



## **Town of Blowing Rock**

### **Board of Commissioners Meeting**

Date: **Tuesday, July 8, 2025, 6:00 p.m.**

Location: **1036 Main Street, Blowing Rock, NC 28605**

### **Agenda**

<b>Item</b>	<b>Topic</b>	<b>Presenter and Participants</b>
I.	<b>CALL TO ORDER – ROLL CALL FOR ATTENDANCE</b>	Mayor Charles Sellers
II.	<b>PLEDGE OF ALLEGIANCE</b>	Mayor Charles Sellers
III.	<b>APPROVAL OF MINUTES – By Roll Call</b> 1. June 10, 2025 – Regular Meeting Minutes 2. June 24, 2025 – Mid-Year Retreat Meeting Regular and Closed Session Minutes  <b>REGULAR AGENDA ADOPTION</b>	Mayor & Council  Town Clerk Hilari Hubner  Mayor & Council
IV.	<b>CONSENT AGENDA:</b> 1. Annual Tax Report and Order of Collection 2. Fireworks Permit – Blowing Rock Chamber 3. Blue Ridge Relay 4. 321 Resolution – Safety	Mayor & Council
V.	<b>PUBLIC COMMENTS</b> <i>Comments shall be limited to three (3) minutes</i>	
VI.	<b>SPECIAL PRESENTATION</b> 1. NC Historic Preservation Office	Mayor Sellers
VII.	<b>PUBLIC HEARING:</b> 1. Proposed Debt Financing	Manager Fox
VIII.	<b>REGULAR AGENDA:</b> 1. Loading Zones 2. Code of Conduct	Manager Fox

IX.	<p><b>OFFICIALS REPORTS &amp; COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Mayor</li> <li>2. Council Members</li> <li>3. Town Attorney</li> <li>4. Town Manager</li> </ol>	
X.	<p><b>CLOSED SESSION – NCGS 143-318.11. (a)(5) Discussion of potential property acquisition and NCGS 143-318.11.</b></p>	
XI.	<p><b>ADJOURNMENT/RECESS...</b><i>Mayor Charles Sellers entertains a motion and second to adjourn or recess the meeting.</i></p>	

**DRAFT**  
**MINUTES**  
**Town of Blowing Rock**  
**Town Council Meeting**  
**June 10, 2025**

The Town of Blowing Rock Town Council met for their regular monthly meeting on Tuesday, June 10, 2025, at 6:00 p.m. The meeting took place at Town Hall located at 1036 Main Street, Blowing Rock, NC. Present were Mayor Charlie Sellers, Mayor Pro-Tem Doug Matheson, Council Members Cat Perry, David Harwood, Melissa Pickett and Pete Gherini. Others in attendance were Town Manager Shane Fox, Town Attorney Joey Petrack, Planning Director Kevin Rothrock, Public Works Director Matt Blackburn, Parks and Recreation Director Jennifer Brown, Police Chief Nathan Kirk, Landscape Director Cory Cathcart, IT Director Thomas Steele, Emergency Services Director Kent Graham 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. Mayor Sellers verified attendance via roll call.

**THE PLEDGE OF ALLEGIANCE**

**MINUTE APPROVAL**

Mayor Pro-Tem Matheson made the motion to approve the minutes from May 13, 2025, regular & closed session and May 27, 2025 budget work session, seconded by Council Member Pickett. Unanimously approved.

**REGULAR AGENDA ADOPTION**

Council Member Gherini made a motion to adopt the regular agenda, seconded by Council Member Perry. Unanimously approved.

**CONSENT AGENDA**

1. Blowing Rock ABC Store – Travel Policy
2. Fireworks Permit – Blowing Rock Country Club
3. Police Weapon Surplus
4. Utility Write-off Resolution

Council Member Harwood made a motion to approve the consent agenda as presented, seconded by Council Member Gherini. Unanimously approved.

**SPEAKERS FROM THE FLOOR**

Gigi Poole – 147 Dogwood LN spoke about workforce housing as her first introduction to the topic was at the winter retreat in January. She thinks there are more important issues that need to be considered with workforce housing such as monitoring and what is the demand for this type of housing.

## **SPECIAL RECOGNITION**

Police Chief Nathan Kirk recognized officers Jeffery Dylan Walton and Nathan James Mitchell and gave some background on each other their accomplishments since they started at the police department earlier this year. Town Clerk Hilari Hubner administered the oath of office to both officers and Chief Kirk presented each with a Blue Line Bible provided by Samaritan's Purse.

## **PUBLIC HEARING**

### **1. Bennett Property – RZ 2025-01 – R-15 to HSG Ordinance #2025-04**

Zoning Enforcement Officer Brian Johnson stated Mr. and Ms. Zachary Bennett are requesting a rezoning of two vacant lots adjacent to their residence at 1194 Laurel Lane from R-15, Single-family to HSG, Horse Show Grounds. Lots 5 and 6 are part of "The Creeks at Mayview", a 6-lot subdivision. Lot 5 is 0.771 acres, and Lot 6 is 0.699 acres.

The current zoning is R-15 – Single-Family – which is intended to be a low-density residential district in which single-family residences constitute the predominant use. Multi-family dwellings and mobile homes are prohibited in this district.

The proposed zoning is HSG- Horse Show Grounds – which is a zoning district designed to accommodate equestrian activities such as horse shows.

As stated in the application, Mr. and Ms. Bennett would like to build a small barn and keep a horse or two on the property. The current R-15 zoning does not allow this, but the proposed change to HSG would allow. The property does border the horse show grounds.

At the May 15, 2025 Planning Board meeting, the Planning Board made a recommendation to approve the rezoning.

Subject to the remaining provisions of this section, the height of a building or structure in any residential district (R-15, R-10, R-6, or RMH), may not exceed thirty-five (35) feet. Similarly, the eave height of a building or structure in the R-A district or any non-residential district (HMC, HSG, OI, or PGS) may not exceed thirty-five (35) feet and the overall height of the building or structure shall not exceed fifty (50) feet.

Mr. Johnson stated notices had been sent out to fifteen (15) neighbors within a hundred and fifty (150) foot radius with no responses from any of those property owners.

Mayor Sellers asked if the applicant would be required to put sewer in.

Mr. Johnson stated it would be an option, but would not be a requirement. He further stated with the HSG zoning they could not have any type of residential dwelling on the property as residential is not allowed in the HSG zone.

Council Member Harwood asked what the fencing requirements are in HSG.

Mr. Johnson noted the town ordinance does not have any fencing requirements, however if approved and it goes to a zoning permit process there are some permits with the Army Core of Engineers that will have to be done per their requirements due to the stream on the property as well as having livestock on the property.

Council Member Harwood mentioned if this property were to be rezoned then essentially the remaining R-15 would be an island in the middle of HSG.

Mr. Johnson stated that would be correct.

Mayor Pro-Tem Matheson asked if this would coincide with everything the horse show grounds properties have.

Mr. Johnson explained this request is compatible with the horse show grounds.

Council Member Gherini stated he had attended the May 15<sup>th</sup> Planning Board meeting and as he recalled there was discussion of the applicant riding horses from their property to the horse show grounds. He wanted to discuss that request further.

Applicant Mr. Zach Bennett (1194 Laurel Lane) stated they purchased the property several years ago and have worked with both State and Federal agencies working on the creeks, getting everything back natural as that is the headwaters of New Year's Creek and it was important to get that area opened back up and flowing. He further stated it was decades of trash, trees, debris etc. and they have spent a great deal of time and money cleaning that all up. Mr. Bennett noted one set of neighbors were present during the Planning Board meeting and spoke in favor of his request. He further stated rezoning will help prevent the other areas his from being developed and will turn into green space surrounding the horse show grounds. He explained that will help protect the area around the horse show grounds which was his goal to begin with. He stated he and his family are very involved with the horse show and are on the horse show board, etc. Mr. Bennett explained as far as riding horses there is a path going directly from their property to the horse show grounds, as well as a cut through from the horse show grounds to the Cone trail off Laurel Lane that has been utilized for decades and decades by the Horse Show.

Mayor Sellers opened the public hearing.

Council Member Harwood asked if there were any HSG properties owned by anyone other than the Blowing Rock Charity Horse Show.

Mr. Johnson stated currently there are not any other properties with that zoning.

Council Member Harwood further asked when the HSG zoning was established.

Planning Director Kevin Rothrock stated it goes back to the original zoning established in 1984.

Council Member Harwood wanted an understanding on what could happen on a HSG property, he explained he had read through the use table and didn't see anything about shows. He asked if the Horse Show was a special use permit.

Mr. Johnson stated there wasn't a special use permit for the Horse Show.

Council Member Harwood inquired how a Horse Show was held on property that does not have permitted use.

Mr. Johnson stated it's because it's been held for over one hundred years.

Mr. Rothrock noted it was grandfathered in as the Horse Show started long before zoning regulations were put into place.

Council Member Harwood stated he wasn't trying to be argumentative or get off subject, he just wanted understanding on what could be done on a HSG zoned property.

Mr. Johnson stated changing from R-15 to HSG does eliminate a lot of uses.

Council Member Harwood asked if HSG was inherently a public event oriented use.

Mr. Johnson didn't think it was, the Horse Show for that one property is specific to that property and didn't think it was specific to the public but only to that one event.

Mr. Rothrock noted HSG district is designed to accommodate equestrian activities such as horse shows.

Council Member Harwood mentioned that looking at the use table the activities are pretty limited.

Mayor Pro-Tem Matheson made a motion to close the public hearing, seconded by Council Member Gherini. Unanimously approved.

Council Member Harwood made a motion to deny the request. He explained the charge to the Town Council is listed in section 16-23 it's clear that Council cannot make this decision based on whether the change would help or hurt the private owner of this property. The council really needs to make the decision based on how this change would affect the whole community and not take into account Mr. and Ms. Bennett's advantages or disadvantages in this. In his opinion, the private use of this is inconsistent with public oriented use of HSG and his motion to deny this request is based on those reasons.

With no second to Council Member Harwood's motion the motion failed.

Council Member Perry made a motion to approve the applicant's request, seconded by Council Member Pickett. For the motion: Council Members Perry, Pickett and Gherini and

Mayor Pro-Tem Matheson. Against the motion: Council Member Harwood. Motion passed.

## **2. Parking Enforcement – Ordinance Update and Passport Parking #2025-05**

Town Manager Shane Fox reviewed at the May 13<sup>th</sup> regular meeting, Council discussed parking enforcement and prior to that meeting it was discussed at Winter Retreat. Based on the parking study approved in the fall of 2024, Ms. Meredith McLaurin's recommendation made towards parking enforcement was as follows; consistent parking enforcement, modifying the current three (3) hour parking limits to two (2) hour time limit on public streets, with the addition of enforcing three (3) hour parking time limit at the Maple Street parking lot, adjust the fines for parking violations and go to a license plate reader system which is much more effective for monitoring.

Chief Nathan Kirk stated at the last meeting he had presented a vendor, Passport, for Council to consider contracting with for a more effective parking enforcement option. He further stated right after that meeting, he was contacted by another vendor, T2 Systems UPSafety PE Solution that has better options and is a better vendor in his opinion.

Chief Kirk reviewed the details offered by T2 Systems. He further reviewed the comparisons between Passport and T2 Systems. T2 Systems; Year 1 - \$15,595.08, Year 2 - \$7,066.08, Year 3 - \$7,066.08. Passport; \$12,000 for the software only – then billed annually, plus fees and equipment Year 1- \$14,600 - \$15,440. T2 Systems is the better option to save money and be able to accomplish what the town is trying to do.

Mayor Sellers asked for clarification if the current budget had funds available to support this endeavor.

Manager Fox explained it was not in the current budget or the new FY budget due to the timing and not knowing how Council wished to proceed. He further explained, if approved, staff could bring a budget amendment before Council at the summer retreat for approval to proceed.

Mayor Sellers opened the public hearing.

Robin Miller, President of the Blowing Rock Chamber spoke on behalf of the business community and requested Council consider leaving the parking time at three (3) hours for the time being. Ms. Miller explained some businesses are still feeling the repercussions from hurricane Helen and business owners would like to see the approach of consistent enforcement first, implement great technology and then move forward with next steps. She further stated the business community would like to request more time to provide collaborative input on parking solutions.

Council Member Gherini stated he had received several emails from people voicing their concerns of reducing the parking time limit and felt Council needed to be sensitive to those concerns. He would ask Council to consider leaving the parking time at three (3) hours for the time being until the full scope has been looked at before making any big changes.

Council Member Harwood stated from his understanding the reason for recommending the parking time limit to change from three (3) hours to two (2) hours was to help rotate parking spaces more frequently. He further stated if someone was going to be here longer than two (2) hours they need to go to one of the two hundred eighty (280) non-timed parking spaces. In his opinion, what he didn't think had been considered was how to get that message out there to the public. He stated he too had received some calls and emails with the same concerns about changing the parking time limit as it would make it hard to get a lunch/dinner and/or shopping outing done in that amount of time. Council Member Harwood explained he would be ok with that as long as people knew where they could park and felt there was a mis-step in the communication on the town's part and asked if there was a thought to providing that information through signage.

Town Manager Fox stated yes, but to what extent of signage has not yet been determined. He explained Wayfinding signage will be coming soon as it was approved on the Town's end, but been delayed due to NCDOT approval. He further explained the signage will depend on what area the parking areas are and will have that area's information.

Police Chief Kirk noted T2 Systems can customize digital information to provide whatever information the Town wishes to share and can be added on the Town's website, social media etc.

Mayor Sellers mentioned some of the people who visit Town are older and don't always understand the technology aspect and are more inclined to just park wherever they find a parking spot.

Town Manager Fox stated for the record the enforcement areas other than Maple Street parking lot, are the same areas the town has enforced parking time limits for years. The Town can always add more signage, but reminded with Wayfinding signage coming the need to provide too much signage wouldn't be a good idea.

Council Member Pickett made a motion to close the public hearing, seconded by Council Member Perry. Unanimously approved.

Council Member Pickett stated in the past the parking enforcement hasn't been cohesive, and she thinks this is strategic baby steps to accomplish goals along the way.

Mayor Pro-Tem Matheson mentioned enforcement is the biggest thing he would like to see happen. He mentioned he's seen a lot of delivery trucks parked blocking crosswalks and would like Council to consider a designated area on Main Street and Sunset as a loading zone.

Council Member Pickett made a motion to increase parking fines, for the Town to purchase the software package and equipment from T2 Systems, leave the parking time limit at three (3)hour parking, leave the enforcement areas as they are currently and change the parking hours to 9:00 a.m. – 5:00 p.m. Monday-Saturday and 1:00 p.m. – 5:00 p.m. on Sundays, seconded by Council Member Perry. Unanimously approved.

### **3. 2025-2026 Budget**

Town Manager Shane Fox reviewed the proposed 2025-2026 budget via power-point presentation.

Mayor Sellers opened the public hearing.

Janie Sellers (412 Wonderland Dr) – spoke as both a resident and Vice-Chair of the Blowing Rock Civic Association. Ms. Sellers stated residents are pleased that the proposed budget doesn't have a property tax increase. Ms. Sellers further stated she understands the town's diverse revenue sources with a great amount coming from visitor spending. While she appreciates that boost in the economy, it is a good opportunity to make the point about the relative contributions taxpayers make. She noted in the steps leading through the budget process, there had only been one opportunity for public input and that was at this meeting. She encouraged Council to think about revisions in the process for the future so public comments can be offered earlier on in the budget process. She concluded by thanking the Council for their attention, for a balanced budget, for public safety, service levels and infrastructure improvements residents have been enjoying.

Jenny Miller (490 Goforth Rd) – wanted to express her appreciation to Council and staff for doing a wonderful job and stated anyone who wanted to come tonight and express their thoughts or concerns on the budget could. Ms. Miller thought from the previous comment that there would be a crowd packed going out the door ready to speak, but there isn't. She credits that to Manager Fox's newsletters to the residents keeping everyone informed, Town Council being present with everything they get out to the community making the residents well informed on what goes on. She further noted there is an ample amount of time for public input on the budget and recalled budgets in the past being presented with only a small number in attendance and/or speaking. Her opinion about that is the Town does such a great job getting communication out to the public. She further noted the Town of Blowing Rock taxpayers get a "whole lot of bang for their buck". Ms. Miller concluded by thanking Council, Manager Fox and staff for all they do.

Mayor Pro-Tem Matheson made a motion to close the public hearing, seconded by Council Member Gherini. Unanimously approved.

Mayor Pro-Tem Matheson made a motion to approve the budget as presented, seconded by Council Member Gherini. Unanimously approved.

### **OFFICIAL REPORTS & COMMENTS**

- Mayor Sellers – June 15<sup>th</sup> the Main Street paving project will begin – work will be done at night, June 24<sup>th</sup> Mid-Year Retreat 1:00 p.m. – 5:00 p.m., parade is July 5<sup>th</sup> at 10:00 a.m., July 8<sup>th</sup> Council meeting the North Carolina Department of Cultural and Natural Resources will be present to discuss historic preservation- what citizens can do to preserve historic properties, the benefits of doing that, what can prevent something from being torn down etc. Asked that any questions citizens get them to a Council Member, Manager Fox or Planning Director Kevin

Rothrock and they will get those questions to the presenters so they can prepare answers to answer at the July meeting. He thanked Manager Fox and staff for all their hard work on the budget process and noted this makes his 8<sup>th</sup> budget – when he came on board the town was short eight (8) employees and there was a lot of work that needed to be done. His hats off to Council and to Managers for moving the town forward.

- Council Member Perry – Thanked Manager Fox, Finance Director Tasha Brown and all the Department Heads for their hard work putting together a very stable and balanced budget.
- Council Member Harwood – Echoed Council Member Perry's comments, he offered his apology for not being at the budget work session as it was unavoidable. He thanked everyone who offered well wishes for his mother and stated it meant a lot to him.
- Council Member Pickett – None.
- Mayor Pro-Tem Matheson – Thanked staff for their hard work on the budget.
- Council Member Gherini – Stated he and Mayor Pro-Tem Matheson are meeting with the NCDOT next week to talk about Hwy 321 and the Aho/County Waste site facility about accidents with hopes the chief engineer will be able to give some insight to that area. The Economic Development meeting will be on June 19<sup>th</sup> in Boone – Scott Elliott is the Governor's representative on all things Hurricane Helene flood related and thinks that will be an interesting conversation. He too echoed what all have said and thanked Manager Fox, Finance Director Tasha Brown and staff for their hard work on the budget.
- Town Attorney Joey Petrack – None.
- Town Manager Shane Fox – Gave updates on Maple Street paving, Green Street & Maple Street paving, Memorial Park and Summer Retreat will be held June 24<sup>th</sup> 1:00 p.m. to 5:00 p.m. at Town Hall.

### **EXECUTIVE SESSION**

None

### **ADJOURNMENT**

At 8:15 p.m. Council Member Perry made a motion to adjourn, seconded by Council Member Harwood. Unanimously approved.

**MAYOR** \_\_\_\_\_  
**Charlie Sellers, Mayor**

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

### **Attachments**

**Utility Write-Off Resolution – Attachment A**

**Bennett Property Rezoning – Ordinance #2025-05 – Attachment B**

**Parking Ordinance - #2025-05 – Attachment C**

**FY 2025-2025 Budget Ordinance – Attachment D**

**DRAFT**  
**MINUTES**  
**Town of Blowing Rock**  
**Town Council**  
**Mid-Year Retreat**  
**June 24, 2025**

The Town of Blowing Rock Town Council held their Mid-Year on Tuesday, June 24, 2025. The meeting was held at Town Hall located at 1036 Main Street, Blowing Rock. Present were Mayor Charlie Sellers, Mayor Pro-Tem Doug Matheson, Council Members Cat Perry, David Harwood, Melissa Pickett, and Pete Gherini. Others in attendance were Town Manager Shane Fox, Finance Director Tasha Brown, Parks and Recreation Director Jennifer Brown, Planning Director Kevin Rothrock, Police Chief Nathan Kirk, IT Director Thomas Steele and Town Clerk Hilari Hubner, who recorded the minutes.

**CALL TO ORDER**

Mayor Sellers called the meeting to order at 1:00 p.m.

**Consent Agenda**

- Budget Amendment
- Project Ordinance – Hurricane Helene

Mayor Pro-Tem Matheson made a motion to approve, seconded by Council Member Pickett. Unanimously approved.

**Update on Projects and Debt Issuance Timeline**

- Main Street Water and Sewer Project – replaced 9,200 linear feet of 8-inch water main, new hydrants and meters. Sewer; 1,150 linear feet of 8-inch sewer, new manholes, new service connections, NCGA – thanks to Ray Pickett and Deanna Ballard. Project is complete – on time and under budget (\$500K) – with budget savings it allowed for Maple Street, Hwy 221 and Green Street work. Paving is taking place now on Main Street with Green Street and Maple Street following.
- Memorial Park Project – new playground piece completed and in use, volleyball court opened and in use, work continues and is scheduled to be completed in September.
- USDA Loan - \$4.56M with 3.5% interest for forty (40) years. Project scope: replacement of the Mayview sewer lift station & force main, WTP equipment replacement – high service pumps, flocculators, finished water pump, valves, piping. WWTP equipment replacement, bar screen, influent pump, aeration equipment, structural leak repairs. Design, bid and construction – bid 2025 (interim loan)

- FEMA work from Hurricane Helene - All work has been completed minus Valley View – soil samples are in and scope and bid. All monies have been recovered from FEMA.
- Hwy 321 – Safety – Meeting was held with NCDOT to discuss dangers of Aho Rd intersection as well as the Watauga County Aho Convenience Center site. Another dangerous area is the Speedway location near Shops on the Parkway. The council consensus was to add a Highway Safety Resolution to the July 8<sup>th</sup> agenda to go forward with next steps to hopefully extend the median to eliminate left turns out of the Speedway location.
- Loading Zones – Discussed options for putting a loading zone on Main Street and Sunset Drive.
- Parking/Shuttle Next Steps – Council discussed various shuttle/parking options. The Council agreed they need to get a better understanding of the parking need and may need to look at forming a committee. Consensus was there is still work to be done on what next steps look like.
- Food Trucks – Discussed the need, especially during busier times in Town as restaurants have a hard time accommodating everyone in town. Manager Fox would like Council to provide some feedback to determine what next steps will be.
- Cemetery – Next Steps/Options – Council consensus was to have staff reach out to the local funeral homes as well as Adam Rhyne to see if any are interested in doing a partnership with the town to expand for columbarium's or something of that nature.
- Code of Conduct – Council asked Manager Fox to send the draft to Town Attorney Joey Petrack for his review and/or input. Any changes or feedback from Council send to Manager Fox.

### **EXECUTIVE SESSION**

At 4:00 p.m., Council Member Perry made a motion to go into closed session pursuant to NCGS 143-318.11.6 – personnel matters, seconded by Council Member Pickett. Unanimously approved.

### **ADJOURN**

At 5:00 p.m. Council returned to open session. With no further action, Council Member Gherini made a motion to adjourn the meeting, seconded by Council Member Harwood. Unanimously approved.

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

**Charlie Sellers** **Hilari Hubner, Town Clerk**



## **RESOLUTION IN SUPPORT OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION SAFETY MEASURES ON US HIGHWAY 321**

**WHEREAS**, the Town Council of the Town of Blowing Rock recognizes the importance of ensuring the safety of its residents and all motorists traveling through the town; and

**WHEREAS**, the section of U.S. Highway 321 North, specifically from the intersection of Possum Hollow Road and The Shoppes on the Parkway extending beyond the entrance of the Town's wastewater treatment plant, has been identified as an area of significant concern; and

**WHEREAS**, this particular segment of Highway 321 North has unfortunately experienced over twenty-five (25) motor vehicle accidents, including one (1) fatality, within the past six (6) years; and

**WHEREAS**, the Town Council believes that additional safety measures are necessary to mitigate the risks associated with this area and enhance motorist safety; and **WHEREAS**, the extension of the median on U.S. Highway 321 North, as proposed, is considered a vital safety improvement that will contribute significantly to reducing the number and severity of accidents in this hazardous location;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Blowing Rock that it hereby expresses its full support for the North Carolina Department of Transportation (NCDOT) in its endeavor to implement additional safety measures on U.S. Highway 321 North.

**BE IT FURTHER RESOLVED** that the Town Council specifically endorses and encourages the extension of the median on U.S. Highway 321 North from the intersection of Possum Hollow Road and The Shoppes on the Parkway extending beyond the entrance of the Town's wastewater treatment plant, as a critical step towards improving motorist safety in this high-accident area.

**BE IT FURTHER RESOLVED** that the Town of Blowing Rock stands ready to cooperate with the NCDOT in any way necessary to facilitate the timely implementation of these vital safety improvements. This 8<sup>th</sup> day of July 2025.

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Charlie Sellers, Mayor

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Hilari Hubner, Town Clerk

## Consent Agenda - Staff Report

To: Mayor Charlie Sellers and the Blowing Rock Town Council  
From: Shane Fox, Town Manager  
Subject: Blowing Rock Chamber Fireworks/Symphony by the Lake  
Date: July 8, 2025

### **Information:**

Please find enclosed the application and required documents for the Blowing Rock Chamber/Symphony by the Lake Fireworks to be held on Friday July 25<sup>th</sup> at approx.. 9:30pm. The Town Council has been given the authority to approve the time and location of the fireworks by the Watauga County and Caldwell County Board of Commissioners within the Town Limits of Blowing Rock.

Fireworks Display applications and inspections must adhere to the 2018 NC Fire Prevention Code Chapter 56, Section 5608, National Fire Protection Association NFPA 1123, NFPA 1124, N.C.G.S 14-410, N.C.G.S. 58 Article 82A and 11 NCAC 05D for approval.

### **Steps for Firework Approval and Process for Permitting/Inspection:**

#### **1. REQUIRED DOCUMENTS FOR PERMIT APPLICATION SUBMITTED TO FIRE MARSHALL:**

- Date/Time of Fireworks Display
- Sponsor & Location
- Lead Operator
- Copy of Operators License Issued by NC OSFM
- Copy of ATF License
- Certificate of Insurance
- Shot List/Size of Product
- Mapped Site Display
- Contingency Plan and Emergency Contact Numbers
- Ignition System

**2. Permit Application reviewed by Fire Marshall and submitted to Town Council**

- a. placed on agenda for Town Council approval **for location and time** -  
- Fire Marshall approves all other inspections

**FIRE MARSHALL:**

**3. FIREWORKS DELIVERY TO DISPLAY SITE:**

- a. Lead Operator required to notify Fire Marshal upon arrival to display site

**4. FIREWORKS DISPLAY SITE STORAGE INSPECTION:**

- Verify fireworks are not left unattended once on-site
- Verify fireworks remain protected from the weather and kept dry
- Shell inspection - damaged, leaking, wet or torn shells shall not be used
- Verify shells are separated according to size and their designation
- Verify ready boxes used for storage of fireworks to be located 25' from mortars
- Smoking and open flames are prohibited within 50' where fireworks or pyrotechnic materials are present -Verify "NO SMOKING OR NO FLAME" signs are conspicuously posted around the shooting and storage site

**5. FIREWORKS DISPLAY SITE INSPECTION:**

- Verify minimum required radius of display site shall be 70' per inch of internal mortar diameter of the largest aerial shell to be fired (3" shell X 70' = 210' radius)
- Verify discharge site arranged so that the trajectory of aerial shells shall not be within 25' of overhead objects or obstructions
- Mortars to be installed and positioned so that shells are propelled away from spectators and over the fallout area
- Verify mortars and racks are constructed of approved materials, of sufficient strength and durable enough to allow shells to be propelled to safe deflagration heights.
- Verify shells are the correct size and properly fit in mortars and all large shells are pre-loaded
- Verify all mortars, mortar racks, preloaded box items, cakes and ground displays
- are secure and stable
- Verify fire extinguishers and water cans have been maintained and properly charged

**6. FIREWORKS DISPLAY SITE PERSONNEL INSPECTION:**

- Verify Operators license issued by NCOSFM is valid and not expired
- Verify only authorized personnel are allowed at the shooting site
- Verify operators and assistants are wearing proper PPE
- Verify operators and assistants are not under the influence of drugs or alcohol

**7. POST DISPLAY SITE INSPECTION:**

- Verify ignition sources (fusees or torches) are extinguished
- If electrical firing panels are utilized verify firing panels are disconnected
- After 15 minutes a search of the display site and fallout area should be conducted for unexploded shells
- Verify unexploded shells are handled and properly secured
- Verify a second search for unexploded shells was conducted at first light
- Lead Operator required to submit a report of unexploded shells found/not found during the search of the display site and fallout area

**Public Fireworks Display Permit**  
**Town of Blowing Rock Fire Marshal's Office**  
**P0 Box 570, Blowing Rock, NC 28605. (828) 295-5231. Fax (828) 295-3661**

Applicant: Pyro Shows East Coast, Inc

Address: 4652 Catawba River Road, Catawba SC 29704

Phone: 803-789-5733

**This request is submitted to obtain approval to conduct a Fireworks Display in the city limits of Blowing Rock.**

Display Sponsor: Blowing Rock Chamber of Commerce

Date of Display: 7/25/2025 Approximate Start Time: 9:30pm

Location of Display: Lake Area at Chetola Resort (see attached site map)

Display Operator: Dustin Holbert

Operator License Number: NC 1251 "see attached"

Operator Address: 4652 Catawba River Road, Catawba SC 29704

Operator Phone: 864-266-7608 cell

Public Liability Insurance: Certificate attached

Insurance Company: Everest Indemnity Agent: Britton-Gallagher

Amount of Coverage: \$10,000,000.00 Policy Number: GCI0010002-241

*Application must be submitted two weeks prior to the date of the display.*

Fire Marshal Approval: \_\_\_\_\_ Date: \_\_\_\_\_



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
3/31/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERs NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: PHONE (A/C, No. Ext): 216-658-7100		FAX (A/C, No): 216-658-7101
	E-MAIL ADDRESS: info@brittongallagher.com		
INSURED	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Everest Indemnity Insurance Company		10851
INSURED	INSURER B: Everest Denali Insurance Company		16044
	INSURER C: Accident Fund Insurance Company of America		10166
INSURED	INSURER D: Everspan Indemnity Insurance Company		16882
	INSURER E: AXIS Specialty Insurance Company		15610
INSURED	INSURER F:		

COVERAGES		CERTIFICATE NUMBER: 1032850305		REVISION NUMBER:					
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.									
INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
D	COMMERCIAL GENERAL LIABILITY  CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR			GCI0010001-241	10/1/2024	10/1/2025	EACH OCCURRENCE	\$ 1,000,000	
	GEN'L AGGREGATE LIMIT APPLIES PER:  POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 500,000	
							MED EXP (Any one person)	\$	
							PERSONAL & ADV INJURY	\$ 1,000,000	
							GENERAL AGGREGATE	\$ 2,000,000	
							PRODUCTS - COMP/OP AGG	\$ 2,000,000	
								\$	
B	AUTOMOBILE LIABILITY  X ANY AUTO OWNED AUTOS ONLY X HIRED AUTOS ONLY			GCD0010001-241	10/1/2024	10/1/2025	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000	
	SCHEDULED AUTOS NON-OWNED AUTOS ONLY						BODILY INJURY (Per person)	\$	
							BODILY INJURY (Per accident)	\$	
							PROPERTY DAMAGE (Per accident)	\$	
								\$	
E	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR  X EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE			P-001-000698866-04	10/1/2024	10/1/2025	EACH OCCURRENCE	\$ 4,000,000	
	DED RETENTION \$						AGGREGATE	\$ 4,000,000	
								\$	
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY  ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	<input checked="" type="checkbox"/> Y/N	N/A	DAP99000105101 (NC)	10/1/2024	10/1/2025	X PER STATUTE	OTH-ER	
							E.L. EACH ACCIDENT	\$ 1,000,000	
							E.L. DISEASE - EA EMPLOYEE	\$ 1,000,000	
							E.L. DISEASE - POLICY LIMIT	\$ 1,000,000	
A	Excess Liability #2			GCI0010002-241	10/1/2024	10/1/2025	Each Occ/ Aggregate Total Limits	\$5,000,000 \$10,000,000	
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required) Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement.									
Display Date: July 25, 2025 Additional Insured: 1) Watauga County 2) Blowing Rock Chamber of Commerce 3) RSK Mountain Resort LLC 4) RSK LLC dba Chetola Resort 5) Town of Blowing Rock									

CERTIFICATE HOLDER		CANCELLATION	
Blowing Rock Chamber of Commerce PO Box 406 Blowing Rock NC 28605		SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.	
		AUTHORIZED REPRESENTATIVE 	

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Outdoor Pyrotechnics  
Display

OPERATORS  
LICENSE

M  
A  
R



2  
0  
2  
8

Dustin Holbert  
License # 1251

864-266-7608  
cell

**BLOWING ROCK CHAMBER OF COMMERCE**  
**Blowing Rock Chamber of Commerce**  
**Friday, July 25, 2025**

**MAIN BODY**

<b>SHELL SIZE</b>	<b>DEVICE</b>	<b>QUANTITY</b>	<b>TOTAL</b>
36 x 1.0"	Cakes	3	108
250 x 1.0"	Cakes	1	250
49 x 1.25"	Cakes	2	98
50 x 1.25"	Cakes	2	100
100 x 1.25"	Cakes	6	600
3"	Aerial Shells	140	140
<b>MAIN BODY DEVICE TOTAL</b>			<b>1,296</b>

**FINALE**

<b>SHELL SIZE</b>	<b>DEVICE</b>	<b>QUANTITY</b>	<b>TOTAL</b>
3"	Aerial Shells	180	180
<b>TOTAL FINALE DEVICES</b>			<b>180</b>

**TOTAL DEVICE COUNT - MAIN BODY AND FINALE** **1,476**



## **Procedures for Firing, Termination and Emergency NFPA 1123 Guidelines**

### **Firing Procedures:**

Display will be Manual Discharge or combination of both Manual Discharge / Electric Discharge.

Firing procedures will be performed as outlined in NFPA 1123

### **Termination Procedures:**

In the event of conditions arising during the display that results in unsafe conditions (excessive winds, precipitation or other adverse weather conditions); the display will be stopped immediately until conditions improve.

### **Emergency Procedures:**

If any unsafe condition is detected, such as hazardous debris, lack of crowd control or entry of emergency response personnel into the fallout area, the display shall be halted until the situation is resolved.

### **Failure of shell to ignite in mortar Procedure:**

In the event that a shell fails to ignite in the mortar, the mortar shall be marked to indicate the presence of an unfired shell, and the mortar shall not be reloaded or reused while the misfired shell remains a hazard.

Immediately following the display but no sooner than 15 minutes after attempted firing, if the shell still has not fired, the mortar shall be flooded with water cautiously and allowed to stand for a minimum of 5 minutes before it is emptied cautiously of the shell

*Exception: Where electrical ignition is used and the firing failure is electrical in nature or the shell was not fired intentionally, the shell shall be salvaged by the operator*

### **Emergency Contact Information:**

Pyro Shows East Coast- (803) 789-5733 or (800) 238-5114

Joel Matthews- (803) 558-9798

Jesse Salveson- (423) 494-4202



Customer: BLOWING ROCK CHAMBER OF COMMERCE  
Show Date: Friday, July 25, 2025  
Show Address: 500 North Main Street Blowing Rock, NC 28605  
Show Site Lat / Long: 36.137752, -81.672271  
Show Time: 9:30pm  
Rain Date: null

Show Name: Blowing Rock Chamber of Commerce  
Maximum Device Size: 3  
Safety Fallout Radius: 210'  
Storage Required: No  
Diagram Created: 06/12/25  
Diagram Created By: JM



**Town Of Blowing Rock**  
**Special Events/Activities Application**  
(Must be submitted to Blowing Rock Parks & Recreation)

**Town Of Blowing Rock**  
PO Box 47  
1036 Main Street  
Blowing Rock, NC  
28605  
**Tel 828-295-5200**

The purpose of this application is to provide information about your event or activity in order for various departments and agencies to determine if they need to be involved in the approval and/or permitting process. Depending on the specific event, a permit application and/or fee(s) from individual departments may be required.

**The applicant is responsible for providing complete and accurate information on the application, including an attached detailed site plan. The applicant is also responsible for notifying the Parks Department of any changes. Incomplete applications will not be accepted.** \*\*A complete application should be submitted at least **90 days** prior to the planned event to allow sufficient review time. Town staff may contact you with specific questions. Any official may require a pre-planning meeting.

Applications and events are prioritized based on a first come-first served basis and the Town may approve or disapprove an event's requested date based on availability of resources. Events that occur on an annual basis will receive priority the following year.

Applicant should contact the Parks Department to verify date availability prior to submission of application.

**\*\*NO MORE THAN 2 RACES WILL BE ALLOWED IN ANY GIVEN MONTH**

**\*\*If the event is to be held on public property, approval to use the property must be obtained from Town Council; therefore the application must be submitted **90 days** prior to the event.**

#### **APPLICANT INFORMATION**

Name of Event: \_\_\_\_\_

Applicant Name & Title: \_\_\_\_\_

Organization: \_\_\_\_\_

Mailing (Billing) Address: \_\_\_\_\_

City / State / Zip: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_ Cell: \_\_\_\_\_ Email: \_\_\_\_\_

Description of the Event: \_\_\_\_\_

Does the event have a Twitter, Facebook or other social networking page: \_\_\_\_\_

If yes, please list URL(s): \_\_\_\_\_

<b>Event Address:</b>
<b>Date of Event:</b>
<b>Event Start Time:</b> _____ <b>Event End Time:</b> _____
<b>Set-Up Begins:</b> _____ <b>Clean-Up Ends:</b> _____
<b>Preferred Date &amp; Time of Inspection:</b>
<b>Estimated Attendance:</b>
<b>The Event is:</b> <input type="checkbox"/> <b>Private (by invitation only)</b> or <input type="checkbox"/> <b>Open to General Public</b>

**APPLICANT'S SIGNATURE** \_\_\_\_\_ **DATE:** \_\_\_\_\_

A pre-planning meeting may be required and will be scheduled to include the appropriate staff. The event applicant must attend the meeting. The town reserves the right to require others to attend.

## TENTS & MEMBRANE STRUCTURES

\*\* **Tent** is a structure, enclosure, or shelter, with or without sidewalls or drops \*\*

Will tent(s) be used for the event?  Yes  No

Number of Tent(s) planned: \_\_\_\_\_

Size of Tent(s) planned: \_\_\_\_\_

Percentage of side walls if any to be used for each tent: \_\_\_\_\_

Detail tent location, size, percentage of side walls and spacing for each on required site plan.

\*\* **Membrane structure** is an air-inflated or air supported structure \*\*

Will inflated/air Supported membrane(s) structures be used for the event?  Yes  No

Number of air inflated/air supported membrane structures planned: \_\_\_\_\_

Size(s) air inflated/air supported membrane structures planned: \_\_\_\_\_

Detail air inflated/air supported membrane structure location(s), size and spacing for each on required Site plan.

## POWER SOURCES

Will you use electric generators?  Yes  No

If yes, will Power Distribution boxes be used?  Yes  No

Provide contact information for contractor supplying generator power:

Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Will you use electric power from an existing structure?  Yes  No

If yes, will direct wiring to breakers be required?  Yes  No

Provide contact information for person responsible for setup of power:

Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_

## HAZARDOUS MATERIALS

Will there be any portable heaters??  Yes  No

Will there be any deep fat fryers??  Yes  No

Will the event have any hazardous materials such as propane, butane, gasoline, diesel tanks, helium cylinders or other upright tanks?  Yes  No

If yes, all tanks must be secured in a manner to prevent accidentally being knocked over. All helium tanks not being used shall have their caps in place.

Will there be any fireworks, lasers, torches, candles or pyrotechnics?  Yes  No

If yes, contact the Blowing Rock Fire & Rescue office at 828-548-2800 for more information.

## VOICE/MUSIC AMPLIFICATION

Are there any musical entertainment features related to your event?  Yes  No  
(If no proceed to next section)

If yes, state the number of bands and type of music: Number of bands: \_\_\_\_\_

Type(s) of music: \_\_\_\_\_

Will a portable or temporary stage be utilized?  Yes  No

If yes\*, state the number of portable or temporary stages: \_\_\_\_\_

Will stage have canopy with frame that supports equipment (lighting, etc.)?  Yes  No

If yes\* state the size of canopy: \_\_\_\_\_

Provide contact information for contractor providing stage:

Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Will your event use amplified sound?  Yes  No

If yes, please indicate times: Start time: \_\_\_\_\_ Finish time: \_\_\_\_\_

## ALCOHOL

Will alcoholic beverages be served?  Yes  No (If yes, NC ABC permit required)

Will alcoholic beverages be sold?  Yes  No (If yes, NC ABC permit required)

What type of alcohol will be served?

Draft Beer  Can/Bottle Beer  Wine  Liquor

Who will be serving the alcohol?

Times for alcohol to be served:

Locations within event site where alcohol will be served:

Have you applied for a North Carolina temporary ABC permit?  Yes  No

## MECHANICAL RIDES

Does the event include mechanical rides, or other similar attractions?  Yes  No

If yes, please describe attractions: \_\_\_\_\_

***Applicants contracting with amusement ride companies are required to provide the Town of Blowing Rock with a certificate of insurance, naming applicant and the Town of Blowing Rock (if applicable) as additional insured on general liability.***

## VENDORS

**PLEASE ATTACH COMPLETE LIST OF VENDORS IF ON PUBLIC PROPERTY.**

Does the event include food vendors?  Yes  No

If the event will have food vendors, please check the following that apply:

Served  Sold  Free  Catered  Prepared Outdoors

Does the event include food concession and/or cooking areas?  Yes  No

If yes, please list each vendor and specify cooking method (Gas, Electric, Charcoal, Other)

*(Use additional sheet if necessary)*

<b>VENDOR</b>	<b>COOKING METHOD</b>	<b>FOOD ITEM</b>

*Fire Code requires a fire extinguisher at each cooking location. Event organizers are responsible for arranging health inspections for their events.*

## EVENT SCHEDULE

Provide a detailed schedule of the event including dates and times for entertainment, activities, hours of event, start time, finish time, etc. If the event requires an extended time frame for set-up, include details with a timeline listing the times and locations where streets or public property will be impacted and when dismantling will be completed. (Use additional sheet of paper if necessary)

<b>DATE</b>	<b>TIME</b>	<b>ACTION</b>	<b>ADDITIONAL NOTES</b>

## TOWN SERVICES

*The Town of Blowing Rock does not provide amenities such as portable washrooms, sound systems, tables, chairs, tents, canopies or other equipment.*

### TRASH AND RECYCLING PLAN

In order to determine what types of containers are needed for the event, please answer the following questions: Are you requesting trash/recycle bins from the town?(Additional Fee Will Be Required) Yes / No

How many trash bins are you requesting for trash? \_\_\_\_\_

How many recycle bins are you requesting? \_\_\_\_\_

Date and Time for trash or recycling bins to be emptied\picked up:

Delivery Location?

*Applicants are responsible for cleaning and restoring the site after the event. The cost of any employee overtime incurred because of an applicant's failure to clean and/or restore the site following the event will be paid for by the applicant. If you reasonably believe that no litter will be generated during your event, please state this in your plan.*

### PUBLIC PROPERTY CLEAN-UP

Contracted personnel or volunteers may be used if indicated below. What is the clean-up plan for the event? \_\_\_\_\_

*If town personnel are needed to assist with event site clean-up the applicant will be required to hire off Duty personnel.*

If needed, please list preferred Date & Time for clean-up staff to arrive: \_\_\_\_\_

Will any of the following services be used for the event:

- Water Service       Portable Toilet Services  
 Wastewater Service       Public Restrooms       Public Electric Power

### SAFETY AND SECURITY (CHECK TYPES OF SECURITY USED)

- Beer/Alcohol Security     Stage Security     Event Area Security     Gate Security  
 Road Closure Security     Money Handling Security     Other \_\_\_\_\_  
 Overnight Security    From \_\_\_\_\_ : \_\_\_\_\_ To \_\_\_\_\_ : \_\_\_\_\_

Dates & Times security will be on site: \_\_\_\_\_

Security provided by: \_\_\_\_\_ Number of Security Personnel: \_\_\_\_\_

*Applicant may be required to hire sworn off-duty Town of Blowing Rock police officers to provide security to insure public safety. The Blowing Rock Police Department will determine the number of security personnel required on site.*

## WALK, RUN, CYCLE EVENTS ON PUBLIC ROADWAYS

Number of participants expected: \_\_\_\_\_ % of participants expected under 18: \_\_\_\_\_

\*Must be at least 100 participants and no more than 2,000 per route.

Number of volunteers expected: \_\_\_\_\_ % of volunteers expected under 18: \_\_\_\_\_

## ADDITIONAL GUIDELINES AND REQUIREMENTS

**Please initial all guidelines below and provide the information requested at the time the application is submitted.**

Must use a pre-approved route from the Town/NCDOT and/or pre-approved neighborhood route and/or track or one of the options not on roadways that are available at a park. \_\_\_\_\_

Must include a certificate of liability insurance for walk, run, and/or cycle event if the start/finish are on public property. \_\_\_\_\_

Must include a plan for volunteers for events with an anticipated attendance of 100 participants or more (how many, their duties). \_\_\_\_\_

Must include a parking plan for participants and volunteers (can be included in site plan). \_\_\_\_\_

The provision of twenty foot (20') minimum emergency access lanes throughout the event site. \_\_\_\_\_

Temporary signs may be used to mark a course. No markings of any kind (permanent or temporary) are allowed on roadways, sidewalks, or parking lots. \_\_\_\_\_

Any unauthorized traffic control device or other sign or message placed on the highway right-of-way by a private organization or individual constitutes a public nuisance and should be removed. Any violations of this policy will result in disapproval of future event(s). \_\_\_\_\_

Do not assume, advertise, or promote your event until you have a signed permit from the Blowing Rock Police Department, along with permission from town staff and Blowing Rock Town Council. Conflicts do arise and changes to the request may be necessary. \_\_\_\_\_

Organizers to make sure race starts at the time approved on the application. Any deviated start times shall be requested no later than 30 days prior to the event. A deviated time request cannot be guaranteed approval. \_\_\_\_\_

Event organizers to assist in enforcing safe roadway rules. \_\_\_\_\_

Event volunteers standing throughout the course to direct as well as instruct participants to stay out of the roadway. \_\_\_\_\_

Cancellation of any event must be in writing/email to the permit center no later than 30 days prior to the scheduled date of the event. \_\_\_\_\_

**A VIOLATION OF ANY GUIDELINE REQUIREMENT COULD RESULT IN THE DENIAL OF FUTURE EVENTS.** \_\_\_\_\_

## SITE PLAN

Provide a detailed Site-Plan sketch of the event. Include maps, outline or diagram of the entire event venue including the names of all streets or areas that are part of the venue and the surrounding area. The plan should include the following information (if applicable):

- Location of the event/activity on the property with approximate distances from roads, fire hydrants, existing buildings, etc.
- Location of temporary structures that will be used during the event. Must indicate size of temporary structures, distances between temporary structures and existing buildings.
- Identify how each temporary structure will be used. Example: type of vendor, food preparation, alcohol sales, etc.
- Identify location of all cooking devices and open flames.
- Location of all fencing, barricades, or other restrictions that will impair access to and from the event or property.
- Identify all designated parking areas.
- Identify location of any generators and fuel storage.

## SITE PLAN SKETCH

## ATTACHMENT CHECKLIST

In addition to the Special Event Application form, the following supporting documents are required to complete your application package and begin the review process:

**All Events:**

- Site Plan Sketch
- Parking Plan for participants and volunteers (May be included in site plan)
- Volunteer Plan for events with an anticipated attendance of 100 participants or more (how many, their duties)

**All Public Property Events:**

- Certificate of Insurance listing the Town of Blowing Rock as certificate holder and additional insured.

**Public Property Event at a Public Park:**

- Email from the Parks and Recreation Director indicating approval of the event date. Parks and Recreation Director may be reached at (828) 295-5222 or [jbrown@tobr.us](mailto:jbrown@tobr.us).

**Waiver Request:**

- I am requesting a waiver from the Section which prohibits animals from special events on town property. I have included the required safety plan with the application.

## USE OF PUBLIC PLACES

**\*\* THIS SECTION IS ONLY TO BE COMPLETED IF REQUESTING TO HOLD AN EVENT IN PUBLIC PLACES AND PARKS \*\***

### RULES REGULATING THE USE OF PUBLIC PLACES AND PARKS FOR SPECIAL EVENTS

- The Town Council reserves the right to reject any application as to the use of any area for any special event. If the Town Council learns that the event or vendors participating were misrepresented to the Town Council or that the event in any way fails to comply with the rules regulating the use of public places or fails to comply with any applicable local, state, or federal laws, it reserves the right to rescind any approved application up to and during the course of the event. In the case of a special event being held at a Town-owned facility for which a rental fee is usually charged, the normal rental fee shall be charged to the applicant unless the Town Council waives such rental.
- Application must be filed in the Parks & Recreation Office at least ninety (90) days prior to the time that the applicant desires to first take possession of the area to make preparations for the special event. The applicant for a special event must be a non-profit organization, organized and existing for the purpose of either some charitable or public benefit or for the promotion of business in the area of Blowing Rock. In addition, said non-profit organization may at the request of the Council be required to produce evidence of their non-profit corporation status as defined by state and federal laws. In addition, procedures to be used for selecting participants and vendors must be included with the application.
- The applicant shall provide to the Parks & Recreation Director at least two (2) weeks prior to the beginning of the public participation in the special event a list of all of the vendors or others having booths or display tables during the special event. No other persons may sell merchandise or operate any booth or display tables during the special event, unless the applicant, in writing, requests the Town Manager to amend such list accordingly and permission is granted.
- No motor vehicles or other large equipment or manufactured items or livestock will be permitted within the area unless they are clearly identified and described and the proposed location is stated in the application and specific approval is given.
- The size, type of construction and location of display tables and booths must be described generally in the application; all construction must be safe and self-sustaining; no spikes or other holding devices may be driven into the ground of any street, sidewalk or tied to any tree.
- When food preparation, painting and/or pottery making activities or similar activities are held, appropriate protective materials must be placed over any paved or brick areas for protection.

- No tents may be placed in the area without being described and exhibited to the Fire Prevention Inspectors of the Blowing Rock Fire & Rescue Department and special approval by the Town Council.
- Public address systems can be used only if specifically requested in the application and special permission given, including limitations as to use.
- Sufficient portable toilets shall be provided for the expected number of participants.
- A first-aid station shall be provided, staffed by competent Emergency Medical Technicians, unless a waiver is requested and granted by the Town.
- The applicant shall be responsible for providing trash receptacles of the number and size as the town shall require in order to eliminate litter.
- If the applicant desires to sell alcoholic beverages, it shall specifically so state in its application and shall provide a sketch of the area where the same will be sold and consumed. The area shall be delineated by barricades, with the entrance to be clearly marked and so constructed as to allow ready control of patrons, including viewing of identification to avoid underage persons being within the barricaded area. Signs shall be posted stating that no one shall leave the barricaded area with alcoholic beverages.
- Application must be made to proper State authorities for special permit for sale of alcoholic beverages. Special permit shall be available for inspection by the Town at any time.
- The applicant shall assume full liability for all accidents or claims of accidents as a result of activities taking place at the special event and during the time the area is being readied for the event and while it is being cleaned up following the event. A copy of the insurance policy must be submitted to the Town Manager's office prior to the event. The policy is to be one of comprehensive general liability in the amount of not less than the Three Hundred Thousand Dollars (\$300,000.00) for bodily injury per person and One Million Dollars (\$1,000,000.00) per occurrence and not less than One Hundred Thousand Dollars (100,000.00) for property damage per occurrence.
- The applicant will be responsible for the security or protection of any articles, items, merchandise, display tables, booths or other property owned by the applicant or others participating in the special event.
- Applicants must obtain any special use permits required by the Blowing Rock Fire Inspector, must comply with all applicable provisions of the North Carolina Fire Code and must at all times insure that all fire lanes in the area to be used remain unobstructed.
- Applicants must comply with all applicable Health Department regulations pertaining to the scheduled event.
- Applicants must comply with the requirements of the Blowing Rock Sign Ordinance.
- Applications must comply with any and all local, state, and federal laws pertaining to equal opportunity and should make every effort to make events accessible to the disabled public. In addition, applicants shall not deny access or a vendor's booth to any group based on national origin, race, religion, age, sex, or disability.

---

**NAME OF NON-PROFIT ORGANIZATION**

**BRIEFLY DESCRIBE THE PURPOSE OF THE NON-PROFIT ORGANIZATION:**

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---

---

**LIST ORGANIZATIONS OFFICERS:**

---

---

---

**TELEPHONE**  

---

**TELEPHONE**  

---

**TELEPHONE**

**CHAIRPERSON OF THE SPECIAL EVENT:**

---

**NAME**

**TELEPHONE**  

---

**ADDRESS**

*The undersigned Applicant is aware of the rules regulating the use of public places and parks for special events, and will abide with the same; and further understands that the Town of Blowing Rock will not be responsible for the security or protection of any articles, items, merchandise, display tables, booths or other property owned by the applicant or others participating in the special event. The undersigned Applicant agrees to reimburse the Town of Blowing Rock for the additional cost of providing police department and/or fire department personnel to supervise the event, including services rendered both before, during and after the event itself, to ensure the compliance with all laws and ordinance, to direct traffic and to promote the safety and welfare of participants and other citizens.*

---

Date

---

President

---

Non-Profit Organization

Approved by:

---

TOWN MANAGER

---

DATE

DATE APPROVED BY BLOWING ROCK TOWN COUNCIL: \_\_\_\_\_

**NORTH CAROLINA**

**RELEASE AND INDEMNITY AGREEMENT**

**WATAUGA COUNTY**

**THIS RELEASE AND INDEMNITY AGREEMENT**, entered into by **THE TOWN OF BLOWING ROCK**, a North Carolina Municipal Corporation, party of the first part, and the \_\_\_\_\_, a non-profit organization with its principal place of operation being \_\_\_\_\_ County, North Carolina, party of the second part:

**WITNESSETH**

**WHEREAS**, the party of the first part is desirous of allowing the party of the second part to conduct a special event within the Town Limits of Blowing Rock, North Carolina, pursuant to the Blowing Rock Town Code; and

**WHEREAS**, the party of the second part is desirous of conducting a special event within the Town Limits of Blowing Rock, North Carolina; and

**WHEREAS**, to this end, said party of the second part has heretofore filed with the Town of Blowing Rock an application for approval of said event, and wishes to enter into this Release and Indemnity Agreement pursuant to the Blowing Rock Town Code and the administrative rules of the Town of Blowing Rock;

**NOW, THEREFORE**, for and in consideration of the mutual promises and covenants herein contained, and for other good and sufficient consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

1. That the party of the second part hereby completely and unequivocally releases the party of the first part, the officials of the party of the first part, and all employees of said party of the first part, and their families, from any and all claims, damages, injuries or rights of action which the party of the second part may incur by reason of the special event being conducted by the party of the second part.
2. That the party of the second part hereby agrees to indemnify and hold harmless the party of the first part for any liability, injury or claim which may arise to the benefit of the party of the second part as a result of the special event being conducted by the party of the second part.
3. That the parties to this Release and Indemnity Agreement stipulate and acknowledge that there exists sufficient consideration for the execution of this instrument.

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
President

\_\_\_\_\_  
Witness

## 2025 Blue Ridge Relay

Time: 3:00pm – 10:00pm

Day/Date: Friday, Sept. 5

As a volunteer you are a Race Official. Your word is to be followed by runners/teams. Please be attentive, courteous and enthusiastic to the runners/teams. This race can only happen with great groups of runners and volunteers.

**Rules: Rules must be enforced and violations must be recorded. It is each team/runner's responsibility to be prepared and knowledgeable of the rules. As a volunteer it is your responsibility to know all the rules. A copy of the rules is included in the exchange zone folder. Inactive runners in the roadway and not following Officials' direction may be the most frequent violations.**

1. Upon Arriving: Contact Ken, Race Director, confirming your arrival. Please Text: 336-977-4819
2. Race bag has been delivered, along with an orange gym cone. Included in the Race Bag are four safety vests, folder, pen, and garbage bag. Please wear this safety vest at all times. The folder includes the following:
  - Exchange Zone Log – record time of day and incoming and outgoing runners for each team.
  - Accident/Incident Report Form – to be completed by injured runner/volunteer/person affiliated with the Blue Ridge Relay. If person is unable to or refuses to complete the form, then the race official must complete the form to the best of his/her ability.
  - Emergency Response Sheet – provides an easily readable script if calling 911.
  - Rules – all rules must be complied with as stated in the rules. NO exceptions.
  - Letter of Permission – from property owner granting the Blue Ridge Relay permission to conduct an exchange zone on their property. Not applicable at all exchange zones.

**IMPORTANT:** Runners leaving after 7:00pm **MUST** wear the required night gear as listed in the Rules.

**Restrooms:** A key is provided to open Blowing Rock Pool restrooms. Restrooms must be cleaned after the last runner.

**Parking:**

- Approx. 70 parking spaces are the parking lot for the Pool. Vans need to park one van per one parking space.
- The Davant Baseball Field parking lot is to be used for **OVERFLOW PARKING ONLY**.

**Duties:**

- Volunteer 1 Recorder: record time of day (hours and minutes), bib numbers of in and out runners.
- Volunteer 2 Spotter: vocalize bib number of incoming and outgoing runners. Notify teams of rules violations (e.g. runner wearing iPod) and be the go to Official when teams are reporting violations or need to speak with an Official. All accidents/injuries/incidents/rules violations are to be recorded on the exchange zone log.
- Volunteer 3 at parking lot entrance, at the intersection of Clark St. and Lakeside Dr. Inform vans where to park and location of restrooms.
- Volunteers 4-5 in parking lot ensuring vans are parking 1 van per 1 parking space. Failure of a team to comply is a Rules Violation and must be reported.

**Exchange Zone Location:** Runners are approaching from Shulls Mill Rd and running on the Left shoulder of 221 North. Incoming runners will turn from 221 onto Clark St, then onto Lakeside Dr. The EZ will take place at the entrance to the pool parking lot.

**Emergency Response:** Use the prepared script in the Exchange Zone Folder and call 911. The care of the injured is first priority. If an emergency response is not necessary, then the injured person needs to complete the Accident/Incident Report Form. This form must also be completed by the race official during an emergency after the injured person is receiving medical care. If the injured person refuses to complete the form, then the race official will complete it to the best of his/her ability and make a note that the injured refuses to complete the form.

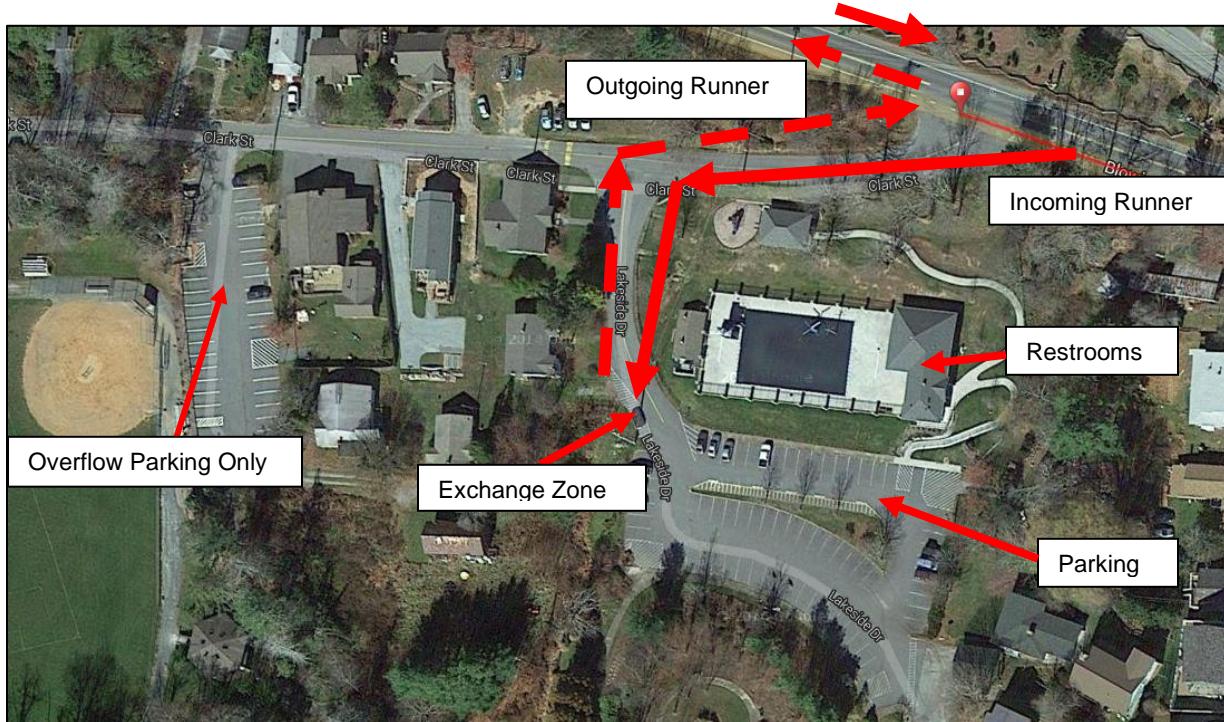
Contacting the Race Director (Do Not Share Cell #s with Runners):

- Race Director: Ken Sevensky, Cell Phone/Text: 336-977-4819
- Alternate Contact:
- Reasons for Contact:
  - volunteer group's arrival onsite (text)
  - arrival of first runner, include time of day and bib # (text)
  - emergency, injury, incident contact as soon as possible
  - rules violation (call Ken at the end of the shift to report ALL violations at one time)
  - request of team
  - completion of shift
  - other reasons at your discretion

Upon Completion of your shift:

- The last runners should arrive approximately 9:30pm.
- Please remain at the exchange zone until a Sweep driver relieves you of your position.
- Walk the exchange zone parking lot and surrounding area, please dispose of all trash (e.g. water bottles, wrappers, etc...) that has been accidentally left behind by the runners. Use the garbage bag provided.
- Inspect and clean the restrooms. Supplies are provided.
- The Sweep driver will collect your safety vests, gym cone, and folder. Please alert the Sweep driver to any accidents/incidents/rules violations, which are recorded on the exchange zone log.
- Thank you for your help...you are free to go and enjoy the balance of your day.

## Exchange Zone 14: Blowing Rock Pool



# CERTIFICATE OF INSURANCE

PRINT DATE: 1/21/2025

CERTIFICATE NUMBER: 202501211096940

AGENCY:

Edgewood Partners Insurance Center  
5909 Peachtree Dunwoody Road, Suite 800  
Atlanta, GA 30328  
678-324-3300 (Phone), 678-324-3303 (Fax)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERNS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

NAMED INSURED:

USA Track & Field, Inc.  
130 East Washington Street, Suite 800  
Indianapolis IN 46204

Blue Ridge Endurance Ltd

INSURERS AFFORDING COVERAGE:

INSURER A: Clear Blue Insurance Company NAIC #28860

EVENT INFORMATION:

Blue Ridge Relay (9/5/2025 - 9/6/2025)

POLICY/COVERAGE INFORMATION:

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INS	TYPE OF INSURANCE:	POLICY NUMBER(S):	EFFECTIVE:	EXPIRES:	LIMITS:
A	GENERAL LIABILITY				
	<input checked="" type="checkbox"/> Occurrence	CZ26INGL0001-02	11/1/2024 12:01 AM	11/1/2025 12:01 AM	GENERAL AGGREGATE (Per Event) \$4,000,000
	<input checked="" type="checkbox"/> Participant Legal Liability				EACH OCCURRENCE \$2,000,000
					DAMAGE TO RENTED PREMISES (Each Occ.) \$2,000,000
					MEDICAL EXPENSE (Any one person) EXCLUDED
					PERSONAL & ADV INJURY \$2,000,000
					PRODUCTS-COMP/OP AGG \$2,000,000
A	UMBRELLA/EXCESS LIABILITY				
	<input checked="" type="checkbox"/> Occurrence	CZ27IN3X0001-02	11/1/2024 12:01 AM	11/1/2025 12:01 AM	EACH OCCURRENCE \$3,000,000
					AGGREGATE \$3,000,000

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS:

Coverage applies to USA Track & Field sanctioned events and registered practices, including any directly related activities, such as event set-up and tear-down, participant check-in and award ceremonies.

The certificate holder is an additional insured per the following endorsement: Blanket Additional Insured (CB 03 03)

The General Liability policy is primary and non-contributory with respect to the negligence of the Named Insureds (Form CG 20 01)

The General Liability policy contains a blanket Waiver of Subrogation as required by contract per Waiver of Transfer of Rights of Recovery Against Others (Form CG 24 04).

Excess policy follows form of underlying General Liability.

CERTIFICATE HOLDER:	NOTICE OF CANCELLATION:
Town of Blowing Rock PO Box 47 Blowing Rock NC 28605	Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.  <b>AUTHORIZED REPRESENTATIVE:</b>  

Blue Ridge Relay Course Outline

leg	leg distance	segment distance	direction	road markers	Time of Day	County
1				Grayson Highlands State Park Visitors Center		
	3.90	3.90	S	Grayson Highlands State Park Office and Gate (right)		
					5:00am - 2:15pm	Grayson
2			S	Grayson Highlands State Park Office and Gate		
	0.80	0.80	R	Highlands Parkway #58 (Park Entrance)		
	1.70	0.90	L	Spencer Branch Rd. #797 (gravel/dirt)		
	3.70	2.00	R	Wolf Knob #746 (gravel/dirt)		
	4.70	1.00	LS	Remain on Wolf Knob		
	6.60	1.90	RS	Wallen's Creek #1374 (paved)		
	7.10	0.50	L	194 N (paved)		
	7.50	0.40		Creekside Christian Church (left)		
					6:00am - 3:00pm	Ashe
3				Creekside Christian Church (left)		
	0.90	0.90	R	Silas Creek #1523/Helton Creek #1527 (paved)		
	0.95	0.05	R	Silas Creek #1523 (one lane bridge, gravel/dirt)		
	2.60	1.65	R	Stop Sign (Silas Creek Continues, paved)		
	5.20	2.60		Landmark Baptist Church (left)		
					6:45am-3:30pm	Ashe
4				Landmark Baptist Church		
	2.70	2.70	L	North Fork New River Rd. #1513 (two lane bridge, paved)		
	3.30	0.60	R	Old 16 South #1573 (paved)		
	6.20	2.90	R	Ashe County Park Rd. #1511 (paved)		
	6.90	0.70		Ashe County Park (left)		
					7:45am-4:15pm	Ashe
5				Ashe County Park		
	0.40	0.40	R	Old 16 South #1573 (paved, run on right)		
	1.30	0.90	S	South Main St. (Town of Jefferson, run on right)		
	3.20	1.90	S	N Jefferson Ave. (Town of West Jefferson)		
	3.30	0.10	L	Back Street		
	3.60	0.30	R	Long St.		
	3.60	0.00	L	Graybeal Ave. (1st Left)		
	3.70	0.10	R	Buck Mountain Rd. #1134 (Right at road's end, Stop Sign)		
	4.80	1.10		Friendly Grove Baptist Church (right)		
					8:30am - 4:30pm	Ashe
6				Friendly Grove Baptist Church		
	1.50	1.50	S	(pavement ends, gravel/dirt begins)		
	2.30	0.80	L	Bald Mountain Rd. #1138 (gravel/dirt)		
	4.00	1.70	L	Bald Mountain Rd. (paved)		
	4.90	0.90	L	Golf Course Rd		
	6.40	1.50	R	Beaver Creek School Rd		
	6.50	0.10	R	Tree Farm (grass/gravel road)		
	6.80	0.30		Frostys Choose & Cut / Old Barn Winery (right)		
					9:00am - 5:30pm	Ashe
7				Frostys Choose & Cut / Old Barn Winery		
	0.00	0.00	S	Remain on gravel/grass tree farm road		
	0.50	0.50	R	Right onto Beaver Creek School Rd		
	1.90	1.40	R	194 South		
	2.30	0.40		Bethany Methodist Church (left)		
					9:45am - 5:45pm	Ashe
8				Bethany Methodist Church		
	0.60	0.60	L	Grant Houck Rd, #1114 to East Mill Creek #1112		
	3.10	2.50		Zion Church at Mill Creek (left)		
					10:15am-6:15pm	Ashe
9				Zion Church at Mill Creek (left)		
	2.50	2.50	R	Railroad Grade Rd. #1106		
	4.60	2.10		Riverside Restaurant (left)		
					11:00am-7:00pm	Ashe
10				Riverside Restaurant		
	3.70	3.70	L	Big Hill Rd. (Community of Todd/left)		
	5.30	1.60		Green Valley Community Park (left)		
					11:30am-7:30pm	Watauga
11				Green Valley Community Park		
	0.50	0.50	L	River Rd.		
	2.60	2.10	R	Castleford Rd.		
	4.30	1.70	L	Ridge Rd		
	4.40	0.10		Bethelview United Methodist Church		
					12:00pm - 7:45pm	Watauga
12				Bethelview United Methodist Church		
	0.10	0.10	L	Castleford Rd.		
	0.70	0.60	L	Roby Green Rd		
	2.10	1.40	R	Roby Green Rd (after bridge)		
	4.40	2.30	R	Old 421		
	5.20	0.80	R	421		
	5.60	0.40	R	Brookshire Rd (jump onto Greenway)		
	5.90	0.30		Ted Mackorell Soccer Complex		
					1:00pm - 8:30pm	Watauga

13			Ted Mackorell Soccer Complex		
	0.30	0.30	S Continue on Greenway under 421		
	0.35	0.05	L/S New River Hills Rd		
	1.00	0.65	L Casey Lane		
	1.10	0.10	R Greenway Trail		
	1.90	0.80	L Cross Bridge		
	2.50	0.60	R Cross Covered Bridge		
	2.75	0.25	L Greenway Trail between baseball fields		
	2.90	0.15	S Cross MLK Jr St onto Greenway Trail		
	3.20	0.30	R/L/L Cross Footbridge & Cross under State Farm Rd on Greenway		
	3.25	0.05	R Furman Rd (remain on Greenway)		
	3.40	0.15	R/S Greenway Trail (along Lowes and under Blowing Rock Rd)		
	3.70	0.30	L Prida Dr (Greenway ends)		
	3.80	0.10	R Leola St (run on right on trail)		
	3.90	0.10	L Greenway Baptist Church		
				1:15pm - 8:30pm	Watauga
14			Greenway Baptist Church		
	0.40	0.40	L Winklers Creek Rd		
	3.60	3.20	S onto Flannery Fork Rd at Payne Branch Rd		
	5.90	2.30	L Shulls Mill rd		
	6.10	0.20	R Blue Ridge Parkway access road		
	6.10	0.00	L 221 to Blowing Rock		
	7.60	1.50	R Clark St		
	7.60	0.00	L Lakeside Dr		
	7.60	0.00	S Blowing Rock Robbins Pool		
				3:00pm - 9:30pm	Watauga
15			Blowing Rock Robbins Pool		
	0.00	0.00	R Clark St		
	0.00	0.00	L 211 South		
	6.20	6.20	Grandfather Country Store (left)		
				4:00pm - 10:30pm	Watauga
16			Grandfather Country Store		
	0.00		221 South		
	10.50	10.50	Grandfather Mountain (left)		
				5:15pm - 12:00am	Avery
17			Grandfather Mountain		
	0.00		Enter Old Yonahloosee Rd. (Vans NOT permitted on Old Yonahlossee Rd)		
	1.60	1.60	R remain on Old Yonahloosee Rd.		
	2.20	0.60	L 221 South		
	2.40	0.20	S Through Traffic Light		
	3.10	0.70	S Through Traffic Light		
	6.10	3.00	L Newland Elementary School (left)		
				6:15pm - 12:30am	Avery
18			Newland Elementary School		
	0.40	0.40	R 194 North		
	0.60	0.20	L Old Toe River Rd.		
	1.40	0.80	L Cow Camp		
	4.60	3.20	R Spanish Oak		
	4.90	0.30	L Mount Pleasant Rd		
	5.00	0.10	Christmas Tree Lot (left)		
				6:45pm - 2:00am	Avery
19			Christmas Tree Lot		
	0.80	0.80	R Bud Ledford Rd		
	1.30	0.50	L Little Plumtree Creek Rd		
	3.00	1.70	R Stamey Branch Rd/Big Plumtree Creek Rd (stay to the Right)		
	5.40	2.40	S Big Plumtree Creek Rd		
	5.70	0.30	L Hwy 19 E		
	5.80	0.10	Plumtree Presbyterian Church (Left)		
				8:00pm - 2:45am	Avery
20			S Plumtree Presbyterian Church, follow 19E South		
	3.80	3.80	R Riverside Elementary School (right)		
				8:30pm - 3:00am	Avery
21			Riverside Elementary School		
	1.40	1.30	R Hanging Rock Rd.		
	8.00	6.60	Mt. Carmel Baptist Church (left)		
				9:30pm - 4:30am	Mitchell
22			Mt. Carmel Baptist Church		
	0.10	0.10	R Cabin Rd. (Vans NOT permitted on Cabin Rd)		
	1.00	0.90	L Beaver Creek Rd.		
	1.10	0.10	R 19E (run on Right)		
	1.20	0.10	R Oak Avenue		
	1.20	0.00	L Oak Avenue		
	2.30	1.10	L Highland Avenue		
	2.50	0.20	R Greenwood Rd.		
	2.60	0.10	Ingles Grocery (left)		
				9:45pm - 4:45am	Mitchell
23			Ingles Grocery		
	0.20	0.20	R Stroup Rd (Vans NOT permitted on Stroup Rd)		
	0.50	0.30	LS Creed Pittman Rd		
	0.80	0.30	R Broadwater Way		
	0.90	0.10	L Meadow Lane		
	1.00	0.10	R 226 North		
	4.80	3.80	R Ledger Ace Hardware (right)		
				10:45pm - 5:45am	Mitchell

24			Ledger Ace Hardware	10:45pm - 5:45am	Mitchell
	0.00	R	Remain on 226 North		
	5.10	L	South Mitchell Ave.		
	5.50	0.40	L Baker Lane		
	5.70	0.20	R Remain on Baker Lane		
	5.80	0.10	Bakersville Fire Dept. (right)		
				11:30pm - 6:45am	Mitchell
25			Bakersville Fire Dept		
	0.00	0.00	L 226 North		
	4.30	4.30	Red Hill Baptist Church (left)		
				12:30am - 7:30am	Mitchell
26			Red Hill Baptist Church		
	1.00	1.00	S Remain on 226 N, 197 N joins		
	1.10	0.10	L 197 North		
	3.00	1.90	L Remain on 197 N at Harrell Hill Rd. (after bridge)		
	4.40	1.40	Bradshaw Fire Department (right)		
				1:00am - 8:15am	Mitchell
27			Bradshaw Fire Department		
	2.00	2.00	L Whitson Branch Rd./Green Mt. Rd. (turn left before going under bridge)		
	2.30	0.30	R cross RR tracks (do not race train)		
	2.40	0.10	L Left after bridge, Green Mt. Rd.		
	5.50	3.10	R Jacks Creek Road		
	9.10	3.60	Clearmont School Rd. (left)		
				2:15am - 9:30am	Yancey
28			Clearmont School Rd.		
	6.50	6.50	L 19 E (Run on Left)		
	8.20	1.70	L West Burnsville Church Rd		
	8.40	0.20	West Burnsville Baptist Church		
				3:15am - 10:30am	Yancey
29			West Burnsville Baptist Church		
	0.40	0.40	L Burnsville Business (West Main St. to East Main St)		
	2.00	1.60	R Pensacola Rd.		
	2.10	0.10	S Pensacola Rd./ 197 South (cross 19 E at Traffic Light)		
	2.80	0.70	L Bolens Creek Rd		
	4.10	1.30	Bolens Creek Baptist Church (on Right)		
				4:15am - 11:45am	Yancey
30			Bolens Creek Baptist Church		
	2.40	2.40	L 197 South		
	4.30	1.90	Laurel Branch Baptist Church (right)		
				4:45am - 12:30pm	Yancey
31			Laurel Branch Baptist Church		
	1.40	1.40	R 197 South (continues)		
	6.50	5.10	paved ends, gravel begins (left)		
				5:30am - 2:00pm	Yancey
32			gravel begins		
	4.40	4.40	S gravel ends/paved begins		
	9.30	4.90	L Paint Fork		
	9.40	0.10	Barnardsville Elementary School (right)		
				6:30am - 3:15pm	Buncombe
33			Barnardsville Elementary School		
	3.10	3.10	S Maney Branch Rd.		
	5.30	2.20	S Beech Community Center Baseball Outfield (right)		
				7:00am - 4:00pm	Buncombe
34			Beech Community Center Baseball Outfield		
	0.10	0.10	L Reems Creek		
	4.00	3.90	L Pleasant Grove Rd		
	4.50	0.50	Pleasant Grove Union Church (on Right)		
				7:15am - 5:30pm	Buncombe
35			Pleasant Grove Union Church		
	0.40	0.40	R Eller Cove Rd		
	0.80	0.40	L Longs Chapel Rd		
	1.50	0.70	L South Main Street Ext		
	2.00	0.50	L Upper Herron Cove Rd		
	4.20	2.20	R Elk Mountain Scenic Parkway		
	6.50	2.30	R Beaverdam Rd		
	6.70	0.20	L Kimberly Ave		
	7.00	0.30	L Kimberly Ave		
	8.30	1.30	L Edwin Place		
	8.70	0.40	R Charlotte St		
	9.40	0.70	R One Oak Plaza		
				7:45am - 6:00pm	Buncombe
36			One Oak Plaza		
	0.00	0.00	L Oak St		
	0.10	0.10	L College St (cross at traffic circle, run on right sidewalk)		
	0.30	0.30	R College St <b>(Vans NOT permitted, vans remain on Tunnel Rd)</b>		
	0.80	0.50	L College St at Beaumont St		
	0.90	0.10	R Beaucatcher Rd		
	1.00	0.10	L Old Chunns Cove Rd / Beaucatcher Rd		
	1.10	0.10	R Beaucatcher Rd		
	1.60	0.50	R Beaucatcher Rd (at T in front of church)		
	1.90	0.30	L Kenilworth Rd		
	2.00	0.10	R Tunnel Rd / Route 70 (run on right sidewalk)		
	2.40	0.40	R Asheville Mall Entrance (run on left sidewalk)		
	2.50	0.10	L S. Tunnel Rd (after using crosswalk)		
	2.60	0.10	R access road, remain on sidewalk on right		
	3.40	0.80	R Overbrook Rd <b>(Vans NOT permitted, vans remain on Tunnel Rd)</b>		
	3.80	0.40	L Governors View Rd		
	4.20	0.40	RL Right on Ambler Rd, immediate Left on Edgewood Rd		
	4.40	0.20	L Fairway Dr		

4.70	0.30	R	Stafford Dr / E. Hawthorne Dr		
5.00	0.30	R	Swannanoa River Rd (use sidewalk on Left)		
5.10	0.10	L	Azalea Rd ( <b>Vans NOT permitted, van remain on Swannanoa River Rd</b> )		
5.20	0.10	R	Cross bridge onto Gashes Creek Rd		
5.30	0.10	R	Gashes Creek Rd		
6.20	0.90	R	Enter Highland Brewing Co. rear parking lot		
6.30	0.10	S	Finish at The Meadow, Highland Brewing Co.	9:00am -6:30pm	Buncombe
	206.80				

## **Public Hearing Agenda - Staff Report**

**To: Mayor Charlie Sellers and the Blowing Rock Town Council**  
**From: Shane Fox, Town Manager**  
**Subject: Installment Loan – Proposed - Resolution to proceed to the LGC**  
**Date: July 8, 2025**

### **Information:**

Town Staff, along with First Tryon Financial Advisors, propose the Town move forward with soliciting bids from financial institutions for an installment loan in the amount of approx. \$2.25M. The loan covers the costs of the Memorial Park Project, along with the purchase of two parcels of property, and much needed upgrades at Fire Station #1. If the resolution is approved, staff along with First Tryon will begin the bid solicitation process. Once bids are received, staff will bring to the Town Council the results for consideration. If Council finds the bid process to be satisfactory and recommends a bidder for the installment loan, then staff will proceed with formal approval from the Local Government Commission.

Again, this Resolution does not approve the financing, but it authorizes making application to the Local Government Commission and beginning the bid process as required and makes certain findings that the Local Government Commission requires as part of the application process.

### **Recommendation:**

Staff recommend the Town Council approves the resolution to apply to the LGC and to move forward with allowing staff and First Tryon to begin the bid process for the \$2.25M installment loan. Once bids are received, staff we bring back to the Town Council the results of the process for approval.

### **Attachments:**

- 1. Findings and Application Resolution**
- 2. Bank RFP**
- 3. Installment Finance Calendar**

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BLOWING  
ROCK, NORTH CAROLINA MAKING REQUIRED FINDINGS AND  
AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF A  
FINANCING AGREEMENT AUTHORIZED BY NORTH CAROLINA  
GENERAL STATUTE 160A-20 AND PROVIDING FOR CERTAIN OTHER  
MATTERS RELATED THERETO**

WHEREAS, the Town of Blowing Rock, North Carolina (**the "Town"**) desires to finance capital costs of the design, acquisition, construction, improvement and equipping of a Town of Blowing Rock capital project, specifically the design, acquisition, renovation, construction, and equipping of (1) land for Town water system uses, (2) public park facilities and (3) roof repairs and other improvements to the Town's fire and rescue services building (**the "Project"**) and to finance costs related to the execution and delivery of related financing documents; and

WHEREAS, the Town holds title to certain real property on which a portion of the Project will be developed (**the "Property"**); and

WHEREAS, the Town desires to enter into financing of the Project by use of an installment contract authorized under North Carolina General Statute 160A, Article 3, Section 20, in a total principal amount not to exceed \$2,250,000 (**the "Contract"**) to be secured by a deed of trust and security agreement constituting a lien on the Property (**the "Deed of Trust"**); and

WHEREAS, findings of fact by this governing body must be presented to enable the North Carolina Local Government Commission (**the "LGC"**) to make its findings of fact set forth in North Carolina General Statute 159, Article 8, Section 151 prior to approval of the Contract;

NOW THEREFORE, BE IT RESOLVED that the Town Council of Town of Blowing Rock, North Carolina, meeting in regular session on the 8<sup>th</sup> day of July, 2025, makes the following findings:

1. The Contract is necessary or expedient because it will upgrade and improve Town parks, water system and emergency services facilities to better serve citizens of the Town through the acquisition, improving, renovation and expansion of such facilities.
2. The Contract is preferable to a Town bond issue for the same purpose because (a) the cost of the proposed undertaking exceeds the amount that can be prudently raised from currently available appropriations, unappropriated fund balances, and non-voted bonds that could be issued by the Town in the current fiscal year pursuant to Article V, Section 4 of the North Carolina Constitution (**the "two-thirds limitation"**), (b) the Project constitutes the acquisition of real property and construction of improvements on real property and therefore is suited for installment contract financing under North Carolina General Statute 160A, Article 3, Section 20, (c) the cost of an election necessary to approve a general obligation

bond financing by the Town would result in the expenditure of significant funds, the time required for such election would cause an unnecessary delay which would thereby decrease the financial benefits of issuing such bonds and the Contract is the most expeditious method of raising funds quickly, and (d) the Contract will provide financing for an essential project at an overall rate comparable to a general obligation bond issue without the cost, delay and uncertainty involved in a voted bond issue, and over a term not to exceed the term of the existing financing.

3. The sums to fall due under the Contract are adequate and not excessive for its proposed purpose.
4. The Town's debt management procedures and policies are good because the Town's existing and planned debt falls well within North Carolina's legal debt limitations for local governments, because past audit reports of the Town indicate that its debt management and contract obligation payment policies have been carried out in strict compliance with the law, and the Town has not been censured by the LGC, external auditors or any other regulatory agency in connection with such debt management and contract obligation payment policies.
5. There will be no increase in ad valorem property taxes necessary to meet the sums to fall due under the Contract.
6. The Town is not in default in any of its debt service obligations.
7. The attorney for the Town will render an opinion that the Project is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.

BE IT FURTHER RESOLVED that the Town Manager, the Town Finance Officer and their designees are, and each of them is, hereby authorized to act on behalf of the Town in filing an application with the North Carolina Local Government Commission for approval of the Project and the Contract, to cause publication of notice as is required for the Board of Commissioners to hold a public hearing on the Contract in accordance with and as required by Section 160A-20 of the General Statutes of North Carolina, and all such actions previously taken are hereby ratified.

BE IT FURTHER RESOLVED that the actions of the Town in retaining the assistance of First Tryon Advisors as the Town's financial advisor (**the "Financial Advisor"**) and Sands Anderson PC as bond counsel for the Town (**"Bond Counsel"**) in relation to the Contract and financing of the Project are approved and that the Town Manager and the Town Finance Officer are authorized to execute engagement agreements with the Financial Advisor and Bond Counsel in relation to the Contract and all such actions previously taken are hereby ratified.

BE IT FURTHER RESOLVED that the actions of the Town Manager, the Town Finance Officer, the Town Attorney and other representatives and agents of the Town are authorized to take such other actions not inconsistent with this resolution.

This resolution is effective upon its adoption this 8th day of July, 2025.

The motion to adopt this resolution was made by Commissioner \_\_\_\_\_ and was approved by the following vote:

Ayes: \_\_\_\_\_

Noes: \_\_\_\_\_

\* \* \* \*

The undersigned Clerk to the Town Council of Blowing Rock Town, North Carolina, DOES HEREBY CERTIFY that the foregoing has been carefully copied from the actually recorded minutes of said Town Council at a meeting held on July 8, 2025, and is a true copy of so much of said minutes as relates in any way to the adoption of the resolution set forth above. A quorum was present and acting throughout such meeting.

I further certify that due notice of such meeting was provided as required by North Carolina General Statutes Section 143-318.12.

**WITNESS** my signature and the seal of Blowing Rock Town, North Carolina, this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

[SEAL]

---

Clerk to the Town Council  
Blowing Rock, North Carolina

**\$2,250,000\***  
**Town of Blowing Rock, North Carolina**  
**2025 Installment Financing Contract**

The Town of Blowing Rock, North Carolina (the “Town”), is requesting proposals from financial institutions with respect to an up to \$2,250,000\* Installment Financing Contract (the “2025 Contract”), proceeds of which will be used to fund the cost of various Town projects and to pay related financing costs.

Your response to the RFP would be greatly appreciated. The following key assumptions are to be utilized in preparing your proposal:

*Issuer:* Town of Blowing Rock, North Carolina

*Use of Proceeds:* The proceeds of the 2025 Contract will be used 1) to pay the costs various Town projects, as detailed below and 2) to pay the costs of issuance.

Item	Amount
Memorial Park	\$ 1,200,000
Property Acquisitions	675,000
EMS Building Roof Repairs	200,000
Issuance Costs / Contingency	175,000
<b>Total</b>	<b>\$ 2,250,000</b>

*Tax Treatment:* Tax-Exempt

*Bank Qualified:* Yes

*Financial Advisor:* First Tryon Advisors

*Audit:* The Town’s latest audited financial statements are available from the Town’s website using the following link:

[Blowing Rock Audits](#)

*Security:* As security for its obligations under the 2025 Contract, the Town will execute and deliver a deed of trust granting first lien of record on its EMS Building. The Town’s obligation to pay the debt service under the 2025 Contract will be subject to annual appropriation by the Town Council. The taxing power of the Town will not be pledged to secure repayment.

*Authority:* The 2025 Contract will be entered into under the authority granted by North Carolina General Statute 160A-20 and pursuant to expected approval by the North Carolina Local Government Commission on September 2, 2025 and a resolution approved by Town Council on September 9, 2025.

*Rating:* No rating is expected to be obtained for the 2025 Contract. The Town currently maintains a General Obligation credit rating of AA+ from S&P Global.

*Issue Size:* Estimated to be \$2,250,000\*

*Interest Rate:* The interest rate shall be fixed for the entire term and will not be subject to adjustment due to changes in the tax code or bank capital requirements.

**First Tryon Advisors**

\*Preliminary; Subject to Change

1

*Interest Payments:* Semi-annual interest payments on March 1 and September 1 commencing March 1, 2026, calculated on a 30/360 basis.

*Principal Amortization:* The following amortization schedule has been provided below and should be used in preparation of your bid. Please provide a fixed interest rate. Please note that this schedule is preliminary and subject to change.

Maturity Date	Principal
9/1/2026	225,000
9/1/2027	225,000
9/1/2028	225,000
9/1/2029	225,000
9/1/2030	225,000
9/1/2031	225,000
9/1/2032	225,000
9/1/2033	225,000
9/1/2034	225,000
9/1/2035	225,000
<b>Total</b>	<b>2,250,000</b>

*Note: Preliminary, subject to change*

*Optional Redemption:* The Town is seeking flexibility with respect to redemption provisions. Please specify the redemption structure(s) that would provide the Town with flexibility at the lowest cost of funds. Proposals with multiple redemption options are permitted.

*Closing:* Closing is anticipated to take place on September 16, 2025. The Town requests bidders to hold their bid for a minimum of 45 days.

*Ongoing Disclosure:* The Town will provide its audit to the purchaser of the 2025 Contract annually within 210 days of the end of the fiscal year.

*Closing Costs:* Disclose any additional costs or fees, including origination fees or counsel fees. The Town may not consider any fees not disclosed within your proposal.

*Annual/Ongoing Costs:* None expected to be paid to or on behalf of the bank. Please specify any exceptions.

*Increased Cost:* The Town will not consider any proposals that include future interest rate adjustments relating to the bank's increased costs, changes in tax rate, capital adequacy, capital requirements, etc.

*Documentation:* Bond Counsel to the Town, Sands Anderson PC, will draft the financing documents. By submitting a proposal, the financial institution shall waive any conflict of interest with respect to Sands Anderson PC serving as Bond Counsel to the Town.

*Loan Treatment:* By submitting a bid in response to this RFP, each bidder acknowledges and represents to the Town and its Financial Advisor that (1) no official statement or other offering material will be furnished other than this RFP; (2) the bidder has knowledge and experience in financial and business matters and that it is capable of evaluating the merits and risks of making the commercial loan to be evidenced by the 2025 Contract and is financially able to bear the economic risk of holding the 2025 Contract; (3) no CUSIP number will be obtained for the 2025 Contract; and (4) the

bidder intends to acquire the 2025 Contract solely for its own account as a vehicle for making a commercial loan and with no present intention to distribute or resale the 2025 Contract or any portion thereof.

*Award:*

The Town reserves the right to request additional information from the bidders and to waive any irregularity or informality and to negotiate provisions and covenants directly with any bidder. The Town also reserves the right to reject all proposals for any reason. Although the selection will be based substantially on lowest total financing cost (including both interest cost and upfront fees and expenses), the Town reserves the right to select the bidder that best meets the needs of the Town.

To be considered, a proposal must be received by 10:00am on Tuesday, August 5, 2025. Please email your proposal to the following individuals.

Shane Fox:	<a href="mailto:sfox@townofblowingrocknc.gov">sfox@townofblowingrocknc.gov</a>
Tasha Brown:	<a href="mailto:tbrown@tobr.us">tbrown@tobr.us</a>
Paul C. Jacobson:	<a href="mailto:pjacobsen@sandsanderson.com">pjacobsen@sandsanderson.com</a>
Ashley L. Anderson:	<a href="mailto:aanderson@sandsanderson.com">aanderson@sandsanderson.com</a>
Amy Vitner:	<a href="mailto:avitner@firsttryon.com">avitner@firsttryon.com</a>
Brandon DeCoste:	<a href="mailto:bdecoste@firsttryon.com">bdecoste@firsttryon.com</a>

DATE	TASK
July 15	Distribute bank RFP to potential lenders
August 5	<b>Bank Bids Due</b>
September 2	Approval of the Local Government Commission
September 9	Approval of Town Council
September 16	Closing

Questions may be addressed to the Town through its financial advisor or bond counsel:

<b>Financial Advisor</b>	<b>Bond Counsel</b>
Amy Vitner / Brandon DeCoste	Paul C. Jacobson / Ashley Anderson
First Tryon Advisors	Sands Anderson PC
(704) 926-2457	(919) 313-0045
(704) 926-2981	(919) 313-0047
<a href="mailto:avitner@firsttryon.com">avitner@firsttryon.com</a>	<a href="mailto:pjacobsen@sandsanderson.com">pjacobsen@sandsanderson.com</a>
<a href="mailto:bdecoste@firsttryon.com">bdecoste@firsttryon.com</a>	<a href="mailto:aanderson@sandsanderson.com">aanderson@sandsanderson.com</a>

**TOWN OF BLOWING ROCK, NORTH CAROLINA**  
**2025 INSTALLMENT FINANCING**  
**FINANCING SCHEDULE**

Jun-25							Jul-25							Aug-25							Sep-25								
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa		
1	2	3	4	5	6	7			1	2	3	4	5			1	2							1	2	3	4	5	6
8	9	10	11	12	13	14	6	7	8	9	10	11	12	3	4	5	6	7	8	9	7	8	9	10	11	12	13		
15	16	17	18	19	20	21	13	14	15	16	17	18	19	10	11	12	13	14	15	16	14	15	16	17	18	19	20		
22	23	24	25	26	27	28	20	21	22	23	24	25	26	17	18	19	20	21	22	23	21	22	23	24	25	26	27		
29	30						27	28	29	30	31			24/31	25	26	27	28	29	30	28	29	30						

DATE	TASK	RESPONSIBILITY
June 17	Pre-Application Call with LGC (10:00am)	T/LGC/FTA
By June 24	Publish Notice of Public Hearing	T
July 8	Town Council adopts preliminary findings resolution and holds public hearing	T
July 8	Circulate Draft Bank RFP	FTA
July 15	Send Bank RFP to Banks	FTA
August 5	Bank RFP Responses Due – 10:00am	FTA
August 5	Call to Review Bank Bids and Determine Winner	T/FTA
August 5	LGC Application Due	T/FTA
August 28	Distribute draft of closing documents	BC
September 2	LGC Approval	LGC
September 9	Town Council adopts final approving resolution	T
September 16	Closing	Working Group

Town Council typically meets 2<sup>nd</sup> Tuesday of each month

**Responsibility Legend:**

Role	Entity	Defined
Issuer	Town of Blowing Rock	"T"
Regulatory Agency	Local Government Commission	"LGC"
Bond Counsel	Sands Anderson PC	"BC"
Financial Advisor	First Tryon Advisors	"FTA"
Bank Lender	TBD	"BL"
Bank Counsel	TBD	"LC"

## **Regular Agenda - Staff Report**

**To: Mayor Charlie Sellers and the Blowing Rock Town Council**

**From: Shane Fox, Town Manager**

**Subject: Loading Zones**

**Date: July 8, 2025**

### **Information:**

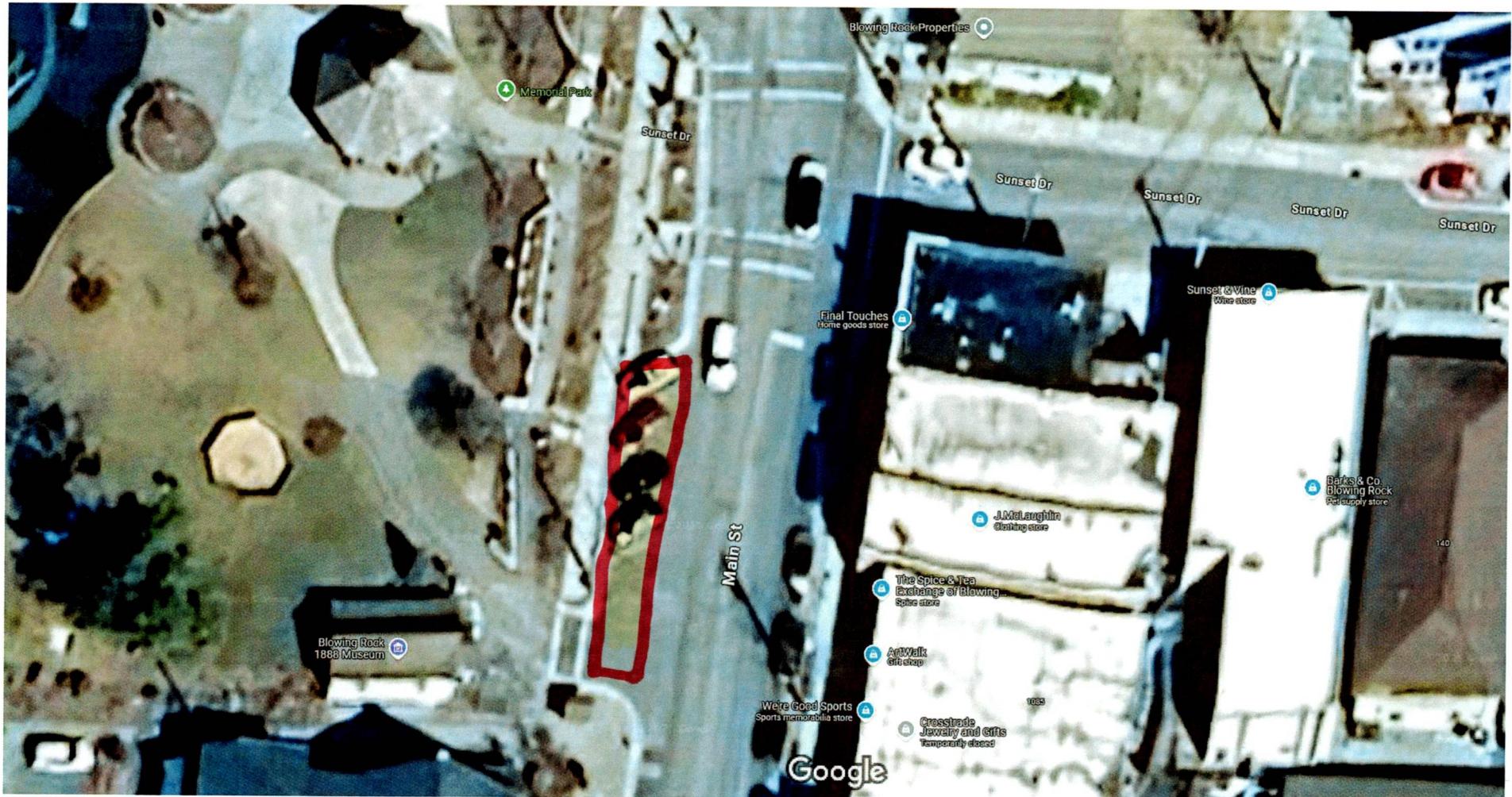
During the Summer Retreat, Town Staff, and the Town Council discussed the possibility on installing permanently marked loading zones within the Town, including Sunset Drive and Main Street. Town staff have identified two areas, one on Sunset Drive near the intersection of Maple Street and a second location on Main Street, in front of Memorial Park and the 1888 Museum. Staff would like to have a discussion and possible approval of permanent marked loading zones on Sunset and Main Street.

### **Attachments:**

1. Sunset Drive Map
2. Main Street Map

Google Maps

Main Street Loading Zone



Map data ©2025, Map data ©2025 Google 20 ft

Google Maps

Sunset Drive Loading Zone



Imagery ©2025 Airbus, Map data ©2025 Google 20 ft

## **Regular Agenda - Staff Report**

**To: Mayor Charlie Sellers and the Blowing Rock Town Council**

**From: Shane Fox, Town Manager**

**Subject: Code of Conduct**

**Date: July 8, 2025**

### **Information:**

During the Summer Retreat, Town Staff, and the Town Council reviewed and discussed a draft of a Code of Conduct for elected officials and appointment board members of the Town of Blowing Rock. The topic of the Code of Conduct began at the Winter Retreat and staff have worked diligently to draft a copy for review and possible adoption by the Town Council.

### **Attachments:**

1. Code of Conduct

**Town of Blowing Rock  
Code of Ethics and Conduct for  
Elected and Appointed Officials**

## Table of Contents

<u>Title</u>	<u>Page No.</u>
A. Ethics	3
B. Conduct	5
1. Overview of Councilmembers Roles and Responsibilities	6
2. General Policies and Protocol	7
3. EAO Conduct with One Another	8
4. Conduct with Town Staff	9
5. Conduct with the Public	11
6. Council Conduct with Other Public Agencies	12
7. Council Conduct with Boards and Commissions	13
8. Conduct with the Media	14
C. Sanctions	14
D. Glossary of Terms	17
E. Implementation	18

## **Policy Purpose**

The Town of Blowing Rock Town Council has adopted this Code of Ethics and Conduct for Elected and Appointed Officials for members of the Town Council and the Town's boards and commissions to assure public confidence in the integrity of local government and its effective and fair operation. The term Town Council or Councilmembers shall apply to all members of the elected body, including the Mayor.

## **A. ETHICS**

The citizens, visitors, and businesses of Blowing Rock are entitled to have a fair, ethical and accountable local government that has earned the public's full confidence for integrity. Achieving this requires that:

- public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government;
- public officials be independent, impartial and fair in their judgment and actions;
- public office to be used for the public good, not for personal gain; and
- public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the Blowing Rock Town Council has adopted this Code of Ethics and Conduct for Elected and Appointed Officials ("Code of Ethics and Conduct") for members of the Town Council and of the Town's boards and commissions to assure public confidence in the integrity of local government and its effective and fair operation.

1. **Act in Public Interest.** Recognizing that stewardship of the public interest must be their primary concern, Elected and Appointed Officials (EAO) will work for the common good of the people of Blowing Rock and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before the Blowing Rock Town Council, boards and commissions.
2. **Comply with both the spirit and the letter of the Law and Town Policy.** Members of the Town Council and the Town's boards and commissions shall comply with the laws of the nation, the State of North Carolina and the Town of Blowing Rock in the performance of their public duties. These laws include but are not limited to: the United States and North Carolina Constitutions; State laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and Town Charter, ordinances and policies.
3. **Conduct of Elected and Appointed Officials ("EAO").** EAO shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council, boards and commissions, the staff, or public.
4. **Respect for Process.** EAO shall perform their duties in accordance with the processes and rules of order established by the Town Council and boards and commissions governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the Town Council by Town staff.

5. **Conduct of Public Meetings.** EAO shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; attempting to monopolize the discussion at public meetings; or otherwise interfering with the orderly conduct of meetings.
6. **Decisions Based on Merit.** EAO shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.
7. **Conflict of Interest.** No EAO or officer of the Town or a relative thereof shall:
  - (a) Have a financial interest in any contract, job, work, or service of or to the Town, or the sale to the Town of any supplies, equipment, material, or real or personal property.
  - (b) Participate in a vote or decision on any matter in which the officer has a substantial personal or financial interest.
  - (c) Accept any gift from any person that might reasonably tend to influence such EAO or officer in the discharge of such person's official duties. The prohibition against gifts shall not apply to:
    - (i) A lawful campaign contribution;
    - (ii) Meals, lodging, transportation in connection with services rendered by the officer at a conference, seminar or similar event that is more than merely perfunctory;
    - (iii) Attendance at hospitality functions at local, regional, state or national association meetings and/or conferences;
    - (iv) Tee shirts, caps and other similar promotional material;
    - (v) Meals, transportation and lodging in connection with a seminar or conference at which the officer is providing services;
    - (vi) Gifts on account of kinship or a personal, or professional, or business relationship independent of the officer's status; and,
    - (vii) Complimentary attendance at political or charitable fund raising events.
8. **Confidential Information.** EAO shall respect the confidentiality of information concerning the property, personnel, or affairs of the Town. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial, political or other private interests.

9. **Use of Public Resources.** EAO shall not use public resources not available to the public in general, such as staff time, equipment, supplies or facilities, for private gain or personal, political purposes. Councilmembers desiring use of such Town resources for public meetings shall first obtain permission from a majority of the Council at a duly called, posted Council meeting.
10. **Advocacy.** EAO shall represent the official policies or positions of the Town Council, board or commission to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, EAO shall explicitly state they do not represent their body or the Town of Blowing Rock, nor will they allow the inference that they do.
11. **Policy Role of EAO.** EAO shall respect and adhere to the council-manager structure of Town government as outlined by the Blowing Rock Town Charter. In this structure, the Town Council determines the policies of the Town with the advice, information and analysis provided by the public, boards and commissions, and Town staff. Except as provided by the Town Charter, EAO shall not interfere with the administrative functions of the Town or the professional duties of Town staff; nor shall they impair the ability of staff to implement Council policy decisions.
12. **Independence of boards and commissions.** Because of the value of the independent advice of boards and commissions to the public decision-making process, members of Council shall refrain from using their position to unduly influence the deliberations or outcomes of board and commission proceedings.
13. EAO shall not direct Town staff to take actions other than to and through the Town Manager.
14. Councilmembers shall adhere to the same Town procurement policy as utilized by Town staff.

## **B.CONDUCT**

The Town Charter provides detailed information on the roles and responsibilities of members of the Blowing Rock Town Council, the Mayor Pro Tem, and the Mayor. The Town's Code of Ethics and Conduct provides guidance on ethical issues and questions of right and wrong.

This Code of Ethics and Conduct is designed to describe the manner in which Councilmembers and board and commission members should treat one another, Town staff, citizens, and others they come into contact with in representing the Town of Blowing Rock.

The constant and consistent theme through all of the conduct guidelines is "respect." Councilmembers experience huge workloads and tremendous stress in making decisions that could impact thousands of lives. Despite these pressures, elected and appointed officials are called upon to exhibit appropriate behavior at all times. Demonstrating respect for each individual through words and actions is the touchstone that can help guide Councilmembers and board and commission members to do the right thing in even the most difficult situations.

## **1. Overview of Councilmember Roles and Responsibilities**

### **Mayor**

- Acts as the official head of the Town for all ceremonial purposes.
- Chairs Council meetings.
- Calls for special meetings.
- Selects substitute for Town representation when Mayor cannot attend.
- Makes judgment calls on proclamations, Special Orders of the Day, etc.
- Leads the Council into an effective, cohesive working team.
- Signs documents on behalf of the Town.
- Reviews mail addressed to Mayor.
- Other duties as set forth in other laws, ordinances, or the Town Charter.

### **Mayor Pro Tem**

- Performs the duties of the Mayor if the Mayor is absent or disabled.
- Chairs Council meetings at the request of the Mayor.
- Represents the Town at ceremonial functions at the request of the Mayor.
- Signs documents on behalf of the Town, in absence of Mayor.
- All duties as assigned by Mayor.

- **All Councilmembers**

All members of the Town Council have equal votes. No Councilmember has more power than any other Councilmember, and all should be treated with equal respect. Therefore, no ranking or pecking order shall be established for predetermining the order of roll call votes or public introductions, except that the Mayor and Mayor Pro Tem shall be introduced first at public meetings and events. All Councilmembers should:

- Fully participate in Town Council meetings and other public forums while demonstrating respect, kindness, consideration, and courtesy to others;
- Prepare in advance of Council meetings and be familiar with issues on the agenda;
- Represent the Town at ceremonial functions;
- Be respectful of other people's time. Stay focused and act efficiently during public meetings.
- Serve as a model of leadership and civility to the community;
- Demonstrate honesty and integrity in every action and statement; and,
- Participate in scheduled activities to increase team effectiveness and review Council procedures, such as this Code of Ethics and Conduct for Elected and Appointed Officials.

### **Meeting Chair**

The Mayor will chair official meetings of the Town Council, unless the Mayor Pro Tem or another Councilmember is designated as chair of a specific meeting.

The Meeting Chair shall:

- Maintain order, decorum, and the fair and equitable treatment of all speakers.
- Keep discussion and questions focused on the specific agenda item under consideration.
- Make parliamentary rulings with advice, if requested, the Town Attorney shall act as advisory parliamentarian.

## **2. General Policies and Protocol**

### *Ceremonial Events.*

The Mayor will serve as the designated Town representative. If the Mayor is unavailable, then Town staff will determine if event organizers would like another representative from the Council. If so, then the Mayor may ask a Councilmember to serve as a substitute. Invitations received at Town Hall are presumed to be for official Town representation. Invitations addressed to Councilmembers shall be shared with the Town Clerk in order to assure posting for compliance with the North Carolina Open Meetings Law if applicable.

### *Travel Expenses.*

All Council travel, in which the Councilmember expects to officially represent the Town and be reimbursed by the Town for travel costs, should be disclosed to the Mayor, Town Council, and Town Manager in advance. The travel budget for Council shall be reviewed at each annual budget cycle.

*Rules of Order for Meetings.* The latest edition of Robert's Rules of Order Newly Revised shall serve as the parliamentary authority for Council and boards, committees and commissions. Standing rules that vary from Robert's Rules may be adopted by the Council by ordinance.

### *Non-agenda Items (Public Forum).*

During a designated period of the agenda, referred to as "Public Speaking Forum," citizens may bring forth issues or questions that are not on the meeting's agenda. Each citizen may be limited to three minutes unless otherwise directed by the Mayor (Council meetings) or Chair (board/commission meetings).

Public Forum may not be used as a forum to make personal attacks against individual citizens, Town employees or Councilmembers. Such remarks will result in the speaker being asked to step back from the podium and a forfeiture of the remaining time to speak. If the attacks continue, the speaker will be escorted from the meeting.

### *Public hearings.*

EAO will not express opinions during the public hearing portion of the meeting except to ask pertinent questions of the speaker or staff. "I think" and "I feel" comments by EAO are not appropriate until after the close of the public hearing. EAO should refrain from arguing or debating with the public during a public hearing and shall always show respect for different points of view.

### *Appeal Protocol.*

The applicant or appellant shall have the right to speak first. The Mayor or Chair will determine the length of time allowed for this presentation, usually 3 minutes. Speakers representing either pro or con points of view will be allowed to follow. The Mayor or Chair will determine how much time will be allowed for each speaker, with 3 minutes the standard time granted. The applicant or appellant will be allowed to make closing comments. The Mayor or Chair has the responsibility to run an efficient public meeting and has the discretion to modify the public hearing process in order to make the meeting run smoothly.

### **3. EAO Conduct with One Another**

EAO are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. All have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even though individuals may "agree to disagree" on contentious issues.

#### **3(a). In Public Meetings**

*Use formal titles.*

EAO should refer to one another formally during public meetings, such as Mayor, Mayor Pro Tem, Chair, Commissioner or Councilmember followed by the individual's last name.

*Practice civility and decorum in discussions and debate.*

Difficult questions, challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, EAO to make belligerent, personal, impudent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated.

*Honor the role of the Chair in maintaining order.*

It is the responsibility of the Chair to keep the comments of EAO on track during public meetings. EAO should honor efforts by the Chair to focus discussion on current agenda items. If there is disagreement about the agenda or the Chair's actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure.

*Avoid personal comments that could offend other EAO.*

If a member is personally offended by the remarks of another member, the offended member should make notes of the actual words used and call for a "point of personal privilege" that challenges the other member to justify or apologize for the language used. The Chair will maintain control of this discussion.

*Demonstrate effective problem-solving approaches.*

EAO have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole. Although a board or commission may disagree with the final decision the Council makes, the board or commission shall not act in any manner contrary to the established policy adopted by the Council.

#### **3(b). In Private Encounters**

*Continue respectful behavior in private.*

The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.

*Be aware of the insecurity of written notes, voicemail messages, and E-mail.*

Technology allows words written or said without much forethought to be distributed wide and far. Written notes, voicemail messages and e-mail should be treated as potentially "public" communication.

### ***Even private conversations can have a public presence***

Elected and appointed officials are always on display – their actions, mannerisms, and language are monitored by people around them that they may not know. Lunch table conversations will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noted and may be subject to the Open Meetings Act.

## **4. Conduct with Town Staff**

Governance of a Town relies on the cooperative efforts of elected officials, who set policy; appointed officials who advise the elected, and Town staff, who implements and administers the Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

### *Treat all staff as professionals.*

Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.

### *EAO questions/inquiries to Town staff.*

1. **General.** EAO communications with Town staff shall be through the Town Manager.
2. **Routine Requests for Information and Inquiries.** EAO may contact staff directly for information made readily available to the general public on a regular basis (e.g., "What are the library's hours of operation?") Under these circumstances staff shall treat the EAO no differently than they would the general public, and the EAO shall not use their elected or appointed status to secure preferential treatment. The Town Manager does not need to be advised of such contacts.
3. **Non-Routine Requests for Readily Available Information.** EAO may also contact staff directly for easily retrievable information not routinely requested by the general public so long as it does not require staff to discuss the issue or express an opinion (e.g., "How many traffic lights are there in the Town?" or "Under what circumstances does the Town lower its flags to half-mast?").
4. **Non-Routine Requests Requiring Special Effort.** Any EAO request or inquiry that requires staff to compile information that is not readily available or easily retrievable and/or that requests staff to express an opinion (legal or otherwise) shall be directed to the Town Manager, or to the Town attorney, as appropriate. The Town Manager shall be responsible for distributing such requests to his/her staff for follow-up. Responses to such requests shall be copied to all Councilmembers (if originating from a Councilmember), relevant board or commission members (if originating from a board or commission member), the Town Manager, the Town Attorney as appropriate and affected department directors. The Town Manager, at his or her option, may choose to seek clarification from the Town Council for non-routine requests that might be considered extraordinary.
5. **Meeting Requests.** Any EAO request for a meeting with staff shall be directed to the Town Manager or council appointee, as appropriate. EAO's shall promptly notify the Town Manager of any requests they receive by Town employees or volunteers for meetings to discuss policy issues, budget issues, management issues, or administrative issues.

### *Do not disrupt Town staff from their jobs.*

EAO's should not disrupt Town staff while they are in meetings, on the phone, or otherwise engaged in performing their job functions in order to have their individual needs met. Do not attend Town staff meetings unless requested by the Town Manager – even if the elected or appointed official does not say anything, his or her presence implies support, shows partiality, intimidates staff, and hampers staff's ability to do their job objectively.

*Never publicly criticize an individual employee.*

EAO's should never express concerns about the performance of a Town employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the Town Manager through private correspondence or conversation.

*Do not get involved in administrative functions.*

EAO's must not attempt to influence Town staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, the payment of claims against the Town or granting of Town licenses and permits.

*Check with Town staff on correspondence before taking action.*

Before sending correspondence, Councilmembers should check with the Town Manager to see if an official Town response has already been sent or is in progress. Board and commission members shall not send correspondence except as authorized by the Town Council and all Town Council members have been made aware.

*Do not solicit political support from staff.*

EAO's shall not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from Town staff. Town staff may, as private citizens with constitutional rights, support political candidates, but all such activities must be done away from the workplace. The use of the Town's email system for political purposes or communications is not allowed.

## **5. Conduct with the Public**

### **5(a). In Public Meetings**

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual EAO toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

*Be welcoming to speakers and treat them with care and gentleness.*

*Be fair and equitable in allocating public hearing time to individual speakers.*

The Mayor or Chair will determine and announce limits on speakers at the start of the public hearing process. Generally, each speaker will be allocated three minutes with applicants and appellants or their designated representatives allowed time as allocated by the Mayor. If many speakers are anticipated, the Mayor or Chair may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers.

No speaker will be turned away unless he or she exhibits inappropriate behavior. Each speaker may only

speak once during the public hearing unless the Mayor or Chair requests additional clarification later in the process.

*Give the appearance of active listening.*

It is disconcerting to speakers to have EAO not look at them when they are speaking. Be aware of facial expressions, especially those that could be interpreted as "smirking," disbelief, anger or boredom. EAO's shall refrain from texting or other cellular phone functions during public hearings.

*Ask for clarification, but avoid debate and argument with the public.*

Only the Mayor (Chair) – not individual EAO – can interrupt a speaker during a presentation. However, a member can ask the Mayor (Chair) for a point of order if the speaker is off the topic or exhibiting behavior or language that is disturbing.

If speakers become flustered or defensive by questions, it is the responsibility of the Mayor (Chair) to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by EAO to the public testifying should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker. Personal opinions or inclinations of EAO about upcoming votes should not be revealed until after the public hearing is closed.

*No personal attacks of any kind, under any circumstance.*

EAO should be aware that their body language and tone of voice, as well as the words they use, can appear to be intimidating or aggressive.

*Follow parliamentary procedure in conducting public meetings.*

The Town Attorney serves as advisory parliamentarian for the Town Council and is available to answer questions or interpret situations according to parliamentary procedures. In their absence, the Town Manager serves as advisory parliamentarian. The Mayor (Chair), subject to the appeal of the full Council or board/commission, makes final rulings on parliamentary procedure per the procedure outlined in Robert's Rules of Order Newly Revised.

## **5(b). In Unofficial Settings**

*Make no promises on behalf of the Council, board/commission or Town.*

EAO will frequently be asked to explain a Council or board/commission action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of Town policy and to refer to the Town Manager for further information. It is inappropriate to overtly or implicitly promise Council or board/commission action, or to promise Town staff will do something specific (fix a pothole, remove a library book, plant new flowers in the median, etc.).

*Make no personal comments about other EAO.*

It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other EAO, and their opinions and actions.

*Remember that Blowing Rock is a small town at heart.*

EAO are constantly being observed by the community every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the Town of Blowing Rock. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by EAO, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

## **6. Council Conduct with Other Public Agencies**

*Be clear about representing the Town or personal interests.*

When representing the Town, the Councilmember must support and advocate the official Town position on an issue, not a personal viewpoint. Outside of official board or commission meetings, board and commission members are not authorized to represent the Town or their board or commission unless specifically designated by the Council or the board or commission to do so for a particular purpose and with the Town Manager's knowledge.

When representing another organization whose position is different from the Town, the Councilmember should withdraw from voting on the issue if it significantly impacts or is detrimental to the Town's interest. Councilmembers should be clear about which organizations they represent and inform the Mayor, the Town Council, and the Town Manager of their involvement.

*Be equally clear in correspondence about representation.*

Town letterhead may be used when the Councilmember is representing the Town and the Town's official position. A copy of official correspondence should be given to the Town Manager, Town Clerk, and sent to all Councilmembers, and will be filed with the Town as part of the permanent public record.

Town letterhead should not be used for non-Town business or for correspondence representing a dissenting point of view from an official Council position.

## **7. Council Conduct with Boards and Commissions**

The Town has established several boards and commissions as a means of gathering more community input. Citizens who serve on boards and commissions become more involved in government and serve as advisors to the Town Council. They are a valuable resource to the Town's leadership and should be treated with appreciation and respect.

*If attending a board or commission meeting, be careful of personal opinions.*

Councilmembers may attend any board or commission meeting, which are always open to any member of the public. However, they should be sensitive to the way their participation, especially if it is on behalf of an individual, business or developer, could be viewed as unfairly affecting the process. Any public comments by a Councilmember at a board or commission meeting should be clearly made as individual opinion and not as a representation of the feelings of the entire Town Council.

*Limit contact with board and commission members to questions of clarification.*

It is inappropriate for a Councilmember to contact a board or commission member to lobby on behalf of an individual, business, or developer, and vice versa. It is acceptable for Councilmembers to contact board

or commission members in order to clarify a position taken by the board or commission.

*Remember that boards and commissions serve the community, not individual Councilmembers.*

The Town Council appoints individuals to serve on boards and commissions, and it is the responsibility of boards and commissions to follow policy established by the Council; but board and commission members do not report to individual Councilmembers, nor should Councilmembers feel they have the power or right to threaten board and commission members with removal if they disagree about an issue. Appointment and re-appointment to a board or commission should be based on such criteria as expertise, ability to work with staff and the public, and commitment to fulfilling official duties. A board or commission appointment should not be used as a political "reward."

*Be respectful of diverse opinions.*

A primary role of boards and commissions is to represent many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives. Councilmembers may have a closer working relationship with some individuals serving on boards and commissions but must be fair and respectful of all citizens serving on boards and commissions.

*Keep political support away from public forums.*

Board and commission members may offer political support to a Councilmember, but not in a public forum while conducting official duties. Conversely, Councilmembers may support board and commission members who are running for office but not in an official forum in their capacity as a Councilmember.

## **8. Conduct with the Media**

Board and commission members are not authorized to represent the Town outside of official board/commission meetings unless specifically authorized to do so by the Town Council.

Councilmembers are frequently contacted by the media for background and quotes.

*The best advice for dealing with the media is to never go "off the record".*

Most members of the media represent the highest levels of journalistic integrity and ethics and can be trusted to keep their word. But one bad experience can be catastrophic. Words that are not said cannot be quoted.

*The Town Manager is the official spokesperson for the Town on Town positions.*

The Town Manager is the designated representative of the Council to present and speak on the official Town position. If an individual Councilmember is contacted by the media, the Councilmember should be clear about whether their comments represent the official Town position or a personal viewpoint.

*Choose words carefully and cautiously.*

Comments taken out of context can cause problems. Be especially cautious about humor, sardonic asides, sarcasm, or word play. It is never appropriate to use personal slurs or swear words when talking with the media.

## **C. SANCTIONS**

*Public Disruption.*

Members of the public who do not follow proper conduct after a warning in a public meeting may be barred from further testimony at that meeting or removed from the Council Chambers.

*Inappropriate Staff Behavior.*

EAO's shall refer any Town staff member or volunteer who does not follow proper conduct or protocol in their dealings with EAO, other Town staff, or the public, to the Town Manager. These employees may be disciplined in accordance with standard Town procedures for such action. (Please refer to the section on Council Conduct with Town Staff for more details on interaction with Staff.)

*Councilmembers Behavior and Conduct.*

**Compliance and Enforcement.** The Code of Ethics and Conduct expresses standards of ethical conduct expected for members of the Blowing Rock Town Council, boards and commissions. EAO themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government. The chairs of boards and commissions and the Mayor and Council have the additional responsibility to intervene when actions of EAO that appears to be in violation of the Code of Ethics and Conduct are brought to their attention.

Town Councilmembers who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Council, be removed from committee assignments (both within the Town of Blowing Rock or with inter-governmental agencies) by the Council.

Councilmembers should point out to the offending Councilmember infractions of the Ethics Policy. If the offenses continue, then the matter should be placed on a council agenda to be discussed by the Town Council. Consultation with the Town Attorney should take place prior to discussion to determine if the matter is allowed to be discussed in closed session.

The affected Councilmember may request that the complaint be considered in a public meeting. The affected Councilmember shall be provided by the Town Attorney a copy of the complaint in writing. At such meeting, the Town Attorney or Town Manager shall present in detail to the Town Council the nature of the complaint and the Town Attorney findings and conclusions as to a possible violation of this Code of Ethics and Conduct for Elected and Appointed Officials.

The affected Councilmember shall have the right to a full and complete hearing before the Town Council with the opportunity to call witnesses and present evidence in such person's behalf. The non-implicated Town Councilmembers in attendance shall conduct a hearing in open session and review the complaint. The Town Council may reject the complaint and take no action or take action to formally reprimand or censure the offending Councilmember.

*Board and Commission Members Behavior and Conduct.*

Counseling and verbal reprimands may be administered by board and commission chairs (or their designee) to board and commission members failing to comply with Town policy. These lower levels of sanctions shall be kept private to the degree allowed by law. Verbal or written reprimands may be administered by the Mayor or Mayor Pro Tem at the direction of the Council. Copies of all written reprimands administered by the Mayor or Mayor Pro Tem shall be distributed in memo format to the respective board or commission

member, the board or commission chairperson, the Town Secretary, the Town Manager, and the Town Council. Written reprimands administered by the Mayor or Mayor Pro Tem shall not be publicized except as required under the Public Information Act.

The Town Council may impose sanctions on any EAO whose conduct does not comply with the Town's policies, up to and including removal from office. Any form of discipline imposed by Council shall be determined by a majority vote of at least a quorum of the Council at a noticed public meeting and such action shall be preceded by a Report to Council with supporting documentation. The Report to Council shall be distributed in accordance with normal procedures. Any Report to Council addressing alleged misconduct by a board or commission member shall be routed through the Town Attorney for review of whether any information is exempt from disclosure (subject to redaction) based on privacy interests authorized under the Public Information Act.

When deemed warranted, the Council may call for an investigation of an EAO's conduct. Should the Town Manager or Town Attorney believe an investigation is warranted, they shall confer with the Council. The Council shall ask for an investigation of the allegation and a report of the findings.

The results of any investigation conducted by the Town Manager or Town Attorney shall be reported to the full Council in a closed session. It may be reported in a verbal or written report. Any written report to Council addressing the investigation of board and commission members shall be routed through the Town Attorney for review of whether any information is exempt from disclosure (subject to redaction) based on privacy interests authorized under the Public Information Act. The affected EAO may request that the complaint be considered in a public meeting. The EAO shall be provided a copy of the complaint in writing. At such meeting, the Town Attorney or Town Manager shall present a report to the Town Council describing in detail the nature of the complaint and the Town Attorney findings and conclusions as to a possible violation of this Code of Ethics and Conduct for Elected and Appointed Officials. The affected EAO shall have the right to a full and complete hearing before the Town Council with the opportunity to call witnesses and present evidence in such person's behalf. The non-implicated Town Councilmembers in attendance shall conduct a hearing and review the complaint. The Town Council may reject the complaint or take action.

It shall be the Council's responsibility to determine the next appropriate action. Any such action taken by Council (with the exception of "take no further action") shall be conducted at a noticed meeting. These actions include, but are not limited to discussing and counseling the individual on the violations; placing the matter on a future public hearing agenda to consider sanctions; forming a Council ad hoc subcommittee to review the allegation, the investigation and its findings, as well as to recommend sanction options for Council consideration.

A violation of this Code of Ethics and Conduct for Elected and Appointed Officials, alone, shall not constitute a basis for challenging the validity of a Council, board or commission decision.

## **D. GLOSSARY OF TERMS**

**Confidential information** means any information to which an official has access in such person's official capacity, which may not be disclosed to the public except pursuant to state and/or federal law and which is

not otherwise a matter of public record or public knowledge. Confidential information includes the following information, however transmitted: (i) any information from a meeting closed to the public pursuant to the North Carolina Open Meetings Law or other law regardless of whether disclosure violates the North Carolina Open Meetings Law; (ii) any information protected by attorney client, attorney work product, or other applicable legal privilege; and (iii) any information deemed confidential by law.

**Gift** means anything of value, regardless of form, offered or given in the absence of adequate and lawful consideration. It does not include the receipt or acceptance of campaign contributions, which are regulated by federal, state, and/or local laws or ordinance.

**Relative** means any person related to an officer within the second degree by Consanguinity or affinity. This relationship includes the spouse, parents, children, stepchildren, father and mother-in-law, or son and daughter-in-law, grandparents, grandchildren, sisters and brothers of the officer.

## **E. IMPLEMENTATION**

As an expression of the standards of conduct for EAO expected by the Town, the Code of Ethics and Conduct is intended to be self-enforcing. It therefore becomes most effective when EAO are thoroughly familiar with it and embrace its provisions. For this reason, this document shall be included in the regular orientations for candidates for Town Council, applicants to board and commissions, and newly elected and appointed officials. EAO entering office shall sign a statement affirming they read and understood the Town of Blowing Rock Code of Ethics and Conduct for Elected and Appointed Officials. In addition, the Code of Ethics and Conduct shall be annually reviewed by the Town Council, boards and commissions, and the Town Council shall consider recommendations from boards and commissions and update it as necessary.

CODE OF ETHICS ACKNOWLEDGMENT

I acknowledge that I have received a copy of the Town of Blowing Rock's most recent Code of Ethics for Elected and Appointed Officials. I further acknowledge that I have read and understand all of my obligations, duties, and responsibilities under each provision of this Code of Ethics.

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Printed Name

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Signature

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Date