

## **REVISIONS IN RED**

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

**Tuesday, March 9, 2004**

The Mayor and Board of Commissioners for the Town of Blowing Rock met in regular session on Tuesday, March 9, 2004 at 7:00 p.m. Present were Mayor J. B. Lawrence, Commissioners Barbara Ball, Terry Lentz, Keith Tester, Rita Wiseman, and David Wray. 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 Police Chief Owen Tolbert, Planning Director Kevin Rothrock, Building Inspector John Warren, and Director of Public Works Johnny Lentz.

#### **Call to Order**

Mayor Lawrence called the meeting to order and welcomed the assembled citizens.

#### **Presentation: Volunteer Board Members – Service Awards**

Mayor Lawrence recognized Barbara Wright, Paul Peterson, and Ron Oberle for their years of service to the Planning Board and presented each one with a plaque and words of appreciation in honor of their dedication to the betterment of the Town. Ms. Wright and Mr. Peterson are retiring from the Board and Mr. Oberle will join the Board of Adjustment.

#### **Approval of Minutes**

Upon motion of Mrs. Ball, second by Ms. Wiseman, Council voted unanimously to approve the minutes as presented for the meetings held on February 9, February 10, February 23 and February 24, 2004.

#### **Public Hearings**

##### **1. Town Comprehensive Plan – Resolution No. 2004-02**

Mayor Lawrence opened a public hearing to consider the final draft of the 2004 Comprehensive Plan. Kevin Rothrock reviewed the highlights of the plan as drafted. Members of the Council commended Mr. Rothrock for his good work in completion of the project. Mr. Rothrock expressed appreciation to the Planning Board members for the many hours they have spent working on the Plan.

Wayne Green asked about the removal of cluster subdivisions from allowable uses in the Town Code, and questioned the inclusion of ETJ in the Comprehensive Plan. He also suggested that Council make the Planning Board the permit granting authority for conditional use permits. Mayor Lawrence responded that the Council is the elected body,

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#### **Comprehensive Plan Continued**

not the Planning Board, and "the buck stops here." There were no other public comments, and Mayor Lawrence closed the public hearing.

Mr. Tester suggested the following changes to the draft.

1. Add road numbers to the corporate limits map on page 1
2. Add the word "annually" to 1.E.9. to mandate the annual **review and updating of the landscape and beautification plans.**
3. In section 1.H.3, add the words "land use" to the phrase "current standards" and delete the words "cluster development" in this section and in other sections where it appears
4. In Chapter 2. Preservation of the Natural Environment, remove the word "its" from the introductory paragraph
5. In Chapter 8, Action Plan, add the words "shall meet annually" to direct a yearly meeting of the Planning Board and Town Council to review the checklist of accomplishments. Also, the policy and action statements will be separated, and the third paragraph will be deleted

After discussion, Mr. Tester moved that Resolution Number 2004-02 be approved to adopt the draft Comprehensive Plan with revisions as shown above. Ms. Wiseman seconded the motion, and all members voted in the affirmative.

*2004 Comprehensive Plan Attached as Exhibit A*

## **2. Family/Dwelling Unit Definition & Occupancy Controls – Ordinance No. 2004-03**

Mr. Rothrock reviewed a staff memo concerning a draft amendment to the Code that would define "family" and regulate the number of unrelated persons in single family zones. Mayor Lawrence opened a public hearing to receive comment concerning this topic. No one rose to speak to the issue, and upon motion of Ms. Wiseman, second by Mr. Wray, the public hearing was closed.

However, Council members raised several questions concerning unrelated visitors, enforcement, and number of violations. Mr. Lentz thought it was wise to table this matter in view of the small number of problems experienced by the Town. Mr. Wray made a motion to table this agenda item. Mr. Lentz seconded the motion, and it was unanimously approved.

## **3. Commercial Design Standards – Multi-family/Institutional Ord. No. 2004-04**

Mayor Lawrence opened a public hearing for consideration of a draft ordinance that would apply commercial design standards to all new non-single-family development or re-development. Kevin Rothrock reviewed the staff report regarding the background

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## **Commercial Design Standards Continued**

information and Planning Board recommendations.

**Wayne Green commended staff on their work with revising this section of the Town Code, but suggested more work was necessary to include townhouse development.**

Mr. Rothrock suggested that another statement be added to the draft to further clarify the ordinance to apply it to "duplexes, townhouses, condominiums, multi-family apartments, commercial buildings, industrial buildings, churches, schools, hospital buildings, and all other buildings not specifically designed and used for non-single family dwellings, and accessory buildings associated with these types of non-single family developments."

There were no comments concerning the draft, and upon motion of Mr. Wray, second by Ms. Wiseman, the public hearing was closed.

Ms. Wiseman made motion that Ordinance number 2004-04 be approved as submitted and then amended with additional language by staff. Mr. Lentz seconded the motion, and it was unanimously ratified.

*Ordinance No. 2004-04 Attached as Exhibit B*

#### **4. FOG (Fats, Oils, & Grease) Ordinance No. 2004-05**

Mr. Hildebran introduced a draft ordinance that would require all commercial and institutional food service establishments to install and maintain grease traps or interceptors to control the introduction of fats, oils and greases into the sanitary sewer system. Mayor Lawrence opened a public hearing to receive comment concerning the draft. There was no citizen input into the matter, and the public hearing was closed.

Upon motion of Mr. Wray, second by Mrs. Ball, Council members voted to approve the ordinance as presented.

*Ordinance No. 2004-05 Attached as Exhibit C*

#### **5. Cross Connection/Backflow Ordinance Number 2004-06**

Mr. Hildebran reviewed an amendment to the Code that would require all water customers to install a backflow prevention device to eliminate cross connections and the possibility of contamination. This will bring our system into compliance with NC Department of Environment, Health and Natural Resources regulations to eliminate the unintentional introduction of contaminants into the public water supply system. Mayor Lawrence opened a public hearing to provide opportunity for comment on the proposal. No one rose to speak to the issue, and the public hearing was closed.

Mr. Tester made motion that the draft ordinance be ratified as submitted. Mr. Wray seconded the motion, and the vote was called. All members voted to approve the motion.

*Ordinance No. 2004-06 Attached as Exhibit D*

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### **New Business**

#### **1. Surplus Vehicles/Equipment – Resolution No. 2004-03**

Mr. Hildebran reported that the Town has four used vehicles and a leaf machine to declare as surplus property. He proposed selling these by the informal procedure of sealed bids later this month. Ms. Wiseman moved that Resolution number 2004-03 be approved as drafted to allow the Town Manager to receive sealed bids for this surplus equipment. Mr. Tester seconded the motion, which was unanimously approved.

*Resolution No. 2004-03 Attached as Exhibit E*

#### **2. Budget Amendments – Ordinance No. 2004-07**

Mrs. Beach requested consideration of budget amendments to account for GIS project costs, demolition/removal of Edmisten Road Building and insurance reimbursement.

**GIS.** The proposed budget amendment will fund the continuation of the GIS project, estimated at \$20,000.

**Demolition of Foreman Building.** At the February 10 Council meeting, an ordinance was approved to authorize demolition of the structure located at the intersection of US Highway 321 and Edmisten Road. Though the cost will be billed to the owner, the Town must pay the expenses up front. The estimated expenditure is \$7,000.

**Water Plant Damages.** A claim has been filed with our insurance company for reimbursement of costs associated with the power outage/flooding problems at the water plant on October 15, 2003. We expect all the expense of \$20,388.38 will be covered except the \$500 deductible, which will be billed back to us.

The total of these three items is \$27,500. The proposed budget amendment would take this amount from fund balances in the applicable funds (General Fund or Water Fund) and pay back those line items from future year(s) budgets. Upon motion of Mr. Lentz, second by Mrs. Ball, Council voted unanimously to approve the budget amendment as shown.

DEBIT CREDIT

10-4350-500 Planning Dept. Capital Outlay \$27,000

10-3400-399 Fund Balance Appropriated \$27,000

30-7120-016 Water Plant Maintenance/Repair \$ 500

30-3400-399 Fund Balance Appropriated \$ 500

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## **Closing Remarks and Adjournment**

Mayor Lawrence announced the conclusion of the regular agenda, and inquired if any members had questions or comments concerning departmental reports. Mr. Lawrence expressed appreciation to Johnny Lentz and his crew for their hard work this winter in keeping streets and roads clear of snow and ice.

Ms. Wiseman noted that our local ABC store is the second most profitable store (profit percentage to sales for boards with mixed beverages), in the state and commended Chairman Bob Hess for his work.

Mr. Hildebran noted that Sonya Long has been re-elected as president of the Women's Club. Mr. Lawrence responded that he has heard positive feedback from citizens about the Town's website, and Sonya is responsible for the maintenance of the site.

Mr. Hildebran also reported that he had received a letter from BREMCO announcing their plan to begin trimming overgrowth from the right of way beneath power lines in the Town this month. They have hired a certified arborist to inspect all the rights of way in Blowing Rock and meet with or talk personally with each property owner where excessive clearing is required.

There was no further business, and Mayor 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