

**MINUTES**  
**Town of Blowing Rock**  
**Town Council Meeting**  
**December 13, 2016**

The Town of Blowing Rock Town Council met in regular session on Tuesday, December 13, 2016, at 6:00 p.m. The meeting took place at Town Hall located at 1036 Main Street, Blowing Rock, N.C. Present were Mayor J.B. Lawrence, Mayor Pro-tem Albert Yount and Council Members Jim Steele, Sue Sweeting, Doug Matheson and Ray Pickett. Others in attendance were Town Manager Scott Fogleman, Town Attorney Allen Moseley, Town Engineer Doug Chapman, Planning Director Kevin Rothrock, Finance Officer Nicole Norman, Public Works and Utilities Director Mike Wilcox, Police Chief Tony Jones, Fire Chief Kent Graham, Parks & Recreation Director Jennifer Brown and Town Clerk Hilari Hubner.

**CALL TO ORDER**

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

**APPROVAL OF MINUTES**

Council Member Pickett made a motion to approve the minutes for the regular meeting and closed session minutes held on November 9, 2016, the Special Meetings and Closed Sessions held on November 14, 16, 28 and December 5, 2016 as written. The motion was seconded by Council Member Sweeting. Unanimously approved.

**SPECIAL RECOGNITIONS AND REPORTS**

**Highway 321 Valley Boulevard Construction Update**

Kipp Turner of Maymead Construction began his monthly update on the Highway Widening Project by stating underground utilities and storm drain work continue at Norwood Circle. Mr. Turner advised the work is expected to be completed within the week and the intersection re-opened.

Mr. Turner stated wall construction continues between Country Club Drive and Green Hill Road. Mr. Turner advised the structural portion of the wall has been completed, cleaning and staining of the wall will be done in the spring. Mr. Turner further advised the gravity wall at Fairway Condos has been completed.

Mr. Turner advised the wall in front of the old Robbins House (the Red House) is 85% completed. Mr. Turner stated duct bank work is continuing at Country Club Drive. Mr. Turner explained once the duct bank work is completed at Norwood Circle and Country Club Drive, the underground duct bank work will continue down to Green Park Inn and down to the Blowing Rock sign (past the Green Park Inn). Mr. Turner stated he is looking

into getting an additional duct bank crew to get the work completed within the winter months.

Mayor Lawrence thanked Mr. Turner for his update.

### **Upcoming Board and Commission Appointment Process**

Town Manager Fogleman stated the Town was beginning its annual appointment process to fill vacancies on Town Volunteer Boards. He advised there are 12 vacancies on the various boards and asked anyone interested in serving on one of these boards to email or drop off a letter of interest to the Town Clerk by 5:00 p.m. on Tuesday, January 3, 2017.

## **CONSENT AGENDA**

Town Manager Fogleman presented the following consent agenda items:

### **1. Budget Amendment**

Two budget ordinance amendments have been identified for Council consideration: Grant funds of \$5,000 from the Blowing Rock Village Foundation for winter lighting in Memorial Park and \$2,850 of Blowing Rock Appearance Advisory Commission fund balance to fund the purchase of a Swamp White Oak tree to replace a dead Maple tree in Memorial Park. This cost includes a 7 inch caliper tree and the planting of the tree in the Park. **Budget Amendment – Attachment A**

### **2. Tax Releases and Refunds**

Various tax adjustments over time become apparent and present themselves in the form of requests for releases (adjustments) and refunds. There are currently twelve different entities with tax releases totaling \$22,747.72 and ten different entities with tax refunds totaling \$17,380.95 that have been identified for Council approval. **Tax Releases and Refunds – Attachment B**

Council Member Matheson asked if there was a problem in the software that is causing these tax releases and refunds to come up. Mr. Fogleman explained that these do come up from time to time. He further explained that this particular group has come up due to an issue when the data was transmitted from Watauga County. He advised that the issue has been resolved and flagged so it should not happen again in the future.

A motion was made by Council Member Pickett to approve all Consent Agenda items as presented, seconded by Council Member Matheson. Unanimously approved.

## **PUBLIC HEARINGS**

### **1. Tussell Land Company- Conditional Use Permit CUP 2014-02 Amendment**

Planning Director Kevin Rothrock stated Tussell Land Company is requesting an amendment to conditional use permit No. 2014-02 to construct an additional 2,592 square foot storage building at 176 W. Cornish Road. Mr. Rothrock advised the additional

storage building is planned on the north east corner of the property. This building will be constructed within the floodplain but will meet the elevation requirements in that the finished floor will be at least one (1) foot above the base flood elevation as required by Town's Floodplain Ordinance and the National Flood Insurance Program. Mr. Rothrock stated some landscape screening will be required along Cornish Road and along the property line adjacent to Blowing Rock Service Station.

Mr. Rothrock advised at the November 17<sup>th</sup> meeting, the Planning Board recommended approval of the conditional use permit as presented.

Council Member Steele asked if there was going to be any additional signage. Mr. Rothrock stated he did not think so.

Council Member Sweeting asked if a driveway could be placed in a setback. Mr. Rothrock stated yes, and added that just about all drive ways off the street are in a setback.

Mayor Pro-Tem Yount asked Town Attorney Allen Moseley if the language in the CUP makes the Town innocent in the event of a flood. Town Attorney Moseley stated that it does.

Council Member Matheson stated that this design pretty much matches the design of the existing building already there.

Council Member Sweeting asked for clarification of the door design and design function of the building.

Council Member Sweeting asked what their occupancy rate was. Mr. Tom Enterline's response was 100%.

Mayor Lawrence asked for public comment or questions. With no comments or questions Council Member Pickett made a motion to close the public hearing, seconded by Council Member Sweeting. Mayor Pro-Tem Yount made a motion to approve the Conditional Use Permit as presented, seconded by Council Member Sweeting. Unanimously approved.

**Tussell Land Company- Conditional Use Permit CUP 2014-02 Amendment - Attachment C**

## **DISCUSSION AGENDA**

### **1. Presentation of the Fiscal Year 2015-2016 Audit**

Finance Officer Nicole Norman stated that the Fiscal Year 2015-2016 audited financial statements for the Town were completed and had been approved by the North Carolina Local Government Commission. She introduced Jason Carpenter of the Town's auditing accounting firm Combs, Tennant, and Carpenter, P.C. to present the final audit to Council. Mr. Carpenter began by thanking Mayor Lawrence and Town Council for the opportunity to provide audit services to the Town. Mr. Carpenter advised this year's audit was a little different than in years past due to the grant funding level that came in for various capital

projects. Mr. Carpenter further advised that due to those expenditures the Town had to undergo two audits: a financial statement audit in conjunction and with a single audit. Mr. Carpenter stated upon completion of both of the audits an unmodified opinion is recommended, which is the highest level of audit. Mr. Carpenter advised that the past fiscal year staff has handled approximately 15 million dollars in and out of the Town in various capacities and handled it very well with good control. Mr. Carpenter advised the Tax Collection rate was 98.94%. Mr. Carpenter further advised the audit for Fiscal Year 2015-2016 went very well. Council Member Pickett made a motion to accept the audit, seconded by Council Member Sweeting. Unanimously approved. **Fiscal Year 2015-2016 Audit – Attachment D**

## **2. Broyhill Park Gazebo Point Landscaping Project**

Parks and Recreation Director Jennifer Brown stated planning work regarding options associated with improving the area around the Broyhill Park Gazebo has been taking place over this summer and fall. Mrs. Brown gave an executive summary and advised that staff recommends that we cooperatively work with Boulder Look Stone to improve the Broyhill Park Gazebo point for the cost of \$35,000 with appropriations from the Broyhill Foundation grant of \$30,000, the community Foundation grant of \$2,000, and \$3,000 from BRAAC.

Council Member Steele asked for Mrs. Brown to make documentation of the informal bid process in case a question were to come up.

Council Member Pickett made a motion to approve the Broyhill landscaping project, seconded by Council Member Sweeting. Unanimously approved. **Broyhill Park Gazebo Point Landscaping Project – Attachment E**

## **3. Water Plant Chemical Feed Project Repair Bid Award**

Town Engineer Doug Chapman stated the Town's water treatment plant is in need of repairs to its chemical feed systems. These repairs generally consist of replacement of the existing alum and caustic day tanks and chemical feed pumps. Three (3) bids were received and staff recommends bid award to Greene Construction in the amount of \$71,213 along with \$5,000 for contingency and \$10,000 for engineering services for a total of \$86,213 to be funded with an appropriation from fund balance within the utility fund.

Council Member Sweeting asked if this need was identified in the budget prior to this or was it just found. Mr. Chapman advised it was found when the State did their inspection of the plant back in the summer and advised it needed to be taken care of.

Council Member Sweeting asked if there would be a delay in water service in the 30 days it will take to make the repairs. Mr. Chapman advised there would not be a delay.

Mayor Pro-Tem Yount made a motion to approve the bid award to Greene Construction, seconded by Council Member Matheson. Unanimously approved.

## **SPEAKERS FROM THE FLOOR**

None

## **OTHER BUSINESS**

Council Member Steele asked for a proclamation to be written in appreciation of all the fire fighters and other emergency personnel who worked so hard over the Thanksgiving holiday keeping the wild fires contained and keeping everyone safe.

Police Chief Tony Jones gave an update about speed levels on Hwy 321. Mr. Jones advised the speed monitoring device is being used and the average speed is 36 MPH. Mr. Jones further advised he has officers monitoring traffic in the morning, approximately 7 a.m. until a little after 8 a.m. And in the evenings between 4:30 p.m. to 5:30 p.m. Mr. Jones stated that they would continue to monitor traffic. Council Member Sweeting asked if Highway Patrol was also monitoring. Mr. Jones stated they are as they have available staff, but due to recent issues with the wildfires and previously the floods in the Eastern part of the State, they have had to send officers to those areas and have been short staffed locally.

## **EXECUTIVE SESSION**

At 6:53 p.m. Mayor Pro-Tem Yount made a motion to enter into Closed Session pursuant to NCGS 143.318.11 (A) (3) & (6), seconded by Council Member Steele. Unanimously approved.

Following Executive Session, Council re-entered the regular meeting and directed the Town Manager to respond to a recent request to purchase air rights at the Green Hill water tank site as follows: "At this time, the Town Council is not interested in selling the air rights to the Green Hill water tank site".

## **ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 7:22 p.m.

**MAYOR** \_\_\_\_\_  
**J.B. Lawrence**

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

## **ATTACHMENTS**

**Budget Amendment – Attachment A**

**Tax Releases and Refunds – Attachment B**

**Tussell Land Company- Conditional Use Permit CUP 2014-02 Amendment - Attachment C**

**Fiscal Year 2015-2016 Audit – Attachment D**

**Broyhill Park Gazebo Point Landscaping Project – Attachment E**

