

**MINUTES – REGULAR MEETING
BOONE TOWN COUNCIL
June 15, 2017**

CALL TO ORDER

A regular meeting of the Boone Town Council was called to order at 5:30 p.m. Thursday, June 15, 2017, in the Council Chambers located at 1500 Blowing Rock Road. Mayor Rennie Brantz presided. Council members present were Mayor Pro Tem Lynne Mason, Loretta Clawson, Charlotte Mizelle, Jennifer Teague and Jeannine Underdown Collins. Town Attorney Allison Meade was in attendance. Staff present were Town Manager John Ward, Town Clerk Christine Pope, Planning Director Jane Shook, Public Works Director Rick Miller, Deputy Public Works Director Josh Eller, Police Chief Dana Crawford, Fire Chief Jimmy Isaacs, Finance Director Amy Davis and Town Intern Tyler Cook.

ANNOUNCEMENTS

Mayor Brantz announced upcoming events including Doc Watson Day, and the 4th of July parade and fireworks.

TENTATIVE AGENDA ADOPTION

MOTION TO ADOPT AGENDA

Town Manager John Ward noted the following amendments to the agenda:

1. Move Item 7.C. - Approval of Budget Ordinance for FY 17/18 to Council Matters.
2. Move Item 7.G. - Approval of Outside Agency Funding Allocations to Council Matters.
3. Delete Item 9.A. from Closed Session.

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

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

PUBLIC HEARING ON PROPOSED BUDGET FY 2017/18

Town Attorney Allison Meade opened the public hearing on the Proposed Budget for FY 2017/18 at 5:34 p.m.

Carson Sailor of the Southern Appalachian Historical Association thanked Council for their continuing support of Horn in the West and SAHA.

Town Manager John Ward provided Council with a brief summary of the budget ordinance.

With no further comments, Ms. Meade closed the hearing at 5:38 p.m.

PUBLIC HEARING ON ANNEXATION FOR MANSA HOSPITALITY, LLC

Town Attorney Allison Meade opened the public hearing on the annexation for Mansa Hospitality, LLC at 5:39 p.m. With no one signed up to speak on this item, Ms. Meade closed the hearing at 5:39 p.m.

PUBLIC COMMENT

Andy Mason of 692 Market Hills Drive, Terry Covell of Wake Robin Lane and Susie Winters spoke against the Radford Quarries asphalt plant off of Rainbow Trail and asked Council to work with Watauga County to do everything it can to make sure the project does not move forward. Mr. Mason presented a copy of the petitioner's brief in connection with Appalachian Materials, LLC v. Watauga County, et al. (permanently on file in June 2017 Town Council meeting file).

CONSENT AGENDA ADOPTION

Town Manager John Ward presented the consent agenda. Council Member Mason asked that the North Carolina governor and lieutenant governor be added to have a copy of the resolution supporting the establishment of an independent redistricting process be sent to them. Upon a motion by Council Member Mason, seconded by Council Member Underdown Collins, Council moved to adopt the consent agenda with the amended resolution.

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

SEPT. 24, 2015 MINUTES - WATER USE COMMITTEE

TOWN COUNCIL - REGULAR MEETING - MAY 18, 2017 5:30 PM

ADOPTION OF ORDINANCE - MANSA HOSPITALITY, LLC ANNEXATION

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE **TOWN OF BOONE, NORTH CAROLINA** ***(Mansa Hospitality, LLC)***

WHEREAS, the Town Council has been petitioned under G.S. 160A-31 to annex the area described below; and

WHEREAS, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at Council Chambers at 1500 Blowing Rock Road at 5:30 p.m. on June 15th, 2017, after due notice by the Watauga Democrat on May 31st, 2017; and

WHEREAS, the Town Council finds that the petition meets the requirements of G.S. 160A-31;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Boone, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Boone, as of June 15th, 2017:

The southern 2.592 acre portion of the lands conveyed to Waltson Associates by deed recorded Book of Records 120 at page 305 not currently within the limits of the Town of Boone and lying on the north side of NCSR No. 1542, commonly known as Jordan V. Cook Road and on the west side of U.S. Highway No. 221/321, bounded on the south by NCSR No. 1542, on the west by Boone Ventures Two, LLC and Horizon Acquisition #2, LLC, on the north by the remaining lands of Waltson Associates and on the east by US Hwy. No. 221/321 as surveyed by Donald H. McNeil, P.L.S., L-2809, survey no. 16166-a, dated November 11, 2016 as BEGINNING on a point in the center of US Hwy 221/321 located South 07 degrees 13 minutes 15 seconds East 677.96' feet from NCGS Monument "DEERFIELD" having NCGS NAD '83 coordinates Northing = 900,535.758, Easting = 1,217,354.964, thence from the BEGINNING and with the center of US Highway 221/321, and the town limits line with a curve to the right having a radius of 958.97 feet, arc length of 225.80 feet (chord: South 14 degrees 32 minutes 15 seconds West 225.28 feet) to a point at the intersection of US Highway 221/321 and N.C.S.R. 1542; thence with the center line of N.C.S.R. 1542 the following (8) courses and distances; (1) North 72 degrees 55 minutes 40 seconds West 68.05 feet to a Steel Spike Set, (2) North 84 degrees 52 minutes 40 seconds West 52.39 feet to a point, (3) South 81 degrees 26 minutes 40 seconds West 45.49 feet to a point, (4) South 73 degrees 56 minutes 40 seconds West 49.55 feet to a point, (5) South 72 degrees 56 minutes 05 seconds West 59.19 feet to a point, (6) South 72 degrees 04 minutes 55 seconds West

66.69 feet to a point, (7) South 69 degrees 36 minutes 50 seconds West 54.64 feet to a point, (8) South 63 degrees 27 minutes 10 seconds West 24.96 feet to an existing railroad spike, said spike being the southeast corner of the lands of Boone Ventures Two, LLC by deed recorded in Book of Records 878 at page 252 and corner of the Town of Boone City Limits; thence leaving N.C.S.R. 1542 and with the line of Boone Ventures Two LLC and the City Limits line, North 01 degrees 12 minutes 15 seconds East 261.45 feet to an existing 5/8" rebar, the south eastern corner of the lands conveyed to Horizon Acquisition #2 LLC by deed recorded in Book of Records 1600 Page 130; thence with the eastern line of Horizon Acquisition #2 LLC and continuing with the City Limits line, North 01 degrees 12 minutes 15 seconds East 93.88 feet to a point, said point being located South 01 degrees 12 minutes 15 seconds West 245.91 feet from an existing 1/2" pipe; thence with the Town of Boone City Limits line as it crosses the lands of Waltson Associates, South 80 degrees 48 minutes 00 seconds East 458.39 feet to the BEGINNING and covering an area of 2.592 acres, having bearings relative to NCGS NAD '83 and all distances being horizontal measurements.

Section 2. Upon and after June 15th, 2017, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Boone and shall be entitled to the same privileges and benefits as other parts of the Town of Boone. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Boone shall cause to be recorded in the office of the Register of Deeds of Watauga County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections as required by G.S. 163-288.1.

ATTEST:

Rennie Brantz, Mayor

Christine Pope, Town Clerk

(ORDINANCE TO BE TYPED IN BOOK 4, PAGES 100-101)

APPROVAL OF RESOLUTION OF SUPPORT - DOUGHTON PARK ON BLUE RIDGE PARKWAY

RESOLUTION APPROVING REOPENING OF FACILITIES AT DOUGHTON PARK
ON THE BLUE RIDGE PARKWAY

WHEREAS, the Blue Ridge Parkway is the most visited unit in the National Park Service, attracting over 15 million visitors annually; and

WHEREAS, the economic impact on gateway communities from visitors to the Blue Ridge Parkway is over \$1.3 billion annually, supporting over 15,000 jobs; and

WHEREAS, the Blue Ridge Parkway contains 8 concession facilities along its 469 miles, intended to enhance and support visitor experience; and

WHEREAS, Doughton Park, located at milepost 241, is the largest recreation facility along the Blue Ridge Parkway, covering 7,000 acres and containing 30 miles of hiking trails; and

WHEREAS, Doughton Park honors Robert L. Doughton of Laurel Springs, who served in the US House of Representatives continuously from 1911 until 1953, and who was instrumental in the development and location of the Blue Ridge Parkway in northwestern North Carolina; and

WHEREAS, Doughton Park contains Bluffs Lodge, a restaurant, and gift shop which have been closed since 2010 and have fallen into disrepair; and

WHEREAS, necessary repairs to the facilities at Doughton Park are estimated to cost \$3,688,461; and

WHEREAS, availability of the concession facilities at Doughton Park are important for attracting visitors to the relatively-remote section of the Blue Ridge Parkway, located between the more popular Blue Ridge Music Center to the north and Moses Cone and Julian Price Parks to the south; and

WHEREAS, the reopening of Doughton Park concession facilities will have direct positive economic impact on the surrounding businesses, workforce, and Town and County governments.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Boone, North Carolina, supports efforts of local governments and the Blue Ridge Parkway Foundation to reopen the facilities at Doughton Park.

Adopted this the 15th day of June, 2017.

ATTEST:

Mayor Rennie Brantz

Town Clerk Christine Pope

(RESOLUTION TO BE TYPED IN BOOK 3, PAGE 322)

APPROVAL OF RESOLUTION TO PROCEED WITH FY 2016/17 LEASE PURCHASE FINANCING - HIGHLANDS UNION BANK

CORPORATE AUTHORIZATION RESOLUTION

HIGHLANDS UNION BANK
P. O. BOX 1128
ABINGDON, VA 24212

By: TOWN OF BOONE
P O DRAWER 192
BOONE, NC 28607

Referred to in this document as "Financial Institution"

Referred to in this document as "Corporation"

I, _____, certify that I am Secretary (clerk) of the above named corporation organized under the laws of _____, Federal Employer I.D. Number 56-6001185, engaged in business under the trade name of TOWN OF BOONE, and that the resolutions on this document are a correct copy of the resolutions adopted at a meeting of the Board of Directors of the Corporation duly and properly called and held on _____ (date). These resolutions appear in the minutes of this meeting and have not been rescinded or modified.

AGENTS Any Agent listed below, subject to any written limitations, is authorized to exercise the powers granted as indicated below:

Name and Title or Position	Signature	Facsimile Signature (if used)
A. <u>RENNIE BRANTZ, MAYOR</u>	X _____	X _____
B. <u>JOHN WARD, TOWN MANAGER</u>	X _____	X _____
C. <u>AMY DAVIS, FINANCE DIRECTOR</u>	X _____	X _____
D. <u>REBECCA LOVE, FINANCE SUPERVISOR</u>	X _____	X _____
E. _____	X _____	X _____
F. _____	X _____	X _____

POWERS GRANTED (Attach one or more Agents to each power by placing the letter corresponding to their name in the area before each power. Following each power indicate the number of Agent signatures required to exercise the power.)

Indicate A, B, C, D, E, and/or F	Description of Power	Indicate number of signatures required
<u>A, B, C, D,</u>	(1) Exercise all of the powers listed in this resolution.	<u>4</u>
_____	(2) Open any deposit or share account(s) in the name of the Corporation.	_____
_____	(3) Endorse checks and orders for the payment of money or otherwise withdraw or transfer funds on deposit with this Financial Institution.	_____
_____	(4) Borrow money on behalf and in the name of the Corporation, sign, execute and deliver promissory notes or other evidences of indebtedness.	_____
_____	(5) Endorse, assign, transfer, mortgage or pledge bills receivable, warehouse receipts, bills of lading, stocks, bonds, real estate or other property now owned or hereafter owned or acquired by the Corporation as security for sums borrowed, and to discount the same, unconditionally guarantee payment of all bills received, negotiated or discounted and to waive demand, presentment, protest, notice of protest and notice of non-payment.	_____
_____	(6) Enter into a written lease for the purpose of renting, maintaining, accessing and terminating a Safe Deposit Box in this Financial Institution.	_____
_____	(7) Other _____	_____

LIMITATIONS ON POWERS The following are the Corporation's express limitations on the powers granted under this resolution.

EFFECT ON PREVIOUS RESOLUTIONS This resolution supersedes resolution dated _____. If not completed, all resolutions remain in effect.

CERTIFICATION OF AUTHORITY

I further certify that the Board of Directors of the Corporation has, and at the time of adoption of this resolution had, full power and lawful authority to adopt the resolutions on page 2 and to confer the powers granted above to the persons named who have full power and lawful authority to exercise the same. (Apply seal below where appropriate.)

☐ If checked, the Corporation is a non-profit corporation.

In Witness Whereof, I have subscribed my name to this document and affixed the seal of the Corporation on 06-15-2017 (date).

Attest by One Other Officer _____

Secretary _____

(page 1 of 2)

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(RESOLUTION TO BE TYPED IN BOOK 3, PAGE 323)

APPROVAL OF BUDGET AMENDMENTS**Year-End Budget Amendments**

Account #	Description	Department	Amount
010-403-000-535101 – Tax Collection Fee	Additional revenue collection fee	Tax Collections	\$5,000.00
010-000-000-411080 – Current Year Taxes	Ad valorem tax collection revenue	General Fund Revenue	\$(5,000.00)
010-400-000-539907 – Grant Funding	Distribute expense to PD line items	Police Department	\$69,108.00
010-000-000-448027 – State of NC – Dept of Public Safety	Rev. to distribute to department expense	General Fund Revenue	\$(69,108.00)
030-700-890-598031 – Transfer to Water Capital Reserve	YTD actual collection	Water/Sewer	\$383,570.00
030-700-890-598032 – Transfer to Sewer Capital Reserve	YTD actual collection	Water/Sewer	\$438,593.00
030-000-000-467301 – Availability Fees – Water	YTD actual collection	Water/Sewer	\$(383,570.00)
030-000-000-467302 – Availability Fees – Sewer	YTD actual collection	Water/Sewer	\$(438,593.00)
030-700-801-577000 – Contracted Services (Water Project)	Funds needed for construction	Water/Sewer	\$6,018,950.00
030-000-000-498033 – Transfer from Raw Water Cap. Rsv.	Funds needed for construction	Water/Sewer	\$(6,018,950.00)
035-430-000-535611 – Group Medical Insurance Claims	Allowance for year end	Health Insurance	\$350,000.00
035-430-000-450002 – Retiree % Health Insurance	Allowance for year end	Health Insurance	\$(3,150.00)
035-430-000-450003 – Insurance Revenue General Fund	Allowance for year end	Health Insurance	\$(20,000.00)
035-430-000-450004 – Insurance Revenue Water/Sewer Fund	Allowance for year end	Health Insurance	\$(22,000.00)
035-430-000-499900 – Appropriated Fund Balance	Allowance for year end	Health Insurance	\$(304,850.00)

Description	Account #	To	From
Cultural Resources – Special Projects/Events	010-418-000-549121	\$2,663	

Cultural Resources Revenue-Fees	010-000-000-484111		(\$2,663)
Salaries – Fire Department	010-500-350-501101	\$64,371	
Maintenance & Repair – Building (Fire Station #1)	010-406-000-525101	\$675	
Maintenance & Repair – Building (Fire Station #2)	010-415-000-525101	\$1,694	
FEMA-SAFR Grant	010-000-000-461501		(\$64,371)
FEMA-Exhaust Fan Grant	010-000-000-448030		(\$2,369)
Capital Outlay – Other Equipment	010-500-300-574000	\$5,000	
Contributions/Donations	010-000-000-482200		(\$5,000)
Miscellaneous Supplies	010-500-300-519900	\$2,768	
Dues and Subscriptions	010-500-300-539100	\$6,447	
Travel & Training CID/SORT	010-500-300-521102	\$420	
State of NC – Department of Public Safety Grant Funds	010-000-000-448027		(\$9,635)

APPROVAL OF ENCROACHMENT AGREEMENT - HARROD/AP, LLC

STATE OF NORTH CAROLINA
COUNTY OF WATAUGA

ENCROACHMENT AGREEMENT

THIS ENCROACHMENT AGREEMENT is made and entered into this ____ day of ____, 20__, by and between the TOWN OF BOONE, party of the first part; and Harrod/AP, LLC, party of the second part.

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

THAT WHEREAS, the party of the second part desires to encroach on public land designated as a public sidewalk/public street/public park/public land (hereinafter referred to as the “public land”) located at: South Water Street north of its intersection with River Street with the following: 10 lf 12” HDPE, 10 lf 6” HDPE, 124 sf brick pavers & 41 sf concrete sidewalk (hereinafter referred to as “the encroaching facility,” see attached site plan for details); and

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

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

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

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

That the party of the second part agrees to provide during construction and any subsequent maintenance

proper signs, signal lights, flagmen and/or other warning devices, as necessary or as requested by the party of the first part Director of Public Works or his designee, for the protection of the public and in the case of encroachment into a street right of way, in conformance with the latest Manual on Uniform Traffic Control Devices for Street and Highways and amendments or supplements thereto. Information as to the above rules and regulations may be obtained from the party of the first part.

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

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

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

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

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

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

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

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

That it is agreed by both parties that this agreement shall become void if actual construction of the work contemplated herein is not begun and completed within 3 year(s) from the date of this agreement unless written waiver is secured by the party of the second part from the party of the first part.

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

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

Town of Boone

By: _____
Mayor

ATTEST:

Town Clerk

Party of the Second Part

By: _____
Member-Manager

ATTEST:

Witness

Printed Name Party of the Second Part

(Executed copy of this agreement on file in Town Hall)

APPROVAL OF UNDERGROUND SERVICE AGREEMENT AND UTILITY EASEMENTS - BLUE RIDGE ELECTRIC MEMBERSHIP CO.

(Exhibit A following official minutes.)

AWARD OF BID FOR HAULING AND PLACEMENT OF ASPHALT - SHATLEY CONSTRUCTION/PAVING, INC.

AWARD OF BID FOR DECK HILL WATER TANK REHABILITATION - CAROLINA MANAGEMENT TEAM

CONSIDERATION OF PROPOSAL FOR WATER AND SEWER RATE AND FEE STUDY BY RAFTELIS FINANCIAL CONSULTANTS, INC.

CONSIDERATION OF REVISIONS TO WATAUGA COUNTY COMPREHENSIVE TRANSPORTATION PLAN FOR BOONE AREA

HISTORIC PRESERVATION COMMISSION REQUEST - LOCAL LANDMARK DESIGNATION FOR LINNEY HOUSE AND FORMER LINNEY LAW OFFICE

REQUEST FOR APPROVAL OF SPECIAL EVENT PERMIT FOR THE 2017 ASU HOMECOMING PARADE AND ACCOMPANYING BUDGET AMENDMENT

Description	Account No.	To	From
Overtime – Police Department	010-500-300-501201	\$750	
Overtime – Street Department	010-600-401-501201	\$750	
Appropriated Fund Balance – General Fund	010-000-000-499900		(\$1,500)

REQUEST FOR APPROVAL OF SPECIAL EVENT PERMIT FOR THE GRAND BOULEVARD ANNUAL 4TH OF JULY BLOCK PARTY AND ACCOMPANYING BUDGET AMENDMENT

Description	Account No.	To	From
Overtime – Police Department	010-500-300-501201	\$750	
Overtime – Street Department	010-600-401-501201	\$750	
Appropriated Fund Balance – General Fund	010-000-000-499900		(\$1,500)

APPROVAL OF RESOLUTION TO SUPPORT ESTABLISHMENT OF INDEPENDENT REDISTRICTING PROCESS

RESOLUTION TO SUPPORT THE ESTABLISHMENT OF AN INDEPENDENT REDISTRICTING PROCESS TO DRAW LEGISLATIVE AND CONGRESSIONAL DISTRICTS THAT FAIRLY AND ACCURATELY REFLECT THE VOTING POPULATIONS IN BOONE, WATAUGA COUNTY, AND ALL DISTRICTS IN NORTH CAROLINA

WHEREAS, North Carolina’s current redistricting process creates a conflict of interest wherein State legislators are effectively choosing their own constituents; and,

WHEREAS, the redistricting process should be conducted in an open manner with real opportunities for public dialogue and feedback, not behind closed doors; and,

WHEREAS, legislative incumbents often draw districts that are not compact and split communities of interest; and,

WHEREAS, voters are more likely to participate when they feel that their vote will count and that they have a reasonable chance of electing candidates who represent their interests; and,

WHEREAS, elected officials are more responsive to constituents when voters have a choice of candidates, thus increasing accountability and serving the best interests of the voters of North Carolina;

WHEREAS, all of North Carolina will benefit from an independent, nonpartisan redistricting process which ensures fairness and transparency and promotes confidence in our political system;

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Boone, North Carolina, urges the State of North Carolina General Assembly to establish an independent redistricting process that ensures diversity, partisan balance and geography in all future redistricting.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to Governor Roy Cooper, Lieutenant Governor Dan Forest, Senator Phil Berger, President Pro Tempore, Representative Tim Moore, Speaker, State Senator Deanna Ballard and State Representative Jonathan Jordan.

Adopted this 15th day of June, 2017.

ATTEST:

Mayor Rennie Brantz

Town Clerk Christine Pope

(RESOLUTION TO BE TYPED IN BOOK 3, PAGE 324)

COUNCIL MATTERS

ADOPTION OF PROPOSED FY 2017/18 BUDGET

Town Manager John Ward presented the recommended fiscal year 2017/18 budget ordinance for Town Council's consideration and adoption. Council Member Teague made the following statement:

"I am disappointed that I cannot support this budget as I believe that most of the items listed in the budget deserve our full support, and will help to move Boone forward and provide for the needs of its citizens. However, in its current form, I cannot support it. While I believe both SAHA and App. Theatre are wonderful programs and add to the cultural richness of Boone, I do not believe that we are in a financial position to support these programs at this level. It disturbs me greatly that we have turned down over \$120,000 in requests for assistance with food, shelter, healthcare, library expenses, etc. and similar programs, which did go through the appropriate outside agency funding application process that the Town has currently set up. And yet, we have still found the money to support both SAHA and App. Theatre at this high level by taking it from our reserve fund balance. I'm sad, again, that I cannot support this budget, but I feel that we must use our financial resources wisely to provide for the needs of our community and for our future."

Upon a motion by Council Member Mason, seconded by Council Member Clawson, Council moved to adopt the FY 2017/18 Budget Ordinance:

ORDINANCE # 17-05

TOWN OF BOONE, NORTH CAROLINA 2017-2018 BUDGET ORDINANCE

BE IT ORDAINED by the Town Council of the Town of Boone, North Carolina that:

SECTION 1: It is established that the following revenues will be available in each fund listed for the operation of the Town of Boone government and its activities for the fiscal year beginning July 1, 2017 and ending June 30, 2018.

GENERAL FUND	
CURRENT YEAR TAXES	\$5,813,320

PRIOR YEAR TAXES	\$40,000
TAX PENALTIES & INTEREST	\$16,000
NCVTS TAXES	\$193,000
TAX REFUNDS	\$(1,000)
GROSS RECEIPTS TAX	\$35,000
PRIOR YEAR TAX REFUNDS	\$(500)
MUNICIPAL VEHICLE TAX	\$80,000
LOCAL SALES TAX 1%	\$1,289,000
LOCAL SALES TAX 1/2% (40)	\$544,900
LOCAL SALES TAX 1/2% (42)	\$635,000
LOCAL SALES TAX 1/4% (44)	\$500
LOCAL SALES TAX 1/4% (14) MEDICAID HOLD HARMLESS	\$434,000
SOLID WASTE DISPOSAL TAX	\$12,700
BUSINESS LICENSE	\$300
ROOM OCCUPANCY TAX	\$433,333
ROOM OCCUPANCY TAX - ADMIN	\$40,000
LOCAL VIDEO PROGRAMMING REVENUE	\$160,200
UTILITIES FRANCHISE TAX	\$900,000
TELECOMMUNICATIONS SALES TAX	\$188,000
BEER & WINE TAX	\$93,450
ABC REVENUES	\$475,000
ABC BOARD - LAW ENFORCEMENT	\$26,000
STATE FUNDS - POWELL BILL	\$441,400
PYMT IN LIEU OF TAXES - APPALACHIAN STUDENT HOUSING	\$129,220
BUILDING & SIGN PERMIT FEES	\$195,000
COURT COSTS, FEES & CHARGES	\$500
PARKING VIOLATION PENALTIES	\$325,000
PENALTIES - PLANNING & INSPECTIONS	\$2,500
POLICE FEES	\$16,000
SCHOOL RESOURCE OFFICER	\$69,615
FIRE PROTECTION CHARGES - ASU	\$195,000
FIRE DEPARTMENT - MISC. FEES/PERMITS	\$37,500
RECYCLING REVENUE	\$500
INTEREST EARNED ON INVESTMENTS	\$70,000
INTEREST EARNED ON POWELL BILL	\$500
LIBRARY LOT PARKING	\$4,000
TRACY CIRCLE PARKING	\$4,750
HORN IN THE WEST PARKING	\$65,000

JONES HOUSE PARKING	\$5,000
QUEEN STREET PARKING	\$30,000
BOOT FEES	\$1,500
PARKING METERS	\$465,000
FEMA - SAFR GRANT	\$147,069
SALE OF SURPLUS PROPERTY	\$30,000
CONTRIBUTIONS/DONATIONS	\$7,500
RENTAL INCOME	\$75,500
LICENSE FEES	\$4,000
CULTURAL RESOURCES REVENUE	\$45,000
MISCELLANEOUS REVENUE	\$80,883
LOAN PROCEEDS	\$222,360
TRANSFER FROM E-911	\$19,813
TRANSFER FROM SEPARATION ALLOWANCE TRUST	\$125,396
TRANSFER FROM MUNICIPAL SERVICE DISTRICT	\$30,375
TRANSFER FROM TOB RURAL FIRE TAX	\$608,191
APPROPRIATED FUND BALANCE	\$309,730
TOTAL GENERAL FUND REVENUE	\$15,172,005
EMERGENCY TELEPHONE SYSTEM	
E-911 SERVICE CHARGE	\$120,629
INTEREST EARNED ON INVESTMENTS	\$100
MISCELLANEOUS REVENUE	\$100
APPROPRIATED FUND BALANCE	\$91,630
TOTAL EMERGENCY TELEPHONE SYSTEM REVENUE	\$212,459
NARCOTICS ENFORCEMENT	
APPROPRIATED FUND BALANCE	\$26,500
TOTAL NARCOTICS ENFORCEMENT	\$26,500
WATER & SEWER FUND	
CIVIL PENALTIES	\$4,000
INTEREST EARNED ON INVESTMENTS	\$1,500
WATER SALES	\$3,362,745

SEWER CHARGES	\$3,565,000
WATER - LABOR & MATERIAL CHARGES	\$25,000
SEWER - LABOR & MATERIAL CHARGES	\$15,000
CONNECTION/RECONNECTION/DISCONNECTION FEES	\$20,000
SEPTIC TANK DISCHARGE FEE	\$60,000
NSF/RETURNED CHECK CHARGES	\$500
METER CHECK/RE-READS	\$25,000
LATE PAYMENT PENALTIES	\$60,000
SALE OF SURPLUS PROPERTY	\$500
MISCELLANEOUS REVENUES	\$30,000
LOAN PROCEEDS	\$160,000
TRANSFER FROM BOND ANTICIPATION NOTES	\$32,456,000
TOTAL WATER & SEWER FUND REVENUE	\$39,785,245
HEALTH INSURANCE FUND	
INSURANCE REVENUE - COBRA	\$5,000
INSURANCE REVENUE - RETIREE %	\$62,000
INSURANCE REVENUE - GENERAL FUND TRANS	\$1,275,000
INSURANCE REVENUE - WATER/SEWER FUND TRANS	\$420,000
INTEREST EARNED ON INVESTMENTS	\$500
MISCELLANEOUS REVENUE	\$3,000
TOTAL HEALTH INSURANCE FUND REVENUE	\$1,765,500
MUNICIPAL SERVICE DISTRICT	
CURRENT YEAR TAXES	\$116,193
PRIOR YEAR TAXES	\$350
NCVTS TAXES	\$956
LOCAL SALES TAX 1%	\$22,000
LOCAL SALES TAX 1/2% (40)	\$9,400
LOCAL SALES TAX 1/2% (42)	\$11,200
LOCAL SALES TAX 1/4% (44)	\$-
LOCAL SALES TAX 1/4% (14) MEDICAID HOLD HARMLESS	\$4,800
INTEREST EARNED ON INVESTMENTS	\$100
TOTAL MUNICIPAL SERVICE DISTRICT REVENUE	\$164,999

RURAL FIRE SERVICE DISTRICT	
CURRENT YEAR TAXES	\$880,932
PRIOR YEAR TAXES	\$5,000
TAX PENALTIES & INTEREST	\$1,000
TAX REFUNDS	\$-
NCVTS TAXES	\$55,000
LOCAL SALES TAX 1%	\$130,000
LOCAL SALES TAX 1/2% (40)	\$60,000
LOCAL SALES TAX 1/2% (42)	\$60,000
LOCAL SALES TAX 1/4% (44)	\$-
LOCAL SALES TAX 1/4% (14) MEDICAID HOLD HARMLESS	\$-
INTEREST EARNED ON INVESTMENTS	\$-
TOTAL RURAL FIRE SERVICE DISTRICT	\$1,191,932
GRAND TOTAL - ALL REVENUE	\$58,318,640

SECTION 2: The following amounts are hereby appropriated in each fund listed for the operation of the Town of Boone government and its activities for the fiscal year beginning July 1, 2017 and ending June 30, 2018.

GENERAL FUND	
GOVERNING BODY	\$107,689
ADMINISTRATION	\$825,965
FINANCE	\$468,478
TAX COLLECTIONS	\$121,950
LEGAL	\$200,200
ELECTIONS	\$13,000
FIRE STATION # 1	\$35,200
BLOWING ROCK ROAD BUILDING	\$49,925
BROWN BUILDING	\$85,025
JONES HOUSE	\$36,136
TOWN HALL BUILDING	\$61,600
SPECIAL PROGRAMS & PROJECTS	\$517,115
SUBSIDIES & ALLOCATIONS	\$115,000

PROFESSIONAL MEMBERSHIPS	\$31,173
GIS	\$175,282
FIRE STATION #2	\$17,350
DOWNTOWN POST OFFICE BUILDING	\$23,380
CULTURAL RESOURCES	\$329,815
FIRE STATION #3	\$11,500
NON-DEPARTMENTAL/DEBT SERVICE	\$391,145
POLICE DEPARTMENT	\$3,293,049
COMMUNICATIONS	\$688,043
FIRE DEPARTMENT	\$2,269,345
PLANNING & INSPECTIONS	\$744,919
PUBLIC SERVICES & ENGINEERING	\$361,940
STREET DEPARTMENT	\$1,819,607
POWELL BILL	\$440,000
FLEET MAINTENANCE	\$366,259
FACILITIES MAINTENANCE	\$1,206,540
SANITATION	\$162,965
RECYCLING	\$202,410
TOTAL GENERAL FUND APPROPRIATIONS	\$15,172,005
EMERGENCY TELEPHONE SYSTEM	
E-911	\$212,459
TOTAL EMERGENCY TELEPHONE SYSTEM APPROPRIATIONS	\$212,459
NARCOTICS ENFORCEMENT DIVISION	
ENFORCEMENT	\$26,500
TOTAL NARCOTICS ENFORCEMENT APPROPRIATIONS	\$26,500
WATER & SEWER FUND	
PUBLIC UTILITIES (ADMIN)	\$719,533
WATER OPERATIONS	\$1,206,384
SEWER OPERATIONS	\$1,090,035
WATER TREATMENT PLANT	\$939,213
WASTE WATER TREATMENT PLANT	\$1,604,550

UTILITY BILLING & COLLECTIONS	\$319,085
NON-DEPARTMENTAL/DEBT SERVICE	\$33,906,445
TOTAL WATER & SEWER FUND APPROPRIATIONS	\$39,785,245
HEALTH INSURANCE FUND	
HEALTH INSURANCE	\$1,765,500
TOTAL HEALTH INSURANCE FUND APPROPRIATIONS	\$1,765,500
MUNICIPAL SERVICE DISTRICT	
MUNICIPAL SERVICE DISTRICT	\$164,999
TOTAL MUNICIPAL SERVICE DISTRICT APPROPRIATIONS	\$164,999
RURAL FIRE SERVICE DISTRICT	
RURAL FIRE SERVICE DISTRICT	\$1,191,932
TOTAL RURAL FIRE SERVICE DISTRICT APPROPRIATIONS	\$1,191,932
GRAND TOTAL - ALL APPROPRIATIONS	\$58,318,640

SECTION 3: There is hereby levied a tax rate of forty one cents (\$0.41) per one hundred dollars (\$100.00) valuation of property as listed for taxes as of January 1, 2017

for the purpose of raising the revenues listed "Current Year Taxes" in the General Fund

in Section 1 of this Ordinance. This rate is based on an estimated total valuation of property for the purpose of taxation of \$1,473,514,600 assessment ratio of 100% of the

appraised value. The collection rate of 99.4% is reflected in the budget. The FY 2017-2018 operating budget follows the general reappraisal of real property for the Town of Boone. The Municipal Vehicle tax is levied at \$20.00 per registered vehicle.

SECTION 3 (a): There is hereby levied a tax rate of twenty one cents (\$0.21) per one hundred dollars (\$100.00) valuation of property as listed for taxes as of January 1, 2017

for the purpose of raising the revenues listed "Current Year Taxes" in the Downtown Municipal Service District in Section 1 of this Ordinance. This rate is based on an

established taxation of \$56,284,400 assessment ratio of 100% of the appraised value. The collection rate of 99% is reflected in the budget. The FY 2017-2018 operating budget follows the general reappraisal of real property for the Downtown Municipal Service District.

SECTION 4: The Budget Officer is hereby authorized to transfer appropriations within a Fund as contained herein under the following conditions:

A. He may transfer amounts between objects of expenditure within a Department to a maximum of the budgeted amount per Department. Transfers shall be filed with the Finance Department for public and Town Council inspection. Town Council shall approve transfers in excess of the limitation.

B. He may transfer available funds between departments of the same fund with an official report of such transfer on file with the Finance Department for inspection by the general public and the Town Council.

C. He may not transfer any amounts between Funds.

D. Town Council shall establish, by governing body procedure, the purchasing mechanism for large capital items (e.g. vehicle purchases). Such procedures shall not be in conflict with NCGS 143-129.

SECTION 5: The rates for water and sewer shall be established as set forth in Exhibit A, which is an attachment to this Ordinance. These rates will remain in effect until subsequently repealed or modified by the Town Council.

SECTION 6: Copies of this Budget Ordinance shall be furnished to the Finance Director and to the Budget Officer of the Town of Boone to be kept on file by them for their direction in the disbursement of funds.

ADOPTED this the 15th day of June, 2017 by the Town Council of the Town of Boone, North Carolina.

Mayor

ATTEST:

Town Clerk

**TOWN OF BOONE
WATER AND SEWER ORDINANCE
EFFECTIVE 07/01/2017**

Late Penalty Charge: \$10.00
Meter Re-read Charge: \$10.00
Meter Connect/Disconnect/Reconnect (Each): \$20.00
Returned Check Charge: \$25.00
Septic Disposal Fees (Per 100 Gallons): \$7.00 Residential; \$10.00 Commercial
Availability Fees (Per Gallon): \$3.75 Water; \$4.50 Sewer

Deposits (Outside City Limits Deposits are Double Rates Listed Below):

Residential	\$125.00
Commercial	\$225.00
Construction (Temporary):	
3/4"	\$200.00
2" or 3"	\$800.00

**Minimum Fees Each - Water & Sewer:
(Outside City Limits Minimums are Double Rates Listed Below)**

Minimum Residential 3/4" Includes 0 - 1,000 Gallons or	\$15.75
Minimum Residential 3/4" Includes 1,001 - 2,000 Gallons	\$17.25
Minimum Commercial 3/4" Includes First 2,000 Gallons	\$23.00
Minimum Commercial 1" Includes First 2,000 Gallons	\$28.00
Minimum Commercial 1 1/2" Includes First 2,000 Gallons	\$33.00
Minimum Commercial 2" Includes First 2,000 Gallons	\$33.00
Minimum Commercial 3" Includes First 2,000 Gallons	\$43.00
Minimum Commercial 4" Includes First 2,000 Gallons	\$53.00
Minimum Commercial 6" Includes First 2,000 Gallons	\$73.00
Minimum Commercial 8" Includes First 2,000 Gallons	\$93.00

Consumption - Water:**(Outside City Limits Consumption is Double Rates Listed Below)**

2,001 to 4,999 Gallons	\$6.90
5,000 to 9,999 Gallons	\$7.15
10,000 to 14,999 Gallons	\$7.40
15,000 to 19,999 Gallons	\$7.65
Over 20,000 Gallons	\$7.90

Consumption - Sewer:**(Outside City Limits Consumption is Double Rates Listed Below)**

Over 2,000 per 1,000 Gallons - Residential	\$6.25
Over 2,000 per 1,000 Gallons - Commercial	\$6.50

(ORDINANCE TO BE TYPED IN BOOK 4, PAGES 102-107)

RESULT:	ADOPTED [4 TO 1]
MOVER:	Lynne Mason, Mayor Pro Tem
SECONDER:	Loretta Clawson, Council Member
AYES:	Mason, Clawson, Mizelle, Collins
NAYS:	Teague

MOTION TO RECUSE COUNCIL MEMBER UNDERDOWN COLLINS

Council Member Underdown Collins stated that she needs to be recused before Council votes on outside agency funding allocations due to the appearance of a conflict of interest because she is married to the chief of the Watauga County Emergency and Rescue Squad, which is being recommended to receive funding. Upon a motion by Council Member Clawson, seconded by Council Member Mason, Council moved to recuse Council Member Underdown Collins.

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

APPROVAL OF FY 2017/18 OUTSIDE AGENCY ALLOCATIONS

Upon a motion by Council Member Clawson, seconded by Council Member Mizelle, Council moved to approve the recommended funding for outside agencies submitted by the Outside Agency Funding Review Committee:

Agency	Amount Recommended
Community Care Clinic	25,000
Friends of the Watauga County Public Library	5,000
Hospitality House	30,000
Hunger and Health Coalition	18,000
Mountain Alliance	10,000
O.A.S.I.S.	12,000
The Children's Playhouse	5,000
Watauga County Emergency and Rescue Squad	5,000
Watauga County Parks and Recreation	0
Watauga County Project on Aging	0
Western Youth Network	5,000
Watauga County Historical Society	0

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

MOTION TO RESEAT COUNCIL MEMBER UNDERDOWN COLLINS

Upon a motion by Council Member Clawson, seconded by Council Member Mason, Council moved to resear Council Member Underdown Collins.

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

DISCUSS POSSIBLE REVISIONS TO TOWN CODE AND UDO REGARDING INSTALLMENT OF NEW CULVERTS AND PIPING OF STREAMS

Town Attorney Allison Meade presented a request for direction from Council to draft possible Town Code and Unified Development Ordinance (UDO) revisions regarding the installment of new culverts and piping of streams to ensure clarity for staff and applicants. She added that staff would like to add revisions giving the Town additional authority to be more restrictive regarding stream buffer protection. Ms. Meade indicated that, if given authorization to draft these revisions, they would go to public hearing for consideration. Council was in consensus to allow staff and the town attorney to move forward with these revisions.

RESULT: CONSENSUS

SELECTION OF A NEW ROADWAY AND NEW PEDESTRIAN PROJECT FOR CONSIDERATION IN THE STATE TRANSPORTATION IMPROVEMENT PROGRAM

David Graham of the High Country Council of Governments and Pam Cook of the North Carolina Department of Transportation appeared before Council to request that Council submit a roadway project and pedestrian project to be entered into an NCDOT database for consideration in the State Transportation Improvement Program (STIP). Lengthy discussion ensued regarding the process from submitting a project to how the projects are chosen to be on the prioritization list.

Vote #1 - Roadway Project:

Upon a motion by Council Member Mason, seconded by Council Member Underdown Collins, Council moved to recommend proceeding with the US 421 Bypass project option, because this will help with long-term transportation needs in the community, and the Town will have to look at expanding roadways for additional lanes if the community does not eventually have a bypass.

Vote #2 - Pedestrian Project:

Upon a motion by Council Member Mason, seconded by Council Member Underdown Collins, Council moved to recommend the multi-use side path from Grove Street to Brookshire Road project option, because it is part of the Town's sidewalk master plan; it will serve as a good way to connect that end of town to Brookshire Park, the Greenway Trail system and the Town's planned municipal center; and, in the long-term, it is more cost effective than putting in sidewalks.

Following a question by Council Member Clawson regarding what would happen if the pedestrian project was selected but the Town could not provide the 20 % cost match, Ms. Cook advised that in this scenario, the project would just be dropped from the list and not completed.

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

APPROVAL OF PARKING MANAGEMENT AGREEMENT - MCLAURIN PARKING

Town Manager John Ward presented an agreement between the Town of Boone and McLaurin Parking Company for Council's consideration. Mr. Ward advised that the agreement is the same as the one previously approved in August 2016, and includes the same cost as the previous year, but he needs Council's direction on the length of the contract in years. Upon a motion by Council Member Teague, seconded by Council Member Underdown Collins, Council moved to approve the contract between the Town of Boone and McLaurin Parking Company for a two-year period.

(Executed agreement on file in Town Hall.)

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

CONSIDERATION OF CASES HEARD AT MAY PUBLIC HEARING

Mayor Brantz declared a break at 7:03 p.m. Council reconvened at 7:11 p.m.

CASE PL00282-022317 COURTYARD BY MARRIOTT - CONDITIONAL DISTRICT ZONING MAP AMENDMENT MODIFICATION

David McLamb with Boone Hospitality Associates II, LLC has filed a planning permit application for a Conditional District Zoning Map Amendment Modification to modify the conditions to the existing Conditional District Zoning Map approval to allow the Courtyard by Marriott located at 1050 Hwy. 105 to illuminate the sign on the eastern side of the building. The approval currently has the following condition which would have to be modified in order to allow the sign to be lighted:

"Bollard type (low profile) lighting is to be used as much as possible. Pole/carriage lights are to be kept at a minimum. No exterior lights on the building higher than the first floor. The building will not be 'uplighted.' On the back and two ends of the building, no lights will be installed above first floor and no ground lights shining up will be installed. The Highway 105 elevation facing the street can be lighted per the developer's and architect's discretion, within the requirements of the UDO. The architect and engineer will continue to develop the site lighting plans to minimize off site light pollution. 'Low to the ground' lighting options under consideration are recessed lights in retaining and courtyard walls, bollard lighting, and low landscape lights."

Planning Director Jane Shook advised that the request is to replace the sign on the side of the building with channel-lit letters, and the Planning Commission recommended approval with a vote of 4 to 1. Council members Mason and Clawson stated they could not support the request because the original Conditional District Zoning approval was carefully negotiated and they wanted to honor that agreement. Council Member Teague was concerned with the Town approving a lighted, blinking sign for the Appalachian Theatre which is across the street from an apartment building, but possibly not allowing the hotel to have a recessed light. Ms. Shook advised that the applicant is looking into the option for a free-standing sign, but would like to finish going through this process first.

CASE PL00282-022317 VOTE #1

Upon a motion by Council Member Clawson, seconded by Council Member Mason, Council moved that the proposed amendment to the Town's zoning map is not consistent with the Town's Comprehensive Plan and other applicable adopted plans of the Town which relate to this application because the sign will light up the neighborhood, which is the reason it was not approved initially. The neighborhood has the same issue with the sign. This should not be changed due to the impact on the neighborhood. We need to honor the condition of no uplights or lighting above the first floor.

RESULT:	APPROVED [3 TO 2]
MOVER:	Loretta Clawson, Council Member
SECONDER:	Lynne Mason, Mayor Pro Tem
AYES:	Mason, Clawson, Collins
NAYS:	Mizelle, Teague

CASE PL00282-022317 VOTE #2

Upon a motion by Council Member Clawson, seconded by Council Member Mason, Council moved to deny the proposed amendment to the Town's zoning map and believe denial is reasonable and in the public interest because the lighted sign was not approved initially and will do damage to the neighborhood. The neighborhood gave a lot in the beginning so the project could be built and the original conditions should remain in place.

RESULT:	APPROVED [3 TO 2]
MOVER:	Loretta Clawson, Council Member
SECONDER:	Lynne Mason, Mayor Pro Tem
AYES:	Mason, Clawson, Collins
NAYS:	Mizelle, Teague

CASE PL00481-050817 MANSA HOSPITALITY, LLC - GENERAL USE ZONING MAP AMENDMENT

The Town of Boone initiated a General Use Zoning Map Amendment to zone the remainder of the parcel owned by Mansa Hospitality, LLC (2240 Blowing Rock Road; Watauga County PIN 2819790873000) being brought into the Town's corporate limits through voluntary annexation. Proposed zoning includes: B3 General Business, Corridor District Overlay, Watershed Areas Critical Area (WS-IV-CA), Viewshed Overlay and Special Flood Hazard Area Overlay. Staff is recommending that the property be zoned to what the property had been previously zoned while it was in the Town's extraterritorial jurisdiction.

CASE PL00481-050817 VOTE #1

Upon a motion by Council Member Mason, seconded by Council Member Clawson, Council moved that the proposed amendment to the Town's zoning map is consistent with the Town's Comprehensive Plan and other applicable adopted plans of the Town which relate to this application because this zoning district had been in effect previously with the ETJ and this zoning district remains appropriate for this land use since it is along a major corridor.

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

CASE PL00481-050817 VOTE #2

Upon a motion by Council Member Mason, seconded by Council Member Underdown Collins, Council moved to approve the proposed amendment to the Town's zoning map and believe approval is reasonable and in the public interest because it is consistent with zoning districts in the area.

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

TOWN MANAGER UPDATE

Town Manager John Ward provided an update on existing and future construction projects, events, grant applications and the water intake project.

ANNOUNCEMENT OF BOARD VACANCIES

Mayor Brantz announced upcoming and currently advertised board vacancies.

APPOINTMENT TO CULTURAL RESOURCES ADVISORY BOARD

Council Member Underdown Collins nominated Christina Bailey for reappointment to this board. With no further nominations, Mayor Brantz called for a vote.

Ms. Bailey's term will expire June 30, 2020.

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

APPOINTMENT TO BOARD OF ADJUSTMENT

Council Member Mizelle nominated Charles Lentz for reappointment to this board as a full-time member. With no further nominations, Mayor Brantz called for a vote.

Mr. Lentz' term will expire June 30, 2020.

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

APPOINTMENT TO OUTSIDE AGENCY FUNDING REVIEW COMMITTEE

Council Member Mason nominated Craig Caldwell for reappointment to this committee. With no further nominations, Mayor Brantz called for a vote.

Mr. Caldwell's term will expire July 31, 2020.

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

APPOINTMENT TO SUSTAINABILITY, ECONOMICS AND ENVIRONMENT COMMITTEE

Council Member Mizelle nominated Lee Ball for appointment to this committee. With no further nominations, Mayor Brantz called for a vote.

Mr. Ball's term will expire June 30, 2019.

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

CLOSED SESSION**ENTERING CLOSED SESSION**

Upon a motion by Council Member Teague, seconded by Council Member Underdown Collins, Council moved to enter closed session at 7:54 p.m. pursuant to N.C.G.S. 143-318.11(a)(6), to consider the performance of a public officer or employee of the town.

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

EXITING CLOSED SESSION

Upon a motion by Council Member Underdown Collins, seconded by Council Member Clawson, Council moved to exit closed session at 8:09 p.m.

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

ADJOURNMENT

MOTION TO ADJOURN

Upon a motion by Council Member Underdown Collins, seconded by Council Member Teague, Council moved to adjourn the meeting at 8:13 p.m.

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

Christine Pope, Town Clerk

Rennie Brantz, Mayor