

MINUTES

Town of Blowing Rock

Board of Commissioners

The Town of Blowing Rock Board of Commissioners met in regular session on Tuesday, October 10, 2006 at 7:00 p.m. in the Town Hall Council Chambers. Present were Mayor J.B. Lawrence, Commissioners Keith Tester, Terry Lentz, Rita Wiseman and Tommy Klutz. Others in attendance were Town Manager Scott Hildebran, Town Attorney Allen Moseley, Town Engineer Doug Chapman, Police Chief Owen Tolbert, Police Chief Designate Eric Brown, Public Works Assistant Director Mike Wilcox, Planning Director Kevin Rothrock, Emergency Services Director Kent Graham, Parks & Recreation Director Jennifer Brown, Building Inspector Jesse Horner, Finance Director Margaret Pierce and Town Clerk Sharon Greene.

Call to Order

Mayor Lawrence called the meeting to order at 7:00 p.m. and announced that Commissioner Ball was out of town and unable to attend the meeting.

Approval of Minutes

Upon a motion received from Commissioner Tester, seconded by Commissioner Wiseman, the minutes for the September 12, 2006 meeting were approved as written. Unanimously approved.

Public Hearings:

1. Code Amendment – Residential Driveway Definition (Ordinance #2006-06)

This issue was tabled by Council during the September 2006 meeting for further review by staff.

Planning Director Kevin Rothrock presented Council with a revised draft ordinance for their review clarifying the standards for shared driveways. The standards specified that driveways may be shared between two lots to limit land disturbance and provide access to existing lots that might otherwise be

“landlocked”. The standards also required that shared driveways 75 feet in length and greater would have to be 18 feet wide and could not exceed 18% grade.

Mr. Rothrock stated that he and Town Engineer Doug Chapman had measured the slope of numerous driveways throughout town and they suggested that the maximum grade for the first 20 feet of driveway be limited to 12%. This transition would allow a leveling-off area, which is needed during inclement weather, and would minimize damage to town streets and vehicles. It was also their recommendation that the maximum grade for the remaining portion of the driveway be limited to 20% with the exception of shared driveways that are limited to 18% grade.

Council was presented with several photographs of driveways labeled with the approximate existing grade.

Commissioner Lentz commended Mr. Rothrock on the work that had been done regarding Council’s request during the September meeting regarding this issue.

Mayor Lawrence opened the public hearing. After receiving no comments, a motion to close the public hearing was made by Commissioner Lentz, seconded by Commissioner Tester. Unanimously approved. Commissioner Wiseman then made a motion to accept Ordinance # 2006-06 as presented, seconded by Commissioner Lentz. Unanimously approved. **Ordinance # 2006-06 Clarifying shared Driveway Standards and Driveway Grades in the Land Use Ordinance – Exhibit A**

2. Glenmoore Subdivision – Annexation Ordinance #2006-07

Council received a petition for annexation from Mr. Kevin Donovan during the September 2006 meeting. With this action, the annexation process was initiated. Planning Director Rothrock presented Council with an annexation ordinance, which included a metes and bounds description of the property boundaries and a corresponding map. Mr. Rothrock stated if Council chose to approve the annexation ordinance, the annexation would become effective immediately.

Mayor Lawrence opened the public hearing. After receiving no comments, a motion to close the public hearing was made by Commissioner Lentz, seconded by Commissioner Tester. Unanimously approved. Commissioner Lentz then made a motion to approve Annexation Ordinance #2006-07 as presented, seconded by Commissioner Tester. Unanimously approved. **Ordinance #2006-07 –Exhibit B**

3. Code Amendment – Open Burning & Special Waste Collections (Ordinance #2006-08)

During the September meeting, Council asked staff to prepare a draft ordinance to prohibit open burning in the Town limits. Planning Director Rothrock presented Council with a draft ordinance amending Chapter 12 in the Town Code to follow the Chapter 15A of the North Carolina Administrative Code. Mr. Rothrock also advised that Section 1903, Subsection (b) of the North Carolina Administrative Code provided standards for open burning stating a condition of allowable open burning is that public pick-up service not be available. He also advised the Town provided annual public pick-up of large bulky items (white goods and furniture) and brush. Leaves are picked up by the Town between November 1st and April 1st. Therefore, according to Section 1903, open burning is not allowed.

The draft ordinance would also amend Chapter 11 to provide an additional fee-based waste collection on a request basis. The Public Works Department would make every effort to pick-up the waste items within 72 hours. The draft ordinance would also specify that the Town would not collect tree trimmings and brush generated by landscape services and tree trimming contractors, the owner would be responsible for the removal of brush from these contracted activities.

Mayor Lawrence opened the public hearing. After receiving no comments, Commissioner Wiseman made a motion to close the public hearing, seconded by Commissioner Tester. A motion to adopt Ordinance #2006-08 was made by Commissioner Tester, a second was received from Commissioner Wiseman. Unanimously approved. **Ordinance #2006-08 Opening Burning & Special Waste Collections – Attached as Exhibit C**

Commissioner Lentz requested that this change be placed in the local newspaper so residents would be aware of the new ordinance. He also inquired about the amount of fines for those who did not abide by the new ordinance. Planning Director Rothrock stated the fine would be \$100. Commissioner Klutz asked that several consecutive notices be placed into the newspaper. Mayor Lawrence inquired if a grace period would be given, or a warning, for people that were not aware of the change. Mr. Rothrock stated that no further burning permits would be issued, so therefore no one should be burning inside the city limits. Emergency Services Director Kent Graham stated there were some permits already issued that should be honored. Town Manager Hildebran stated these permits would be grandfathered in since they were issued prior to the change.

Commissioner Klutz asked if residents would receive a warning citation since the Town is recommending that pick-ups happen within 72 hours. Town Manager Hildebran stated that historically the Town had made pick-ups on rainy days, so crews would not have to be pulled from another job. He also stated that residents would be charged only if they required immediate pick-up instead of waiting until the Public Works Department could accommodate them.

Commissioner Lentz asked how things would be handled for offenders after 4:00 p.m. Town Manager Hildebran, as well as Emergency Services Director Kent Graham advised this would not be significant to the Town now, only to permits issued outside the Town limits. Town Manager Hildebran stated the Town would be following state law and there were some exceptions to the law such as campfires, bonfires, etc.

Town resident Ginny Stevens asked if the \$100 fine was a one time fee or would be charged per occurrence. Mr. Rothrock stated the fine would in fact be per occurrence.

Old Business

1. Edgewood Cottage Restoration Project

Planning Director Rothrock stated in September an update on the progress of the restoration of the Edgewood Cottage was given to Council. He said within the last month, the NC Department of Insurance (NCDOT) had approved plans for the building. After staff reviewed the plans and a permit for the building foundation was issued, new discussions began on options for the placement of the building were needed. During a meeting between the Town Historical Society, and the Blowing Rock Art & History Museum it was decided that the building be turned back into its original alignment and moved south 5 feet to the original footprint.

Mr. Rothrock stated that Blowing Rock Historical Society representative Ginny Stevens and Project Architect Don Yelverton were present for any questions Council had regarding the project.

Mr. Yelverton spoke regarding the elevation and site plans that were given to Council for their review. He also discussed some of the materials that were planned for the cottage, such as using wood shingles on the outside if the budget allowed, stating this would bring the cottage back to its original state.

Mrs. Stevens advised that they hoped to have the building in place in the next 3 weeks or so. She also advised that some of the original windows were found and were planned to be reused, which would also add to the original state of the cottage when Elliott Dangerfield resided there. Commissioner Wiseman asked if wood shingles were allowed in this district. Mr. Yelverton stated according to NCDOT, as long as there was no increase in fire hazard wood shingles would be allowed.

Commissioner Wiseman made a motion to accept the placement of the cottage as presented, as well as the acceptance of the materials discussed. The motion received a second from Commissioner Lentz. Unanimously approved. **Proposed Elevation and Site Plans – Attached as Exhibit D & E**

New Business

1. **2007 Blowing Rock Winterfest**

Town Manager Hildebran presented Council with a request from the 2007 Winterfest Committee asking for the use of Town facilities during some events which would be held on January 25-28, 2007. He also stated that Winterfest representative Earl Horne was present to answer any questions Council had regarding this issue.

Mr. Horne spoke of a new event that was planned for Winterfest 2007, the Frosty 5K Road Race. He introduced Ms. Tamara Holshouser coordinator for the event. Ms. Holshouser stated she hoped this new event would meet Council's approval, because she felt it would be a popular addition to Winterfest and raise money for a non-profit organization. The proposed route was discussed briefly. Town Manager Hildebran stated approval from the NCDOT would be needed before the route could be approved by the Town. Ms. Holshouser stated they would come back before Council at next months meeting with a formal request.

Commissioner Wiseman asked if the Police Department had any input regarding this request. Sergeant Eric Brown stated that as long as NCDOT approved the proposed route, the police department would work with the coordinators of the proposed road race.

Commissioner Tester made a motion to approve the 2007 Winterfest request for the use of Town facilities and proposed dates that were presented, seconded by Commissioner Lentz. Unanimously approved.

2. **Ice House Building Lease Request- John Aldridge**

Mr. Aldridge asked that his request be withdrawn.

Town Manager Hildebran advised the current tenants (The Blowing Rock Stage Co.) had requested their lease be extended for another year, stating they would like to continue the use of the Ice House for another summer.

Commissioner Wiseman, seconded by Commissioner Lentz made a motion to extend the current lease for another year to the Blowing Rock Stage Company. **Blowing Rock Stage Company Lease – Attached as Exhibit F**

Speakers from the Floor

Mr. Alex Popper a resident of Misty Mountain located approximately 5 miles outside the town limits of Blowing Rock approached Council with his concerns regarding a new development proposed on the Old Johns River Road. Mr. Popper was concerned a project of this magnitude would be detrimental to the Town. He felt since the proposed project would be located in Caldwell County the Town would not benefit from it with regards to property tax income.

Mayor Lawrence sympathized with Mr. Popper regarding his concerns and advised him of a meeting to be held on Sunday, October 15, 2006 at Chetola Resort by the developer of this project for residents of the area. Emergency Services Director Kent Graham advised that the Blowing Rock Rescue Squad, as well as the Blowing Rock Volunteer Fire Department, received compensation via a contract with Caldwell County for their share of the Rescue and Fire Taxes collected by Caldwell County for the areas located within their fire district.

Town Manager Hildebran clarified this was not a contract with the Town of Blowing Rock, but with the volunteer departments.

Mayor Lawrence offered his congratulations to in-coming Police Chief Eric Brown, stating with the retirement of current Police Chief Owen Tolbert, Mr. Brown's new position would be effective December 1, 2006.

Adjournment

There being no further business to discuss, the meeting was adjourned at 7:45 p.m.

MAYOR _____

J.B. Lawrence

Attest: _____

Sharon Greene, CMC