MINUTES – REGULAR MEETING
BOONE TOWN COUNCIL
JULY 23, 2015

A regular meeting of the Boone Town Council was called to order at 5:30 p.m., Thursday, July 23, 2015, in the Council Chambers, 1500 Blowing Rock Road. Mayor Andy Ball presided. Council members present were Mayor Pro Tem Rennie Brantz, Lynne Mason, Quint David and Loretta Clawson. Town Attorney Allison Meade was also present. Staff members present were Town Manager John Ward, Town Clerk Christine Pope, Assistant to the Manager Jim Byrne, Administrative Support Specialist Nicole Worley, Police Chief Dana Crawford, Fire Chief Jimmy Isaacs, Human Resources Director Peri Moretz, Safety and Risk Management Officer Terry Story, Planning Director Bill Bailey, Public Works Director Rick Miller and Cultural Resources Director Pilar Fotta.

CALL TO ORDER

Mayor Ball called the meeting to order and welcomed all in attendance. He 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 Ball made the following statement regarding his resignation as mayor:

> *These past several years of service to the Town of Boone have been a life changing experience I'll always treasure and never truly leave behind. I began my service working with so many of you in this room, first on the Board of Adjustment then the Town Council. I will always be proud both of what we accomplished and how we worked together through the easy ones and through the more contentious issues.*
>
> *As I considered the timing of my decision, I was comforted knowing that thoughtful, honest, and well-intentioned citizens are serving you on this Town Council. They have my full confidence in moving Boone forward as we face continued challenges handed down by the state.*
>
> *I would urge you all to keep fighting for our neighborhoods, but I know you'll already do that. I would urge you to be vigilant in protecting our mountains and our environment, but I know you already will. I would urge everyone consider the water infrastructure project and the vital importance of completing it to address the future needs of our growing community, but I also know you will do that.*

So, I'm optimistic about the future for this board and the next one. I'm optimistic that a middle ground can always be found that mostly fits the needs of Boone's diverse citizenry. You have the best staff of any municipal government in North Carolina to help along the way.

I will miss seeing all of you day to day across town, but will still be up at least once a month. Thank you all for the friendship and support, and most of all, the service you've given to our community.

Council Member Brantz presented Mayor Ball with a resolution and plaque expressing the Town's sincere appreciation for Mayor Ball's many years of dedicated service to the town of Boone.

Safety and Risk Management Officer Terry Story presented several Certificate of Safety Achievement awards to Town Council noting that the Town's departments received the First Year Gold Award for their achievements.

TENTATIVE AGENDA ADOPTION

Town Manager John Ward noted the following items to be added to the agenda:

1. Addition to Consent Agenda Adoption – Adoption of Resolution of Appreciation for Mayor Andy Ball.
2. Addition to Consent Agenda Adoption – Approval of Non-Warranty Deed for Hope Crisis Center.
3. Addition to Council Matters – Consideration of Recommendation Letter to Watauga County Board of Elections for an Early Voting "One-Stop" Location in Boone for the 2015 Municipal Elections.
4. Addition to Council Matters – Discussion regarding an Interim Mayor Appointment.

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

VOTE: Aye – All
Nay – None
Absent – 1 (Hay)

PUBLIC HEARING – WEST DOWNTOWN ALIVE PLAN

Planning Director Bill Bailey noted that the West Downtown Alive Plan has been unanimously recommended for adoption by the Planning Commission. Town Manager John Ward added that

there are several development plans in the affected area that could begin the process with the Town for easement acquisition for this concept, if adopted. Mayor Ball opened the public hearing at 5:42 p.m. to hear comment regarding the West Downtown Alive Plan. There was no one signed up to speak during the public hearing. With no comments made, Mayor Ball closed the hearing at 5:43 p.m. Mr. Bailey added that this plan will become an official, adopted plan of the Town if approved by Council.

PUBLIC COMMENT

Mayor Ball noted that due to the number of people signed up to speak, comments would be limited to three minutes.

Mark Shroeder, of 130 Marsh Landing, spoke on behalf of East Ridge Acres POA concerning the operation of Mountain View Speedway. He stated the speedway is causing unfortunate side effects, excessive noise, traffic congestion and environmental concerns. Mr. Shroeder requested that the Town work with county officials to see which entity should be approached with concerns and complaints, advise local law enforcement of actions that should be taken when complaints are made and advise the public of their findings at the next meeting.

Stephen Taylor, of 700 Benjamin Drive, spoke on behalf of the Hidden Hills community in opposition of the Mountain View Speedway. He stated that there are no exhaust regulations and noted the varying noise decibel levels being reached from the homes, adding that the noise levels from concerts have never come close to these races. Mr. Taylor added that the speedway is in use from between 1-2 p.m. till around 10 p.m. on Saturdays.

Chris Gentry, of 748 Roby Greene Road, spoke in favor of Mountain View Speedway, stating that the races are from 1 to 4 p.m. and the proceeds go to various charities. He added that in addition to security hired for the speedway, there are firefighters and a police officer on site to ensure the safety of the families.

Mike Budka, of 748 Roby Greene Road, spoke in favor of Mountain View Speedway. He stated they provide a cheap, family-friendly environment, and are bringing money into the county through stores, restaurants, gas stations and other area businesses on a weekly basis. Mr. Budka added that he confirmed zoning compliance with the Town's planning department and mayor as well as with the county commissioners that they are in compliance with the noise ordinance, and had a list of over 1,400 names in Watauga and surrounding counties in support of the race track.

Tommy Keller, of 394 Dell Coffey, spoke in favor of Mountain View Speedway stating that it is always an argument regarding noise, whether it's Tweetsie, ASU or the race track. He stated the speedway is family-oriented, indicating that the speedway needed support, not rejection.

Shelly Parsons, of 434 Locust Hill Road, spoke on behalf of the Locust Hill neighborhood in opposition of the Mountain View Speedway. She noted the protections her neighborhood fought for to be in the town limits, and felt that the Town was abandoning them. She noted the effect on property values due to the race track and the nuisance of the noise. She added that no business should supersede the health and wellness of families forced to live in its vicinity.

Crystal Barker, of 576 Orville Barker Road, spoke in favor of the Mountain View Speedway. She stated that not everyone can afford to take their children to Tweetsie, but can afford to take them to the speedway, and it is very accommodating to families, especially for those who have children with special needs.

Paul Capua, of 164 S. Depot Street, and Tyler Moffatt, of 1675 Blowing Rock Road, spoke on behalf of Cornerstone Campus Communities. They noted that a previous request was brought to Council in April for a revision to the Water Ordinance #11-01. They stated that the Town's delay to hold a Water Use Committee meeting to discuss the requested revision is affecting the $30 million project and impacting the partners' ability to manage the project. They asked that Council make a decision as promptly as possible.

Robbie Collie, of 467 U.S. 321 in Vilas, spoke in favor of Mountain View Speedway, noting he is the chaplain at the race track. He stated he has never heard a car on the track until 5:30 p.m. and there is no racing any other time that he can recall.

Donna Akers, of 848 Seven Oaks Road, spoke in opposition of the Mountain View Speedway, stating that excessive noise begins in the afternoon during practice runs and sometimes during the week as well. She indicated that the traffic congestion is fast and reckless, and felt that the people who moved into these neighborhoods within the ETJ are not getting the protection they thought they would have. Ms. Akers hoped a compromise could be worked out.

Steve Barker, of West Jefferson, suggested putting special mufflers on the cars to quiet them down that would not affect the performance of the cars. He added that the noise the residents are probably hearing are the lawn mowers during the afternoon.

Veronica Gragg, of Fleetwood, spoke in favor of Mountain View Speedway, stating that she is a single mom of a two-year-old and the race track is part of their life.

Kevin Roberts, of Idlewild Road in Fleetwood, spoke in favor of Mountain View Speedway, stating that the race track has been there many years and most people knew it was there when they purchased their homes. He spoke briefly of his time street racing, noting that with the race track open he has had no tickets in the last three years and is keeping racing on the drag strip.

Deron (last name not provided), of Deep Gap, stated that there is a saw mill right across the road from the race track in use all day.

Mr. Coffey, of Boone, stated he felt there was no difference in a race and the motorcycle rally where they're drinking and being loud.

Mike Budka, owner of Mountain View Speedway, noted that the residents have been invited to talk and come to a solution, but they have not done so.

Kelsey Taylor, of Vilas, stated the speedway is family-friendly with no alcohol allowed. She wondered how many bars in Watauga County serve alcohol, and noted that a lot of college students are instead attending the races.

Casey Edwards, of Wilmington, stated he had visited the track on two occasions and relocated to Boone for a quieter life. He suggested a noise barrier by form of lined trees or concrete barriers to cut down the noise.

A woman whose name was not provided played a recording of the noise from her home. She stated the noise amplifies up the side of the hills into the neighborhoods from the valley, adding that she never hears the lumber mill, since the use is inside a building.

ZAN VALLIANT/LEOLA COMMUNITY GARDEN – REQUESTED APPEARANCE

Zan Valliant presented a request for consideration that the Town provide financial support to the Leola Community Garden in the form of $755 to pay for the insurance requirement as part of the existing lease with the Town of Boone. She noted that with this support, the money raised by the community garden could then be used toward a tool shed among other needs. Upon a motion by Council Member Mason, seconded by Council Member Clawson, Council moved to provide the Leola Community Garden with $755 for the current fiscal year from the general fund to cover the cost of insurance required by the Town, and in future years make sure they know about the outside agency funding process.

VOTE: Aye – All
Nay – None
Absent – 1 (Hay)

TERESA BUCKWALTER/ANN BROWNING – REQUESTED APPEARANCE

Ann Browning, representing the Middle Fork Greenway Association, presented a proposed B-Well Section of the Middle Fork Greenway for Council's consideration. She stated this plan would be an addendum to the Wellness District Small Area Plan, and they are working with Appalachian Regional Healthcare System, ASU and the Henson site developer. Ms. Browning noted that the request is for additional funding for preliminary engineering and surveying work to take the next steps for the Greenway to extend behind the hospital. Discussion ensued regarding communication with the affected stakeholders in the area. Planning Director Bill Bailey indicated he did not foresee any issues and has had discussions with the developer of the Henson property. He added that he believes this is a well-thought-out plan. Upon a motion by Council Member Brantz, seconded by Council Member Mason, Council moved to adopt the plan as an addendum to the Wellness District Small Area Plan and to provide financial support totaling $22,000 for continued planning and engineering from the general fund.

VOTE: Aye – All
Nay – None
Absent – 1 (Hay)

ANNETTE REEVES – REQUESTED APPEARANCE

Annette Reeves stated that she lives in the Locust Hill neighborhood in the ETJ of Boone. She added that she filed a formal complaint and addressed Council last month. Ms. Reeves indicated that a lot has happened since then and asked that her request for shutdown of the Mountain View Speedway be postponed until next month's meeting. No action was taken on this matter.

CONSENT AGENDA ADOPTION

Council Member Mason stated that clarification has been made with ASU and arrangements have been made to phase the closure of roads for the ASU Homecoming Parade. Council Member Clawson thanked staff for the years of hard work on the housing authority, noting it was a wonderful program with many grants received for the community. Council Member Brantz noted that "committee" should be "commission" for Historic Preservation Commission in the resolution for the Boone Cemetery.

A. Minutes: June 3, 2015 – Special Meeting.
June 9, 2015 – Special Meeting/Howard Street Input Session.
June 18, 2015 – Regular Meeting.
B. Adoption of West Downtown Alive Plan **(Permanently on file in Town Hall)**.
C. Historic Preservation Commission Request – Authorization to Conduct Survey of Downtown Properties.

D. Historic Preservation Commission Request – Funding of $8,000 to Cover Materials and Intern Wages for Survey of Downtown Properties.
E. Historic Preservation Commission Request – Direct Staff to Review and Provide Recommendations for Incorporating the Secretary of Interior's Historic Preservation Design Guidelines into the Unified Development Ordinance.
F. Historic Preservation Commission Request – Approval to Submit Local Landmark Designation Application to the State Historic Preservation Office.
G. Approval of Submission of an NC Wildlife Resources Commission Grant Application.
H. Approval of Amendments to Town Code Section 10.99: General Penalty:

10.99 GENERAL PENALTY.

(A) Unless otherwise specifically provided, violation of any provision of this code of ordinances shall subject the offender to a civil penalty in the amount of $100, to be recovered by the town. Violators shall be issued written notice of the violation which must be paid within 72 hours after receipt of the notice. If the violator does not pay the penalty within 72 hours, the town may recover the penalty, and all subsequently accruing penalties, in a civil action.

(B) Each day's continuing violation of any ordinance provision shall be a separate and distinct offense.

(C) Notwithstanding division (A) above, all ordinances may also be enforced by appropriate equitable remedies issuing from a court of competent jurisdiction.

(D) ~~Unless otherwise specifically provided or unless a greater penalty is established under state law for the same offense in which case that penalty shall apply, pursuant to G.S. §14-4(a), every violation of a provision of this code of ordinances, except one relating to the operation or parking of vehicles, shall be a class 3 misdemeanor punishable by a fine of up to $500.~~ Unless otherwise specifically provided herein, any person who violates a town ordinance regulating the operation or parking of vehicles shall be responsible for an infraction and shall be required to pay a penalty of up to $50.

(E) If any section of this ordinance is held to be invalid or unenforceable, all other sections shall nevertheless continue in full force and effect.

(F) In the event it is necessary for the town to institute a civil action to collect a civil penalty for the violation of any provision of any town ordinance, the offender shall pay all court costs, including filing fees, fees for service of process, and other expenses incurred in the litigation, such as costs of depositions, copying expenses and charges, and reasonable attorney's fees incurred by the town.

(Ord. 13-01, passed 1-15-2013)

I. Adoption of Resolution – Abolishing the Housing Authority:

RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF BOONE, NORTH CAROLINA, ABOLISHING THE BOONE HOUSING AUTHORITY

WHEREAS, the Boone Housing Authority was incorporated effective July 10, 1970 by declaration of the North Carolina Secretary of State pursuant to the authority granted to the Town of Boone to establish a housing authority by NCGS § 157-4;

WHEREAS, the Housing Authority has wound up the efforts for which it was established, no longer has any active projects or ongoing efforts, and is not believed to own any property or to be owed any indebtedness;

WHEREAS, the Town Council deems it advisable to abolish the Housing Authority and transfer its authority and obligations to the Town Council in an orderly fashion;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Boone, North Carolina ("Town"), pursuant to the authority vested in it pursuant § 157-4.1(b) of the North Carolina General Statutes, hereby determines that it is appropriate and in the public interest to abolish the Boone Housing Authority effective as of October 24, 2015, as of which date:

(1) The Boone Housing Authority ("housing authority") shall cease to exist as a body politic and corporate and as a public body;

(2) All property, real and personal and mixed, belonging to the housing authority shall vest in, belong to, and be the property of the Town;

(3) All judgments, liens, rights of liens, and causes of action of any nature in favor of the housing authority shall remain, vest in, and inure to the benefit of the Town;

(4) All rentals, taxes, assessments, and any other funds, charges or fees, owing to the housing authority shall be owed to and collected by the Town;

(5) Any actions, suits, and proceedings, pending against, or having been instituted by the housing authority shall not be abated, but all such actions, suits, and proceedings shall be continued and completed in the same manner as if abolition had not occurred, and the Town shall be a party to all such actions, suits, and proceedings in the place and stead if the housing authority and shall pay or cause to be paid any judgments rendered against the housing authority in any such actions, suits, or proceedings, and no new process need be served in any such action, suit, or proceeding;

(6) All obligations of the housing authority, including outstanding indebtedness, shall be assumed by the Town, and all such obligations and outstanding indebtedness shall be constituted obligations and indebtedness of the Town;

(7) All ordinances, rules, regulations and policies of the housing authority shall continue in full force and effect until repealed or amended by the Town Council.

AND BE IT FURTHER RESOLVED, the housing authority is hereby authorized and directed to take such actions and to execute such documents as will carry into effect the provisions and the intent of this resolution, and as will effectively transfer its authority, responsibilities, obligations, personnel, and property, both real and personal, to the Town.

AND BE IT FURTHER RESOLVED, that subsequent to the abolition of the housing authority as provided herein, the Town Council shall exercise the authority granted to it pursuant to NCGS §157-4.1(a) to directly exercise the duties, powers, and responsibilities of a housing

authority.

Adopted this 23rd day of July, 2015.

(RESOLUTION TO BY TYPED IN BOOK 3 , PAGE 241)

J. Adoption of Resolution – Authorization to Proceed with Acquisition of Boone Cemetery:

RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF BOONE, NORTH CAROLINA, WITH RESPECT TO THE BOONE CITY CEMETERY

WHEREAS, the Boone Cemetery, also known as the "Town of Boone Cemetery," "city cemetery," "town cemetery," and more recently "Jordan Councill Memorial Cemetery" (hereinafter, "Cemetery") has been in existence and continually used as a town cemetery since at least the 1860s;

WHEREAS, the Cemetery is of significant historical and cultural importance to the Town and its residents;

WHEREAS, certain Trustees have been providing for the operation and maintenance of all or certain areas of the Cemetery since at least the 1930s and, as serving Trustees have died or resigned, have duly named successor Trustees;

WHEREAS, the current Trustees are John L. Payne, Rebecca Gryder-Eggers, and Frank Coffey;

WHEREAS, in 1999, the four then-serving Trustees formed a North Carolina non-profit corporation, the Jordan Councill Memorial Cemetery, Inc., and conveyed their interest in Tracts One and Four of the Cemetery property to "Jordan Councill Memorial Cemetery" pursuant to instrument recorded at Book 532, Page 645 of the Watauga County Registry, with the apparent intention that the Trustees subsequently would serve as the officers and directors of the corporation, but the corporation took no further action of any kind and the Trustees continued to refer to themselves as the Trustees of the Cemetery and to act in such roles as before;

WHEREAS, the Town of Boone has been helping to maintain the grounds of the Cemetery for many years;

WHEREAS, the Trustees have requested that the Town take over the Cemetery in order to ensure its care and maintenance in perpetuity;

WHEREAS, aside from the Trustees and Jordan Councill Memorial Cemetery, Inc., no person or persons are known to hold or make any claim to any of the four tracts that constitute the Cemetery grounds;

WHEREAS, the Town's Historic Preservation Commission has studied and considered the history of the Cemetery and has consulted with the Trustees and with other stakeholders, including those interested in the history of the Cemetery and those who have family members buried there, and has recommended that the Town take over the ownership, operation and maintenance of the Cemetery; and,

WHEREAS, the Town is authorized to establish and operate cemeteries as set forth at N.C. Gen. Stat. § 160A, Article 17;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Boone, North Carolina, pursuant to the authority vested in it pursuant to Chapter 160A, Article 17 of the North Carolina General Statutes, hereby determines that it is appropriate and in the public interest to acquire the real property known as the Boone Cemetery, by the following means and on the following conditions agreed

between the Town and the Trustees:

(a) The Trustees shall execute a non-warranty Deed to the Town of the cemetery property in a form drafted and approved by the Town Attorney, which Deed shall be recorded together with a current survey of the Cemetery property;

(b) The Trustees shall convey to the Town the funds currently held in trust by the Trustees for the maintenance of the Cemetery, and said funds shall be held by the Town in trust and used only for purposes of maintenance and improvement of the Cemetery as such may be determined to be necessary or appropriate by the Town Manager, in consultation with the Historic Preservation Commission and/or the Town Council.

(c) The Trustees shall communicate in writing to the Town and to the Historic Preservation Commission, and the Town shall subsequently honor, any commitments that have been made by the Trustees as to future burials in the Cemetery of any persons, including but not limited to family members of persons buried there.

AND BE IT FURTHER RESOLVED, the Town Council directs the Historic Preservation Commission to meet with the Trustees and other stakeholders to deliberate and develop the following recommendations to the Town Council: (1) recommendations to be presented to the Town Council for adoption as an ordinance to govern the use, operation and maintenance of the Cemetery (such matters may include, but are not limited to: the cemetery name, the opening of graves, future burials, the erection of tombstones and monuments, the building of walls or fences, and hours of opening and closing), and (2) recommendations as to maintenance and/or improvements of the Cemetery grounds.

Adopted this 23rd day of July, 2015.

(RESOLUTION TO BY TYPED IN BOOK 3 , PAGE 242-243)

K. Approval of Tower Site License Agreement with Eastern Airwaves, LLC **(Agreement permanently on file in Town Hall)**.
L. Authorization to Contract Davis, Martin & Powell Engineering and Surveyors for Hwy. 194 Safe Routes to School Sidewalk Project.
M. Approval of Special Event Permit and Accompanying Budget Amendment – 2015 ASU Homecoming Parade:

Description:	**Account Number:**	**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)

N. Adoption of Resolution of Appreciation – Mayor Andy Ball:

RESOLUTION OF APPRECIATION

WHEREAS, Andy Ball served on the Boone Town Council from 2009 to 2013 and served as mayor from 2013 to 2015; and,

WHEREAS, Andy Ball has contributed much of his time to countless civic and charitable endeavors; and,

WHEREAS, During his tenure on Town Council, Andy Ball has been a part of many accomplishments, some of which include the renovation of the downtown Boone post office, collaboration with the Appalachian Theatre of the High Country, Inc., creation of the Cultural Resources Department, and enhancements and improvements to the New River along the Greenway Trail; and,

WHEREAS, through the performance of his duties and responsibilities as mayor of the Town of Boone, he has made excellent and constructive contributions to municipal government in our Town; and,

WHEREAS, his contributions to the community—including time on Town Council—include working closely with the High Country Council of Governments, Metropolitan Mayors Coalition, North Carolina League of Municipalities and many others.

NOW, THEREFORE, BE IT RESOLVED that the Town Council for the Town of Boone does hereby express our sincere appreciation and thanks, as well as that of our citizens to Andy Ball for his distinguished service to the community; and,

BE IT FURTHER RESOLVED that a copy of this resolution shall be forwarded to Andy Ball with sincere best wishes for continued success and many happy years ahead.

Adopted by unanimous vote of the Town Council on the 23rd day of July, 2015.

(RESOLUTION TO BE TYPED IN BOOK 3 , PAGE 244)

O. Approval of Non-Warranty Deed with Hope Crisis Center **(Deed permanently on file in Town Hall)**.

Upon a motion by Council Member Brantz, seconded by Council Member Clawson, Council moved to approve the Consent Agenda as presented.

VOTE: Aye – All
Nay – None
Absent – 1 (Hay)

Mayor Ball declared a break at 7:15 p.m. Council reconvened at 7:30 p.m.

DISCUSSION REGARDING INTERIM MAYOR APPOINTMENT

Council members Clawson, Mason and David voiced their support for Mayor Pro Tem Brantz to continue to serve in that capacity until the upcoming elections in lieu of appointing an interim mayor. Mayor Pro Tem Brantz stated he was willing to do so. Town Attorney Allison Meade stated she found no provisions indicating the Council could not use the mayor pro tem position and no requirement to appoint a mayor. Upon a motion by Council Member Mason, seconded by Council Member Clawson, Council moved that the Council have the mayor pro tem continue to serve and not formally appoint a mayor.

VOTE: Aye – All
Nay – None
Absent – 1 (Hay)

CONSIDERATION OF RECOMMENDATION LETTER TO WATAUGA COUNTY BOARD OF ELECTIONS FOR EARLY VOTING "ONE-STOP" LOCATION FOR 2015 MUNICIPAL ELECTIONS

Town Manager John Ward presented information and a draft letter to Council for consideration to send to the Watauga County Board of Elections requesting an early voting site in Boone in addition to the location designated by the State. Mr. Ward clarified that instead of listing spaces available to just designate a space, adding that it would be at the cost of the Town. He added that, as he understood it, the ASU student union was a preferred location, and if Council chose, he would incorporate that into the letter. Upon a motion by Council Member Mason, seconded by Council Member Clawson, Council moved to request an additional early voting site at ASU Plemmons Student Union to coincide with the early voting time period designated by the State with the exception of Saturdays (Monday through Friday, 10 a.m. to 5 p.m.) and that the Town acknowledges its responsibility for funding this site.

VOTE: Aye – All
Nay – None
Absent – 1 (Hay)

CONSIDERATION TO ESTABLISH A LONG-TERM COMMITTEE – SUSTAINABILITY, ECONOMICS AND ENVIRONMENT COMMITTEE

Council Member David presented a request for the following:

To re-establish the sustainability task force as a permanent committee for Boone, hereafter to be known as the Sustainability, Economics, and Environment Committee. (S.E.E.C.)

New committee charge:

-Town of Boone's Committee on Sustainability, Economics, and the Environment- (S.E.E. Committee)

1. *Establish both short and long-term goals and recommendations that the Town of Boone may implement to improve the sustainability and resilience of our community. Maintain and update these goals, as approved by council, in a publicly accessible place on the town website.*

2. *Conduct public focus groups and surveys on various areas of sustainability-related issues, research and debate methods of community improvement, and present the town council with those recommendations and findings as they are finalized.*

3. *Establish a yearly public sustainability forum, to be held each Fall quarter at a minimum, that representatives and citizens may participate in for the purpose of reporting effectiveness of current measures and receiving broad public input for new measures.*

The committee will comprise of six (6) individuals and two council liaisons. A preference will be given to three (3) applications who have a professional background in sustainability initiatives, and one (1) with established ties to ASU sustainability programs. Members are not required to reside within the town limits, and may be from the community at large.

Sub-committees may be formed, and participation from the public at large highly encouraged. A quorum requires the town code minimum of 50% of the committee in attendance, and committee terms are for one year beginning at the time the position is initially filled. The committee will meet a minimum of one time per month with a regular meeting time and date to be established, along with a chair and vice chair, by the mayor once the full committee members have been appointed by the normal committee application process.

The duration of this committee will be in perpetuity, until modified by future council action.

Brief discussion ensued regarding staff liaisons as well as extending the members' terms. Council Member David noted that Planning Department staff have been helping and the committee would request various staff help dependent on the discussion, and that this request comes with Council's authorization to allow subcommittees to be formed without coming back to Council for additional approval. Upon a motion by Council Member Brantz, seconded by Council Member Clawson, Council moved to approve the new committee's creation.

Council Member Mason made a friendly amendment, accepted by Council members Brantz and Clawson, to have longer terms – set at three members appointed for one year and three members appointed for two years.

VOTE: Aye – All
Nay – None
Absent – 1 (Hay)

TOWN MANAGER UPDATE:

Town Manager John Ward presented Council with the following updates:

- Two-hour parking has resulted in positive feedback. Some citations are still issued, but the new multi-hour banners have arrived and installed providing additional directional information for lots and pay stations.
- Downtown streetscape is 35% complete.
- Clement Street sewer project is complete.
- Hardin Street sewer project is 85% complete.
- Jones House painting is nearly complete.
- RFQ for Howard Street Project is available. Town is in process of developing an RFQ for the downtown streetscape.
- Additional one-on-one meetings with property owners and businesses about Howard Street are being scheduled. Additional discussion regarding power lines with ASU and New River Light & Power are continuing. He will be bringing options to Council concerning those.
- Howard Street and Streetscape – there will be additional opportunities and meetings for discussion about concepts and several more public input phases as we move forward.

ANNOUNCEMENT OF BOARD VACANCIES

Mayor Ball announced the following vacancies:

- Jenny Church and Maria Owens resigned from the Affordable Housing Task Force. Their terms expire April 18, 2016, and Feb. 20, 2017.
- Brandon Paul resigned from his Alternate Resident position on the Board of Adjustment, having moved to the ETJ. His Alternate Resident position term expires June 30, 2018.
- Due to Loretta Clawson's recent appointment on Town Council, the following positions she previously held are now vacant:
    - Tree Board – term expires Oct. 31, 2016.
    - Water Use Committee – term expires July 24, 2017.
- Joanna Weintraub's position on the Water Use Committee is set to expire Aug. 21, 2015.

Council Member Mason noted that with the difficulty getting a quorum for the Affordable Housing Task Force, she will be putting this on the next meeting's agenda for discussion on how to revitalize this committee.

BOARD APPOINTMENTS

Board of Adjustment:
Council Member Mason nominated Brandon Paul for appointment to the ETJ position on this committee. With no further nominations, Mayor Ball called for a vote.

VOTE: Aye – All
Nay – None
Absent – 1 (Hay)

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

Downtown Boone Development Association:
Council Member Mason nominated Kendra Sink and Anna Roseman for appointment to the DBDA. With no further nominations, Mayor Ball called for a vote.

VOTE: Aye – All
Nay – None
Absent – 1 (Hay)

Ms. Sink's and Ms. Roseman's positions will expire July 31, 2018.

Planning Commission:
Council Member Brantz nominated Charlotte Mizelle for appointment to the Resident position on this commission. With no further nominations for the resident position, Mayor Ball called for a vote.

VOTE: Aye – All
Nay – None
Absent – 1 (Hay)

Ms. Mizelle's term will expire June 30, 2019.

Council Member Mason nominated Cameron Lippard for reappointment to the ETJ position on this commission. With no further ETJ nominations, Mayor Ball called for a vote.

VOTE: Aye – All
Nay – None
Absent – 1 (Hay)

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

Tourism Development Authority:
Council Member Mason nominated Ben McKethan for the restaurant seat on this board. With no further nominations, Mayor Ball called for a vote.

VOTE: Aye – All
Nay – None
Absent – 1 (Hay)

Mr. McKethan's term will expire Sept. 30, 2016.

CLOSED SESSION

Upon a motion by Council Member Brantz, seconded by Council Member Clawson, Council moved to enter Closed Session at 7:58 p.m. pursuant to NCGS § 143-318-11(a)(3)(5) to hear the following items:

A. Pursuant to N.C. Gen. Stat. §143-318.11(a)(3) and (a)(5), to consult with the Town Attorney in order to preserve the attorney-client privilege between the attorney and the Town Council and consider and give instructions to the attorney concerning the terms of possible acquisition of Jim Toub's property related to the Eastbrook/Westbrook Community Greenspace.
B. Pursuant to N.C. Gen. Stat. §143-318.11(a)(3), to consult with the Town Attorney in order to preserve the attorney-client privilege between the attorney and the Town Council and consider and give instructions to the attorney concerning the claim involving the Town of Boone and Mountaineer Towing & Recovery, LLC.
C. Pursuant to N.C. Gen. Stat. §143-318.11(a)(3), to consult with the Town Attorney in order to preserve the attorney-client privilege between the attorney and the Town Council and consider and give instructions to the attorney concerning a potential claim involving the Town of Boone.
D. Pursuant to N.C. Gen. Stat. §143-318.11(a)(3), to consult with the Town Attorney in order to preserve the attorney-client privilege between the attorney and the Town Council and consider and give instructions to the attorney concerning potential claims involving the Town of Boone.

E. Pursuant to N.C. Gen. Stat. §143-318.11(a)(3), to consult with the Town Attorney in order to preserve the attorney-client privilege between the attorney and the Town Council and consider and give instructions to the attorney concerning a claim involving the Town of Boone and Ronald S. Cooper, et al.

F. Pursuant to N.C. Gen. Stat. §143-318.11(a)(3) and (a)(5), to consult with the Town Attorney in order to preserve the attorney-client privilege between the attorney and the Town Council and consider and give instructions to the attorney concerning the terms of possible acquisition of easements from Watauga County related to the water intake project.

VOTE: Aye – All
Nay – None
Absent – 1 (Hay)

Upon a motion by Council Member Brantz, seconded by Council Member David, Council moved to exit Closed Session at 9:30 p.m.

VOTE: Aye – All
Nay – None
Absent – 1 (Hay)

ADJOURNMENT

Upon a motion by Council Member Brantz, seconded by Council Member David, Council moved to adjourn the meeting at 9:31 p.m.

VOTE: Aye – All
Nay – None

Christine Pope, Town Clerk

Rennie Brantz, Mayor Pro Tem