Watauga County Comprehensive Transportation Plan – Exhibit B  
Personnel Policy Revisions – Exhibit C  
Bids – FY 2012-13 Capital Equipment-Financing Proposal-Surplus Resolution #2013-04 – Exhibit D