

## **MINUTES**

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

**Tuesday, July 8, 2003**

The Board of Commissioners for the Town of Blowing Rock met in regular session on Tuesday, July 8, 2003 at 7:00 p.m. Present were Mayor J. B Lawrence, Commissioners Barbara Ball, Terry Lentz, Keith Tester, David Wray and Rita Wiseman. Also present were Town Manager Scott Hildebran, Town Attorney Allen Moseley, Town Engineer Marion Rothrock and Town Clerk Barbara Beach. Other staff members attending were Director of Public Works Johnny Lentz, Planning Director Kevin Rothrock, Planning Department Intern David Baird, Building Inspector John Warren, and Police Chief Owen Tolbert.

#### **Call to Order and Approval of Minutes**

Mr. Lawrence called the meeting to order. Upon motion of Mr. Tester, second by Mrs. Ball, Council voted unanimously to approve the draft minutes for the meetings held on June 10, June 12, and June 30, 2003.

#### **Public Hearings**

##### **1. Charter Cable – Franchise Renewal/Master Cable Ordinance**

Mayor Lawrence opened a public hearing to hear comment concerning the proposed cable franchise agreement and Master Cable Ordinance. This is the first of two public hearings prior to approval of the contract. Mr. Hildebran introduced Tony Barlage of Charter Communications to answer questions concerning the documents. In response to a question from Mr. Lentz concerning the standard length of a cable contract, Mr. Barlage replied that the term is normally ten, fifteen, or even 25 years. Mr. Lentz stated that he preferred a term of five years. Mr. Barlage responded that the contract may be reviewed at the end of five years, or anytime if related to performance matters. Mr. Hildebran commented that the Master Cable Ordinance calls for an annual review by the Town Manager and Town Attorney. Mr. Wray had questions concerning cable rates and times when programs may be interrupted for repair work to the system. Also, Wayne Green posed several questions concerning the rights of way for cable lines, time frames for moving poles, and the possibility of mandating the placement of new lines underground.

There were no further questions, and Mr. Lawrence closed this hearing by announcing that another hearing will be conducted at the August 12 meeting of the Board.

Ms. Wiseman made motion that the franchise agreement and master cable ordinance be ratified as drafted. Mrs. Ball seconded the motion, and it was approved. However, Council agreed that this is preliminary action, and will be heard again on August 12.

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**Presentation – Blowing Rock Arts and History Museum Lease Proposal**

Mr. Wellborn Alexander was present on behalf of the Blowing Rock Arts and History Museum (BRAHM) to ask Council consideration of a long-term lease of a portion of the Tiller/Lane property. Mr. Alexander submitted a draft lease, which would allow BRAHM to construct a museum on a 7,000 square foot tract of the parcel adjacent to the Edgewood Cottage site. They proposed an initial land lease of fifty years, with renewal options for an additional thirty-year period. Mr. Wray questioned whether the lease could add a completion date for construction of the museum. Mr. Alexander replied in the affirmative. Ms. Wiseman stated that she believes the Town should partner with cultural organizations for this type of project, however she has some concerns about the long term of the proposed contract. She feels that the Town may need some of the parcel for other uses. Mr. Alexander replied that BRAHM needs a reasonable time frame for their use of the property.

By motion of Mr. Tester, second by Mr. Lentz, Council voted unanimously to call for a public hearing on this matter for the August 12 meeting.

## **Old Business**

### **1. Town Center District – Extension of Moratorium on Construction**

Mr. Hildebran advised Council that the moratorium on construction in the Central Business District will expire on July 11, 2003. Another Town Center public meeting is scheduled for July 22. In addition, Council will hold a joint meeting with the Planning Board on August 12 to discuss creation of a Town Center District. Mr. Lentz made a motion that the moratorium be extended for an additional sixty days. Mrs. Ball seconded the motion, and it was unanimously approved.

## **New Business**

### **1. Authorization to Demolish Old Fire Training Building**

Mr. Hildebran advised that staff requests authorization to remove the old Fire Training Building located next to the Water Treatment Plant. The structure was the first water treatment plant, and had been used in recent years by the Fire Department for controlled burns. However, now it is used only for storage and the contents can be moved to the vacated Recycling Building. Council concurred with the request, and upon motion of Ms. Wiseman, seconded by Mrs. Ball, voted unanimously to allow the building to be razed.

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### **2. Authorization of Contract with B & F Consulting (ITRE) – Pavement Survey**

Mr. Hildebran advised Council of a proposed contract with B & F Consulting, Inc. to perform a pavement survey of Town streets. The study would rate each street based on various engineering conditions and provide ratings of pavement quality. Council allocated funds for the study in the current year budget, and staff requests authorization to contract with B & F for the survey. Mr. Lentz made motion that this action be approved. Mrs. Ball seconded the motion, and all members voted in favor.

### **3. Authorization of 4<sup>th</sup> Annual Mayview Madness 5K Run**

High Country Conservancy requested that Council approve the scheduling of their annual Mayview Madness road race on Saturday, November 1, 2003. The 3.1 mile race begins at 8:00 a.m. at Blowing Rock School, continues through the Mayview area, and concludes at Memorial Park. Mr. Tester moved that this request be approved. Ms. Wiseman seconded the motion, and all members voted unanimously to agree.

### **4. Departmental Reports**

Engineer Marion Rothrock provided progress reports for major projects. He advised that construction of the South Main Street sidewalk will begin as soon as Johnny Lentz can work it into his schedule. The rehabilitation of the sewer line from the Mayview Lift Station will begin this week.

Mr. Lentz asked that Johnny block the old steps off the historic Chestnut walkway to prevent injury to walkers who cannot see the exits at night.

Mr. Wray stated that the error in the spelling of Jule Tate on the bronze plaque on the Veterans Monument in the Park still has not been corrected. Last summer, Council had authorized funds to have the plaque repaired, but staff has not been able to find a company that can correct the inscription without replacing the plaque. Johnny Lentz estimates that the cost to replace it will be \$2,500. Upon motion of Ms. Wiseman, second by Mrs. Ball, Council voted unanimously to appropriate the funds to replace the plaque.

Mr. Tester inquired about the status of the Comprehensive Plan. Kevin Rothrock explained that the Planning Board had completed the review of the entire updated draft at the June meeting. The next step is to send it to High Country Council of Governments for assistance in editing and preparing a list of action agendas for the next 10 –15 years. Mr. Tester asked that the plans for a Town Center District be reflected in the work and review of the Comprehensive Plan.

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### **Citizen Queries/Comments**

Mayor Lawrence recognized Mr. Ron Tharpe to address the gathering. Mr. Tharpe stated that the Town needs to find a way to enforce the noise ordinance. He has lost revenue from guests checking out early from his inn because of noise from a nearby restaurant. He commended the Police Department for their co-operation, but he would like for them to check customers for DWI or underage drinking. Mr. Hildebran replied that staff is working on this problem: the Planning Board had discussed this issue at their last meeting and staff is researching decibel levels and existing ordinances used by other towns. Council members discussed enforcement issues at length, including whether the Town can regulate restaurant closing times. Mr. Moseley believes that the Town cannot enforce ordinances that conflict with North Carolina ABC statutes. Mr. Hildebran advised that he anticipates a draft ordinance to be submitted to Council for their consideration within 60 days.

Ms. Wiseman assured Mr. Tharpe that Town staff is working on the problem, and Council members requested Chief Tolbert to continue quick response times for incoming complaint calls.

### **Adjournment**

There was no further business, and upon motion of Mr. Wray, second by Ms. Wiseman, Mr. Lawrence adjourned the meeting at 7:55 p.m.

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J.B. Lawrence, Mayor

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Barbara G. Beach, Town Clerk