

## **MINUTES**

### **Town of Blowing Rock**

### **Board of Commissioners**

The Town of Blowing Rock Board of Commissioners met in regular session on Tuesday, February 13, 2007 in the Town Hall Council Chambers. Present were Mayor Pro-tem Terry Lentz, Commissioners Bobby Ball, Keith Tester, Rita Wiseman and Tommy Klutz. Mayor Lawrence was out of town and unable to attend. Others in attendance were Town Manager Scott Hildebran, Town Attorney Allen Moseley, Town Engineer Doug Chapman, Town Planning Director Kevin Rothrock, Public Works Director Johnny Lentz, Police Chief Eric Brown, Building Inspector Jesse Horner, Finance Officer Margaret Pierce, Parks & Recreation Representative Tom Shelley, Emergency Services Director Kent Graham and Town Clerk Sharon Greene.

#### **Call to Order**

Mayor Pro-tem called the meeting to order at 7:00 p.m. and welcomed those attending.

#### **Approval of Minutes**

A motion was given by Commissioner Wiseman to approve the minutes for meetings held on January 9, 2007 and January 15-16, 2007 with the following corrections; Ms. Wiseman asked that further clarification be given in paragraph 3, page 6 of the January 9<sup>th</sup> minutes. She felt the sentence should read "Commissioner Tester asked if the total anticipated cost would get everything for the pool area included in the 2005 Parks & Recreation Master Plan". She also asked that a correction to the January 15-16, 2007 minutes be made on page 4 under Public Works the third line should read "Consider Equipment Replacement in FY 2007-08 budget process". The motion received a second from Commissioner Tester. Unanimously approved.

#### **Presentation**

Mayor Pro-tem Lentz asked that Parks & Recreation Representative Tom Shelley step forward to receive an award from the Blowing Rock Chamber of Commerce recognizing the Town for their beautiful Christmas decorations this past season. Mayor Pro-tem Lentz and members of Council felt it was most appropriate for the award to be presented to Mr. Shelley commending him and other employees of the town for their hard work in putting up the decorations.

Mayor Pro-tem Lentz, on behalf of Mayor Lawrence and Town Council presented a *Proclamation Honoring The Appalachian State University Football Team 2006 NCAA Football Championship Series National Champion* to Chancellor Ken Peacock, Athletic Director Charlie Cobb, and ASU Board of Trustees member Jeannine Underdown Collins. TDA Director Tracy Brown read the Proclamation. Chancellor Peacock thanked the citizens of Blowing Rock and the Town for their support shown during this exciting time. He spoke of the true Appalachian spirit and great support system found in the Blowing Rock community by coming to the games, supporting other ASU events, donating to the scholarship fund, etc. and how the football team feels that support. Chancellor Peacock felt that citizens of Blowing Rock should share in the pride that ASU has for achieving this great victory. He commended the ASU players stating what a phenomenal team they were and stated the ASU basketball team was following suit. Chancellor Peacock stated that he wanted to come back for a third time next year, stating others had won back-to-back but never a third time, stating that ASU set their goals high and with continued support it could happen. He thanked the Town for recognizing ASU once again with this special proclamation.

Athletic Director Charlie Cobb also thanked everyone for their support and for coming out to the games. He stated there was a lot of hard work for the football team in order to win 27 home games in a row. He also stated there were eleven different colleges coming to ASU for a visit over the next several weeks wanting to know how ASU had achieved such phenomenal success.

Mr. Cobb also commended Coach Jerry Moore for winning the National Coach of the Year award for the second year in a row. Mr. Cobb expressed his gratitude for Coach Moore and what he has meant to ASU and to the students in his 45 year coaching career.

At this time, Mayor Pro-tem Lentz called for a short break so that group photographs could be taken. **Appalachian State University 2006 NCAA Football National Champions Proclamation attached as Exhibit A**

## **Appointments**

Town Manager Scott Hildebran presented Council with appointments to various town boards based on discussions during the 2007 Council Retreat. The following appointments were proposed:

- **Planning Board (Appointments Effective March 2007 meeting)**
  - Jim Steele, reappoint to a three-year term ending 2010
  - Doug Drury, appoint to a three-year term ending in 2010
  - Ada Webster, appoint to a three-year term ending 2010

- **Board of Adjustments (Appointments Effective March 2007 meeting)**
  - Mark Klein, reappoint to a three-year term ending 2010
  - Annie Whatley, reappoint to a three-year term ending 2010
  - David Harwood, appoint to a three-year term ending 2010 (Alternate)
  - Tim Ford, appoint to unexpired term ending 2009 (Alternate)
  
- **ABC Board (Appointment Effective July 2007)**
  - Robert Miller, reappoint to a three-year term ending in 2010  
(Chairperson)
  
- **TDA Board (Appointments Effective March 2007)**
  - Kent Tarbutton, reappoint to a three-year term ending 2010 (Lodging)
  - Bernie Keele, reappoint to a three-year term ending 2010 (Business/Tourism Related) and reappoint as Chairperson for a one-year term

Commissioner Tester made a motion to accept the proposed appointments, seconded by Commissioner Ball. Unanimously approved.

## **OLD BUSINESS**

### **1. Edgewood Cottage Restoration Project – Update**

Town Manager Hildebran stated that pursuant to Council's request, the Blowing Rock Historical Society was in attendance to provide a report on the Edgewood Cottage Restoration Project. He stated that Council had informational letters on the status of the project for their review and that Mrs. Ginny Stevens, representing the Blowing Rock Historical Society, and Mr. Ron Funk, Project Manager were present to answer any questions Council might have with regard to the project.

Mrs. Stevens informed Council that the cottage was back in its original location and a dismantling permit had been acquired. The reasoning for the dismantling permit was due to the building being a boxboard building which was appropriate for the year 1890, the year in which it was built. She stated the cottage

would be taken down floor by floor, saving all usable materials, so a further assessment could be done. She also stated that a new architect had been hired to work with the Historical Society and with Boone Construction Company on the project. Mrs. Stevens also advised the Town Building Inspector Jesse Horner and Planning Director Kevin Rothrock were closely involved with their plans for the building. Mrs. Stevens spoke of several things that needed to be done to enhance the cottage for safety purposes and that the Historical Society would continue working towards replicating Edgewood Cottage as close to its original state as it could be.

Commissioner Tester asked if the Historical Society had any type of time schedule regarding their plans for the cottage. Mrs. Stevens asked Mr. Funk to answer that question. Mr. Funk informed Council they were close to having a definite time, but there were some other issues to work through. He felt that they had made sound decisions with regard to cost and time, as well as safety issues. He felt possibly in the next two weeks completed drawings for the cottage could be available. Mr. Funk also thanked the Town for their patience during this project.

Commissioner Tester also inquired about funding for the project. Mrs. Stevens stated that some over-embellishments that were originally planned for the building had been changed. She stated the Historical Society was time and money driven and they had raised almost  $\frac{3}{4}$  of the total cost or approximately \$300,000.00 of the \$400,000 total.

## **2. Resolution of Intent (Resolution #2007-03) Gideon Ridge Area Annexation**

The Town is governed by North Carolina General Statute 160A-45 to 160A-54 when considering and acting on annexations. Before annexing an area the Town must do either of the following:

- Adopt a resolution identifying an area, or areas, as being under consideration for annexation at least one year before a "Resolution of Intent" is adopted; or
- If a Resolution of Consideration is not adopted one year in advance, then the annexation ordinance must go into effect between 1 year and 400 days after the ordinance is adopted.

During the 2005 Planning Retreat, Council directed the planning staff to provide a preliminary report on the feasibility of incorporating the Gideon Ridge area. The High Country Council of Governments assisted staff with background information and annexation procedure options for the proposed area. At the 2006 Planning Retreat, a preliminary annexation report was made available for review by Council. In August 2006, Council adopted a Resolution of Consideration, which initiated further study of the area and established a timeline for the annexation process. In December 2006, the Planning Board discussed the Gideon Ridge area and the potential zoning issues that would need to be resolved as a result of annexation.

Planning Director Rothrock stated the Resolution of Intent was the next step in order to initiate an annexation process for two areas in Gideon Ridge just outside the southeast corner of the Town Limits.

He stated the Resolution would set a date for the public informational meeting on April 2, 2007 and also set a date for the public hearings (Area 1 and Area 2) to be held on May 8, 2007. With the adoption of the resolution, Council would be allowed to initiate the annexation process for these two areas effective June 30, 2008.

With no further discussion, a motion was given by Commissioner Tester to approve Resolution of Intent #2007-03, seconded by Commissioner Ball. Commissioner Wiseman asked if the attached annexation report needed to be adopted also. Mr. Hildebran stated that it would need to be approved. Commissioner Tester amended his original motion to include approval of the Annexation Report, seconded by Commissioner Ball. Unanimously approved. **Resolution of Intent #2007-03 and Annexation Report attached as Exhibit B**

### **3. Personnel Policy Amendment-Longevity/Service Awards/Retirement**

An amendment to the Town Personnel Policy was presented to Council for their consideration. Town Manager Hildebran stated the proposed change to the policy would provide further clarification in the award of longevity pay, years of service bonus and the retirement bonus, also stating the policy would not be retroactive and would be effective immediately following adoption. The following amendments were presented for Council's consideration:

#### **"Town of Blowing Rock**

*Employee Handbook*

#### Section 9.07 Longevity Pay

The Town of Blowing Rock has a longevity pay policy to recognize faithful service of regular employees. The policy provides for a lump sum bonus to be paid annually each November to an employee who qualifies for such bonus based on the following years of service with the Town:

<u>Years of Service</u>	<u>Longevity Bonus*</u>
<b>Less than 1 Year</b>	<b>\$100.00</b>
<b>1 Year, Less than 2 Years</b>	<b>\$200.00</b>
<b>2 Years, Less than 3 Years</b>	<b>\$400.00</b>
<b>3 Years, Less than 4 Years</b>	<b>\$600.00</b>

<b>4 Years, Less than 5 Years</b>	<b>\$800.00</b>
<b>5 Years or Greater</b>	<b>\$1,000.00</b>

\*Longevity Bonus not to exceed \$1,000.00 annually for regular full-time employees.

In order to receive the bonus, an employee must first have the total years of credit required and must have served continuously in a pay status during the year for which the bonus is paid. Employee must be on current payroll to receive a longevity bonus.

Longevity Pay for regular part-time employees (excludes seasonal and temporary employment) is based on the following hours worked during the year for the Town:

<b><u>Number of Hours Worked</u></b>	<b><u>Longevity Bonus*</u></b>
<b>Less than 1,040 per Year</b>	<b>\$50.00</b>
<b>1,040 or Greater per Year</b>	<b>\$100.00</b>

\*Longevity Bonus not to exceed \$100.00 annually for regular part-time employees.

[Section 9.08 Years of Service – Award Bonus](#)

The Town of Blowing Rock has a Years of Service – Award Bonus policy to recognize faithful service of regular full-time employees. The policy provides for a lump sum bonus to be paid to an employee who qualifies for such bonus based on the following years of service with the Town:

<b><u>Years of Service</u></b>	<b><u>Award Bonus</u></b>
<b>15 years</b>	<b>\$250.00</b>
<b>20 years</b>	<b>\$500.00</b>
<b>25 years</b>	<b>\$1000.00</b>

**30 years**

**\$1500.00**

In order to qualify for the bonus, an employee must have served in a full-time capacity with the Town or through full-time contracted service to the Town for the total years required for which the award bonus is paid. The time does not have to be continuous service (i.e., works 3 years with the Town and leaves employment but returns to work an additional 22 years with the Town = 25 years of service). Time bought back from the retirement system will be considered when computing the service bonus. The payment will be made on the anniversary date of employment.

**Section 9.09 Retirement – Award Bonus**

The Town of Blowing Rock has a Retirement Award Bonus policy to honor faithful service of regular full-time employees. The policy provides for a lump sum bonus to be paid to an employee who qualifies for such bonus based on the following:

<b><u>Retirement Status</u></b>	<b><u>Retirement Bonus</u></b>
<b>Service Retirement (Unreduced Benefits)</b>	<b>\$1,000.00</b>
<b>Early Retirement (Reduced Benefits)</b>	<b>\$500.00</b>

Retirement status (service or early) will be determined by the North Carolina Retirement System guidelines.”

A motion was made by Commissioner Wiseman to approve the proposed amendments, seconded by Commissioner Klutz. Unanimously approved.

**3. In-lieu Parking Fee**

Town Manager Hildebran presented Council with a proposed increase in the In-Lieu Parking Fee. On August 9, 2005, Council (based on N.C. General Assembly legislature) adopted an ordinance establishing an off-street parking fund via payment in lieu of providing required parking spaces. The ordinance allowed the town to establish a parking fund to be used to organize, develop, enlarge, and maintain municipal off-street parking facilities in the CB and O-I zoning districts. The ordinance permitted the Town to set forth a fee that would allow developers to forego the construction of parking spaces otherwise required on the developer’s property and contribute towards a fund based on the number of required spaces that cannot be provided on his/her property. Due to the limited amount of

land available in the downtown area, a developer may choose at their option to pay the “in lieu parking fee” in order to provide enough parking to satisfy town code requirements.

During their regular meeting on November 18, 2005, Council approved the initial parking space fee of \$10,000 per space. Town Manager Hildebran stated that according to rough engineering estimates (material cost – concrete/asphalt, storm water detention, etc.) a surface lot would now cost approximately \$6,200 per paved parking space with a deck costing around \$25,000 per paved parking space, both excluding the cost of property. Pursuant to discussion at the 2007 Council Retreat, Council recommended the parking fee be increased to \$15,000 per space to recover some of the initial cost.

Commissioner Wiseman made a motion to accept the recommended increase to \$15,000 per parking space with the understanding that Conditional Use Permits previously executed would remain at the previous \$10,000 per space. Commissioner Ball seconded the motion. Unanimously approved.

## **NEW BUSINESS**

### **1. Mitford Days- Blowing Rock Chamber of Commerce**

Charles Hardin, Executive Director of the Blowing Rock Chamber of Commerce, submitted a request for approval to hold “Mitford Days in Blowing Rock” an event centered round the fictitious book series written by former Blowing Rock resident Jan Karon. The proposed dates would be Wednesday, September 12 through Sunday, September 16, 2007. The Chamber requested the following:

- To hold a parade on Main Street on Saturday, September 15 at 2:00 p.m.
- To use Memorial Park for a Country Fair from 10:00 a.m. to 5:00 p.m. on Saturday, September 15
- To use the gazebo in Memorial Park for a community band on Thursday, September 13

Due to the potential magnitude of the event, town staff encouraged the Chamber to send advance public notice of the scheduled activities to all Blowing Rock property owners and also requested that the Chamber of Commerce coordinate the event with the following town departments:

- Police – traffic, parking, security, logistics
- Emergency Services-medical, logistics
- Parks & Recreation-park facilities (i.e., layout, restrooms, rec building, etc.)
- Public Works-solid waste, traffic cones, logistics



Mr. Hardin stated that originally the TDA had inquired if the Chamber had any new events planned for the future. With this in mind, the Chamber decided to hold "Mitford Days in Blowing Rock". Mr. Hardin stated that September was usually a time that was less busy and would be a good time for this exciting event. After Mr. Hardin and other Chamber members discussed this with Ms. Karon, the Chamber of Commerce decided to hold the event, with the understanding that "Mitford Days in Blowing Rock" not become an annual event. Mr. Hardin gave a brief description of the various activities that were scheduled. Commissioner Wiseman thanked Mr. Hardin and other committee members for their hard work preparing for "Mitford Days in Blowing Rock". Commissioner Klutz commended Mr. Hardin and the "Mitford Day in Blowing Rock" committee stating this was a well-planned event.

Commissioner Wiseman made a motion to approve the Blowing Rock Chamber of Commerce's request for "Mitford Days in Blowing Rock" to be held September 12 through September 15, 2007 and for the use of town facilities as requested. Commissioner Ball seconded the motion. Unanimously approved.

## **2. Tax Collectors 2006 Delinquent Report & Advertisement of Tax Liens Order**

Pursuant to North Carolina General Statutes 105-373, the Tax Collector is required to list parcels of property on which tax liens attached January 1, 2006 and remain unpaid. A Delinquent Report and a request for authorization to advertise tax liens were presented to Council for their approval.

With no further discussion, Commissioner Tester recommended the acceptance of the Tax Collector's Delinquent Report as well as authorizing the advertisement of tax liens as of March 15, 2007, seconded by Commissioner Ball. Unanimously approved. **Tax Collector's Delinquent Report attached as Exhibit C**

## **3. Budget Amendments (Ordinance #2007-01)**

Town Manager Hildebran presented Council with Ordinance #2007-01 Budget Amendments prepared by Finance Director Margaret Pierce for the fiscal year 2006-2007.

Section one discussed allocating funds received for the new position in the Emergency Services Department from the Volunteer Fire Department, appropriate additional revenue from donations to the Police Department and the Emergency Services Department, and amend the Powell Bill line item to accurately reflect this year's allocation from the State.

Also, addressed in Section two was the General Capital Projects Fund recognizing additional revenues received that need allocating. The miscellaneous revenues are \$67,815 from the State due to the electric bill audit and the additional contributions from the Blowing Rock ABC Store of \$75,000. The

parking in lieu funds are \$180,000 received from the Hanna project and \$30,000 due from the Kiker project.

Section three was on the Water/Sewer Capital Project Fund to close out the completed sewer line project on Green Hill and to move capital assets from construction in progress to be completed as shown in the recent audit totals.

A motion was given by Commissioner Wiseman, seconded by Commissioner Ball approving Budget Amendments Ordinance #2007-01 as presented. Unanimously approved. **Ordinance #2007-01 attached as Exhibit D**

### **Other**

Town Manager Hildebran advised he had one other item to discuss. He advised the Town had been approached by Telecommunications Consulting Associates, an auditing firm who wanted to conduct an audit of the Town's Charter TV Franchise Fees. Mr. Hildebran advised the State had taken over the Charter TV Franchise Fees as of January 1, 2007. He also stated the company had conducted audits for surrounding areas, such as Watauga County, Town of Boone, Lenoir, Banner Elk, etc. to make sure the funds collected were being distributed back to the towns/counties based on their franchise agreements. Mr. Hildebran stated if funds were found, the company would get a portion of the proceeds, and if nothing was found the Town would not be required to pay the auditing company a fee. Mr. Hildebran also stated that Council would be advised if any errors were found immediately. Commissioner Wiseman inquired if areas that had been audited so far had received any funds back. Mr. Hildebran stated approximately ninety percent had received additional funds because of the audit. Mr. Hildebran presented Council with a copy of the contract for their review.

With no further discussion, Commissioner Tester moved to accept Telecommunications Consulting Associates Service Agreement as presented, seconded by Commissioner Wiseman. **The Howell Group, LLC Service Agreement attached as Exhibit E**

### **Speakers From the Floor**

Ms. Regina Pelsmaeker a resident of 426 Wallingford Street approached Council asking to be placed on their March agenda to discuss concerns she had regarding erosion problems with property adjoining hers. Ms. Pelsmaeker stated she had experienced problems since May 2006. She felt the corrections that had been made so far were not adequate and the problems had not improved. Ms. Pelsmaeker stated she would like to bring documentation she had regarding the problem to the March meeting for their review. She also requested that the property in question not receive a Certificate of Occupancy before the next scheduled meeting. Mayor Pro-tem Lentz asked Planning Director Rothrock if the property owner had asked for a Certificate of Occupancy. Mr. Rothrock stated he felt the property owner would not be ready for a Certificate of Occupancy before the next meeting. Mr. Rothrock also stated a

representative of Watauga County had also assessed Ms. Pelemaecker's erosion problem. Mayor Pro-tem Lentz thanked Ms. Pelsmaecker for bringing this problem to their attention.

### **Departmental Reports**

Town Manager Hildebran announced the arrival of Parks & Recreation Director Jennifer Brown's son, Johnny Mack Brown, III.

### **Adjournment**

With no further business to discuss, the meeting adjourned at 8:15 p.m.

**Mayor Pro-tem** \_\_\_\_\_  
**Terry D. Lentz**

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

**Sharon Greene, Town Clerk**

### **Attachments:**

- 1. Appalachian State University 2006 NCAA Football National Champions Proclamation**
- 2. Resolution of Intent #2007-03**
- 3. Tax Collector's Delinquent Report**
- 4. Budget Amendments Ordinance #2007-01**
- 5. Telecommunications Consulting Associates Service Agreement**

