

**MINUTES – REGULAR MEETING
BOONE TOWN COUNCIL
February 18, 2016**

CALL TO ORDER

A regular meeting of the Boone Town Council was called to order at 5:30 p.m. Thursday, Feb. 18, 2016, at the Council Chambers located at 1500 Blowing Rock Road. Mayor Rennie Brantz presided. Council members present were Mayor Pro Tem Lynne Mason, Loretta Clawson, Charlotte Mizelle, Jennifer Teague and Jeannine Underdown Collins. Town Attorney Allison Meade was also in attendance. Staff present were Assistant Town Manager Jim Byrne, Town Clerk Christine Pope, Public Works Director Rick Miller, Cultural Resources Director Pilar Fotta, Police Chief Dana Crawford, Planning Director Bill Bailey, Finance Director Amy Davis and Fire Chief Jimmy Isaacs.

ANNOUNCEMENTS

Mayor Brantz announced that due to a family obligation, the town manager would be unable to attend the meeting and in his place Assistant Town Manager Jim Byrne will be attending. He noted Mr. Byrne has worked for the Town for over 28 years and is responsible for acquiring over \$50 million in grants for the Town.

Mayor Brantz announced that Nathan Hayes has returned to Boone from military deployment in Kuwait and is resuming work for the Town's wastewater treatment plant.

TENTATIVE AGENDA ADOPTION

Assistant Town Manager Jim Byrne noted two additions to the consent agenda for adoption following discussion by the Council during their annual retreat:

1. Item 6.N. - Request to Schedule a Special Meeting of the Boone Town Council in order to hold a Planning Retreat for Friday, March 11, 2016, from 8:30 a.m. to 5 p.m. in the Council Chambers located at 1500 Blowing Rock Road.
2. Item 6.O. - Request to Send a UDO Text Amendment to the April 4, 2016, Special Public Hearing - Revisions to the Public Hearing Process.

ADOPTION OF TENTATIVE AGENDA

Upon a motion by Council Member Clawson, seconded by Council Member Mizelle, Council moved to adopt the tentative agenda, as amended.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Loretta Clawson, Council Member
SECONDER:	Charlotte Mizelle, Council Member
AYES:	Mason, Clawson, Mizelle, Teague, Collins

PUBLIC COMMENT

Antonio Reed, of 343 Mesa Circle in Boone, stated he was applying for the Affordable Housing Task Force vacancy as a community member, and is a student of Appalachian State University that is concerned about the associated costs of attending the university. He stated he would like to better understand the problems facing ASU students and citizens of Boone, and how we can address those issues.

Deborah Greene, of 808 Castle Ford Road in Boone, spoke regarding her concerns with the Town's water intake project, including which matters are being brought to Council, the engineers' quality of work and the infiltration gallery.

Frank Packard, of Todd, N.C., spoke regarding his concerns with the Town's water intake project. Mr. Packard presented a list of questions for Council, encouraging them to post these questions and address them openly with the citizens (**Exhibit A following the official minutes**). He requested that Council submit a local water supply plan to the Division of Water Quality.

REQUESTED APPEARANCES (FIVE MINUTES EACH)**APPROVAL OF RESOLUTION IN SUPPORT OF CONNECT NC BOND PROPOSAL**

Appalachian State University Chancellor Sheri Everts appeared before the Council to clarify the ASU votes taken on the ConnectNC bond referendum. She stated the understanding is that the senators found it better for each member to advocate based on their individual conviction. Johnny Burleson of ASU provided a PowerPoint presentation to Council regarding the ConnectNC bond (**Presentation on file in February 2016 meeting packet**).

In response to Council Member Clawson's question regarding how the State will pay for this bond, Mr. Burleson advised that by the time this bond is financed, the current bonds will have rolled off, making the State \$1 billion less in debt, and the interest will be approximately 2 to 2.75% due to the State's AAA bond rating. Several members of Council voiced their support for this bond referendum.

Upon a motion by Council Member Mason, seconded by Council Member Clawson, Council moved to adopt the resolution in support of the ConnectNC bond referendum:

**A Resolution of the Boone Town Council Supporting
North Carolina's "Connect NC Bond Proposal" for Referendum Vote on March 15, 2016**

WHEREAS, the North Carolina General Assembly has passed and Governor Pat McCrory has signed a \$2 billion bond initiative to be placed on the North Carolina Primary Election Ballot for an up or down vote by the people of this state on March 15, 2016. The Connect NC Bond Initiative is intended to connect North Carolina cities and towns in the 21st century by upgrading technology, constructing and improving educational facilities, enhancing medical services, supporting our military installations, improving parks and recreational facilities, and building and improving port and rail infrastructure; and

WHEREAS, these strategic investments, as proposed, are designed to benefit every community across this great State and will create jobs and improve the quality of life and environment for every community across this great State and will create jobs and improve the quality of life and environment for every North Carolinian; and

WHEREAS, because of North Carolina's fiscal strength and strong balance sheet, no tax increase will be required to fund these bonds, and in addition, the State's Triple A bond rating will be preserved; and

WHEREAS, by not addressing our serious infrastructure deficiencies now, our State will lose its ability to compete in the future, interest rates will go up, costs to taxpayers will increase, congestion will worsen and jobs will not expand at the rate needed to sustain a healthy and vibrant North Carolina; and

WHEREAS, the bond proceeds will benefit projects in the northwestern North Carolina High Country Region that includes Alleghany, Ashe, Avery, Mitchell, Watauga, Wilkes and Yancey Counties; and

WHEREAS, the citizens of North Carolina will be allowed to make the important decision of investing in the opportunities provided to our future generations through this Connect NC Bond Referendum initiative.

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Boone, North Carolina, evidenced by this resolution, supports the "Connect NC Bond Referendum" and encourages North Carolina's citizens (especially our citizens in Northwestern NC) to support this critical referendum with an affirmative vote on March 15, 2016, to help ensure North Carolina's bright future and competitiveness on the global stage.

This the 18th day of February, 2016.

(RESOLUTION TO BE TYPED IN BOOK 3, PAGE 264)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Lynne Mason, Mayor Pro Tem
SECONDER:	Loretta Clawson, Council Member
AYES:	Mason, Clawson, Mizelle, Teague, Collins

HARROD, LLC SPECIAL PUBLIC HEARING REQUEST

Jim Deal appeared before Council on behalf of Harrod, LLC to request a special public hearing in order to hear a petition that is in the process of being submitted for a Planned Development (PD) Map Amendment for the previously approved Rivers Walk project located at the corner of Rivers and Water streets. Upon a motion by Council Member Mason, seconded by Council Member Mizelle, Council moved to schedule a special public hearing for Monday, April 4, 2016, at 5:30 p.m. in the Council Chambers located at 1500 Blowing Rock Road in order to hear this request.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Lynne Mason, Mayor Pro Tem
SECONDER:	Charlotte Mizelle, Council Member
AYES:	Mason, Clawson, Mizelle, Teague, Collins

BTR COMMUNITIES GROUP, LLC SPECIAL PUBLIC HEARING REQUEST

Bill Scantland, representing BTR Communities Group, LLC appeared before Council to request a special public hearing in order to consider an accelerated rezoning request for property located at 583 Jefferson Road for the development of workforce housing. Mr. Scantland stated that through the tax credit program for which they are applying, student housing is not permitted, but these credits are there to help lower the cost of the project, therefore not requiring the developers to need as much rental income. He added that the neighborhood meeting for this project will be in the next 30 days. Upon a motion by Council Member Mason, seconded by Council Member Teague, Council moved to add this request to the special public hearing scheduled for Monday, April 4, 2016, in the Council Chambers beginning at 5:30 p.m. with this item to be heard immediately following the previous request by Harrod, LLC.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Lynne Mason, Mayor Pro Tem
SECONDER:	Jennifer Teague, Council Member
AYES:	Mason, Clawson, Mizelle, Teague, Collins

DONALD M. WATSON, JR. SPECIAL PUBLIC HEARING REQUEST

Scott Porter of Hampton Property, LLC appeared before Council to request a special public hearing with respect to a General Use Zoning Map Amendment and a Conditional District Zoning Map Amendment for a piece of property within the Hampton Estates development. The request is to rezone a portion as general use B3 for a portion to be subdivided and then developed at a later time, and a portion RA for a site specific plan for single-family and two-family dwelling units. Upon a motion by Council Member Mason, seconded by Council Member Underdown Collins, Council moved to add this request to the special public hearing scheduled for Monday, April 4, 2016, in the Council Chambers beginning at 5:30 p.m. with this item to be heard immediately following the previous requests by Harrod, LLC and BTR Communities Group, LLC.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Lynne Mason, Mayor Pro Tem
SECONDER:	Jeannine Underdown Collins, Council Member
AYES:	Mason, Clawson, Mizelle, Teague, Collins

CONSENT AGENDA ADOPTION

Upon a motion by Council Member Mason, seconded by Council Member Underdown Collins, Council moved to adopt the consent agenda.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Loretta Clawson, Council Member
SECONDER:	Jeannine Underdown Collins, Council Member
AYES:	Mason, Clawson, Mizelle, Teague, Collins

TOWN COUNCIL - PUBLIC HEARING - JAN 6, 2016 5:30 PM

TOWN COUNCIL - REGULAR MEETING - JAN 21, 2016 5:30 PM

DISCLOSURE OF SETTLEMENT TERMS CONSISTENT WITH THE REQUIREMENTS OF N.C. GENERAL STATUTES

APPROVAL OF E911 PROJECT BID

Contract awarded to VPC, LLC with a base bid of \$118,500, which includes a \$10,000 contingency.
(Agreement will be permanently on file in Town Hall.)

APPROVAL OF LEASE BETWEEN BONNIE JEAN BROWN AND THE TOWN OF BOONE

BONNIE JEAN BROWN – TOWN OF BOONE LEASE

LEASE AGREEMENT

STATE OF NORTH CAROLINA
WATAUGA COUNTY

This Lease Agreement, made and entered into this 1st day of April, 2016, by and between Bonnie Jean Brown, of Orange County, Florida, party of the first part, hereinafter call Lessor, and Town of Boone, a body politic, organized and existing under and by virtue of the laws of the State of North Carolina, party of the second part, hereinafter call Lessee;

WITNESSETH:

That for and in consideration of the rents hereinafter reserved, the covenants, stipulations, and agreements herein contained, the Lessor does hereby demise and lease unto the Lessee, and the Lessee does hereby hire and rent from the Lessor, the following described property, lying and being in Boone Township, Watauga County, North Carolina: Being a 1.004 acre tract of land lying on the north side of Tracy Circle and being a portion of the Council Grove Subdivision.

For a term of three (3) years beginning on the 1st day of April 2016, and ending on the last day of March 2019. The increase of the annual rent will be changed to an additional \$250.00 per year.

The terms of this lease: Rental shall be as follows:

From April 1, 2016 to March 31, 2017 the sum of \$9,500.00

From April 1, 2017 to March 31, 2018 the sum of \$9,750.00

From April 1, 2018 to March 31, 2019 the sum of \$10,000.00

The Lessee covenants with the Lessor, her heirs, executors, administrators, and assigns, as follows:

1. The Lessee shall pay a cash rental for said property as follows: said rent is to be due and payable on the 1st day of April of each year and during the term of this lease.
2. That Lessee shall have the right to assign or sublease the premises.
3. The Lessee shall hold Lessor harmless from any and all claims or causes of action arising out of the Lessee's or their assigns use of the lease premises.
4. That if the Lessee shall default in the payment of rent or in the performance of any of the conditions of this Lease, the Lessor shall give the Lessee written notice of such default, and if Lessee does not cure said default within ten (10) days after the giving of such notice, the Lessor may terminate this lease without further notice.
5. Either party may terminate this lease by providing ninety (90) days prior written notice. If the Lessee terminates this lease prior to the end of the lease term, the Lessee shall forfeit any lease payment made. If the Lessor terminates this lease prior to the end of the lease term, the Lessor shall refund to the Lessee a prorated portion of any lease payment made, based upon application of a factor with the number of days of possession during the payment period as the numerator, and the total number of days for the full payment period as the denominator, multiplied by the amount of the full rental payment made for the payment period. At the termination of this lease, Lessee shall not remove any property from the premises without advance notice and permission from the Lessor. Following its vacation of the premises, should Lessee leave any property on the premises, it shall be deemed abandoned, and Lessor shall have the right to dispose of the property as it sees fit, at the expense of the Lessee.

This lease shall be governed and constructed in accordance with the laws of the State of North Carolina.

That the Lessee shall use said premises well and will keep the same in a good condition at all times and will never use the same for illegal purposes, and the Lessee shall return said premises to the Lessor, her heirs, executors, administrators, and assigns, at the expiration of said lease in as good a condition as when the Lessee received the same, reasonable wear and tear excepted.

That said Lessee shall have the exclusive use and occupancy of said premises so long as the Lessee complies with the terms of this lease, or until the same shall be terminated by mutual agreement between the parties.

IN WITNESS THEREOF, the parties hereto have hereunto set their hands and affixed their seals, the day and year first above written.

LESSOR: _____
Bonnie Jean Brown

LESSEE: _____
Mayor Rennie Brantz

ATTEST: _____
Town Clerk

STATE OF FLORIDA – SEMINOLE COUNTY

I, _____, Notary Public, do hereby certify that Bonnie Jean Brown personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and official seal, this the ____, day of ____, 2016.

Notary Public

My commission expires: _____

STATE OF NORTH CAROLINA – WATAUGA COUNTY

I, _____, Notary Public, do hereby certify that Christine Pope personally appeared before me this day and acknowledged that she is the Clerk of the Town of Boone, a body politic, the foregoing instrument was signed in its name by its Mayor, sealed with its corporate seal, and attested by herself as its Clerk.

(SEAL)

Witness my hand and official seal, this the ____, day of ____, 2016.

Notary Public

My commission expires: _____

APPROVAL OF ENCROACHMENT AGREEMENT-GIDEON PROPERTIES, INC.

STATE OF NORTH CAROLINA
COUNTY OF WATAUGA

ENCROACHMENT AGREEMENT

THIS ENCROACHMENT AGREEMENT is made and entered into this the 1st day of Feb., 2016, by and between the TOWN OF BOONE, party of the first part; and Gideon Properties, LLC, party of the second part.

W-I-T-N-E-S-S-E-T-H

THAT WHEREAS, the party of the second part desires to encroach on public land designated as (CHOOSE ONE) a public sidewalk/public street/public park/public land (hereinafter referred to as the “public land”) located at 130 Green Street Boone, NC with the following: 15” HDPE Stormwater Pipe connection to existing inlet on South Side of Green St. (hereinafter referred to as “the encroaching facility”); and

WHEREAS, it is to the material advantage of the party of the second part to effect this encroachment, and the party of the first part, in the exercise of authority conferred upon it by statute and ordinance, is willing to permit the encroachment on public land, subject to the condition of this agreement;

NOW, THEREFORE, IT IS AGREED that the party of the first part hereby grants to the party of the second part the right and privilege to make this encroachment upon the following conditions, to wit:

That the party of the second part complies with all pertinent provisions of the North Carolina State Building Code, the Town of Boone Unified Development Ordinance and the Town of Boone Municipal Code, and such other laws, regulations and ordinances which might apply;

That the said party of the second part binds and obligates itself, its successors and assigns, to install and maintain the encroaching facility in such safe and proper condition that it will not interfere with or endanger travel upon said public land, nor obstruct nor interfere with the proper maintenance thereof, to reimburse the party of the first part for the costs incurred for any repairs or maintenance to its roadways, sidewalks and other structures resulting from the installation and existence of the encroaching facility of the party of the second part, and if at any time the party of the first part shall require the removal of or changes in the location of the encroaching facility, that the said party of the second part binds itself, its successors and assigns, to promptly remove or alter the said encroaching facility in order to conform to the said requirements of the party of the first part, without any cost to the party of the first part.

That the party of the second part agrees to provide during construction and any subsequent maintenance proper signs, signal lights, flagmen and/or other warning devices, as necessary or as requested by the party of

the first part Director of Public Works or his designee, for the protection of the public and in the case of encroachment into a street right of way, in conformance with the latest Manual on Uniform Traffic Control Devices for Streets and Highways and amendments or supplements thereto. Information as to the above rules and regulations may be obtained from the party of the first part.

That to the extent permitted by law, the party of the second part shall be responsible for all liability associated with the encroachment and encroaching facility. In furtherance of such responsibility, the party of the second part agrees to indemnify and hold harmless the party of the first part from and against any claim by any third party based upon any action or omission occurring during construction and maintenance of the encroaching facility, as well as from and against any and all claims, demands, suits, causes of action, or other assertion of responsibility, however denominated, for personal injury, damage to property, losses and expenses, including court costs and attorney's fees, arising out of or in any way related to the encroachment or encroaching facility;

That where pertinent and requested by the party of the first part, the party of the second part agrees to name the party of the first part as an additional insured on its and/or its contractor's general liability insurance policies applicable to the encroachment or encroaching facility.

It is clearly understood by the party of the second part that the party of the first part will assume no responsibility for any damage that may be caused to such encroaching facility as the party of the first part carries out its construction and maintenance operations, and the party of the second part expressly waives all claims of liability or responsibility against the party of the first part for any damage that may be caused to the encroaching facility as the result of the Town carrying out any construction and maintenance operations. The party of the second part acknowledges that with regard to canopies, awnings, signs and similar encroachments, even where same fully comply with the Town of Boone Unified Development Ordinance, when placed less than ten feet above the surface of a public sidewalk, such obstructions are at great risk of damage by the equipment of the party of the first part during snow removal and general sidewalk construction and maintenance, and the party of the second part understands that by placing the encroaching facility less than ten feet above the surface of a public sidewalk, the party of the second part is knowingly and intentionally assuming that heightened risk of damage.

That the party of the second part agrees to be bound by such other and additional conditions as the Town Council may impose in connection with the encroaching facility.

The party of the second part agrees to restore all areas disturbed during installation and maintenance to the satisfaction of the party of the first part. The party of the second part agrees to exercise every reasonable precaution during construction and maintenance to prevent eroding of soil; silting or pollution to the rivers, streams, lakes, reservoirs, other impoundments; ground surfaces or other property; or pollution of the air. The party of the second part shall comply with all applicable rules and regulations of the North Carolina Sedimentation Control Commission, the Town of Boone Unified Development Ordinance and all other applicable laws and regulations relating to pollution prevention and control. When any installation or maintenance operation disturbs the ground surface and the existing ground cover, the party of the second part agrees to remove and replace the sod or otherwise re-establish the grass cover to meet the satisfaction of the party of the first part. The party of the second part shall comply with all pertinent ordinances, rules, regulations and laws, and failure to do so shall be a basis for revocation of this encroachment agreement by the party of the first part.

That the party of the second part agrees to assume the actual cost of any inspection of the work considered to be necessary by the party of the first part.

That the party of the second part agrees to have available at the encroaching site, at all times during construction, a copy of this agreement showing evidence of approval by the party of the first part. The party of the first part reserves the right to stop all work unless evidence of approval can be shown.

Provided the work referred to in this agreement is being performed on a completed public street open to traffic, the party of the second part agrees to give written notice of when work will begin to the party of the first

part.

That in the case of noncompliance with the terms of this agreement by the party of the second part, the party of the first part reserves the right to stop all work until the encroaching facility has been brought into compliance or removed from the right of way at no cost to the party of the first part.

That it is agreed by both parties that this agreement shall become void if actual construction of the work contemplated herein is not begun and completed within ____ year(s) from the date of this agreement unless written waiver is secured by the party of the second part from the party of the first part.

The party of the first part expressly reserves the unrestricted right to require the party of the second part to change the location of the encroaching facility described herein at no expense to the party of the first part.

IN WITNESS WHEREOF, each of the parties to this agreement has caused the same to be executed as of the day and year first above written.

TOWN OF BOONE

BY: _____
Mayor

ATTEST:

Town Clerk

BY: _____
President/Member – Manager/Owner

ATTEST:

Secretary/Witness

CONSIDERATION OF PLANNING COMMISSION REPRESENTATIVES FOR THE WATER USE COMMITTEE AND AFFORDABLE HOUSING TASK FORCE

Water Use Committee: Jon Tate

Affordable Housing Task Force: Jeff Templeton and Caroline Catoe

TRANSPORTATION COMMITTEE REQUEST-APPROVAL OF CONTRACT WITH NCDOT FOR PEDESTRIAN CROSSWALK SIGNAL

TRANSPORTATION COMMITTEE REQUEST-APPROVAL TO APPLY TO PARTICIPATE IN THE WATCH FOR ME N.C. CAMPAIGN

TRANSPORTATION COMMITTEE REQUEST-MULTI-MODEL DESIGN FOR HIGHWAY 105 IMPROVEMENTS

RESOLUTION OF THE BOONE TOWN COUNCIL REQUESTING NCDOT TO INCLUDE PEDESTRIAN, BICYCLE AND TRANSIT INFRASTRUCTURE IN THE DESIGN OF THE STIP U-5603 PROJECT

WHEREAS, by the authority of the Town of Boone having the duty to direct transportation improvements within its planning area jurisdiction to the betterment of the community and the environment; and

WHEREAS, citizens, the Alternate Transportation Subcommittee, and the Transportation Committee has requested pedestrian, bicycle and transit infrastructure be included on all transportation projects within the Town of Boone; and

WHEREAS, the Town of Boone recognizes that pedestrian and bicycle infrastructure are as much a part of the road system as vehicle travel lanes; and

WHEREAS, the Town of Boone continually strives to become a truly multi-modal area, and supports the creation of complete streets, and acknowledges that pedestrian, bicycle and transit infrastructures are essential in this effort,

WHEREAS, the North Carolina Department of Transportation has begun project development for improvements to NC 105 from US 321 to NC 105 Bypass, SR 1107,

NOW THEREFORE, be it resolved that the Town of Boone hereby requests NCDOT to include pedestrian, bicycle and transit infrastructure as essential elements of all State Transportation Improvement projects in the Town of Boone, including the design of the STIP U-5603 Project.

ATTEST:

Mayor Rennie Brantz

Town Clerk Christine Pope

(RESOLUTION TO BE TYPED IN BOOK 3, PAGE 265)

MCLAURIN PARKING - REQUEST FOR PERMISSION TO PURGE UNPAID PARKING CITATIONS

APPROVAL OF BUDGET AMENDMENTS

Description:	Account Number:	To:	From:
Legal – Professional Services	010-404-000-509100	\$75,000	
Appropriated Fund Balance – General Fund	010-000-000-499900		(\$75,000)
Contracted Services – Public Utilities Administration	030-700-801-577000	\$150,000	
Appropriated Fund Balance – Water/Sewer Fund	030-000-000-499900		(\$150,000)

APPROVAL OF BUDGET AMENDMENT - PURCHASE OF EMERGENCY POLICE DISPATCH PROTOCOL SYSTEM

Description:	Account Number:	To:	From:
Travel and Training	011-500-304-521101	\$15,000	
Maintenance – Equipment	011-500-304-525201	\$20,156	
Appropriated Fund Balance – E911	011-500-000-499900		(\$35,156)

NOTE: The finance director determined that the original budget amendment included in the February

2016 meeting packet listed an incorrect line item from which these funds would be coming. The funds will come from the Appropriated Fund Balance – E911 line item as listed above.

REQUEST TO SCHEDULE A SPECIAL MEETING OF THE BOONE TOWN COUNCIL IN ORDER TO HOLD A PLANNING RETREAT FOR FRIDAY, MARCH 11, 2016, FROM 8:30 TO 5 P.M. IN THE COUNCIL CHAMBERS LOCATED AT 1500 BLOWING ROCK ROAD

REQUEST TO SEND A UDO TEXT AMENDMENT TO THE APRIL 4, 2016, SPECIAL PUBLIC HEARING - REVISIONS TO THE PUBLIC HEARING PROCESS

COUNCIL MATTERS

UPDATE ON OPTIONS FOR SELLING BEER BY THE GLASS

At the request of Council Member Mason, Town Attorney Allison Meade presented Council with an update regarding options for selling beer at specialty shops. Ms. Meade reviewed previous discussions by Council and research by staff related to this option, noting that due to the existing ETJ litigation, requesting special legislation could create awkwardness if seeking a local law. She noted the only remaining option at this time would be to request change to the general ABC laws. Council Member Clawson stated she did not support this and does not want to pursue it further. Council Member Mason stated that when the ABC regulations were initially approved, craft beer was not yet a term, noting that the North Carolina Brewers Guild is also looking into this issue. Council Member Teague suggested that the people and businesses who would like to see change advocate at the state level for what interests them.

Council Member Mason moved that the Town pursue trying to find a way to advocate for change in the State statute in order to provide a provision for specialty shops only. Council Member Clawson stated she did not believe there could be a limit to specialty shops only. With no second, the motion failed.

AFFORDABLE HOUSING TASK FORCE - REQUEST FOR DIRECTION REGARDING MISSION STATEMENT

Council Member Mason presented a request from the Affordable Housing Task Force to get direction from Council regarding a newly created mission statement. She indicated that as the Web page for affordable housing is going up, this is the task force's first major goal. Upon a motion by Council Member Teague, seconded by Council Member Underdown Collins, Council moved to make the mission statement on the new Web page as follows:

"The mission of the Affordable Housing Task Force is to promote creation of more diverse and affordable quality housing options for families and individuals who desire to live in Boone as is directed by the Town Council."

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jennifer Teague, Council Member
SECONDER:	Jeannine Underdown Collins, Council Member
AYES:	Mason, Clawson, Mizelle, Teague, Collins

REQUEST FOR DIRECTION REGARDING THE AFFORDABLE HOUSING TASK FORCE'S NEXT SET OF GOALS

Council Member Mason presented a request from the Affordable Housing Task Force requesting direction from Council to move forward with the next set of intermediate goals. Mayor Brantz noted that both this request as well as that for the mission statement would also tie in well for discussion purposes as the planning retreat. Planning Director Bill Bailey noted that approval by the Council to move forward with these goals would

include permitting utilization of the town attorney for the legal framework portion of these goals. Upon a motion by Council Member Teague, seconded by Council Member Underdown Collins, Council moved to direct the Affordable Housing Task Force to move forward with the next set of goals as set forth during the September 2014 meeting:

1. *Legal Framework*
2. *Create a redevelopment initiative providing incentives such as relaxing development regulations allowing fee reductions and providing density bonuses.*
3. *Consider cluster development.*
4. *Create a demonstration project.*

TOWN MANAGER UPDATE

Assistant Town Manager Jim Byrne provided Council with the following updates:

1. Announced 2016 primary election dates.
2. Announced ETJ hearing scheduled for March 22, 2016.
3. Howard Street Project updates:
 - Preliminary planning associated with corridor planned has been completed by Davenport Consulting.
 - Property owner search completed and notification letters sent to affected owners.
 - Corridor surveyed and refining the property/easement information now.
 - Surveying 90% complete.
 - Utility coordination kickoff meeting held Friday, Feb. 12. Participation by all utility interests involved.
 - Engineer starting initial layout of conceptual designs. Once surveys received, Town will look at concept plan and give input.

Council Member Mason confirmed that there will be additional meetings downtown regarding this project.

ANNOUNCEMENT OF BOARD VACANCIES

Mayor Brantz announced Frank Bolick's vacancy on the Planning Commission as an extraterritorial jurisdiction representative. His vacant term will expire June 30, 2017. Mayor Brantz announced all current vacancies being solicited.

APPOINTMENT TO THE AFFORDABLE HOUSING TASK FORCE

Council Member Mason nominated Antonio Reid for appointment to a community member position on this task force. Council Member Underdown Collins seconded the motion. With no other nominations, Mayor Brantz called for a vote.

Mr. Reid's term will expire Feb. 18, 2019.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Lynne Mason, Mayor Pro Tem
SECONDER:	Jeannine Underdown Collins, Council Member
AYES:	Mason, Clawson, Mizelle, Teague, Collins

APPOINTMENT TO BOARD OF ADJUSTMENT

Council Member Teague nominated Mike Byrd to an alternate resident position on this board. With no further nominations, Mayor Brantz called for a vote.

Mr. Byrd's term will expire June 30, 2018.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jennifer Teague, Council Member
AYES:	Mason, Clawson, Mizelle, Teague, Collins

APPOINTMENT TO CULTURAL RESOURCES ADVISORY BOARD

Council Member Clawson nominated Mike Evans to the at-large position on this board. Council Member Teague nominated Michael Lane to the at-large position on this board. With no further nominations, Mayor Brantz called for a vote.

NOMINATION OF MIKE EVANS

RESULT:	DEFEATED [1 TO 0]
MOVER:	Loretta Clawson, Council Member
AYES:	Clawson
ABSTAIN:	Mason, Mizelle, Teague, Collins

NOMINATION OF MICHAEL LANE

Mr. Lane's term will expire June 30, 2017.

RESULT:	APPROVED [4 TO 0]
MOVER:	Jennifer Teague, Council Member
AYES:	Mason, Mizelle, Teague, Collins
ABSTAIN:	Clawson

CLOSED SESSION

MOTION TO ENTER CLOSED SESSION

Upon a motion by Council Member Teague, seconded by Council Member Mizelle, Council moved to enter closed session at 6:37 p.m. to hear the following items:

1. Pursuant to N.C.G.S. 143-318.11(a)(5)(I), to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the Town in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property for Watauga County PINs 2921-11-2162-000 (Mary Ann Bolick, Trustee), 2921-10-2748-000 (Lawrence Dale Graham, Trustee), 2920-19-6977-000 (Katie Bolick) and 2921-10-2179-000 (Katie Bolick).
2. Pursuant to N.C.G.S. 143-318.11(a)(3), to consult with the Town Attorney in order to preserve the attorney-client privilege between the attorney and the Town Council and consider or give instructions to the attorney concerning the handling or settlement of a claim involving the Town of Boone.
3. Pursuant to N.C.G.S. 143-318.11(a)(3), to consult with the Town Attorney in order to preserve the attorney-client privilege between the attorney and the Town Council and consider or give instructions to the attorney concerning the handling or settlement of a claim involving the Town of Boone.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jennifer Teague, Council Member
SECONDER:	Charlotte Mizelle, Council Member
AYES:	Mason, Clawson, Mizelle, Teague, Collins

MOTION TO EXIT CLOSED SESSION

Upon a motion by Council Member Underdown Collins, seconded by Council Member Mizelle, Council moved to exit closed session at 7:18 p.m.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jeannine Underdown Collins, Council Member
SECONDER:	Charlotte Mizelle, Council Member
AYES:	Mason, Clawson, Mizelle, Teague, Collins

ADJOURNMENT

MOTION TO ADJOURN

Upon a motion by Council Member Teague, seconded by Council Member Underdown Collins, Council moved to adjourn the meeting at 7:19 p.m.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jennifer Teague, Council Member
SECONDER:	Jeannine Underdown Collins, Council Member
AYES:	Mason, Clawson, Mizelle, Teague, Collins

Christine Pope, Town Clerk

Rennie Brantz, Mayor