

## **MINUTES**

### **Blowing Rock Board of Commissioners**

**Tuesday, November 13, 2001**

The Mayor and Board of Commissioners for the Town of Blowing Rock met in regular session on Tuesday, November 13, 2001 at 7:00 p.m. Present were Mayor J. B. Lawrence, Barbara Ball, Terry Lentz, Michael Sweeting, Charles Travis, and Rita Wiseman. Also present were Town Manager Don Holycross, Town Attorney Allen Moseley, Town Engineer Marion Rothrock and Town Clerk Barbara Beach. Other staff members attending the meeting were Director of Public Works Johnny Lentz, Police Chief Owen Tolbert, Planning Director Kevin Rothrock, and Building Inspector John Warren.

#### **Approval of Minutes**

Mr. Travis made a motion that the minutes of the October 9, 2001 meeting be adopted as submitted. Mrs. Ball seconded the motion, and it was approved unanimously.

#### **Presentation of Fiscal Year Audit**

Ms. Robin Isaacs, CPA, of the accounting firm Billy Combs, CPA, was present to discuss the audit for the fiscal year 2000-2001. Ms. Isaacs reviewed the highlights of the audit report and stated that the financial records were in good order and commended the work of the Town Hall staff. She praised the tax collection rate of 98.86% as among the highest in the state.

#### **Public Hearings**

##### **1. Blowing Rock Art and History Museum Right of First Refusal**

Mayor Lawrence opened a public hearing to receive comment about the proposed agreement with the Blowing Rock Art and History Museum. Welborn Alexander, a member of the Board of Trustees of BRAHM, spoke in favor of the proposal to grant a right of first refusal for the future lease of the Fire Department building on Park Avenue. Ms. Wiseman asked Mr. Alexander if he was aware that this Council couldn't legally bind future Council members as to the disposition of the property if it becomes available. Mr. Alexander agreed that he is cognizant of this fact, however, he believes that it is an important step in finding a building for the museum and the important works it will house. Joe Dulaney, also a member of the Board of Trustees, stated that he thinks this will be good for the preservation of the history of our town.

There were no further comments, and Mr. Travis made motion that the public hearing be closed. Ms. Wiseman seconded the motion, and all members voted in favor of the motion.

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## **BRAHM Right of First Refusal Continued**

Ms. Wiseman moved that the town grant a right of first refusal to the Blowing Rock Art and History Museum for the Park Avenue space. Mrs. Ball seconded the motion, and it was unanimously ratified.

*Agreement Attached as Exhibit A*

### **2. Amendment to Land Use Code regarding Lot Boundary Adjustments**

Mayor Lawrence opened a public hearing to hear testimony on a draft ordinance, which would require any adjustment in lot boundary lines to be reviewed and approved by the Zoning Administrator. Wayne Green discussed his opinions of the proposed amendment. There were no further comments and upon motion of Mr. Sweeting, second by Mrs. Ball, the public hearing was closed.

Mr. Sweeting made motion that the amendment be adopted as drafted, with the addition that surveyors in Caldwell, Ashe and Avery counties be sent a copy of the ordinance so they will be informed of the requirement. Ms. Wiseman seconded the motion. Mr. Travis questioned if all surveyors in the state should be notified. Mr. Moseley stated that he believes it is not necessary or practical to notify all North Carolina registered surveyors. Mr. Sweeting amended his motion to add notice to surveyors in Wilkes County. Ms. Wiseman seconded the amended motion, and all members voted in favor.

*Ordinance No. 2001-05 Attached as Exhibit B*

## **Old Business**

### **1. Update on Water Quality**

Mr. Holycross reported that the Water Department is currently in the process of "hard flushing" all the water lines in Town to clear any corrosion in the pipes. Johnny Lentz said that with the replacement of the four-inch main line on Morningside with an eight-inch line, the problem of back flow in the Chetola area has been solved.

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### **2. Proposed Amendment to Land Use Ordinance - Town Center District**

Kevin Rothrock reviewed a draft ordinance reflecting the work of the Planning Board on a proposed change to the Central Business District. The Planning Board recommends the establishment of four new zones to further define the Central Business District: Town Center East, Town Center West, CB 30 and CB 20. He reviewed a map showing proposed boundaries for the district and setbacks for the area. The Planning Board proposal would also change setbacks for the General Business area. He suggested that

Council could set a public hearing date for the proposal, recommend revisions for staff to complete, or discuss the proposal further at the annual retreat in January. Mrs. Ball moved that this matter be put on the retreat agenda. Mr. Lentz seconded the motion, and it was unanimously approved. Mrs. Ball asked that citizens and affected property owners provide feedback to Council members about their opinions on this topic.

### **3. Draft Ordinance to Grant Town Council Authority to Grant Variances**

Mr. Holycross reviewed a draft ordinance originally presented in September that would have granted authority to Council to grant variances related to properties that were controlled by a conditional use permit. Both the Planning Board and Board of Adjustment reviewed the draft, and were not in favor of the proposed ordinance. However, Jim West of the Planning Board had suggested that the Code be amended to provide more flexibility to the Council in modifying the provisions of the Code when applying those provisions to conditional use permits. Mr. Holycross provided several examples from the existing ordinances that authorize flexibility to the Council. Council members discussed the issue, and agreed that this idea is worthy of consideration. Upon motion of Mr. Lentz, second by Ms. Wiseman, members voted unanimously to provide flexibility through Code amendments.

## **New Business**

### **1. Request from WinterFest Committee**

Earle Horne was present to summarize the planned events for WinterFest 2002 to be held January 25-27. He reported that the Committee is asking for an allocation of \$2,500 from corporate sponsors this year, and requested that the Town donate \$1,250 from occupancy tax revenues. Mr. Sweeting moved that a resolution be approved proclaiming January 25-27 as WinterFest Celebration. Mrs. Ball seconded the motion, and all members voted in favor of the motion. Mr. Travis made motion to approve a contribution in the amount of \$1,250. Mr. Sweeting seconded the motion, and it was unanimously approved. Mr. Lentz suggested that a contribution to WinterFest be considered as a budgeted item for the next fiscal year.

*Resolution No. 2001-06 Attached as Exhibit C*

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### **2. Purchase of New Ladder Truck by Blowing Rock Fire Department**

Fire Chief Marc Hickman outlined Fire Department plans to purchase a new ladder truck. The new truck will feature a 75-foot long ladder with platform and will replace the existing 50-foot ladder truck. The Fire Department intends to finance the purchase through a lease purchase agreement with United Financial of North Carolina, Inc. Council agreed by consensus to authorize Mayor Lawrence to sign a letter stating the Town has no objection to the proposed transaction.

### **3. Release of Funds for the Council of Governments**

In response to requests from the Region D Council of Governments and the Western Piedmont Council of Governments to release funds available to these organizations from the State General Fund, and upon motion of Mr. Lentz, second by Ms. Wiseman, the Town Council voted unanimously to approve the attached resolutions.

*Resolutions Numbers 2001- 07 and 2001-08 Attached as Exhibits D and E*

## **2. Memorandum of Understanding for the Rural Transportation Planning**

### **Organization**

In April 2001, Council had voted to support the establishment of Rural Transportation Planning Organization (RPO) for our area. Mr. Dick Fender, Executive Director of Region D is now requesting adoption of a Memorandum of Understanding to be sent to NCDOT to request designation and certification of the RPO for Region D. According to Mr. Fender, this would enable local governments to participate more fully in planning and development of local transportation needs. By motion of Mr. Sweeting, second by Mrs. Ball, Council voted unanimously to ratify the memorandum of understanding.

*Agreement Attached as Exhibit F*

## **3. Closed Session**

Mayor Lawrence announced the conclusion of the regular meeting agenda. Mr. Sweeting moved that Council convene in closed session for consultation with the Town Attorney by authorization of NCGS 143-318.11(3). Mrs. Ball seconded the motion and all members voted in favor.

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### **Adjournment**

Upon reconvening, there was no further business, and Mayor Lawrence adjourned the meeting at 9:45 p.m.

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J. B. Lawrence,  
Mayor

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Barbara G. Beach, Town Clerk

