

**MINUTES**  
**Town of Blowing Rock**  
**Town Council Meeting**  
**May 14, 2019**

The Town of Blowing Rock Town Council met in regular session on Tuesday, May 14, 2019, 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 Jim Steele, Sue Sweeting, Doug Matheson and Virginia Powell. Others in attendance were Interim Town Manager Jim Freeman, Town Attorney Allen Moseley, Town Engineer Doug Chapman from McGill Associates, Finance Officer Nicole Norman, Interim Public Works and Utilities Director Matt Blackburn, Fire Chief Kent Graham, Interim Police Chief Aaron Miller, Planning Director Kevin Rothrock, 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.

**THE PLEDGE OF ALLEGIANCE**

**CONSENT & REGULAR ADOPTION OF AGENDA**

Council Member Sweeting made a motion to adopt the agenda, seconded by Council Member Matheson with the request to remove the Financial Report due to the length of the Public Hearing. Unanimously approved.

**CONSENT AGENDA**

**1. Consent Item #A**

High Country Walk/Run for Cancer Foundation Event – date request for the next three (3) years; October 26, 2019, October 31, 2020 and October 30, 2021.

**2. Consent Item #B**

NCDOT Supplemental Agreement Amendment – Middle Fork Greenway Trail Project  
**NCDOT Supplemental Agreement – Attachment A**

**3. Consent Item #C**

Appalachian Regional Healthcare System Tax Release **Tax Release - Attachment B**

Council Member Steele made a motion to approve the Consent Agenda as presented, seconded by Council Member Sweeting. Unanimously approved.

**APPROVAL OF MINUTES**

Council Member Sweeting made a motion to approve the April 1, 3 and 24, 2019 Special Meetings, April 1 and 3, 2019 Closed Session Minutes and the April 9, 2019 Regular Meeting, seconded by Council Member Matheson. Unanimously approved.

### **SPEAKERS FROM THE FLOOR**

Ms. Susanne Miller, 7593 Valley Blvd owns the Blowing Rock Antique Center. Ms. Miller stated she wanted to address the tree planting that is being done on Hwy 321. She explained it was brought to her attention the landscape plan was to plant eleven (11) trees in front of her business. Ms. Miller advised she had contacted Town Hall to inquire about the placement of the trees but was told she needed to contact NCDOT and was given their contact info. She further advised she had contacted and left a message with the person at NCDOT in charge of the project. In the mean time she had spoken with the contractor in charge of planting and had ask for an alternative plan to only planting six (6) trees. Ms. Miller stated once she heard back from NCDOT she was informed she couldn't change the number of trees that were in the plan to go in front of her business. Ms. Miller explained her request is for Council to allow her to keep six (6) trees and give five (5) back to be planted somewhere else. Mayor Sellers advised he would have someone from Town staff contact the field manager.

Lee Rocamora 412 Laurel Park Rd stated Town Staff, Elected Officials and Advisory Board Members are responsible for the Safety and Welfare of our community. He further stated over the years he's lived in Blowing Rock, he has observed multiple times where ordinances have been overlooked, misapplied or not enforced. Mr. Rocamora gave a few examples over the past year: the mis-height of the Chestnut Condo's and the 1150 Main Street project. He advised the current issues could be eliminated with a valid check list procedure to insure full compliance with the ordinances as written, not just interpolation of the code. Mr. Rocamora further advised going forward, the Town needs to develop and adhere to a validated check list to ensure compliance to our Town code. Mr. Rocamora asked Council to continue to protect the safety and welfare of our community.

### **PUBLIC HEARING:**

Town Attorney Allen Moseley summarized the law regarding Quasi-Judicial Hearing.

The applicant's attorney Chelsea Garrett asked that Council Member Sweeting be recused due to an email she had sent to Mike Pettyjohn with NCDOT in March. Council Member Sweeting gave the following statement: *"I am here as an elected official who strives to represent the voters of our Town. The Attorney for the developer has asked me to recuse myself from this hearing. I have chosen not to. I would have recused myself if I truly believed I had done something wrong. I would have recused myself if I had been bias or partial in asking for information about a process. This hearing has been extremely difficult and anxiety producing for some members of the Council. I have never participated in a hearing that required a "gag order" to this exstint. I continue to believe I have no fixed opinion about this development. I trust my ability to be impartial on this project's vote. Thank you."*

Ms. Garrett advised her client would like to ask Council to vote to recuse Council Member Sweeting.

After discussion, Council Member Steele made a motion to recuse Council Member Sweeting, seconded by Council Member Matheson. For the motion: Steele, Matheson, Powell; Against the motion: Mayor Pro-Tem Yount. Motion approved.

Council Member Steele made a motion to close the Public Hearing, seconded by Council Member Matheson.

Mayor Pro-Tem Yount made a motion to continue discussion at the June 11, 2019 Regular Council meeting, seconded by Council Member Powell.

**A full legal transcript of the meeting is available for review in the clerk's office.**

### **OTHER BUSINESS**

Interim Manager Freeman briefed Council on the following:

- FY 2019-20 Proposed Budget Status.....Per information, the Interim Manager and Finance Officer did May 7<sup>th</sup> meet with the incoming Town Manager. The purpose being to provide internal proposed budget background and respond to Town Manager questions. In going forward, please find provided a proposed budget task schedule, which is designed to include the incoming Town Manager as an integral part of any Council June budget work sessions.
- Manager Briefing...Per Mayor Charlie Sellers April 24<sup>th</sup> suggestion, staff is coordinating a Monday, June 3<sup>rd</sup> department briefing and facility tour for the new Town Manager Shane Fox. The briefing would begin in Town Hall just after (8:30 a.m.) the Manager takes his Oath-of-Office. Governing body members are welcomed and encouraged to be included in this nearly most of the daylong event...*public notices required*. Besides being an orientation for the Manager, it is anticipated that this briefing and facility tour would provide beneficial background information for upcoming budgetary work session matters. At the end of the facility tour, the Manager may be soliciting evening dates for upcoming work budget work sessions...*noting June 4<sup>th</sup> is already scheduled for receiving public input*.
- Other....Reserved, in case something else may be report worthy since this note writing.

### **EXECUTIVE SESSION**

None

### **ADJOURNMENT**

There being no further business to discuss, Council Member Steele made a motion to adjourn at 11:20 p.m., seconded by Council Member Powell. Unanimously approved.

**MAYOR** \_\_\_\_\_

**ATTEST** \_\_\_\_\_

**Charlie Sellers**

**Hilari Hubner, Town Clerk**

**ATTACHMENTS**

**NCDOT Supplemental Agreement – Attachment A**

**Tax Release - Attachment B**