

**MINUTES- REGULAR MEETING
BOONE TOWN COUNCIL APRIL
16, 2013**

A regular meeting of the Boone Town Council was called to order at 6:30p.m., Tuesday, April 16, 2013, in the Council Chambers, 1500 Blowing Rock Road. Mayor Loretta Clawson presided. Council members present were Mayor Pro-Tem Jamie Leigh, Lytme Mason, Rennie Brantz, Andy Ball, and Allan Scherlen. Town Attorney Sam Furgieuele was also present. Staff members present were Town Manager Greg Young, Town Clerk Kimberly Brown, Finance Director Amy Davis, Police Chief Dana Crawford, Fire Chief Jimmy Isaacs, Public Utilities Director Rick Miller, Public Works Director Blake Brown, Planning Director Bill Bailey, Building Inspector Todd Miller, Human Resources Director Peri Moretz, and Cultural Resources Director Pilar Fotta.

ANNOUNCEMENTS

Mayor Clawson called the meeting to order and welcomed all in attendance. She noted that anyone wanting to sign up to speak during the public comment session would need to sign the public comment sign-up sheet.

Mayor Clawson made the following announcements:

- In conjunction with the statewide "Spring Litter Sweep 2013" campaign issued by Governor Pat McCrory for April 13th through April 27th, the Town of Boone will hold a "Spring Boone Clean-Up Day" on Saturday, April 20, 2013. Interested participants may come by the Town of Boone Public Works Department located at 321 East King Street between 9:00am- 2:00pm to pick up cleaning supplies. For more information, contact Shannon Isaacs at (828)268-6230.
- The Town of Boone's Historic Preservation Commission cordially invites you to the historic Jones House Community Center, 634 West King Street, on Sunday, April 21, 2013, from 2-5 p.m. for "Tea and Old Times." Please come and share your memories of Boone's past, focusing on the 1930's. Enjoy Andy Page presenting a cappella music of the era while enjoying punch and cookies.

TENTATIVE AGENDA ADOPTION

Town Manager Greg Young announced the following changes to the agenda:

1. Amend Agenda – To transfer Item 14.B. Closed Session to the Tuesday night meeting immediately following the Tentative Agenda Adoption, pursuant to NCGS 143-

318.11(a)(3): Legal Advice- To consult with the Town Attorney in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged, to consider and give instructions concerning the handling or settlement of threatened judicial and administrative actions by the Watauga County Commission Chairman against the Town.

2. Addition of Item 6.P.- Schedule Zoning Cases for the May Quarterly Public Hearing.
3. Addition of Item 12.B. – Adoption of Resolution – Reformation of ETJ in North Carolina.

Upon a motion by Council Member Brantz, seconded by Council Member Mason, Council moved to adopt the agenda, as amended.

VOTE: Aye-All
 Nay-None

CLOSED SESSION

Upon a motion by Council Member Brantz, seconded by Council Member Ball, Council moved to enter into Closed Session at 6:33 p.m., pursuant to NCGS 143-318-11(a)(3) in order to consider the following item:

- Legal Advice – To consult with the Town Attorney in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged, to consider and give instructions concerning the handling or settlement of threatened judicial and administrative actions by the Watauga County Commission Chairman against the Town.

VOTE: Aye-All
 Nay-None

Upon a motion by Council Member Brantz, seconded by Council Member Ball, Council moved to exit Closed Session at 8:25 p.m.

VOTE: Aye-All
 Nay-None

Upon a motion by Council Member Leigh, seconded by Council Member Brantz, Council moved to amend the agenda to allow Mayor Clawson to make an official statement, on behalf of the Town Council, in regard to the threatened legal action by the Watauga County Commission Chairman.

Vote: Aye- All

Nay- None

Town Attorney Sam Furguele cited the following cases in explaining why participation in Closed Session mediation by the Town of Boone and Watauga County is legal:

- The North Carolina Open Meetings Law, General Statutes Section 143-318.11(a)(3) expressly allows a public body to go into closed session to consider and give instructions to an attorney concerning the handling or settlement of a claim or mediation.
- The following North Carolina Court of Appeals opinion from 2000 authorizes a closed session for a threatened lawsuit, not just when one has already been filed:
MULTIMEDIA PUBLISHING OF NORTH CAROLINA, INC., d/b/a Asheville Citizen Times Publishing Company, a North Carolina Corporation, Plaintiff, v. HENDERSON COUNTY and Henderson County Board of Commissioners, Defendants. Found at Volume 136, North Carolina Appellate Report, page 567.
- In 2006, the North Carolina Court of Appeals actually examined the use of closed session for a mediation between County Commissioners and a City Council in the case of Gannett Pacific Corporation versus the City of Asheville and County of Buncombe, found at Volume 178, NC Appellate Report, page 711, over the termination of a regional water agreement, and the Court found that the method, the same which the Town intended to employ, was entirely legal and appropriate. That method was for the public bodies to meet in closed session to discuss their mediation positions and to receive legal advice, and then for the respective attorneys, with a single representative from each body, to then meet with the mediator and each other, as appropriate.

Mayor Loretta Clawson made the following statement:

We are very disappointed that the Watauga County Commissioners rejected our invitation to participate in a mediation to try to resolve the County's threat to sue the Town of Boone to challenge the recently enacted ordinance which was designed to increase housing opportunities for moderate income people in Boone. We hope that the County will reconsider and that the County Commissioners will also reconsider their threat of legal action and the change in the sales tax distribution. Therefore, the Town is extending another invitation to the County to participate in mediation.

The basis for mediation in closed session is based on the County's threat to sue the Town. There was an explicit threat of a lawsuit by County Commissioner Miller which was printed in the Watauga Democrat and the High Country Press, reported on WATA on April 15, 2013 and repeated to two town council members, as well as the Town Attorney.

The Town favored a mediation over an open meeting beffl'een the two bodies because so far, two of the County Commissioners have made public statements that seemed more designed to attack the Town, mischaracterize the motives and effects of the ordinance, and inflame public sentiment against the Town, rather than to pursue a reasoned discourse aimed at meeting both the County's stated goal of selling the high school property and the Town's legitimate goal of fostering development which meets the needs of the many people who work or live in Boone. The Town Council wanted to avoid a political circus and instead wished to try to reach a resolution that served the legitimate goals of each body. The Town had arranged with a Republican Superior Court Judge emeritus to conduct the mediation, and he had said that he would do so.

At this time, on behalf of the Boone Town Council, I would like to share the following statement in order to provide additional background information and to clarifY misinformation that has been shared publicly regarding the threatened law suit by the County:

- 1. The Boone Town Council has and will continue to act and respond as a body and not as individual members in the actions threatened by the County.*
- 2. The Town has worked cooperatively with the County on the sale of the old Watauga High School Property.*
 - (1) Rezoned the entire property to unrestricted B-3 at the request of the County*
 - (2) Reserved 150,000 gallons per day water allocation for this property in recognition of its value to the citizens of the Town and the taxpayers of Watauga County, which at the time represented about 1/4 of the total remaining water the Town could allocate before a new water intake was built.*
- 3. Since the County entered into an agreement on November 13, 2012 with Mr. Phil Templeton for the purchase of the former high school property the Town has only had 3 inquiries related to the development of this property:*
 - A. Mr. Phil Templeton discussed development of this property with Mr. Bill Bailey the Director of Planning and Inspections during the bid process.*
 - B. Mr. Jim West, on behalf of Mr. Phil Templeton spoke with Mr. Bailey on one occasion.*
 - C. Mr. Phil Templeton's attorney met with the Planning Staff along with county staff in early Jami({IY to present a proposed plan to rezone 38.64 acres to R-3. Refer to letter sent to County Commissioners and to the Boone Town Council.*
- 4. The recently adopted ordinance that encourages family housing provides an exemption to B-3 properties which includes the old high school property. Only if the developer asks for permission to build in phases and wants to first build more than 113 of the apartment portion of the development, is any financial security required. The Town Council realized that if there was not some financial guarantee provided, a developer might obtain approval for a mixed commercial/residential project, build the apartment portion of the development as the first phase, and then never follow through with the commercial part. Ther fore, when a developer wants to build the entire apartment portion first and rent out the apartments before starting the commercial part, the developer can only do so as long as the developer provides .financial assurance that the commercial portion is built. The financial assurances which are required have been misrepresented in the media as a letter of a credit for 125% of the value of the commercial part of the development. Although the ordinance mentions this as one type of financial guarantee*

that will always be acceptable, it allows the developer to propose whatever guarantee the developer thinks is adequate, and it allows the Town Council to negotiate that with the developer.

- 5. Before the ordinance that is at the heart of this dispute was even adopted, the Town Council conducted a public hearing at which both Commissioner Nathan Miller and the attorney for the proposed purchaser of the high school property spoke. Their suggestions caused the Town Council to adopt the exemption of B-3 property, such as the old high school property, from the new requirements so long as it was clear the whole project would be built and not just the apartment portion. Before that new language was even adopted, it was shared with Commissioner Miller nearly a week before the Council considered it. Mr. Miller said he did not have a specific problem with the language. A copy of the adopted ordinance was sent to all County Commissioners and the financial assurance requirement has been explained to Mr. Templeton's attorney that the section that reads by way of example only....that the letter of credit is an example and not a requirement.*
- 6. Two of the five County Commissioners report that they were not included in the decision to approach the other municipalities about changing the sales tax distribution from per capita (population based) to ad valorem (property value based). Since Mr. Miller has repeatedly said that he already has the votes to sue the Town and change the sales tax distribution method, it appears that Commissioner Miller has been conducting meetings with two of the other commissioners behind closed doors.*
- 7. Boone is at a disadvantage with the ad valorem distribution method since 32.11% of the property in town is off the tax rolls because government entities and non-profits are exempt from paying real estate taxes which includes ASU, local and county government, the old high school property, the hospital, churches and non-profits at a value of over 608 million dollars and yet all these entities depend on town services such as fire protection, police, roads and sidewalks and snow removal, all of which the sales tax helps finance. The loss in property tax revenue of all the tax-exempt properties cost the Town is over 2.2 million dollars. Refer to % Share of Distribution for Fiscal Year 2012-2013 from the Department of Revenue for a breakdown of the distribution methods for the County and each town in Watauga County.*
- 8. In Fiscal Year 2008/2009*:*
 - Two-thirds of the sales tax generated in Watauga County came from within the corporate limits of the town of Boone.*
 - Even under the more beneficial current per capita method of distribution of the sales tax, Boone only received about 25% of what was distributed in Watauga County*
 - If the distribution had been changed to the ad valorem method, Boone would have received approximately 12% of what was distributed in Watauga County. Applied this year, it is estimated to be a loss of approximately two million dollars.*

**The last fiscal year the state reported the amount received by municipality.*

9. *The County Commission chair Nathan Miller has approached all Watauga County municipalities about changing the sales tax distribution with the **exception of Boone**. Although Boone understands that these other communities would naturally want more money of which the majority is collected in Boone, it is disheartening that they have failed to consider the many things Boone does for them as the economic center of the county. For example, Boone has spent significant funds flying to develop a second water intake, in part to enable the Town to provide Blowing Rock with a half million gallons of water per day. The Town has also provided long-term leases at nominal costs for County recreation programs that provide youth activities for all children of the county. If the method of sales tax distribution is changed, the Town will be forced to reconsider these arrangements.*
10. *The loss of 2 million dollars in the sales tax distribution will be devastating to the citizens and businesses in the Town of Boone as there will need to be a drastic cut in services and programs. It will affect the Town's ability to provide services to its residents and to those who work here and vacation here.*

If the County Commission majority actually wanted to reach a compromise that met the legitimate goals of both entities, it could easily have done so without resorting to threats and actions explicitly stated by Mr. Miller as intended to "penalize" the Town. The Town is still open to reaching such a solution. Citizens of the Town are also citizens of (Watauga County and they are Watauga County taxpayers. Actions taken by the County Commission to hurt Town residents therefore also hurt their own constituents.

We, therefore, extend an invitation to the Watauga County Commissioners to participate in mediation.

CONSENT AGENDA ADOPTION

Minutes: March 4, 2013 – Special Meeting.
 March 11, 2013- Special Meeting.
 March 19/21, 2013 -Regular Meetings.
 March 25, 2013- Special Meeting.
 March 28, 2013 -Special Meeting.

Approval of Tax Refunds: July 2012-February 2013.

Approval of Tax Releases: August 2012-March 2013.

Adoption of Resolution-Retirement Resolution for Sergeant Kenneth W. Aldridge.

RESOLUTION

The members of the Boone Town Council, meeting in regular session on April 16, 2013, do hereby adopt and pass the following resolution:

WHEREAS, the following person has served the citizens of Boone for a number of years:

Sergeant Kenneth W. Aldridge, began employment with the Town of Boone in 1984, and transferred to Boone Police Department in 1991, for a total of 28 years of service.

WHEREAS, Sergeant Aldridge will be retiring on May 1, 2013, after serving as a leader in the Boone Police Department in an exemplary fashion; and

WHEREAS, his contribution in the service of Boone and its citizens will always be appreciated;

NOW, THEREFORE, BE IT RESOLVED, that Sergeant Aldridge shall be awarded his Police badge and service weapon as follows:

Ketmeth W. Aldridge	Glock, Model 22	Serial
	#PLK630	

Furthermore, a copy of this Resolution shall be given to Sergeant Aldridge.

Adopted this the 16th day of April, 2013.

Loretta Clawson, Mayor

ATTEST:

Kimberly S. Brown, Town Clerk

(RESOLUTION TO BE TYPED IN BOOK __, PAGE(S) 196)

Approval of Encroachment Agreement- F.A.R.M. Cafe Sign. (Easement permanently on file at Boone Town Hall.)

Approval of Lease Agreement – Ronald A. & Katherine B. McCreary. (Lease permanently on file at Boone Town Hall.)

Deletion of Delinquent Accounts: 2007-2009 Parking Tickets.

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

VOTE: Aye-All
 Nay-None

PUBLIC COMMENT

There was no one signed up to speak during public comment.

CONSIDERATION OF REQUEST FOR SUPPORT- SAHA

Council Member Mason presented a request to consider immediate support in the amount of \$20,000 for the Southern Appalachian Historical Association (SAHA.) She pointed out that this will be the Horn in the West's 62nd consecutive season and that the outdoor drama is an important cultural and economic aspect of the community. Additionally, she listed the various ways in which the Town has supported the program in the past, including materials and labor and direct payments to SAHA. Council Member Mason proposed a match challenge with SAHA where upon the Town would match up to \$10,000 based on the following conditions:

- SAHA shall receive some type of technical assistance to address organizational and budgetary issues to ensure long-term sustainability.
- There is no change in sales tax distribution.

Council Member Brantz agreed with the proposal. Council Member Leigh stated that the Town needs to be specific in regard to what is matched by SAHA. She also suggested that if the Town provides a \$10,000 match to SAHA, the funding amount for outside agencies should be reduced by that amount. Upon a motion by Council Member Brantz, seconded by Council Member Mason, Council moved to approve up to a \$10,000 match with the Southern Appalachian Historical Association based on funds raised by the organization since the March 2013 Council meeting, to reduce the outside agency funding amount by \$10,000, and conditioned on no change in the sales tax distribution by Watauga County.

VOTE: Aye-All
 Nay-None

DISCUSSION OF NEXT STEP FOR THE TABLE OF PERMITTED USES AND UDO UPDATES

Council Member Mason asked to schedule a joint meeting with the Planning Commission after the 3'd UDO workshop is held and to schedule a special public hearing to receive input on the proposed changes. Upon a motion by Council Member Mason, seconded by Council Member Ball, Council moved to schedule a special joint meeting with the Planning Commission on Monday, July 8, 2013, at 6 p.m. in the Council Chambers.

VOTE: Aye- 4 (Scherlen, Mason, Ball, Brantz)
 Nay- 1 (Leigh)

Upon a motion by Council Member Brantz, seconded by Council Member Ball, Council moved to excuse Council Member Mason from the meeting at 9:24 p.m.

VOTE: Aye-All
 Nay-None

ACCEPTANCE OF DEED-DANA BRIGMAN LAND DONATION

Town Attorney Sam Furgiuele informed the Council that Ms. Dana Brigman has offered a donation of a 0.797 acre parcel, located off NC Highway 105, to the Town of Boone. He explained that a provision of the deed is that the property shall be kept as greenspace for 90 years. Mayor Clawson and the Council expressed appreciation for Ms. Brigman's general donation. Upon a motion by Council Member Ball, seconded by Council Member Leigh, Council moved to accept the deed for a land donation from Dana Brigman. **(Copy of deed permanently on file at Boone Town Hall.)**

VOTE: Aye-All Nay-
 None Absent- I
 (Mason)

ADOPTION OF RESOLUTION- SUPPORT FUNDING FOR PARKS & RECREATION TRUST FUND

Upon a motion by Council Member Brantz, seconded by Council Member Scherlen, Council moved to adopt the following resolution:

A RESOLUTION TO MAINTAIN AND SUPPORT THE CURRENT INTEGRITY AND FUNDING FOR THE PARKS AND RECREATION TRUST FUND (PARTF)

WHEREAS, North Carolina is known for its unique and scenic natural resources and opportunities for recreation with a long tradition of its citizens and visitors enjoying parks, mountains, rivers, greenways, beaches and more. Generations of residents and visitors have delighted in these landscapes and park facilities; and

WHEREAS, The Parks and Recreation Trust Fund (PARTF) was established with bipartisan support on July 16, 1994 to fund improvements in the state's park system, to fund grants for local governments and to increase the public's access to the state's beaches and coastal waterways; and

WHEREAS, since its inception The Parks and Recreation Trust Fund has provided \$161 million via 722 grants to 370 local governments in 99 counties and has been matched with \$312 million of local and private dollars for the purchase of local park land, building and renovation of facilities and development of greenways and trails; and

WHEREAS, North Carolina's population has grown to make it the 10th most populous state in the nation with projections for the significant growth to continue in the coming decades, and more state and local parks are needed to meet the increased demands; and

WHEREAS, parks are identified as key contributors to North Carolina's tourism industry that generates nearly \$20 billion in annual economic impact; and

WHEREAS, parks in North Carolina are experiencing record visitation levels including over 14.25 million to state parks in both 2011 and 2012; and

WHEREAS, The Parks & Recreation Trust Fund has leveraged funds that allowed our State to acquire land for state parks and state natural areas and protected nearly 83,000 acres and made major additions to the Mountains-to-Sea State Trail; and

WHEREAS, The Parks & Recreation Trust Fund has funded capital improvement projects in the state parks such as visitor centers and exhibit halls which provide tremendous opportunities to educate students and all citizens about North Carolina's outstanding natural resources, and other capital projects including campgrounds, picnic areas, boating facilities, trails and swimming beaches; and local capital projects including construction of community centers, athletic fields and greenways; and

WHEREAS, the annual economic impact to local economies of all tourists visiting the state parks system was estimated at more than \$400 million in sales and income, as well as nearly 5,000 jobs according to a 2008 study.

WHEREAS, a portion of The Parks & Recreation Trust Fund is designated for the Public Beach and Coastal Waterfront Access Program to improve access to beaches and coastal waterways by funding public boat ramps and public beaches accesses; and

WHEREAS, access to parks, recreation facilities and open space provides cost-effective opportunities for citizens of all ages to participate in health and wellness activities thereby reducing costs associated with obesity, heart disease, diabetes and high blood pressure; and

WHEREAS, research has documented that structured park and recreational opportunities in local communities can prevent crime and provide positive activities and directions for young people; and

WHEREAS, dedicated, recurring funding of the Parks & Recreation Trust Fund allows for structured and objective planning and efficient management of the system at both the state and local levels for today and future generations; and

WHEREAS, the success of The Parks and Recreation Trust Fund is due to the dedicated funding source provided by a portion of the deed stamp tax, and is recognized nationally as a model for efficiency and accountability; and

NOW, THEREFORE, BE IT RESOLVED, that the Town of Boone does call on the members of the General Assembly to maintain dedicated revenues generated by seventy-five cents of the deed stamp tax for The Parks and Recreation Trust Fund.

The Clerk is directed to send a copy of this resolution to each of the members of the General Assembly representing the people of Boone and the North Carolina Recreation and Park Association.

This the 16th day of April, 2013

Mayor

Attest:

Clerk

(RESOLUTION TO BE TYPED IN BOOK_L, PAGE(S) 194-195)

VOTE: Aye-All
 Nay-None
 Absent- 1 (Mason)

REPORT ON LAWSUIT-HELLBENDER'S ET AL VS. TOWN OF BOONE

Town Attorney Sam Furguele informed the Council that the lawsuit brought by Hellbenders's et al, Boone Saloon and Char Restaurant, against the Town of Boone regarding the noise ordinance was recently dismissed by US District Court Judge Richard Voorhees. He stated that the judge determined that the case was "without merit." Furthermore, he noted that the issue will be discussed during closed session.

REPORT ON CONDEMNATION CASE- AMP ENTERPRISES, INC.

Upon a motion by Council Member Brantz, seconded by Council Member Ball, Council moved to amend the agenda to allow the continuation of a legal hearing on this issue and to take action.

VOTE: Aye-All
 Nay-None
 Absent- 1 (Mason)

Town Attorney Sam Furguele reopened the hearing at 9:39 p.m. Planning Director Bill Bailey and Building Inspector Todd Miller, both being duly sworn, verified that the property has continued to be secured from the public by a chain-link fence. Mr. Bailey recommended that the Council extend the time period for demolition of the condemned structures until the end of 2013. Jill Atfield-Patel, owner of the property and being duly sworn, stated that the property is now under contract and that she hopes to close the contract by November 2013. She indicated that a flood study of the property is to be conducted this summer. She agreed with the extension of the time period until the end of the 2013 year. With no other testimony, Mr. Furguele closed the public hearing at 9:44 p.m. Upon a motion by Council Member Ball, seconded by Council Member Leigh, Council moved to extend the time period for rectifying the condemned and blighted property until December 31, 2013, to receive a status report from the Planning & Inspections Department on the development of the property at the regular meeting in September 2013, and to continue to hold penalties in abeyance until December 31, 2013.

VOTE: Aye-All

Nay-None
Absent-1 (Mason)

**HISTORIC PRESERVATION COMMISSION REQUEST FUNDING FOR
STABILIZATION OF RIVERS-COFFEY HOUSE**

Planning Director Bill Bailey explained that the Historic Preservation Commission has been discussing a funding request for \$50,000 for the emergency stabilization of the rock house on the Rivers-Coffey property. Council took no action on this item at this time.

RESCHEDULING OF MEETING- APRIL 22ND BUDGET RETREAT

Upon a motion by Council Member Ball, seconded by Council Member Scherlen, Council moved to reschedule the follow-up budget retreat to Wednesday, May 29, 2013, from 8:30a.m. until 5 p.m. in the Council Chambers.

VOTE: Aye-All
 Nay-None
 Absent-1 (Mason)

SCHEDULING OF SPECIAL MEETINGS- JUNE BUDGET WORKSHOPS

Upon a motion by Council Member Leigh, seconded by Council Member Scherlen, Council moved to schedule two special meetings on Monday, June 10, 2013, from 8:30a.m. to 5 p.m. and on Monday, June 17, 2013, from 8:30 a.m. to 5 p.m., in the Council Chambers, in order to hold budget workshops, to hold the public hearing on the budget at 6:30 p.m. during the regular council meeting on June 18, 2013, and to adopt the budget at the June 20, 2013 meeting.

VOTE: Aye-All
 Nay-None
 Absent- I (Mason)

**P & I MONTHLY
REPORT**

Planning Director Bill Bailey presented the P & I Monthly report. **(Permanently on file in the April 2013 Town Council packet.)**

DISCUSSION OF FUNDING AND SUPPORT- DANIEL BOONE AMPHITHEATER

Cultural Resources Director Pilar Fotta presented a recommendation from the Cultural Resources Advisory Board to continue support for the Daniel Boone Amphitheater. She noted that the board also recommends to transition from the leasing of the property to a licensing program. SAHA Director Michelle Ligon stated that a longer lease is necessary for that property because a shoti-tenn lease prohibits SAHA from planning ahead for events. It was the consensus of the Council to direct the Town Attomey to meet with the Cultural Resources Advisory Board to fi.niher discuss this matter.

QUARTERLY NOISE REPORT

Police Chief Dana Crawford presented the qumierly noise ordinance report. **(Permanently on file in the April2013 Town Council packet.)**

AWARDING OF BID- CREST DRIVE, MAC STREET, ARBOR DRIVE SEWER REPLACEMENT PROJECT

Public Utilities Director Rick Miller presented bid tabulations for the Crest Drive, Mac Street, Arbor Lane Sewer Replacement project. He noted that the lowest bid is from Carolina Grading and Utilities in the amount of \$202,920. Mr. Miller recommended that Council award the bid to Carolina Grading and Utilities. Upon a motion by Council Member Ball, seconded by Council Member Scherlen, Council moved to award the bid for the Crest Drive, Mac Street, Arbor Lane Sewer Replacement project to Carolina Grading and Utilities in the amount of\$202,920.00.

VOTE: Aye-All
 Nay-None
 Absent- I (Mason)

MONTHLY WATER USE STATUS REPORT

Public Utilities Director Rick Miller presented the monthly water status repmi. **(Copy of report permanently on file in the Apri12013 Town Council packet.)**

APPROVAL OF BUDGET AMENDMENTS

Upon a motion by Council Member Brantz, seconded by Council Member Scherlen, Council moved to approve the following budget amendments:

Description	Account#	To:	From:
MISCELLANEOUS EXPENSE- GOVERNING BODY	0J0-400-000-539901	\$350	
APPROPRIATED FUND	010-000-000-499900		(\$350)

BALANCE-GENERAL FUND			
METER SUPPLIES-WATER OPERATIONS	030-700-802-51710J	\$9,700	
SALE OF SURPLUS PROPERTY	030-000-000-481200		(\$9,700)
CAPITAL OUTLAY-OTHER EQUIPMENT FIRE DEPT	010-500-350-574000	\$28,220	
HOMELAND SECURITY- ASSISTANCE TO FIRE FIGHTERS GRANT FUND EXPENSE	015-420-000-551129	\$253,980	
APPROPRIATED FUND BALANCE-GENERAL FUND	010-000-000-499900		(\$28,220)
HOMELAND SECURITY- ASSISTANCE TO FIRE FIGHTERS GRANT FUND REVENUE	015-420-000-461520		(\$253,980)

VOTE: Aye-All
 Nay-None
 Absent- I (Mason)

SCHEDULE CASES FORMAY QUARTERLY PUBLIC HEARING

Upon a motion by Council Member Ball, seconded by Council Member Scherlen, Council moved to send the following cases to the May Quarterly Public Hearing on May 6, 2013:

- Case 20130064 Appalachian Mountain Brewery Conditional District Map Amendment Modification
- Case 20130155 Courtyard by Marriott Conditional District Map Amendment Modification
- Case 20130163 Mountaineer Crossing Conditional District Map Amendment Modification.

VOTE: Aye-All
 Nay-None
 Absent – I (Mason)

RECESS MEETING

Upon a motion by Council Member Brantz, seconded by Council Member Scherlen, Council moved to recess the meeting at 10:35 p.m. until Thursday, April 18, 2013, at 6:30 p.m. in the Council Chambers, 1500 Blowing Rock Road.

VOTE: Aye-All
 Nay-None
 Absent-1 (Mason)

CALL TO RECONVENE

A recessed meeting of the Boone Town Council was called to order at 6:30p.m., Thursday, April 18, 2013, in the Council Chambers, 1500 Blowing Rock Road. Mayor Loretta Clawson presided. Council members present were Lynne Mason, Re1mie Brantz and Andy Ball. Town Attorney Sam Furgieuele was also present. Staff members present were Town Manager Greg Young, Town Clerk Kimberly Brown, Finance Director Amy Davis, Police Chief Dana Crawford, Fire Chief Jimmy Isaacs, Public Utilities Director Rick Miller, Public Works Director Blake Brown, Planning Director Bill Bailey, Human Resources Director Peri Moretz, and Cultural Resources Director Pilar Fotta.

ANNOUNCEMENTS

Mayor Clawson called the meeting to order and welcomed all in attendance. She noted that anyone wanting to sign up to speak during the public comment session would need to sign the public comment sign-up sheet.

TENTATIVE AGENDA ADOPTION

Town Manager Greg Young presented the following changes to the agenda:

- A. Addition of Item 12.C. – Adoption of Resolution – Suppmting Early Voting and the Right of College Students to Vote.
- B. Addition of Item to Closed Session pursuant to NCGS 143-318.11(a)(3): Legal Advice- To consult with the Town Attorney in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged, to consider and give instructions concerning the handling or settlement of tlueatened judicial and administrative actions by the Watauga County Commission Chairman against the Town.

Upon a motion by Council Member Brantz, seconded by Council Member Ball, Council moved to adopt the agenda, as amended.

VOTE: Aye-All
 Nay-None
 Absent-2 (Leigh, Scherlen)

PUBLIC COMMENT

Marvin Mercer, on behalf of the Watauga Green project which is located off Clawson Street, appeared before the Council to request a special public hearing in order to address a change to the parking plan. He stated that the NC Housing and Finance Office have a minimum requirement of two parking spaces per unit and that the Town requirements are substantially less. He stated the developer incorporated one space per unit for the parking plan. Mr. Mercer indicated that the developer plans to submit a parking plan of one and a half spaces per unit to the NC Housing and Finance Office but prior to that submission, will have to come before the Council for approval of the modification of the conditional zoning district designation. Upon a motion by Council Member Brantz, seconded by Council Member Mason, Council moved to amend the agenda to take action on this request.

VOTE: Aye-All
 Nay-None
 Absent-2 (Scherlen, Leigh)

Upon a motion by Council Member Mason, seconded by Council Member Brantz, Council moved to schedule a special public hearing on May 13, 2013, at 5:30 p.m. in the Council Chambers to hear a request for the modification of the conditional district zoning for the Watauga Green project located off Clawson Street to address parking issues.

VOTE: Aye-All
 Nay-None
 Absent-2 (Scherlen, Leigh)

Lacey Williams, owner of Hickory Sealing & Striping, appeared before the Council to present information on a new asphalt-based sealer. He asked the Council for leniency in using an asphalt-based sealer. Council directed Mr. Williams to discuss his request with the appropriate personnel at the Planning Department.

Michael Page, ASU Student Body Vice President-Elect, spoke before the Council, urging support of the rights of college kids to vote.

Dylan Russell, ASU Student Body President-Elect, urged the Council to support a resolution that supports college student's right to vote.

Ian O'Keefe urged the Council to adopt the resolution supporting the rights of college students to vote on campus.

BOARD APPOINTMENTS

Affordable Housing Task Force

Council Member Ball nominated Jenny Church to serve on the Affordable Housing Task Force as a community member who qualifies for affordable housing. With no other nominations, Mayor Clawson called for a vote:

VOTE: Aye-All
 Nay-None
 Absent-2 (Scherlen, Leigh)

Boone ABC Board

Council Member Mason nominated Pat Wilkie to serve on the Boone ABC Board. With no other nominations, Mayor Clawson called for a vote:

VOTE: Aye-All
 Nay-None
 Absent-2 (Scherlen, Leigh)

Her term will expire April 30, 2013.

Board of Adjustment

It was the consensus of the Council to delay nominations for the Board of Adjustment at this time.

Community Appearance Commission

Council Member Mason nominated Linda Wise to serve on the Community Appearance Commission. With no other nominations, Mayor Clawson called for a vote:

VOTE: Aye-All
 Nay-None
 Absent-2 (Scherlen, Leigh)

Ms. Wise's term will expire on June 30, 2013.

Greenway, Parks & Gardens Committee

Council Member Brantz nominated Mike Boone to serve on the Greenway, Parks and Gardens Committee. With no other nominations, Mayor Clawson called for a vote:

VOTE: Aye-All
 Nay-None
 Absent-2 (Scherlen, Leigh)

Outside Agency Funding Review Committee

There were no applications submitted for consideration for this committee.

Planning Commission

Council Member Ball nominated Matt Long to serve as a resident position on the Planning Commission. With no other nominations, Mayor Clawson called for a vote:

VOTE: Aye-All
 Nay-None
 Absent-2 (Scherlen, Leigh)

Mr. Long's term will expire on June 30, 2016.

Tree Board

Council Member Mason nominated Linda Wise to serve on the Tree Board. With no other nominations, Mayor Clawson called for a vote:

VOTE: Aye-All
 Nay-None
 Absent-2 (Scherlen, Leigh)

Ms. Wise's term will expire on October 31, 2014.

Water Study Committee

Council Member Ball nominated Emily Bish to serve on the Water Study Committee. With no other nominations, Mayor Clawson called for a vote:

VOTE: Aye-All
 Nay-None
 Absent-2 (Scherlen, Leigh)

ADOPTION OF RESOLUTION-REFORMATION OF ETJ IN NORTH CAROLINA

Upon a motion by Council Member Brantz, seconded by Council Member Ball, Council moved to adopt the following resolution:

Resolution Calling for Reformation of ETJ in North Carolina

WHEREAS, A form of extraterritorial jurisdiction authority has existed in North Carolina since 1949; and

WHEREAS, The U.S. Supreme Court has upheld the right of municipalities to exercise ETJ authority on ETJ residents; and

WHEREAS, ETJ powers are necessary to ensure that development at the edge of cities: 1) is compatible with development within the city; 2) is orderly; and 3) promotes health and safety within the city limits. As was noted when ETJ authority was initially extended to all cities, "Health and safety problems arising outside the city do not always respect city limits as they spread"; and

WHEREAS, Counties don't have the urban planning expertise to oversee urban ETJ areas. It is a much better fit for cities and towns who understand what urbanized areas need; and

WHEREAS, ETJ has many benefits for those looking to develop land near a city's borders. Property owners looking to market a property for development save both time and money by being able to obtain a desired municipal zoning designation, rather than having to first voluntarily annex and pay municipal taxes during the period that zoning is being determined. Unilaterally eliminating ETJ authority and reverting all ETJ areas to county zoning standards, if in effect, could imperil ongoing large-scale developments and cost some developers hundreds of thousands of dollars; and

WHEREAS, By allowing municipalities to maintain established zoning standards for areas just outside their borders — which are often indistinguishable from those inside their borders — the aesthetics of the greater municipal area are maintained and the entire area becomes a more attractive option for businesses and residents. This in turn raises residents' property values; and

WHEREAS, ETJ protects the quality of life for residents living near to, but outside of, the city limits. It protects residents from noxious uses of land and keeps developers looking to locate near metropolitan areas, but seeking to implement uses that are not appropriate for an

urban setting, from locating in these residents' neighborhoods and decreasing the value of surrounding properties; and

WHEREAS, County commiSSIOners already have a great deal of control over municipalities' ETJ authority. The only instance in which a municipality can establish an ETJ without approval from the county is if the county is not enforcing a zoning ordinance, subdivision regulations, and the State Building Code, and the municipality wishes to extend its ETJ less than a mile from its boundaries. If the county is enforcing those regulations, or the municipality wishes to extend its ETJ beyond one mile, ETJs can only be established with pe1mission from the county; and

WHEREAS, Giving the county a great deal of say over ETJ authority ensures that the decision to create an ETJ is a joint decision that is made with the best interests of the local community in mind. Keeping these local decisions in the hands of locally elected officials who know the needs of their community should continue to be a guiding principle for issues like this; and

WHEREAS, By law, ETJ residents are represented on municipal planning boards and boards of adjustment in the same proportion as that of the ETJ population to the municipal population; and

WHEREAS, Elimination of ETJ authority would require those county governments that are interested in land use planning to significantly ramp up staffing and "urban" expertise; and

NOW, THEREFORE, BE IT RESOLVED that the Boone Town Council calls on the Nmih Carolina General Assembly and the Governor to reform legislation on the ETJ instead of elimination of the ETJ, and to enact legislation that provides adequate representation for extra-tetTitorial jurisdiction (ETJ) residents on advismy boards for land use decisions affecting ETJ areas, places reasonable limitations on the creation of new ETJ boundaries, and retains existing ETJ areas to help protect orderly development and building improvements, while facilitating economic development and protecting individual prope1iy values; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Governor ofNmih Carolina as well as members of the General Assembly.

Adopted **this** day of April , 2013.

Loretta Clawson, Mayor

Attested to:

Kimberly S. Brown

Clerk, Town of Boone, North Carolina

(RESOLUTION TO BE TYPED IN BOOK_1., PAGE(S) 197-198)

VOTE: Aye-All
 Nay-None
 Absent- 2 (Scherlen, Leigh)

ADOPTION OF RESOLUTION- SUPPORTING EARLY VOTING AND THE RIGHT OF COLLEGE STUDENTS TO VOTE

Upon a motion by Council Member Brantz, seconded by Council Member Mason, Council moved to adopt the following resolution:

A RESOLUTION IN SUPPORT OF EARLY VOTING AND THE RIGHT OF COLLEGE STUDENTS TO VOTE AND PARTICIPATE IN OUR COMMUNITY

WHEREAS, the right to vote is the basis of our democracy; and,

WHEREAS, college students have participated in our local elections, petitioned their local government and served honorably in official roles within our local government; and,

WHEREAS, thousands of college students live within our jurisdiction, contribute to our economy, work in our places of business, shop in our stores, enhance our quality of life and generally play an integral role in our community; and,

WHEREAS, the United States Supreme Court ruled in 1979 that college students are legally entitled to vote in the community where they attend college and reside the majority portion of the year; and,

WHEREAS, the North Carolina General Assembly is considering legislation that would restrict the rights of college students to vote in the community in which they work, pay taxes and live for the majority of the year; and,

WHEREAS, our nation was founded on the rejection of taxation without representation and college students pay local sales taxes and fees; and,

WHEREAS, in Watauga County, 8,667 voters age 18-25 cast ballots in the 2012 general election, of the 27,855 ballots cast countywide, representing a youth turnout in Watauga County of over 31 percent; and,

WHEREAS, the General Assembly's method of prohibiting parents to claim their children as dependents on their tax returns if the children are living and legally voting elsewhere amounts to a de facto poll tax; and,

WHEREAS, early voting is a huge success that allows more people to participate in our democracy, especially college students with limited means of transportation and inflexible schedules; and,

WHEREAS, early voting is efficient and eliminates the potential for long lines at the polls that discourage voting; and,

WHEREAS, more than 2.5 million North Carolinians voted before Election Day in 2012, and North Carolina now ranks 11th in the nation in voter turnout; and,

WHEREAS, during the 2012 one-stop early voting period, 15,250 county residents voted early of the 44,865 who cast ballots, showing that one-third (1/3) of all Watauga voters preferred to vote early; and,

WHEREAS, the General Assembly is considering legislation that would reduce opportunities to vote early, which are convenient and popular not only with students but for all residents.

THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Boone, N.C. supports the rights of college students to vote and participate in our community and opposes any reduction in the early voting period; and,

THEREFORE, BE IT FURTHER RESOLVED, that the Town Council of the Town of Boone, N.C. asks the Watauga County Board of Elections to retain both early voting and Election Day polling sites on the Appalachian State University campus in future election cycles; and,

THEREFORE, BE IT FURTHER RESOLVED, that the Town Council of the Town of Boone, N.C. calls on our representatives in the North Carolina General Assembly to vote against any measure that reduces early voting or that restricts the right to vote of our college student population.

Adopted the **day** of April, 2013.

ATTEST:

Loretta Clawson, Mayor

Kimberly S. Brown, Town Clerk

(RESOLUTION TO BETYPED IN BOOK __, PAGE(S) 199-200)

VOTE: Aye-All
 Nay-None
 Absent-2 (Scherlen, Leigh)

REQUESTED APPEARANCE-STACY SEARS AND MARY SHERYL HORINE

Mary Sheryl Horine and Stacy Sears appeared before the Council to request approval of a special event permit for the ZAP Fitness 5K Race scheduled for Saturday, May 4, 2013, from 9 a.m. until 12 p.m. Additionally, the applicants are requesting a waiver of the permit fee of \$1,500 and the closure of one lane of Rivers Street from the Raley parking lot to the tennis courts. Upon a motion by Council Member Mason, seconded by Council Member Brantz, Council moved to approve the special event permit for the ZAP Fitness 5K race on Saturday, May 4, 2013, from 9 a.m. until 12 p.m., to waive the event fee of \$1,500, and subject to NC DOT approval and coordination with the ASU Police Force.

VOTE: Aye-All
 Nay-None
 Absent-2 (Scherlen, Leigh)

CLOSED SESSION

Upon a motion by Council Member Brantz, seconded by Council Member Ball, Council moved to enter Closed Session at 7:08p.m. pursuant to NCGS 143-318-11a(3) to hear the following items:

- A. Legal Advice-To consult with the Town Attorney in order to preserve the attorney/client privilege between the attorney and the Town Council and to consider and give instructions to the Town Attorney concerning the handling or settlement of a claim regarding the Highway 421 and Downtown lighting projects.
- B. Legal Advice-To consult with the Town Attorney in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged, to consider and give instructions concerning the handling of the collection of penalties against ADR Capital Management Inc. for UDO violations.

- C. Legal Advice- To consult with the Town Attorney in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged, to consider and give instructions concerning the handling or settlement of a lawsuit by Hellbender's et al versus the Town of Boone.
- D. Legal Advice- To consult with the Town Attorney in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged, to consider and give instructions concerning the handling or settlement of threatened judicial and administrative actions by the Watauga County Commission Chaitman against the Town.

VOTE: Aye-All
 Nay-None
 Absent-2 (Scherlen, Leigh)

Upon a motion by Council Member Mason, seconded by Council Member Ball, Council moved to exit Closed Session at 8:38p.m.

VOTE: Aye-All
 Nay-None
 Absent –2 (Scherlen, Leigh)

POSSIBLE ACTION FOLLOWING CLOSED SESSION

Upon a motion by Council Member Mason, seconded by Council Member Ball, Council moved to accept the settlement offer by AMP Enterprises and to settle the fine to ADR Capital Management.

VOTE: Aye-All
 Nay-None
 Absent-2 (Scherlen, Leigh)

Upon a motion by Council Member Mason, seconded by Council Member Brantz, Council moved to approve the change order for \$9,975.00 for direct boring of light wiring in front of the Toyota car dealership.

VOTE: Aye-All
 Nay-None
 Absent-2 (Scherlen, Leigh)

ADJOURNMENT

Upon a motion by Council Member Brantz, seconded by Council Member Ball, Council moved to adjourn at 8:39p.m.

VOTE: Aye-All
 Nay-None
 Absent-2 (Scher!en, Leigh)

Kimberly S. Brown, Town Clerk

Loretta Clawson, Mayor

**MINUTES - SPECIAL MEETING
BOONE TOWN COUNCIL APRIL
18, 2013**

A Special Meeting was held at 5:30p.m., Thursday, April 18, 2013, in the Council Chambers, 1500 Blowing Rock Road. Mayor Loretta Clawson presided. Council Members present were Lylllle Mason and Rennie Brantz. Staff members in attendance were Town Manager Greg Young and Town Clerk Kimberly Brown. Town Attomey Sam Furgieuele was also in attendance.

The purpose of the meeting was to receive a presentation on the Watauga County Comprehensive Transportation Plan.

PRESENTATION OF WATAUGA COUNTY COMPREHENSIVE TRANSPORTATION PLAN

Phil Trew, Director of Plmming and Development for the High Coun!ly Council of Governments, appeared before Council to present the updated Watauga County Comprehensive Transportation Plan. **(Permanently on file at Boone Town Hall.)** He outlined a brief history of the development of the plan. Pam Cook, Mountains Planning Group Supervisor with the NC Department of Transportation was also in attendance. She shared with the Council key recommendations from the updated plan which includes improvement to the NC Highway I05 Bypass, a US Highway 421 Bypass, and improvements to Bamboo, State Fann and Deerfield Roads. David Graham, Transpotiation Plallller for the High Country Council of Governments, presented a comparison of the Boone 2030 Land Use Plan and the Watauga County CTP Comparison. **(Permanently on file at Boone Town Hall.)**

ADJOURNMENT

With no futiher discussion, the meeting was adjourned at 6:23 p.m.

Kimberly S. Brown, Town Clerk

Loretta Clawson, Mayor

Town ofBoo11e



RESOLUTION

The members of the Boone Town Council, meeting in regular session on May 21, 2013, do hereby adopt and pass the following resolution:

WHEREAS, the following person has served the citizens of Boone for a number of years:

Captain James H. Wilson began employment with the Town of Boone in1985, with a total of 28 years of service.

WHEREAS, Captai n James H. Wilson will be retiring on July 1, 2013, after serving as a leader in the Boone Police Depatiment in an exemplary fashion; and

WHEREAS, his contribution in the service of Boone and its citizens will always be appreciated;

NOW, THEREFORE, BE IT RESOLVED, that Captain James **H.** Wilson shall be awarded his Police badge and service weapon as follows:

James H. Wilson Glock, Model 22 Serial #PLK622

Furthermore, a copy of this Resolution shall be given to Captain Wilson.

Adopted this the 21g day of May, 2013.

Loretta Clawson, Mayor

ATTEST:

Kimberly S. Brown, Town Clerk



TOWN OF BOONE AGENDA ITEM ACTION REQUEST FORM

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: C_h_r_i_s_t_i_n_e_P_o_p_e Department: Administration

Contact Phone #: 828-268-6200

Date Submitted: May 14, 2013

Email: christine.pope@townofboone.net

Date of Council Meeting to consider this item: May 21, 2013

Council Action Requested:	For Action	For Information
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Approval of lease agreement between Town of Boone and Bonnie Jean Brown

The Town was previously leasing this property from Mr. Mack Donald Brown, Jr., since 2002, and the agreement recently expired. The terms of the lease are the same.

BONNIE JEAN BROWN- TOWN OF BOONE LEASE

LEASE AGREEMENT

STATE OF NORTH CAROLINA
COUNTY OF WATAUGA

This Lease Agreement, made and entered into this 1st day of April, 2013, 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 2013, and ending on the last day of March 2016. 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, 2013 to March 31, 2014 the sum of \$8,750.00

From April 1, 2014 to March 31, 2015 the sum of \$9,000.00

From April 1, 2015 to March 31, 2016 the sum of \$9,250.00

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 B

LESSEE: 7-1-13
Mayor Loretta Clawson

ATTEST: 10-1-13
Town Clerk

(SEAL)

(SEAL)

STATE OF FLORIDA-COUNTY OF ORANGE

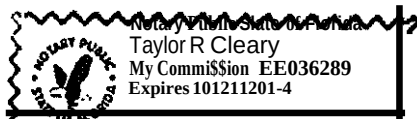
I, Taylor R. Cleary, Notary Public, do hereby certify that Bonnie Jean Brown personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

(SEAL)

Witness my hand and official seal, this the 10 day of April, 2013.


Notary Public

My commission expires: 10-1-14



STATE OF NORTH CAROLINA-COUNTY OF WATAUGA

I, _____ Notary Public, do hereby certify that Kimberly Brown 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 April, 2013.

Notary Public

My commission **expires:-----**



TOWN OF BOONE AGENDA ITEM ACTION REQUEST FORM

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Lynne Mason Department: Governing Body

Contact Phone# 828-265-3212

Date Submitted: May 3, 2013

Email: lynne.mason@townofboone.net

Date of Council Meeting to consider this item: May 21, 2013

Council Action Requested:	For Action ☒ O	For Information ☒ J
Adoption of 2013 Watauga County Comprehensive Transportation Plan		

Summary of Information:

Council Member Lynne Mason and Director of Public Works Blake Brown served on the Comprehensive Transportation Plan Steering Committee since October 2010. The development of the CTP was a process which started with a Vision Statement followed by a needs assessment, a deficiency analysis and an alternative analysis. Please reference the following documents: 1) Draft 2013 Watauga County CTP; 2) Maps handed out at Special Meeting on 4/18/13 for the CTP presentation (this presentation was recorded and can be view by the Council Members that missed this meeting and presentation); 3) Summary dated December 6, 2012 for the CTP Steering Committee; and 4) Boone 2030 Land Use Plan & Watauga County CTP Comparison. Please also reference Appendix B for definitions and Appendix J for the Alternative Analysis Methodology which addresses the proposed By-Pass in the Draft CTP.

Boone 2030 Land Use Plan & Watauga County CTP Comparison

1. **2030 Plan Purpose:** To work together with the Town's Comprehensive Plan and other plans and programs to provide for the Town of Boone's **long range** growth. 2030. (Page 3)

(II'

Purpose: To provide for a **long range** multi-modal transportation plan that covers transportation needs of the region through 2040 through recommending 21 road projects, 9 minor road widening projects, 1 new local public transportation route, 33 roadway improvements to accommodate bicycles, nine new pedestrian facilities, one improvement to an existing facility and 1 new off road facility

2. **2030 Plan:** Relieving traffic congestion identified as one of the top community issues from community meetings and surveys

(II'

Plan drafted to address projected traffic impacts through 2040

3. **2030 Plan:** Includes a Framework Plan (land use policy mlp) intended to provide guidance to Boone's leaders as they make decisions on where and how the community should grow.

c. II'

Plan incorporates the Boone 2030 Land Use Plan and associated Framework Plan.

4. **2030 Plan:** Involved the creation of an Advisory Committee to provide oversight and guidance to the plan process and included but was not limited to representatives from Boone Town Council, the Chamber of Commerce, Appalachian State University, and Watauga County.

c. II'

Involved the creation of a Steering Committee responsible for capturing the transportation needs of the community relative to all modes of transportation and for guiding the development of the plan. The Steering Committee also included but was not limited to representatives from Boone Town Council, the Chamber of Commerce, Appalachian State University, and Watauga County.

5. **2030 Plan:** Provided for public input through a community-wide survey, a plan website, and a five day public planning and design workshop (charrette).

(II'

Provided for citizen input through a goals and objectives survey, High Country Council of Government website, and public drop-in meeting sessions.

6. **2030 Plan:** Calls for integration of land uses and transportation

f .I I'

Incorporates a Relationship to Land Use analysis for proposed projects

7. **2030 Plan:** Reconunends adopting and applying livable transportation principles

(II'

Incorporates land use and transportation integration, proposes improvements for pedestrians/bicyclists/motorists and bus riders.

8. **2030 Plan:** Identifies a bypass to the south of Boone (Daruel Boone Parkway "low build" alternative).

' .I I'

Provides for a Boone Bypass recommendation

9. **2010 Plan:** Calls for pedestrian and bicycle improvement to the US 321 corridor

('II'

Proposes bicycle accommodations along US 321 from US 421 to Deerfield Road

10. **2030 Plan:** Calls for reallocation of space on Rivers and Hardin Streets to other modes of transportation (WATA00001 H)

('///'

Proposes bicycle accommodations along Rivers Street from Poplar Grove Road to US 321 (WATA0022 H)

11. **2030 Plan:** Calls for additional roadway connections and safety upgrades

('II'

Proposes improvements to most roads in the Town of Boone's planning jurisdiction (see Highway Map)

12. **2030 Plan:** Calls for improvement and expansion of AppalCART services.

(II'

Proposes new bus route between Boone and Blowing Rock utilizing US 321.

13. **2030 Plan:** Calls for the establishment of park-and-ride facilities to be introduced at community gateways

☞ //

Seven potential park-and-ride lots were identified. For Boone, 1 at US 421 and Brookshire Road and 1 at US 321/421 and NC 105 Bypass

14. **2030 Plan:** Calls for expansion of regional bus services to additional locations.

☞ ' //

Proposes the following regional bus service routes:

-From Boone to Lenoir, Hickory, Lincolnton, Gastonia and Charlotte (WATA0009-T)
-From Boone to North Wilkesboro, Hamptonville, Winston-Salem, and Greensboro (WATA0010-T)

15. **2030 Plan:** Calls for the completion of a pedestrian master plan

☞ //

Proposes comprehensive pedestrian improvements in the Town of Boone (see pedestrian map).

16. **2030 Plan:** Calls for bicycle facilities as part of proposed or planned roadway projects.

☞ , , ,

Proposes bicycle accommodations for most roads in the Town of Boone

17. **2030 Plan:** Calls for the completion of a bicycle master plan

☞ //

Proposes comprehensive bicycle improvements in the Town of Boone (see bicycle map).

18. **2030 Plan:** Calls for the development and expansion of Greenways

☞ //

Recommends a 6.5 mile multi-use path between Boone and Blowing Rock to serve the needs of Watauga County (Middle Fork Greenway) and potential greenway expansions (see pedestrian map).

Watauga County
Comprehensive Transportation Plan Steering Committee Meeting
December 6, 2012
3:00 PM- 5:00 PM

Summary

Attendees: Pam Cook, Cooper Sellers, Craig Hughes, James Scott, Dean Ledbetter, Joe Furman, Ed Evans, Mike Salzano, Mike Hall, Blake Brown, Lynne Mason, Chris Turner, and Phil Trew

1. Summary of CTP Process up to this point

Craig Hughes gave a brief overview of the process the CTP Committee went through to get to this point:

1. The Goals and Objective Survey was done and got approximately 1000 responses (a good response compared to other CTPs). It was advertised on the Mountain Television Network, Rays Weather website, and emails through the Medical Center and ASU and in local newspapers.
2. Goals and Objectives were developed by the CTP Committee.
3. The 2010 housing and employment data (Socio-economic (SE)) was obtained and verified and projected to 2040 based on input from the CTP Committee.
4. The SE data, Vision Statement, and Goals and Objectives were approved by local officials.
5. Highway deficiencies were identified with aid of the travel demand model developed for the Boone urban area and using the Goals and Objectives.
6. Other mode deficiencies were identified using the Goals and Objectives.
7. An advertised April 26 Public Workshop was held where deficiencies were shown to the public and feedback solicited on ways to address the deficiencies.
8. Preliminary alternatives were developed for bicycle, pedestrian, and transit with assistance from local "experts" and using the Goals and Objectives established for the CTP.
9. The CTP Committee looked at improvements needed with and without a bypass.
10. On September 26, 2012 local officials were given copies of the recommendations from the CTP Committee.
11. On October 11, 2012 a Public Official Retreat was held where the plan was presented to local officials
12. October 12, 2012 through November 13, 2012 was a public comment period on the draft CTP.
13. A public meeting was held on November 8, 2012. It was advertised, and the draft CTP maps were shown in the local newspapers.

2. Summary of Public Comments received

Craig then reviewed public comment surveys received. I will not list the specifics of the summary as it was sent to everyone via email prior to the meeting. No new recommendations that had not been considered were mentioned.

NCDOT hopes that Chris Turner can assist with responding to some of the transit questions raised in the survey.

Craig Hughes reminded everyone to read the emails he sent containing public input surveys.

3. Considerations of recommendations to carry forward

Several changes will be made to the Pedestrian element CTP: The pedestrian recommendation on Wilson Ridge Road was changed from existing to needs improvement. The 10 foot path along NC 105 starting across from Wilson Drive to Faculty Street will be classified as a multi-use path. In addition, the single sidewalk along Faculty Street will be designated as existing because there is no room to add sidewalks along the other side.

Joe Furman asked if the committee could revisit the NC 105 Bypass and US 421 Bypass recommendation.

There was a discussion about designating the proposed US 421 bypass as a freeway. What does that mean? Would there be any flexibility, multi-modal aspects. A "parkway" would be better to the public.

- The NCDOT definition of Freeway:
 - Functional purpose - high mobility, high volume, high speed
 - Posted speed - 55 mph or greater
 - Cross section - minimum four lanes with continuous median
 - Multi-modal elements – High Occupancy Vehicles (HOV)/High Occupancy Transit (HOT) lanes, busways, truck lanes, park-and-ride facilities at/near interchanges, adjacent shared use paths (separate from roadway and outside ROW)
 - Type of access control - full control of access
 - Access management – interchange spacing (urban – one mile; non-urban – three miles); at interchanges on the intersecting roadway, full control of access for 1,000ft or for 350ft plus 650ft island or median; use of frontage roads, rear service roads
 - Intersecting facilities - interchange or grade separation (no signals or at-grade intersections)
 - Driveways - not allowed

The facility could be named "parkway". The complete control of access desired by the freeway designation on the North Carolina Strategic Highway Corridor for US 421 is to preserve the intent of the facility - mobility. But the facility could "move towards" the ultimate design over time. Bicycle and pedestrians would need to be serviced by facilities outside the right-of-way. But the speeds could be

lower initially, landscaping to fit the area could be considered. All access should be kept controlled from the beginning with either interchanges or grade separations at all roads.

There was also discussion on the NC 10S Bypass. The committee agreed that while the 2040 deficiency analysis showed the need for a bypass and significant upgrade to the NC 10S Bypass that they understood the public comments concerning two parallel 4-lane divided facilities so close to one another. It was decided that the NC 10S Bypass would be shown as a major thoroughfare needing improvements. These improvements would include addition of appropriate turn lanes and intersection improvements at NC 10S and US 421. These improvements would not meet the entire need so NC 10S Bypass would have "unaddressed" needs. But it was felt that minor improvements would help significantly with less human and natural environment impacts. Dean Ledbetter did say that a 4-lane undivided facility would not be good as they tend to have more accidents and that a S-lane facility is hard for pedestrians and bicyclists to cross. The CTP report will reflect a 3-lane recommendation.

Joe Furman wanted to make sure US 421 would be 4-lanes to Vilas.

4. Additional Committee comments

Lynne Mason said the public would need to be educated about the need and the design (not an 1-40, but more of a parkway). She said going through the development of the CTP showed her the need to plan and that a bypass versus a thoroughfare is needed for the area to handle traffic demands. She also asked if Cooper Sellers could develop a summary of the 2 years the CTP Committee has been working on developing the CTP.

Joe Furman asked if the entire CTP Draft Report could be given to the local officials with the CTP maps. It is usually NCDOT's practice to provide the CTP maps, street inventory with recommended future cross-sections, and the descriptions of all recommendations to the local officials, but Cooper Sellers will work to provide the entire draft report. He should be able to have it by the end of January.

Cooper Sellers will provide Phil Trew and the committee the text for NC 10S Bypass (NCDOT Problem Statement) and the CTP process overview before finalizing the draft CTP report.

It was decided that one-on-one presentations of the CTP and development process should be given to each municipality and then they can vote on it the next meeting. Phil Trew will begin scheduling those once NCDOT has the draft report.



TOWN OF BOONE AGENDA ITEM ACTION REQUEST FORM

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Planning and Inspections Staff

Department: Planning and Inspections

Contact Phone#: 268-6960

Date Submitted: May 6, 2013

Email: jane.shook@townofboone.net

Date of Council Meeting to consider this item: May 21, 2013

Council Action Requested: For Action ☒ For Information ☐

Consideration of cases heard at the May Quarterly Public Hearing & Special Public Hearing

Summary of Information:

The following cases will be heard at either the May Quarterly Public Hearing (05/06/2013) or the Special Public Hearing (05/13/2013):

1. Case 20130064: AMB Holding Co,LLC- Conditional District Map Amendment modification
2. Case 20130155: Boone Hospitality Associates -Conditional District Map Amendment modification
3. Case 20130163: Mountaineer Crossing LLC -Conditional District Map Amendment modification
4. Case 20130201: United Developers -Conditional District Map Amendment modification

The Planning Commission will meet on Monday, May 13, 2013. Their recommendations on the above referenced cases and draft minutes will be emailed to you as soon as they are completed (hard copies will be provided to you at the Council meeting).

Town of Boone April 2013 Planning and Inspections Monthly Report

April Permit StoWs	Of Jnnrt Month	YurtoO te	Coml*":t:DPriot
PermitType:	Amount	Amount	Apr-12
New Single-Family Building Permits	1	4	1
New Multi-Family Building Permits	0	0	0
Commercial Building Permits	0	0	2
Other Building Permit	34	139	25
New Single-Family Zoning Permit	1	3	2
New Multi-Family Zoning Permit			
New Commercial Zoning Permit			
Other Zoning Permit	10	20	10
Sign Permits	5	23	13
Special Use Permits			C
Volunteer Application	0		
Administrative Review Application	0		
Subdivision Applications			C
Annexation Petitions	0	0	0
Rezoning Petitions		7	
Total	58	209	60

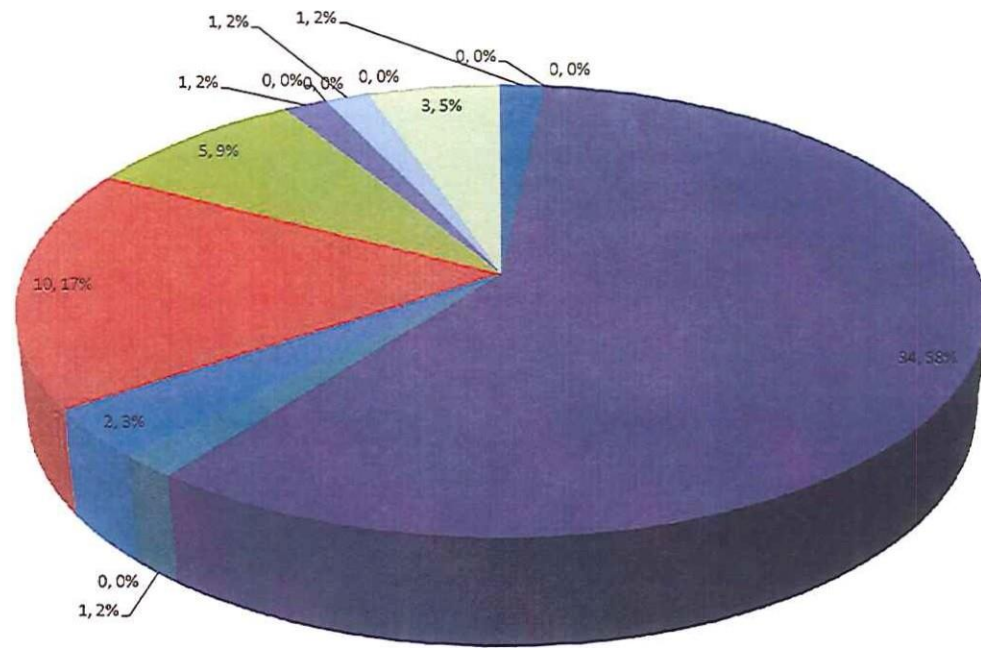
Top Ten Priorities

	Assigned
1. Update Permit Application Table	OC-10
2. Incorporate Density Sub-Committee Recommendation into UOO	Nov-10
3. UOO Ordinance Article	Nov-10
4. Develop Mtdbl Center Overlay	Mar-11
5. Top Midtown Overlay	Mar-11
6. Rev Article 18 "Signs"	Feb-10
7. Revise Retaining Wall	Aug-11
8. P&I Procedures	Mar-10
9. P&I COC Recovery Study	Mar-10
10. RC: areh Permit TFO: cline SoftWare	Aug-11

Board/Commission Reports U.N-V 21X1J.Dear:ri>er 21113)

	Scheduled	Held	Mins..
AHTF	4	3	655
BCA	4	4	4680
CAC	4	3	665
Gateway	2	0	185
HPC	4	4	615
PC	5	4	1370
Transportation	2	2	275
	2	0	0

Monthly Permit Summary



New Single-Family Building Permits	New Multi-Family Building Permits	New Commercial Building Permits	Other Building Permits
New Single-Family Zoning Permits	New Multi-Family Zoning Permits	New Commercial Zoning Permits	Other Zoning Permits
Sign Permits	Special Use Permits	Volunteer Applications	Administrative Review Applications
Subdivision Applications	Annexation Petitions	Rezoning Petitions	



TOWN OF BOONE AGENDA ITEM ACTION REQUEST FORM

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: -""""P""i,la"-r,_F"-ot,ta"-----Department: Cultural Resources

Contact Phone#: ---'8"-2'-8"-'.2'-6""-8'-.6""-2"-81'-----Date Submitted: May 13, 2013

Email: pilar.fotta@townofboone.net

Date of Council Meeting to consider this item, _: May 21, 2013

Council Action Requested: For Action ☒ For Information ☐

Quarterly Reports:

- Cultural Resources
- DBDA
- Appalachian Theatre



TOWN OF BOONE AGENDA ITEM ACTION REQUEST FORM

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Blake Brown Department: Public Works

Contact Phone #: 828-688-3000 Date Submitted: 5 / 10 / 13

Email: blake.brown@townofboone.net

Date of Council Meeting to consider this item: 5/21/13

Council Action Requested: For Action ☒ X For Information ☐

The Public Works Department requests Council's approval to release funding from "Fee In Lieu", Capital Outlay Sidewalks and the Vehicle Tax to be moved into the Street/Sidewalk Construction line for the spring and summer construction.

Summary of Information:

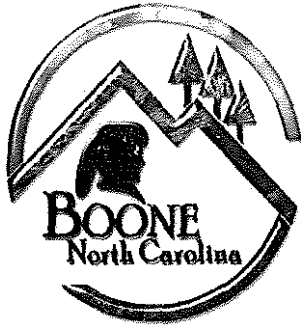
Funding available per the Finance Director:

\$41,076- Fee in lieu

\$7,041- Capital Outlay

\$15,633- Vehicle Tax

\$63,750



TOWN OF BOONE
AGENDA ITEM ACTION REQUEST FORM

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Rick Miller Department: Public Utilities

Contact Phone#: (828) 268-6250

Date Submitted: May 13, 2013

Email: rick.miller@townofboone.net

Date of Council Meeting to consider this item: May 21, 2013

Council Action Requested: For Action ☒ For Information ☐

Water Committee Recommendation

Summary of Information:

At the last meeting of the Water Use Committee, members chose to forward a recommendation to Town Council requesting the Town of Boone to contact in writing both the Town of Blowing Rock and Watauga County to verify their continued intentions to obtain water from Boone via the new raw water intake and financial commitment confirmation. No motion was recorded, but the committee chair requested a consensus vote to which no opposition was noted.



TOWN OF BOONE
AGENDA ITEM ACTION REQUEST FORM

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Rick Miller Department: Public Utilities

Contact Phone#: (828) 268-6250

Date Submitted: May 13, 2013

Email: rick.miller@townofboone.net

Date of Council Meeting to consider this item: May 21, 2013

Council Action Requested: For Action ☒ For Information ☐

Schedule Meeting of Water Use Committee

Summary of Information:

At the last Water Use Committee meeting, members requested Council to schedule a meeting in June 2013 for further discussion of the raw water intake project. No suggested dates were provided.



**Public Utilities Department
Utilities and Engineering Division**

To: Mayor Clawson, Town Council Members/any Manager

From: Ricky L. Miller, Public Utilities **Director**

Date: May 6, 2013

Subject: Monthly Water Use Status Report

As requested by Town Council, staff and I have compiled the following information concerning water use for the month of April. The average daily demand for the entire month was 1.656 million gallons. The Water Treatment Plant recorded a maximum daily demand of 1.773 million gallons on Saturday, April 6, 2013. The maximum daily demand for April 2012 was 1.957 million gallons. The total amount of water treated was 49.685 million gallons. This is a 0.5 percent increase from the total amount of water treated in April 2012. Attached you will find a chart that depicts a comparison of the monthly amounts treated at the Water Treatment Facility since 2007.

Since the last Town Council meeting, staff and I have approved six projects that removed 2,563 gallons per day from the 2013 allotment, plus one project totaling 360 gallons per day expired and was added back. As you can see in the "Approved Water Connections" chart, these changes have been reflected and the Public Utilities Department now has 189,552 gallons per day for the 2013 allocations.

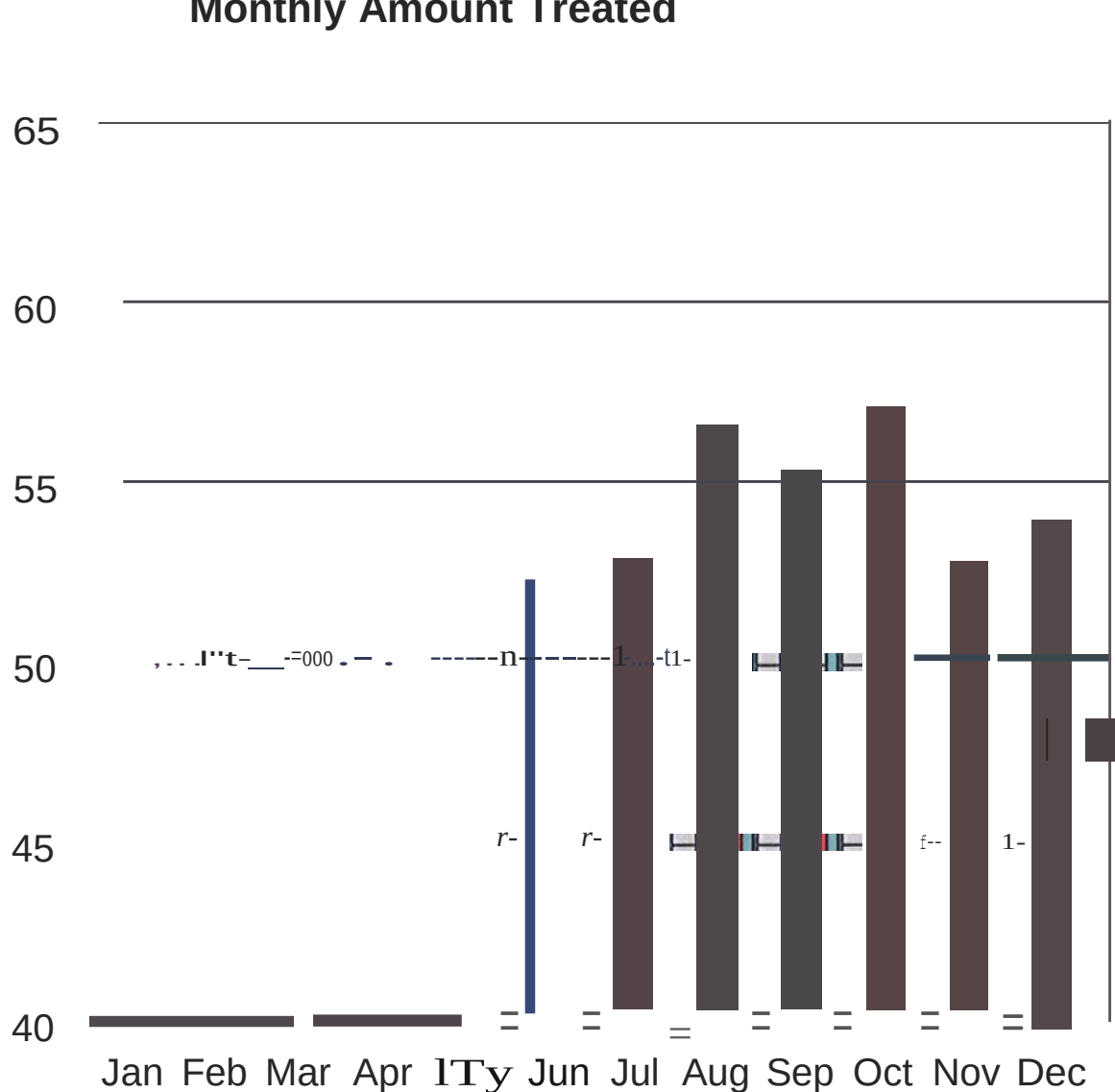
As of today's date The NC Drought Management Advisory Council does not have Watauga County categorized at any drought status level.

Thank you. If you have any questions, or require any additional information, please feel free to contact me.

			2013			
Staff Approved	Date	Projected Usage	Council Approved	Date	Projected Usage	Remaining Gallons
						110000
			2012 Reallocation	1/1/2013	81593	191593
Watauga BOE	1/15/2013	67				191526
Jerry Fox	2/12/2013	750				190776
Knight Climate Control	3/12/2013	15				190761
Jerry Butler	2/27/2013	2506				188255
Watauga Medical	3/13/2013	45				188210
Lynn & Betty Powers	3/18/2013	450				187760
CRP-Boone	3/22/2013	1908				185852
TOB ABC Store	3/26/2013	110				185742
Clayco Construction	10/3/2012	270	VACANT LOT			186012
John Cash	6/3/2011	360	VACANT LOT			186372
Josh Idol	7/29/2009	270	VACANT LOT			186642
Elise McLaughlin	9/17/2009	270	VACANT LOT			186912
Michael Brown	3/20/2008	2400				189312
Boone Vest LTO	8/30/2010	2280				191592
Dan Nguyen	10/21/2010	270				191862
Jeff Templeton Rentals	11/9/2011	105				191967
Blue Ridge Business	4/17/2013	1463				190504
empleton/Zimmerman	4/18/2013	15				190489
COSO	4/18/2013	2352				188137
COSO	10/4/2012	1740				189877
Mark AJberghini	4/20/2012	360				190237
Watauga Arts Council	4/23/2013	148				187989
BREMCO	4/26/2013	175				189702
Fulton Lovin	4/30/2013	150				189552

	Monthly Amount Treated						
	2007	2008	2009	2010	2011	2012	2013
January	58.66	59.55	61.81	54.045	54.914	49.884	50.523
February	57.757	54.91	50.15	47.676	48.623	48.975	48.54
March	57.818	54.87	49.65	49.88	44.448	50.054	49.812
April	53.607	55.8	45.712	48.011	44.087	49.448	49.685
May	53.895	53.26	46.084	45.4	45.086	51.117	
June	52.964	52.29	46.512	45.97	46.68	48.074	
July	55.097	52.82	48.588	48.135	48.61	51.518	
August	58.497	56.61	49.018	52.344	50.305	54.545	
September	59.345	55.31	50.491	51.816	49.872	52.9	
October	61.288	57.06	51.187	50.989	51.291	53.733	
November	56.435	52.76	48.335	45.131	47.881	50.43	
December	54.091	53.87	48.819	51.336	48.314	47.501	
	56.621	54.926	49.696	49.228	48.343	50.682	

Monthly Amount Treated





TOWN OF BOONE AGENDA ITEM ACTION REQUEST FORM

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Submitted By: Greg Young, Town Manager Department: Administration

Contact Phone#: 828-268-6200

Date Submitted: May 13, 2013

Email: greg.young@townofboone.net

Date of Council Meeting to consider this item: May 21, 2013

Council Action Requested: For Action ☒ / For Information ☐

Adoption of TDA Expenditures.

Summary of Information:

Information for this request will be included in the May 2013 Town Council Supplemental Packet.



TOWN OF BOONE AGENDA ITEM ACTION REQUEST FORM

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Kim Brown

Department: Administration

Contact Phone# 828-268-6204

Date Submitted: May 13, 2013

Email: kim.brown@townofboone.net

Date of Council Meeting to consider this item: Monday, June 17, 2013

Council Action Requested: For Action D For Information I

Announcement of Board Vacancies

Summary of Information:

Board of Adjustment- Four (4) positions expire on June 30, 2013:

-One resident position, one resident alternate position, and one ETJ position.

-Denise Lockett has resigned her resident position on the Board of Adjustment. Her term expires June 13, 2013.

Boone Housing Authority- Two (2) positions expire on June 30, 2013.

Community Appearance Commission- Two (2) positions expire on June 30, 2013.

Historic Preservation Commission- One (1) position expires on June 30, 2013.

Planning Commission- Two (2) positions expire on June 30, 2013:

-Two resident positions.



TOWN OF BOONE AGENDA ITEM ACTION REQUEST FORM

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Kim Brown

Department: Administration

Contact Phone#: 828-268-6204

Date Submitted: May 13, 2013

Email: kim.brown@townofboone.net

Date of Council Meeting to consider this item: May 23, 2013

Council Action Requested: For Action For InformationD

Appointment of member to the Affordable Housing Task Force.

Summary of Information:

One Positions Open:

One community member position (one that advocates for neighborhoods) is open on the Affordable Housing Task Force. After advertising on the Town's website, I have not received any applications for consideration.

Attached is the current board roster. There are no rules governing the affordable housing task force.

AFFORDABLE HOUSING TASK FORCE - 3 Year Terms

Lynne Mason-Town Council

Jamie Leigh-Town Council

Phoenix Buathier - Planning Commission

Dr. Cameron Lippard - Planning Commission

Lynnwood Brown - Comm. Member at Large

Pam Williamson - (Neighborhood Advocate)

Community Member (Neighborhood Advocate) - VACANT

Jenny Church (Qualifies for Affordable Housing)

Council terms set by election.



TOWN OF BOONE AGENDA ITEM ACTION REQUEST FORM

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Kim Brown

Department: Planning & Inspections

Contact Phone#: 828-268-6204

Date Submitted: May 13, 2013

Email: l<im.brown@townotboone.net

Date of Council Meeting to consider this item: Monday, June 24, 2013

Council Action Requested: For Action For Information ☒

Appointment of members to Board of Adjustment.

Summary of Information:

The following positions are open on the Board of Adjustment:

- One ETJ Position
- Two Alternate ETJ Positions

After advertising in my usual venues, I have not received applications for consideration from the following: Richard L. Woods, Jerry L. Butler, Wayne Green, and Dale L. Greene (attached.) The current board roster and the UDO article governing the Board of Adjustment are also attached for your information.

BOONE BOARD OF ADJUSTMENT TERMS

5 Residents, 3 ETJ, 3-Year Terms; No Term Limits

Denise Lockett (Resigned)
(Resident)
204 Watauga Drive
Boon N.C. 28607
964-2841(H)
Appointed: 07-21-11
Expires: 06-30-13

Virginia Roseman
(Resident)
125 Cherrybrook Lane
Boone, NC 28607
(828) 264-2120 (w) 264-9921 (r)
Appointed: 09-22-11
Expires: 06-30-13

Matt Long
(Alternate)(ETJ)
435 Grand Blvd.
Boone NC 28607
Appointed: 04-15-11
Expires: 06-30-12

Dr. Richard Crepeau
(Resident)
239 Cherrybrook Lane
Boone, N.C. 28607
719-9905
Appointed: 06-21-12
Expires: 06-30-15

Fred Hay
(Resident)
261 Eastview Drive
Boon N.C. 28607
264-2412 (H)
Appointed: 06-23-11
Expires: 06-30-14

Wellborn "Web" Alexander
(Resident)(Alternate)
154 Buttercup Court
Boone, N.C. 28607
263-5460 (w) 264-2668 (h)
964-1804 (cell)
weabrnc@gmail.com
Appointed: 07-19-12
Expires: 06-30-15

Thomas Helton (Resident)
174 Tanglewood Drive
Boone NC 28607
262-9900
Appointed: 6-21-12
Expires: 06-30-15

Dr. Mark Bradbury
(Resident)(Alternate)
151 Tall Timber Trail
Boon N.C. 28607
773-0901
Mdbradbury01@yahoo.com
Appointed: 11-15-12
Expires: 06-30-15

Rick Woods (ETJ)
193 Valley Stran Road
Boone, N.C. 28607
828-265-6767
Appointed: 04-15-11
Expires: 06-30-12

Harvard Ayers (ETJ)
346 Fieldstream Drive
Boone, N.C. 28607
262-6381
Appointed: 07-21-11
Expires: 06-30-14

James Milner
(Resident)(Altemate)
198 Stratford Lane
Boone NC 28607
828-719-0408 or 355-9074 (h/w)
Appointed:06-18-10
Expires: 06-30-13

Jimmy Marsh
(ETJ)
115 Valley Stran Drive
Boone NC 28607
264-2164 or 265-6613
Appointed:I0-04-10
Expires: 6-30-13

Jesse McNeil
(Resident Alternate)
245 Farthing Street
Boone NC 28607
964-5027
Appointed: 11/17/11
Expires: 06/30/14

Dr. Bob Goddard
(ETJ Alternate)
352 Seven Oaks Road
Boone NC 28607
(H)
Appointed: 07/21/11
Expires: 6/30/14

Craig Adams
(Resident Altemate)
142 Charlotte Anne Ln. Apt. D14
Boone NC 28607
980-322-6287
Appointed: 11/17/11
Expires: 6/30/14

Vacant
(ETJ Alternate)

Boone NC 28607
Appointed:
Expires:

Part V Board of Adjustment

Section 43. Appointment and Terms of the Board of Adjustment

[a] There shall be a Board of Adjustment consisting of eight (8) regular members and eight (8) alternates. Alternates shall serve on the board in the absence or temporary disqualification of any regular member or to fill a vacancy pending appointment of a member. Each alternate, while attending any regular or special meeting of the board and serving on behalf of any regular member, shall have and may exercise all the powers and duties of a regular member. Five (5) regular members and five (5) alternates shall reside within the town and shall be appointed by the Council (hereafter, "resident members"). Three (3) regular members and three (3) alternates shall reside within the town's ETJ and shall be appointed by the Watauga County Board of Commissioners. The Council shall suggest two nominees to the Watauga County Board of Commissioners for each appointment. (In accordance with N.C. Gen. Stat. §160A-362, the town must provide a means of proportional representation based on population for residents of the ETJ. There shall be at all times at least one representative of the ETJ on the Board of Adjustment. Each additional member must be appointed to the Board of Adjustment to achieve proportional representation only when the population of the entire extraterritorial planning area constitutes a full fraction of the town's population divided by the total membership of the Board of Adjustment). If, despite good faith efforts, enough residents of the ETJ cannot be found to fill the seats reserved for residents of such area, then the Watauga County Board of Commissioners may appoint other residents of the county (including residents of the town) to fill these seats. If the Watauga County Board of Commissioners fails to make these appointments within ninety (90) days after receiving a resolution from the Council requesting that they be made, the Council may make them. (When selecting a new representative to the Board of Adjustment as a result of an extension of the ETJ, the Watauga County Board of Commissioners shall hold a public hearing on the selection. A notice of the hearing shall be given once a week for two successive calendar weeks in a newspaper having general circulation in the area. The Watauga County Board of Commissioners shall select appointees only from those who apply at or before the public hearing. The Watauga County Board of Commissioners shall make the appointments within forty- five days following the public hearing). In making appointments to the Board of Adjustment, both the Council and the Watauga County Board of Commissioners shall consider the employment of current board members and alternates, and their spouses, and shall strive to create such employment diversity upon the board so as to minimize the likelihood that a conflict of interest with regard to a particular case will prevent the Board of Adjustment from assembling a full board of eight (8) members to hear the case. Therefore, in order to be considered for appointment to the Board, an applicant must provide the Town with information concerning his or her employment and that of his or her spouse. **if any.**

[b] Regular members and alternates shall be appointed for three (3) year staggered terms, but both may continue to serve until their successors have been appointed. Vacancies may be filled for the unexpired terms only.

[c] Members may be reappointed to successive terms without limitation.

[d] Unless the Council takes specific action to excuse the absences and reappoints a member after being informed by the Administrator of the member's removal, Regular Board of Adjustment members shall be automatically removed for failure to attend three (3) consecutive meetings or for failure to attend fifty percent (50%) of the regular meetings in any twelve month period. Absences due to sickness, death, or other emergencies of like nature shall be recognized as excused absences, and such absences and the meetings missed for such excused absences shall not be counted in the calculations toward automatic removal from the Board. For example, if a member misses six of twelve meetings during a twelve month period and two of the absences are due to the member's illness, the member will be recorded as having missed four of ten meetings. In the event of a long illness or other such cause for prolonged absence, as determined by the Administrator and confirmed by the Council, the member shall be replaced. Alternate members shall likewise be removed for failure to attend or participate in three (3) consecutive meetings for which the member's attendance is requested. The Administrator shall notify in writing any member for whom one more absence will trigger removal. In addition, the Administrator or a member of the Council may propose removal of a member for any other good cause related to the performance of Board duties, but before removal on that basis, the member shall be given an opportunity to appear before the Council to address the issues involved.

[e] If a regular or alternate resident member moves outside the town, or if an ETJ regular or alternate member moves outside the planning jurisdiction, that shall constitute a resignation from the board.

[f] The resident member alternate may sit only in lieu of a regular resident member and the ETJ alternate may sit only in lieu of the regular ETJ member. When so seated, alternates shall have the same powers and duties as the regular member they replace.

[g] A member of the Board of Adjustment may resign by notifying the Mayor, Town Manager, or Administrator.

Section 44. Meetings of the Board of Adjustment

[a] At a time which it establishes, the Board of Adjustment shall conduct a monthly meeting to be held so long as there are items for its consideration, and it may schedule additional meetings ("special meetings"), as necessary, so long as all notice requirements of Sections 118(c) and 119 are met.

APPLICATION FOR APPOINTMENT TO A BOARD, COMMISSION, TASK FORCE,
ADVISORY BODY OR COMMITTEE
TOWN OF BOONE

FULL NAME: Mr. K. L. Wood Jr.
Title First Middle Initial Last
(Mr./Ms./Mrs./Dr., etc.)

GENDER: M

HOME ADDRESS: 193 Valley Stream Dr. Boone, NC 28607

PREFERRED CONTACT ADDRESS (if different from home address):

EMAIL ADDRESS: l.vjo-c@r2-e.com

TELEPHONE: day: _____; evening: (704) 251-7070

JURISDICTION OF RESIDENCE:
☒ Town of Boone
☐ Extra Territorial Jurisdiction (ETJ)
☐ Watauga County outside Town and ETJ
☐ Other (please identify): _____

HOW LONG HAVE YOU BEEN A RESIDENT OF THE ABOVE JURISDICTION: > 10 years

DO YOU OWN REAL PROPERTY (land) IN THE TOWN OF BOONE: Yes

DO YOU OWN REAL PROPERTY IN THE ETJ: No

NAME OF BOARD, COMMISSION, TASK FORCE, ADVISORY BODY OR COMMITTEE
Appraisal Board

WHY DO YOU WISH TO OBTAIN THIS APPOINTMENT?

To help with the planning process

ARE YOU FAMILIAR WITH THE TOWN'S 2006 COMPREHENSIVE PLAN? (It can be
accessed at <http://www.townofboone.net/departments/development/pdfs/Comp.pdf>):

Yes

RATE YOUR SUPPORT FOR THE 2006 COMPREHENSIVE PLAN (with "1" signifying no
support and "10" signifying great support):

2 3 4 5 6 7 8 9 10

PLEASE EXPLAIN YOUR LEVEL OF SUPPORT FOR THE COMPREHENSIVE PLAN:

I agree with planning in theory but worry about too much regulation. Growth needed. Sub growth.

WHAT SKILLS, EDUCATION, TRAINING, EXPERIENCE AND AREA(S) OF EXPERTISE
WOULD YOU BRING TO THIS APPOINTMENT? if I was in a position to be appointed, I would bring to the town of Boone the skills and experience I have gained from my previous positions in the public sector.

HAVE YOU HAD ISSUES WITH THE TOWN OF BOONE WHICH RELATE TO THE
WORK OF THE BODY TO WHICH YOU SEEK APPOINTMENT? IF YES, PLEASE
EXPLAIN: No, I have not had any issues with the town of Boone.

DO YOU HAVE ANY KNOWN OR POTENTIAL CONFLICTS OF INTEREST
(INCLUDING MEMBERSHIP IN ANY ORGANIZATION, YOUR EMPLOYMENT, AND
THE MEMBERSHIPS AND EMPLOYMENT OF ANY FAMILY MEMBER) THAT MIGHT
ARISE IF YOU ARE APPOINTED? IF YES, PLEASE EXPLAIN: No.

HAVE YOU EVER BEFORE SERVED ON ANY TOWN BOARD, COMMISSION, TASK
FORCE, ADVISORY BODY OR COMMITTEE. IF SO, PLEASE STATE THE NAME OF
THE BOARD, COMMISSION, TASK FORCE, ADVISORY BODY OR COMMITTEE, AND
THE APPROXIMATE DATES OF SERVICE: I have served on the Boone Board of Education from 2010 to 2012.

IF YOU HAVE PREVIOUSLY SERVED ON A TOWN BOARD, COMMISSION, TASK
FORCE, ADVISORY BODY OR COMMITTEE, PLEASE EXPLAIN THE QUALITY OF
YOUR EXPERIENCE: I have served on the Boone Board of Education from 2010 to 2012. I was a member of the Finance Committee and the Curriculum Committee. I was also a member of the Board of Education.

I hereby certify that the foregoing answers are true, and that should I be appointed to the board, commission, task force, advisory body or committee, and should a conflict of interest exist or develop with regard to a specific matter, I will disclose the conflict of interest and recuse myself from the deliberations and action involved. Conflicts of interest include, but are not limited to: a direct or indirect financial interest by myself or a member of my family, and other interest which impairs my ability to participate fairly in the deliberations and actions in question.

[Signature]
Signature

11/25/12
Date

APPLICATION FOR APPOINTMENT TO A BOARD, COMMISSION, TASK FORCE,
ADVISORY BODY OR COMMITTEE
TOWN OF BOONE

FULL NAME: DK. J t 'l) L]L&-1::1--vr
Title First ■ Middle Initial Last
(Mr./Ms./Mrs./Dr., etc.)

GENDER: -- ' - ' ""cv' - \ - ' ""e, '-----

HOME ADDRESS: lf 70 f'Je ft, yo& :SPotfe-. Ml'-- clffj,p J

PREFERRED CONTACT ADDRESS (if different from home address): n£-
'id ;?!t?w;hl -hed:--- t& --J / 3t?t m-1 rC'--' ;?,'!6?> /

EMAIL ADDRESS:

TELEPHONE: day: drbutler@boone.net (828) 264-5851
(C) 9 5:9 t=\$' ; evening

JURISDICTION OF RESIDENCE: -----Town of Boone
v"" Extra Territorial Jurisdiction (ETJ)
Watauga County outside Town and ETJ
Other (please identify):

HOW LONG HAVE YOU BEEN A RESIDENT OF THE ABOVE JURISDICTION: 7 £::>

DO YOU OWN REAL PROPERTY (land) IN THE TOWN OF BOONE: --'ff--OC::c5::--

DO YOU OWN REAL PROPERTY IN THE ETJ: yes

NAME OF BOARD, COMMISSION, TASK FORCE, ADVISORY BODY OR COMMITTEE
APPOINTMENT SOUGHT (list one only): Board of Adjustment

WHY DO YOU WISH TO OBTAIN THIS APPOINTMENT? :h P'gJ.f
My years of experience will allow
and guide others

ARE YOU FAMILIAR WITH THE TOWN'S 2006 COMPREHENSIVE PLAN? (It can be
accessed at <http://www.townofboone.net/departments/development/pdfs/Comp.pdf>):
)fi)4-

TE YOUR SUPPORT FOR THE 2006 COMPREHENSIVE PLAN (with "I" signifYing no
suppmt and "IO" signifYing great supp01t):

2 3 4 5 07 8 9 10

PLEASE EXPLAIN YOUR LEVEL OF SVJ' ORT FOR THE COMPREHENSIVE P AN: -r/

plan must project into the future and lead
the way with update 60 changes

WHAT SKILLS, EDUCATION, TRAINING, EXPERIENCE OR AREA(S) OF EXPERTISE WOULD YOU BRING TO THE APPOINTMENT?

General Contractor

(a.r.v.v.J 'v't:4--

*

EXPLAIN:

o/2-8-

HAVE YOU HAD ISSUES WITH THE TOWN OF BOONE WHICH RELATE TO THE WORK OF THE BODY TO WHICH YOU SEEK APPOINTMENT? IF YES, PLEASE

dJJ

DO YOU HAVE ANY KNOWN OR POTENTIAL CONFLICTS OF INTEREST (INCLUDING MEMBERSHIP IN ANY ORGANIZATION, YOUR EMPLOYMENT, AND THE MEMBERSHIPS AND EMPLOYMENT OF ANY FAMILY MEMBER) THAT MIGHT ARISE IF YOU ARE APPOINTED? IF YES, PLEASE EXPLAIN: --, .t-oo

t:/

HAVE YOU EVER BEFORE SERVED ON ANY TOWN BOARD, COMMISSION, TASK FORCE, ADVISORY BODY OR COMMITTEE. IF SO, PLEASE STATE THE NAME OF THE BOARD, COMMISSION, TASK FORCE, ADVISORY BODY OR COMMITTEE, AND THE DATE OF SERVICE:

Howe In the West - 8 yrs

IF YOU HAVE PREVIOUSLY SERVED ON A TOWN BOARD, COMMISSION, TASK FORCE, ADVISORY BODY OR COMMITTEE, PLEASE EXPLAIN THE QUALITY OF YOUR SERVICE:

Howe and the town

I hereby certify that the foregoing answers are true, and that should I be appointed to the board, commission, task force, advisory body or committee, and should a conflict of interest exist or develop with regard to a specific matter, I will disclose the conflict of interest and recuse myself from the deliberations and action involved. Conflicts of interest include, but are not limited to: a direct or indirect financial interest by myself or a member of my family, and other interest which impairs my ability to participate fairly in the deliberations and actions in question.

Signature Bill D.D.S.

Date 3-19-2013

APPLICATION FOR APPOINTMENT TO A BOARD, COMMISSION, TASK FORCE,
ADVISORY BODY OR COMMITTEE
TOWN OF BOONE

FULL NAME: Mr. O. Wayne Green
Title First Middle Initial Last
(Mr./Ms./Ms./Dr., etc.)

GENDER: Male

HOME ADDRESS: 2028 Laurel Fork Road
Vilas, N.C, 28692

PREFERRED CONTACT ADDRESS (if different from home address):
Same as Above

EMAIL ADDRESS: wayneg@boonenc.org
TELEPHONE: day: 828-963-5086

JURISDICTION OF RESIDENCE: Town of Boone
_____, Extra Territorial Jurisdiction (ETJ)
X Watauga County outside Town and ETJ
_____, Other (please identify):

HOW LONG HAVE YOU BEEN A RESIDENT OF THE ABOVE JURISDICTION: 32 years

DO YOU OWN REAL PROPERTY (land) IN THE TOWN OF BOONE: no
DO YOU OWN REAL PROPERTY IN THE ETJ :no

NAME OF BOARD, COMMISSION, TASK FORCE, ADVISORY BODY OR COMMITTEE
APPOINTMENT SOUGHT (list one only): Board of Adjustment

WHY DO YOU WISH TO OBTAIN THIS APPOINTMENT? I feel the Town needs more diversity in the decision making process. I also feel the UDO should be followed by all parties involved, including the Town.

ARE YOU FAMILIAR WITH THE TOWN'S 2006 COMPREHENSIVE PLAN? (It can be accessed at www.townofboone.net/departments/development/index.html): yes

RATE YOUR SUPPORT FOR THE 2006 COMPREHENSIVE PLAN (with A1" signifying no support and A10" signifying great support):

2 3 4 5 **6** 7 8 9 10

PLEASE EXPLAIN YOUR LEVEL OF SUPPORT FOR THE COMPREHENSIVE PLAN:

The town frequently does not follow its own rules. The ordinances of the town are the target that developers have to shoot at if they are to reach their goals. It is hard to hit a moving target. If the town does not like its ordinances, it should change them, but not in midstream.

WHAT SKILLS, EDUCATION, TRAINING, EXPERIENCE OR AREA(S) OF EXPERTISE WOULD YOU BRING TO THIS APPOINTMENT? I am a professional land surveyor, a professional land planner, have served as a Zoning Administrator, and a defacto municipal planner.

HAVE YOU HAD ISSUES WITH THE TOWN OF BOONE WHICH RELATE TO THE WORK OF THE BODY TO WHICH YOU SEEK APPOINTMENT? IF YES, PLEASE EXPLAIN: I have met before this Board on several occasions concerning several different projects over the years. The most recent was The Preserve at Winkler's Creek. I felt the applicant was treated unfairly and at times the town may have committed illegal actions. For instance the town attorney giving the Board advice on how to proceed after he was part of the decision making process is a conflict of interest in my mind.

DO YOU HAVE ANY KNOWN OR POTENTIAL CONFLICTS OF INTEREST (INCLUDING MEMBERSHIP IN ANY ORGANIZATION, YOUR EMPLOYMENT, AND THE MEMBERSHIPS AND EMPLOYMENT OF ANY FAMILY MEMBER) THAT MIGHT ARISE IF YOU ARE APPOINTED? IF YES, PLEASE EXPLAIN: No. I am semi retired and would recuse myself from any such conflict in any case..

HAVE YOU EVER BEFORE SERVED ON ANY TOWN BOARD, COMMISSION, TASK FORCE, ADVISORY BODY OR COMMITTEE. IF SO, PLEASE STATE THE NAME OF THE BOARD, COMMISSION, TASK FORCE, ADVISORY BODY OR COMMITTEE, AND THE APPROXIMATE DATES OF SERVICE: I have never served on a municipal board. I was

employed as staff in this field by a municipality, not Boone.

IF YOU HAVE PREVIOUSLY SERVED ON A TOWN BOARD, COMMISSION, TASK FORCE, ADVISORY BODY OR COMMITTEE, PLEASE EXPLAIN THE QUALITY OF YOUR EXPERIENCE not applicable as a committee member.

I hereby certify that the foregoing answers are true, and that should I be appointed to the board, commission, task force, advisory body or committee, and should a conflict of interest exist or develop with regard to a specific matter, I will disclose the conflict of interest and recuse myself from the deliberations and action *involved*. Conflicts of interest include, but are not limited to: a direct or indirect financial interest by myself or a member of my family, and other interest which impairs my ability to participate fairly in the deliberations and actions in question.

O. Wayne Greer
Signature

3-19-13
Date

APPLICATION FOR APPOINTMENT TO A BOARD, COMMISSION, TASK FORCE,
ADVISORY BODY OR COMMITTEE
TOWN OF BOONE ;/

FULL NAME: /1tf.-f)____ ;f____
Title First Middle Initial Last
(Mr./Ms./Mrs./Dr., etc.)

GENDER: /7/ai.e-

HOME ADDRESS: f"J {JL.fl. 1Jw.t Y Z.j..J
!3 ii/e- ;L.pt,p'-O.fOO

PREFERRED CONTACT ADDRESS (if different from home address):

Bo. Box 3500
Boone NC 28607

EMAIL ADDRESS:

TELEPHONE: day: YZ:l-)'f;'1-2;?1 ; evening 828-963-3700

JURISDICTION OF RESIDENCE: Town of Boone
-----c,.....-Extra Territorial Jurisdiction (ETJ)
-----Watauga County outside Town and ETJ
-----Other (please identify):

HOW LONG HAVE YOU BEEN A RESIDENT OF THE ABOVE JURISDICTION: So --;-/-

DO YOU OWN REAL PROPERTY (land) IN THE TOWN OF BOONE: d--L..)

DO YOU OWN REAL PROPERTY IN THE ETJ: -----r---.e.J - --

NAME OF BOARD, COMMISSION, TASK FORCE, ADVISORY BODY OR COMMITTEE
APPOINTMENT SOUGHT (list one only): Oovi J D-l? d us--(m..! vu

WHY DO YOU WISH TO OBTAIN THIS APPOINTMENT?

free my land of ETJ

ARE YOU FAMILIAR WITH THE TOWN'S 2006 COMPREHENSIVE PLAN? (It can be
accessed at <http://www.townofboone.net/departments/development/pdfs/Comp.pdf>):

RATE YOUR SUPPORT FOR THE 2006 COMPREHENSIVE PLAN (with "!" signifying no
support and "10" signifying great support):

2 3 4 5 6 7 8 9 10

PLEASE EXPLAIN YOUR LEVEL OF SUPPORT FOR THE COMPREHENSIVE PLAN:

- > - ritr;vt:: ;:J'u..)f'l'i.
of sand in the E.T.

Signature

66



TOWN OF BOONE AGENDA ITEM ACTION REQUEST FORM

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Kim Brown Department: Governing Body

Contact Phone#: 828-268-6204

Date Submitted: May 13, 2013

Email: kim.brown@townofboone.net

Date of Council Meeting to consider this item: May 20, 2013

Council Action Requested: For Action / For Information **D**

Appointment of member to the Outside Agency Funding Committee.

Summary of Information:

There is one (1) open position on the board with a term expiring July 31, 2013. After advertising in my usual venues for the position, I have not received any applications for consideration.

Attached are the guidelines for this committee, as well as the board roster on file.

OUTSIDE AGENCY FUNDING REVIEW COMMITTEE - 3 year terms; 2-term limit

Jamie Leigh
council Member
301 Perkins Streete
Boone, NC 28607
264-4850 (h) 265-2827 (o)
jamie.leigh@townofboone.net

Denise Levy <1st term>
243 Dogwood Road
Boone, NC 28607
706-338-8653
levy dl@appstate.edu
Appointed 8/20/09 Expires: 7/31/13

Denica Joyce <1st term>
107 Iris Lane
Boone NC 28607
264-6254
curleesjoyce@gmail.com
Appt: 4/15/10 Expires: 7/31/13

VACANT
Appt: Expires: 7/31/13

Rennie Brantz
council Member
575 Grand Boulevard
Boone NC 28607
264-7258 (h) 262-2311(o)
rennie.brantz@townofboone.net

Dr. susan Mccracken <1st term>
710 Tracy Circle Boone NC
28607
sdmccracken@gmail.com
828-773-6096 <ceiD
828-264-0137 <home>
Appointed: 1/18/11 Expires: 7/31/13

council member terms expire
with term.

Mr. Gary Childers c1st term)
173 Leah Drive Boone NC
28607
gchilders@bellsouth.net
<828) 264-1875 <home>
828)773-8788 <ceiD
Appointed: 10/20/11
Expires: 7/31/14

Greg Young
Town Manager

Amy Davis
Finance Director

Description of Outside Agency Funding Evaluation Committee

This new committee will be responsible for reviewing all applications received for Outside Agency Funding for 2011/2012 fiscal year. The Outside Agency Process Committee recommends the following:

- 1) The committee be comprised of a financial expert, a person who once served on a non-profit board of directors but is not currently serving on a board; two members of the Town Council (Council person and Mayor or two council members); and three people from the general public. All committee members will need to be residents and/or taxpayers of Boone and 2 members will serve a three-year term with the remainder serving a two-year term.
- 2) In addition to the above committee members, Greg Young and Amy Davis will also attend committee meetings to answer any questions needed by the committee.
- 3) Committee members are to be guided in their recommendations by the applications received and the criteria established for the review of applications.
- 4) Committee members will make their recommendations for funding of outside agencies within the boundaries of the established total funds for outside agency funding and may elect to award all of these funds or less than the total amount of these funds.
- 5) Committee recommendations will need to be completed by May 31st - in time for scheduled budget meetings.
- 6) Town Council will make the final decision based on the recommendations submitted by the Committee.



TOWN OF BOONE AGENDA ITEM ACTION REQUEST FORM

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Kim Brown

Department: Planning & Inspections

Contact Phone#: 828-268-6204

Date Submitted: May 13, 2013

Email: kim.brown@townofboone.net

Date of Council Meeting to consider this item: May 20, 2013

Council Action Requested: For Action For Information ☒

Appointment of members to Planning Commission.

Summary of Information:

The following positions are open on the Planning Commission:

-Two ETJ Positions.

After advertising in my usual venues, I have received applications for consideration from the following: Frank Bolick, Jon Tate, and David Welsh (attached.)

Attached are the current board roster and the UDO article governing the Planning Commission.

PLANNING COMMISSION TERMS

Candice Brown (1st term)
361 University Hall Dr, Apt. #305
Boone, N.C. 28607
828-355-9935
Appointed: 7-21-11
Expires: 6-30-13

Eric Woolridge (1st term)
163 Oak Street
Boone, N.C. 28607
266-1345(0)
Appointed: 06-18-09
Expires: 06-30-13

Matt Long (1st term)
435 Grand Boulevard
Boone, N.C. 28607
773-1400
matt@capeheartandwashburn.com
Appointed: 4-18-13
Expires: 6-30-16

Phoenikx Buathier(ASU Student)
134 Horn Ave. Apt. 10
Boone, NC 28607
419-357-0770
buathier@appstate.edu
Appointed: 11-15-12
Expires: 06-30-15

Jeff Templeton (ETJ) (1st term)
864 Deck Hill Road
Boone, N.C. 28607
(H)
Appointed: 04-15-11
Expires: 06-30-14

Gregory Simmons (2nd term)
310 Delmar Street
Boon N.C. 28607
828-262-6991
Appointed: 6-21-12
Expires: 6-30-16

Dr. Susan McCracken (1st term)
710 Tracy Circle
Boone, NC 28607
828-733-6096
sdmccracken@gmail.com
Appointed: 2-23-12
Expires: 6 -30-14

Robert P. Cherry (1st term)
301 Perkins Street
Boone, N.C. 28607
295-7591 (0) 265-2827
Appointed: 06-18-10
Expires: 06-30-14

Dr. Cameron Lippard(ETJ)
(1st term)
417 Coffey Knob Road
Boon N.C. 28607
355-9289 (H) 262-6396 (B)
Appointed: 6-23-11
Expires: 6-30-15

Web Alexander (1st term)
154 Buttercup Court
Boone, N.C. 28607
263-5460 964-1804 (cell)
Appointed: 10-18-12
Expires: 6-30-15

Donald Dotson (ETJ) (1st term)
1335 Highland Hall Road
Boon N.C. 28607
262-0871 (W)
Appointed: 10-22-08
Expires: 6-30-12

Thomas Purpur(ETJ) (1st term)
114 Ridge Point Drive
Boone NC 28607
423-727-2013 (w) 423-471-1616 (c)
Appointed: 3-16-10
Expires: 6-30-14

VACANT (ETJ)
Boone NC 28607
Appointed: Expires: 6-30-15

Planning Commission is appointed for 4-year terms, should have 5 ETJ members. 3-term limit.

Article III Administrative Mechanisms

Part I Planning Commission

Section 21. Appointment and Terms of Planning Commission Members

[a] Number of Members: There shall be a Planning Commission consisting of thirteen (13) members.

[b] Number of Town Members: Number of ETJ Members: Eight (8) members of the Planning Commission shall reside within the Town. Five (5) members shall reside within the Town's extraterritorial planning area (hereafter "ETJ"). Should the Town's ETJ be expanded or the ratio of the population of the ETJ relative to the population of the Town increase or decrease, in accordance with N. C. Gen. Stat. §160A-362 and as specified herein, the Town will adjust the number of members from the ETJ in order to maintain proportional representation based on population for residents of the ETJ. There shall be at all times at least one representative of the ETJ on the Planning Commission. To the extent a qualified person can be found, one of the Town members shall be a resident of Boone and a full-time student of Appalachian State University.

[c] Adjustment of Ratio of Town and ETJ Members: Within six months of the publication of the decennial census information for the Town of Boone and Watauga County, conducted by the United States Census Bureau, the Administrator shall inform the Town Council of any change in the ratio of Town population to ETJ population which requires a modification in the number of Town and ETJ members. Thereafter, as positions open by resignation, removal for cause or absence, or expiration of term, the number of members shall be adjusted through the appointment process to achieve the required balance between Town and ETJ members. An ETJ position shall be created or the number of ETJ positions reduced on the Planning Commission when the population of the entire ETJ constitutes a full fraction of the Town's population divided by the total membership of the Planning Commission or when the population of the ETJ falls below a full fraction of the Town's population divided by the total membership of the Planning Commission, respectively.

[d] Appointment of Members to the Planning Commission: Except when a new area is brought into the ETJ, all members shall be appointed by the Town Council following the procedures of Section 35.01 of the Municipal Code. When a new area is brought into the ETJ and the resulting increased population requires that a new ETJ member be appointed, the Town Council shall adopt a resolution requesting that the Watauga County Board of Commissions appoint

a qualified person to serve as a member. Before appointing a new representative to the Planning Commission as a result of an extension of the ETJ, the Watauga County Board of Commissioners shall hold a public hearing on the selection. A notice of the hearing shall be given once a week for two successive calendar weeks in a newspaper having general circulation in the area. The Watauga County Board of Commissioners shall select appointees only from those who apply at or before the public hearing and are otherwise qualified. A qualified person is one who lives in the ETJ, who expresses a willingness to familiarize him- or herself with the Town's UDO, Comprehensive Plan and all other duly adopted plans and ordinances relating to the regulation of development within the Town planning jurisdiction, and who expresses a willingness to serve on the Planning Commission. The Commissioners shall make the appointment within forty five days following the public hearing. If the Watauga County Board of Commissioners fails to make an appointment within ninety (90) days after receiving a resolution from the Town Council requesting that it be made, the Council may make the appointment, but the person appointed shall reside in the ETJ. Once the term of a member appointed by the Watauga County Board of Commissioners expires or ends, the Town Council shall appoint his or her replacement.

[e] Planning Commission members shall generally be appointed for four (4) year staggered terms, but members may continue to serve until their successors have been appointed. The Appalachian State University student member shall serve a term of one (1) year. Vacancies which occur for reasons other than the expiration of term shall be filled as they occur only for the unexpired remainder of the term.

[f] Members may be appointed to no more than three successive terms. A former member may be reappointed following a one-year period of non-membership.

[g] Unless the Town Council takes specific action to excuse the absences and reappoint a member after being informed by the Administrator of the member's removal, a Planning Commission member shall be automatically removed for failure to attend three (3) consecutive regularly scheduled meetings or quarterly public hearings or for failure to attend fifty percent (50%) of the meetings within any twelve month period of the member's appointed service. Absences due to sickness, death, or other emergencies of like nature shall be recognized as excused absences, and such absences and the meetings missed for such excused absences shall not be counted in the calculations toward automatic removal from the Commission. For example, if a member misses six of twelve meetings during a twelve month period and two of the absences are due to the member's illness, the member will be recorded as having missed four of ten meetings. In the event of a long illness or other such cause for prolonged absence, as determined by the Administrator and confirmed by the Council, the member shall be replaced. The Administrator shall notify in writing any member for whom one more absence will trigger removal. In

addition, the Administrator or a member of the Town Council may propose removal of a member for other good cause related to the performance of Commission duties, but before removal on that basis, the member shall be given an opportunity to appear before the Town Council to address the issues involved.

[h] If a resident member moves outside the Town or if an ETJ member moves outside the ETJ, that shall constitute a resignation from the Planning Commission, effective upon the date a replacement is appointed by the Council.

[i] A member of the Planning Commission may resign by notifying the Mayor, Town Manager, or Administrator.

Section 22. Meetings of the Planning Commission

[a] The Planning Commission shall establish a regular meeting no less than quarterly, or more often as it shall determine or require, and at the request of the Council, Town Manager, or Administrator.

[b] Since the Commission has only advisory authority, it need not conduct its meetings strictly in accordance with the quasi-judicial procedures set forth in Articles IV, V, and VI. However, it shall conduct its meetings so as to obtain necessary information and to promote the full and free exchange of ideas.

[c] The Planning Commission shall operate in compliance with the North Carolina Open Meetings law, codified as N.C. Gen. Stat. §§ 143-318.9 et seq. (hereafter, "the law"). At a minimum, all meetings of the Planning Commission or any subcommittee, advisory group, or working group of the Commission, by whatever name or designation (hereafter referred to as a "subcommittee") shall require all of the following:

- [1]** Notice of all official meetings, other than an emergency meeting, by posting of the date and time of the meeting at least 48 hours in advance on the bulletin board for that purpose in Town Hall, unless a longer notice is required by this ordinance or State law. If an agenda has been distributed to members of the Commission, it shall also be posted. An "official meeting" occurs whenever a regularly scheduled meeting of the Planning Commission or subcommittee occurs, whether or not a quorum is present, or when a majority of the Planning Commission or subcommittee meet, whether in person or by electronic means such as conference call or e-mail, to conduct a hearing, deliberate, take action, or otherwise transact public business. "Deliberate" includes examining, weighing or reflecting upon the reasons for or against a possible decision and also includes the collective acquisition and exchange of facts preliminary to a decision. An "emergency

APPLICATION FOR APPOINTMENT TO A BOARD, COMMISSION, TASK FORCE,
ADVISORY BODY OR COMMITTEE
TOWN OF BOONE

FULL NAME: JJz. filiti, .: .: hzwJI, '? ffi/Vc
title First J 'Middle Initial Last
(Mr./Ms./Mrs./Dr., etc.)

GENDER: JJe.&:

HOME ADDRESS: f-C/tt'- "d. _ --+J2'-L, /f-0)1E'---'&'&-t) = 'tV/ 2), , , , , : -- "'12' - " - 'L'v. 'f' -----
!J/t/tJti A!c, &tf;d1

PREFERRED CONTACT ADDRESS (if different from home address):

Same

EMAIL ADDRESS:

Frank.Bolick@charltona.net
TELEPHONE: day: (615) 412-1198; evening: 771-960-4198

JURISDICTION OF RESIDENCE:

Town of Boone
-t/--c/-Extra Territorial Jurisdiction (ETJ)
Watauga County outside Town and ETJ
Other (please identify):

HOW LONG HAVE YOU BEEN A RESIDENT OF THE ABOVE JURISDICTION: _____

DO YOU OWN REAL PROPERTY (land) IN THE TOWN OF BOONE: Yes

DO YOU OWN REAL PROPERTY IN THE ETJ: No

NAME OF BOARD, COMMISSION, TASK FORCE, ADVISORY BODY OR COMMITTEE
APPOINTMENT SOUGHT (list one only): EV ltJv, rat?f

WHDO YOU WIH TO O TAIN THIS APPOINTM

I have some good ideas on improving the impact of the regulations on the landowners affected

ARE YOU FAMILIAR WITH THE TOWN'S 2006 COMPREHENSIVE PLAN? (It can be accessed at <http://www.townofboone.net/departments/development/pdfs/Comp.pdf>):

Yes

RATE YOUR SUPPORT FOR THE 2006 COMPREHENSIVE PLAN (with "!" signifying no support and "10" signifying great support):

2 3 4 (10) 6 7 8 9 10

PLEASE EXPLAIN YOUR LEVEL OF SUPPORT FOR THE CO_OPREH SIVE,PLAN:

Having heard of the plan I would like to see more input from citizens-landowners

WHAT SKILLS, EDUCATION, TRAINING, EXPERIENCE OR AREA(S) OF EXPERTISE WOULD YOU BRING TO THIS APPOINTMENT?

I am a teacher here both former and developed property in the 8th and the town of Boone

HAVE YOU HAD ISSUES WITH THE TOWN OF BOONE WHICH RELATE TO THE WORK OF THE BODY TO WHICH YOU SEEK APPOINTMENT? IF YES, PLEASE EXPLAIN:

I have had my differences with the Town of Boone at times over the years over application of town policy.

DO YOU HAVE ANY KNOWN OR POTENTIAL CONFLICTS OF INTEREST (INCLUDING MEMBERSHIP IN ANY ORGANIZATION, YOUR EMPLOYMENT, AND THE MEMBERSHIPS AND EMPLOYMENT OF ANY FAMILY MEMBER) THAT MIGHT ARISE IF YOU ARE APPOINTED? IF YES, PLEASE EXPLAIN: *Nil*

HAVE YOU EVER BEFORE SERVED ON ANY TOWN BOARD, COMMISSION, TASK FORCE, ADVISORY BODY OR COMMITTEE. IF SO, PLEASE STATE THE NAME OF THE BOARD, COMMISSION, TASK FORCE, ADVISORY BODY OR COMMITTEE, AND THE APPROXIMATE DATES OF SERVICE: _____

IF YOU HAVE PREVIOUSLY SERVED ON A TOWN BOARD, COMMISSION, TASK FORCE, ADVISORY BODY OR COMMITTEE, PLEASE EXPLAIN THE QUALITY OF YOUR EXPERIENCE: _____

I hereby certify that the foregoing answers are true, and that should I be appointed to the board, commission, task force, advisory body or committee, and should a conflict of interest exist or develop with regard to a specific matter, I will disclose the conflict of interest and recuse myself from the deliberations and action involved. Conflicts of interest include, but are not limited to: a direct or indirect financial interest by myself or a member of my family, and other interest which impairs my ability to participate fairly in the deliberations and actions in question.

Signature

3-19-2013
Date

APPLICATION FOR APPOINTMENT TO A BOARD, COMMISSION, TASK FORCE,
ADVISORY BODY OR COMMITTEE
TOWN OF BOONE

FULL NAME: Mr Jon M Tate
T''it le F i rs=t -----.M'J -d d'Ie'I n iti .a'I-----yL-a st -----
(Mr./Ms./Ms./Dr., etc.)

GENDER: Male

HOME ADDRESS: 408 Eagle Dr Boone, NC 28607

PREFERRED CONTACT ADDRESS (if different from home address):

EMAIL ADDRESS:

jonmtate@bellsouth.net
TELEPHONE: day: 828-260-4760 ; evening 828-260-4760

JURISDICTION OF RESIDENCE: Town of Boone
--xv---Extra Territorial Jurisdiction (ETJ)
Watauga County outside Town and ETJ
Other (please identify):

HOW LONG HAVE YOU BEEN A RESIDENT OF THE ABOVE JURISDICTION: 18 yr

DO YOU OWN REAL PROPERTY (land) IN THE TOWN OF BOONE: No

DO YOU OWN REAL PROPERTY IN THE ETJ: Yes

NAME OF BOARD, COMMISSION, TASK FORCE, ADVISORY BODY OR COMMITTEE
APPOINTMENT SOUGHT (list one only):

Planning Commission

WHY DO YOU WISH TO OBTAIN THIS APPOINTMENT?

As a twenty year resident of Boone (ETJ) I have seen our town go through many changes. Some I

tf 1IWAWfoa:i?Jedoa:&ls¹ctitt k rgn¹1<fe1fir 'UTJb;ttl! Y6 llifV0!& *f6/YRJ gf lfeiSx(ff ir
town and the ETJ

ARE YOU FAMILIAR WITH THE TOWN'S 2006 COMPREHENSIVE PLAN? (It can be
accessed at <http://www.townofboone.net/departments/development/pdfs/Comp.pdf>):

Yes

RATE YOUR SUPPORT FOR THE 2006 COMPREHENSIVE PLAN (with "1" signifYing no
suppOii and "10" signifYing great support):

1 2 3 4 5 7 8 9 10

PLEASE EXPLAIN YOUR LEVEL OF SUPPORT FOR THE COMPREHENSIVE PLAN:

I do see a need for some of the regulations in the Comprehensive Plan. I also feel like we need
to take into account Private Property rights in every matter. I feel a fair balance must be found.

WHAT SKILLS, EDUCATION, TRAINING, EXPERIENCE OR AREA(S) OF EXPERTISE WOULD YOU BRING TO THIS APPOINTMENT? As a twenty year resident of Boone (ETJ) I have had many opportunities to be involved with several building projects. I have been called on to help with every aspect of planning and construction within the town limits. I currently own and have owned several businesses in Boone. During this time I have had to navigate the many challenges the town imposes on its residence.

HAVE YOU HAD ISSUES WITH THE TOWN OF BOONE WHICH RELATE TO THE WORK OF THE BODY TO WHICH YOU SEEK APPOINTMENT? IF YES, PLEASE EXPLAIN: No

DO YOU HAVE ANY KNOWN OR POTENTIAL CONFLICTS OF INTEREST (INCLUDING MEMBERSHIP IN ANY ORGANIZATION, YOUR EMPLOYMENT, AND THE MEMBERSHIPS AND EMPLOYMENT OF ANY FAMILY MEMBER) THAT MIGHT ARISE IF YOU ARE APPOINTED? IF YES, PLEASE EXPLAIN: No

HAVE YOU EVER BEFORE SERVED ON ANY TOWN BOARD, COMMISSION, TASK FORCE, ADVISORY BODY OR COMMITTEE. IF SO, PLEASE STATE THE NAME OF THE BOARD, COMMISSION, TASK FORCE, ADVISORY BODY OR COMMITTEE, AND THE APPROXIMATE DATES OF SERVICE: No

IF YOU HAVE PREVIOUSLY SERVED ON A TOWN BOARD, COMMISSION, TASK FORCE, ADVISORY BODY OR COMMITTEE, PLEASE EXPLAIN THE QUALITY OF YOUR EXPERIENCE:

I hereby certify that the foregoing answers are true, and that should I be appointed to the board, commission, task force, advisory body or committee, and should a conflict of interest exist or develop with regard to a specific matter, I will disclose the conflict of interest and recuse myself from the deliberations and action involved. Conflicts of interest include, but are not limited to: a direct or indirect financial interest by myself or a member of my family, and other interest which

Signature

Date

APPLICATION FOR APPOINTMENT TO A BOARD, COMMISSION, TASK FORCE,
ADVISORY BODY OR COMMITTEE
TOWN OF BOONE

FULL NAME: 1/r. Vau:J J. Welsh
Title FifSt Middle Initial Last
(Mr./Ms./Ms./Dr., etc.)

GENDER: --" /VJ'A=(2... _____

HOME ADDRESS: d<2Jf)CJ\ V\ J i3fvd
BcoV\ N C .2...: "60 7

PREFERRED CONTACT ADDRESS (if different from home address):

EMAIL ADDRESS: dw@davidjwelsh.com
TELEPHONE: day: 913-0372 evenmg 913-1772

JURISDTCTION OF RESIDENCE: V Town of Boone
____ Extra Territorial Jurisdiction (ETJ)
____ Watauga County outside Town and ETJ
____ Other (please identify):

HOW LONG HAVE YOU BEEN A RESIDENT OF THE ABOVE JURISDICTION: 12/fs

DO YOU OWN REAL PROPERTY (land) IN THE TOWN OF BOONE: --"---e35: _____

DO YOU OWN REAL PROPERTY IN THE ETJ: Y ..S _____

NAME OF BOARD, COMMISSION, TASK FORCE, ADVISORY BODY OR COMMITTEE
APPOINTMENT SOUGHT (list one only): D/ f VV\ iV\ /..JOo_ ("Q

WHY DO YOU WISH TO OBTAIN THIS APPOINTMENT?

...I: A -+ vse. my experience to serve Boone
I want to make sure the town grows properly.

ARE YOU FAMILIAR WITH THE TOWN'S 2006 COMPREHENSIVE PLAN? (It can be
acc73sed at <http://ww.W.townofboone.net/departments/developmentlpdfs/Comp.pdf>):
/e.?

RATE YOUR SUPPORT FOR THE 2006 COMPREHENSIVE PLAN (with "I" signifying no
support and "10" signifying great support):

2 3 4 5 6 7 8 10

PLEASE EXPLAIN YOUR LEVEL OF SUPPQ.E.T FOR THE COMPREHENSIVE PLAN:

:J:' G: j fC/G; w1\, t- I"-II\ -1--f')5C::CA^Q.

WHAT SKILLS, EDUCATION, TRAINING, EXPERIENCE OR AREA(S) OF EXPERTIS
WOULD YOU BRING TO THIS APPOINTMENT? ;T h"<..J P<t.;Y\)ocA

I<!:A \ as \<:. "'-1e... --\, / J'(5)ff'S. :f'.. h...vcr. "'''''' S6vGF"- 1
homes in the area, I know and love this area.

HAVE YOU HAD ISSUES WITH THE TOWN OF BOONE WHICH RELATE TO THE
WORK OF THE BODY TO WHICH YOU SEEK APPOINTMENT? IF YES, PLEASE

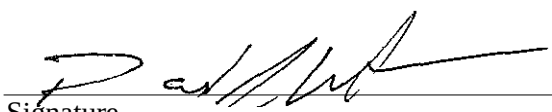
EXPLAIN: _c O -----

DO YOU HAVE ANY KNOWN OR POTENTIAL CONFLICTS OF INTEREST (INCLUDING
MEMBERSHIP IN ANY ORGANIZATION, YOUR EMPLOYMENT, AND THE
MEMBERSHIPS AND EMPLOYMENT OF ANY FAMILY ME!vfl;li;R) THAT MIGHT ARISE
IF YOU ARE APPOINTED? IF YES, PLEASE EXPLAIN: --tff!:-=-V

HAVE YOU EVER BEFORE SERVED ON ANY TOWN BOARD, COMMISSION, TASK
FORCE, ADVISORY BODY OR COMMITTEE. IF SO, PLEASE STATE THE NAME OF
THE BOARD, COMMISSION, TASK FORCE, ADVISORY BODY OR COMMITTEE, AND
THE APPROXIMATE DATES OF SERVICE: __, f"V: _: 0

IF YOU HAVE PREVIOUSLY SERVED ON A TOWN BOARD, COMMISSION, TASK
FORCE, ADVISORY BODY OR COMMITTEE, PLEASE EXPLAIN THE QUALITY OF
YOUR EXPERIENCE: -L_p'-'1, "'- -'-----

I hereby certify that the foregoing answers are true, and that should I be appointed to the board,
commission, task force, advisory body or committee, and should a conflict of interest exist or
develop with regard to a specific matter, I will disclose the conflict of interest and recuse myself
from the deliberations and action involved. Conflicts of interest include, but are not limited to: a
direct or indirect financial interest by myself or a member of my family, and other interest which
impairs my ability to participate fairly in the deliberations and actions in question.


Signature

4-25-13
Date



TOWN OF BOONE AGENDA ITEM ACTION REQUEST FORM

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Kim Brown

Department: Planning & Inspections

Contact Phone#: 828-268-6204

Date Submitted: May 13, 2013

Email: kim.brown@townofboone.net

Date of Council Meeting to consider this item: May 13, 2013

Council Action Requested: For Action / For Information ☒

Appointment of members to Tree Board.

Summary of Information:

There are two vacant positions open on the Tree Board. These positions must reside in the Town of Boone planning jurisdiction and to the extent qualified persons can be found, members shall have specialized training in arboriculture, horticulture, architecture, or landscape design. After advertising in the usual venues, I have received an application for consideration from Shawna Rhyne, see attached.

Attached are the board roster on file and the criteria establishing the Tree Board.

Tree Board
2-year terms; 3-term limit

Linda Wise (1st term)
710 Market Hills Drive
Boone NC 28607
264-6100
Appointed: 4-18-13
Expires: 10-31-14

VACANT

Boone NC 28607

Appointed:
Expires: 10/31/14

Chad Michael (1st term)
PO Box 369
Boone NC 28607
arborcare33@hotmail.com
828-963-0007
Appointed: 3-18-10
Expires: 10-31-12

Michael Kirk (2nd term)
173 Homespun Hills
Boone NC 28607
264-3537 (h) 773-3837 (w)
Appointed: 01-17-13
Expires: 10-31-15

Jim Hamilton (2nd term)
165 Foxwood Estates
Boone NC 28607
jim_hamilton@ncsu.edu
828-246-6012
Appointed: 12/13/12
Expires: 10/31/14

Part IV Tree Board

Section 36. Appointment and Terms of Tree Board Members

[a] There shall be a Tree Board consisting of five members. All members shall reside within the planning jurisdiction of the town. To the extent qualified persons can be found, the members shall have special training or experience in arboriculture, horticulture, architecture, or landscape design.

[b] Tree Board members shall be appointed for two [2] year staggered terms, but members may continue to serve until their successors have been appointed. Vacancies which occur for reasons other than the expiration of term shall be filled as they occur for the unexpired remainder of the term.

[c] Members may be appointed to no more than three successive terms. A former member may be reappointed following a one-year period of non-membership.

[d] Unless the Council takes specific action to excuse the absences and reappoints a member after being informed by the Administrator of the member's removal, a Tree Board member shall be automatically removed for failure to attend three (3) consecutive meetings or for failure to attend fifty percent (50%) of the meetings within any twelve month period. Absences due to sickness, death, or other emergencies of like nature shall be recognized as excused absences, and such absences and the meetings missed for such excused absences shall not be counted in the calculations toward automatic removal from the Board. For example, if a member misses six of twelve meetings during a twelve month period and two of the absences are due to the member's illness, the member will be recorded as having missed four of ten meetings. In the event of a long illness or other such cause for prolonged absence, as determined by the Administrator and confirmed by the Council, the member shall be replaced. The Administrator shall notify in writing any member for whom one more absence would trigger removal. In addition, the Administrator or a member of the Council may propose removal of a member for any other good cause related to the performance of Board duties, but before removal on that basis, the member shall be given an opportunity to appear before the Council to address the issues involved.

[e] A member of the Tree Board may resign by notifying the Mayor, Town Manager, or Administrator.

Section 37. Meetings of the Tree Board

[a] The Tree Board shall meet as it deems necessary or desirable, no less than quarterly (in order to meet the requirements of Tree City USA) and more often as it shall determine or require, and at the request of the Council, Town Manager, or Administrator.

APPLICATION FOR APPOINTMENT TO A BOARD, COMMISSION, TASK FORCE,
ADVISORY BODY OR COMMITTEE
TOWN OF BOONE

FULL NAME: 5hOW:I10J:' 5. Rhyme
Title First \) : Middle Initial Last :
(Mr./Ms./Mrs./Dr., etc.), " :

GENDER: ✓

HOME ADDRESS: /0 f;((1t ;l(;J /((j Uf(;O'--

PREFERRED CONTACT ADDRESS (if different from home address): SLU11.U

EMAIL ADDRESS:

TELEPHONE: day: gus..2{; g--lf2/0 ; evening ---

--- JURISDICTION OF RESIDENCE:

Town of Boone

☒ Extra Territorial Jurisdiction (ETJ)

--- Watauga County outside Town and ETJ

--- Other (please identify):

HOW LONG HAVE YOU BEEN A RESIDENT OF THE sqE URI IT, II: 3.fJ.

DO YOU OWN REAL PROPERTY (land) IN THE TOWN OF BOONE: tff/t1}

DO YOU OWN REAL PROPERTY IN THE ETJ: ---

NAME OF BOARD, COMMISSION, TASK FORCE, ADVISORY BODY OR COMMITTEE
A M/Jb (list one only):

WHY DO YOU WISH TO OBTAIN THIS APPOINTMENT?

My experience in landscaping and the fact that
I care about our community.

ARE YOU FAMILIAR WITH THE TOWN'S 2006 COMPREHENSIVE PLAN? It can be
accessed at \\W.townofboone.nc.gov/departments/development/index.html: ---

RATE YOUR SUPPORT FOR THE 2006 COMPREHENSIVE PLAN (with "1" signifying no
support and "10" signifying full support):

2 3 4 6) 6 7 8 9 10

PLEASE EXPLAIN YOUR LEVEL OF SUPPORT FOR THE COMPREHENSIVE PLAN:

/;A; JWi ro I:Jv oORC Ci/vt.QA?!tllf a};rwt bVJ;/NJWJ
...Z? tj S;;

WHAT SKILLS, EDUCATION, TRAINING, EXPERIENCE OR AREA(S) OF EXPERTISE WOULD YOU BRING TO THIS APPOINTMENT?

owner of Highland Landscape Supplies

HAVE YOU HAD ISSUES WITH THE OWN OF BOONE WI-ICIT'RELA'f>TO THF WORK OF HII:O BODY TO WHICH YOU SEEKAPPOINTMI31NT? IF YES. PLEASE EXPLAIN:

DO YOU HAVE ANY KNOWN OR POTENTIAL CONFLICTS OF INTEREST (INCLUDING MEMBERSHIP IN ANY ORGANIZATION, YOUR EMPLOYMENT, AND THE MEMBERSHIPS AND EMPLOYMENT OF ANY FAMILY MEMBER) THAT MIGHT ARISE IF YOU ARE APPOINTED? IF YES, PLEASE EXPLAIN:

HAVE YOU EVER BEFORE SERVED ON ANY TOWN BOARD, COMMISSION, TASK FORCE, ADVISORY BODY OR COMMITTEE. IF SO, PLEASE STATE THE NAME OF THE BOARD, COMMISSION, TASK FORCE, ADVISORY BODY OR COMMITTEE, AND

7. E-R_V_IC-E-:

IF YOU HAVE PREVIOUSLY SERVED ON A TOWN BOARD, COMMISSION, TASK FORCE, ADVISORY BODY OR COMMITTEE, PLEASE EXPLAIN THE QUALITY OF YOUR EXPERIENCE:

I hereby certify that the foregoing answers are true, and that should I be HJlpointcl. to the board. commission, task force, advisory liocly'oJ::coirililif(ce, and shonld a.conflict of in'tcrs(exist .or develop with regard to a specitic matter, I will disclose the contlict of interest and recuse myself from the deliberations and action involved. Conflicts of interest include, but are not limited to: a direct or indirest financial interest by myself or a member of my family, and other interest which impairs my abilit)• to participate fairly in the deliberations and actions in question.

Mauna S. Rhyme
Signature

1/11/13
Date



TOWN OF BOONE AGENDA ITEM ACTION REQUEST FORM

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Ronnie Hayes, Manager

Department: N/A

Contact Phone#: 828-262-3616

Date Submitted: April 18, 2013

Email: booneabc@bellsouth.net

Date of Council Meeting to consider this item: April 23, 2013

Council Action Requested: For Action **D** For Information

Presentation of Information by Boone ABC Board Chair Ronnie Holste

Summary of Information:

-Update on new construction at the Boone ABC Store.

-Presentation of First Quarter 2013 Distribution.



Date of Council Meeting to consider this item: Monday, 2nd 3rd = .20''--'13'-----

Council Action Requested: For Action ☒ SI For Information ☐

Request for Approval of Special Event Permit- 3rd Annual Half Marathon Road Race

Stacy Sears requests approval of a special event permit for an event Saturday, Aug. 24, 2013, from 7:30 to 8:30a.m. Applicant requests waiver of the \$250 event fee.

Copy of application, certificate of insurance and map attached..

TOWN OF BOONE
SPECIAL EVENTS PERMIT APPLICATION

I. TITLE, PURPOSE AND BRIEF DESCRIPTION OF EVENT:

High Country Half Marathon the Third annual HCHM is a 13.1 mile road race from the ASU Football Stadium to the Blowing Rock Equestrian Preserve.

The marathon is a fundraiser for Girls on the Run of the High Country, a non-profit organization.

- ☐ New Application
☐ Renewal of or
Change in
Application

Refer media or citizen inquiries to: Stacy Sears, Race Coordinator _ _ _ _ _

Telephone 828.262.6116 OR triplecrownraces@gmailcom

II. APPLICANT AUTHORIZATION:

Attach a written communication from the organization or organizations in whose name the event will be advertised which authorizes you, the applicant, to apply for the special events permit on its or their behalf.

Applicant's Name: Stacy Sears

Title: Race Coordinator

Address: 400 University Hall Dr. Boone NC 28607

Mailing Address: ASU Box 32102 Boone NC 28608

Affiliation: Girls on the Run of the High Country Executive Board Member

Phones: 828.262.6116

828.265.0546

Same

(Daytime)

(Evening)

(Emergency)

III. EVENT PRINCIPALS:

On the next sheet, please list names, addresses, and telephone numbers of all the principals involved in any way in the proposed event. Include professional event organizers, event promoters, financial underwriters, commercial sponsors, charitable agencies for whose benefit the event is being produced, the organization or organizations in whose name the event is being advertised, and all others administratively, financially, and organizationally involved as principals in the production of the proposed special event. Make additional copies of the next sheet as needed to include all of the principals involved in the proposed special event.

Name: Stacy Sears

Organization/Business/Agency/Affiliation: Girls on the Run of the High Country Executive Council Member

Mailing Address: ASU Box 32102 Boone NC 28608

Phones: 828.262.6116

828.265.0546

Same

(Daytime)

(Evening)

(Other)

Title and Functional Responsibility with Regard to the Event: _____

Race and Event Coordinator

-2-

Will this person have authority to cancel or greatly modify event plans?

CIYes

D No

Will this person be present at the event area or areas and in charge of the event at all times?

D'Yes

DNo

Name: Mary Sheryl Horine

Organization/Business/Agency/Affiliation: ASU Institute of Health and Human Services

Mailing Address: ASU Box 32102 Boone NC 28608

Phones: 828.262.7557

828.265.0546

(Daytime)

(Evening)

(Other)

Title and Functional Responsibility with Regard to the Event: --::---:--:--:'C::'C--:---:-

Interim Director for the Institute for Health and Human Services. Also serves as the Girls on the Run of the High Country

Council Director. This person will help in the coordination and execution of the event.

Will this person have authority to cancel or greatly modify event plans?

DYes

DNo

Will this person be present at the event area or areas and in charge of the event at all times?

DYes

DNo

IV. REQUESTED EVENT COMPONENTS:

A. Requested day and date (first choice): s_at_ur_d_ay"-Au-g-us t_24_::2_01_3

B. Alternate days and dates: n/a
n/a n/a

C. Requested hours of operation, from 7_30 AMIPM to 8_30 AM/PM

D. Set up beginning day and date Saturday, August 24, 2013 Time -:-6:-:00:-- AM/PM
Dismantle by day and date Saturday, August 24, 2013 Time 9:00 AM/PM

E. Describe the number and type of animals to be used in the event: n/a

F. Attach a draft of the entry form for participants/spectators.

G. Anticipated number of participants: 1_25 and spectators: 7_5

V. INSURANCE:

Attach to this application either an insurance policy or a certificate of insurance including the policy number, amount and the provision that the Town is included as an additional insured. (Please note that insurance requirements depend upon the risk level of the event. Also, if your event can be classified as First Amendment expressive activity, insurance requirements can be waived by the Town Council under certain circumstances.)

VI. SANITATION:

Attach your "Plan for Clean/up Material Preservation." Include number, type and location of trash containers to be provided for the event. Indicate who and how many will be responsible for emptying and cleaning up around containers during the event. Indicate who and how many will be responsible for cleaning up the event area after the event. Describe the number, type and location of portable toilets to be provided for the event area after the event. Describe the number, type and location of portable toilets to be provided for the event (or permanent toilets to be used for the event). Include any other plan you have for ensuring post-event cleanliness and material preservation of city facilities, equipment, premises and streets.

VII. LOCATION MAP:

Check off below items that apply to your event. Indicate these items on attached maps. Use, where necessary, a to-scale drawing.

- ☐ **If** a route is involved, the beginning area, the route (indicate directions with arrows), and the finish area
- ☐ If a route is involved, the places where buses, trolleys, or trains need to be considered
- ☐ **If** a relay is involved, indicate hand-off points
- ☐ Entertainment or stage locations (grandstand operators should provide you with a to-scale drawing)
- ☐ Alcoholic beverage concession area
- ☐ Non-alcoholic concession areas
- ☐ Food concession areas
- ☐ General merchandise concession areas
- ☐ Portable toilet facilities (indicate number)
- ☐ First-aid facilities
- ☐ Event participant and/or spectator parking areas
- ☐ Event organizer's command post
- ☐ Fireworks or pyrotechnics site
- ☐ Vehicle fuel-handling site

_____ Cooking areas
_____ Tables, enclosures, etc.
_____ Temporary or permanent structures constructed for the event
_____ Site of electrical wiring to be installed for the event
_____ Trash containers (indicate number): 4 _____
Other. Please **describe**: _____
Site for Electrical Set Up-Blowing Rock Equestrian Preserve

VIII. AVAILABILITY OF FOOD, BEVERAGES AND/OR ENTERTAINMENT:

A. **If** there will be music, sound amplification or any other noise impact, please describe, including the intended hours, the music, sound, or noise.
n/a

B. Alcoholic beverages to be served? ☐ Yes ☐ No
C. **If** yes, describe what system will be used to ensure that alcoholic beverages will be consumed only by those persons 21 years and older.
n/a

D. **If** yes, describe how, where, when and by whom the alcoholic beverages will be served.
n/a

E. **If** yes, attach to the application a copy of your permit from the State Alcoholic Beverage Control Board. Alcohol may not be served without a permit.
F. **If** a casino party, a dance, or live entertainment is part of your event, please describe.
n/a

G. Please describe all of the activities of your event for which a business license is required.
n/a

H. Food and/or non-alcoholic beverages to be served? ☒ Yes ☐ No
I. **If** yes, describe sanitation measures, food handling procedures, and the nature of the food (such as pre-packaged foods, hot dogs, pre-mixed sodas, unpeeled fruit, raw meats, vegetables, fish or peeled and cut fruit).
Fruit, bagels and juice to be provided to the runners at the completion of the race

J. **If** yes, you may need to have a health permit for the County Department of Health Services. Attach a copy of your health permit to this application.

K. **If** you intend to cook food in the event area, describe your area layout, including fuel or electrical source to be used.

n/a

IX. SECURITY AND SAFETY PROCEDURES:

A. Describe your proposed procedures for set up, operation, internal security and crowd control.

All participants (including spectators and volunteers) will follow all pedestrian laws before and during the event. Security will be provided by volunteers (adults) in event T-Shirts.

B. If the event is to occur at night, describe how you are going to light the event in order to increase the safety of participants and spectators coming to and leaving the event.

n/a

C. **If** your event includes vehicles or animals, describe the minimum and maximum speeds of the event and the minimum and maximum intervals of space to be maintained between units.

A car will lead the runners to the Blowing Rock Equestrian Preserve (10-20 mph maximum speed).

D. Attach to this application a copy of your building permit (or permits) if you are installing any electrical wiring on a temporary or permanent basis and/or if you are building any temporary or permanent structures such as bleachers, scaffolding, a grandstand, reviewing stands, stages or platforms.

E. Attach a copy of your fire department permit or permits to this application if you will use parade floats; an open flame; fireworks or pyrotechnics; vehicle fuel; cooling facilities; enclosures (and tables within those enclosures); tents, air-supported structures, canopies, or any fabric shelters.

F. Give name, address and phone numbers of the agency or agencies which will provide first-aid staff and equipment. Attach additional sheets if necessary.

Name of Agency: Local EMT / Watauga Rescue Squad

Name of Representative: Randy C. Johnson

Address: 200 Quail St Boone NC 28607

Phone Numbers: 828.264.2426

Indicate medical services that will be provided for the event.

Medical Service	How Provided
___ Ambulances	911 Services
___ Doctors	_____
___ Nurses	_____
___ Paramedics	_____

X. VENDORS OR CONCESSIONAIRES:

A. Describe what vendors or concessionaires you will allow in conjunction with the event and the purpose or purposes of these concessions.

No VendorThe event coordinator will provide limited food for the runners upon completion of the race.

B. Describe how you intend to regulate, monitor and control the type, number and quality of vendors/concessionaires whom you may permit to operate in conjunction with the event.

n/a

XI. MITIGATION OF THE IMPACT ON OTHERS:

Describe how you intend to mitigate the impact of the special events on businesses, churches, neighbors, motorists, mass transit users and others. Attach additional sheets, if necessary, entitled "Mitigation of the Impact on Others."

The event will have a minimal impact on the local businesses. The event will actually have a positive impact with additional people in the downtown area shopping, dining, etc.

XII. TOWN SERVICES/EQUIPMENT:

Describe town services and/or equipment requested for this event. Town barricades, cones, and no-parking signs may be borrowed on an as-available basis. You should plan to pick up and return this equipment. If you or your volunteers cannot pick up and return this equipment, please attach a letter requesting these services and explaining why your organization cannot perform them. This will be reviewed and approved or denied by the special events coordinator.

No equipment or resources will be needed.

XIII. OTHER PERTINENT INFORMATION:

n/a

XIV. OPTIONAL INFORMATION:

The following information is not required for permit approval. It is requested so that the Town will have data, in the future, of the dollars raised for charities, the estimated age groups of participants and spectators, the fees charged or donations required and the specific public benefits derived from each event.

A. Estimate percentage of age groups for participants and spectators:

	PARTICIPANTS		SPECTATORS	
Age 15 years & under	10	%	10	%
16 to 25 years	30	%	30	%
26 to 45 years	25	%	30	%
46 years & older	35	%		%

B. If there is a fee or donation required as a condition of attendance or participation in this event, please describe the amounts to be collected from various categories or participants or spectators:

\$50 registration fee. All fees go to support the Girls on the Run of the High Country, a non-profit organization.

DO NOT WRITE IN THIS SPACE

DATE RECEIVED: 2-2-17, BY: J. Q. Smith

DATE OF APPROVAL: _____

BY: _____
TOWNCLERK

Application #

GS



RISK MANAGEMENT DIVISION

Wayne Goodwin | Commission of Insurance

Tim Bradley | Assistant State Fire Marshal

CERTIFICATE OF COVERAGE

CERTIFICATE HOLDER: United States of America

Insurer: State of North Carolina

Authorization: Public Officers & Employee Liability Insurance Commission of North Carolina and the General Statutes of North Carolina, Sections §143-291 to §143-305.

http://www.ncleg.net/EnactedLegislation/Statutes/HTMLByArticle/Chapter_143/Article_31.html

http://www.ncleg.net/EnactedLegislation/Statutes/HTMLByArticle/Chapter_143/Article_31A.html

Period: Good until Cancelled (ASU shall notify Certificate Holder of any changes in its' self-insured status)

Coverage: A) Tort Claims against Departments, Agencies
B) Liability for State Employees

Limits A) \$1,000,000 for Tort claims against the State
B) \$1,000,000 for claims against state employees

Description: Appalachian State University-Proposals and permits for High Country Triple Crown and Girls on the Run of the High Country, Institute for Health and Human Services.

Administrator: Department Insurance- Risk Management Division
Public Officers & Employees Liability Insurance Commission
1202 Mail Service Center, Raleigh, NC 27699-1202

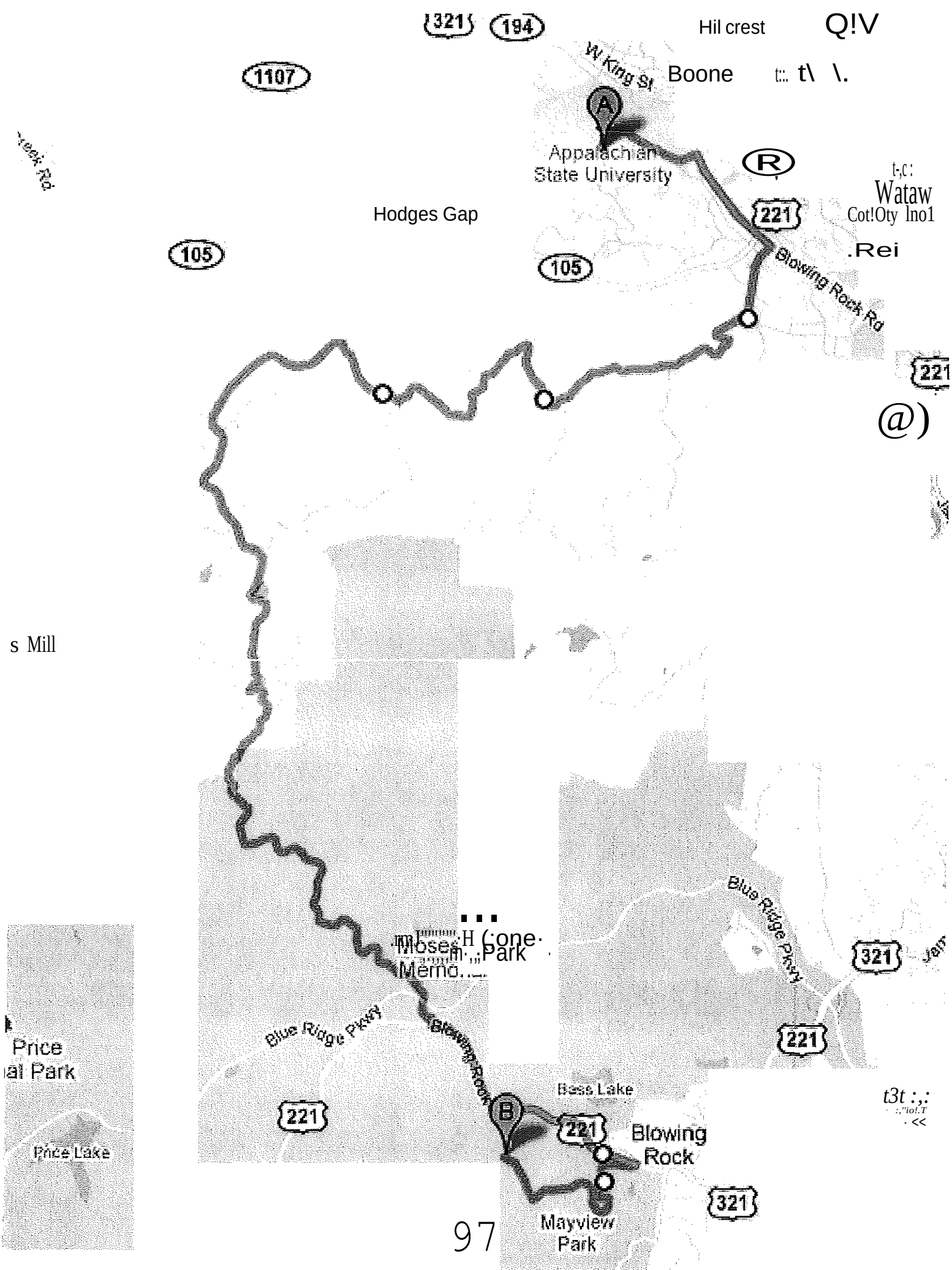
Note: This Certificate is for informational purposes only and does not alter any provision of the Tort Claims or Defense of State Employees General Statutes of the State.

Verified By:

Joseph D. Rippard, CPCU
Risk Manager

ASU-High Country Triple Crown

1202 Mail Service Center Raleigh NC 27699-1202 919/661-5880 x234/ Fax 919/662-4416



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Appalachian State University

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Hodges Gap

t,c: Wataw
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105

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Blowing Rock Rd

221

@)

s Mill

Moses H Cone
Memo.

Blue Ridge Pkwy

321

221

Blue Ridge Pkwy

221

Bass Lake

B

221

Blowing Rock

321

Mayview Park

t3t :.:
:,"iol.T
.<<

The Triple Crown Half Marathon Race Route:

Start at Kid Brewer Stadium

Left out of the Stadium onto Stadium Drive

Right onto Rivers Street

Right onto Hardin Street

At Bojangles onto Winklers Creek Road

Right onto Russ Cornett Road

Left onto Diamond Ranch Road

Left onto Popular Grove Road

Left onto Shulls Mill Road

Left onto 221N

Right onto Clark Street

Left onto Laurel Lane

Right onto Wonderland Trail

Left onto Laurel Lane

Right into the Blowing Rock Stables Area



TOWN OF BOONE AGENDA ITEM ACTION REQUEST FORM

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Ronnie Marsh Department: Finance Department

Contact Phone#: 828-268-6180 Date Submitted: May 7, 2013

Email: ronnie.marsh@townofboone.net

Date of Council Meeting to consider this item: May 23, 2013

Council Action Requested: ☒ For Action ☐ For Information

Request for Approval of Special Event Permit- EmergencyFest 2013

Ronnie Marsh requests approval of a special event permit for EmergencyFest 2013 for Saturday, June 15, 2013, from 8 a.m. to 3 p.m. Applicant requests waiver of the \$1,500 event fee. Copy of application and map attached. Certificate of Insurance to be provided.

WATAUGA COUNTY

SPECIAL ASSOCIATION OF FIRE AND EMERGENCY RESPONDERS, INC.

May 2, 2013

Doone Town Council
567 West King Street
Boone, NC 28607

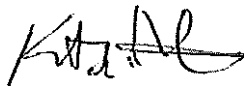
Dear Mayor and Council:

Attached to this letter is the Town of Boone permit application for street closure to support the 2013 *Emergency Fest*. Ronnie Marsh, President of the Association, has prepared this application by the authority of the Watauga County Firefighter's Association. For several years *Emergency Fest* has attracted thousands of guests and over sixty displays to Doone. The mission of *Emergency Fest* is to increase public awareness, education, and exposure to all aspects of emergency services. The primary goal of *Emergency Fest* is to reduce unintentional injury, death, and property loss from fire and other hazards. This year's *Emergency Fest* is again located in the Raley parking lot on the Appalachian State University Campus, and is scheduled for June 15, 2013.

I am requesting to be placed on the Council's agenda for the May 23, 2013 meeting. In an effort to connect the event to Downtown Boone merchants and visitors, I am requesting that the attached parade application be approved for street closure of one section of Howard Street, as noted on the map. Finally, due to the nature and mission of the event, I am also requesting that the permit fee of \$1500.00 be waived to conserve expenses. Emergency Fest does not charge an admission fee and all of the displays are completely free. This year we are showcasing and focusing on our local emergency response agencies. Appalachian State University has generously waived all usage fees for the use of the parking lot, power, and support.

I look forward to presenting this exciting request to you at your regular meeting. Please let me know if you have questions prior to the meeting by calling me at 828-773-6068. Thank you very much for **your consideration and your service to the Town of Boone.**

Sincerely,



Kent Graham
Past President

TOWN OF BOONE
SPECIAL EVENTS PERMIT APPLICATION

I. TITLE, PURPOSE AND BRIEF DESCRIPTION OF EVENT:

EMERGENCY FEST 2013
AWARENESS TO ALL ASPECTS OF
EMERGENCY SERVICES, BOOTHS,
DISPLAYS, HANDS ON TRAINING

☒ New Application
☐ Renewal of or
Change in
Application

Refer media or citizen inquiries to: f(&V/111£ IJ/A/(5//

Telephone {\$/S} ft'lt·-/105 or _____

Attach a written communication from the organization or organizations in whose name the event will be advertised which authorizes you, the applicant, to apply for the special events permit on its or their behalf.

Applicant's Name: f&/v/tll/? /J)I!q5/l Title: fk£"51/)£/t/T
Address: 1Z-1 /.:)DT /;1vt!r T/Z.t?£r. /3cxwE,AH 2f?£-P7
Mailing Address: .5/-J/(J,f
Affiliation: /30.-v,,, &/?£ /J.E.P.J:
Phones: g.zg.-:L ?-0/80
(Daytime) (Evening) (Emergency)

III. EVENT PRINCIPALS:

On the next sheet, please list names, addresses, and telephone numbers of all the principals involved in any way in the proposed event. Include professional event organizers, event promoters, financial underwriters, commercial sponsors, charitable agencies for whose benefit the event is being produced, the organization or organizations in whose name the event is being advertised, and all others administratively, financially, and organizationally involved as principals in the production of the proposed special event. Make additional copies of the next sheet as needed to include all of the principals involved in the proposed special event.

Name: MIKE O'FIONM IL.
Organization/Business/Agency/Affiliation: ASU PHYSICAL PLANT
Mailing Address: 265 DALE STREET
Phones: 828-262-3190
(Daytime) (Evening) (Other)
Title and Functional Responsibility with Regard to the Event: /i/i/J/1)£:/2...
EVENT SET-UP

Will this person have authority to cancel or greatly modify event plans?

Will this 11crson be present at the event area or areas and in charge of the event at all times?

Name: _____

Mailing Address: _____

Title and Functional Responsibility with Regard to the Event: _____

Will this person be present at the event area or areas and in charge of the event at all times?

IV. REQUESTED EVENT COMPONENTS:

B. Alternate days and **dates**:-----

D. Set up beginning day and date $\frac{S_{ait}, t \in \{1, \dots, T\}}{I_{it}}$ Time r $\frac{M}{A}$
Dismantle by day and date $\frac{I_{it}}{I_{it}}$ Time r $\frac{M}{A}$

F. Attach a draft of the entry form for participants/spectators.

102

V. INSURANCE:

Attach to this application either an insurance policy or a certificate of insurance including the policy number, amount and the provision that the Town is included as an additional insured. (Please note that insurance requirements depend upon the risk level of the event. Also, if your event can be classified as First Amendment expressive activity, insurance requirements can be waived by the Town Council under certain circumstances.)

VI. SANITATION:

Attach your "Plan for Clean/up Material Preservation." Include number, type and location of trash containers to be provided for the event. Indicate who and how many will be responsible for emptying and cleaning up around containers during the event. Indicate who and how many will be responsible for cleaning up the event area after the event. Describe the number, type and location of portable toilets to be provided for the event area after the event. Describe the number, type and location of portable toilets to be provided for the event (or permanent toilets to be used for the event). Include any other plan you have for ensuring post-event cleanliness and material preservation of city facilities, equipment, premises and streets.

VII. LOCATION MAP:

Check off below items that apply to your event. Indicate these items on attached maps. Use, where necessary, a to-scale drawing.

_____ **If** a route is involved, the beginning area, the route (indicate directions with arrows), and the finish area

_____ **If** a route is involved, the places where buses, trolleys, or trains need to be considered

_____ **If** a relay is involved, indicate hand-off points

_____ Entertainment or stage locations (groundstand operators should provide you with a to-scale drawing)

_____ Alcoholic beverage concession area

_____ Non-alcoholic concession areas

☒ **V** Food concession areas

_____ General merchandise concession areas

_____ Portable toilet facilities (indicate number)

_____ First-aid facilities

_____ Event participant and/or spectator parking areas

_____ Event organizer's command post

_____ Fireworks; or pyrotechnics site

_____ Vehicle fuel-hauling site

- _____ Cooling areas
 - _____ Tables, enclosures, etc.
 - _____ Temporary or permanent structures constructed for the event
 - _____ Site of electrical wiring to be installed for the event
 - _____ Trash containers (indicate number): _____
 - _____ Other. Please **describe**: _____
-

VIII. AVAILABILITY OF FOOD, BEVERAGES AND/OR ENTERTAINMENT:

- A. If there will be music, sound amplification or any other noise impact, please describe, including the intended hours, the music, sound, or noise.
- _____
- _____
- B. Alcoholic beverages to be served? LI Yes !!I-NO
- C. **If** yes, describe what system will be used to ensure that alcoholic beverages will be consumed only by those persons 21 years and older.
- _____
- _____
- D. **If** yes, describe how, where, when and by whom the alcoholic beverages will be served.
- _____
- _____
- E. **If** yes, attach to the application a copy of your permit from the State Alcoholic Beverage Control Board. Alcohol may not be served without a permit.
- F. **If** a casino party, a dance, or live entertainment is part of your event, please describe.
- _____
- _____
- G. Please describe all of the activities of your event for which a business license is required.
- _____
- _____
- H. Food and/or non-alcoholic beverages to be served? i!i1res LI No

rr 11YY\ ""h.o,,)(\ \ i

J. **If** yes, you may need to have a health permit for the County Department of Health Services. Attach a copy of your health permit to this application.

K. **If** you intend to cook food in the event area, describe your area layout, including fuel or electrical source to be used.

IX. SECURITY AND SAFETY PROCEDURES:

A. Describe your proposed procedures for set up, operation, internal security and crowd control.

B. **If** the event is to occur at night, describe how you are going to light the event in order to increase the safety of participants and spectators coming to and leaving the event.

C. **If** your event includes vehicles or animals, describe the minimum and maximum speeds of the event and the minimum and maximum intervals of space to be maintained between units.

D. Attach to this application a copy of your building permit (or permits) if you are installing any electrical wiring on a temporary or permanent basis and/or if you are building any temporary or permanent structures such as bleachers, scaffolding, a grandstand, reviewing stands, stages or platforms.

E. Attach a copy of your fire department permit or permits to this application if you will use parade floats; any open flame; fireworks or pyrotechnics; vehicle fuel; cooling facilities; enclosures (and tables within those enclosures); tents, air-supported structures, canopies, or any fabric shelters.

F. Give name, address and phone numbers of the agency or agencies which will provide first-aid staff and equipment. Attach additional sheets if necessary.

Name of **Agency**:--,-----
Name of Representative:-----

Address:--,-----

Phone **Numbers**:-----

Indicate medical services that will be provided for the event.

Medical Service	How Provided
_____ Ambulances	_____
_____ Doctors	_____
_____ Nurses	_____
_____ Paramedics	_____

X. VENDORS OR CONCESSIONAIRES:

A. Describe what vendors or concessionaires you will allow in conjunction with the event and the purpose or purposes of these concessions.

B. Describe how you intend to regulate, monitor and control the type, number and quality of vendors/concessionaires whom you may permit to operate in conjunction with the event.

XI. MITIGATION OF THE IMPACT ON OTHERS:

Describe how you intend to mitigate the impact of the special events on businesses, churches, neighbors, motorists, mass transit users and others. Attach additional sheets, if necessary, entitled "Mitigation of the Impact on Others."

XII. TOWN SERVICES/EQUIPMENT:

Describe town services and/or equipment requested for this event. Town barricades, cones, and no-parking signs may be borrowed on an as-available basis. You should plan to pick up and return this equipment. If you or your volunteers cannot pick up and return this equipment, please attach a letter requesting these services and explaining why your organization cannot perform them. This will be reviewed and approved or denied by the special events coordinator.

XIII. OTHER PERTINENT INFORMATION:

Applicant only requesting closure of
one lane of Howard St. in case event/food area
portion of
runs off of actual event location (Raley lot).

XIV. OPTIONAL INFORMATION:

The following information is not required for permit approval. It is requested so that the Town will have data, in the future, of the dollars raised for charities, the estimated age groups of participants and spectators, the fees charged or donations required and the specific public benefits derived from each event.

A. Estimate percentage of age groups for participants and spectators:

	PARTICIPANTS	SPECTATORS
Age 15 years & under	_____ %	_____ %
16 to 25 years	_____ %	_____ %
26 to 45 years	_____ %	_____ %
46 years & older	_____ %	_____ %

B. If there is a fee or donation required as a condition of attendance or participation in this event, please describe the amounts to be collected from various categories or participants or spectators:

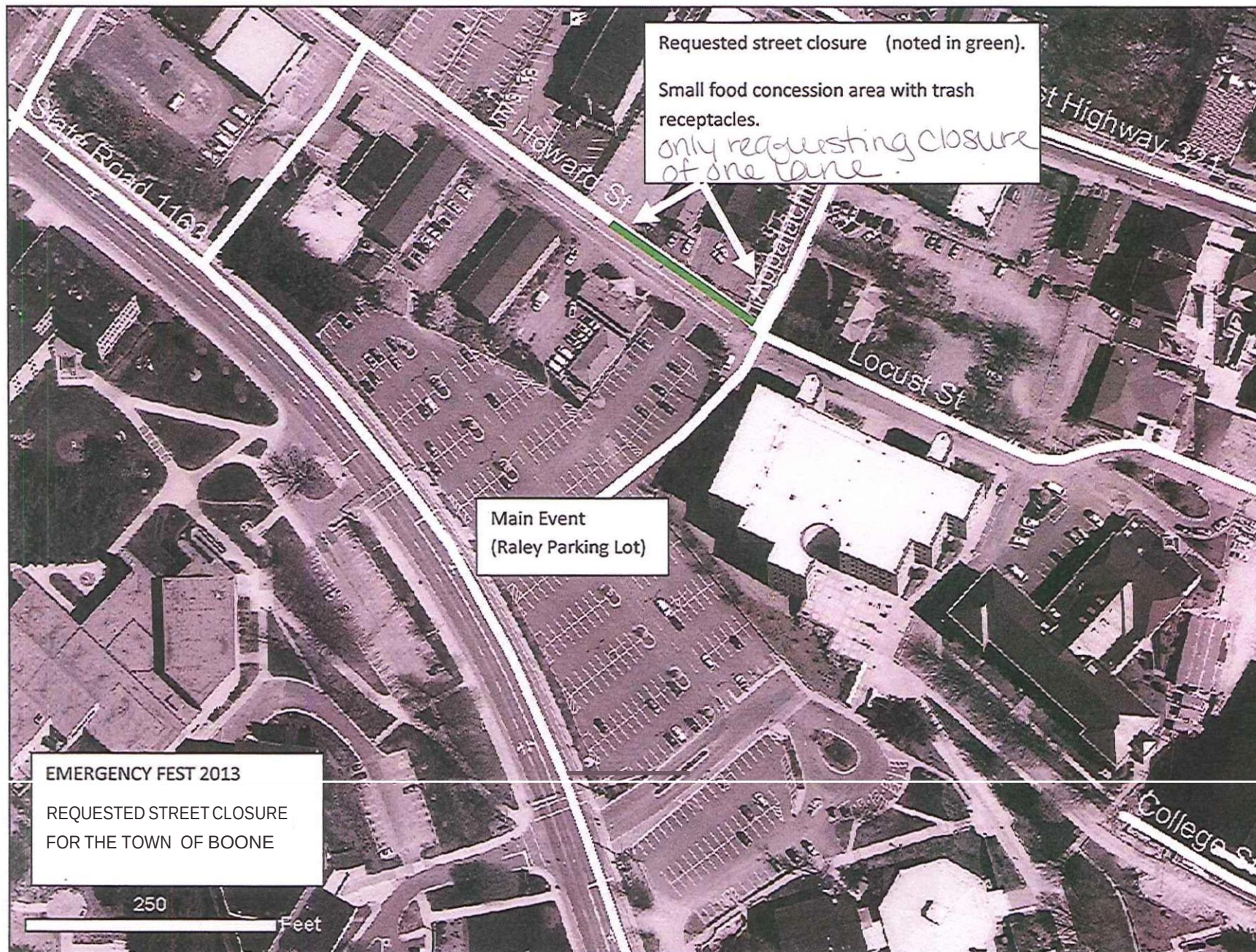
DO NOT WRITE IN THIS SPACE

DATE RECEIVED: 7/25/12 BY: C. Poole

DATE OF APPROVAL: _____

BY: _____
TOWNCLERK

Application# 13-12





TOWN OF BOONE AGENDA ITEM ACTION REQUEST FORM

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Rio Tazewell and Ben Loomis Department: _____

ContactPhone #: 919-357-5374 DateSubmitted: May7,2013 _ _ _ _ _

Email: loomisben@boone.nc.us

Date of Council Meeting to consider this item: May 13, 2013 7:00pm

Council Action Requested: ☒ For Action ☐ For Information

Request for Approval of Special Event Permits (4)- Howard Street Exchange

Rio Tazewell and Ben Loomis request approval of special event permits for the Howard Street Exchange for four dates: June 9, July 14, Aug. 18 and Sept. 15, 2013 (all on Sunday) from 12- 5 p.m. Event plan will follow same as the one held Sunday, April 7, 2013.

Applicant requests waiver of the \$1,500 event fee for each date (total of \$6,000). If waiver cannot be made, Applicant asks that they be allowed to pay the exact cost of Town assistance for each date, if less than the \$1,500 standard event fee.

Copy of application, quote for insurance, map and additional information attached.

Insurance to be provided by Applicant and alcohol permit to be provided by AMB upon event approval.

TOWN OF BOONE
SPECIAL EVENTS PERMIT APPLICATION

I. TITLE, PURPOSE AND BRIEF DESCRIPTION OF EVENT:

1-low(I,J Strut fxch<: l'IH - **New Application**
Cn('(!N!MitY Sho...Jta.\$e Q· lr>C.,V[b#ivW-S.Se.sJ **t:l Renewal of Ol'**
llOr'l'f(Ofih, Mb'st ;:fMMeHI m...s,'ttan s, erJktf<:eM«r.i **Change lu**
(!lnQ !lrlo'lfU\$o ry O(f)Rf!e+lo/l S, **Application**

Refer metlla or citizen inquiries to: —————

Telephone _____ or _____

II. APPLICANT AUTHORIZATION:

Attach u Wl'ittcn commniation from the organization ol· orgunlzations in whose name the event will be udvertised which authorizes you, the RJplicant, to BJlJly for lite special events permit ou its or their behalf.

Applicant's Name: t?ioJtrell Title: ff,'Jet1 f
 Arldress: lb0 SJr''{9-'Le0-4 8aaae, .M., 28'bol
 Mailing Adtress: _____
 Affiliatiou: D(jarl!'.·hj qt·· (_ !i"YY (o(Yimvrnljf Network)
I'hones:l -7.. !l
 (Daytime) (Eveuiug) (Emergency)

III. EVENT PRINCIPALS:

On the next sheet, plense Jist names, mldresses, nml telephone numbers of all the principals Involved in any way in tho proposed event. Inclutle professional event organizei's, event promoters, fiunucial underwriters, commercial sponsors, charitable agencies for wltose benefit the event is being produced, the organization or organizations In whose name the event is being ntlverlisetl, and all others administratively, fmancinlly, anti organlzntionnlly involved as pdncipnls in the protlnction of the Jli'OJIOSed special event. Make ncldilionnl collies of the next sheet as needed to include all of the principals Involvecl in the proposed special event.

Name: Loo(Yli.S.
 Orgnnizntiou/Busiuess/Agency/Affilin lion: —, l.EELl...lU...JL.....U:f---EJ-,l;d. W ovul<
 Mailing Acrldress: III\$ Ord.e«J.:J. 1500nc, NC 28601
 Phones: — — —
 (Daylin) (Eveing) (Other)
 Title null Fuuctlonnl Responsibiliy with Regard to the **Event**:-----
b'v-eo± C..ocd rn.- +Or

-2-

Will this person have authority to cancel or greatly modify event plans?

Yes

No

Will this person be present at the event area or areas and in charge of the event at all times?

Yes

No

Name = _____ :

Organization/Business/Agency/Affiliation: _____

Mailing Address: _____

Phones: _____ : _____ : _____
(Daytime) (Evening) (Other)

Title and Functional Responsibility with Regard to the Event: _____

Will this person have authority to cancel or greatly modify event plans?

Yes

No

Will this person be present at the event area or areas and in charge of the event at all times?

Yes

No

IV. REQUESTED EVENT COMPONENTS:A. Requested day and time (first choice): Thurs, 11/3, 11/13, 11/15

B. Alternate days and times: _____

C. Requested hours of operation, from 11 AM to 5 PMD. Set up beginning day and date *see above date Time 10:00 PM
Dismantle by day and date _____ Time 10:00 AME. Describe the number and type of animals to be used in the event: Small animal petting area possible for one 1 per evening

F. Attach a draft of the entry form for participants.

G. Anticipated number of participants: 10 and spectators: 50

-3-

V. INSURANCE:

Attach to this application either an Insurance policy or a certificate of insurance including the policy number, amount and the provision that the Town is included as an additional Insured. (Please note that insurance requirements depend upon the risk level of the event. Also, if your event can be classified as First Amendment expressive activity, insurance requirements can be waived by the Town Council under certain circumstances.)

VI. SANITATION:

Attach your "Plan for Clean/USJ Material Preservation." Include number, type and location of trash containers to be provided for the event. Indicate who and how many will be responsible for emptying and cleaning up around containers during the event. Indicate who and how many will be responsible for cleaning up the event area after the event. Describe the number, type and location of portable toilets to be provided for the event prior to the event. Describe the number, type and location of portable toilets to be provided for the event (not permanent toilets to be used for the event). Include any other plan you have for ensuring post-event cleanliness and material preservation of city facilities, equipment, premises and streets.

Please see the attached plan for the event. The plan includes a map of the event location and a list of the items to be provided for the event. The plan also includes a list of the items to be provided for the event.

VII. LOCATION MAP:

Check off below items that apply to your event. Indicate these items on attached maps. Use, where necessary, a 1/4" scale drawing.

- ☐ If a route is involved, the beginning and the route (indicate directions with arrows), and the finish and
- ☐ If a route is involved, the places where buses, trolleys, or trucks need to be considered
- ☐ If a relay is involved, indicate half-off points
- ☐ Entertainment or stage locations (ground and overhead should provide you with a 1/4" scale drawing)
- ☒ Alcoholic beverage concession area
- ☒ Non-alcoholic concession areas
- ☒ Food concession areas
- ☒ General merchandise concession areas
- ☒ Portable toilet facilities (include number)
- ☐ First-aid facilities
- ☐ Event participant and/or spectator parking areas
- ☐ Event organizer's command post
- ☐ Fireworks or pyrotechnics site
- ☐ Vehicle fuel-filling site

-4-

Cooling areas

- ☒ Tables, enclosures, etc.
☐ Temporary or Jlcmaucut structures constructed for tlte event
☐ Site of electrical wiring to be installed for the event
☒ Trash containers (indicate number): _____
 Other. Please describe: _____

VIII. AVAILABILITY OF FOOD, BEVERAGES AND/OR ENTERTAINMENT:

from 1pm - 5pm. See map for stage location.

- B. Alcoholic beverages to be served? LI No S
 C. If yes, describe what system will be used to ensure that alcoholic beverages will be consumed only by those persons 21 years and older.
Appalaichian VI our? fct, 'l r: wwi vji l hck ID's & provide wristbands.
 D. If yes, describe how, where, when and by whom the alcoholic beverages will be served.
Y. be send by AM 13 1hr / 2-S .11 f..)/ b vtr":je vending area.
 E. If yes, attach to the application a copy of your permit from the State Alcoholic Beverage Control Board. Alcoholic beverages not be served without a permit.
/knd; nq .., J. be -v. 'W BY AM 13.
 F. If a casino party, a dance, or live entertainment is part of your event, please describe.
M si "he: r/ f; fa A f; { } ; tl/ w breh tis; by lee l
 G. Please describe all of the activities of your event for which a business license is required.

H. Food and/or non-alcoholic beverages to be served? If Yes LI No

- I. If yes, describe sanitation measures, food handling procedures, and the nature of the food (such as Jli'C-pnclngcll foods, hot dogs, Jli'C-mixed sollns, uupclcl1 fruit, mw meats, vegetables, fish or Jeeled and cut fruit).
All o J rdo< . ' h .11 department regulations.

-5-

- J. If yes, you may need to have a health permit for the County Department of Health Services. Attach a copy of your health permit to this application.
- K. If you intend to cook food in the event area, describe your area layout, including fuel or electrical source to be used.

IX. SECURITY AND SAFETY PROCEDURES:

- A. Describe your proposed procedures for set up, operation, internal security and crowd control.
- _____
- _____
- B. If the event is to occur at night, describe how you are going to light the event in order to increase the safety of participants and spectators coming to and leaving the event.

- C. If your event includes vehicles or animals, describe the minimum and maximum speeds of the event and the minimum and maximum intervals of space to be maintained between units.

- D. Attach to this application a copy of your building permit (or permits) if you are installing any electrical wiring on a temporary or permanent basis and/or if you are building any temporary or permanent structures such as bleachers, scaffolding, a grandstand, viewing stands, stages or platforms. *CA*

- E. Attach a copy of your fire department permit or permits to this application if you will use parade floats; an open flame; fireworks or pyrotechnics; vehicle fuel; cooking facilities; enclosures (and tables within those enclosures); tents, air-supported structures, canopies, or any fabric shelters.

- F. Give name, address and phone numbers of the agency or agencies which will provide first-aid staff and equipment. Attach additional sheets if necessary.

Name of Agency: _____
Name of Representative _____

Address: _____

Phone Numbers: _____

-6-

Indicate medical services that will be provided for the event.

Medical Service	How Provided
☐ Ambulances	☐
☐ Doctors	☐
☐ Nurses	☐
☐ Paramedics	☐

A. Describe what vendors or concessionaires you will allow in conjunction with the event and the purpose or purposes of these concessions.

Only vendors who have pre-registered and signed the application
~~X~~ and only vendors who meet regulations will be allowed
to be part of this event.

booths during event.

XI. MITIGATION OF THE IMPACT ON OTHERS:

Describe how you intend to mitigate the impact of the special events on businesses, churches, neighbors, motorists, mass transit users and others. Attach additional sheets, if necessary, entitled "Mitigation of the Impact on Others."

The event will be held on the main street of the town
for the whole day, with the intention
of creating a festive atmosphere.

XII. TOWN SERVICES/EQUIPMENT:

Describe town services and/or equipment requested for this event. Town barricades, cones, and other traffic signs may be borrowed on an as-available basis. You should plan to pick up and return this equipment. If you or your volunteers cannot pick up and return this equipment, please attach a letter requesting these services and explaining why your organization cannot perform them. This will be reviewed and approved or denied by the Special Events Coordinator.

We are requesting traffic cones at each end of the
western-most end of Howard St, as well as the
services of the Boone Police Department.

-7-

XIII. OTHER PERTINENT INFORMATION:

Please See attachments, we've included a letter to the
Downtown Boone Development Association, a potential
co-sponsor of this event series.

XIV. OPTIONAL INFORMATION:

The following information is not required for a permit application. It is requested so that the Town will have data, in the future, of the dollar's raised for charities, the estimated age groups of participants and spectators, the fees charged or donations required and the specific public benefits derived from each event.

A. Estimate percentage of age groups for participants and spectators:

	PARTICIPANTS	SPECTATORS
Age 15 years & under	_____ %	_____ %
16 to 25 years	_____ %	_____ %
26 to 45 years	_____ %	_____ %
46 years & older	_____ %	_____ %

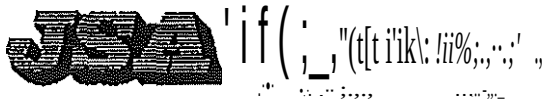
B. If there is a fee or donation required as a condition of attendance or participation in this event, please describe the amounts to be collected from various categories of participants or spectators:

DO NOT WRITE IN THIS SPACE

DATE RECEIVED: 5/7/13 BY: C. Pope

DATE OF APPROVAL: _____

 BY: _____
 TOWNCLERK
Application # 13; - 13, _____



Jackson Sumner & Associates

J?xce. \$f,Suq)g _].ines B.2J r.

Quote From:

AlJent Name: Daniel Minton

AlJenoyName: High Country Insurance Services, Inc. Quote Number: SPE56742892

Phone: 828-264-3991

Quote For:

Applicant Nama: The Howard Strot exchange Podostraln Fair

Quote Date: 03/11/2013 12:27 PM

Thank you for using our website. We are pleased to offer the following quote based on the Information provided. This quote can be viewed at anytime In the next 30 days by entering the quote number above. This quote is not a binder and must still be submitted for binding approval. No coverage is bound until a policy number is released by a JSA underwriter.

company Name: Acceptance Indemnity Insurance Company

A.M. Best Rating: A- VIII

Premium: \$300.00

Fee: \$50.00

Tax: \$15.00

Total Premium: \$365.00

Polley Term Quoted: 1 day(s)

Minimum Earned Premium: Fully Earned

Certified Acts of Terrorism Coverage is optional. If accepted the additional premium is \$3.15 for this quote.

GL Information

[40000] Fairo

Number of set-up dayat 0
Number of take-down days1 0
Number of event days t 1
Attendand per dayt SOL -
1,000
Event days consecutive? Yes
Number of additional insureds• 1
ffost Liquor Chosena NO
Daduotible, \$0

Limit Chosent \$1,000,000 /
\$2,000,000
General Aggregatet \$2,000,000
Products Aggregatet Included (Fo:a:
Food Consumption Only)
Personal & Advertising• \$1,000,000
Bach Occurronoet \$1,000,000
Damage to Rented Premisest \$100,000
Modioal Payments• \$5,000

Additional Messages

• Vleaoe not& that all pre tumo, fees, and taxes are fully earned.

Any and all additional insured oh rges are 100t fully earned if thi quote iu bound by a JSA Underwriter.

Please note that thiB quote contains a Total Liguobxolusion.
see formo 11t.1453 (OS/O)

- lease note that this quote does not inalude QOVel.&go for bodily injury a'J:ibing ouof firoworkB and amusement deviooo/ridoal.

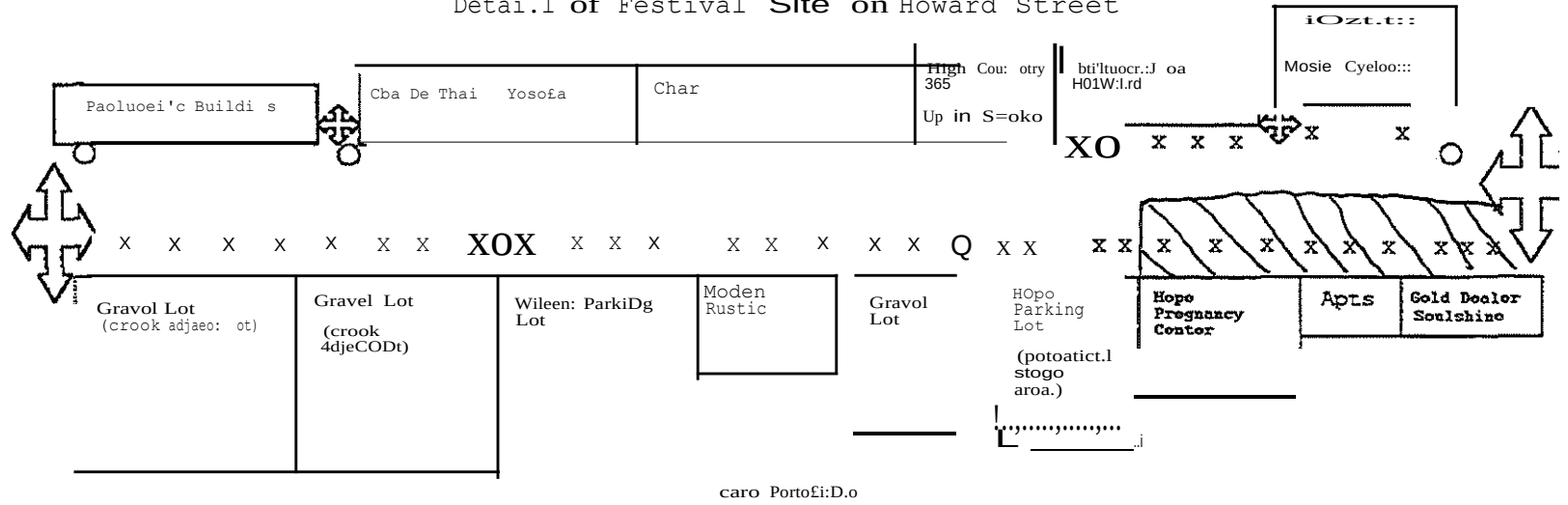
leAse nota the opeoial oxolusions on this quote.
See formo AL14 (07/09)

Forms That Apply

AL1444 (02/06) pooial Sxclutlone and L1 ltatlooe Endoraueut;
AL1446 (11/01) Limitation of Premiset • Project
14&0 (02/10) Exolu. lon i jury to Xndepeudent
COutroc; ton
AL1452 (11/02) • Exol alon • vsault an /or Battery
AL1453 (05/09) • AM n tnt of Liquor Lioblilty
Bxoludon
AL1486 (07/09) - vn"ohedulod Aotivltie • EVonto
Exoluolon
AL1499 CO?/OS) • Speoal Event Liability Excluolon
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Detail of Festival Site on Howard Street



Key to Symbols:

4} Street Closures

x

Vendor Booths

0 Rollout Trash Cans

t Porta Johns

Food + Bevu'(Je. v

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Celebrate the summer with Boone Community Network at the
Howard Street Exchange

Come out and enjoy a day of community fun at our street festival in the heart of Boone, North Carolina! To participate, complete the registration form and email to info@connectboone.net. If your permit is accepted, mail a check for the space you have indicated on your application to the address below. No refunds will be given once your space has been confirmed. Deadline for entries is one week prior to the event date listed below. The Howard Street Exchange is 12 pm - 5 pm. The number of slots for booths is limited, so please submit your application early! Mail your check to:

Howard Street Exchange
Boone Community Network

Boone NC, 28607

Boone Community Network reserves the right to deny booth space to any vendor who fails to comply with the town/state regulations or who present a threat to the health or safety of other exhibitors or festival participants. Local fire regulations require that all freestanding tents or canopies have their own fire extinguisher on display. Neither Boone Community Network nor the Town of Boone will be liable for loss, theft, or personal injury during this event. Participants must comply with all local, state, and federal licenses, safety regulations and health permits.

Registration Form: 2013 Howard Street Exchange

Name _____ Business License# _____
Business Name _____ Phone. _____
Mailing Address, _____

Month(s) (circle): June (9'h) July (14'h) August (18'h) September (15'h)

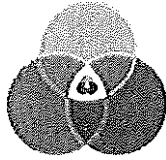
Booth fee is \$20 for each 10x10 space for general vendors. Booth fee is \$40 for each space for hot food/alcohol vendors. Check below the number and type of booth spaces you require.

Type of booth space(s): ☐ general vendor ☐ hot food/alcohol vendor

I agree to abide by all regulations and conditions set up for participants in the 2013 Howard Street Exchange if my application is accepted.

_____, Participant's Signature

Booth description: (briefly describe your setup, any goods you will be selling, and any special requirements/requests you may have. Contact info@connectboone.net or Ben Loomis at 757-876-1093 with any questions)



Boone Community Network

130 North Depot Street,
Boone, NC 28607
www.boonecommunitynetwork.net

To those it may concern:

On April 7th, 2013 the Howard Street Exchange Community Street Fair brought together local businesses, entrepreneurs, artists, farmers, nonprofits, musicians, performers, vendors, and student groups for an afternoon of celebration and networking. The street fair was the last event of the multi-day New Economy Summit, a student-led conference emphasizing unconventional strategies for local economic development. These were the goals of the Howard Street Exchange:

Increase Connectivity between the employees and students of Appalachian State University and diverse elements of the local Boone community.

Encouraging Engagement with the local economy through patronage of local businesses and restaurants, or support of local non-profits and Initiatives

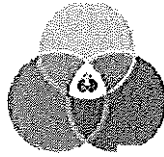
Integrated Entertainment that brings together a diverse crowd of citizens, creating space for networking across social and generational circles in the local community.

This event was a microcosm of Boone, with representatives from various areas of our community in attendance and on display. Business owners, vendors, and artists benefitted from the large draw of people; participating nonprofits, student groups, and musicians all benefitted from the opportunity for increased public exposure and engagement.

The New Economy Summit was organized by a team of Appalachian State University students and funded with a grant award by the New Economics Institute. In the short period of time between the permit approval, March 28th, and the Street Fair, April 7th, and the scope of the multi-day event, the Summit Team partnered with Boone Community Network to plan and organize the Howard Street Fair. Boone Community Network organized volunteers that reached out to potential vendors, artists, performers, etc.

Boone Community Network is the pilot project of a local startup social networking company, Generation One, LLC. Members of Boone Community Network are currently developing relationships with local businesses for the purposes of securing their membership on a community social networking platform that Generation One, LLC is developing (the Boone Community Network). Additionally, Generation One is also in the process of identifying and securing sponsors for future community events, including the Howard Street Exchange.

In total, outreach efforts for the street fair established contacts with over 80 local businesses, organizations, and student groups. Estimates have been made to indicate that there were between 400-500 people in attendance throughout the day on April 7th. By the accounts of those involved, Howard Street Exchange was widely considered a success, with business owners, vendors, and artists all benefitting from the significant influx of customers. For example, the Feastie Boys food truck made \$850 worth of sales, selling out their inventory. Another small start up, the Fizzy



Boone Community Network

130 North Depot Street,
Boone, NC 28607
www.conneetboone.net

Floats Ice cream truck, made \$325 worth of sales, more than doubling the average of a normal day in business. The street fair provided a strong market for both invited vendors and businesses located on Howard Street, many of which do not open on Sundays due to low sales. A regular Howard Street Exchange would serve to extend the times in which it is profitable to operate a business in downtown Boone.

Due to the successful nature of the event, Boone Community Network is interested in working to hold monthly community street festivals to occur on the west end of Howard Street (Depot to Water). To cement a framework for these festivals, Boone Community Network seeks to partner with the Downtown Boone Development Association (DBDA) to co-sponsor a series of Howard Street Exchange community street fairs, beginning with a 4-month series spanning from June to September, 2013.

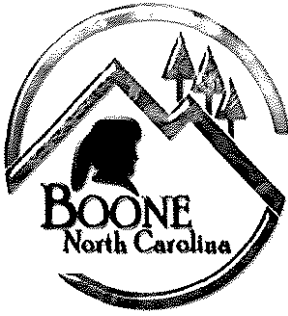
Provided that the Town of Boone continue to waive the fee for a special event

permit the expenses of Howard Street Exchange are as follows:

Expense	Vendor	Amount
Special Event Insurance	High Country Insurance Services	\$365.00
Port-O-Lets (1 Standard; 1 Handicapped)	Farmers Rentals	\$166.00
Special Event Permit (\$1,500)	Town of Boone	Waived
Entertainment (Stage, Sound)	Gall Productions	\$150.00
Marketing (Printing Posters, Website)	Creative Printing; Boone Community Network	\$100.00
Total		\$781.00

If DBDA is willing to consider financially co-sponsoring the Howard Street Exchange, we are confident that we can cover the costs associated with the festival. By co-sponsoring this event, the DBDA can further fulfill its mission of promoting local business and economic activity in the downtown Boone area. The Howard Street Exchange offers a chance to draw people downtown and showcase what our community has to offer on a day that typically has relatively little economic activity, as we propose that the Howard Street Exchange community street fair series occur on the 2nd or 3rd Sunday of the warmer summer months. The motivation for continuing this model of community event is rooted in the desire to increase awareness of what our economy has to offer in a fun, festive, public space.

Sincerely,
Boone Community Network



TOWN OF BOONE AGENDA ITEM ACTION REQUEST FORM

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Josh Eller Department: Public Utilities

Contact Phone # 828-682-5400 Date Submitted: 8/1/2013

Email: josh.eller@townofboone.net

Date of Council Meeting to consider this item: 8/27/13

Council Action Requested: For Action ☐ For Information ☒

Summary of Information:

John Winkler Water & Sewer Service Request. Please see attached for more information.



**Public Utilities Department
Utilities and Engineering Division**

To: Mayor Clawson, Town Council Members, and Town Manager

From: Ricky L. Miller, Public Utilities Director

Date: January 4, 2013

Subject: John Winkler Service Request

Mr. John Winkler is requesting to obtain water and sewer services for a property located on the corner of US Highway 321 and Clement Street. This request has been forwarded to Town Council because Ordinance 05-01 does not allow staff to approve service connections that are calculated to utilize more than 5000 gallons per day. This request has been tabled and modified for several months now. Mr. Winkler's original application for service indicated the proposed use of the service as Multi-Family units totaling 150 bedrooms, plus 16,000 square feet of retail space. Staff calculated a predicted usage of 23,652 gallons per day of which 6,600 gallons per day had already been allocated to the property under Mr. Matt Langston's name. Since then, the 6,600 gallons per day allocation has expired and the applicant has modified the application for the service as Multi-Family units totaling 130 plus 16,000 square feet of retail space. Staff has recalculated a predicted usage of 19,908 gallons per day for the proposed project. The property is located inside the Town of Boone corporate limits, is in the main pressure zone, and is adjacent to water and sewer mains.

Thank you. If you have any questions, or require any additional information, please feel free to contact me.

Town of Boone Application for: Wnk;i>Hi fj ni.hH-y Gc y;;t- Utility :-> i-vic0
 Ocpartment of Public Utilities
 321 Fast King Strcct
 Boone, NC 28607
 (818) 268-6250 FAX (828) 268-6257



Instructk)Js: Pte.ISI! compl tc sections I13 below. This form must be accompanied by a plat of the property. Incomplete
 3pplk: tions will not be acrpctcd. Compliance with the Town of Boone UDO and payment for all necessary infrast111ctures
 il..0dcd tu provide scrvices may be required. falsification of any infonnation will be justification for denial.

1. Applkan1's Name --;[:J "-----GJ..JUL !\''<-- ==---- Applicant's Phone 11 '2\$2_1? _?_6!/? -;/1, l (,
 Appl cant's E1 ail Address --Js jL<':.. 1,, j <y)!..)..//.2-... C.,tLJ:-
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6. Service Address (includin3Sircct N<Imi:) or Location Description o.3--L1tJu.n_pu ,,,_£.6L-/:: Jf:- J)_

7. TYPE OF DEVELOPMENT

- _Rcsidcnli<VSingle Family ☒ Commercial(St!!c rype) &]!i-IL Ltr-6 0_ o
 -----R Jsidcnial/Multi-Fmnilly Institutional(Statc Type)
 L:--: p of Unitsi.J S- Total# of Bedrooms ..Other(Stdte Type)

5 If applicable and10r r0quircd,y1 h\willing to annex the entire property for which utility scrviClisr ?qusted into the Town
 y)B:hh)J10 Cooperate Limits. NII

9, Ifnpplcabl11 and/or n.'quircd,I am willing to comply with the Town of Boone Unified Development Ordinance.@ No

10. If applicable and/or required, I am willing to pay for all costs associated with providing utility services to the property
 for which this r-tpplcation is mact.. No

11. Is a line extension required? ☒ Public t--- Private ---

12. Is the property for which this application is made undeveloped (i.e. without structure or vacant) Yes @

13. Has thr property for which this application is made been subdivided since 2005 Yes G

1'1. i\pplcant/Owncl- **Signature** :< --- Date of Application. 5-7-10

--- **TO BE COMPLETED BY STAFF** ---

Date Application Received 2/21/2010 Staff Initial EOP

Case # 10011

Pmpcrtty ,Jul"isdiclion --- Town Limits x--- ETJ. --- County ---

Stiff Comments: ---

[Signature]
 Public Utilities Director's Signature

6-7-10
 Date

Staff Approved In Home.. --- Date ---

Council i\pprovc,t --- Council Denied --- Clerk Initial ---

Clerk Conunen "'::: ---



APPLICATION FOR WATER AND SEWER UTILITY SERVICE
Town of Boone Public Utilities and Engineering Department
NRCD Discharge Schedule- calculated by Elisa O. Phillips

Date; Revised September 16, 2010 (Tabled October 21, 2010).

Applicant's Name; John Winkler

Business Name: 603 Blowing Rock Road, LLC

Property Owner's Name: Clement Blowing Rock, LLC

Service Address; 603 Blowing Rock Road

Type of Development: Multi-Family Housing/ Apartment/ Retail

NRCD rate is: Multi-Family rate is 150 Gpd/ per bedroom.
72 Gpd per 1,000 SF retail.

- Proposed project will consist of 16,000. SF retail =1,152. Gpd.
- Total number of bedrooms is 130 = 19,500. Gpd

Comments; This project is scheduled to appear before Town Council on September 23, 2010.
Projects total water & sewer allocation request is for 20,652. Gpd. This parcel has a 744 Gpd
consumption credit; therefore the total water & sewer allocation request will be for 19,908. Gpd.

If you have any further questions or concerns, Please feel free to call me at 828-268-6251.

Thank you.

John Winkler Service Request

126



Legend

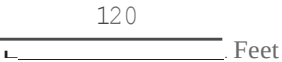
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Prepared By josh Eller
Departmen t of Public Utilities



REQUEST

APPLICANT: PROPERTY	John Winkler
OWNER: ADDRESS OR	Clement Blowing Rock Rd LLC
LOCATION: WATAUGA	603 Blowing Rock Rd.
COUNTY PIN(S): TYPE OF	2910-15-2964-000
DEVELOPMENT: SIZE:	Use 1.330 Multi-Family Apartments and Unknown Commercial
JURISDICTION:	0.72 acres
ZONING:	Town of Boone Corporate Limits B3 General Business and Corridor District

ANALYSIS

COMPREHENSIVE PLAN UPDATE

1.1 Overall Objectives for the Boone Comprehensive Plan (p. 15):

The following objectives, which have not been listed in any particular order of importance, are deliberately broad in scope and less specific than either a policy statement or an implementation action.

Economic Development: Acknowledge the area's natural beauty, university, and medical center presence as the Town's greatest assets for economic development and jobs creation. Treat them accordingly.

Community Appearance and Community Character: Blend the built environment with the natural, scenic, and historic character of a High Country small town. Especially discourage commercial strip development, cluttered signage, and "cheap" apartment buildings.

Open Space: Integrate open space and greenways into the urban fabric of the Town. Preserve the countryside by discouraging suburban sprawl. Avoid development in floodplains, on ridgetops, and on steep slopes.

Environmental Quality: Address and monitor growth factors and activities that contribute to water, air, light, and noise pollution.

Trees: Conserve existing trees and plant new trees, especially hardwoods.

Automobile Transportation: Maximize the efficiency of existing facilities, but not at the expense town and neighborhood character and livability. Build or expand transportation facilities and parking areas as needed, but with care. Work to reduce auto dependency, use, and congestion.

Bikeways: Implement the planned system of bikeways as a legitimate transportation alternative. Unify with greenways and other pedestrian facilities where possible.

Mass Transit: Enhance and support the mass transit system as an effective alternative to the congestion created by the individual automobile.

Pedestrian Movement: Encourage a system of sidewalks, paths, crosswalks and compact development patterns which make it easy to get around Boone on foot.

Infrastructure: Engage in long range planning for water and sewer systems, stormwater runoff, natural gas, and other utility systems. Place overhead utilities underground whenever feasible.

Public Safety: Maintain a high level of policing and fire protection and plan the expansion of public safety services to coincide with projected population increases and identified needs.

Energy and Waste: Reduce waste generation, and the consumption of energy and water. Develop area recycling programs to the fullest. Encourage an anti-litter consciousness among residents and visitors.

University: Emphasize cooperative planning among the Town, County, and University.

Downtown: Support and enhance the cultural and historic significance of downtown Boone, and affirm its appealing, pedestrian orientation. Page | 2

Recreation: Strive for additional public recreation facilities, especially sports fields, greenways and indoor recreation centers.

Neighborhoods: Ensure the livability of neighborhoods, especially through land use and traffic planning.

Public Involvement: Encourage active public involvement and volunteerism to expand the effectiveness of community planning and action.

1.2

Growth Strategy Map (p. 17): The property is located within Primary Growth Area. The Primary Growth Area is that portion of the urban growth area where urban level of facilities are already in place or can be provided most cost effectively. This is the area where near term growth and development is to be especially encouraged.

Staff has reviewed land use and comprehensive plan policies, and listed those policies which in staff's opinion have a bearing on the request. Council and the Planning Commission should review these policies carefully. Each member may make his or her own interpretation as to the relevance of each and which carry the most weight thereby shaping their overall recommendation.

Comprehensive Plan Policies

Comprehensive Plan Policies:

2.1.1 ECONOMIC DEVELOPMENT

- A. The Town shall protect and enhance a high quality of life, image, cultural amenities, and natural beauty as the most effective, long term component of an economic development strategy.
- D. Economic development efforts shall encourage the revitalization and reuse of currently unused or underutilized structures, sites and infrastructure in appropriately located areas.

2.2.2 UTILITIES

- B. Water and sewer services shall be concentrated within the limits of a geographically defined Urban Growth Area. The Primary Growth Area shall receive first priority for the provision or enhancement of water and sewer services.

2.2.5 ENVIRONMENTAL QUALITY

- C. Development activities in the 100 year floodplain or near lakes or streams shall be carefully controlled. If development must occur, low intensity uses such as open space, recreation and adequately buffered agricultural or forestry activities shall be preferred.

2.3 THE COMMUNITY

- A. Urban type development within the Urban Growth Area shall meet appropriate Town standards.

2.3.2 COMMUNITY CHARACTER

E. New development, redevelopment and rehabilitation of structures and sites shall occur in a manner which is consistent with the neighborhood and architectural context of the immediate area, and supportive, whenever possible, of Boone's original community character as a High Country small town.

2.3.3 HOUSING & NEIGHBORHOODS

- C. Proposed residential development which would expose residents to harmful effects of incompatible development or to environmental hazards shall be prohibited.
- D. Innovative and flexible land planning and development practices shall be encouraged to create livable developments which better safeguard land, water, energy and historic resources.
- F. Factors in determining preferred locations for high density residential development shall include: close proximity to the university, employment or shopping centers; access to major thoroughfares and the transit system; the availability of public services and facilities; and compatibility with adjacent land uses.
- H. The overall housing unit density for proposed infill residential development or redevelopment should be compatible with the average density of existing areas.

Boone 2030 Land Use Plan:

The property is located in the G-3 Mixed-Use Sector as well as a Regional Center. The G-3 Sector is intended to apply along high-capacity regional thoroughfares at major transportation nodes, or along portions of highly traveled corridors. G-3 land generally falls within areas for higher-intensity regional-serving development. Care should be taken to limit the length of G-3 corridor development to avoid the creation of lengthy, undifferentiated linear strip development.

Appropriate Land Uses/Development Types:

- Single family and multifamily residential
- Neighborhood serving commercial uses
- Civic uses
- Traditional neighborhood developments
- Regional centers
- Industrial districts

Regional Centers are mixed-use activity centers with employment and commercial uses that attract people from beyond the immediate neighborhoods and from surrounding communities. These centers are appropriate for commercial and employment development as well as the area's highest density housing. The area of these centers is based on a 1/2 mile radius (a typical 10-minute walk)-the larger black circles on the Framework Map. Regional centers are envisioned for downtown Boone and the historic university core; around the hospital and the current high school site; and at the intersection of US 321 and NC 105; and around the intersection of US 321 and Shadowline Drive. These centers will provide the highest concentrations of residential and employment in the Plan area.

Zoning

The property is zoned B-3 General Business and Corridor District. NOTE: TEXT MODIFYING MULTI-FAMILY USES HAS BEEN SENT TO THE FEBRUARY 2013 QUARTERLY PUBLIC HEARING BY COUNCIL.

Land Use

Currently located on the property is a former restaurant that is not in use. The application does not indicate the number of units but does indicate 150 bedrooms and 16,000 square feet of commercial. The Planning and Inspections Department has not received any applications or site plans for this project.

Adjacent "current" land uses and zoning districts

Land Use and Zoning of Adjacent Properties		
	Current Land Use	Zoning
North	ASU Alumni Center	B-2 Neighborhood Business
East	Appalachian Package (commercial) and EGM Investments (Multi-Family Apartments)	B-3 General Business
South	EGM Investments (parking for Multi-Family Apartments) and Hamptons Funeral Service	B-3 General Business
West	Hardees (across Blowing Rock Road)	B-3 General Business

Page | 4

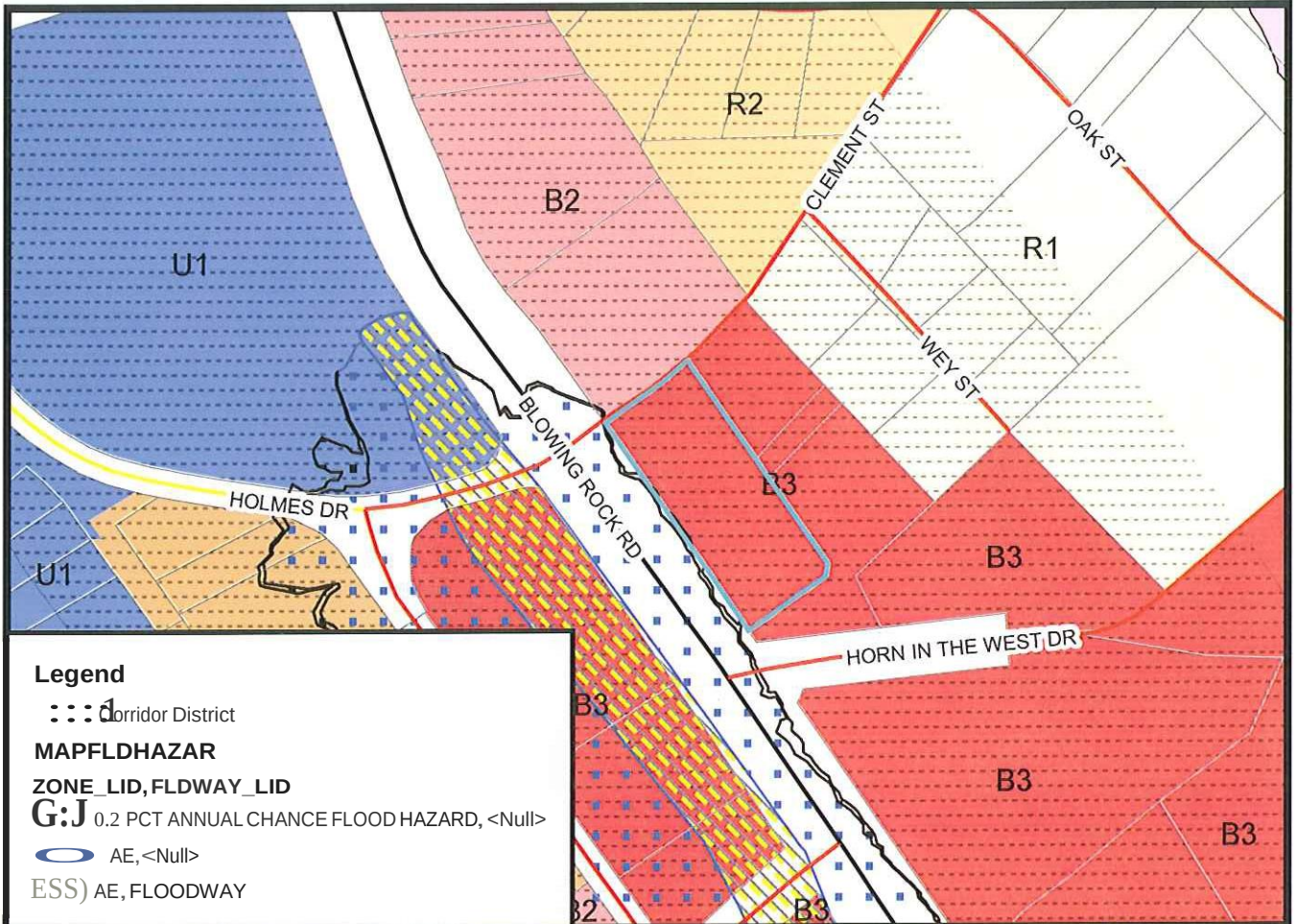
Transportation

Access to the property is currently from either Blowing Rock Road.

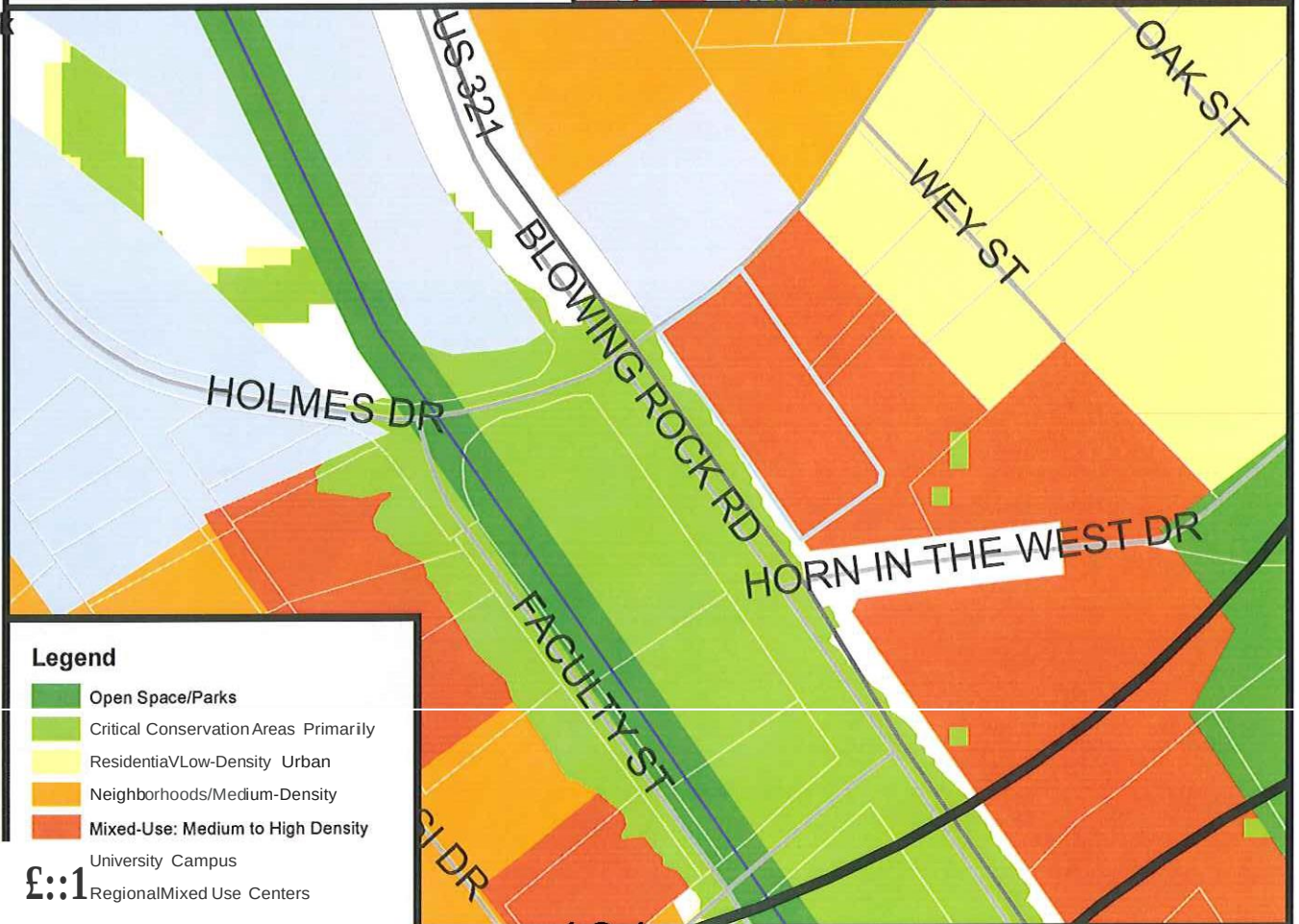
Prepared by Planning and Inspections Staff

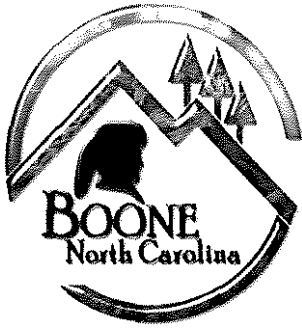
Winkler Water Request Planning Analysis- May 2013

Zoning Map



Framework Plan





TOWN OF BOONE AGENDA ITEM ACTION REQUEST FORM

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Josh Eller Department: Public Utilities

Contact Phone # 828-688-2541 Date Submitted: 5/10/13

Email: josh.eller@townofboone.net

Date of Council Meeting to consider this item: 5/23/13

Council Action Requested: For Action ☒ For Information ☐

Summary of Information:

Connie Keller Water & Sewer Service Request. Please see attached for more information.



**Public Utilities Department
Utilities and Engineering Division**

To: Mayor Clawson, Town Council Member, '1Town Manager

From: Ricky L. Miller, Public Utilities Director'1Jh

Date: May 10,2013

Subject: Connie Keller Service Request

Ms. Connie Keller is requesting to obtain water and sewer services fill'propetty located on the corner of Betsy's Drive and Bamboo Road. This request has been f(mvarded to Town Council because Ordinance 11-01 docs not allow fill·staff'lo approve service connections requests fill'propettics located outside the Boone Town limits and ETJ area. Staff has calculated a predicted usage of 180 gallons per day f()r this propctty. As previously stated, the propct1y is located outside the Town of Boone coqxmttc limits and ETJ area. The propctty in question is in the main pressure zone, and is also adjacent to an existing water main however a utility extension would be needed in order to provide sewer service to this propetty.

Thank you. If you have any questions, or require any additional intinnation lcelti·cc to contact me.

Town of Boone, Application for Water and Sanitary Sewer Utility Service
 Department of Public Utilities
 321 East King Street
 Boone, NC 28607
 (828) 268-6250 FAX (828) 268-6257



Instructions: Please complete sections 1-13 below. This form must be accompanied by a plat of the property. Incomplete applications will not be accepted. Compliance with the Town of Boone UDO and payment for all necessary infrastructure needed to provide services may be required. Falsification of any information will be justification for denial.

Applicant's Name: Mr. [illegible] Applicant's Phone: [illegible]
 3. Application Fee: [illegible]
 1. Property Owner: [illegible] Name: [illegible] Phone: [illegible]
 5. Property Owner's Address: [illegible]
 6. Self-Check Address (Indicate Street Name) or Location Description: [illegible]

1. TYPE OF DEVELOPMENT

0 - Residential Single-Family --Commercial (State Type)
 Residential Multi-Family Institutional (State Type)
2 - Total # of Bedrooms -----Other (Specify Type)

8. Is application required, or is it voluntary to annex the entire property for which utility service is requested into the Town of Boone Cooperative Limits? Q No

9. If applicable and/or required, I am willing to comply with the Town of Boone Unified Development Ordinance. Q No

10. If applicable and/or required, I am willing to pay for all costs associated with providing utility services to the property for which this application is made. Q No

11. Is an extension required? 8 No Public Private

12. Is the property for which this application is made undeveloped (i.e. without structure or vacant)? Yes

13. Does the property meet the application stage established since 2005? Yes C.O.

14. Application Fee: [illegible] Date of Application: 4/25/2013

TO BE COMPLETED BY STAFF

Has application been received since 4/15/2013? Staff Initial: EOI

Case # 10113

Property Jurisdiction: [illegible] Town Limits: [illegible] ETJ: [illegible] County: [illegible]

Staff Comment:

[Signature]
 Public Utilities Director

[Signature]
 Clerk

Staff Approved In House: [illegible]

Council Approved: [illegible] Council Denied: [illegible] Clerk Initial: [illegible]

Clerk Comments:



APPLICATION FOR WATER AND SEWER UTILITY SERVICE

Town of Boone Public Utilities and Engineering Department

NRCD Discharge Schedule- Calculated by Elisa O. Phillips

Applicant's Name: Keller, Connie

Property Owner's Name: Same

Service Address: 119 Betsy's Drive, Boone

Type of Development: Single-Family

NRCD Rate is: 90 Gpd/ per Bedroom

- Residential home with 2 bedroom

Comments: This project is scheduled to appear before Town Council on May 23, 2013.
Projects total water & sewer allocation request is for 180. Gpd. This project is located in the
County Limits.

If you have any further questions or concerns, Please feel free to call me at 828-268-6251.

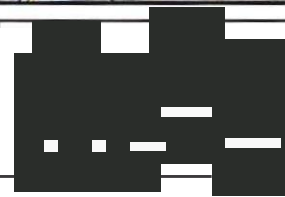
Thank you.

W
(J')



Connie Keller Water & Sewer Service Request

Prepared by John Eller
3/20/20



Feet





REQUEST

APPLICANT: PROPERTY	Connie Keller
OWNER: ADDRESS OR	Connie Keller
LOCATION: WATAUGA	119 Betsy's Drive
COUNTY PIN(S): TYPE OF	2829285755000
DEVELOPMENT: SIZE:	Use 1.110 Single Family Residence
JURISDICTION:	0.869 acre
ZONING:	Watauga County
	Not Zoned

ANALYSIS

COMPREHENSIVE PLAN UPDATE

1.1 Overall Objectives for the Boone Comprehensive Plan (p.15):

The following objectives, which have not been listed in any particular order of importance, are deliberately broad in scope and less specific than either a policy statement or an implementation action.

Economic Development: Acknowledge the *area's* natural beauty, university, and medical center presence as the Town's greatest assets for economic development and jobs creation. Treat them accordingly.

Community Appearance and Community Character: Blend the built environment with the natural, scenic, and historic character of a High Country small town. Especially discourage commercial strip development, cluttered signage, and "cheap" apartment buildings.

Open Space: Integrate open space and greenways into the urban fabric of the Town. Preserve the countryside by discouraging suburban sprawl. Avoid development in floodplains, on ridgetops, and on steep slopes.

Environmental Quality: Address and monitor growth factors and activities that contribute to water, air, light, and noise pollution.

Trees: Conserve existing trees and plant new trees, especially hardwoods.

Automobile Transportation: Maximize the efficiency of existing facilities, but not at the expense town and neighborhood character and livability. Build or expand transportation facilities and parking areas as *needed*, but with care. Work to reduce auto dependency, *use*, and congestion.

Bikeways: Implement the planned system of bikeways as a legitimate transportation alternative. Unify with greenways and other pedestrian facilities where possible.

Mass Transit: Enhance and support the mass transit system as an effective alternative to the congestion created by the individual automobile.

Pedestrian Movement: Encourage a system of sidewalks, paths, crosswalks and compact development patterns which make it easy to get around Boone on foot.

Infrastructure: Engage in long range planning for water and sewer systems, stormwater runoff, natural *gas*, and other utility systems. Place overhead utilities underground whenever feasible.

Public Safety: Maintain a high level of policing and fire protection and plan the expansion of public safety services to coincide with projected population increases and identified needs.

Energy and Waste: Reduce waste generation, and the consumption of energy and water. Develop area recycling programs to the fullest. Encourage an anti-litter consciousness among residents and visitors.

University: Emphasize cooperative planning among the Town, County, and University.

Downtown: Support and enhance the cultural and historic significance of downtown Boone, and affirm its Page 12
appealing, pedestrian orientation.

Recreation: Strive for additional public recreation facilities, especially sports fields, greenways and indoor recreation centers.

Neighborhoods: Ensure the livability of neighborhoods, especially through land use and traffic planning.

Public Involvement: Encourage active public involvement and volunteerism to expand the effectiveness of community planning and action.

1.

2

Growth Strategy Map (p. 17): The property is located within Rural Area. The Primary Growth Area is that portion of the planning study area that is influenced by urban area growth forces, but within which urban level development should be strongly discouraged. Urban level services and associated development densities should not be planned for this area, except in case by case evaluations of major economic development projects.

Staff has reviewed land use and comprehensive plan policies, and listed those policies which in staff's opinion have a bearing on the request. These policies should be reviewed carefully and each member should make his or her own interpretation as to the relevance of each and which carry the most weight thereby shaping their overall recommendation.

Comprehensive Plan Policies

Comprehensive Plan Policies:

2.1.1 ECONOMIC DEVELOPMENT

A. The Town shall protect and enhance a high quality of life, image, cultural amenities, and natural beauty as the most effective, long term component of an economic development strategy.

2.2.2 UTILITIES

A. Extensions of water and/or sewer services that could result in scattered, non-directed development and costly provision of other urban services shall be prohibited.

B. Water and sewer services shall be concentrated within the limits of a geographically defined Urban Growth Area. The Primary Growth Area shall receive first priority for the provision or enhancement of water and sewer services.

D. Water and sewer services shall not be extended to properties in the Rural Area (outside the Urban Growth Area). Exceptions to this policy may include the provisions of services to other local governments, cooperative agreements on major economic development initiatives, and extensions needed to address imminent public health problems or related environmental hazards.

Boone 2030 Land Use Plan:

The property is located in the G-1 Low Density/Primarily Residential sector on the Framework Plan. The G-1 sector is intended for relatively low density residential development. This sector includes existing low-density residential neighborhoods that are not appropriate for redevelopment. It also includes lands that are not

proximate to thoroughfares and are not projected to be high growth areas due to limited access to transportation networks and utilities.

Appropriate development typically consists of cluster developments such as conservation subdivisions, or low-density residential development on relatively large lots. For Boone, this sector is generally located away from planned neighborhood or regional centers and close to heavily encumbered 0-1 or 0-2 land.

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Appropriate Land Uses/Development Types:

- Low density cluster developments or hamlets (a clustering of buildings around a rural crossroad)
- Low density residential development comprised predominately of single family detach structures and small scale multiple family units (e.g. duplexes, triples) (up to 5 units per acres- except where limited by watershed rules to 1 single family unit per two acres (WS-11) or 2 single family units per acres (WS-IV))
- Limited convenience retail uses
- Civic uses (parks, schools, religious and government uses)

Zoning

This property is within Watauga County's jurisdiction and is not zoned. If annexed this property would have to be zoned, which should include a watershed overlay.

Land Use

The site is currently developed with a single-family home.

Adjacent "current" land uses and zoning districts

Land Use and Zoning of Adjacent Properties		
	Current Land Use	Zoning
North	Deer Valley Racquet Club	B-3 General Business
East	Single-Family Dwelling	Not zoned (Watauga County jurisdiction)
South	Vacant parcel	Not zoned (Watauga County jurisdiction)
West	Single-Family Dwelling	R-A Residential Agriculture

Transportation

Access to the property is from Bamboo Road and Betsy's Drive.

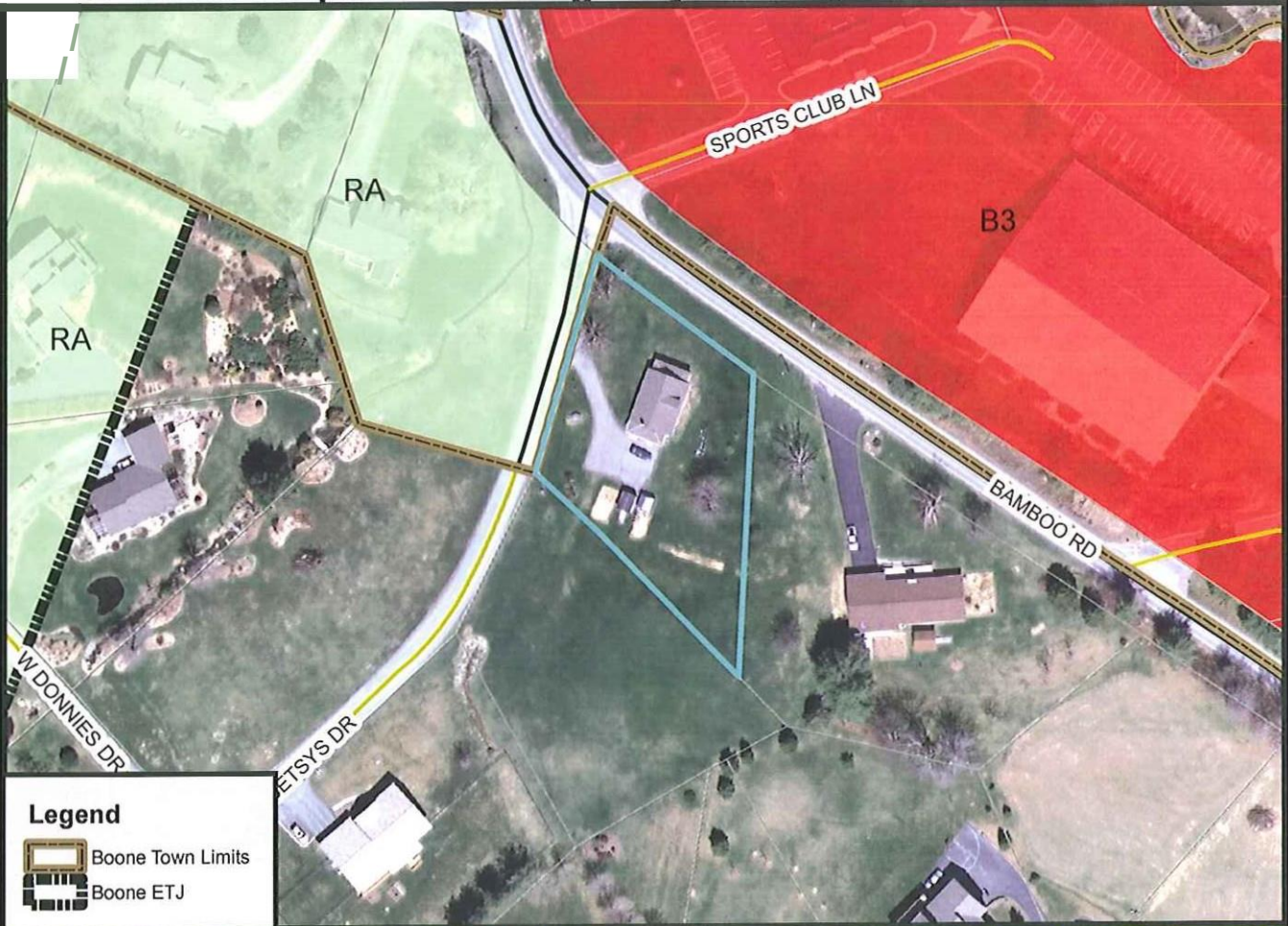
Annexation

Based upon GIS, it appears this property would be eligible for contiguous annexation.

Prepared by Planning and Inspections Staff

Keller Water Request Planning Analysis- May 2013

Zoning Map



Framework Plan

