

DRAFT
MINUTES
Town of Blowing Rock
Board of Commissioners
Regular Meeting- April 8, 2014

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, April 8, 2014 at 5:30 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, Sue Sweeting, Doug Matheson and Ray Pickett. Others in attendance were Town Manager Scott Fogleman, Town Attorney Allen Moseley, Town Engineer Doug Chapman, Planning Director Kevin Rothrock, Building Inspector John Warren, Police Captain Aaron Miller, Finance Director Nicole Norman, Public Works Director Mike Wilcox, Parks & Recreation Director Jennifer Brown, Emergency Services Director Kent Graham and Town Clerk Sharon Greene.

CALL TO ORDER

Mayor Lawrence called the meeting to order at 5:30 p.m. and welcomed Commissioner Phillips back from vacation.

APPROVAL OF MINUTES

A motion was made by Commissioner Sweeting to approve the minutes for the March 5th, 6th, and 11th, 2014 meetings as written, seconded by Commissioner Pickett.

SPECIAL RECOGNITIONS AND REPORTS

Mayor Lawrence called Commissioner Pickett forward to present him with a plaque recognizing him for the years that he served as a member of the Planning Board.

Mr. Kipp Turner of Maymead Construction began the Highway 321 Widening Project update saying that the rock veneer work had commenced near Skyland View Drive before the weather had worsened and he hoped that work would resume as soon as the weather permitted.

Mr. Turner said the walls below Samaritan's Purse and Food Lion were ready to be stained. Also, drilling and blasting of the rock below Cliff Dwellers Inn would be completed the following weekend and NCDOT would need to do a safety inspection of the area. Mr. Turner also mentioned that work had begun on wall #19 across from the Blowing Rock Country Club and Green Park Inn. He advised that a small rock slide had occurred below the Green Park Inn and thanked the Blowing Rock Police Department and Fire and Rescue for their help with traffic control during that event.

Commissioner Phillips voiced his concerns with safety during foggy weather and the need for road striping along the widening project areas.

Commissioner Yount said the perception was that natural stone veneering would be used on wall #19. Mr. Turner stated that was correct.

Mayor Lawrence thanked Mr. Turner for his update and commented he looked forward to another update during the May Council meeting.

CONSENT AGENDA

Town Manager Fogleman reviewed the following Consent Agenda items:

1. High County Council of Governments (HCCOG) Intergovernmental Retreat Facilitation Agreement

The High County Council of Governments has hosted an intergovernmental retreat since 2008. The next retreat, scheduled for Tuesday, July 29th from 9:00 a.m. until 12:00 p.m. is planned and was to be facilitated by a representative from the University of North Carolina School of Government. The HCCOG has asked that a memorandum of understanding be approved by each board in Watauga County documenting the \$400 cost share agreement, funds for which will be included in the Fiscal Year 2015 budget. Staff recommends approval of this resolution. **Memorandum of Understanding Between High County Council of Governments and Town of Blowing Rock – Exhibit A**

2. Joe Papa to Fill Vacant Seat on the Board of Adjustment

Mark Klein has resigned from the Board of Adjustment effective May 1, 2014. Joe Papa, who currently serves as an alternate member, has agreed to fill the unexpired term which expires in 2016. Following Joe Papa's appointment to the Board of Adjustment, there will also be two alternate positions remaining (Suzanne Wilson and Laurin Carter). Staff recommends waiting to fill the 3rd alternate position until the 2015 appointment process as well as the approval of Joe Papa to fill Mark Klein's term on the Board of Adjustment.

3. Appropriating Restricted Asset Forfeiture Funds Already Received for Police Equipment

The United States Department of Justice's Asset Forfeiture Program allows the Department of Justice to share funds with local law enforcement agencies that directly participate in an investigation or prosecution that also results in the forfeiture of funds. Cumulative funds totaling \$2,412.98 have been received over the past four years. These funds are restricted for the use of law enforcement purposes only. Staff recommends recognizing these revenues and transferring them from fund balance within the general fund to the Police Department materials account for the purchase of three additional patrol rifles.

4. Declaring Various Items as Surplus Property for Appropriate Disposition

Over time, various assets reach the end of their useful life. The Police Department has recently identified a variety of items that have various methods of disposition including selling online to the highest bidder through GovDeals, trading firearms to a licensed firearms dealer, and salvage. Staff recommends approval of the disposition of these assets and the three related resolutions. **Resolution Declaring Surplus Property & Authorizing Disposal #2014-01, #2014-02 & #2014-03 – Exhibits B-1, B-2, & B-3**

5. Quail Hollow Roadway Repair Funding Adjustment

Quail Hollow Road suffered damage as a result of the heavy rains in July of 2013. That event has since been declared a natural disaster which made qualifying repairs eligible for Federal Emergency Management Agency (FEMA) and North Carolina Department of Public Safety (NCDPS) funding. Council appropriated these funding sources for the Quail Hollow Roadway repairs totaling \$70,000 (\$52,500 or 75% FEMA funding + \$17,500 or 25% NCDPS funding). Council approved awards of the project during the meeting in February, 2014, and work is nearing completion. Several items have arisen during construction that require additional funding of \$8,100 including the need for additional piping, stabilization matting on the disturbed slope areas, and additional paving replacement in the project area. Staff anticipates these project expenditures will be reimbursable by FEMA and NCDPS and recommends appropriating additional expenditure and revenue (\$6,075 or 75% FEMA + \$2,025 or 25% NCDPS) authority totaling \$8,100.

Commissioner Pickett made a motion to approve all Consent Agenda items as presented, seconded by Commissioner Phillips. Unanimously approved.

PUBLIC HEARING

1. Blue Ridge Electric Substation – Amendment Extending the Completion Dates due to Hwy 321 Delays

Mayor Lawrence recused himself from this item due to him being a member of the Blue Ridge Electric Board of Directors.

The following were sworn by the clerk: Planning Director Kevin Rothrock and Mike High Director of Engineers for Blue Ridge Electric.

Planning Director Rothrock advised that Blue Ridge Electric was requesting an amendment to CUP 2007-09 to modify the completion date of the proposed substation located off Little Springs Road. The original date for Phase II (substation construction) was 2010, and completion of Phase III (removal of Possum Hollow substation) was 2011. Due to delays on the Hwy 321 project, Blue Ridge Electric is requesting a Phase II completion date of 2016, and a Phase III completion date of 2017.

Mr. Rothrock then reviewed the site plan for the proposed substation and further discussed the project phases.

Commissioner Matheson asked if the substation on Possum Hollow would be removed totally. Mr. Rothrock responded that it would.

Commissioner Matheson then made a motion to close the public hearing, seconded by Commissioner Sweeting. Unanimously approved.

Audience member Dr. Adam Hill, DDS had questions regarding the site on Little Springs Road. Commissioner Matheson made a motion to reopen the public hearing, seconded by Commissioner Sweeting. Unanimously approved.

Dr. Hill was duly sworn and stated that his dental office was located in the vicinity of the Little Springs Road substation site and wanted to know how his property would be impacted regarding location of power lines, etc.

Mr. High responded that a direct path had not been established as of yet; however, he didn't believe Dr. Hill's property would be impacted by the installation of power lines. He explained that power lines would be installed through the Food Lion property once an easement was acquired. Dr. Hill asked if Mr. High had plans available for him to view. Mr. High advised the plans had not been finalized, however when they were completed he would stop by Dr. Hill's office to review the plans with him.

There being no further questions or comments, Commissioner Matheson made a motion to close the public hearing once again, seconded by Commissioner Pickett. Unanimously approved.

Commissioner Phillips made a motion to approve the amendment to CUP #2007-09 as presented, seconded by Commissioner Sweeting. Mayor Pro-tem Yount asked that the records reflect that he was not prohibited from voting on this matter. Unanimously approved. **Amendment to Blue Ridge Electric Substation CUP #2007-09 – Exhibit C**

Mayor Lawrence returned to the meeting.

DISCUSSION AGENDA

1. Blood Sweat and Gears Bike Race Date of Saturday, September 26, 2015

Parks and Recreation Director Jennifer Brown presented Council with a request from the Blood Sweat and Gears President, Scott Nelson, to hold their 1st annual bike ride on Saturday, September 26, 2015 beginning in Blowing Rock. By creating this new bike ride it would be the third bike race in the High County which would complete the "Triple Crown" for this area. According to Ms. Brown, more than 800 riders are expected; however, specifics of the event are still in the planning stages.

Ms. Brown introduced Mr. Nelson to Council should they have questions regarding this event.

Mr. Nelson stated he was the President of BSG Events, Inc., a non-profit volunteer based organization. He advised that proceeds for events such as this would be donated to local charities. Mr. Nelson also commented the event would have a great economic impact on the area since most riders would be staying at least two nights and bringing at least one other person with them.

Mr. Nelson also stated that in his past experience, the participants had been very mindful of the communities they ride in regarding noise, disruption, litter, etc.

Commissioner Phillips commented he was in favor of the event due to the economic benefit; however, he would like a list of charities in which the organization had made donations. Commissioner Phillips also inquired if this event conflicted with other events in the area. Mr. Nelson responded that he didn't believe there would be a conflict in events during this time.

Mayor Lawrence spoke favorably of the planned event saying it was a great idea. Commissioner Sweeting also said that she had been a volunteer for this organization for several years and thought BSG, Inc. did a great job.

Mr. Nelson advised that donations were normally made to volunteer Fire/Rescue departments, the Sherriff's Department, etc.

Commissioner Sweeting made a motion to approve the Blood Sweat and Gears event for September 26, 2015, seconded by Commissioner Phillips. Unanimously approved.

2. Improving Outdoor Performance Space in Memorial Park through a Larger Gazebo

Parks and Recreation Director Jennifer Brown stated that staff had received a generous offer of support from the Watauga Community Band (\$10,000) and the Blowing Rock Rotary Club (up to \$30,000) toward building a larger gazebo in Memorial Park to create a larger space for musical performances and community events. Ms. Brown stated there were many details to be worked out regarding this proposal, such as size and appearance of the new gazebo. Staff recommended Council authorize staff to begin working with these two groups to discuss details such as what the project should look like, cost, and how programming would be determined. Once these details were established, they would be presented to Council for approval.

Ms. Brown stated that Mr. Steve Frank, President of the Board of Directors for the Watauga Community Band was present to answer any questions. Commissioner Phillips asked if there was a vision for enlarging the gazebo and utilization of the area. Mr. Frank commented that music and arts were a large part of tourism in the area and with that inspiration in mind, the Watauga Community Band felt this would be a great way to honor these types of programs. He also stated that the Watauga Community Band was not looking to dominate the facility in any way. Mr. Frank thought a larger facility in Memorial Park would be beneficial to many groups.

Commissioner Phillips asked if there was any seating planned for the project. Mr. Frank stated there was no planned seating because they didn't want to disturb or damage the park area and currently during most events, the public brought their own seating.

Commissioner Phillips asked if there were any architectural designs or plans to view. Mr. Frank stated at the present time there were none, but felt a 30-foot structure would be sufficient if approved.

Mayor Lawrence asked if there would be a need for the temporary stage used during several events if the gazebo was enlarged. Ms. Brown stated the temporary stage would still be needed because more than one musical group performed at times and would need to set up for the events.

Commissioner Sweeting asked that maintenance of the gazebo area be discussed during the future committee meetings.

Commissioner Sweeting made a motion for approval of the request, seconded by Commissioner Pickett. Unanimously approved.

3. Town Hall Beautification Project Including Consideration of Replacing the Large Blue Spruce

Parks and Recreation Director Jennifer Brown stated that every year her department spent several days and approximately \$1,700 working on decorating the large blue spruce in front of Town Hall. Although the tree is an icon for the Town during the holiday season, it was becoming more difficult to maintain and to decorate due to the size of the tree.

Ms. Brown stated that even though the general health of the tree was good; with its large size and lack of regular pruning in the past several years, it was becoming a safety concern. Arborists had evaluated the tree and found that approximately \$1,500 annually would be needed to reinvigorate the tree.

According to Ms. Brown, an alternate landscaping plan had been prepared by members of the recreation department that included replacing the existing blue spruce with one approximately 12 feet tall. However, the Blowing Rock Appearance Advisory Commissioner (BRAAC) had discussed options and made a unanimous recommendation to Council to retain the existing blue spruce, have it professionally trimmed, the soil tested and treated to improve the health of the tree, remove the mulch around the base, retain the stone border around the tree section and remove the grass in that area and return to BRAAC with an updated landscape beautification plan with the large tree as a component. Ms. Brown advised that BRAAC also discussed alternative lighting options and recommended educating the public throughout the year regarding the tree's condition, as well as having an assessment of the tree's health completed later. Ms. Brown stated that staff recommended Council's approval of BRAAC's recommendations.

Commissioner Yount stated that he had attended the most recent BRAAC meeting where this topic was discussed and thought the members were doing a great job.

Commissioner Matheson made a motion to approve the alternative landscaping plan recommended by members of BRAAC, seconded by Commissioner Sweeting. Unanimously approved.

Commissioner Matheson made a motion to approve the alternate landscaping plan as prepared by members of the recreation department as presented, seconded by Commissioner Sweeting. Commissioner Phillips concurred with Commissioners Matheson and Sweeting. Commissioner Yount stated that he had attended the most recent BRAAC meeting where this topic was discussed and thought the members were doing a great job. Unanimously approved.

4. Resolution Urging the Watauga County Commission to Maintain the Ad Valorem Sales Tax Distribution Approach for Fiscal year 2015 Which Begins July 1, 2014

Town Manager Fogleman stated that per state law, in April of each year the County Board of Commissioners determines the distribution approach to be used in the upcoming fiscal year for sales tax proceeds. Watauga County's distribution approach had been based on the ad valorem method until 1987 when it was changed to per capita until the current fiscal year. It was changed for fiscal year 2014 and the Town of Blowing Rock expected to receive approximately \$200,000 in additional sales tax revenue allocation this fiscal year as a result, an increase of 66% over the adopted budget level of \$305,000 for this revenue source. The fiscal needs of Blowing Rock are substantial, and the ad valorem distribution approach reallocates much needed funding which helps support the many services required by visitors and seasonal residents that are not accounted for when considering the full time resident number of 1,176 that would have been used under the per capita sales tax distribution method. Mr. Fogleman advised that staff recommended Council approve a resolution urging Watauga County Commission to maintain the ad valorem method of distribution of sales tax in Watauga County for fiscal year 2015 which begins July 1, 2014.

Commissioner Pickett made a motion to approve Resolution #2014-04 as written, seconded by Commissioner Phillips. Unanimously approved. . **A Resolution by the Town Council of the Town of Blowing Rock North Carolina Urging the Watauga County Commission to Maintain the Ad Valorem Method of Distribution of Sales Tax in Watauga County Resolution #2014-04 – Exhibit D**

SPEAKERS FROM THE FLOOR

None

DEPARTMENTAL REPORTS

Town Manager Fogleman advised that proactive water line maintenance would be completed on April 15, 2014 from 10:00 p.m. until April 16th at 6:00 a.m. A code red

announcement had been sent to all registered residents making them aware of this event.

Commissioner Yount had questions for Police Captain Aaron Miller regarding compression brake signage. Captain Miller stated that signage had been ordered and would be installed as soon as they were received.

ADJOURN

There being no further business to discuss, the meeting was adjourned at 6:20 p.m.

MAYOR _____
J.B. Lawrence

ATTEST _____
Sharon Greene, Town Clerk

ATTACHMENTS (04-08-14)

Memorandum of Understanding Between the High County Council of Governments and Town of Blowing Rock – **Exhibit A**

Resolutions Declaring Surplus Property & Authorizing Disposal **Resolutions #2014-01, #2014-02 & #2014-03 – Exhibits B-1, B-2, & B-3**

Amendment to Blue Ridge Electric Substation **CUP #2007-09 – Exhibit C**

Resolution by the Town Council of the Town of Blowing Rock North Carolina Urging the Watauga County Commission to Maintain the Ad Valorem Method of Distribution of Sales Tax in Watauga County **Resolution #2014-04 – Exhibit D**