

# MINUTES

## Town of Blowing Rock

### Board of Commissioners

December 13, 2005

The Town of Blowing Rock Board of Commissioners held their regular meeting on Tuesday, December 13, 2005 in the Town Hall Council Chambers. Present at the meeting were Mayor J.B. Lawrence, Commissioners Bobby Ball, Keith Tester, Terry Lentz, Rita Wiseman, David Wray and Tommy Klutz. Others attending were Town Manager Scott Hildebran, Town Engineer Doug Chapman, Town Attorney Allen Moseley, Public Works Director Johnny Lentz, Planning Director Kevin Rothrock, Building Inspector John Warren, Parks & Recreation Director Jennifer Gore and Town Clerk Sharon Greene.

#### Call to Order

Mayor Lawrence called the meeting to order at 7:00 p.m. and welcomed those in attendance.

#### Approval of Minutes

Upon a motion from Commissioner Wiseman, the minutes for meetings held on November 7<sup>th</sup>, November 18<sup>th</sup> and December 1<sup>st</sup>, 2005 were approved as written, seconded by Commissioner Wray. Unanimously approved.

#### Oath of Office

At this time Mayor Lawrence was given the Oath of Office by the Town Clerk. Newly elected Commissioner Tommy Klutz, along with Commissioners Barbara Ball and Keith Tester were given their Oath of Office by Mayor Lawrence (**Lawrence, Ball, Tester and Klutz-Oath of Office-Exhibit A**).

Mayor Lawrence congratulated Mr. Klutz and presented a plaque of appreciation to out-going Commissioner David Wray.

#### Selection of Mayor Pro-tem

Upon reconvening the meeting, Mayor Lawrence asked Council to elect a Mayor Pro-tem. Council unanimously voted Commissioner Lentz as the Mayor Pro-tem.

## **NEW BUSINESS**

### **1. Big Box Development – 6-Month Moratorium (Resolution #2005-01)**

Planning Director Kevin Rothrock presented a draft resolution to Council for their consideration. Mr. Rothrock stated the Planing Board and zoning subcommittee were currently reviewing developmental standards for large-scale (big box development) from other communities in North Carolina. The planning board made a recommendation that Council enact a six-month moratorium on any commercial retail building 20,000 square feet or greater.

Commissioner Lentz inquired if Mr. Rothrock anticipated any commercial retail building to take place in the near future. Mr. Rothrock replied that at the present time he did not. Commissioner Lentz stated the town was in the process of building a large building to accommodate the Emergency Services departments, and he felt it would be unfair to other property owners to impose a six-month moratorium. Mr. Lentz felt at the present time, there was no need to rush.

Commissioner Wiseman reiterated that she felt it was important for the Planing Board to study the moratorium issue and to look at density versus green space, and she was in favor of a moratorium in the interim. Commissioner Wiseman also stated the proposed emergency services building was a beautiful building that did no fit in the “big box” category.

Commissioner Klutz was in agreement with Commissioner Lentz stating the Town had high design standards and property owners should be able to build on their property.

After further discussion, Council requested that Mr. Rothrock go back to the Planning Board with the recommendation that they study the moratorium issue further and gather as much information as possible for their review in the near future.

### **2. FY 2005-06 Audit – Contract**

Town Manager Hildebran presented the FY 2005-06 Audit contract from Billy G. Combs, P.C. Mr. Hildebran stated the contract would remain unchanged from FY 2004-05 and would not exceed \$18,500, which would include GASB #34 auditing standards.

Upon a motion from Commissioner Wiseman, seconded by Commissioner Ball, Council unanimously voted to accept the contract as presented (**FY 2005-06 Audit Contract- Exhibit B**).

### **3. Watauga County FY 2006 CDBG Scattered Site Housing Program**

Town Manager Hildebran presented Council with a municipality certification to participate in the FY 2006 Watauga County Scattered Site Housing Program to assist low and moderate income homeowners.

Mr. Hildebran stated that Watauga County was eligible to apply for up to \$400,000 in funding from the N.C. Division of Community Assistance (via Community Development Block Grant funds) to provide housing repair assistance for homeowners within the county.

Mr. Hildebran also informed Council that Planning Director Kevin Rothrock had agreed to serve as staff representative on the Watauga County Housing Advisory/Selection Committee. He stated that the High Country Council of Governments would be administering the program.

Commissioner Tester made a motion in favor of the Town participating in the program, seconded by Commissioner Ball. Unanimously approved. (**Watauga County FY 2006 CDBG Scattered Housing Certification-Exhibit C**).

### **4. Surplus Real Property – Upset Bid Process (Resolution #2005-12)**

Next item presented to Council for their consideration was Resolution #2005-12 declaring a 0.23000000417 acre parcel of town property, located on Hidden Waters Street, to be surplus and authorizing it to be sold using the upset bid process.

Town Manager stated the town had received an offer to purchase the parcel from Mr. Ernest C. Williams, Sr. Mr. Williams approached Town Manager Hildebran after a recent survey showing the property belonged to the town instead of being part of his property as he had originally thought.

According to Town Manager Hildebran, the parcel in question does not have access to public sewer and the Watauga County Health Department stated the parcel did not meet the minimum standards for septic tank permitting because of its limited size, setback requirements and topography.

The 2000 Watauga County tax valuation of the property was assessed at \$4,100. At the town's request, Watauga County Appraisal Director William Tester analyzed the market value of the property and placed a current value at approximately \$10,000 for use as a residual lot.

Mr. Hildebran informed Council that an offer of \$11,000 and a bid deposit of \$550 had been received from Mr. Williams. He also stated that North Carolina General Statute 160A-269 authorizes the sale of real property via the upset bid process, which begins when the Town receives an offer to purchase town property and it is reported to the Town Council.

After Mr. Hildebran's presentation, Mr. O. Wayne Green stated it would be difficult to deny a variance for setbacks on the property in question. He also inquired if the property was part of the "Emily Prudden" property that the town acquired many years ago, and if so, the deed states the property could not be sold.

Town Manager Hildebran stated, according to the deed he read, there was no statement to that effect.

Public Works Director Johnny Lentz stated he also did not think the property in question was a part of the "old Prudden" property.

Commissioner Lentz asked if the town would have any use for the property. Town Manager Hildebran replied he felt they did not.

Commissioner Lentz entertained a motion to begin the upset bid process, seconded by Commissioner Ball. Unanimously approved. **(Resolution #2005-12 – Exhibit D)**

### **Speakers from the Floor**

None

### **Departmental Issues**

Commissioner Wiseman commended the Parks & Recreation Department, the Town crew, as well as the citizens of Blowing Rock, on the outstanding Christmas decorations.

**Adjournment**

There being no further business to discuss, Mayor Lawrence adjourned the meeting at 7:40 p.m. extending wishes to everyone for a Merry Christmas.

**Mayor** \_\_\_\_\_

**J.B. Lawrence**

**Attest:** \_\_\_\_\_

**Sharon H. Greene, Town Clerk**