

MINUTES

Blowing Rock Board of Commissioners

Tuesday, September 10, 2002

The Mayor and Board of Commissioners for the Town of Blowing Rock met in regular session on Tuesday, September 10, 2002 at 7:00 p.m. at the Community Club Meeting Room. The location of the meeting was changed because the North Carolina Primary Election was being held at Town Hall. Present were Mayor J. B. Lawrence, Barbara Ball, Terry Lentz, Keith Tester, Rita Wiseman, and David Wray. Also present were Town Attorney Allen Moseley, Town Engineer Marion Rothrock and Town Clerk Barbara Beach. Other staff members attending the meeting were Police Chief Owen Tolbert, Planning Director Kevin Rothrock, Building Inspector John Warren, and Marc Hickman, Emergency Services Director.

Mayor Lawrence called the meeting to order. As he recalled the shock and sorrow felt by Americans last September 11, he reminded the assembly of special observances scheduled in town the next day.

Approval of Minutes

Upon motion of Mr. Tester, and second by Mr. Lentz, Council members voted unanimously to approve the minutes as written for the meetings held on August 13, August 26, and September 3, 2002.

PUBLIC HEARINGS

1. Bond Order Authorizing the Issuance of General Obligation Refunding

Bonds

Mayor Lawrence opened a public hearing to receive comment concerning the issuance of general obligation refunding bonds. Mr. Paul Jacobson, bond attorney for the Town, reviewed issues pertaining to the upcoming bond sale. The Town will issue refunding bonds to retire the existing bonds that were issued in 1987 and 1990 for sanitary sewer improvements. The sale of the bonds is scheduled for September 17, and Mr. Jacobson explained that the Town will realize savings of over \$1 million over the life of the bonds. There was no further comment, and Mayor Lawrence closed the public hearing.

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Bond Order Continued

Ms. Wiseman made motion that council approve the adoption of the bond order. Mrs. Ball seconded the motion, and it was unanimously approved.

Ms. Wiseman then moved that the supplemental bond resolution be adopted. Mrs. Ball seconded the motion, and all members voted to ratify the resolution.

Resolution attached as Exhibit A

NEW BUSINESS

1. Schedule Public Hearing for Renewal of Cable Franchise

The current cable television contract with Charter Communications, Inc expires on December 31, 2002. The Town's franchise ordinance and Federal Communications Commission (FCC) regulations require that the Town must conduct two public hearings prior to the renewal of the agreement. Upon motion of Mr. Lentz, second by Ms. Wiseman, Council members voted unanimously to hold a public hearing at 7:00 p.m. on Tuesday, October 8, 2002 on the proposed renewal of the cable franchise contract.

2. Resolution in Support of Designation of US 421 as a Scenic Byway

Council considered a resolution in support of the designation of US Highway 421 as a scenic byway and construction of a welcome center in Watauga County. Ms. Wiseman made motion that the draft resolution be approved and sent to NCDOT. Mrs. Ball seconded the motion, and it was unanimously ratified.

Resolution attached as Exhibit B

3. Approval of WinterFest Dates and Request for Funding

Mr. Earle Horne requested approval of the dates of January 31 – February 2, 2003 for the fifth annual WinterFest celebration. He also asked that Council consider a contribution in the amount of \$1,250 to the WinterFest Committee. Upon motion of Mr. Lentz, second by Mrs. Ball, Council members voted unanimously to approve the dates and the appropriation from the Community Contributions budget.

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4. Report from Town Engineer – Status of Major Projects

Town Engineer Marion Rothrock reviewed the status of the Town's major improvement projects. He reported on the progress of constructing sewer lines on Pinnacle Avenue, Green Hill Road, and Tarry Acres. He informed Council that there is a problem with installing lines in the Green Hill Road area. The NCDOT engineer has advised that he does not believe the Department of Transportation will allow lines to be put under the pavement, and there is no room on the shoulders to place gravity fed lines. Mr. Rothrock is filing a formal request to construct the lines under the pavement, however, if it is not approved by NCDOT, the Town cannot

proceed with the lines as planned. An alternative would be to construct force main sewer lines, because these can be installed along the shoulder of the road.

Mr. Rothrock requested that Council consider accepting Green Hill Road as a Town maintained road at the first available opportunity of July 1, 2003. Council members agreed that they would be receptive to accepting Green Hill Road as a Town street. Council asked Mr. Rothrock to pursue this and to request permission from NCDOT to proceed with immediate construction of the lines in anticipation of Town acceptance of the road.

On the North Main Street Sidewalk project, Council discussed a request from Kent Tarbutton of Chetola that the railing across the river be changed to the same split railing materials to match the rest of the fence. Mr. Tarbutton offered to pay for the modification if Council agrees to the change. Council members consented to the request and directed Mr. Rothrock to proceed instructions to the contractor.

Ms. Wiseman requested Mr. Rothrock to provide a progress report in the same timeline form as he had furnished for the retreat.

5. Request for Extension of Comment Period

Council discussed a request from Mrs. Ball that Council supports a resolution urging NCDOT to extend the time for comment on the draft Environmental Impact Statement for an additional thirty days. Several citizens took the opportunity to voice their opinions on the matter. Mrs. Ball made a motion that the resolution be approved, but it died for lack of a second.

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6. Pinnacle Avenue Sewer Connections

Mrs. Beach reported that several property owners have complained about the provisions of the Town Code relating to sewer connections and the mandatory time frame for connecting to the new lines. She also advised Council that staff is preparing to notify citizens in other areas of Town that are in violation of the Code for failure to connect to sewer lines. Mr. Lentz stated that the Town owes it to the citizens to enforce penalties for violators. Council agreed that staff should proceed with enforcement provisions, and that citizens in the Pinnacle Avenue area would not be treated differently than property owners in other areas of town.

7. Closed Session

Mayor Lawrence announced the end of the regular agenda, and Council convened in closed session for consultation with the town attorney by authority of North Carolina General Statutes 143-318.11(3) to discuss the acquisition of real property. At the completion of this discussion, Council continued the closed session by authorization of North Carolina General Statutes 143-318.11(6) to discuss personnel matters.

Upon reconvening in regular session, there was no further business, and Mayor Lawrence adjourned the meeting at 10:25 p.m.

J. B. Lawrence,
Mayor

Barbara G. Beach, Town Clerk