

**MINUTES**  
**Town of Blowing Rock**  
**Town Council Meeting**  
**October 9, 2018**

The Town of Blowing Rock Town Council met in regular session on Tuesday, October 9, 2018, at 6:00 p.m. The meeting took place at Town Hall located at 1036 Main Street, Blowing Rock, N.C. Present were Mayor Charlie Sellers, Mayor Pro-tem Albert Yount and Council Members Sue Sweeting, Doug Matheson and Virginia Powell. Others in attendance were Town Manager Ed Evans, Town Attorney Allen Moseley, Brian Newman from McGill Associates, Finance Officer Nicole Norman, Public Works and Utilities Director Mike Wilcox, Fire Chief Kent Graham, Police Captain Aaron Miller, Building Inspector John Warren, Parks & Recreation Director Jennifer Brown and Town Clerk Hilari Hubner, who recorded the minutes.

**CALL TO ORDER**

Mayor Sellers called the meeting to order at 6:00 p.m. and welcomed everyone.

**ADOPTION OF AGENDA**

Council Member Sweeting made a motion to adopt the agenda, seconded by Council Member Matheson. Unanimously approved.

**SPEAKERS FROM THE FLOOR**

Ms. Louise Greene from 711 Possum Hollow Road spoke regarding the house across the street from her house (the Henson Property). Ms. Greene advised her issue, as well as most of her neighbors, has been looking at this property for years. She explained the trees are now covering the house and wild animals are using the house to live in as well.

Ms. Greene advised this damage her property and people passing by have stopped before and commented on the condition of the property before. Ms. Greene advised she felt as though something needs to be done. She further advised she was told the property was going to be torn down, but nothing has yet to be done.

Ms. Greene advised the property wasn't mowed all summer long and not only is it an eyesore, it's also a health hazard. Ms. Greene explained her husband has always worked hard to keep their property kept neatly. Ms. Greene restated she would like to see some sort of progress made and a step be taken to get this taken care of.

Mayor Sellers thanked Ms. Greene for her comments and advised normally Council doesn't address issues of this nature at this point, but Council wanted to go ahead and do so and for her to rest assured action is being taken.

Planning Director Kevin Rothrock gave an update and apologized to Ms. Greene that it has gotten to the point where she had to make a complaint of this nature. Mr. Rothrock advised he too wished this property was already gone. He explained this has been a

difficult situation to take care of and it has been difficult to locate the owner. He further explained the one who has legal standing, Mr. Miller, has not come through on any requests. Mr. Rothrock advised the last thing staff had done was to send notice to demolish the building which has been condemned, a public hearing was scheduled to meet with Mr. Miller, but he didn't attend.

Mr. Rothrock stated staff will bring orders to demolish before Council at the November 2018 regular Town Council meeting for approval. Mr. Rothrock apologized again to Ms. Greene for the time it's taken to get something done about this property and for it getting to this point. Mr. Rothrock pointed out there were several years ago where the property wasn't at the point of requiring demolition, it could have just been repaired, but no response was made to requests sent. Mr. Rothrock assured Ms. Green that Town staff are working on this property and that it is a priority.

Ms. Greene thanked Mayor, Council and staff for their attention to this matter.

### **APPROVAL OF MINUTES**

Council Member Sweeting made a motion to approve the minutes for the regular meeting held on September 11, 2018, seconded by Mayor Pro-tem Yount. Unanimously approved.

Council Member Powell made a motion to approve the minutes for the closed session held on September 11, 2018, seconded by Council Member Powell. Unanimously approved.

### **CONSENT AGENDA**

Town Manager Ed Evans presented the following consent agenda items:

#### **1. Resolution Supporting the Daniel Boone Chapter – Daughters of the American Revolution**

The United States Constitution stands as a testament to the tenacity of Americans throughout history to maintain their liberties and freedoms and to ensure those inalienable rights to every American.

The tradition of celebrating the Constitution was started by the Daughters of the American Revolution. In 1965, DAR petitioned Congress to set aside September 17-23 annually to be dedicated for the observance of Constitution Week. The resolution was later adopted by the US Congress and signed into public law on August 2, 1956 by President Dwight D. Eisenhower.

The aims of the celebration are to:

- Emphasize citizen's responsibilities for protecting and defending the Constitution.

- Inform people that the Constitution is the basis for American's great heritage and the foundation for our way of life.
- Encourage the study of the historical events which led to the framing of the Constitution in September 1787

Constitution Week is a great time to learn more about this important document and celebrate the freedoms it gave us. **Resolution Supporting the Daniel Boone Chapter – Daughters of the American Revolution - Attachment A**

## **2. 2019 Blue Ridge Relay – Request for date**

We have received a request from the Blue Ridge Relay, to use our pool parking lot on Friday, September 6, 2019 from 3:00 pm to 9:30 pm as one of their exchange zones along the race route. This is their 15<sup>th</sup> annual road race that begins at Grayson Highlands Park in Virginia and ends in downtown Asheville. They have used the pool parking lot the past four years as an exchange points and it has worked out very well. The pool parking lot is adjacent to the race route which runs from 321 to 221 and past Grandfather Mountain.

They have also referenced the possibility of using the restrooms at the pool again this year. There would not be a scheduling conflict because the pool will close for the season on Monday, September 2, 2019. If using the pool restrooms is not approved, then they would like to set up approximately 6 port-a-johns for the runners during the exchange time only.

The Blue Ridge Relay had a very low impact on the pool parking lot and restrooms the past four years. The entire area was clean and well taken care of.

## **3. Tax Releases**

Various tax adjustments over time become apparent and present themselves in the form of requests for releases (adjustments). Three (3) tax releases totaling \$2,631.50 have been identified for Council approval. **Tax Releases - Attachment B**

## **4. Budget Amendments – Ordinance, Financing Proposals, Bids – FY 18-19 Capital Equipment**

Budget Amendment Ordinance to account for various items. **Budget Amendment Ordinances - #2018-13 and #2018-14 – Attachment C**

Council Member Matheson made a motion to approve consent agenda as presented, seconded by Council Member Sweeting. Unanimously approved.

## **OLD BUSINESS**

### **1. Art Policy – Proposed**

Manager Evans advised during the September 12, 2017 Town Council meeting, Town Council made a motion that was unanimously approved regarding a Public Art Policy, with a few revisions, and requested that the Blowing Rock Appearance Advisory Commission oversee the policy. Staff misunderstood the entire motion and failed to bring the revised Public Art Policy back to Town Council for final approval.

After trying to follow the original revised Public Art Policy for proposed Public Art, BRAAC realized that there were items that needed to be addressed in the policy. A special meeting was held to review the policy and make changes on September 27, 2018.

After review and discussion, a final proposed Public Art Policy was unanimously voted for approval. They also added an application to the policy to be able to have some background information before the artist/organization presents their proposed public art to BRAAC

Council Member Sweeting advised she had reviewed and found there were changes to the approach and that the original policy's approach would look at Art, and the new policy's approach would look at where the Art goes. She further advised she felt like Council needed to look at zoning laws, look at Town Council's jurisdiction and felt like more time was needed to review and that the best time would be to review at the Town Council Retreat.

Council Member Sweeting made a motion to table the request for Council action on the new proposed Public Art Policy until after the January Town Council Retreat and to include a moratorium for six (6) months on the creation and installation of public art in the Town limits, public and annexed Town areas; Art is defined, but not limited to: sculptures, murals, photographic renderings, mosaics installed on a permanent basis. Council Member Sweeting commented she felt Council was being re-active and needed to be pro-active and really give the Art Policy careful thought and consideration. Council Member Matheson seconded the motion for discussion.

Council Member Matheson advised he was in favor of the motion but asked that any project that was in current process be allowed to continue.

Manager Evans asked for Town Attorney Allen Moseley to weigh in his thoughts if a moratorium was legal. Attorney Moseley asked Council Member Sweeting for clarification on why she was asking for a moratorium and explained the definition of moratorium would be for the health, safety and welfare in which doesn't really apply in this case. Mr. Moseley further explained Planning Director Kevin Rothrock would be the person anyone wishing to do such a project would contact and he could keep the project from going through until after a policy has been put in place and therefore a moratorium wouldn't be necessary.

Council Member Sweeting revised her motion to leave out the moratorium: ***the motion was to table the request for Council action on the new proposed Public Art Policy until after the January Town Council Retreat Council Member Matheson seconded the motion.*** Unanimously approved.

## **2. Charters of Freedom – Decision regarding acceptance of gift and potential location**

During the September 11, 2018 Town Council meeting, representatives Ron Lewis and David Streater, from the Foundation Forward, Inc. presented a proposal to install replicas of the Declaration of Independence, The United States Constitution, and The Bill of Rights in Blowing Rock at no cost to the Town. Town Council requested that they go to the Blowing Rock Appearance Advisory Commission for their approval and recommendation first and then it come back to Town Council for final approval.

BRAAC had a meeting September 13, 2018 and watched the Charters of Freedom presentation that was shown at the Town Council meeting. After short discussion, it was unanimously voted to approve the Charters of Freedom installing the replicas in Blowing Rock and for staff to determine an appropriate location for the installation.

Town staff has determined two locations that would be appropriate and that would have a significant amount of foot traffic that the Charters of Freedom require. One location is in front of Town Hall and the other location is the corner of Memorial Park near the 1888 museum. Manager Evans reviewed the maps of both locations and how it could possibly be positioned.

Manager Evans asked if Town Council were interested in pursuing and if so if they liked any of the selected locations.

Council Member Matheson advised he personally likes it and would like to see it in either of the locations near the 1888 Museum. He further advised he wanted to make sure no Town funds are spent on the project.

Mayor Pro-tem Yount advised research showed him that there were more of these in North Carolina County Seat Towns. He asked Manager Evans if he knew if the Town of Boone was approached about this. Manager Evans advised he wasn't sure if the Town of Boone was approached or not, but the county was, and the Foundation had received no response. Manager Evans further advised Foundation Forward wanted to bring this opportunity to Blowing Rock because they love Blowing Rock, visit often and with the foot traffic in Blowing Rock, felt it was a natural fit for the Town.

Mayor Sellers advised in his research he found there was no response from the county and that perhaps the reason was just a miscommunication.

Council Member Sweeting stated she personally felt it is too big for the Town. She said the end pieces are 4x4 and the middle piece is probably three times that big. She further stated in her opinion the Town has limited space and the eighth-grade classes goes to Washington DC and can see the Constitution and Bill of Rights in person. Council Member Sweeting commented any ten-year-old with a smart phone can look it up.

Council Member Powell advised she is not interested, in her opinion it doesn't fit Blowing Rock, "our little mountain village". Council Member Powell explained she has four kids

and wants more space for play, not less. She advised if anyone wants to see it they can go to Morganton or Asheville to see the ones there.

Council Member Matheson made a motion to accept the gift with the stipulation no Town funds are to be used. After a few moments of silence, the motion died with a lack of a second.

## **NEW BUSINESS**

### **1. Request from Former Police Chief Tony Jones to keep his side arm – Council Addressing pursuant to NCGS 20-187.2**

Council Member Matheson advised he wanted Council to do all they could for Police Chief Tony Jones. He stated Chief Jones had been an asset to the Town and he hated to see him leave. Council Member Matheson made a motion for the Town to give Chief Jones everything he deserves, seconded by Council Member Powell. Unanimously approved.

Manager Evans advised for public information according to NCGS 20-187.2 it allows retiring members to keep their sidearm and can be given by the Governing Body.

Mayor Sellers presented Chief Jones a plaque for 30 years of dedicated service in law enforcement and his badge. Manager Evans presented Chief Jones his sidearm and thanked him for his service to the Town of Blowing Rock.

### **2. BRAAC Proposal for New Member**

Town Council appointed Karen Diamond, by her request, to BRAAC earlier this year for a three-year term. As unforeseen circumstances occurred, Karen has only been able to attend one meeting this year. She turned in her resignation to BRAAC on September 20, 2018.

BRAAC recommends to Town Council that Curt Andrews fill her position on the board. Curt has served on BRAAC for several years in the past and is aware of the roles and duties of what BRAAC is tasked to accomplish. He is more than qualified to serve and would be an asset to this board.

Council Member Sweeting made a motion to approve Curt Andrews to fill Karen Diamond's unexpired BRAAC term, seconded by Council Member Matheson. Unanimously approved.

### **3. Green Hill Road/Green Hill Circle Intersection**

Richard Gamble spoke on behalf of the residents of Green Hill Circle and Blackberry Lane, there are currently thirty-three (33) homes and of those thirty-three (33), Mr. Gamble had thirty (30) homeowners sign a petition to put up a 3-way stop sign. The intersection of Green Hill Circle and Green Hill Road is a dangerous intersection in its present condition. It is extremely hard to pull out of Green Hill Circle onto Green Hill Road because of the angle of the intersection and limited visibility. There is a mirror located on Green Hill Road to help with the visibility but trying to turn left onto Green Hill Road creates

the possibility of being T-boned because of oncoming traffic on Green Hill Road. DOT has project of 321 is completed, due to vehicles using Green Hill Road as cut from the Parkway.

Mr. Gamble advised the consensus among the residents is this is a dangerous intersection and they would like to request a 3-way stop sign at the intersection of Green Hill Circle and Green Hill Road would help reduce the potential of a vehicle collision at this intersection.

Manager Evans clarified a few questions he had received and showed video of the intersection from all three approaches. He advised this section of Green Hill isn't a NCDOT road and he had discussed with the Police Department the possibility of adding a 3-way stop in which they no concerns as long as it is properly marked.

Council Member Sweeting advised Poplar Grove Road had done a similar 3-way stop. She further advised she had gone to check out the issue at Green Hill Road herself and agreed she felt this was necessary.

Council Member Sweeting made a motion to approve the 3-way stop sign at Green Hill Road and Green Hill Circle with the proper notification to be done as well, seconded by Council Member Matheson. Mayor Sellers asked for further discussion.

Council Member Matheson advised over the years many things have been tried and failed to help with this issue and felt this was a really good option for the safety of the intersection.

Council Member Sweeting commented there have been numerous speeding complaints on Green Hill and felt this would slow people down.

Council Member Powell advised she had driven this way for the first time and didn't know why anyone went that way because of how bad that intersection was. She stated she was concerned that adding a 3-way stop could be dangerous on very foggy days with the sharp curves and someone not realizing the 3-way stop had been installed. Council Member Powell advised she would like to make sure it is properly marked, and that people are notified if a 3-way stop is approved.

With no further discussion the motion stood: ***Council Member Sweeting made a motion to approve the 3-way stop sign at Green Hill Road and Green Hill Circle with the proper notification to be done as well, seconded by Council Member Matheson.*** Unanimously approved.

Manager Evans reminded it will take just a little bit of time for staff to install the 3-way stop sign, but it will be done as quickly as possible.

## **MANAGER'S REPORT**

Town Manager Evans gave a brief report to Council:

- The Town sold two assets – a 2005 Ford Explorer SUV and a 2008 Ford Crown Victoria Police Interceptor. The former closed at \$1,950 and the latter at \$4,998 on GovDeals.com for a total of \$6,96,948. Both vehicle sales have been finalized and are with their new owners. Seven items are on GovDeals.com currently on auction.
- Work on Sourwood Lane water line project (which includes Green Hill Woods and a small amount of sewer work on Green Hill Woods) began on October 1, 2018. The Green Hill Woods section is being done first and is underway. Selected recipients of Code Red messages are being sent alerts out to alert as locations and days of work change.
- Early voting begins October 17 and ends on November 3. Hours of voting, including at town hall in Blowing Rock, will be from October 17, 7am to 7pm Monday through Friday until November 2. Saturday, November 3 will be from 8am to 1pm. Tuesday, November 6 will be from 6:30am to 7:30 pm.
- Park Avenue road/sidewalk/curb and gutter construction is scheduled to begin on October 15. Three-hour parking signs have been installed on Park Avenue per Council instructions.
- The engineering for Sunset Drive is on schedule and moving along well.
- AppalCART had 50 total riders in August and 29 total riders in September. October is the last month of service for this year.
- Our Memorial Park donor tree is named “Giving Tree” and installation is nearing completion in Memorial Park.
- Blowing Rock Fire and Rescue assisted with the Hurricane Florence recovery effort from the extreme flooding in the eastern portion of North Carolina, sending teams to two different locations.
- Work continues toward removal of vegetation that restricts travel on town roads. The new property owners of a property on Laurel Park are addressing their shrubbery now. At least one person has stated that he is removing his vegetation. We are still working with other property owners.
- The Hometown Harvest supper will be on November 11, 2018. The tentative times are 5:30p.m. to 7:30p.m.
- Congresswoman Virginia Fox has her assistant, Bob Meade, are searching for money to help the Town bury utility wires (or find money to put in duct bank) on Sunset Street between Main and Valley Boulevard. So far, only loans are being found, but he stated he is still searching. Blue Ridge Energy is also searching for any grants they can find.
- Work on the wall in Memorial Park continues. Although some people think no work is going on, much work is being done daily at the stone masons’ shop near the wastewater treatment plant. Luke Taylor continues to cut stone for the wall, which is a time-consuming process.

- Operation Medicine Cabinet is Saturday October 13 at Food Lion. There is a drug take-back box at our police department that is available year-round.
- Allen Hunt is our newest police officer. Welcome aboard Allen.
- Captain Aaron Miller is serving as our Interim Police Chief while the process of selecting a new chief goes on. Applications are being accepted through October 19, or until the position is filled.
- Both the Apple and Android apps for information about Blowing Rock are up and running. This app provides basic information that will hopefully benefit our visitors.
- Withers Ravenel continues to work on acquisition of right-of-ways for the Bass Lake Sidewalk project. They are currently working with the NC Department of Transportation with mandatory requirements and those the NCDOT would like to see met, but not mandatory. It is a long process working with requirements from both the federal government and state government.
- Ginny Stevens Lane recognition is being postponed until early summer.
- Ed will be on vacation the first full week of November (Nov 5 – 9), hopefully making new fish tales!

**OTHER BUSINESS**

None

**EXECUTIVE SESSION**

At 7:30 p.m. Council Member Sweeting made a motion to go into closed session pursuant to NCGS 143-318.11 (a) (5) – Discussion of potential property acquisition and NCGS 143-318.11 (a) (3) – Attorney-Client Privilege- Occupancy Tax Delinquency, seconded by Council Member Powell. Unanimously approved. Council Member Sweeting made a motion to adjourn from closed session at 8:00 p.m., seconded by Council Member Powell. Unanimously approved. Action taken: Council directed Manager Evans to do further research for the topic discussed.

**ADJOURNMENT**

There being no further business to discuss, Council Member Matheson made a motion to adjourn at 8:00 p.m., seconded by Council Member Sweeting. Unanimously approved.

**MAYOR** \_\_\_\_\_  
**Charlie Sellers**

**ATTEST** \_\_\_\_\_  
**Hilari Hubner, Town Clerk**

**ATTACHMENTS**

**Resolution Supporting the Daniel Boone Chapter – Daughters of the American Revolution - Attachment A**

**Tax Releases - Attachment B**

**Budget Amendment Ordinances - #2018-13 and #2018-14 – Attachment C**

