

**MINUTES – SPECIAL MEETING
BOONE TOWN COUNCIL
January 9, 2017**

CALL TO ORDER

A special meeting of the Boone Town Council was called to order at 9:03 a.m. Monday, Jan. 9, 2017, in the Council Chambers located at 1500 Blowing Rock Road. Mayor Rennie Brantz presided. Council members present were Mayor Pro Tem Lynne Mason, Charlotte Mizelle and Jeannine Underdown Collins. Town Attorney Allison Meade was in attendance. Staff present included Town Manager John Ward, Assistant Town Manager Jim Byrne, Town Clerk Christine Pope, Public Works Director Rick Miller and Interim Planning Director Jane Shook.

Town Manager John Ward noted that Council members Clawson and Teague were unable to attend, but did provide written waiver of notice.

CLOSED SESSION

MOTION TO ENTER CLOSED SESSION

Upon a motion by Council Member Underdown Collins, seconded by Council Member Mizelle, Council moved to enter closed session at 9:07 a.m. to hear the following item:

1. Pursuant to N.C.G.S. 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 with respect to claims that may be affected by the Supreme Court decision, including but not limited to the claims involving Mike Budka, et al., and Michael Perry, and to consider other legal issues related to the Court's decision.

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

MOTION TO EXIT CLOSED SESSION

Upon a motion by Council Member Underdown Collins, seconded by Council Member Mizelle, Council moved to exit closed session at 9:59 a.m.

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

**DISCUSSION OF RECENT STATEMENT BY THE N.C. SUPREME COURT ON THE
TOWN'S EXTRATERRITORIAL JURISDICTION AND CONSIDERATION OF A
POSSIBLE STATEMENT ON BEHALF OF THE TOWN**

Council Member Mason asked that Council draft a statement regarding the recent decision by the Supreme Court regarding the Town's extraterritorial jurisdiction, noting that this jurisdiction was established only in counties without land-use planning and zoning. She stated she hopes that as the County takes over, they will enact measures to protect residential areas. Council members Underdown Collins and Mizelle agreed and applauded Town staff for working with the County to provide them with the information needed on the extraterritorial jurisdiction as quickly as possible. Mayor Brantz stated he would like to see the new state law implemented fully, so the Town can focus on other issues that need to be addressed. Mayor Brantz opened the discussion to receive public comment.

Jimmy Hodges, of the Watauga County Board of Commissioners, applauded the Town for their cooperation in this transition, adding that his goal is for the Town and County to continue to work together.

Lee Stroupe stated he has lived in the extraterritorial jurisdiction for 18 years, and was grateful for the Town's efforts to protect this area and the neighborhoods. He added that he hopes the County will consider keeping some of the protections in place.

FIRST MOTION

Upon a motion by Council Member Mason, seconded by Council Member Underdown Collins, Council moved that the mayor represent the Town at the County's public hearing and to provide a statement that includes recognizing that the Town has spent many resources to protect the extraterritorial jurisdiction as it has been an important planning tool, the Town is disappointed with the decision of the Supreme Court, but has been working to provide an orderly transition with the County, including Town staff meeting with County staff to transfer all records, and a statement that the Town hopes the County will consider measures they can take to protect the residential areas in the extraterritorial jurisdiction. Town Manager John Ward noted staff will draft a letter for the mayor to sign and will provide copies to the County Commissioners.

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

SECOND MOTION

Upon a motion by Council Member Mason, seconded by Council Member Underdown Collins, Council moved to instruct Town staff to review all Town ordinances and to update them with regard to the decision from the Supreme Court in areas involving extraterritorial jurisdiction, including the Unified Development Ordinance, Water and Sewer Ordinances, and any other plans impacted.

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

ADJOURNMENT

MOTION TO ADJOURN

Upon a motion by Council Member Mizelle, seconded by Council Member Underdown Collins, Council moved to adjourn the meeting at 10:08 a.m.

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

Christine Pope, Town Clerk

Rennie Brantz, Mayor