

**DRAFT**

**Town of Blowing Rock  
Town Council Regular Meeting  
March 10, 2015**

Prior to the Council meeting, a reception was held to show appreciation to all volunteer board members.

The Town of Blowing Rock Town Council met in regular session on Tuesday, March 10, 2015 at 6:00 p.m. The meeting took place at Town Hall located at 1036 Main Street, Blowing Rock. Present were Mayor J.B. Lawrence, Council members Albert Yount, Dan Phillips, Sue Sweeting, Doug Matheson and Ray Pickett. Others in attendance were Town Manager Scott Fogleman, Attorney Brian Martin, (Allen Moseley was out of Town and unable to attend) Town Engineer Doug Chapman, Planning Director Kevin Rothrock, Building Inspector John Warren, Police Chief Tony Jones, Finance Officer Nicole Norman, Public Works & 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 6:00 p.m. and welcomed everyone.

**APPROVAL OF MINUTES**

Council Member Sweeting made a motion to approve the minutes for the February 10, 2015 meeting, as written, seconded by Council Member Pickett. Unanimously approved.

## **SPECIAL RECOGNITIONS AND REPORTS**

### **Recognition of Outgoing Board and Commission Members**

Mayor Lawrence asked Ms. Alice Roess to come forward to receive a plaque in appreciation of her service on the Planning Board and Blowing Rock Appearance Advisory Commission. Mayor Lawrence thanked Ms. Roess for her hard work on these boards.

Mayor Lawrence then called Mr. Jim West forward to receive a plaque for his 18 years of service on the Planning Board many of which he served as chair person. Mayor Lawrence expressed his appreciation to Mr. West for his many years of great service.

Other volunteer board members honored for their services but unable to attend were; Ms. Rita Wiseman who served on the Blowing Rock Appearance Advisory Commission and Mr. Rich Scheurer who served on the Planning Board.

### **Highway 321 Valley Boulevard Construction Update**

Mr. Kipp Turner of Maymead Construction stated that they would continue with the sewer line installation, and if the weather permitted, fine grading work would be done so that more asphalt and curb and gutter could be installed. Construction also continued on the lower section of the project near Blackberry Condos.

Mr. Turner advised the traffic signals at Tanger Outlets were out of sync which was interfering with the flow of traffic from that intersection to the new intersection at Chetola. He also advised that more message boards had been installed to alert traffic of the lane change in that area.

Council Member Matheson commented that he had witnessed problems and had heard complaints about the traffic flow in that area and he thought the new intersection was designed poorly. Mr. Turner responded that the intersection is not yet completed. The traffic pattern is not finalized and another turn lane will be added.

Council Member Phillips also mentioned the traffic pattern between the two intersections and the potential for serious traffic problems during the upcoming busy season. He inquired as to where this item stood on the list of priorities for the project. Mr. Turner stated their priorities were sewer line installation, retaining walls, and the intersection and traffic signal issues.

Council Member Sweeting asked about the Food Lion intersection. Mr. Turner stated there would be no traffic signal at that location and the road width would be slightly increased.

Council Member Pickett also had concerns about the traffic signal at Tanger Outlet and asked about the possibility of having the lights synchronized. Mr. Turner advised that he had discussed this issue with NCDOT.

With no further questions, Mayor Lawrence thanked Mr. Turner for his monthly update.

Town Manager Fogleman presented the following Consent Agenda items:

## **CONSENT AGENDA**

### **1. Resolution Declaring Surplus Property and Authorizing Disposal**

Various items that are no longer in use have been identified for disposal including 25 plastic chairs, 2 wooden doors with glass, 3 solid wooden doors, 6 windows, 1 pool vacuum and a 2009 Police Ford Interceptor. The resolution declares these items surplus

and authorizes their sale via electronic auction. **Resolution Declaring Surplus Property & Authorizing Disposal – Resolution #2015- 02 - Attachment A**

## **2. Budget Ordinance Amendment to Account for Various Items**

Consistent with actions approved at previous Council meetings, various related budget ordinance amendments have been prepared as follows:

**Section 1 (General Fund)** allocates donated funds received from Ms. Ginny Stevens (\$1,000) and the Historical Society (\$329) towards the purchase of a historical display case located at the Police Department. This section also allocates funds approved at the February Town Council meeting (\$1,000 donation and \$2,758 fund balance) associated with the American Legion project change orders 2-6 (netting \$3,758).

**Section 2 (General Capital Projects Fund)** completes the allocation of fund balance to the American Legion project as approved at the February 2015 Town Council meeting (\$3,758).

**Section 3 (Water/Sewer Fund)** allocated fund balance towards the Dam Emergency Action Plan (\$9,300) to be developed by McGill Associates. **Budget Amendment Ordinance #2015-02 - Attachment B**

## **3. Blowing Rock Elementary PTO 5K Race Date of May 16<sup>th</sup>**

The Blowing Rock Elementary Parent Teacher Organization requested to hold a 5K run in downtown Blowing Rock on Saturday, May 16, 2015 to benefit Blowing Rock School Teacher requests. This event will begin at the school and end on Park Avenue and is being held in conjunction with their Annual Spring Fling event that will be based on health and wellness. **Blowing Rock Elementary PTO 5K Race Map – Attachment D**

With no further comments, a motion was made by Council Member Matheson, seconded by Council Member Phillips for approval of the Consent Agenda items. Unanimously approved.

## **PUBLIC HEARINGS**

### **1. Amendment to Land Use Code – BRAAC Membership Reduction From 9 to 7 Members**

Planning Director Kevin Rothrock stated that in 2013, an ordinance was adopted re-establishing the Blowing Rock Appearance Advisory Commission (BRAAC) under the authority of the Land Use Code. One of the standards for BRAAC was that membership consist of nine (9) residents and citizens of the Town's planning and zoning jurisdiction and a quorum of five (5) members to conduct official business. With recent vacancies on

BRAAC and the difficulty in filling member positions with a lack of applicants, a reduction in required membership and quorum is being requested.

During their February 19, 2015 meeting, the Planning Board recommended approval of the draft ordinance reducing the membership from nine (9) to seven (7) members.

Mayor Lawrence opened the public hearing for comments. There being no comments, the public hearing was closed by a motion from Council Member Pickett, seconded by Council Member Phillips. Unanimously approved. Council Member Sweeting made a motion to approve Ordinance #2015-03 as presented, seconded by Council Member Phillips. Unanimously approved. **An Ordinance to Reduce the Membership of Blowing Rock Appearance Advisory Commission (BRAAC) From Nine (9) to Seven (7) Members – Attachment E**

## **2. Amendment to Land Use Code – Allowance of Accessory Apartments in R-15 and R-MH**

Planning Director Rothrock explained an accessory apartment is a residential use having the external appearance of a single-family residence, but in which there is located a second dwelling unit that comprises not more than twenty-five percent of the gross floor area of the building nor more than a total of 750 square feet. Accessory apartments are allowed in all residential zoning districts except R-15, single-family and R-MH (mobile home).

Planning Director Rothrock further explained that accessory apartments are usually located above a garage and provide a place for guests to stay separated from the main house. According to Mr. Rothrock, there are several accessory apartments, for example, that are “grandfathered” in the Mayview area that were built as guest homes in the early 1900’s. Properties with accessory apartments in the R-15 zoning districts are considered nonconforming and the Land Use Code restrict the main house or apartment from being expanded.

Based on requests from homeowners to construct guest homes for family or to rent to a student or year-round tenant, staff was requesting that Council consider allowing accessory apartments in the R-15 and R-MH zoning districts. Mr. Rothrock advised this change would be consistent with the 2014 Comprehensive Plan Update which recommends updating the Land Use Code to allow this change.

Planning Director Rothrock also advised that some clarification of the current definition was needed to not limit accessory apartments from being attached to the primary residence as long as the size limitations are met and a separate access is provided.

The Planning Board recommended approval of allowing accessory apartments in the above mentioned zoning districts, as well as amending the definition of a dwelling unit to clarify what constitutes a kitchen when applying the ordinance in various construction applications. Mr. Rothrock explained that planning staff’s policy for defining a kitchen was

if a stove or cook-top appliance was located in the dwelling. Further clarifying the definition of a dwelling unit kitchen provided staff with much needed ordinance language for review and enforcement purposes.

Planning Director Rothrock explained there were the following four (4) options for Council's consideration:

1. Adoption of the proposed draft ordinance.
2. Allow accessory apartments through the conditional zoning process.
3. Consideration of a draft ordinance that would provide an exception to non-conforming use language of the Land Use Code allowing expansion of the principal structure where a non-conforming use exists due to having an accessory apartment.
4. Table discussion and hold it until Council and the Planning Board hold a joint work session.

Mr. Rothrock advised that approximately 80% of Town is in the R-15 zoning district and would be affected by this land use code change if adopted.

Council Member Sweeting asked that Mr. Rothrock explain the process for the four options. Mr. Rothrock gave further explanation and stated that option #2 was not the preferred option. Council Member Yount asked why. Mr. Rothrock explained that this could be construed as "spot zoning" if a request was made in sections of Town such as Mayview or Green Hill; however, it would be more feasible if a request was made in an area such as Ransom Street.

Council Member Yount asked if Mr. Rothrock had received any letters regarding this particular matter. Mr. Rothrock responded that he had not.

After further discussion, Council Member Yount commented that a change such as this should not be done in the winter while many seasonal residents were away.

Council Member Sweeting made a motion to close the public hearing, seconded by Council Member Pickett. Unanimously approved.

Council Member Sweeting then made a motion to choose Option #3 which would give the public a chance to review the proposed draft ordinance amendment and for the proposed ordinance change to be sent back to the Planning Board and to let all residents in the R-15 district know about the proposed ordinance amendment. The motion received a second from Council Member Phillips. Unanimously approved.

### **3. Financing Agreement and Appropriation for the Public Works Building**

Finance Officer Nicole Norman stated that following the receipt of construction bids for the Public Works Warehouse project on Tuesday, February 3, 2015, area banks were contacted and asked to provide financing proposals for the project. Ms. Norman advised

that from the nine area banks contacted, only one bank responded. She also confirmed that each bank was contacted once again regarding their decision to not submit a bid on the project. According to Ms. Norman, each confirmed that they did not wish to submit a bid at this time.

Ms. Norman stated that BB&T submitted a bid for a term of 15 years at an interest rate of 2.83%. The bid included closing costs of \$1,200 and no prepayment penalty.

Ms. Norman explained the project was estimated at an interest rate of approximately 3.14% with an expected 15 year repayment term. The project would require, with payments of level principal plus interest, debt service payments of \$160,700 annually, with the first payment being due in October 2015 (FY 2016). With 75% or \$120,525 charged to the general fund and 25% or \$40,175 charged to the water/sewer fund.

Mayor Lawrence opened the public hearing for comments. With no comments, Council Member Sweeting made a motion to close the public, seconded by Council Member Pickett. Unanimously approved.

Council Member Pickett then made a motion to approve the Resolution Approving Financing Terms as well as a Resolution Authorizing the Filing of an Application with the Local Government Commission as presented by Finance Officer Norman, seconded by Council Member Phillips. Unanimously approved. **Resolution Approving Financing Terms For The Public Works Warehouse – Attachment E - Resolution Authorizing the Filing Of An Application For Approval Of A Financing Agreement Authorizing By North Carolina General Statute 160A-20 – Attachment F**

## **DISCUSSION AGENDA**

### **1. Proposed Amendment to Section 3-3 Town Manager Portion of the Town Code**

Town Manager Fogleman presented a proposed amendment to the Town Code to provide the Town Council with flexibility regarding the residency requirement of the Town

Manager in the event there are unique circumstances for each individual manager. The addition of the following underlined text would provide the Council with this flexibility.

**Town Code Section 3-3 Town Manager. (A) Appointment.** The Board of Commissioners shall appoint an administrative officer whose title shall be Town Manager. The Town Manager shall be appointed with regard to merit only and need not be a resident of the Town at the time of the appointment. It is desirable that the Town Manager, upon appointment, be a resident within the corporate limits of the town, however the Town Manager shall be required to reside within the Blowing Rock Fire District, unless otherwise approved by the Board of Commissioners. The Mayor or any member of the Board of Commissioners shall not be eligible for appointment as Town Manager.

Mr. Fogleman advised that he had entered into a house rental contract in September 2013 when he first moved to the Blowing Rock Fire District as Town Manager. Since that time, he had been looking for a home to purchase; however, he had become recently engaged to be married. His fiancée currently owns a home that they would like to reside in that is not within the fire district of Blowing Rock, therefore, he was asking for some flexibility for this unique circumstance. Mr. Fogleman stated if he and his future wife ever decided to move, they would be willing to agree to purchase a home inside the Blowing Rock Fire District.

Council Member Sweeting asked how far Town Hall was time-wise from his potential new address. Mr. Fogleman advised it is approximately 14 minutes away from the home and his current rental address is 6 minutes away.

Council Member Phillips asked for the history on this requirement. Mayor Lawrence stated this had become effective with the hiring of the second Town Manager. Mayor Lawrence also commented that Mr. Fogleman was at Town Hall early in the morning, on weekends, and late at night and essentially Town Hall was his address. He thanked Mr. Fogleman for all his hard work.

Council Member Pickett made a motion to approve the proposed Town Code amendment as presented, seconded by Council Member Sweeting. Council Member Yount commented that originally he was not initially “on-board” with this change; however he



had changed his mind and would like to make this a unanimous vote for approval. Unanimously approved.

## 2. **Reimbursement Resolution**

Town Manager Fogleman explained that on November 4, 2014, Blowing Rock voters approved \$13 million of general obligation bond authority to support capital projects in the areas of transportation, parks, water and sewer, over the next seven to ten years. Since it will take a considerable amount of time to select projects, complete preliminary design for larger projects, get bids, and borrow the funds for the first phase of these projects, the passage of a reimbursement resolution is needed. The Town could then pay itself back with bond funds for any bond project expenditures that are selected to move forward prior to the actual borrowing of the funds. Mr. Fogleman advised that the Public Works Building had been added to the resolution to allow the Town to reimburse itself for the related design costs.

Council Member Pickett made a motion to approve the Reimbursement Resolution as presented, seconded by Council Member Sweeting. Unanimously approved.  
**Reimbursement Resolution – Attachment G**

## 3. **Changing the Installation Location of the Chestnut Ridge Pump Station**

Town Engineer Doug Chapman stated the Town had received several inquiries regarding sewer service along US 321 north of Town on the west side of the highway. Due to these requests, McGill Associates has evaluated connection of the sewer pump station being planned on the east side of US 321, north of Edmisten Road, as part of the post acute care facility (PACF) sewer service. At the current location, the new pump station would primarily service the PACF, and any other ancillary facilities located on the same property. Due to the physical constraints of the river and surrounding topography, another pumping station would be required to serve properties on the opposite side of US Hwy 321.

Mr. Chapman gave a synopsis of the elements that would increase the overall project costs by approximately \$186,000 if the relocation of the pump station were to be approved.

Mr. Chapman stated that he and members of the Town's staff had met with Alpen Acres, Blowing Rock Investment Properties, and Blowing Rock Lodge to discuss the project and their interest in having Town sewer service. He advised they were all interested and Blowing Rock Lodge was also interested in allowing the pump station site to be carved from their property.

Mr. Chapman advised that the various funding agencies for the project had also been contacted regarding the proposed change and indicated they would accept the change with proper documentation.

Council Member Sweeting asked if this were approved if there would be any risk of overloading the pump station. Mr. Chapman explained there would be no risk of this happening.

Council Member Yount made a motion to approve the Chestnut Ridge pump station location change as presented, seconded by Council Member Matheson. Unanimously approved.

#### **4. Memorial Park Gazebo Replacement Project and Related Site Improvements**

Town Manager Fogleman reviewed the graphics of the planned Memorial Park gazebo replacement project and site changes that would be completed in two phases. A power point presentation was shown depicting the proposed changes and the current structural problems that were occurring.

Mr. Fogleman stated that Four Forty Four Construction had agreed to build the new gazebo through a contract with the Blowing Rock Rotary Club, which is the primary funding agency of the project. If approved, the current 14 foot wide gazebo would be replaced with a new 30 foot wide gazebo. The electrical panel would be removed from its current location and placed on a pole near the street by Blue Ridge Electric, free of charge.

Mr. Fogleman stated the new gazebo would cost approximately \$78,540 with partners such as the Rotary Club, Watauga Community Band, New River Building Supply, Four

Forty Four Construction, David Moore Builders and Steve Price, Architect providing 90% of this cost and the Town would provide the other 10%.

Mr. Fogleman reviewed the surrounding site work and advised the work would be done by the Town which would commence the following Thursday. The project should be completed by Memorial Day.

With no further comments, Council Member Pickett made a motion to approve the request as presented, seconded by Council Member Sweeting. Unanimously approved.

5. **Resolution Supporting the Application for the Eastern Federal Lands Access Program Grant Funding to Help Fund the Proposed Sidewalk from Main Street to Bass Lake**

Town Manager Fogleman stated a sidewalk from Main Street to Bass Lake has been a priority for many years. A federal grant opportunity was identified that if approved, would provide 80%, or \$960,000 of the estimated \$1.2 million dollar cost. An official resolution was needed as part of the grant application materials.

Council Member Phillips, seconded by Council Member Sweeting, made a motion to approve the resolution as presented. Unanimously approved. **A Resolution Supporting the Application For Eastern Federal Lands Access Program by the Town of Blowing Rock – Attachment H**

**SPEAKERS FROM THE FLOOR**

None

**OTHER**

Mayor Lawrence reminded everyone of the Town's 146<sup>th</sup> Birthday celebration to be held the following day, Wednesday, March 11, 2015 at 3:30 p.m.

At 7:25 p.m., Council Member Pickett made a motion to enter into closed session pursuant to NCGS 143.218.11(a)(6), seconded by Council Member Sweeting. Unanimously approved.

## **ADJOURN**

At 7:36 p.m. Council reentered their regular meeting and with no further business to discuss, the meeting was adjourned.

MAYOR \_\_\_\_\_ ATTEST \_\_\_\_\_

J.B. Lawrence Sharon Greene, Town Clerk

## **ATTACHMENTS** (03-10-2015)

[Resolution Declaring Surplus Property & Authorizing Disposal – Resolution #2015- 02 - Attachment A](#)

**SEE BELOW**

[Budget Amendment Ordinance #2015-02 - Attachment B](#)

**SEE BELOW**

[Commission \(BRAAC\) From Nine \(9\) to Seven \(7\) Members – Attachment C](#)

**SEE BELOW**

[Blowing Rock Elementary PTO 5K Race Map – Attachment D](#)

**SEE BELOW**

[Resolution Approving Financing Terms For The Public Works Warehouse – \*\*Attachment E\*\* - Resolution Authorizing the Filing Of An Application For Approval Of A Financing Agreement Authorizing By North Carolina General Statute 160A-20 – \*\*Attachment F\*\*](#)

**SEE BELOW**

[Reimbursement Resolution – \*\*Attachment G\*\*](#)

**SEE BELOW**

[A Resolution Supporting the Application For Eastern Federal Lands Access Program by the Town of Blowing Rock – Resolution #2015-07 - \*\*Attachment H\*\*](#)

**SEE BELOW**



# Town of Blowing Rock

1036 Main Street ★ Post Office Box 47 ★ Blowing Rock, North Carolina 28605

**TO:** Mayor Lawrence and Members of the Town Council  
**FROM:** Scott Fogleman, Town Manager  
**SUBJECT:** Surplus - Equipment (Resolution #2015-##)  
**DATE:** March 10, 2015

---

Attached please find for your consideration Resolution #2015-##, which declares equipment surplus and authorizes disposal.

Pursuant to N.C.G.S. 160A-270(c), Town Council is authorized to sell personal property by electronic auction upon adoption of a resolution authorizing an appropriate town official to dispose of personal property belonging to the town by public auction. Resolution #2015-## authorizes the Town Manager or his designee to sell the property via electronic auction on [www.GovDeals.com](http://www.GovDeals.com).

Items to be sold include 25- plastic chairs, 2- wooden doors with glass, 3- solid wooden doors, 2- 31 ¼" X 53 ½" windows, 4- 35 ¼" X 53 ½" windows, 1- Pool Weasel vacuum and a 2009 Ford Police Interceptor vehicle. All items are no longer in use.

GovDeals will be compensated at 7.5% of the total gross sale price for the sale through auction proceeds. The Town signed a contract with GovDeals.com on July 10, 2007 for disposal of surplus items utilizing the electronic auction method.



# TOWN OF BLOWING ROCK

1036 Main Street • Post Office Box 47 • Blowing Rock, NC 28605

## RESOLUTION DECLARING SURPLUS PROPERTY & AUTHORIZING DISPOSAL (Resolution #2015-##)

**Whereas**, the Town of Blowing Rock has surplus property as listed below:

- 25- Plastic Chairs
- 2- Wooden Doors with Glass
- 3- Solid Wooden Doors
- 2- 31 ¼" X 53 ½" Windows
- 4- 35 ¼" X 53 ½" Windows
- 1- Pool Weasel Vacuum
- 2009 Ford Interceptor- (VIN# 2FAHP7IV39X100468)

**Whereas**, North Carolina General Statute 160A-270(c) allows the Town Council to authorize an appropriate town official to dispose of personal property belonging to the town electronically by public auction.

**Now, Therefore, Be It Resolved** that the Town Council of the Town of Blowing Rock declares surplus and authorizes the Town Manager or his designee to dispose of the above listed property via electronic auction on GovDeals - [www.govdeals.com](http://www.govdeals.com).

All sales will be processed through GovDeals and remitted to the Town net of auction fees. These items will be sold on an "as is" basis and all sales are final. The Town of Blowing Rock reserves the right to reject any and all bids.

Adopted by the Town Council of the Town of Blowing Rock this the 10<sup>th</sup> day of March, 2015.

\_\_\_\_\_  
J.B. Lawrence  
Mayor

ATTEST:

\_\_\_\_\_  
Sharon H. Greene  
Town Clerk



# TOWN OF BLOWING ROCK

1036 Main Street • Post Office Box 47 • Blowing Rock, NC 28605

To: Scott Fogleman, Mayor Lawrence, and Members of Town Council  
From: Nicole Norman, Finance Officer  
Subject: Budget Amendment Ordinance to Account for Various Items  
(Ordinance #2015-##)  
Date: March 10, 2015

---

Enclosed please find a Budget Amendment Ordinance for the fiscal year 2014-2015 for your consideration.

**Section 1 (General Fund)** allocates funds from Ms. Ginney Stevens (\$1,000) and the Historical Society (\$239) towards the purchase of a historical display case located at the Police department. This section also allocated funds approved at the February Town Council meeting (\$1,000 donation and \$2,758 fund balance) associated American Legion project change orders 2-6 (netting \$3,758).

**Section 2 (General Capital Projects Fund)** completes the allocation of fund balance to the American Legion project as approved at the February 2015 Town Council meeting (net \$3,758).

**Section 3 (Water/Sewer Fund)** allocates fund balance towards the Dam Emergency Action Pan (\$9,300) to be developed by McGill Associates.

Please let me know if you need further details on the proposed amendments.



**2014-2015 Fiscal Year  
Budget Amendment Ordinance 2015-##**

Be it ordained by the Board of Commissioners of the Town of Blowing Rock, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2015:

**Section 1. To amend the General Fund, the appropriations are to be changed as follows:**

<u>Acct. No.</u>		<u>Current Appropriation</u>	<u>Decrease</u>	<u>Increase</u>	<u>Proposed Appropriation</u>
10-00-4200-505	Transfer to Capital Projects	\$ 153,804	\$ -	\$ 2,758	\$ 156,562
10-10-4310-016	Maint./Repair- Bldg./Equip. (PD)	\$ 12,000	\$ -	\$ 1,239	\$ 13,239
			<u>\$ -</u>	<u>\$ 3,997</u>	

This will result in a net increase of \$3,997 in the appropriations of the General Fund. To allocate the revenue for the above, the following revenue will be increased. This revenue has been or will be received.

<u>Acct. No.</u>		<u>Current Appropriation</u>	<u>Decrease</u>	<u>Increase</u>	<u>Proposed Appropriation</u>
10-00-3400-358	Donations	\$ 3,057	\$ -	\$ 1,239	\$ 4,296
10-00-3400-399	Fund Balance Appropriation	\$ 205,810	\$ -	\$ 2,758	\$ 208,568
			<u>\$ -</u>	<u>\$ 3,997</u>	

**Section 2. To amend the General Capital Projects Fund, the appropriations are to be changed as follows:**

<u>Acct. No.</u>		<u>Current Appropriation</u>	<u>Decrease</u>	<u>Increase</u>	<u>Proposed Appropriation</u>
20-00-5000-580	AL Building Renovation- Construction	\$ 523,628	\$ -	\$ 3,758	\$ 527,386
			<u>\$ -</u>	<u>\$ 3,758</u>	

This will result in a net increase of \$3,758 in the appropriations of the General Capital Projects Fund. To allocate the revenue for the above, the following revenue will be increased. This revenue has been or will be received.

<u>Acct. No.</u>		<u>Current Appropriation</u>	<u>Decrease</u>	<u>Increase</u>	<u>Proposed Appropriation</u>
20-00-3400-331	Transfer from General Fund	\$ 956,808	\$ -	\$ 2,758	\$ 959,566
20-00-3400-581	AL Building Renovation Donations	\$ 85,800.00	\$ -	\$ 1,000	\$ 86,800
			<u>\$ -</u>	<u>\$ 3,758</u>	

**Section 3. To amend the Water/Sewer Capital Projects Fund, the appropriations are to be changed as follows:**

<u>Acct. No.</u>		<u>Current Appropriation</u>	<u>Decrease</u>	<u>Increase</u>	<u>Proposed Appropriation</u>
30-91-7110-722	Dam Emergency Action Plan	\$ -	\$ -	\$ 9,300	\$ 9,300
			<u>\$ -</u>	<u>\$ 9,300</u>	

This will result in a net increase of \$9,300 in the appropriations of the General Capital Projects Fund. To allocate the revenue for the above, the following revenue will be increased. This revenue has been or will be received.

<u>Acct. No.</u>		<u>Current Appropriation</u>	<u>Decrease</u>	<u>Increase</u>	<u>Proposed Appropriation</u>
30-91-3400-399	Fund Balance Appropriated	\$ 335,000	\$ -	\$ 9,300	\$ 344,300
			<u>\$ -</u>	<u>\$ 9,300</u>	

**Section 4. Copies of this budget amendment shall be furnished to the Clerk to the Board of Commissioners and to the Finance Officer for their implementation.**

Adopted this 10th day of March, 2015.

Attested by: JB Lawrence, Mayor

Sharon Greene, Town Clerk

## **MEMORANDUM**

To: Mayor J.B. Lawrence and Blowing Rock Town Council

From: Kevin Rothrock, Planning Director

SUBJECT: Reducing BRAAC Membership from 9 to 7 members

DATE: February 27, 2015

In 2013, an ordinance was adopted re-establishing the Blowing Rock Appearance Advisory Commission (BRACC) under the authority of the Land Use Code. One of the standards for BRAAC was that membership consists of nine (9) residents and citizens of the Town's planning and zoning jurisdiction and a quorum of five (5) members to conduct official business. With recent vacancies on BRAAC and the difficulty in filling member positions with a lack of applicants, it appears that a reduction in required membership and quorum is needed.

In the attached draft ordinance, membership for BRAAC is reduced from 9 to 7 members and a quorum is reduced from 5 to 4 members.

### **PLANNING BOARD RECOMMENDATION**

At their February 19<sup>th</sup> meeting, the Planning Board recommended approval of the draft ordinance.

I can provide further clarification on the ordinance amendment during the meeting on March 10<sup>th</sup>, or questions can be directed to me at 295-5240 or [krothrock@townofblowingrock.com](mailto:krothrock@townofblowingrock.com).

**ORDINANCE NO. 2015-\_\_\_\_\_****AN ORDINANCE TO REDUCE THE MEMBERSHIP OF BLOWING ROCK APPEARANCE ADVISORY COMMISSION (BRAAC) FROM NINE (9) TO SEVEN (7) MEMBERS**

WHEREAS, the Blowing Rock Land Use Ordinance describes the functions of the Blowing Rock Appearance Advisory Commission (BRAAC); and

WHEREAS, the BRAAC membership was re-established in 2013 at nine (9) members; and

WHEREAS, due to the seasonal membership of BRAAC, maintaining a quorum of five (5) members to conduct official business has proven challenging; and

WHEREAS, reducing the required board membership to seven (7) members and a quorum at four (4) members should help BRAAC conduct official business at any of its regular meetings.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Blowing Rock, North Carolina, that:

Section 1. Chapter 16, Article 3 – Administrative Mechanisms of the Blowing Rock Town Code is hereby amended and will read as follows:

***“16-3.6 Appearance Commission.***

***16-3.6.1 Membership and Vacancies.***

(A) There shall be an appearance advisory commission consisting of ~~nine (9)~~ **seven (7)** members, all of whom shall be citizens and residents of the planning and zoning jurisdiction of the town. Members shall be appointed by the board of commissioners for a term of three (3) years. Vacancies occurring for reasons other than the expiration of terms shall be filled as they occur for the period of the unexpired term. It is desirable that at least one member be a member of a design profession.

***16-3.6.2 Organization, Rules, Meetings and Records.***

Within thirty days after its appointment, the appearance advisory commission shall meet and elect a chairman, vice-chairman, secretary and treasurer. It may create and fill such other offices as it may determine. The term of each officer shall be one year. They may be re-elected. The commission shall adopt rules for the transaction of its business and shall keep a record of its members' attendance and of its resolutions, discussions, findings and recommendations, which records shall be open to the public. The commission shall meet as needed. All of its meetings shall be open to the public. For the purpose of taking any official action authorized or required by this article, there shall be present a quorum of ~~five (5)~~ **four (4)** members.”

Section 2. Severability; Conflict of Laws. If this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given separate effect and to that end, the provisions of this ordinance are declared to be severable. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. Effective Date. This ordinance shall be effective upon adoption.

Adopted this the \_\_\_\_ day of \_\_\_\_\_, 2015

\_\_\_\_\_  
J.B. Lawrence, Mayor

ATTEST: \_\_\_\_\_  
Sharon H. Greene, Town Clerk

## Memo

**To:** Mayor JB Lawrence & Town Council  
**CC:** Scott Fogleman  
**From:** Parks & Recreation Director Jennifer Brown  
**Date:** March 10, 2015  
**Re:** Blowing Rock PTO 5K Run - May 16<sup>th</sup>, 2015

---

Attached please find a request from the Blowing Rock PTO to hold a 5k run on Saturday, May 16, 2015. The 5k run will begin at 8:00 am at Blowing Rock School and will end next to Memorial Park. They are planning this in conjunction with their Annual Spring Fling event that will be based on Health and Wellness. This is open to the public and all proceeds will go to Blowing Rock School teacher requests.

The Blowing Rock PTO is working with our department on the details of the race and I have consulted with the Blowing Rock Police Department on the details.

March 2, 2015

To: Blowing Rock Town Council  
From: Blowing Rock School PTO

The Intent of this letter is to seek approval for a 5K Run Event in conjunction with our Annual Spring Fling Event at Blowing Rock School. We are proposing to hold this event on May 16<sup>th</sup> with the run commencing at 8am from Blowing Rock School and following the pre-determined route laid out on Page (2) Of this letter.

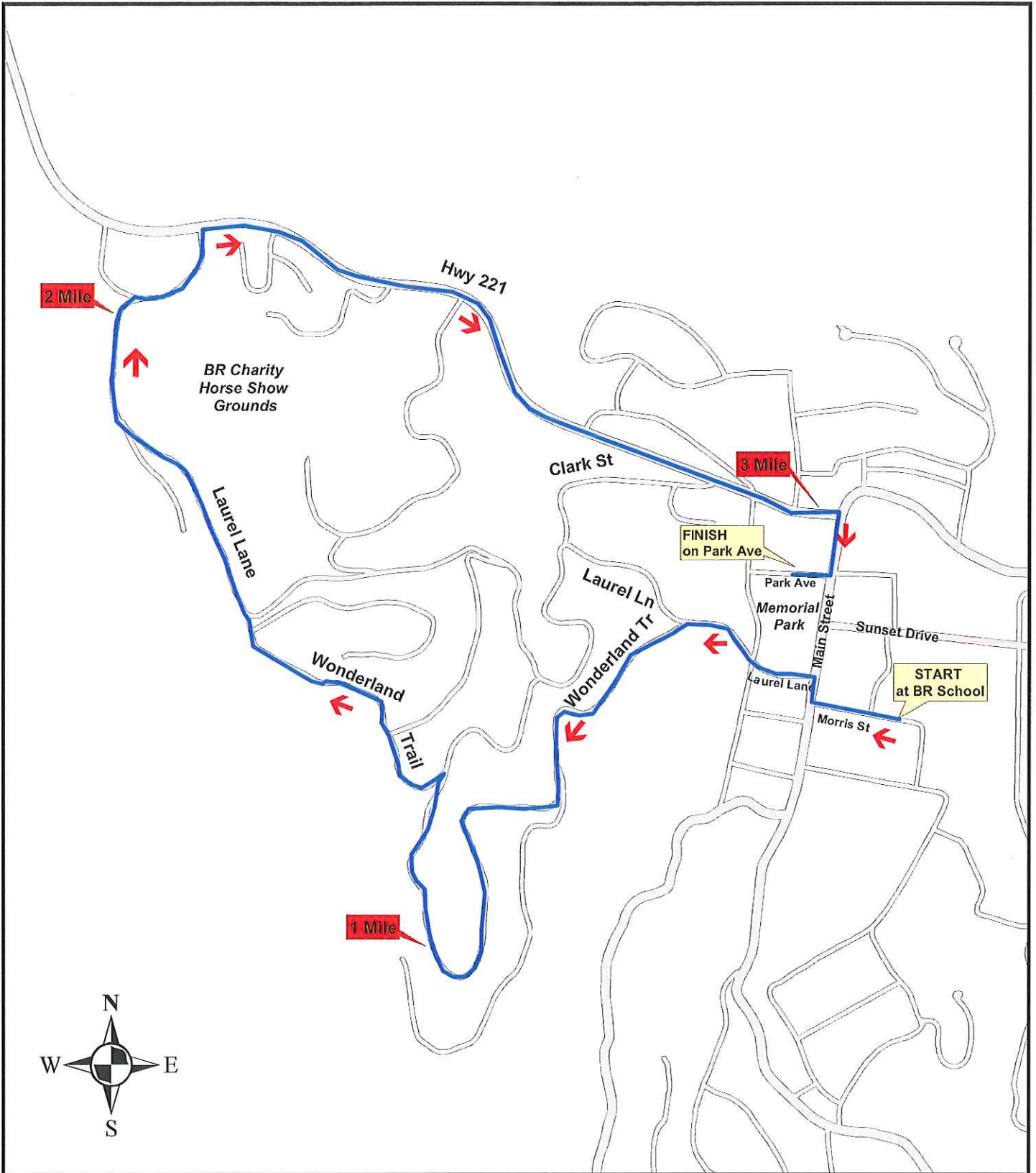
The Blowing Rock School PTO will be in charge of facilitating all insurance and police requirements necessary. We are using this event as a County wide Health and Wellness Symposium with numerous informational booths, sponsored events by Health and Wellness organizations, children outdoor activities, the 5K Run, a Silent Auction and food offered by several Local restaurants.

The Blowing Rock School PTO is using this event as a fundraising opportunity for the School with the funds going toward teacher requests and other school related items necessary to ensure a premier educational experience for the students and staff.

Please let us know if you require any additional information in regards to this event.

Thank you,  
Kevin Tincher  
Blowing Rock School PTO-President

# BR School PTO 5K May 16, 2015





# Town of Blowing Rock

1036 Main Street ★ Post Office Box 47 ★ Blowing Rock, North Carolina 28605

To: Scott Fogleman, Mayor Lawrence and Members of Town Council  
From: Nicole M. Norman, Finance Officer  
Subject: Public Works Warehouse Project Funding  
Date: February 10, 2015

---

Following receipt of Construction bids for the Public Works Warehouse project on Tuesday, February 3, 2015 area banks were contacted and requested to provide financing proposals for the project. Out of the nine area banks reached out to, only one responded. All others were contacted following no bid response and asked to confirm they did not wish to bid on the project. All have confirmed they wish to submit no bid at this time. A summary of the bid received for the project is as follows.

Enrollment in local colleges, 2005

Bank	Term	Interest Rate	Fees/Pre-payment Penalty Y/N
BB&T	15 Years	2.83%	\$1,200 Closing Costs/N
PNC	No Bid		
Wells Fargo	No Bid		
Yadkin Valley Bank	No Bid		
United Community Bank	No Bid		
First Citizens	No Bid		
Sun Trust	No Bid		
Bank of America	No Bid		

---

---

The project was estimated at an interest rate of approximately 3.14% and we were expecting repayment terms of 15 years, with payments semi-annually. As anticipated, this structure will require, with payments of level principal plus interest, an approximate \$160,700 debt service payment annually, with the first payment not coming due until October 2015 (FY 2016).

As a reminder, specific funding sources for this debt service payment will be identified during the FY 2016 budget process with some or all of the payment funded with new tax revenue and possibly some portion with new utility system revenue since the facility also supports water and sewer operations. As you recall, total additional funding needed beyond the \$1,200,000 already included in



the FY 2015 budget totals \$500,580. While the total \$1,200,000 has been budgeted in the General fund, it is anticipated proposed to fund 75% of the project from the General Fund and the remaining 25% from the Water/Sewer Fund since the warehouse will support approximately 25% Water/Sewer field operations related functions. The breakdown of total project costs for the General and Water/Sewer Fund will be \$1,275,435 and \$425,145 respectively. This will require an additional appropriation in the general fund of \$75,435 and an additional appropriation in the Water/Sewer Fund of \$425,145 all of which will be funded via loan proceeds. Debt service will also be divided in same manner. Annual requirements will be approximately \$120,525 and \$40,175 respectively for General and Water/Sewer Fund.



5130 Parkway Plaza Blvd.  
Charlotte, N.C. 28217  
(704) 954-1700  
Fax (704) 954-1799

February 23, 2015

Mrs. Nicole Norman  
Finance Officer  
Town of Blowing Rock  
Post Office Box 47  
Blowing Rock, NC 28605

Dear Ms. Norman:

Branch Banking and Trust Company (“BB&T”) is pleased to offer this proposal for the financing of a Public Works Facility, as requested by the Town of Blowing Rock, North Carolina (the “Town”).

- (1) **Project:** Public Works Facility
- (2) **Amount To Be Financed:** \$1,700,580.00
- (3) **Interest Rates, Financing Terms and Corresponding Payments:**

Term	Rate
15 years	2.83%

Payments shall be semi-annual in arrears, or as requested. See the attached amortization schedule for information on payments.

The financing proceeds shall be deposited on behalf of the Town in a project fund account with Branch Banking & Trust. Earnings on the project fund shall accrue to the benefit of the Town for use on Project costs or interest payments.

The interest rates stated above are valid for a closing not later than 45 days after today. A convenient date and time shall be mutually agreed upon for closing. Closing is contingent upon completing documentation acceptable to BB&T and the condition of the property acceptable to BB&T. BB&T shall provide a list of required documentation for closing should we be the successful proposer. At a minimum, BB&T shall require flood certification, if applicable, copies of the plans and specifications and an estimated expenditure budget two weeks in advance of closing for our review. Additionally, we shall review your most recent financial statements before funding this transaction.

Remuneration for our legal review expenses and underwriting for this financing transaction shall be \$1,200.00. All applicable taxes, surveys, zoning, appraisals, permits, costs of environmental studies, title insurance premiums, LGC approval fees, costs of counsel for the Town and any other costs shall be the Town’s responsibility and separately payable by the Town. The financing documents shall allow for prepayment in whole without a prepayment premium.

The stated interest rates assume that the Town expects to borrow less than \$10,000,000 in calendar year 2015 and that the Town shall comply with IRS Code Sections 141, 148, 149(e) and Section 265(b)(3). BB&T reserves the right to terminate its interest in this bid or to negotiate a mutually acceptable rate if the financing is not a qualified tax-exempt financing.

**(4) Security:**

This financing shall be secured by a first lien security interest on (a) all personal property acquired with financing proceeds, (b) all improvements to real estate that are constructed or improved with financing proceeds, and all associated real estate, and (c) all real estate acquired with financing proceeds.

**(5) Financing Documents:**

BB&T and its counsel shall prepare the deed of trust and all documentation for the Town. We shall provide a sample of those documents to you should BB&T be the successful proposer.

\* \* \* \* \*

BB&T appreciates the opportunity to provide this proposal and requests to be notified within ten days of this proposal should BB&T be the successful proposer.

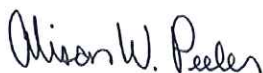
BB&T shall have the right to cancel this offer by notifying the Town of its election to do so (whether or not this offer has previously been accepted by the Town) if at any time prior to the closing there is a material adverse change in the Town's financial condition, if we discover adverse circumstances of which we are currently unaware, if we are unable to agree on acceptable documentation with the Town or if there is a change in law (or proposed change in law) that changes the economic effect of this financing to BB&T. We reserve the right to negotiate and/or terminate our interest in this transaction should we be the successful proposer.

Should we become the successful proposer, we have attached the form of a resolution that your governing board can use to award the financing to BB&T. If your board adopts this resolution, then BB&T shall not require any further board action prior to closing the transaction.

Please call me at 336.376.0254 with your questions and comments. We look forward to hearing from you.

Sincerely,

**BRANCH BANKING AND TRUST COMPANY**



Alison W. Peeler  
Senior Vice President

**Resolution Approving Financing Terms**

**WHEREAS:** The Town of Blowing Rock (the "Town") has previously determined to undertake a project for financing a senior center, (the "Project"), and the Finance Officer has now presented a proposal for the financing of such Project.

**BE IT THEREFORE RESOLVED, as follows:**

1. The Town hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated February 23, 2015. The amount financed shall not exceed \$1,700,580.00, the annual interest rate shall not exceed 2.83%, and the financing term shall not exceed fifteen (15) years..

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Town are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and Deed of Trust and a Project Fund Agreement as BB&T may request.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Town officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The Town shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Town hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. The Town intends that the adoption of this resolution will be a declaration of the Town's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The Town intends that funds that have been advanced, or that may be advanced, from the Town's general fund, or any other Town fund related to the project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of Town officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

SEAL

Town of Blowing Rock, NC

Compound Period: Semiannual

Nominal Annual Rate: 2.830%

CASH FLOW DATA

Event	Date	Amount	Number	Period	End Date
1 Loan	4/1/2015	1,700,580.00	1		
2 Payment	10/1/2015	56,686.00	30	Semiannual	4/1/2030
Fixed Principal (+Int.)					

AMORTIZATION SCHEDULE - Normal Amortization

	Date	Payment	Interest	Principal	Balance
Loan	4/1/2015				1,700,580.00
2015 Totals		0.00	0.00	0.00	
1	10/1/2015	80,749.21	24,063.21	56,686.00	1,643,894.00
2	4/1/2016	79,947.10	23,261.10	56,686.00	1,587,208.00
2016 Totals		160,696.31	47,324.31	113,372.00	
3	10/1/2016	79,144.99	22,458.99	56,686.00	1,530,522.00
4	4/1/2017	78,342.89	21,656.89	56,686.00	1,473,836.00
2017 Totals		157,487.88	44,115.88	113,372.00	
5	10/1/2017	77,540.78	20,854.78	56,686.00	1,417,150.00
6	4/1/2018	76,738.67	20,052.67	56,686.00	1,360,464.00
2018 Totals		154,279.45	40,907.45	113,372.00	
7	10/1/2018	75,936.57	19,250.57	56,686.00	1,303,778.00
8	4/1/2019	75,134.46	18,448.46	56,686.00	1,247,092.00
2019 Totals		151,071.03	37,699.03	113,372.00	
9	10/1/2019	74,332.35	17,646.35	56,686.00	1,190,406.00
10	4/1/2020	73,530.24	16,844.24	56,686.00	1,133,720.00
2020 Totals		147,862.59	34,490.59	113,372.00	
11	10/1/2020	72,728.14	16,042.14	56,686.00	1,077,034.00
12	4/1/2021	71,926.03	15,240.03	56,686.00	1,020,348.00
2021 Totals		144,654.17	31,282.17	113,372.00	

13	10/1/2021	71,123.92	14,437.92	56,686.00	963,662.00
14	4/1/2022	70,321.82	13,635.82	56,686.00	906,976.00
2022 Totals		141,445.74	28,073.74	113,372.00	
15	10/1/2022	69,519.71	12,833.71	56,686.00	850,290.00
16	4/1/2023	68,717.60	12,031.60	56,686.00	793,604.00
2023 Totals		138,237.31	24,865.31	113,372.00	
17	10/1/2023	67,915.50	11,229.50	56,686.00	736,918.00
18	4/1/2024	67,113.39	10,427.39	56,686.00	680,232.00
2024 Totals		135,028.89	21,656.89	113,372.00	
19	10/1/2024	66,311.28	9,625.28	56,686.00	623,546.00
20	4/1/2025	65,509.18	8,823.18	56,686.00	566,860.00
2025 Totals		131,820.46	18,448.46	113,372.00	
21	10/1/2025	64,707.07	8,021.07	56,686.00	510,174.00
22	4/1/2026	63,904.96	7,218.96	56,686.00	453,488.00
2026 Totals		128,612.03	15,240.03	113,372.00	
23	10/1/2026	63,102.86	6,416.86	56,686.00	396,802.00
24	4/1/2027	62,300.75	5,614.75	56,686.00	340,116.00
2027 Totals		125,403.61	12,031.61	113,372.00	
25	10/1/2027	61,498.64	4,812.64	56,686.00	283,430.00
26	4/1/2028	60,696.53	4,010.53	56,686.00	226,744.00
2028 Totals		122,195.17	8,823.17	113,372.00	
27	10/1/2028	59,894.43	3,208.43	56,686.00	170,058.00
28	4/1/2029	59,092.32	2,406.32	56,686.00	113,372.00
2029 Totals		118,986.75	5,614.75	113,372.00	
29	10/1/2029	58,290.21	1,604.21	56,686.00	56,686.00
30	4/1/2030	57,488.11	802.11	56,686.00	0.00
2030 Totals		115,778.32	2,406.32	113,372.00	
Grand Totals		2,073,559.71	372,979.71	1,700,580.00	

**RESOLUTION 2015-##**

**RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF A FINANCING AGREEMENT AUTHORIZED BY NORTH CAROLINA GENERAL STATUTE 160A-20**

WHEREAS, the Town of Blowing Rock, North Carolina desires to construct a Public Works Warehouse Facility (the "Project") to better serve the citizens and protect the assets of the Town of Blowing Rock; and

WHEREAS, The Town of Blowing Rock desires to finance the Project by the use of an installment contract authorized under North Carolina General Statute 160A, Article 3, Section 20; and

WHEREAS, findings of fact by this governing body must be presented to enable the North Carolina Local Government Commission to make its findings of fact set forth in North Carolina General Statute 159, Article 8, Section 151 prior to approval of the proposed contract;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of Blowing Rock, North Carolina, meeting in regular session on the 10<sup>th</sup> day of March, 2015, make the following findings of fact:

1. The proposed contract is necessary or expedient to adequately house Street, Sanitation and Water & Sewer Field operations staff and equipment as well as vehicle maintenance staff and equipment.
2. The proposed contract is preferable to a bond issue for the same purpose because the debt will be secured by the asset itself rather than purely taxing authority.
3. The proposed contract is preferable to a bond issue for the savings in time, closing costs and the amendable interest rate.
4. The sums to fall due under the contract are adequate and not excessive for the proposed purpose because a competitive bid process was used to determine project costs.
5. The Town of Blowing Rock's debt management procedures and policies are good because they have been carried out in strict compliance with North Carolina law and will continue to be. The Town has a firm commitment to controlling its debt levels.
6. Funding options will be thoroughly reviewed during the fiscal year 2016 budget development process. Options may include allocation sales tax revenues and/or existing tax revenue sources. Any increase in taxes necessary to meet the debt service payments due under the proposed contract will be no more than \$.0121 cents per \$100 valuation and water and sewer rates are not expected to increase more than 4%. These increases are not deemed to be excessive.
7. The Town of Blowing Rock is not in default in any of its debt service obligations.
8. The attorney for the Town of Blowing Rock has rendered an opinion that the proposed Project is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.
9. The probable net revenues of the water and sewer support portion of the project to be financed will be sufficient to meet the sums to fall due under the proposed contract.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Finance Officer is hereby authorized to act on behalf of the Town of Blowing Rock in filing an application with the North Carolina Local Government Commission for approval of the Project and the proposed financing contract and other actions not inconsistent with this resolution.

This resolution is effective upon its adoption this 10<sup>th</sup> day of March, 2015.

The motion to adopt this resolution was made by Town Council Member \_\_\_\_\_,  
seconded by Town Council Member \_\_\_\_\_ and passed by a vote of \_\_\_\_\_ to \_\_\_\_\_.

\_\_\_\_\_  
J.B. Lawrence, Mayor

ATTEST:

\_\_\_\_\_  
Sharon Greene, Town Clerk

This is to certify that this is a true and accurate copy of Resolution No.2015-## Adopted by the Town of Blowing Rock Town Council on the 10<sup>th</sup> day of March, 2015.

\_\_\_\_\_  
Sharon H. Greene, Town Clerk

\_\_\_\_\_  
Date



**RESOLUTION OF TOWN COUNCIL OF BLOWING ROCK TOWN, NORTH  
CAROLINA DECLARING ITS INTENTION TO REIMBURSE ITSELF  
FROM THE PROCEEDS OF ONE OR MORE TAX-EXEMPT  
FINANCINGS FOR CERTAIN EXPENDITURES IN CONNECTION  
WITH THE ACQUISITION, CONSTRUCTION, EXPANSION,  
RENOVATION AND EQUIPPING OF BLOWING ROCK CAPITAL  
PROJECTS**

WHEREAS, the Town of Blowing Rock, North Carolina (**the "Issuer"**) has paid beginning no earlier than 60 days prior to the date of adoption of this resolution, and will pay, on and after the date hereof, certain expenditures (**"Expenditures"**) for the acquisition, construction, expansion, renovation and equipping of certain capital projects described as follows:

- A. Water systems and related facilities (**the "Water Project"**)
- B. Sanitary sewer systems and related facilities (**the "Sewer Project"**)
- C. Streets, sidewalks and related facilities (**the "Street Project"**)
- D. Parks and recreation facilities (**the "Parks and Recreation Project"**)
- E. Public works facilities (**the "Public Works Project", and together with the Water Project, the Sewer Project, the Street Project and the Parks and Recreation Project, the "Projects"**); and

WHEREAS, the Town Council of the Issuer (**the "Council"**) has determined that those moneys previously advanced no earlier than 60 days prior to the date of adoption of this resolution and to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the Issuer for the Expenditures from the proceeds of one or more issues of tax-exempt bonds or other tax-exempt obligations (**together, the "Obligations"**).

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL AS FOLLOWS:**

Section 1. The Council hereby declares the Issuer's intent to reimburse the Issuer with the proceeds of an Obligation financing a specific Project for the Expenditures with respect to such Project made on and after the date referenced above. The Issuer reasonably expects on the date hereof that it will reimburse the Expenditures related to a specific Project with the proceeds of the Obligations financing such specific Project.

Section 2. Each Expenditure was and will be either (a) of a type properly chargeable to capital account under general federal income tax principles (determined in each case as of the date of the Expenditures), (b) a cost of issuance with respect to the Obligations, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the Issuer so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the Issuer.

Section 3. The maximum principal amounts of the Obligations expected to be issued for (a) the Water Project is \$2,000,000, (b) for the Sewer Project is \$1,000,000, (c) for the Street Project is \$9,000,000, (d) for the Parks and Recreation Project is \$1,000,000 and (e) for the Public Works Project is \$2,000,000.

Section 4. The Issuer will make a reimbursement allocation, which is a written allocation by the Issuer that evidences the Issuer’s use of proceeds of the Obligations to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the respective Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The Issuer recognizes that exceptions are available for certain “preliminary expenditures,” costs of issuance, certain de minimis amounts, expenditures by “small issuers” (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least 5 years.

Section 5. This resolution shall take effect immediately upon its passage.

The members of the Council voted as follows:

Yes

No

Absent

Abstained

PASSED AND ADOPTED THIS \_\_\_ day of March, 2015.

\_\_\_\_\_  
Mayor  
Town of Blowing Rock, North Carolina

Attested to:

\_\_\_\_\_  
Clerk, Town of  
Blowing Rock, North Carolina

**RESOLUTION OF TOWN COUNCIL OF BLOWING ROCK TOWN, NORTH  
CAROLINA DECLARING ITS INTENTION TO REIMBURSE ITSELF  
FROM THE PROCEEDS OF ONE OR MORE TAX-EXEMPT  
FINANCINGS FOR CERTAIN EXPENDITURES IN CONNECTION  
WITH THE ACQUISITION, CONSTRUCTION, EXPANSION,  
RENOVATION AND EQUIPPING OF BLOWING ROCK CAPITAL  
PROJECTS**

WHEREAS, the Town of Blowing Rock, North Carolina (**the "Issuer"**) has paid beginning no earlier than 60 days prior to the date of adoption of this resolution, and will pay, on and after the date hereof, certain expenditures (**"Expenditures"**) for the acquisition, construction, expansion, renovation and equipping of certain capital projects described as follows:

- A. Water systems and related facilities (**the "Water Project"**)
- B. Sanitary sewer systems and related facilities (**the "Sewer Project"**)
- C. Streets, sidewalks and related facilities (**the "Street Project"**)
- D. Parks and recreation facilities (**the "Parks and Recreation Project"**)
- E. Public works facilities (**the "Public Works Project", and together with the Water Project, the Sewer Project, the Street Project and the Parks and Recreation Project, the "Projects"**); and

WHEREAS, the Town Council of the Issuer (**the "Council"**) has determined that those moneys previously advanced no earlier than 60 days prior to the date of adoption of this resolution and to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the Issuer for the Expenditures from the proceeds of one or more issues of tax-exempt bonds or other tax-exempt obligations (**together, the "Obligations"**).

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL AS FOLLOWS:**

Section 1. The Council hereby declares the Issuer's intent to reimburse the Issuer with the proceeds of an Obligation financing a specific Project for the Expenditures with respect to such Project made on and after the date referenced above. The Issuer reasonably expects on the date hereof that it will reimburse the Expenditures related to a specific Project with the proceeds of the Obligations financing such specific Project.

Section 2. Each Expenditure was and will be either (a) of a type properly chargeable to capital account under general federal income tax principles (determined in each case as of the date of the Expenditures), (b) a cost of issuance with respect to the Obligations, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the Issuer so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the Issuer.

Section 3. The maximum principal amounts of the Obligations expected to be issued for (a) the Water Project is \$2,000,000, (b) for the Sewer Project is \$1,000,000, (c) for the Street Project is \$9,000,000, (d) for the Parks and Recreation Project is \$1,000,000 and (e) for the Public Works Project is \$2,000,000.

Section 4. The Issuer will make a reimbursement allocation, which is a written allocation by the Issuer that evidences the Issuer’s use of proceeds of the Obligations to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the respective Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The Issuer recognizes that exceptions are available for certain “preliminary expenditures,” costs of issuance, certain de minimis amounts, expenditures by “small issuers” (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least 5 years.

Section 5. This resolution shall take effect immediately upon its passage.

The members of the Council voted as follows:

Yes

No

Absent

Abstained

PASSED AND ADOPTED THIS \_\_\_ day of March, 2015.

\_\_\_\_\_  
Mayor  
Town of Blowing Rock, North Carolina

Attested to:

\_\_\_\_\_  
Clerk, Town of  
Blowing Rock, North Carolina

**RESOLUTION No. 2015-\_\_**

**A RESOLUTION SUPPORTING THE APPLICATION FOR EASTERN FEDERAL LANDS ACCESS PROGRAM BY THE TOWN OF BLOWING ROCK**

WHEREAS, the Federal Highway Administration – Eastern Federal Lands Highway Division has funding available for transportation facilities that provide access to, are adjacent to, or are located within Federal lands; and

WHEREAS, the Town of Blowing Rock intends to apply for funds to help construct a sidewalk along US 221 from US 321 Business (Main Street) to the entrance of the Moses Cone Estate and Bass Lake; and

WHEREAS, the Federal Lands Access Program may fund up to 80% of the anticipated construction costs of \$1.2 million, or \$960,000; and

WHEREAS, the 2004 Comprehensive Plan and 2014 Comprehensive Plan Update identify the proposed Hwy 221 sidewalk from downtown to Bass Lake as a pedestrian transportation connection of high priority; and

WHEREAS, a sidewalk along Hwy 221 will provide residents and visitors a safe way to walk from downtown to Bass Lake without added vehicle trips; and

WHEREAS, the safe pedestrian link from Main Street to Bass Lake provided by this sidewalk is expected to add to the quality of life for residents and the visitor experience in Blowing Rock.

NOW, THEREFORE, BE IT RESOLVED that the Blowing Rock Town Council hereby fully supports the Town of Blowing Rock applying for Eastern Federal Lands Access Program funds.

Adopted this the 10<sup>th</sup> day of March, 2015.

Town of Blowing Rock

By: \_\_\_\_\_  
J.B. Lawrence, Mayor

ATTEST:

\_\_\_\_\_  
Sharon H. Greene, Town Clerk

## Scott Fogleman

---

**From:** David Graham [dgraham@regiond.org]  
**Sent:** Wednesday, March 04, 2015 10:23 AM  
**To:** 'Kevin Rothrock'; 'Scott Fogleman'; 'Scott.Fogleman@TownofBlowingRock.com'  
**Cc:** 'Phil Trew'  
**Subject:** RPO Resolution of Support  
**Attachments:** 2015 RPO Blowing Rock EFLAP Resolution.docx

Gentlemen:

Attached is the resolution of support for the Blowing Rock to Bass Lake sidewalk project. The resolution was originally scheduled to be acted on by the High Country Rural Planning Organization (RPO) in February. However, due to inclement weather the RPO meetings had to be postponed until March 25, 2015. I do anticipate the High Country RPO to act in support of the resolution. Therefore, feel free to include as an attachment with the EFLAP application and I will forward the signed document to you as soon as possible.

I look forward to seeing you at the RPO meetings on March 25. Let me know if you have any questions.

Thanks,

David

David Graham  
Transportation Planner  
High Country Council of Governments  
468 New Market Blvd.  
Boone, NC 28607  
Phone: (828) 265-5434 ext. 135  
Email: [dgraham@regiond.org](mailto:dgraham@regiond.org)



**High Country Rural Planning Organization (RPO)**  
 Municipalities and Counties of  
 Alleghany, Ashe, Avery, Mitchell, Watauga, Wilkes, and Yancey



*"Serving North Carolina's High Country with Continuing, Cooperative, and Comprehensive Transportation Planning"*

John Brady, RTAC Chair

David Graham, Transportation Planner

Ken Noland, RTCC Chair

## RESOLUTION ENDORSING THE APPLICATION FOR EASTERN FEDERAL LANDS ACCESS PROGRAM FUNDS BY THE TOWN OF BLOWING ROCK

**Whereas**, the Transportation Advisory Committee is the duly recognized transportation decision making body for the High Country Rural Transportation Planning Organization (RPO); and

**Whereas**, the Federal Highway Administration – Eastern Federal Lands Highway Division has funding available for transportation facilities that provide access to, are adjacent to, or are located within Federal lands; and

**Whereas**, the Town of Blowing Rock intends to apply for funds to construct a sidewalk along US 221 from US 321 Business/Main Street to the entrance of Bass Lake; and

**Whereas**, the High Country RPO recognizes the benefits of pedestrian transportation facilities, including economic development, safety, health benefits, less vehicle congestion, and less pollution; and

**Whereas**, an adequate pedestrian transportation facility linking Bass Lake to Main Street Blowing Rock is wanted by the town to provide residents and visitors an alternative mode of transportation between the destinations of Bass Lake and Main Street.

**Now, therefore, be it resolved**, that the High Country RPO supports the Town of Blowing Rock in applying for Eastern Federal Lands Access Program funds.

Adopted March 25, 2015

\_\_\_\_\_  
 John Brady, Chair, RTAC

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 David Graham, Secretary, RTAC

\_\_\_\_\_  
 Date