

**MINUTES – REGULAR MEETING
BOONE TOWN COUNCIL
November 16, 2017**

CALL TO ORDER

A regular meeting of the Boone Town Council was called to order at 5:30 p.m. Thursday, November 16, 2017 in the Council Chambers located at 1500 Blowing Rock Road. Mayor Rennie Brantz presided. Council members present were Mayor Pro-Tem Lynne Mason, Council Member Jeannine Underdown Collins, Council Member Loretta Clawson, Council Member Quint David and Council Member Charlotte Mizelle. Staff present were Town Manager John Ward, Town Clerk Nicole Worley, Town Attorney Allison Meade, Finance Director Amy Davis, Planning Director Jane Shook, Deputy Public Works Director Josh Eller, Fire Chief Jimmy Isaacs, Police Chief Dana Crawford, Downtown Boone Development Coordinator Brittney Clark and Town Intern Thomas Studnicky.

ANNOUNCEMENTS

After reminding the public of instructions on how to submit an agenda action item and the availability of the required forms on the Town website, he read a proclamation in appreciation of volunteer, Anthony Reid.

TENTATIVE AGENDA ADOPTION (FOR ACTION)

MOTION TO ADOPT AGENDA

Upon a motion by Council Member Mason, seconded by Council Member Jeannine Collins, Council moved to adopt the tentative agenda as presented.

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

PUBLIC COMMENT

Cathy LaMarre of Olancho Avenue spoke regarding the lack of parking in Town. She stated that she felt there were too many vehicles in Town and not enough parking spaces and asked that Council consider this fact when considering and approving new buildings.

Lisa Bottomley of Sparta introduced herself as the new Executive Director for the Community Care Clinic and thanked Council for their past support.

CJ Robinson of Glendamer Court asked Council to consider additional support for the Hospitality House, specifically the thrift store. Mr. Robinson stated that the store had to shut down due to the lack of staff and that funding for the Hospitality House will be impacted as a result.

REQUESTED APPEARANCES

Jason Carpenter of Combs, Tenant and Carpenter presented the FY 16/17 audit report. Mr. Carpenter applauded Finance Director Amy Davis and staff.

Town Intern Thomas Studnicky presented a marketing plan which he developed for the CodeRED emergency notification system used by the Town and County. The plan included informational flyers to be enclosed in citizens utility bills, as well as press releases and information to be posted on the Town website.

Rob Gelber of AppTV presented a power point presentation detailing the benefits of broadcasting Council meetings on the AppTV station. (Power Point presentation on file in the office of the Clerk).

ADOPTION OF CONSENT AGENDA ITEMS

**APPROVAL OF TOWN COUNCIL REGULAR MEETING MINUTES - OCT. 19, 2017
5:30 P.M.**

**RESOLUTION OF VOLUNTEER APPRECIATION AND RECOGNITION TO
ANTONIO REID**

RESOLUTION OF VOLUNTEER APPRECIATION AND RECOGNITION

WHEREAS, Antonio Reid has served this community well in numerous capacities during his time volunteering on the Town of Boone's Affordable Housing Task Force; and,

WHEREAS, his service to the Town of Boone shows exemplary dedication to the best interest and betterment of the community; and,

WHEREAS, through the performance of his duties and responsibilities as a member of the Affordable Housing Task Force, he has made excellent and constructive contributions to our Town; and,

WHEREAS, he has earned the admiration and high regard of those with whom he has come into contact and the affection of his fellow public servants.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Boone, North Carolina does hereby express our sincere appreciation and thanks, as well as that of our citizens to Antonio Reid with sincere best wishes for continued success and many happy years ahead. Adopted by unanimous vote of the Town Council on the 16th day of November, 2017.

Mayor Rennie Brantz

ATTEST:

Town Clerk

**1633: RESCHEDULING OF TOWN COUNCIL SPECIAL MEETING/PLANNING
RETREAT TO JAN. 8, 2018 AT 8:30 A.M.**

ADOPTION OF ORDINANCE - STREET CLOSURE FOR CHRISTMAS PARADE

AN ORDINANCE DECLARING A ROAD CLOSURE FOR AN ANNUAL CELEBRATION

WHEREAS, The Boone Town Council acknowledges a long tradition of providing an annual Christmas parade for its citizens which is open to everyone and is provided as a benefit to the community; and

WHEREAS, the Boone Town Council acknowledges that its citizens realize a financial benefit from holding annual events; and

WHEREAS, the Boone Town Council wishes to ensure the health and safety of all participants and spectators; and

WHEREAS, the Boone Town Council acknowledges that the annual downtown Boone Christmas Parade requires approximately thirty (30) minutes to install signage, and traffic control, and also requires approximately thirty (30) minutes for removing signs, traffic control, and litter;

NOW THEREFORE BE IT ORDAINED by the Town of Boone pursuant to the authority granted by G.S. 20-169 that they do hereby declare a temporary road closure during the day(s) and times set forth below on the following described portion of a State Highway System route:
Date(s): Saturday, December 9, 2017

Times: 10:30 a.m. - 12:30 p.m.

Route Description : King Street (U.S. Route 421) between Hardin Street and Poplar Grove Connector, and SR 1102

(Water St. / North Water St.)

This ordinance to become effective when signs are erected giving notice of the limits and times of the parade, and implementation of adequate traffic control to guide through vehicles around the parade route.

Adopted this 16th day of November, 2017

The Honorable Rennie Brantz, Mayor

Attest:

Nicole Worley, Town Clerk

(ORDINANCE TO BE TYPED IN BOOK __ PAGE __)

APPROVAL OF ENCROACHMENT AGREEMENT - ROCK DIMENSIONS

STATE OF NORTH CAROLINA
COUNTY OF WATAUGA

ENCROACHMENT AGREEMENT

THIS ENCROACHMENT AGREEMENT is made and entered into this the 10th day of October, 2017, by and between the TOWN OF BOONE, party of the first part; and Rock Dimensions, 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 public sidewalk (hereinafter referred to as the "public land") located at 131-B South Depot St. Boone, NC 28607 with the following: sign hanging above business with logo advertising Rock Dimensions. (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 part hereby grants to the party of the second part the right and privilege to make this encroachment upon the following conditions, to wit: That the party of the second part complies with all pertinent provisions of the North Carolina State Building Code, the Town of Boone Unified Development Ordinance and Town of Boone Municipal Code, and such other laws, regulations and ordinances which might apply;

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

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

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

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

That where pertinent and requested by the party of the first part, the party of the second part agrees to name the party of the first part as an additional insured on its and/or its contractor's general liability insurance policies applicable to the encroachment or encroaching facility. It is clearly understood by the party of the second part that the party of the first part will assume no responsibility for any damage that may be caused to such encroaching facility as the party of the first part carries out its construction and maintenance operations, and the party of the second party 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 party is knowingly and intentionally assuming that heightened risk of damage.

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

The party of the second part agrees to restore all areas disturbed during installation and maintenance to the satisfaction of the party of the first part. The party of the second part agrees to exercise every reasonable precaution during construction and maintenance to prevent eroding of soil; silting or pollution to the rivers, streams, lakes, reservoirs, other 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 reestablish 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, rule, regulations and laws, and failure to do so shall be a basis for revocation of this encroachment agreement by the party of the first part.

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

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

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

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

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

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

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

Town of Boone

By: _____
Mayor

ATTEST:

Town Clerk

Party of the Second Part

By: _____
President/Member-Manager/Owner

By: _____
Printed Name Party of the Second Part

ATTEST:

Secretary/Witness

MOTION TO APPROVE ITEMS ON CONSENT AGENDA

Upon a motion by Council Member Lynne Mason, seconded by Council Member Quint David, Council moved to approve the items listed on the Consent Agenda:

1. Minutes of Town Council Regular Meeting Oct. 19, 2017 5:30 p.m.
2. A. Reid Resolution
3. Rescheduling of Special Meeting
4. Christmas Parade Ordinance
5. Rock Dimensions Encroachment Agreement

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

COUNCIL MATTERS

REQUEST TO INCLUDE JUNA NATURAL AREA IN HOWARD'S KNOB MASTER PLAN

Eric Woolridge of Destination by Design along with Wright Tilley of the Boone/Watauga County Tourism Development Authority spoke asking the Town's support to include the Juna Natural Area in the Howard's Knob Master Plan. Upon a motion by Council Member David, seconded by Council Member Collins, Council moved to include the Juna Natural Area in the Howard's Knob Master Plan.

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

REQUEST TO APPOINT REPRESENTATIVES TO WAYFINDING PLAN PROJECT OVERSIGHT COMMITTEE

Eric Woolridge of Destination by Design spoke to inform Council of a County-wide wayfinding sign project. Mr. Woolridge stated that in order to make sure Boone was properly represented, it would be helpful to appoint members to a "Wayfinding Plan Project Oversight Committee". Mayor Brantz suggested that staff would be qualified. It was the consensus of Council to appoint DBDA Coordinator Brittney Clark to the committee and recommended that planning staff be involved as well.

RESULT:	CONSENSUS
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REQUEST FOR NOMINATION TO WATAUGA COUNTY RECREATION COMMISSION

Upon a motion by Council Member Collins and seconded by Council Member Mizelle, Council moved to appoint Mayor Rennie Brantz to serve as the Town Council liaison to the Watauga County Recreation Commission.

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

AMENDMENTS TO TOWN CODE CHAPTER 50

Town Attorney Allison Meade stated that during previous edits of town Code Chapter 50, there were exemptions which would allow Town Council to approve water or sewer service outside of town limits without requiring annexation which were deleted inadvertently. In addition to adding these back into the code, Ms. Meade made the following clarifications: (1) language is clarified to make clear that Council approval is required for new connections as well as for extensions; (2) language is deleted that introduced ambiguity as to whether Council could approve service outside of town limits without requiring compliance with the UDO. Council Member Mason noted that it would also be helpful to strike unnecessary language in section 290 and make clarifications regarding the property owner. Upon a motion by Council Member Mason, seconded by Council Member Clawson, Council moved to accept the proposed modifications to Chapter 50 as presented and amended.

CHAPTER 50: Water and Sewers

§ 50.286 EXTENSIONS TO MAINS AND SERVICE CONNECTIONS.

No water or sewer main extension or service to property from existing water or sewer mains will be made to or within developments inside the town limits or ~~within the town's extraterritorial limits~~, outside the town limits that are not consistent with the planning, zoning and development requirements of the town.

(A) Water distribution lines to serve undeveloped subdivisions will be handled as follows.

(1) The developer will submit plans for review and approval by the town, its engineer, the State Department of Human Resources and the State Department of Natural Resources and Community Development.

(2) Lines will be installed in accordance with the approved plans.

(B) Extensions of water lines within the town's service area will be handled as follows.

(1) The plans for the extension will be submitted for review and approval by the town, its engineer, the State Department of Human Resources and the State Department of Natural Resources and Community Development.

(2) The lines will be installed in accordance with the approved plans.

(C) Requests for Service in the Town's Secondary Pressure Zone. In general, the Town's "secondary pressure zone" includes all areas at an altitude above 3,400 feet above sea level but below 3,620 feet above sea level. Notwithstanding any other provision of this Chapter, requests for extensions and connections into the Town's secondary pressure zone may only be approved if the following additional criteria are satisfied. For purposes of this paragraph, an "extension" refers to the continuation of a water main beyond its currently existing limits while a "connection" is defined as the linking of pipes serving a single customer to an existing water main.

a. Requests for Extensions into the Secondary Pressure Zone. No service extensions into the secondary pressure zone shall be considered for approval unless:

(1) The property for which service is requested was located inside the Boone Town limits on or before March 8, 2007; and

(2) The applicant agrees to adhere to Town of Boone secondary pressure zone specifications, and among other things, agrees at its expense to:

- i. Use minimum eight-inch minimum pipe diameter;
- ii. Provides all needed booster pumping station(s) of EFI design with fire pumping capabilities;
- iii. Provides a minimum 100,000 gallon welded joint steel storage tank;
- iv. Installs pressure protection for each individual water service; and
- v. Install Dataflow Systems radio telemetry compatible with existing Town of Boone system is provided; and

(3) All portions of a proposed extension are below 3,620 feet in elevation.

b. Request for Connections into the Secondary Pressure Zone. A connection to an existing water main in a secondary pressure zone may be approved by the Town Council in cases in which such connection:

- (1) Creates no negative impact on the Town's distribution system;
- (2) Allows adequate pressure to be maintained as may be necessary to comply with the requirements of the Boone Fire Department and applicable fire codes;
- (3) Results in no additional costs to the Town; and
- (4) Otherwise complies with the requirements of the Town of Boone Water and Sewer Code for connection to the Town's water system.

§ 50.290 EXTENSIONS AND NEW CONNECTIONS OUTSIDE OF TOWN.

(A) (1) The town has no responsibility to provide water and sewer service to property located outside the corporate limits.

(2) However, upon request by a property owner ~~or municipal or county government~~, the town may extend its water lines and/or sewer lines and/or water and/or sewer services and or permit new connections beyond the town limits.

(3) As described herein, the town may impose the conditions as it may deem appropriate on any extension(s).

Commented [AM1]: Language added to clarify throughout that Town Council approval is required for BOTH extensions and new service connections outside of town limits.

Commented [AMM2]: One additional modification made per Council member Mason's suggestion at Nov 16 Council meeting.

(4) Nothing in this section, however, shall create any right to or property interest in, water and/or sewer service and absent express written authorization and formal action by the Town Council, the town shall not bind itself to provide the service(s).

(B) Any owner of property outside the corporate limits who seeks an extension of the town's water and/or sewer system or seeks to connect water and/or sewer service lines to existing water and/or sewer lines, whether the existing lines are inside or outside the corporate limits, to serve property outside the corporate limits may make an application for the extension or new connection to the town. The owner shall provide all information the town deems necessary to determine whether the requested extension(s) is feasible and in the town's best interest.

(C) Absent express written authorization and formal action by the Town Council based upon a finding of exigent circumstances or for other reasons determined by the Town Council as in the best interest of the town, the responsibility for and the entire cost of extending a water or sewer line from an existing line or adding a new connection shall be borne by the person or entity requesting the extension or connection. In addition, the entire cost of extending lines to and within new subdivision or developments outside the town shall be borne by the subdivider or developer and shall be paid before the service will be initiated by the town.

(D) No extension or new connection of town water and/or sewer services outside the town limits is authorized, absent express written authorization and formal action by the Town Council. Any conditions required by the town shall be stated in the ordinance authorizing the extension or new connection of water and/or sewer services.

(1) ~~Extensions and connections outside the town limits will be granted only if the property owner agrees to file a petition for voluntary annexation of the property. However, the Town Council may waive the requirement of a petition for annexation if:~~

- a. ~~The town needs an easement from the property owner in order to extend its water and/or sewer lines and the owner voluntarily provides the town with the requested easement; and/or~~
- b. ~~The property owner is not required under state general statutes to pay ad valorem taxes; and/or~~
- c. ~~The property owner is an owner of a portion, but not the entire subdivision, does not control the persons or entities who own the remainder of the subdivision, and does not have the authority to petition for annexation of the entire subdivision.~~

(2) Extensions and new connections outside the town limits may be granted subject to conditions as the Town Council may deem appropriate and in the best interests of the town. An applicant for the service must provide the information to the Town Council as the Council may request or may require in order to make a determination as to what conditions may be appropriate with respect to the application and the failure of the applicant to provide the information shall be deemed a withdrawal of the application. Conditions imposed by the Town Council may include, but are not limited to, one or more of the following:

- (a) A site-specific development plan for the property for which service is requested in sufficient detail to enable the Town to assess the factors which may be considered under this ordinance;
- (b) Compliance by the applicant with all other relevant sections of this chapter;
- (c) The conveyance of temporary construction and permanent maintenance easements by the applicant to the town;
- (d) The completed voluntary annexation and designation of zoning district for the property in question, for which the Town Council may authorize concurrent annexation and zoning designation procedures to be undertaken, prior to any commitment of town water and/or sewer service;
- (e) If voluntary annexation cannot be accomplished due to legal or factual circumstances, a promise to petition for annexation if and when circumstances permit voluntary annexation as determined by the town in its sole discretion, such promise to be memorialized in writing recorded with the Register of Deeds;
- (f) The connection of the property to both town water and sewer services;
- (g) That ~~an applicant comply with the town's Unified Development Ordinance, and/or that~~ the property be developed pursuant to a site-specific development plan approved by Town Council and/or to be submitted to and approved by the Town's Planning Department, in order for the property to receive and continue to receive service;

Commented [AM3]: Language derived from prior section that had been deleted in amendment adopted in September.

Commented [AM4]: This language deleted because it creates ambiguity as to whether an extension or new connection could be approved with the development not having to comply with the UDO, which is contrary to the clear mandate in the first sentence of section 286 (above)

(h) Compliance by the property owner or his or her transferees, assignees, lessees or other persons with interests in the property in question with the provisions of the town's Unified Development Ordinance as to any ~~new-future~~ construction or construction undertaken within the previous year, consistent with the requirements of the zoning district as the Town Council may deem appropriate;

(i) The filing of a petition for annexation by the owner of the property; and/or

(j) That an applicant granted the right to connect to the sanitary sewer system or the water system agree to connect into the Town's water system or sewer system should the Town later request that such a connection be made, and that the applicant sign a statement of commitment to that effect which will remain on file with the Town's Public Works Department and/or be recorded as of record with the Register of Deeds as the Town deems advisable in its sole discretion.

(3) When an extension or connection to an affordable rental housing project outside the town limits has been authorized hereunder and other pertinent ordinances, customers thereby served shall be charged at the rate of in-town customers if all of the following are met:

(a) The project is managed by a duly created and authorized housing authority, as that term is defined pursuant to G.S. § 157-3;

(b) All residents of the project qualify for and receive housing assistance under the Section 8 Program, United States Housing Act of 1937, as amended or all residents of the project qualify for and receive public housing, as that term is defined under the United States Housing Act of 1937, as amended; and

(c) The housing authority which management the project executes an agreement to indemnify and reimburse the town for any undercharge due the town as a result of the cessation of the project's compliance with the criteria of this section, until 60 days after the housing authority has notified the town in writing that the project is no longer entitled to the in-town rate.

(Ord. passed 6-21-2011)

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

Commented [AM5]: See immediately prior comment.

CONSIDERATION OF PARKING RATE INCREASE - QUEEN STREET METERS

After discussing the pros and cons of increasing the rate per hour to park on Queen Street, as well as short discussion regarding the need to find a solution to downtown employee parking, a motion was made by Council Member Clawson, seconded by Council Member Mizelle to raise the per-hour parking rate on Queen Street to \$1.00/hour with an 8 hour maximum.

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

COORDINATION OF UPCOMING PUBLIC HEARINGS

Upon a motion by Council Member Mason, seconded by Council Member Clawson, Council moved to hold a special meeting on December 21, 2017 at 4:30 p.m. to allow the current Council members to take action on items heard at the November Public Hearing.

Council Member Mason excused herself from the meeting at 6:48 p.m. to attend to a personal matter.

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

APPROVAL OF AMENDMENT TO CONTRACT WITH THE HARPER CORPORATION

Upon a motion by Council Member David, seconded by Council Member Collins, Council moved to approve the change order presented by the Harper Corporation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Quint David, Council Member
SECONDER:	Jeannine Underdown Collins, Council Member
AYES:	David, Clawson, Mizelle, Collins
EXCUSED:	Mason

TOWN MANAGER UPDATE

- Updated Council on the recent threat of violence at Watauga High School and noted that additional police officers will be on campus.
- Have had meetings with Public Works, ASU and the New River Conservancy in a joint effort to address stormwater concerns
- Planning and Inspections Prius was totaled in an accident recently. Staff will move forward to replace it
- Staff is looking into participating in a DOT program that provides funding for bicycle helmets
- Culvert at Precision Printing has been replaced
- The MOAA announced at their Veterans Day ceremony at the Boone Mall that they received \$50,000 in funding for the Boone/Watauga County memorial
- New fencing has been installed at the Boone Cemetery
- Deck Hill water tank project has been completed
- New Market water line loop complete
- Glendale project update
- Leaf pick-up available through mid-December
- Annual pre-season snow prep meeting has taken place
- Water intake update

ANNOUNCEMENT OF BOARD VACANCIES

Mayor Brantz read the complete list of board vacancies available.

APPOINTMENT TO SUSTAINABILITY, ECONOMICS AND ENVIRONMENT COMMITTEE

RESULT:	TABLED [UNANIMOUS]	Next: 12/21/2017 5:30 PM
AYES:	David, Mason, Clawson, Mizelle, Collins	

MOTION TO AMEND AGENDA

Upon a motion by Council Member David, seconded by Council Member Collins, Council moved to amend the agenda to include an action item to grant staff an additional paid day off at Christmas.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Quint David, Council Member
SECONDER:	Jeannine Underdown Collins, Council Member
AYES:	David, Clawson, Mizelle, Collins
EXCUSED:	Mason

MOTION TO GRANT STAFF AN ADDITIONAL PAID DAY OFF FOR CHRISTMAS

Upon a motion made by Council Member Collins, seconded by Council Member Mizelle, Council moved to approve one additional paid day off for staff over the Christmas holiday.

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

QUASI-JUDICIAL HEARING

RECONSIDERATION OF REQUEST FOR SERVICE - DR. MARK POARCH/CCC&TI

Town Attorney Allison Meade re-opened the Quasi-Judicial Hearing from the September Council meeting at 7:03 p.m. Council Member Jeannine Underdown Collins presented the previous service request from Caldwell Community College and noted that now that Town Code Chapter 50 would be updated to re-insert the exemptions inadvertently excluded in an earlier revision, the Town could now grant Caldwell Community College water service, as long as the project complied with the Town UDO. The hearing was closed at 7:04 p.m. and upon a motion by Council Member Jeannine Underdown Collins, seconded by Council Member Loretta Clawson, Council moved to approve the request for service by Caldwell Community College.

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

CLOSED SESSION

ENTERING CLOSED SESSION

Upon a motion made by Council Member Jeannine Underdown Collins, seconded by Council Member Quint David, Council moved to enter into closed session at 7:06 p.m. 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 Zhiyuan Chen.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jeannine Underdown Collins, Council Member
SECONDER:	Quint David, Council Member
AYES:	David, Clawson, Mizelle, Collins
EXCUSED:	Mason

EXITING CLOSED SESSION

Upon a motion by Council Member Quint David, seconded by Council Member Jeannine Underdown Collins, Council moved to exit closed session at 7:20 p.m.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Quint David, Council Member
SECONDER:	Jeannine Underdown Collins, Council Member
AYES:	David, Clawson, Mizelle, Collins
EXCUSED:	Mason

ADJOURNMENT**MOTION TO ADJOURN**

Upon a motion by Council Member Quint David, seconded by Council Member Charlotte Mizelle, Council moved to adjourn the meeting at 7:22 p.m.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Quint David, Council Member
SECONDER:	Charlotte Mizelle, Council Member
AYES:	David, Clawson, Mizelle, Collins
EXCUSED:	Mason

Nicole Worley, Town Clerk

Rennie Brantz, Mayor