

**MINUTES – REGULAR MEETING
BOONE TOWN COUNCIL
July 19, 2018**

CALL TO ORDER

A regular meeting of the Boone Town Council was called to order at 6:00 p.m. on Thursday, July 19, 2018 at the Boone Town Council Chambers located at 1500 Blowing Rock Road. Mayor Rennie Brantz presided. Council Members present were Mayor Pro-Tem Loretta Clawson, Lynne Mason, Sam Furgiuele, Connie Ulmer and Marshall Ashcraft. Staff present included Town Manager John Ward, Town Clerk Nicole Worley, Public Works Director Rick Miller, Police Chief Dana Crawford, Planning Director Jane Shook, Cultural Resources Director Pilar Fotta, Administrative Support Specialist Sarah Upton, Deputy Public Works Director Todd Moody and Town Intern Syrena Travis. Town Attorney Allison Meade was also in attendance.

ANNOUNCEMENTS

Mayor Brantz welcomed all in attendance and asked anyone who wished to speak to please use the sign-up sheet located next to the entrance.

Mayor Brantz announced the retirement of service canine, Alex, and introduced one of the members of the Mandela Washington Fellowship.

TENTATIVE AGENDA ADOPTION

Upon a motion by Council Member Mason, seconded by Mayor Pro-Tem Clawson, Council voted to add the service contract with Republic onto the agenda for consideration.

VOTE: Aye: All
 Nay: None

Upon a motion by Council Member Mason, seconded by Council Member Ulmer, Council voted to approve the agenda as amended.

VOTE: Aye: All
 Nay: None

APPROVAL OF ITEMS ON CONSENT AGENDA

After stating that he had not had a chance to review the minutes from the June regular Council meetings, Council Member Furgiuele made a motion, which was seconded by Mayor Pro-Tem Clawson, to table the proposed minutes for June 19 and 21, 2018 until the August regular Council meeting and to approve the following items on the Consent Agenda:

-Resolution Authorizing the Disposition of Certain Personal Property by Private Sale

Council Member Mason announced that she would not be able to attend the Water Committee meeting scheduled for August 9, 2018.

RESOLUTION AUTHORIZING THE DISPOSITION OF CERTAIN PERSONAL PROPERTY BY PRIVATE SALE

**RESOLUTION AUTHORIZING THE DISPOSITION OF
CERTAIN PERSONAL PROPERTY BY PRIVATE SALE**

WHEREAS, the Town Council of the Town of Boone desires to dispose of certain surplus property of the Town;

NOW, THEREFORE, BE IT RESOLVED by the Town Council that:

1. The following described property is hereby declared to be surplus to the needs of the Town: one retired

German Shepherd service canine known as AAlex.@

2. The Boone Town Council authorizes the disposition of a retired service canine to the trained handler upon handler's agreement to accept custody of and assume all liability and responsibility for the care of the remainder of the retired service canine's life.
3. Transfer of Ownership of the retired service canine will go to his trained handler, Police Corporal Andrew Smith. Andrew Smith is trained and equipped to care for Alex. The handler's agreement to accept custody of the retired service animal will complete the Transfer of Ownership.
4. The minimum price to be accepted for the property is \$1.00.
5. The Town Clerk shall publish notice summarizing this Resolution in accordance with G.S.160A-267.
6. The sale may be consummated not earlier than 10 days from the date of the publication.

ADOPTED this 17th day of July, 2018.

ATTEST: _____ Rennie Brantz, Mayor

Nicole Worley, Town Clerk

VOTE: Aye: All
 Nay: None

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sam Furguele, Council Member
SECONDER:	Loretta Clawson, Mayor Pro-Tem
AYES:	Mason, Clawson, Furguele, Ulmer, Ashcraft

COUNCIL MATTERS

TOWN MANAGER UPDATE

Town Manager John Ward updated Council on the following topics:

- Howard Street Project
- Crosswalk at State Farm/Furman Drive
- New River stream bank restoration on the Bolick Farm
- Glendale Sanitary Sewer Project 80-85% complete
- Listed upcoming special events and meetings
- Water Intake Project update
- Mr. Ward noted that the recent gas leak was determined to be the fault of one of the subcontractors on the water intake project
- Participation in the revision of the Nantahala and Pisgah Forest Management plan
- 105 widening project - NCDOT
- Read a letter from a citizen thanking Public Works staff
- Boone solar project update (Plan to be announced at the August SEEC meeting)

-Noted recent alterations to McLaurin Parking Tickets on private property, with additional alterations coming in the future. Discussion ensued, with Council coming to the consensus to have the Town Attorney bring back her analysis on the issue. Council Member Furguele stated that he did not want to continue a contractual relationship with McLaurin if it was determined that they were engaged in unfair and deceptive trade practices. Town Attorney Allison Meade agreed with Council Member Furguele's concern with the parking tickets issued by McLaurin, but stated that she did not believe there were grounds to discontinue the contract with McLaurin for parking services on this basis alone. Council Member Furguele disagreed stating that he would not support the renewal of the contract with McLaurin if it was proven that they engaged in unfair and deceptive practices.

Consideration of Republic Contract

Upon a motion by Council Member Furguele, seconded by Council Member Ashcraft, Council voted to approve the Republic Services agreement, with the understanding that plastics 1 through 7 would be collected.

VOTE: Aye: All
 Nay: None

REVIEW OF TOWN CODE CHAPTERS BY TOWN ATTORNEY

Town Attorney Allison Meade presented Council with her review of the Town Code and suggested the following revisions:

Chapter 10 General Provisions: No changes recommended

Chapters 30-33 Town Council; Town Officials; Police and Fire Departments; Other Departments: No changes recommended

Chapter 34 Town Policies: No changes recommended

Chapter 35 Boards, Commissions, Committees and Other Such Entities: No changes recommended

Chapter 36 Town Logo: Ms. Meade suggested that Council consider deleting the current criminal penalty provision and only impose a civil penalty to remain consistent with the remainder of the code. It was the consensus of Council to amend Chapter 36 to impose a civil penalty instead of a criminal penalty as punishment for unauthorized use of the town logo.

Chapter 37 Contracts: No changes recommended

Chapter 50 Water and Sewer: Ms. Meade suggested that Council consider amending Chapter 50 to clarify that the standards and specifications in the chapter apply to the Town except that the Town would not assess fees to itself. It was the consensus of Council to amend Chapter 50 to make this clarification. Council Member Furguele stated that he would like to see changes made to the personnel policy to address Town employees who violate Town regulations. Ms. Meade stated that the personnel policy already had provided for disciplinary action when an employee violated a provision of the Town Code. Council Member Furguele questioned whether that was the case to which Ms. Meade replied that she would review the policy and report back to Council.

ADOPTION OF REVISIONS TO THE COMPREHENSIVE PLAN, SECTION 2.2.5 ENVIRONMENTAL QUALITY

Upon a motion by Council Member Furguele, seconded by Council Member Clawson, Council voted to approve the changes to section 2.2.5 of the Comprehensive Plan as presented.

2.2.5 ENVIRONMENTAL ~~QUALITY~~ HEALTH

NARRATIVE

The subject of environmental quality cuts across a broad spectrum of issues. These issues include:

- Protection of water quality
- Sewage collection and treatment
- Controlling development in sensitive areas (floodplains, ridge tops, areas of excessive slope, or wetland areas)
- Solid waste disposal and recycling
- Water and energy conservation
- Control of littering
- Hazardous waste disposal
- Other sources of pollution (excessive noise, odor, air, water and light pollution)
- Avoid, minimize and mitigate impacts of development on natural resource systems
- Foster a healthy environment that sustains and supports native species of plants, pollinators, birds, fish, and other wildlife

Several of these issues which drew particular comment from Boone area residents during preparation of the initial Comprehensive Plan are further discussed as follows.

Recycling

Of all of the environmental issues identified by the Boone citizenry, none stood out so clearly during the town meeting than the issue of recycling. There appeared to be a general consensus that the public was ready to adopt a more aggressive recycling program if they were only informed as what to do and how to do it.

Comments received at the town meeting reflected a high level of public awareness and specificity about the recycling issue. Suggestions made included the need for enhanced business recycling, residential recycling, methods to make recycling easier, support for mandatory recycling, and comments about the major types of products to be recycled, including glass, paper, and plastics. Also mentioned was the need to cut back on the generation of waste at each household or business; so as to reduce the need for recycling overall.

Discussion at the Steering Committee level focused on efforts being made by GDS, the waste management firm currently under contract with the Town of Boone. It was the general consensus that the recycling services offered by GDS were a good start, but that they could be considerably improved through education, more convenient service offerings, and program visibility. Several implementation actions were identified in support of this objective.

Litter

Closely related to the issue of recycling, was the concern about instituting a very strong anti-littering campaign in the community. There was also consensus that the town needed to encourage an “anti-litter consciousness” among residents and students. The creation of this consciousness could be a combination of education, enforcement, and publicity. In addition,

more convenient trash disposal and recycling would be instituted to complement and support the educational campaign.

Waste water collection and treatment

The Town has recently completed expansion of its sewage treatment facility, which is currently operating at about half of its design capacity. In addition, numerous collection system improvements have been undertaken, and more are planned, to replace and upgrade the Town's waste water infrastructure.



Storm water management, runoff and drainage

Problems related to storm water management, runoff and drainage were identified as a major ongoing issue in the Boone community—one that is expensive to correct. Drainage is a large scale problem which does not readily lend itself to incremental or piecemeal solutions. Rather, a comprehensive drainage and stormwater management plan is needed. Perhaps the foremost need in this regard is accurate surveying and mapping of the

Town's existing drainage systems. Other elements of the plan might include consideration of utility fees and other funding alternatives, the need for coordination between Town policies and requirements for the private sector, and the need to consider permeable parking areas or other similar innovative approaches to stormwater reduction.

Critical Watershed Protection

Related to the stormwater management issue is the need to protect the area of the Boone that drains into the Town's potable water supply. During the course of preparing this plan, the "protected" and "critical" areas of the Town's watershed were mapped in accordance with state standards. During the first part of 1993, the Planning Commission and Town Council received a draft watershed protection ordinance for review, public education and comment. The plan was adopted in May 1993.

Floodprone Areas

The Town has been actively involved in floodplain management for over twenty-five years. As a result of the Town's efforts to prevent property loss through pro-active floodplain management, property acquisition and open space preservation, Boone residents realize a reduction in flood insurance premiums. Currently the state is involved in a statewide floodplain mapping program which will effectively update the Town's Flood Insurance Rate maps. These new maps will further improve the Town's floodplain management capabilities.

Water Conservation

The Town is currently engaged in a study of locating additional sources of raw water to meet its water supply needs and is fully involved in water conservation efforts. The current and future

growth rate in Boone has created a pressing need to develop effective measures to ensure that water use is efficient and that conservation efforts are maximized.



Steep Slopes and Ridges

In May of 2005, the Town Council established a Steep Slope Development Task Force consisting of elected and appointed board members and various citizens with expertise necessary to study the issues and impacts of hillside development. The Task Force is in the process of developing a comprehensive approach to controlling the aesthetic, safety, health and natural resource issues associated with steep slope development.

Pollinator Friendly Habitats

In May 2018, Boone Town Council adopted a resolution designating the Town of Boone as a BEE CITY USA® affiliate. The Town recognizes that pollinator friendly communities can benefit local and regional economies through healthier ecosystems, increased crop yields, and increase demand for pollinator-friendly plant materials from local nurseries and growers. By supporting pollinators, the Town hopes to foster environmental awareness and sustainability, and increase interactions among community stewards. The Town places importance on actions that enhance the community's understanding about the vital role of pollinator's and what can be done to sustain them.

POLICIES

- A. *Development on ridgetops and excessive slopes shall be strongly discouraged. Where development is allowed, stringent performance standards shall be met. ******
 - A.1 Continue working on the preparation of hillside and ridge-top regulations for consideration and adoption of Town Council. *****
- B. *Continued improvements to the public sewage collection and treatment facilities shall be supported, with priority given to servicing existing or planned densely developed areas where environmental and economic benefits can be realized.*
- 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.*
- D. *Runoff and drainage from development activities shall be of a quality and quantity as near to natural conditions as possible, with special emphasis given to critical watershed areas.*
- E. *Development which preserves the natural features of the site, including existing topography, streams and significant trees and vegetation, shall be reflected in the Town's Development Standards.*
 - E.1 Consider the use of innovative zoning techniques such as density bonuses and transfer of development rights in exchange for preservation of significant environmental features.

- F. *Recognizing the economic and environmental costs of commercial and residential stormwater runoff, innovative stormwater management techniques such as permeable sidewalks,, driveways, and parking areas shall be encouraged.*
- G. *The development of a comprehensive drainage and flood plain management plan, including public and private actions in support of plan implementation, shall be supported.*
 - G.1 Develop and implement a comprehensive storm drainage plan and a flood management plan to include public and private implementation strategies. This plan should be coordinated with the Town's current activities with the Community Rating System (CRS) program to reduce flood insurance costs to the citizens of the Town of Boone.
 - G.2 Continue to evaluate necessary revisions to the town's flood insurance rate maps.
- H. *Local area requirements for solid waste disposal facilities shall be anticipated through advanced planning; facilities shall be located and designed so as not to adversely impact significant natural or man-made resources.*
 - H.1 In cooperation with GDS, ASU and Watauga County, prepare a strategic action plan for solid waste facilities and programs in Boone, particularly concerning enhancement of reuse of containers and materials, recycling and waste reduction methods.
- I. *The Town recognizes the need for a regional solution to the solid waste issue, and will support efforts toward that end.*
 - I.1 Encourage and participate in a cooperative, regional solution to the solid waste problem in concert with organizations such as the High Country Council of Governments, and appropriate state agencies.
- J. *Research and development of reuse, recycling, and resource recovery programs, whether public or private, shall be encouraged and supported.*
- K. *The Town shall encourage and set an example which promotes water and energy conservation, and the reduction of waste generation at the source.*
- L. *An anti-litter consciousness, beginning in the schools, and including the university, businesses and individual citizens and visitors shall be encouraged.*
 - L.1 Establish a community-wide anti-litter campaign. Publicize the campaign through schools, local civic organizations, ASU service organizations and all local media outlets. Such a campaign could also be an item of focus for the Community Council.
- M. *The location of hazardous waste storage and disposal facilities in the Boone planning area shall not be supported. Transportation of hazardous materials through Boone shall be discouraged. The location of propane storage tanks shall be carefully controlled to the extent permitted by state and federal law, as well as by state enabling legislation for local government regulation.*
- N. *Industries and activities producing excessive noise, odor, air, water and light pollution, or other harmful impacts, shall not be permitted, unless such adverse impacts can be clearly overcome through effective mitigation.*

O. Encourage use of low-impact habitat-friendly practices to achieve and maintain native species, including plants, wildlife and beneficial insects (such as pollinators) within private and public developments.

O.1 Use plans and investments to enhance the diversity, quantity and quality of habitats that are native, rare or declining.

P. Ensure that landscape and pesticide management practices minimize impacts to the environment including impacts to pollinators.

P.1 Create a least toxic pesticide management plan for use by the Town which also can be distributed to the community as an educational tool.

P.2 Create a landscape management plan for the Town using best management practices that preserves, maintains and enhances native plant material selections which are also pollinator-friendly.

~~N.~~ P.3 Revise standards in the Unified Development Ordinance Appendix B to include pollinator-friendly plant material.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sam Furguele, Council Member
SECONDER:	Loretta Clawson, Mayor Pro-Tem
AYES:	Mason, Clawson, Furguele, Ulmer, Ashcraft

UPDATE/CONSIDERATION OF PLANNING AND INSPECTIONS DEPARTMENT WORK PLAN

Planning Director Jane Shook presented Council with an updated workplan which included Council's recently added projects. Council Member Furguele stated that he would like to see number 13 moved up, and that he felt it was important that the Town begin to consider the possibility of rezoning many of these properties since the process could be contentious and lengthy. Upon a motion by Council Member Ulmer, seconded by Mayor Pro-Tem Clawson, Council voted to accept the plan as amended by the movement of priority number 13 to priority number 8, with all others shifting down one spot. Council Member Furguele suggested a friendly amendment, which was accepted by both Council Member Ulmer and Mayor Pro-Tem Clawson, that staff be allowed to adjust the dates of items that this revision was displacing.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Connie Ulmer, Council Member
SECONDER:	Loretta Clawson, Mayor Pro-Tem
AYES:	Mason, Clawson, Furguele, Ulmer, Ashcraft

AUTHORIZATION FOR TRANSPORTATION COMMITTEE TO SERVE AS A PERPETUAL COMMITTEE

Public Works Director Rick Miller stated that a recent review of the Transportation Committee charge within the Town Code required Council's renewal of the committee each year. Upon a suggestion by Council Member Furguele, it was the consensus of Council to hold discussion on this matter during the upcoming Council

liaison review. Council Member Furgiuele also expressed concern with the composition of the committee as well as the committee's ability to dictate policy for the Town.

RESULT: CONSENSUS

REVIEW OF COUNCIL LIAISON POSITIONS

The review of Council liaison positions began with Planning Director Jane Shook outlining the questionnaire responses submitted by the Board of Adjustment. Council Member Furgiuele suggested that Council consider changing the board meetings to bi-monthly or quarterly, with Ms. Shook adding that meetings could be scheduled for months opposite the public hearings. Council Member Furgiuele also suggested that Council consider appointing the chair and vice chair of the board and to amend the UDO to reflect this change. Council Member Mason expressed concern with the appeals process and the penalties accrued during this process. After brief discussion, Council Member Furgiuele made a motion to direct staff to bring back proposed text amendments that would allow the Board of Adjustments to change their meetings to bi-monthly and that, in due time, there be an amendment to the UDO to allow the Town Council to appoint the chair and vice chair of the board and that the rules of procedure and UDO be amended to take into consideration any delays when considering penalties. Mayor Pro-Tem Clawson seconded the motion. Council Member Ashcraft indicated he was not in favor of Council choosing the chair and vice chair of the board. Council Member Mason stated that she was concerned with potentially slowing down the process and felt that cancelling a meeting took a lesser amount of staff time, though she was in support of the Town Council appointing the chair and vice chair of the board.

VOTE: Aye: Furgiuele, Clawson, Ulmer
 Nay: Ashcraft, Mason

Ms. Shook continued the review of Council liaison positions with responses from the Historic Preservation Commission. Council Member Furgiuele was concerned about the amount of meetings that would have been cancelled due to lack of quorum if not for Council liaisons. He also stated that he felt committees perceived Council liaisons as representing the entire Council's opinion, when that was not the case. Discussion ensued, with Council Member Mason suggesting rotating liaison positions on the different committees. Council Member Furgiuele reiterated his concerns that although they should not, committee members inevitably pay special deference to Council members as liaisons. Council Member Ulmer stated that she felt the Town had too many boards and committees and too many meetings.

Mayor Brantz declared a break at 8:10 p.m. Council reconvened at 8:22 p.m.

Council Member Mason suggested that Council discuss the Transportation Committee, then continue with the remainder of the agenda and discuss the remaining committees during the August Council meeting. Council Member Furgiuele proposed that Council continue the discussion of the Historic Preservation Commission once a Historic District was established, and particularly changing the meeting schedule to bi-monthly.

Discussion of the Transportation Committee began with Council Member Furgiuele stating that he felt that the type of recommendations made by this committee should come from staff and that the committee should be eliminated. Public Works Director Rick Miller noted that a number of programs would be discontinued if the committee was discontinued, including Watch for Me NC and Safe Routes to School and stated that he was unsure staff would be able to continue certain programs. Council Member Mason stated that she believed the Transportation Committee to be a collaborative group, noting that transportation was not just a problem of the Town, but the County and ASU as well. Council Member Furgiuele noted the committee's low number of accomplishments and high use of staff time in the past year. Council Member Ashcraft made a motion, which was seconded by Council Member Mason to hold Transportation Committee meetings quarterly and to extend its mandate at the pleasure of the Council, with sub-committee meetings being decided on by the committee. Council Member Furgiuele stated that he believed the Transportation Committee was unnecessary. Council Member Ashcraft revised his motion to extend the committee's duration through 2019. Council Member Mason accepted this amendment.

VOTE: Aye: Ashcraft, Mason, Clawson, Furgiuele
 Nay: Ulmer

AFFORDABLE HOUSING TASK FORCE RECOMMENDATIONS AND REQUEST FOR FURTHER DIRECTION

The Affordable Housing Task Force was discussed, with Ms. Shook noting that the Town could not expend Town funds to pay for affordable housing projects. It was noted that the task force consisted only of two Council Members, two members of the Planning Commission, and two citizens. Council Member Furguele pointed out that the Council members and members of the Planning Commission already had a say in the policies of the town which could facilitate affordable housing. He also noted the large number of meetings which have had to be canceled due to a lack of quorum. Council Member Mason voiced concern with the Town's lack of a housing coordinator and with the fact that the Town did not have viable alternatives for working citizens. She added that changes needed to be made in the UDO for subdivisions which would make it easier for affordable subdivisions to be built. Upon a motion by Mayor Pro-Tem Clawson, seconded by Council Member Furguele, Council voted to disband the Affordable Housing Task Force and to schedule a special meeting in January to discuss affordable housing alternatives.

VOTE: Aye: Clawson, Furguele, Ashcraft, Mason
Nay: Ulmer

CONSIDERATION OF CHANGES TO TOWN CODE CHAPTER 95 SPECIAL EVENTS

Council Member Mason made a motion to direct staff to work with the Town Attorney to revise Town Code Chapter 95 - Special Events to be inclusive of all special events and to begin looking at a fee structure. Mayor Pro-Tem Clawson seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Lynne Mason, Council Member
SECONDER:	Loretta Clawson, Mayor Pro-Tem
AYES:	Mason, Clawson, Furguele, Ulmer, Ashcraft

CONSIDERATION OF APPROVAL OF JIMMY SMITH PARK .333K FUN RUN AND STREET PARTY

Upon a motion by Council Member Furguele, seconded by Mayor Pro-Tem Clawson, Council voted to approve the Jimmy Smith Park .333k Fun Run and Street Party.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sam Furguele, Council Member
SECONDER:	Loretta Clawson, Mayor Pro-Tem
AYES:	Mason, Clawson, Furguele, Ulmer, Ashcraft

CONSIDERATION OF MEMORANDUM OF UNDERSTANDING FOR SCHOOL RESOURCE OFFICER

Town Attorney Allison Meade presented a draft Memorandum of Understanding between the Town and the Watauga County Board of Education for the School Resource Officer position. Council Member Furguele was concerned with language in the document which would require the officer to report questioning a student even if an arrest had not yet been made. He suggested that Ms. Meade revise this portion of the agreement to require the officer to report questioning of a student on school premises. Upon a motion by Council Member Furguele, seconded by Council Member Mason, Council voted to approve the Memorandum of Understanding with the modification mentioned above.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sam Furguele, Council Member
SECONDER:	Lynne Mason, Council Member
AYES:	Mason, Clawson, Furguele, Ulmer, Ashcraft

CONSIDERATION OF ANNEXATION PETITIONS

Planning Director Jane Shook presented petitions to annex three parcels off of Homespun Hills which were previously located within the ETJ and zoned as R3 and stated that the applicant obtained a special use permit for a tourist home while in the Town's jurisdiction and that no other development had occurred on the other two parcels. In response to a question raised by Council Member Furguele, Ms. Shook stated that if the annexations were approved and the properties were designated RA or R1, the property owner would be able to continue to use the structure on the property as a legal non-conforming use. Ms. Shook noted that there were no Town services at the property currently and recommended that Council send this case to the September public hearing. Council Member Furguele stated that he needed more information to determine the proper zoning district and suggested Council defer zoning instruction until the August Council meeting. Upon a motion by Council Member Furguele, seconded by Council Member Ulmer, Council voted to send this matter to the September public hearing and to discuss zoning designation for the property at the regular August Council meeting.

VOTE: Aye: All
Nay: None

Council Member Furguele made a second motion to direct the Clerk to investigate the sufficiency of the petition under State law. Mayor Pro-Tem Clawson seconded this motion.

VOTE: Aye: All
Nay: None

INVITATION TO PARTICIPATE 8/24 AND 8/25: NEIGHBORHOOD VISITS

Planning Director Jane Shook invited Council to participate in upcoming neighborhood visits where members and staff would go door-to-door to distribute care packages and answer questions.

REQUEST TO IDENTIFY OPTIONS AND INCENTIVES TO ENCOURAGE THE PLANTING OF MORE SHADE TREES IN TOWN

Upon a motion by Council Member Furguele, seconded by Mayor Pro-Tem Clawson, Council voted to direct staff to research and bring back recommendations to study and develop options and incentives to encourage the planting of more shade trees in Town.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sam Furguele, Council Member
SECONDER:	Loretta Clawson, Mayor Pro-Tem
AYES:	Mason, Clawson, Furguele, Ulmer, Ashcraft

ANALYSIS BY TOWN ATTORNEY REGARDING NEW MSD

Town Attorney Allison Meade stated that her initial concern regarding a new Municipal Service District in the Blowing Rock Road area of Town was that stormwater was not among the listed items for which MSD's could be established, but that drainage, watershed and water resource development were listed items. She stated that she would look further into the regulations on such uses, and thought that there was good reason to think that stormwater could be the focus of an MSD. Ms. Meade noted that Chapel Hill had an MSD specifically designated to fund stormwater control. Council Member Furguele made a motion, which was seconded by Council Member Mason to have Ms. Meade research this topic further and report back to Council.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sam Furgiuele, Council Member
SECONDER:	Lynne Mason, Council Member
AYES:	Mason, Clawson, Furgiuele, Ulmer, Ashcraft

REQUEST TO IDENTIFY OPTIONS AND INCENTIVES TO ENCOURAGE CARBON AND CLIMATE-CHANGE NEUTRAL BUILDINGS

Upon a motion by Council Member Furgiuele, seconded by Council Member Mason, Council voted to direct planning staff to work to develop and present options to Council for private developers to incorporate as much as possible in their designs and functions, carbon and climate neutral options for development and redevelopment.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sam Furgiuele, Council Member
SECONDER:	Lynne Mason, Council Member
AYES:	Mason, Clawson, Furgiuele, Ulmer, Ashcraft

ANNOUNCEMENT OF BOARD VACANCIES

Mayor Brantz announced the following board vacancies:

BOARD OF ADJUSTMENT

Three alternate positions

COMMUNITY APPEARANCE COMMISSION

Three positions

CULTURAL RESOURCES ADVISORY BOARD

Two positions

DOWNTOWN BOONE DEVELOPMENT ASSOCIATION

Two Council appointed positions

HISTORIC PRESERVATION COMMISSION

Three positions

OUTSIDE AGENCY FUNDING REVIEW COMMITTEE

One position

PLANNING COMMISSION

One position

TOURISM DEVELOPMENT AUTHORITY

One position

WATER ADVISORY COMMITTEE

Two positions

APPOINTMENT TO HISTORIC PRESERVATION COMMISSION

Council Member Mason nominated Phoebe Pollitt to serve on the Historic Preservation Commission. With no other nominations, Mayor Brantz called for a vote.

VOTE: Aye: All
 Nay: None

Ms. Pollitt's term will expire on July 31, 2021.

APPOINTMENT TO PLANNING COMMISSION

Mayor Pro-Tem Clawson nominated Chris Behrend to serve on the Planning Commission. There being no further nominations, Mayor Brantz called for a vote.

VOTE: Aye: All
 Nay: None

Ms. Behrend's term will expire on July 31, 2019.

CLOSED SESSION

Upon a motion by Mayor Pro-Tem Clawson, seconded by Council Member Furguele, Council voted to enter into closed session at 10:05 p.m. pursuant to:

1. N.C.Gen.Stat. § 143-318.11 (a)(11) and §143-318.10 (e), to review, approve and seal closed session minutes from Council's prior closed session(s).
2. N.C.Gen.Stat. § 143-318.11 (a)(3), to consult with the attorney in order to preserve the attorney-client privilege between the attorney and the Town Council and obtain legal advice, consider and/or give instructions to the attorney concerning one or more potential legal claims.
3. N.C.Gen.Stat. § 143-318.11 (a)(3), to consult with the attorney in order to preserve the attorney-client privilege between the attorney and the Town Council and obtain legal advice, consider and/or give instructions to the attorney concerning a potential legal claim regarding LMS Parking, Inc.

ADJOURNMENT

Upon a motion by Council Member Mason, seconded by Mayor Pro-Tem Clawson, Council voted to exit closed session at 10:56 p.m.

VOTE: Aye: All
 Nay: None

Upon a motion by Council Member Furguele, seconded by Mayor Pro-Tem Clawson, Council voted to adjourn the meeting at 10:58 p.m.

VOTE: Aye: All
 Nay: None

Nicole Worley, Town Clerk

Rennie Brantz, Mayor