

**DRAFT**  
**MINUTES**  
**Town of Blowing Rock**  
**Board of Commissioners**  
**Regular Meeting-December 13, 2011**

The Town of Blowing Rock Board of Commissioners met in regular session on Tuesday, December 13, 2011 at 5:00 p.m. The meeting took place in the Town Council Chambers at Town Hall located at 1036 Main Street, Blowing Rock. Present were Mayor J.B. Lawrence, Commissioners Albert Yount, Phillip Pickett, Tommy Klutz, Doug Matheson, and Jim Steele. Others in attendance were Commissioner-Elect Dan Phillips, Town Manager Scott Hildebran, Town Attorney Allen Moseley, Town Engineer Doug Chapman, Planning Director Kevin Rothrock, Public Works Director Mike Wilcox, Police Chief Eric Brown, Finance Director Nicole Norman, Parks & Recreation Director Jennifer Brown, Emergency Services Director Kent Graham, and Town Clerk Sharon Greene.

**CALL TO ORDER**

Mayor Lawrence called the meeting to order at 5:00 p.m. and welcomed everyone.

**APPROVAL OF MINUTES**

Commissioner Pickett made a motion to approve the minutes for meetings held on November 15 and 21, 2011 as written. The motion received a second from Commissioner Matheson. Unanimously approved.

**OLD BUSINESS**

**1. Chamber of Commerce – 2012 Blue Ridge Wine Festival Use Agreement**

During their November meeting, Council approved April 11-15, 2012 as the dates for the 2012 Blue Ridge Wine Festival. Permission was also granted to the Chamber to use the Maple Street Parking Lot for the Grand Wine Tasting Ceremony from Wednesday, April 11<sup>th</sup> through mid-day Monday, April 16<sup>th</sup> as well as the Ice House for storage and ticket sales from Monday, April 2<sup>nd</sup> through Tuesday, April 17<sup>th</sup>.

Also during the November meeting, Council directed staff to work with the Chamber of Commerce to investigate a viable permanent tent anchor system in the Maple Street parking lot and to also formalize an event agreement between the two parties.

Chamber of Commerce Board Member Chelsea Garrett stated an agreement had been reached, but in order to justify the cost of the anchor system in the Maple Street parking lot, the Chamber requested a ten-year agreement instead of a five-year agreement. Ms. Garrett commented that the Chamber was concerned as members of the Town Council changed over time that they could later decide not to allow the event to be held at that location.

Commissioner Klutz mentioned that he was not in favor of a ten-year lease because he did not feel the Town should be locked into an agreement for that long period of time. However; he urged for the \$200.00 a day fee to be waived and a nominal fee of \$1.00 per day be charged. He also suggested that another row of anchors be installed to accommodate the placement of a smaller tent for other events.

Commissioner Steele was also not in favor of a ten-year agreement as he thought 10 years was too long to be locked into an agreement. Ms. Garrett asked if the Town would be agreeable to a five-year agreement with an automatic 5-year renewal giving the Town the option of terminating the agreement provided they gave the Chamber prior notice. Commissioner Steele was in favor of the mentioned terms. Commissioner Yount asked Town Attorney Moseley if he thought this was acceptable. Mr. Moseley responded that he felt this type agreement would be appropriate.

Commissioner Klutz once again asked about the fee being waived. Town Manager Hildebran commented that the Town needed to have consistency regarding events such as the Farmers Market, Art-in-the-Park, etc. to cover costs incurred by the Town. Commissioner Klutz commented that the Wine Festival event brought the public downtown which helped the merchants and he thought the fee should be waived. Commissioner Yount recommended a \$200.00 charge per event. Commissioner Klutz concurred with his recommendation.

At this time Planning Director Rothrock showed Council an example of the type of anchor that would be used in the Maple Street parking lot. Commissioner Yount questioned Commissioner Klutz's suggestion about another row of anchors being installed. Chamber Director Charles Hardin stated he did not have the installation cost for another row of anchors. Mayor Lawrence stated if the Town wanted to have another row installed it would be the Town's responsibility.

Commissioner Steele made a motion for approval of the event agreement with the following changes: automatic renewal of the use agreement unless proper notice is given by the Town and the fee changed to \$200.00 per event instead of \$200.00 per day. Commissioner Klutz seconded the motion. Unanimously approved. **Chamber of Commerce – 2012 Blue Ridge Wine Festival Use Agreement – Exhibit A**

## **2. Blowing Rock Art & History Museum – HVAC Noise**

According to Planning Director Rothrock, as of December 1, 2011 BRAHM had completed all planned improvements for abatement of the HVAC-related noise, including:

- Construction of fencing around HVAC units
- Installation of compressor blankets for noise abatement
- Installation of noise abatement blankets on enclosure walls
- Installation of landscaping
- Securing of any loose HVAC sheet metal
- Decibel testing (3 tests)

Mr. Rothrock commented that a final decibel testing was taken on November 30, 2011 by Watts Services, Inc. and the test locations matched those of the two (2) previous tests from October 2011. Decibel tests were also done from inside all three neighboring structures, one with the windows open and one with the windows closed. He then reviewed a map showing the decibel measurements during each test. Commissioner Yount inquired as to who paid Watts Services, Inc. for these tests. Mr. Rothrock responded that BRAHM paid for the tests to be completed.

Planning Director Rothrock also stated that in his opinion and after consulting with the Town's Attorney, BRAHM had satisfied all the requirements of their CUP. Commissioner Klutz asked if there was anything else that could be done to appease the HVAC noise complaints. Mr. Rothrock stated there were other things that could be done, but he did not feel that it would be reasonable or practical for the Town to require anything further.

Ms. Ann Rhyne a resident of 148 Globe Road thanked the Town and BRAHM for the improvements that had been made thus far regarding the HVAC noise. Ms. Rhyne thought the Town needed to uphold a motion that was made during their April 14, 2009 meeting regarding the HVAC system at BRAHM and stay involved until the problem was resolved to the satisfaction of the neighbors.

Next, Mr. Mike Rhyne also a resident of 148 Globe Road urged Council to continue to do the right thing and stay involved until the problem was solved.

#### **PRESENTATION IN HONOR OF OUTGOING COUNCIL MEMBER**

Mayor Lawrence presented a plaque to outgoing Council Member Phillip Pickett in honor of his service on the Town Council for the past four (4) years. Mayor Lawrence stated it had been an honor to service with Mr. Pickett on the Town Council and commended him on a job well done.

#### **RECESS MEETING**

During the recess, the Oath of Office was administered to Mayor Lawrence by Town Clerk Sharon Greene. Mayor Lawrence then administered the oath of office to Commissioner Albert Yount and Commissioner-Elect Dan Phillips.

#### **RECONVENE MEETING**

After the meeting reconvened, Commissioner Dan Phillips took his seat on the Board.

#### **SELECTION OF MAYOR PRO-TEM**

Commissioner Steele nominated Commissioner Albert Yount for Mayor Pro-tem. Commissioner Matheson concurred. With no other nominations, Mayor Lawrence asked Commissioner Steele if he would like to make that a motion. Commissioner Steele then made a motion to elect Commissioner Yount as Mayor Pro-tem, seconded by Commissioner Phillips. Unanimously approved.

**SPEAKERS FROM THE FLOOR**

None

**OTHER**

Mayor Lawrence called upon Commissioner Yount regarding Resolution #2011-12, A Resolution Supporting the Resurfacing of Main Street. Commissioner Yount stated that during a meeting that he and several other members of Council had attended with NC Speaker of the House Thom Tillis, he had spoken with Mr. Tillis regarding the quality of the pavement patching that NCDOT had completed on Main Street across from Town Hall. He then stated that the Chief Engineer with NCDOT had called him and advised that NCDOT would repave Main Street at no cost to the Town even though it was not scheduled for resurfacing for another five (5) years. Commissioner Yount made a motion for acceptance of Resolution #2011-12 in support of the resurfacing of Main Street. Commissioner Klutz seconded the motion. Unanimously approved. **Resolution #2011-12 A Resolution Supporting the Resurfacing of Main Street – Exhibit B**

Mayor Lawrence commended Commissioner Yount regarding his work on this issue.

**DEPARTMENTAL REPORTS**

Town Manager Hildebran congratulated Commissioner Matheson on being elected as Fire Chief of Blowing Rock Fire & Rescue.

Town Manager Hildebran then advised that Town Engineer Doug Chapman was present to update Council on current projects.

Mr. Chapman stated the replacement of approximately 1,500 feet of water line on Wonderland Trail was almost 50% completed. He also advised that the screening at the Wastewater Treatment Plant would be approximately 75% complete by the end of the week.

Town Manager Hildebran extended Happy Holiday wishes to everyone.

**ADJOURNMENT**

There being no further business to conduct, the meeting was adjourned at 5:40 p.m.

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

**ATTEST** \_\_\_\_\_  
**Sharon Greene, Town Clerk**

**ATTACHMENTS** (12-13-11)

Chamber of Commerce – 2012 Blue Ridge Wine Festival Use Agreement–Exhibit A  
Resolution #2011-12 A Resolution Supporting the Resurfacing of Main Street–Exhibit B