



Town of Blowing Rock

Date: Tuesday, April 14, 2020, 6:00 p.m.

Location: Remote Meeting

Agenda

<i>Item</i>		<i>Present & Participants</i>
I.	CALL TO ORDER – ROLL CALL FOR ATTENDANCE	Mayor Charles Sellers
II.	APPROVAL OF MINUTES – By Roll Call 1. March 10, 2020 – Regular Meeting Minutes 2. March 10, 2020 – Closed Session Minutes REGULAR AGENDA ADOPTION - Vote by Roll Call	Mayor & Council Mayor
III.	PUBLIC COMMENTS – emailed or mailed to the Town Clerk prior to 4:00pm on April 14th.	Mayor/Town Manager will read, and Council will have the opportunity to respond
IV.	BUSINESS MATTERS: 1. Remote Meeting Policy – Vote by Roll Call	Town Manager/Mayor & Council
V.	OFFICIALS REPORTS & COMMENTS: 1. Mayor 2. Council Members 3. Town Attorney 4. Town Manager	
VI.	ADJOURNMENT/RECESS...<i>Mayor Charles Sellers entertains a motion and second to adjourn or recess the meeting.</i>	

Draft
MINUTES
Town of Blowing Rock
Town Council Meeting
March 10, 2020

The Town of Blowing Rock Town Council met in regular session on Tuesday, March 10, 2020, 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 Sue Sweeting and Council Members Albert Yount, David Harwood and Virginia Powell. Council Member Matheson was not present. Others in attendance were Town Manager Shane Fox, Town Attorney Allen Moseley, Town Engineer Doug Chapman from McGill Associates, Public Works and Utilities Director Matt Blackburn, Planning Director Kevin Rothrock, Fire Chief Kent Graham, Police Chief Aaron Miller, Parks and Recreation Director Jennifer Brown, Finance Officer Nicole Norman 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

MINUTE APPROVAL

Mayor Pro-Tem Sweeting made a motion to approve the minutes from the February 11, 2020 regular Council meeting, seconded by Council Member Powell. Unanimously approved.

Council Member Powell made a motion to approve the closed session minutes from the February 11, 2020 Council meeting, seconded by Mayor Pro-Tem Sweeting. Unanimously approved.

Mayor Pro-Tem Sweeting made a motion to approve the minutes from the February 26, 2020 special Council meeting, seconded by Council Member Yount. Discussion: Council Member Harwood asked if in the future for special meetings the minutes could also include who called the meeting. Unanimously approved.

CONSENT AND REGULAR AGENDA ADOPTION

1. High Country Half Marathon

High Country Triple Crown request to hold their 10th annual High Country Half Marathon that will begin at Kid Brewer Stadium at ASU and end at Davant Field. The route through Blowing Rock will go from 221 to Laurel Lane, up Wonderland Trail, back on Laurel Lane, and end at Davant Field. Activities will be coordinated with Parks and Recreation, Blowing Rock Fire & Rescue and Blowing Rock Police Department.

2. Delinquent Tax Advertisement Date Approval – April 23, 2020 Tax Collector Hilari Hubner requested Council approval to advertise delinquent taxes 2019 taxes on April 23, 2020.

3. Budget Amendment – Bass Lake Sidewalk - #2020-07
Budget Amendment Ordinance to account for various items. **Budget Amendment Ordinance #2020-07 – Attachment A**

Council Member Harwood made a motion to approve Consent and Regular Agenda as presented, seconded by Council Member Yount. Unanimously approved.

SPEAKERS FROM THE FLOOR

None

PRESENTATIONS:

1. Recognition of Outgoing Volunteer Board Members

Mayor Sellers recognized Town Volunteer Board Members for their years of service to the Town of Blowing Rock Boards; David Harwood Planning Board (9 years), Don Hubble Planning Board (3 years), Laurin Carter Board of Adjustment (3 years), Charles “Bunky” Davant Board of Adjustment (11 years), Lance Campbell TDA Board (3 years) and Jim Steele TDA Board (2 years).

2. Watauga Compassionate Communities Initiative

Kathy Beach, Pastor of Rumble Memorial Church and Adam Hagee, a Professor from Appalachian State University presented a community initiative program that focuses on transforming Watauga County and creating shared understanding of how trauma and resiliency affect behavior, learning and lifetime physical and mental health.

The purpose of the presentation was to help all become more aware and better educated of this need. Ms. Beach advised a conference for anyone interested in attending will be held on May 16th at Watauga High School, she further advised it is a daylong event.

Ms. Beach and Mr. Hagee thanked Council for their time. Council further thanked them for the presentation.

PUBLIC HEARING

1. Rankin Road – John Winkler - #2020-01

Planning Director Kevin Rothrock gave the staff report for the Rankin Road Subdivision proposal. John Winkler is requesting a conditional use permit for a 6-lot Single-Family and a new public street. The 4.63-acre subject property is zoned R-15, Single-Family.

The subject property is wooded and slopes down from Rankin Road. The subject property is within the water supply watershed and the residential density for that area is two dwelling units per acre and no lot less than 15,000 sq ft. Each lot meets the minimum

size requirement and the overall density is compliant with the watershed standards. Lot 6 is designed to remain greater than 1 acre and currently has a single-family home with an accessory dwelling unit. The remainder of the subdivision lots are being created out of the principle lot #6.

A new subdivision street is proposed to serve 5 of the 6 lots. The new road as shown has a total length of approximately 575 feet to the center of the cul-de-sac. The road will be built to the Town standards with a maximum grade of 15%, 18 feet of pavement, and 24-inch curb and gutter. The total width of the street from face of curb to face of curb is 21 feet. The applicant intends to offer the road for public dedication upon completion and the Town will be responsible for street maintenance and snow removal.

Storm water detention is required due to the increased impervious areas being generated by the proposed road. The storm water drainage system will be designed to accept runoff from the proposed roadway and convey it through a detention system before releasing to a natural drainage path and the creek below the property. As shown on the preliminary plan, it appears that the storm water design will meet the Land Use Code standards.

The proposed subdivision requires street trees be planted or retained an average of every 30 feet on each side of the street. Exceptions for new tree plantings can be made where existing healthy shade trees are located within 50 feet of the road centerline.

A 6-inch water line with two (2) hydrants along the new street is proposed. An additional hydrant is to be located along Rankin Road on the north side of lot 6 (existing house).

The proposed sewer will be a gravity sewer system and will connect to the gravity sewer main that runs along the stream at the bottom of the property. Staff and the Town Engineer will approve water and sewer systems to meet the Town Code.

The site plan and utilities specifications are still under review, but the basic concept of the subdivision street and lots will remain unchanged. There will not be any more lots than currently proposed and through potential lot line adjustments there could be one (1) less lot or slight modifications to the curve radius and overall street length pending further detailed review.

At the February 20, 2020 meeting, the Planning Board made a recommendation to approve the proposed subdivision if all Land Use Ordinance requirements are met related to lot width and road design.

Council discussed briefly with Mr. Rothrock and Engineer Doug Chapman drainage and the creek options.

Council Member Harwood made a motion to open the Public Hearing, seconded by Mayor Pro-Tem Sweeting. Unanimously approved.

Council Member Yount advised he had received a lot of questions about construction traffic, he asked Mr. Rothrock who would Control that. Mr. Rothrock advised Council could put a condition stating during the development of the road the hauling equipment come directly off Rankin straight out to Goforth Road. Mr. Rothrock further stated it's more difficult to enforce with individual house construction traffic than it would be building the road.

Mayor Sellers asked for public questions or comments.

Mr. Alex Hallmark, 155 Rankin Road, advised he had lived on Rankin Road for almost fifty (50) years and felt he knew the area very well. He explained he is not anti-development but admitted it "hurt his heart" when Laurel Grove was developed. He stated now that it is there, he felt it was lovely and they have wonderful neighbors. Mr. Hallmark further stated he felt the same could be expected from this development as well. Mr. Hallmark advised recently a house built within 100 feet of his house had a hard time getting electricity and sewer, which he felt was strange with it being in the middle of Blowing Rock. He explained he and his wife ended up having to grant an easement across their property to allow those homeowners to get electricity. Mr. Hallmark stated it wasn't an issue, it's done now, but it just surprised him. He explained he has lived on Rankin Road long enough in which he has walked up and down the stream that is located there many, many times. He commented it is a "poor, ugly" little stream. Mr. Hallmark advised contrary to what has been suggested, the sewer lines go above the ground in several places. He further advised if you are down there in the warmer months, especially the end of spring, summer, or the beginning of fall it stinks. Mr. Hallmark stated he felt like most of the houses up above are far enough above that they wouldn't smell the sewer line. However, the houses that would be built down closer to the stream would absolutely smell the sewer. Mr. Hallmark further stated with all the Town's use of conditional use permits, this is the time to take care of this situation. His thought behind that was ten (10) years down the road when the houses are built and the residence start coming to Council saying there is an issue, then the tax payers are going to have to pay to resolve the problem. Mr. Hallmark advised now with the conditional use permit this is the time to have the developer make improvements to that sewer line and perhaps make improvements to the stream to make it more attractive. Mr. Hallmark commented he would be willing to take any Council Member's down to look at what he is talking about any time they would like to go. Mr. Hallmark reiterated now is the time for the Town to take the time to investigate that sewer line. He further reiterated now is the time to get the developer who is wanting to put more sewage into that line to either pay for it or help pay for it. Mr. Hallmark thanked Council for their time.

Council Member Powell asked Public Works Director Matt Blackburn if there had been any recent issues with that sewer line. Mr. Blackburn advised he didn't recall any recent complaints. He advised one time there was a complaint of a smell, but it turned out it was a deceased animal. Mr. Blackburn further advised Public Works staff had recently walked the entire stretch of that sewer line clearing the right of way and hadn't reported anything to him, which they would have. Mr. Blackburn stated if there was a smell he would be

glad to investigate further and could take a camera to the sewer if he need to do so to see if there were in fact an issue.

The applicant, Mr. Winkler advised he too had been concerned about that sewer line and had wondered why the Town had originally installed the line that way. Mr. Blackburn advised it was because it is a gravity flow line. Mr. Winkler felt a deeper manhole on the upper side to at least get it underground might work as he too felt it was awful looking.

Mr. Winkler addressed Mr. Hallmark's points and advised he felt the Town put in a substandard and didn't feel it was up to him to rectify what the Town had done. Mr. Winkler explained the way he looked at it was "we are all taxpayers which means the Town is supposed to be taking care of us." Mr. Winkler stated if there is something he could do as far as the engineering or something along those lines he would be glad to do that, but for right now just didn't feel it was "on him" to do anything that was the Town's responsibility.

Mayor Pro-Tem Sweeting asked if Mr. Winkler planned on cutting any of the Hemlocks in the area. Mr. Winkler advised he had no plan too, the only trees he would have to cut would be if they come over where the road would be going in. She further asked if he would have access to the Country Club through the Hemlocks. Mr. Winkler advised he would.

Council Member Harwood asked Mr. Winkler if he would be willing during the road construction to have the construction traffic make the "short trip" to Goforth Road, which would be a right turn only out of the development. Mr. Winkler advised he would absolutely be willing to do that, and stated he felt it would almost be impossible to make a left turn out.

Mayor Sellers advised he wanted to state for the record had received two (2) emails about the project of which he didn't respond and forwarded to Manager Fox. He asked each Council Member to disclose if they had any received any contact regarding the project.

Council Member Yount stated he had some phone calls from a few people in Cleveland County and some from Church.

Council Member Harwood advised he did have a few communications either written or verbal.

Mayor Pro-Tem Sweeting stated she had received two (2) emails in which she didn't respond.

Council Member Powell stated she received three (3) or four (4) emails and just responded "thank you for your email."

Mayor Sellers asked if they each felt like they were able to make an unbiased decision on this project. All agreed they were.

Mayor Sellers asked for further questions or comments from the Public. With no further questions or comments Mayor Pro-Tem Sweeting made a motion to close the Public Hearing, seconded by Council Member Powell. Unanimously approved.

Mayor Pro-Tem Sweeting made a motion to approve with the recommendation from the Planning Board that all land use ordinance codes will be fulfilled, also requested that construction traffic go up Sunset Drive, take a right on Goforth and go to the second Rankin Road because of the disruption; she noted she is aware of the disruptions since she lived through it on Chestnut Drive, so she understood the concern. Council Member Yount seconded the motion. Unanimously approved. **Rankin Road Subdivision – John Winkler CUP - #2020-01 – Attachment B**

2. Blowing Rock Market CUP Amendment – CUP #2000-02

Mr. Rothrock gave the staff report for the Blowing Rock Market CUP Amendment. In July 2017, David Barker of Mountaineer Marketing, Inc. was approved for an amendment to conditional use permit #2000-02 to make changes to the parking and outdoor seating of Blowing Rock Market located at 990 Main Street. In 2019, Mr. Barker completed the building changes of enclosing the patio area to expand the market.

The site improvements have not been completed. Mr. Barker contends that Art in the Park activities prohibits the traffic flow from his site to Park Ave. Mr. Barker contends that Art in the Park activities prohibits the traffic flow from his site to Park Ave. Mr. Barker has proposed a revised site plan for Council consideration. The approved project is required to maintain ten (10) parking spaces including the ADA handicap space and the approved outdoor seating is limited to 38 seats.

The proposed seating is 38 outdoor seats with 9 parking spaces and no vehicular access to Park Avenue. Mr. Barker also is wanting to add retractable awnings on both sides of the entry portico cover the expanded outdoor seating areas.

Mayor Pro-Tem Sweeting asked Mr. Rothrock to clarify the drawing for the proposal so she was clear on the design. Mr. Rothrock asked the applicant, Mr. David Barker to help explain. Mr. Barker advised there would be four (4) fire pits; two on each side, thirty-eight (38) seats, nineteen (19) tables with two (2) seats per table as the majority of the time it's couples dining.

Mayor Pro-Tem Sweeting asked if there was an outdoor kitchen on the plan. Mr. Barker advised there was and explained the outdoor kitchen would basically be a grill. He explained the State of North Carolina had approved that last year and explained the only requirement of the Health Department is to have a hand sink with running water and a roof over the grill area.

Mr. Barker explained the reasoning behind this request is his business is running into they are at capacity on busy days, particularly Saturday's and Holiday's. The goal is to move their food service outdoors to help with that problem. The grill will mainly serve

hamburgers and hotdogs. He advised he felt by doing this he could increase moving people through more efficiently and give them a better experience. Mr. Barker stated nobody comes to the mountains on vacation to sit inside, outdoor seating is the trend nationally, but especially the trend in mountain, resort communities.

Mr. Barker advised he is requesting to make the change from his original plan because he knew Federal Regulations were going to put him out of the gas business. He explained the regulation rule was extended for one year, which is the reason he didn't make this request the first year and in the meantime the sidewalk was built. Mr. Barker advised the sidewalk is great, but it completely changed the pedestrian flow. He explained what he and Mr. Rothrock did was make a one way into his business and a one way out. He further explained what ended up happening was it became a one way out for cars, but a huge funnel of one way in for pedestrians. He advised the pedestrian traffic now comes straight up Park Avenue and now has pedestrians walking straight into cars. Which has now made pedestrians walking through the parking lot "a game of Chicken."

Mr. Barker further advised that as of two days ago his business is no longer a gas station. He explained he is committed to make his business the best looking business on Main Street. The rock work will follow the rock work of the store. He stated he had been referred to as the "prettiest gas station in the world", which is no longer a gas station, that is now why the need to change the way he is doing things is so important.

Mr. Barker advised the plan he is committing to the Town is: to do stone work, put in pavers, dig up all the natural area and replace the soil due to the strong salt content in the current soil and put a hedge down along Park Avenue to get pedestrian traffic to flow down the sidewalk. Mr. Barker stated his business is Monday thru Wednesday 80% car traffic and Thursday thru Sunday 90% percent pedestrian traffic. The idea behind this plan is to just give another way for people to sit outside and be more comfortable.

Mayor Pro-Tem Sweeting stated to Mr. Barker that he had mentioned he had an issue with Art and the Park and the Market and asked him to explain. Mr. Barker advised it's really a minor issue because it's only six (6) days a year. He explained the biggest issue is the pedestrian traffic cutting through his business rather than following the sidewalk all the way around.

Mr. Barker further explained the Art and the Park issue as well as the Farmer's Market was because the street is blocked off for those events, so that along with the angle of his parking spots made it hard for his car traffic to get out of his parking lot. He stated making this change to his layout he would no longer have an issue. Mr. Barker advised this is a opportunity to go in and plant some hedge and change some things up as his business and building are now twenty (20) years old and he felt it was time to "freshen it up."

Council discussed the previous CUP from 2017 as well as the parking spaces.

Council Member Powell asked what the rules were for the gas tanks underground to keep that area safe with the fire pits and grill since the business is no longer a gas station.

Building Inspector John Warren advised Mr. Barker had a few options: the first was to make sure there was no longer any gas in the tanks, then he could fill the tanks with sand, foam, concrete or he could dig the tanks up. Mr. Warren stated the biggest requirement was to make sure there is no longer any gas in the tanks.

Council Member Powell asked to make sure she had it correct, that all this must be done before Mr. Barker can have the outdoor kitchen or firepits. Mr. Warren advised that is correct and it would be inspected and signed off on.

Mr. Barker advised the State will also inspect and sign off that it has been done. He further advised he had six (6) months to complete it, but advised he would do it much sooner because he wanted to get to work on the project. Mr. Barker stated there is a computerized program that lets you know if there is still gas in the tank, which he has and will keep as long as the tanks are underground on the property.

Mayor Pro-Tem Sweeting advised one of the things she is still confused about is in the original CUP and the CUP that was brought before Council in 2017 was for the purpose of a convenience store and a market. In her opinion Mr. Barker has changed that whole idea. She further advised in her opinion it should be a whole new CUP, not an amendment because it's not an amendment. She stated she wasn't really sure why amendment came up, and felt that this needed to go before Planning Board to have them review it. She reiterated she felt this was being changed from a convenience store/market to a restaurant.

Council Member Powell commented that is what Mr. Barker, he said as two days ago it was a gas station and now it's no longer a gas station.

Mr. Barker explained gas station and convenience store are not the same as 20% of the convenience stores in the country do not sell gas. Examples the "Sheetz and Q-T's" are now the biggest convenience stores and quick service restaurants. He further explained it's a world changing and there isn't a "black and white" on that.

Mr. Barker agrees the food service component is changing, but that doesn't change his business, the only real difference is he is no longer selling gas.

Mayor Pro-Tem Sweeting stated she was a little concerned with closing the exit to Park Avenue.

Council Member Harwood asked Mr. Rothrock what would be the occupancy if it was no longer a gas station. Mr. Warren answered it would still be a Business less than one hundred (100) people, the same as a gas station.

Council Member Yount stated he respectfully had to disagree with Mayor Pro-Tem Sweeting. He advised he felt closing the Park Avenue entrance would be one of the best things that could happen period.

Council Member Harwood asked Mr. Rothrock if this CUP had a two (2) year vesting right which had now expired. Mr. Rothrock advised yes and no, he explained Mr. Barker got a building permit which gave him another vesting right, Mr. Barker did the work, it's just he hasn't finalized the sight work associated with the CUP and in the meantime is back saying the things he originally wanted to do he has re-thought and would like to make changes to. The reason it's a CUP amendment is because there was already issued when the place was built. Council Harwood stated that answers Mayor Pro-Tem Sweeting's question. Mr. Rothrock further stated yes, it was just a minor amendment to the activities and operations of the business its still a business, still a lot of the same things Mr. Barker has been doing and only the gas station component is gone.

Council Member Harwood asked Mr. Rothrock what is required for the seat count. Mr. Rothrock advised to make him compliant he would need to remove six (6) outdoor seats. That would make it thirty-two (32) outdoor seats and would make them in compliance with the amount of parking he has. Council Member Harwood ask if nine (9) spaces would be sufficient. Mr. Rothrock advised it would.

Council Member Harwood asked Mr. Barker what the thought was behind not removing the "gas pump island" that is closest to Main Street. Mr. Barker advised he just hadn't done it yet, partly due the history and the uniqueness of the stonework he just didn't want to remove it until he had something really good to replace it with.

Council Member Powell asked if it would be big enough for a parking spot. Mr. Barker and Mr. Rothrock concurred it would not be.

Council Member Harwood commented his observation was the canopy of the island contributes to it looking like gas station. Mr. Barker advised he hadn't thought of that.

Council Member Harwood asked with the proposal of removing the exit onto Park Avenue if there was an opportunity to gain a public space for the Town. Mr. Rothrock advised he didn't think so and showed an map drawing which explained why.

After further discussion about parking and minor technical questions, Council Member Yount made a motion to approve. The motion died for a lack of a second.

Council Member Harwood made a motion to approve as presented with giving Mr. Barker the option of reducing seat count to thirty-two (32) to be in compliance with the nine (9) parking spaces or paying \$7,500 into the parking fund for the loss of one space and having thirty-eight (38) seats, seconded by Council Member Powell. For the motion: Council Members Harwood, Yount and Powell. Against the motion: Mayor Pro-Tem Sweeting. Motion passed. **Blowing Rock Market CUP Amendment - #2000-05 – Attachment C**

BUSINESS MATTERS:

1. Playground Equipment Upgrade

Parks and Recreation Director Jennifer Brown advised during the January 2020 Retreat, the topic of a new playground was discussed at length. During the prioritization phase of the retreat, the replacement of the playground was ranked 2nd in overall priorities for the Town for 2020. Staff was directed to establish a committee which included members of the community and Town staff to design and gather proposals for a new playground that costs no more than \$600,000. The committee included Sam Hess, Sam Glover, Chris Pate, Baker Stanley, Thomas Steele, Kent Graham and Jennifer Brown,

The committee reached out to five companies to submit proposals. A total of three companies responded to the Town's request. During the preliminary meetings each of the three companies were directed to incorporate natural playscapes (trees, boulders, hills, color palate), hills for play areas, a 2-5 year old play feature, a 5-12 year old play feature, swings for all ages, poured in place rubber, and astro-turf surfacing combined. The scope also included relocating the playground to be more centrally located with the gazebo/tree wells to improve drainage, and within a budget of \$600,000.

After approximately 15 meetings between all three companies, the committee has narrowed it down to one company and their proposed design. The company met all the requirements that were requested by the committee and exceeded all expectations in the design and quality of the current playground that has 12. Of those 120 features, 77 are ADA accessible ADA swings that we do not have currently between the 5-12-year-old play feature and the 2-5-year old play feature.

This company offers extended warranties on all the play features and the surfacing. The warranty on the steel posts in the playground in the playground is 100 years, all plastic components is 15 years, all climbers and cables are 8 years, panels are 5 years, and all other parts (swing seats, hangers, chain ladders, etc.) are 3 years. The warranty on the poured in place rubber surface is 7 years. References have been checked and warrant no concern.

Staff presented the rendering to the Blowing Rock Appearance Advisory Commission and received very positive feedback on the design. The entire committee is very pleased with the proposed design, the number of features that are being offered, and the quality of the materials.

Ms. Brown gave a PowerPoint presentation of the proposed playground upgrade and explained in detail the features.

Ms. Brown advised if approved, it takes approximately twelve (12) weeks to manufacture and the goal is to have the project to be completed by the 4th of July. She noted that date is contingent on weather, but it was the target completion date.

Mayor Pro-Tem Yount thanked Ms. Brown, staff and the committee for their hard work.

Resident and Committee Member Sam Hess advised he appreciated everyone's work. He felt like this would be a huge draw for families to Town as well as a draw for younger families to move to Town. Mr. Hess advised working with Ms. Brown and Manager Fox has been wonderful and he further thanked Council for their support and consideration of the project.

Finance Officer Nicole Norman briefly reviewed the budget amendment and planned funding for the project. She noted this is a 50/50 partnership with the TDA, with TDA 1/3 infrastructure funding as well as Town funding to cash fund the entire project.

Council Member Powell stated this will be done without any loans, any tax increase, any "buckets", any fundraisers etc. and will be fully paid for.

Manager Fox advised he felt it was worth noting this is an exact 50/50 partnership between the Town and the TDA.

Council Member Powell made a motion to approve "this beautiful playground, call them tomorrow and get it rolling", seconded by Mayor Pro-Tem Yount. Unanimously approved.

Council all thanked everyone for their hard work. **Budget Amendment – Memorial Park Playground - #2020-05 – Attachment D**

2. Paving Contract – McGill

Town Engineer Doug Chapman from McGill advised the public bid opening for the 2020 Road Resurfacing project was held on February 18, 2020. A total of three (3) bids were received, and Moretz Paving, Inc. of Boone, NC, submitted the lowest responsive, responsible bid with a total base bid amount of \$1,923,566. An alternate bid item was included to install drainage along Chestnut Drive, in the amount of \$220,180.

Mr. Chapman further advised as he went back and met with Town staff and looked at what the available funds were for the Bond monies, there were a couple of the streets that were in pretty good condition so they were removed from the list to be paved. He explained they also reduced the amount of drainage improvements to be made in the area where there has been the most issue the past few years.

Mayor Pro-Tem Sweeting asked if the issues in that area was due to the construction on Chestnut Drive. Mr. Chapman advised he didn't think so, he explained he thought the construction makes the situation a little bit worse and that any time something changes everything seems to be a little bit worse. Mr. Chapman reiterated he didn't think that's why there has been a problem because there has been a problem around that particular ditch for years.

Mr. Chapman advised there is approximately fifty (50) streets, or parts of streets, that will be paved.

Mr. Chapman reviewed and discussed in length and detail the drainage issue on Chestnut drive and the plan to correct that issue.

Mr. Chapman advised McGill recommends awarding the bid to Moretz Paving, Inc. in the amount of \$1,888,242,00. This amount includes street paving in the amount of \$1,825,682, modest drainage improvements along Chestnut Drive in the amount of \$62,560. Mr. Chapman further advised they also recommend a 3% contingency in the amount of \$56,647.

Ms. Norman briefly reviewed the budget amendment associated with the road resurfacing. She noted the funding source for this project is bond funds.

Mayor Pro-Tem Sweeting suggested having signs out that say “Your Bond Money At Work” to show residences what is being done with that money.

Mayor Pro-Tem Sweeting made a motion to approve as presented, seconded by Council Member Yount. Unanimously approved.

Council thanked Mr. Chapman for his hard work. **Budget Amendment – GO Bond Paving - #2020-06 – Attachment E**

3. Monthly Financial Presentation

Finance Officer Nicole Norman gave the monthly Financial Report from February 2020.

OTHER BUSINESS

- Mayor Sellers – Had a meeting with someone from the Broyhill Foundation to discuss the potential of them donating to the Village Foundation’s Legion Hill project. He doesn’t know where it will go, but a good point was brought up, that from a liability standpoint it would be good if the Town started focusing on stairways down to Broyhill Lake. Town Birthday Party is on March 12th at 3:30 at Town Hall. The Historical Society voted to make the 1888 Museum ADA accessible and put in an additional door and the building will be open seven days a week from 8-5 and they are funding that.
- Council Member Yount – Great meeting, felt Council made some progress.
- Council Member Harwood – Thanked Matt Blackburn. Mark Presnell and all the Fire Fighters for the effort they put in fighting the bush fire.
- Mayor Pro-Tem Sweeting asked Mr. Rothrock what the Planning Board had done so far with the Ad Hoc. Mr. Rothrock advised it will be discussed at the upcoming Planning Board Meeting.
- Council Member Powell – the TDA was very supportive because of the success of the TDA of the Town and helping, so when the next Budget is done they are going to look at the 1/3 and the possibility of re-allocating funding to help the Town out more.
- Manager Fox: Legacy Trail was reopened about two (2) weeks ago, thanked Public works and staff for putting in the work to get that project done, HCCOG use

to hold intercounty a few meetings a year, but those meetings stopped a few years ago. Since Council Member Matheson is on that Board he has talked with each of the stakeholders for the county and towns about starting those back up which will happen and the first meeting will be held in April. There will be two representatives from each board and Council Member Matheson has asked to be one of those members and would like to know who would like to be the other member. Council Member Harwood advised he would like to be on the board. Mayor Pro-Tem Sweeting advised she would like to as well, but knew there wasn't a need for three. Reviewed that four of the fourteen items Council ranked at the Retreat are now in progress.

Council took a fifteen-minute recess before going into executive session.

EXECUTIVE SESSION

At 8:15 p.m. Council Member Powell made a motion to go into executive session *NCGS 143-218.11 (a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and public body and NCGS 143-318.11. (a)(5) – discussion of potential property acquisition*, seconded by Council Member Yount. Unanimously approved.

ADJOURNMENT

At 9:00 p.m. Council returned to open session. There being no further business to discuss, Council Member Yount made a motion to adjourn at 9:00 p.m., seconded by Council Mayor Pro-Tem Sweeting. Unanimously approved.

MAYOR _____
Charlie Sellers

ATTEST _____
Hilari Hubner, Town Clerk

ATTACHMENTS

- Budget Amendment – Bass Lake Sidewalk #2020-07 – Attachment A**
- Rankin Road Subdivision – John Winkler CUP#2020-01 – Attachment B**
- Blowing Rock Market CUP Amendment - #2000-02 – Attachment C**
- Budget Amendment – Memorial Park Playground - #2020-05 – Attachment D**
- Budget Amendment – GO Bond Paving - #2020-06 – Attachment E**

Town of Blowing Rock Electronic Meeting Policy

I. Purpose

Public bodies that administer the legislative, policy-making, quasi-judicial, administrative, and advisory functions of North Carolina and its political subdivisions exist solely to conduct the people's business. It is the public policy of North Carolina that the hearings, deliberations, and actions of these bodies be conducted openly. Due to the COVID-19 pandemic, the Town of Blowing Rock has declared a State of Emergency, effective March 26, 2020, suspending all public meetings and requiring them to be conducted electronically.

II. Applicability

This Policy applies to all boards and commissions established or authorized by the Town of Blowing Rock Town Council.

III. Recitals

Policy Considerations This Policy is disseminated with the intent and applied so as to:

1. Allow members of a governing body to conduct meetings electronically;
2. Provide continuity of Town operations and business;
3. Balance ease of a voting members' access to and participation in orderly proceedings, especially where there are public safety concerns that pose impediments to physical attendance;
4. Comply with North Carolina's Open Meetings Laws, and any amendments thereto, in a manner consistent with the requirements, while allowing for the conduct of Town business and operations through electronic means.

IV. Definitions

1. Meeting - a gathering of a majority of the governing body of a public body for the purpose of taking official action upon business.
2. North Carolina Open Meeting's Law - which is codified as Article 33C of the North Carolina General Statutes, Chapter 143, requiring that, with the exception of Closed 040720 BCC Meeting 16 Session, each official meeting of a public body shall be open to the public, and any person is entitled to attend such a meeting.
3. Quorum - A majority of the membership of the Town Council and any other Board or Commission that is subject to this policy constitutes a quorum. If a member who was present at the onset of the meeting has exited without being excused by majority vote of the remaining members present, he shall be counted as present for the purposes of determining whether a quorum is present.

4. Official Action - includes receiving information, deliberating, making recommendations, establishing policy, making decisions, and taking final action (i.e. voting). Ind. Code § 5- 14-1.5-2(d).

5. Public Body - any elected or appointed authority, board, commission, or committee of the Town that (i) is composed of two or more members and (ii) exercises or is authorized to exercise a legislative, policy-making, quasi-judicial, administrative, or advisory function. Public body does not include a meeting solely among the professional staff of a public body.

6. Official meeting - a meeting, assembly, or gathering together at any time or place or the simultaneous communication by conference telephone or other electronic means of a majority of the members of a public body for the purpose of conducting hearings, participating in deliberations, or voting upon or otherwise transacting the public business within the jurisdiction, real or apparent, of the public body.

However, a social meeting or other informal assembly or gathering together of the members of a public body does not constitute an official meeting unless called or held to evade the spirit and purposes of the North Carolina Open Meetings Law.

7. Closed Session – means a meeting from which the public is excluded pursuant to N.C. Gen. State 143-318.11, except persons that the governing body may admit as necessary to carry out its purpose.

V. Policy Provisions

1. Meeting Notice: All electronic meetings shall comply with North Carolina General Statute 153A-40, to it:

a) Regular Meetings - the Town Council shall hold a regular meeting at least once a month, and may hold more frequent regular meetings.

b) Special Meetings - the Mayor may at any time call a special meeting of the Town Council by signing a written notice stating the time and place of the meeting and the subjects to be considered. The Mayor shall cause the notice to be delivered to the full Town Council at least 48 hours before the meeting and shall cause a copy of the notice to be posted on the Town's bulletin Board and website at least 48 hours before the meeting.

c) Emergency Called Meetings - if a special meeting is called to deal with an emergency, the notice requirements of this subsection do not apply. Only business connected with the emergency may be discussed at a meeting called pursuant to this paragraph. In addition to the procedures set out in this subsection, the Mayor shall comply with the notice requirements of Article 33B of General Statutes Chapter 143.

2. Commencement of a Meeting: A call-in telephone number along with access code will be emailed to the full Town Council. At any electronic meeting, a quorum of the Council must be online via conference call or video for the meeting to be held. The Mayor will call roll to ensure a majority of the Council is present online. In the event a majority of the Council is not present, the meeting will be cancelled and rescheduled for another date.

3. Meeting Protocol: All electronic meetings shall be conducted with and follow the same standard policies and procedures as an in-person meeting of the Town Council to the extent reasonably possible. All electronic meetings will be recorded and the recording will be attached to the online corresponding Council packet for the next meeting.

4. Roll Call Voting: All votes of the Council shall be taken by roll call. During such a vote, each voting member will be called individually by name and requested to cast their vote aloud.

5. Public Comment: Citizens wishing to provide public comments during electronic meetings may send comments to clerk@townofblowingrocknc.gov , or in writing by mail, to 1036 Main Street, PO Box 47, Blowing Rock, NC 28605. Comments received by 4:00 PM the day of the official meeting date will be read by the Mayor/Town Manager and made a part of the official record. Council members will be given an opportunity to respond to comments submitted. Comments received after the 4:00 PM deadline will be read at the next regularly scheduled meeting and made a part of the official record with the same opportunity to comment. All Town Council meetings will be “live” streamed audio via the Town’s YouTube channel. Information on how to access will be posted via a public notice prior to the meeting

6. Meeting Minutes: Minutes of electronic meetings shall follow the normal format as in-person meetings.

7. Media Access: Reasonable efforts will be made to ensure local media has access to the electronic meetings, including a call-in number and access code being provided to for access to meetings.

VI. Effective Period

This Policy shall become effect upon the Declaration of a State of Emergency by the Mayor and will remain in full force and effect until the expiration of the Declared State of Emergency

FINANCIAL REPORT AS OF MARCH 31, 2020

Financial Overview

Please find reported, we are 75% into fiscal year 2019-2020. Collections of 2019 property taxes total \$4,340,138 or 100% (this is 4% more collections at this point in the fiscal year than last year at this time and consistent with budget pace compared to last year) of budget at this time. With collections being one month in arrears, we have collected eight months of motor vehicle taxes for the new fiscal year, with collections at \$66,209 or 78% (this is 10% more collected at this point in the fiscal year than last year at this time) of budget.

Sales tax revenues are collected two months in arrears, with \$1,237,171 or 68% (this is 11% higher compared to last year, 10% higher than budget pace last year at this time) of budget collected at this time. Building permit collections are at \$57,135 or 114% of budget (above budget pace and above last year's collections at this time by 6%), and zoning fees are at \$7,096 or 71% (consistent with last year's collections and budget pace at this time).

The fifth utility billing of the new fiscal year will occur in late April, billings for the current fiscal year are at \$652,297 or 70% and \$536,905 or 70% for water and sewer charges respectively. This is 8% above last year's collections for Water and 6% above last year's collections for Sewer charges. Water and sewer connection fees collected to date are at \$8,250 or 41% and \$12,497 or 57% respectively. These totals continue to be lower than last year due to the Inn at Cornish fees collected last year.

Overall expenditures for the General Fund are at 66% (4% below last year at this time and slightly lower than budget pace) and 63% (remaining somewhat higher (6%) than last year at this time as mentioned previously mainly due to capital equipment purchase timing, though below budget pace) for the Water/Sewer Fund. Overall revenue for the General Fund is at 78% (4% below last year at this time) and 69% (remaining 12% up this year compared to last year) for the Water/Sewer Fund. Since many of our revenues are collected in arrears, these totals are somewhat expected at this point in the fiscal year. As previously mentioned, annual debt service payments are related to the elevation seen in the Public Building department but the overall budget for this department is not anticipated to be over budget at the end of the year based on projections at this time. All other department expenditures are in line with budget at this time. See the attached report for departmental breakdowns.

Department Activity Notes

Budget work continues for the Town and TDA as much as possible remotely at this time. The Admin./Finance department has continued office operations remotely with two of us coming in once a week to finalize accounts payable processing and post collections that have been received in the mail or drop box locations. Things seem to be moving along well at this time and we have no operational concerns.

We have recently obtained insurance renewal quotes from the NC League of Municipalities that show a 18% increase and 10% increase in worker's compensation and property and liability insurances respectively.

Audit work is also underway with our auditors conducting their week of preliminary field work remotely this week.

Budget Commentary (COVID-19)

Current year budget projections previously completed haven been reworked with some very conservative projections to major revenues such as sales tax which is our main unknown and main source of revenue concern at this time. Occupancy tax in another area that is expected to suffer as a result of the current COVID-19 pandemic. Utility revenues are projected by many to show slow as well and we plan to keep current on these revenues to monitor what impact there may be. We are currently working towards some utility projects and impacts possible from our commercial customers usage and perhaps some inability for some of our residential customers to make full payment of their utility bill and our restrictions on enforcement. As required, notice of enforcement changes per Governor's Executive Order No. 124 have been placed on the Town's website, sent via e-mail to the citizen distribution list and will be included in the Town's April issue of the Around the Rock newsletter which will be mailed out with the upcoming utility billing to all utility customers.

There have been a multitude of NC School of Government sponsored Zoom meetings going on that we have participated in to try and keep up with the changing environment and conditions and projections to be as well prepared as possible for the changes that continue to evolve as we continue in this uncertain environment. It is important to note that effects of the last months COVID19 response and economic environment changes will not begin to show for at least another month perhaps two. This is a result of the nature of many of our revenues being collected at least one month in arrears and in some cases two months in arrears such is the case with sales tax. In an effort to prepare for the likely shortfalls mentioned above, we have asked all departments to suspend any expenditures that are not essential to their current operations and seek any possible savings on operations available/possible from this point forward until further notice is given (likely through the end of this fiscal year into next).

Thank you,

Nicole M. Norman
Finance Officer

TOWN OF BLOWING ROCK
FINANCIAL SUMMARY REPORT
As of March 31, 2020, 75% of Fiscal Year 2019-20

GENERAL FUND

REVENUES	Annual Budget	Actual to Date	Y-T-D % Collected
Current Year Levy of Property Taxes	\$ 4,359,606	\$ 4,340,138	99.55%
Motor Vehicle Taxes	84,572	66,209	78.29%
Utilities Franchise Taxes	374,400	173,841	46.43%
Local Option Sales Taxes	1,821,591	1,237,171	67.92%
Fund Balance Appropriated	120,000	-	0.00%
All Other Revenues	3,046,907	1,810,569	59.42%
	<u>\$ 9,807,076</u>	<u>\$ 7,627,928</u>	<u>77.78%</u>
EXPENDITURES	Annual Budget	Actual to Date	Y-T-D % Spent
Governing Board	\$ 56,181	\$ 34,615	61.61%
Central Government	2,950,305	2,043,919	69.28%
Public Buildings	611,340	511,513	83.67%
Administrative/Finance	457,122	315,858	69.10%
Police	1,439,150	1,012,936	70.38%
Emergency Services	1,088,664	761,748	69.97%
Planning and Inspections	300,550	221,454	73.68%
Street	1,423,531	845,992	59.43%
Sanitation	406,463	297,820	73.27%
Parks and Rec/Landscaping	1,448,827	674,880	46.58%
	<u>\$ 10,182,133</u>	<u>\$ 6,720,734</u>	<u>66.01%</u>
Y-T-D FUND BALANCE INCREASE (DECREASE)	<u>\$ (375,057)</u>	<u>\$ 907,194</u>	

Property Tax Collection	<u>FY 2020</u>	<u>FY 2019</u>	<u>FY 2018</u>	<u>FY 2017</u>
As a Percentage of Total Levy	114.43%	100.05	98.49%	99.13%
(Motor Vehicles Not Included)				

WATER AND SEWER FUND

REVENUES	Annual Budget	Actual to Date	Y-T-D % Collected
Water Revenue	\$ 928,200	\$ 652,297	70.28%
Sewer Revenue	773,680	536,905	69.40%
Connection Fees	42,000	20,747	49.40%
Fund Balance Appropriation	40,000	-	0.00%
All Other Revenues	370,632	264,992	71.50%
	<u>\$ 2,154,512</u>	<u>\$ 1,474,941</u>	<u>68.46%</u>
EXPENDITURES	Annual Budget	Actual to Date	Y-T-D % Spent
Administrative	\$ 620,464	\$ 285,123	45.95%
Plant Operations	958,528	764,326	79.74%
Field Operations	502,578	309,572	61.60%
Contribution to Fund Balance/Contingency	72,942	-	0.00%
	<u>\$ 2,154,512</u>	<u>\$ 1,359,022</u>	<u>63.08%</u>
Y-T-D FUND BALANCE INCREASE (DECREASE)	<u>\$ -</u>	<u>\$ 115,919</u>	