

**Minutes-Special Meeting
Boone Town Council/Water Committee
March 15, 2010**

A special meeting of the Boone Town Council was called to order at 7:07 p.m., Monday, March 15, 2010, in the Council Chambers, 1500 Blowing Rock Road. Mayor Pro-Tem Lynne Mason presided. Council Members present were Rennie Brantz, Jamie Leigh, and Andy Ball. Members of the Water Use Committee present were Donna Lisenby, Dr. James Buchanan, Pam Williamson, Tim Wilson, Patrick Beville and Dr. Kristan Cockerill. Staff members present were Greg Young- Town Manager, Rick Miller- Public Utilities Director and Lane Weiss-Water Conservation Program Coordinator. Town Attorney Sam Furguiele was also in attendance.

Mayor Pro-Tem Mason called the meeting to order and welcomed all in attendance.

Discussion of Possible Amendments to Ordinance #05-01

Town Attorney Sam Furguiele opened the meeting by pointing out that the current agenda packet was not properly updated with the draft changes to Ordinance #05-01. Attorney Furguiele then recited the updated verbiage pertaining to the recommendations made at the previous committee meeting. Discussion ensued clarifying any lingering questions. The drafted recommendations to Ordinance #05-01 will go to Town Council for approval on March 16, 2010.

Discussion then moved to drafted paragraph 3 in Ordinance #05-01. Town Attorney Furguiele indicated that paragraph 3 was in response to issues concerning vesting rights tied to water allocations and where they lie. Summarizing that water allocations would no longer be issued to a person but to a site specific development, avoiding any miscommunication among project shareholders and/or property owners. Any substantial changes would require a reapplication for water allocation. Committee Member Lisenby pointed out that any projects that show a substantial decrease in water usage from the initial site specific development plan could be considered a conservation effort and questioned the need for reapplication. Town Attorney Furguiele clarified that the language in paragraph 3 was drafted to avoid the substitution of water allocations, not to incentivize or penalize any conservation efforts. Committee Member Beville then requested that current language not be altered, noting that usage could be decreased without true conservation efforts in place. Town Attorney then reviewed goals and purposes of paragraph 3.

Discussion then moved to paragraph 9. Town Attorney Furguiele explained that paragraph 9 in Ordinance #05-01 was redefined to clarify when payment is due and extension requirements. During discussion Town Attorney Furguiele noted that the paragraph will require a few changes in the language. Public Utilities Director Rick Miller indicated that at some time in the future the committee must make recommendations to Town Council regarding the revision, sun-setting or expiration of Ordinance #05-01. After some discussion Committee Member Beville made the following motion: *"To recommend to Council the drafted changes to Ordinance #05-01 as indicated by Town Attorney Sam Furguiele."* Committee Member Williamson amended the motion by adding, *"And as modified by the Water Committee, in the current discussion."* Committee Member Beville approved of the amendment and Council Member Ball seconded the motion.

Aye: All
Nay: None

Mayor Pro-Tem Mason then made a motion to adjourn and was seconded by Committee Member Buchanan. The Water Committee Meeting adjourned at 8:05 PM.

Lane S. Weiss, Committee Secretary

Loretta Clawson, Mayor