

**DRAFT**  
**MINUTES**  
**Town of Blowing Rock**  
**Board of Commissioners**  
**Regular Meeting-November 11, 2014**

The Town of Blowing Rock Board of Commissioners met in regular session on Tuesday, November 11, 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 Chief Tony Jones, Finance Officer Nicole Norman, Public Works and Utilities Director Mike Wilcox, Parks & Recreation Director Jennifer Brown, Fire Chief Kent Graham and Town Clerk Sharon Greene.

**CALL TO ORDER**

Mayor Lawrence called the meeting to order at 5:30 p.m. and recognized all veterans in attendance then led everyone in the Pledge of Allegiance.

**APPROVAL OF MINUTES**

Commissioner Sweeting made a motion to approve the minutes for meetings held on October 14, 2014 with Closed Session as written. The motion was seconded by Commissioner Matheson.

**SPECIAL RECOGNITIONS AND REPORTS**

Mr. Kipp Turner began by giving the monthly update on the Hwy 321 Widening Project. He advised that wall #3 located near Rocky Knob Road was complete and that work would continue on the wall near the old Scotchman building.

Approximately 1,000 feet of asphalt had been applied, and more would be applied in the near future to several other areas. Mr. Turner advised the total project had been restriped and that work would continue on the remaining walls once production of the needed coping increased. Mr. Turner advised that NCDOT had determined that reforestation could take place before winter in approximately one acre of the project which would involve planting several trees hopefully to be completed in December.

Commissioner Matheson and Commissioner Sweeting had questions regarding the level of the asphalt being applied along the area where the ABC Store, Twigs Restaurant, etc. were located. Other concerns with the steepness of the grade while

accessing those businesses and the potential for water run-off problems were also discussed.

Mr. Turner explained that a trough would be installed with the curb and gutter which would carry the water along the road rather than down the driveways in that area. He also stated the total thickness of asphalt would be approximately fourteen inches.

Commissioner Phillips mentioned that more sand bags were needed in the barrels along the project to help reduce the possibility of the strong winds displacing them.

Commissioner Pickett also asked when the lane transitioning would take place. Mr. Turner stated their goal was by the end of the calendar year.

Mayor Lawrence thanked Mr. Turner for his monthly update.

## **CONSENT AGENDA**

### **1. Tax Release**

Various tax adjustments over time become apparent and present themselves in the form of requests for releases (adjustments) and refunds. The Christian Science Society has completed an application for exemption entitling them to a release of property taxes owed in the amount of \$627.75 for tax year 2014. **Tax Release # 2014-01 – Exhibit A**

### **2. Contract to Provide ABC Inspection Services for ABC Board**

Per North Carolina General Statute, ABC Boards shall contract for ABC enforcement and if the decision is made to do so, a formal written contract must be in place documenting the agreement. A contract has been prepared for Council approval prior to execution. This contract represents the enforcement and reporting process currently in place. **Contract to Provide ABC Inspection Services for ABC Board – Exhibit B**

### **3. Reclassification of Fire Marshal Position in Fire Department to Battalion Chief – Training/Prevention**

A reclassification between the two positions was being requested that was consistent with evolving needs and maximizing operational capabilities. It was recommended that the existing non-exempt Fire Marshal position (Grade 10) in the Fire Department be reclassified as a non-exempt Battalion Chief-Training/Prevention position (Grade 12). **Reference Staff Report - Exhibit D**

### **4. Sunset Drive and Cornish Road Intersection Drainage**

Storm water piping in the vicinity of the Sunset Drive and Cornish Road intersection is failing and causing a variety of erosion and road damage issues. An appropriation of \$8,000 from the General Fund fund balance is being recommended at this time to proceed with the 12 to 16 week process necessary to prepare plans and gain permit approval. Once bidding is complete, staff will return to Council with a request for an appropriation for construction. **Reference Staff Report – Exhibit E**

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

## **PUBLIC HEARING**

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

### **1. Antenna Ordinance Amendment # 2014-36**

Planning Director Kevin Rothrock presented Council with a draft ordinance that had been reviewed by the Planning Board and was recommended for approval by Council. The ordinance amendment would eliminate the current 500 foot separation requirement while still maintaining all other standards related to antenna placement, design, height, and color. This change has been identified as necessary to accommodate a joint venture project between Verizon and the Blue Ridge Electric Membership Corporation (BREMCO) to bring small cell technology to the Blowing Rock area that is expected to improve cell coverage and increase data speeds.

Planning Director Rothrock gave a brief history by stating that in 2010, the Town Council amended the Land Use Code to establish standards for commercial wireless antennas which required among other standards, a separation requirement of 500 feet between antennas. The purpose of the antenna separation was to limit their proliferation.

Over the past few years, wireless technology has changed to the point that small cell technology has become an alternative method of providing cellular and data coverage in mountainous terrains similar to Blowing Rock. To achieve the necessary voice/data coverage needed in this area additional small cell antenna nodes are required. The current 500 foot antenna separation requirement in the ordinance limits the opportunities to locate small cell antennas.

According to Planning Director Rothrock, BREMCO and Verizon Wireless are partnering to bring small cell technology to the area. While doing so, selected new antenna locations were identified, but several would be in conflict with the 500 foot separation requirement between their antenna and those of other wireless carriers. Town staff is recommending a draft ordinance amendment that would eliminate the antenna separation requirement, but maintain all the other standards related to antenna placement, design, height, and color.

During their regular meeting held on October 16<sup>th</sup>, the Planning Board recommended approval of the draft ordinance with a few minor amendments.

Planning Director Rothrock then presented a slide show depicting several areas showing how the nodes would look if placed on the poles. He also advised that Mr. Brad Shields from BREMCO was present to answer any questions that Council might have on the issue.

Commissioner Sweeting expressed her concern with antennas being placed on various poles and not being used. She was under the impression that there were several AT&T antennas on Hwy 321 that were not in use. She also asked if the area 911 service would be enhanced with the addition of the nodes.

Mr. Shields stated there were approximately 15 AT&T antennas and they were all in use. He also advised with the additional nodes in place, 911 calls in the area would be routed locally.

Commissioner Sweeting then asked if any additional antennas were planned on the Glen Burney Trail. Mr. Shields stated none were planned in that area because it would not be economically feasible.

Commissioner Matheson asked if there would be any sharing of the poles with other companies. He also wanted to know if any requests were received for additional antennas, would these requests come before Council. Mr. Shields reported there would be no sharing of the antennas other than with Verizon and BREMCO. Planning Director Rothrock also responded that according to the ordinance, requests for additional poles would be approved administratively.

Commissioner Matheson also expressed concerns with an antenna being allowed on every pole. Planning Director Rothrock stated that while possible, it would be highly unlikely due to the expensive cost of the technology.

Commissioner Yount asked if cell coverage would improve in the area. Mr. Shields stated that Verizon customers would see an increase in cell coverage.

Commissioner Matheson also asked how many nodes would be located in the Town Center area. Mr. Shields stated there would be a node located near the Speckled Trout Café, Blowing Rock Hospital located on Chestnut Drive, and on Main Street near Buxton Road.

Commissioner Phillips asked how many antennas were currently in the area. Mr. Shields stated there were 26 from the bottom of Hwy. 321 South toward Lenoir to Boone. He too had concerns that there could potentially be nodes on every pole in Town.

Mr. Shields further explained that with this type of antenna there would be less of a need for large towers in order to receive coverage in this area. He reiterated that Verizon customers would see a greater improvement in their coverage, however with this type of technology being very expensive it would be unlikely that nodes would be placed on every pole.

Commissioner Yount asked if the request was approved, when the technology would be active. Mr. Shields stated hopefully by April 1, 2015. Commissioner Yount asked Fire

Chief Graham if this request had anything to do with the Green Hill Circle tower. Mr. Graham stated this request was for cell phone coverage only.

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

Commissioner Matheson then made a motion to approve Antenna Ordinance Amendment #2014-36 as presented, seconded by Commissioner Sweeting. Unanimously approved. **Antenna Ordinance Amendment # 2014-36 – Exhibit C**

Mayor Lawrence returned to the meeting at this time.

## **DISCUSSION AGENDA**

### **1. Consideration of Bid Award for the American Legion Building Renovation Project**

Town Manager Fogleman began by giving a recap of events regarding the American Legion Building Improvement Project. He stated following a fund raising effort by the community and rebidding of the American Legion Building Renovation Project, staff had prepared a funding package for consideration by Council should a decision be made to move forward with the project.

According to Mr. Fogleman, the project scope involved renovations to the existing building including a new front façade, a fitness room, a multi-purpose room, an open and covered observation deck area, and a picnic area.

A brief history of events was given by Mr. Fogleman stating the Town advertised for bids for the project on November 10, 2013 and made final plans available to contractors on November 12, 2013. On December 3, 2013, two bids were received with a minimum of three (3) necessary for bid opening. As a result, the Town re-advertised the project for bid on December 6, 2013 and received a total of eight (8) responses on the bid opening date of December 19, 2013.

Mr. Fogleman stated due to the bids received being well over the existing budget authority, a series of possible cost reductions were developed for Council's consideration and review during their January 14, 2014 meeting. A decision was made at that time to table the item to allow for further consideration during Council's retreat held January 19-21, 2014. During the retreat, Council decided to officially reject all bids at the February 11, 2014 Council meeting and to hold the existing funds allocated for the project while encouraging the community to contribute funding toward the project. The Parks and Recreation Trust Fund grant of \$142,500 stipulates that the facility must be completed and in operation by September 30, 2015.

The project was advertised once again on October 30, 2014 and three (3) bids were received. Mr. Fogleman reported that Greene Construction was the low bidder in the amount of \$515,133.

To date, \$35,966.39 has been spent to install a new roof and prepare associated designs, construction drawings, and related bidding documents. The existing remaining funds available, including the \$142,500 PARTF grant, total \$331,043.61.

Mr. Fogleman then reviewed the remaining costs and the identified funding sources. He advised should Council decided to move forward with the full project, staff would recommend the following actions:

- 1) Awarding the bid for construction to Greene Construction in the amount of \$508,518.
- 2) Transferring \$50,000 of budget authority previously allocated to the tennis court slope project to this project. That project's funding fell short of the associated bids for the work and the decision was made by Council to reconsider that project during the next budget cycle.
- 3) Appropriating \$31,674.39 of fund balance from the general fund to be used to fund the remainder of the project.
- 4) Recognizing donation contributions totaling \$125,800 as identified above as revenue for the project.

Mr. Fogleman then reviewed various financial perspectives regarding the project. He also mentioned renovations of the kitchen were not included in the project plans, however, a Council Member wished to pay for the kitchen renovations in honor of his late wife.

After a brief discussion, Commissioner Pickett made a motion to move forward with the renovation of the American Legion Building as recommended by staff, seconded by Commissioner Sweeting. Commissioner Sweeting extended gratitude on behalf of Council to those who had contributed to the American Legion Renovation Project. Unanimously approved.

Commissioner Yount also commended Mr. David Patrick Moses for his patience and hard work on this project.

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

None

#### **OTHER**

Mayor Lawrence reminded everyone of the Hometown Harvest event to be held on Sunday, November 16, 2014 from 5:30 p.m. to 7:30 p.m.

At this time, Commissioner Pickett made a motion to move into Closed Session pursuant to NCGS 143.318-11(a)(3) to consult with Town Attorney Moseley. The motion was seconded by Commissioner Sweeting. Unanimously approved.

**ADJOURN**

At 7:00 p.m., Council returned to their regular meeting and with no further business to discuss, the meeting was adjourned.

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

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

**ATTACHMENTS** ( 11-11-14)

Tax Release # 2014-01 – Exhibit A

Contract to Provide ABC Inspection Services for ABC Board – Exhibit B

Antenna Ordinance Amendment #2014-36 – Exhibit C

Reference Staff Report - Exhibit D

Reference Staff Report – Exhibit E