

**MINUTES - SPECIAL MEETING
BOONE TOWN COUNCIL
FEBRUARY 15, 2008**

A special meeting of the Boone Town Council was called to order at 8:39 a.m., Friday, February 15, 2008, in the Embers Room at the Chetola Inn and Resort in Blowing Rock, NC. Mayor Loretta Clawson presided. Council members present were Mayor Pro-Tem Lynne Mason, Liz Aycock, Stephen Phillips (arrived at 8:45 a.m.), Rennie Brantz (arrived at 9:44 a.m.), and Janet Pepin. Staff members present were Town Manager Greg Young, Town Clerk Freida Van Allen, Deputy Town Clerk Kim Tester, Special Assistant to the Manager Jim Byrne, Finance Director Amy Davis, Human Resources Director Peri Moretz, Public Works Director Blake Brown, Police Chief Bill Post, Public Utilities Director Rick Miller, Development Services Director John Spear, and Fire Chief Reggie Hassler. Town Attorney Sam Furgiuele was also present. Frank Ruggerio of the Mountains Times Publications was present as well as Dan Meyer and Ginny Campbell from the Boone Area Chamber of Commerce. Brad Edwards of Jenkins-Hill Consultants and Steve Metcalf of The Policy Group were also present.

The purpose of this meeting was the Council’s annual retreat.

REVIEW OF STATED GOALS FROM 2007 RETREAT

Town Manager Greg Young presented the following update of 2007 Retreat goals:

Topic	Status
Space Needs Analysis	Completed -report distributed to Council. Funds reserved for property acquisition.
Stormwater Proposal	Study Completed -Grant received to implement a portion of the recommendations.
Open Space, Parks, & Greenways	Continued Funding -\$50,000 in budget.
Hire a consulting firm to develop smart-based codes	Smart Growth Audit completed. Requesting RFP’s for revision of UDO.
Funding consideration for Howard Street project.	Still awaiting right-of-way acquisition.
Water Conservation Rate Schedule	Still under review.
Fare-Free funding for AppalCART	Completed -may require funding adjustments in FY08/09.
Participation in bio-diesel program	Completed -plans to start using fuel in small equipment in Spring.
Sidewalk Priorities	Still under review-final recommendations will be presented in Spring ‘08.
ASU Cultural Museum	Still under review.
Historic Preservation	Completed -Historic Preservation Commission established.
Establishment of vision statement	Still under review.
Town Website update	Completed -Various departments still under review.
Voice Over IP Telephone system	Completed
Remodeling of Fire Stations	Completed -Station #1 renovations. Design underway for Station #2.

CAPITAL PROJECTS/BUDGET REVIEW

Town Manager Greg Young presented a PowerPoint presentation (**Exhibit A**) regarding the following topics:

- \$ Greenway - Wilson Drive Project
- \$ Howard Street Project
- \$ Horn in the West - 2008 Improvements
- \$ Ann Marie /Elizabeth Drive Park Project - Council Member Aycock stated she would like to request that officials from Watauga County make a formal request to the Division of Wildlife Resources to hire a certified beaver trapper to address the situation in area streams specifically along the Greenway Trail and Goshen Creek.
- \$ Storm Water Management
- \$ ASU & Blowing Rock Water Interconnection
- \$ Fund Balance - FY2007/2008 Designations
- \$ Solid Waste Disposal Tax
- \$ Budget Issues - FY2008/2009
- \$ Fund Balance - Current Status - Council Member Pepin stated she would like to see a policy that requires first-time funding recipients to submit a report detailing how the funds were spent.
- \$ Water & Sewer Rates
- \$ USDA Funding
- \$ Water System Expansion

Town Manager Greg Young presented items for action by the Town Council for the following projects:

Greenway Trail - Wilson Drive project

Upon a motion by Council Member Mason, seconded by Council Member Pepin, Council moved to authorize amending the contract with Vaughn & Melton in the amount of \$9,000 for headwall design, subject to DOT approval and to authorize pursuing supplemental funding for the project.

VOTE:Aye - All
Nay - None

Water Issues

Upon a motion by Council Member Mason, seconded by Council Member Pepin, Council moved to authorize an application for a grant from the N.C. Rural Center to fund the Town's share of interconnection with Appalachian State University.

VOTE:Aye - All
Nay - None

Upon a motion by Council Member Pepin, seconded by Council Member Mason, Council moved to pursue funding available for an interconnection with the Town of Blowing Rock with the condition that no taps will be made at this time along the interconnection.

VOTE:Aye - All
Nay - None

Upon a motion by Council Member Mason, seconded by Council Member Pepin, Council moved to authorize pursuing a dual track of permitting and a General Obligation bond referendum.

VOTE:Aye - All
Nay - None

Upon a motion by Council Member Brantz, seconded by Council Member Pepin, Council moved to approve applying for a grant from the N.C. Rural Center for supplemental funding for water needs.

VOTE:Aye - All
Nay - None

Upon a motion by Council Member Pepin, seconded by Council Member Brantz, Council moved to transfer \$147,785 earmarked for the Howard Street project for costs associated with General Obligation issue for water needs.

VOTE:Aye - All

Nay - None

Upon a motion by Council Member Mason, seconded by Council Member Pepin, Council moved to adopt the following resolution:

RESOLUTION

WHEREAS, in the summer of 2007, the North Carolina General Assembly included a \$100 million appropriation to the North Carolina Rural Economic Development Center in the FY 2007-2009 state budget, for the purpose of making grants to rural communities in need of water and wastewater infrastructure improvements; and

WHEREAS, the Town of Boone has need for and intends to construct or rehabilitate a publicly-owned treatment works or an alternate wastewater system for wastewater collection systems or for water supply and distribution systems, project described as the Town of Boone-ASU water inter-connect project; and

WHEREAS, the Town of Boone intends to request grant assistance from the Supplemental Grants Program for the project;

NOW, THEREFORE BE IT RESOLVED, by the Council of the Town of Boone:

That the Town of Boone will arrange financing for all remaining costs of the project, if approved for a grant.

That the Town of Boone will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Mayor Loretta Clawson, and successors so titled, is hereby authorized to execute and file an application on behalf of the Town of Boone with the NCREDC (Rural Center) for a grant to assist in the construction of the project described above.

That Mayor Loretta Clawson, and successors so titled, is hereby authorized and directed to furnish such information as the Rural Center may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the Town of Boone has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations and ordinances applicable to the project and to the grants pertaining thereto.

This resolution adopted this the 15th day of February, 2008.

ATTEST:

Mayor

Clerk

(RESOLUTION TO BE TYPED IN BOOK 3, PAGE 48)

VOTE:Aye - All

Nay - None

Mayor Clawson declared a break at 9:55 a.m. Council reconvened at 10:13 a.m.

REPORT FROM BRAD EDWARDS, JENKINS-HILL CONSULTING, LLC

Brad Edwards of Jenkins-Hill Consulting LLC and employed by the Town of Boone for lobbying purposes in Washington, D.C., appeared before the Council to present an update on appropriations. Mr. Edwards presented the following memorandum:

MEMORANDUM TO: Greg Young, Town Manager, Town of Boone
Jim Byrne, Assistant to Town Manager, Town of Boone
FROM: Brad Edwards, Jenkins-Hill Consulting, LLC
DATE: January 15, 2008
RE: Town of Boone Appropriations Summary

FY'08 Appropriations Summary:

The first session of the 110th Congress passed the outstanding appropriations bills as an omnibus piece of legislation prior to adjourning at the end of December 2007. President Bush signed the omnibus bill that included legislative language for the Town of Boone in the Agriculture appropriations portion of the bill.

The following language was included and signed into law by the President and will allow the Town of Boone to seek federal funds through the Department of Agriculture Rural Development Agency. The language included in the bill states:

In the General Provisions, Section 738 that said the following:

SEC. 738. Notwithstanding any other provision of law, and until receipt of the decennial Census for the year 2010, the Secretary of Agriculture shall consider-
(1) the City of Parsons, Kansas; the Town of Boone, North Carolina; the City of Henderson, North Carolina; and the City of Lenoir, North Carolina to be rural areas for the purposes of eligibility for Rural Utilities Service water and waste loans and grants.

This effort to include this language was made at the request of Senators Elizabeth Dole, Richard Burr and Rep. Virginia Foxx and their staffs.

Impact of proposed Senate Agriculture Appropriations language for the Town of Boone:

The above language will allow the Town of Boone to receive a population exemption, (currently at 10,000) to apply for loans and grants up to \$1 million a year for wastewater projects through United States Department of Agriculture Rural Development Agency for FY'08, '09, and '10. I have talked with NC Rural Development Agency and was informed that the Agency will be meeting with Town officials to begin the process of filling out forms and paperwork and start the process on allocating the monies to the Town of Boone. Since the Town of Boone has completed an environmental impact study of the proposed water facility this should help move the process along quicker than normal.

Background on Town of Boone Appropriations request/success:

We began our effort in December 2005 by contacting the offices of Representative Virginia Foxx, Senators Elizabeth Dole and Richard Burr about the need for a new water treatment system for the Town of Boone. As we prepared for the FY06 appropriations requests, we educated staff about the issues facing the Town of Boone. In December 2005, a staffer from Senator Richard Burr's office visited with town officials assessing the problems the town was facing. Town of Boone submitted appropriations request for Department of Interior funding through the State, Tribal, Assistance Grant (STAG) program and the proposed population exemption in Agriculture appropriations bill. Senator Richard Burr visited the Town of Boone in August 2006 and met with town officials. At that time, he also visited the current water facility and a proposed new location. In addition, staff from Representative Virginia Foxx DC office met with town officials in assessing the water issues. The Town of Boone was able to get language inserted, via amendment from Senator Elizabeth Dole and Senator Richard Burr, in the Senate Agriculture Appropriations bill that would give a population exemption to the town to receive grant money through USDA Rural Development Program. However, the FY07 appropriations cycle ended with Congress not being able to agree to fund the government at new levels for FY2007 and Congress adjourned with a Continuing Resolution (CR) for the year and did not include any new legislative projects for FY2007 appropriations.

In 2007, Jenkins Hill Consulting, LLC and Town of Boone officials met with appropriate congressional staff and advocated our continuing interest in pursuing funds for the new water system. In FY08 appropriations, Town of Boone was able to get language in the Senate Agriculture Appropriations addressing the population exemption (see language above).

FY09 Appropriations Schedule:

The anticipated appropriations requests for FY09 appropriations are due in mid-to-late February in the appropriate congressional offices. After submission, the proper Appropriations Subcommittee will mark up the proposed appropriations bills and proceed through the full committee process and likely begin debating on the House/Senate floor in mid-to-late May 2008.

Suggestions for FY2009 Appropriations request for Town of Boone:

Congress has a variety of avenues for pursuing federal funds and grants through the appropriations process. Below are several ideas on possible funding sources to seek in the FY09 appropriations cycle:

Transportation, Housing and Urban Development and Related Agencies:

- 1) *Housing for Special Populations:* 15,500 new vouchers will be provided to vulnerable populations, would include funding for non-elderly, disabled individuals and families. The Family Unification Program provides vouchers for families to help prevent children from being separated from parents because of lack of housing.
- 2) *Housing for Elderly:* Rehabilitation or construction of housing for low-income elderly people.
- 3) *Housing for the Disabled:* Grants to finance the acquisition, rehabilitation or construction of housing for disabled people.

Interior, Environment, and Related Agencies:

- 1) *State Tribal and Grants (STAG):* Department of Environment Protection Agency Monies for water and sewer infrastructure projects (same request Town of Boone had previously made in the past two appropriations cycles).

Agriculture, Rural Development, Food and Drug Administration, and Related Agencies:

- 1) *Pursue grants through USDA Rural Development Agency for Town of Boone for the acquisition of emergency equipment (fire trucks).*

Energy Independence and Security Act of 2007:

Congress recently passed energy legislation that will allow municipalities to apply for grant funds for energy-efficiency and conservation projects, such as using hybrid vehicles for the town's fleet of vehicles, solar power for town buildings, etc. There are some population requirements that would have to be met to apply for these grants. The funds available for this effort would still have to be appropriated through the Energy and Water Development, and Related Agencies for FY2009-2012.

Horn in the West Revitalization Project:

Jenkins Hill Consulting has discussed with staff from Representative Virginia Foxx's office about pursuing funds for renovation of the Horn in the West facility. At this time, we are looking at several areas to seek these funds; likely funding requests would go through the Transportation, Housing and Urban Development, and Related Agencies appropriations bill in the form of Community Development Block Grants (CDBG) through Housing Urban Development Agency.

Funding opportunities for the relocation of the Appalachian Cultural Museum and the issue of the Downtown Post Office were offered as items for consideration also. The Mayor and Council thanked Mr. Edwards for his presentation.

REPORT FROM STEVE METCALE, THE POLICY GROUP INC.

Steve Metcalf of The Policy Group, Inc. and employed by the Town for the purpose of lobbying in Raleigh, NC, appeared before the Council to offer an update on activities during the past year. Mr. Metcalf presented the Council with a list of legislative issues to be considered during the next legislative session convening on May 13, 2008 (**Exhibit B**). In regard to the issue of a new

fire truck, Mr. Metcalf stated that funds for a new Tower unit should be included in the next budget. Also, he informed the Council that a bill for funding for the water situation did not pass this past year and was unlikely to pass this year. He offered that funding for water interconnections may be obtained through grants from the NC Rural Center. The Council listed the following priorities other than the need for a new fire truck and water needs:

- < Issues between the NC Department of Transportation and the Town of Boone regarding the gateway into Boone along Highway 421 (sidewalks, bike lanes, green medians).
- < Hotel/Motel Occupancy Tax.
- < Relocation of the Appalachian Cultural Museum and renovation/restoration of the Horn in the West property.

The Mayor and Council thanked Mr. Metcalf for his presentation.

DEPARTMENTAL NEEDS

FINANCE

- \$ Acceptance of Visa & Mastercard as methods of payment for Town services.
- \$ Outsourcing of bill production.
- \$ Modifications to Town billing system to allow for text-based email for water & sewer billing information.

FIRE

- \$ New apparatus - Tower I unit.
- \$ Additional Facility.
- \$ Additional personnel.
- \$ Rural Fire Board concerns.

DEVELOPMENT SERVICES

2008 Goals:

- \$ Creation of Land Use Master Plan
 - < Provide oversight of Consultant selection (with Task Force)
 - < Create Master Land Use Plan utilizing the Charrette process
 - < Present Master Plan for adoption
- \$ Downtown Boone
 - < Provide strategy for signage, parking, and setback revisions
 - < Provide report re: expansion of the MSD area.
- \$ Historic Preservation Commission
 - < Complete inventory of Historic Resources.
 - < Submit inventory to State Historic Preservation Office.
 - < Develop criteria and procedures for Historic Designation.
 - < Develop design standards & approval process.
 - < Create Walking Tour.
- \$ Affordable Housing Task Force
 - < Recommend revisions to Ordinance 05-01 re: fee reduction.
 - < Continue to pursue incentives for Affordable Housing provision.
- \$ Community Appearance Commission
 - < Become involved in Form-Based Code Development.
 - < Become involved in Landscaping & Street Lighting - King Street Widening (U-4020).
 - < Develop town-wide Master Beautification Plan.
 - < Evaluate Commercial Signage Design Standards.
- \$ Tree Board
 - < Review Tree Preservation Ordinance.
 - < Create Overall Forest Management Plan/Revise Master Tree Plan.
 - < Evaluate permit requirements for Tree Trimming/Residential Topping.
- \$ Planning Commission
 - < Recommend strategies for implementation of Smart Growth principles & practices.
 - < Become involved in Land Use Master Plan Development.
 - < Prepare/implement Attendance Policy (with Town Attorney).

POLICE

- \$ Personnel: 6 officer retirements in FY08/09, 1 officer retirement in FY09/10, 2 officer retirements in FY10/11.
- \$ Two new police officer positions.
- \$ Budget implication of changes in the allowable expenditures from 911 surcharge monies.
- \$ Request for funding for a new town-owned tower and antenna.
- \$ Funding for part-time employee in Communications.

Mayor Clawson declared a break for lunch at 12:00 p.m. Council reconvened at 1:00 p.m.

PUBLIC UTILITIES

- \$ Raw water alternatives.
- \$ Infrastructure and equipment needs.
- \$ Space needs.

PUBLIC WORKS

- \$ Street Department:
 - < Hunting Hills bridge replacement.
 - < Increase in materials costs (asphalt, gravel, salt, etc.)
 - < Replacement of drainage structure under Daniel Boone Drive.
 - < Replacement of culvert under Highland Avenue.
 - < Replacement of 1989-model Bucket truck.
- \$ Facilities Maintenance:
 - < Sidewalks along Highway 105, Deerfield Road, Poplar Grove Road, Water Street and Rivers Street.
 - < Short-term improvements to the Brown Building; long-term need for a modern Public Works Facility.
 - < Additional space for the Equipment Yard and a self-contained truck wash.
- \$ Fleet Maintenance:
 - < New maintenance position.

COUNCIL ITEMS FOR DISCUSSION

WATAUGA COUNTY REQUEST FOR FEE WAIVER

Town Manager Greg Young stated that a letter dated December 20, 2007 from County Manager Rocky Nelson was received by the Town requesting a waiver of the availability fees and permitting fees for the new Watauga High School project. Town Attorney Sam Furguele stated that, in his opinion, the Town cannot grant this request because of language in the General Statute regarding the use of public funds for public purpose by a government entity. Also, Mr. Furguele stated the Town does not currently have a policy allowing the waiver of fees except in hardship cases for a limited amount. Discussion ensued concerning the issue of double-taxation and safety issues, such as sidewalks and bike lanes for the WHS project. Council requested that the Public Works Department produce a cost estimate for sidewalk improvements to Highway 421 in the area where the project will be constructed. It was the consensus of the Council to meet with NC DOT officials to determine why the Town was not included in the planning of improvements to Highway 421 in the area of the new high school and to request bike lanes for the highway in this area.

QUARTERLY NEWSPAPER/REPORT TO CITIZENS

Council Member Mason stated she would like to see a method developed for getting information out to the citizens of Boone about current or on-going projects. It was the consensus of the Council to begin a column to be displayed on the Town's website relaying information regarding Town projects for the citizens. Council Member Pepin volunteered to format the link and write the articles with the first edition to come out by April 1, 2008.

SMALL BUSINESS/LISTENING INPUT SESSION

Council Member Mason suggested a method of encouraging dialogue with small businesses in the town about concerns or issues and as a way of supporting local small businesses. Dan Meyer, Director of the Boone Area Chamber of Commerce, suggested the topic be used in a future Lunch & Learn series. He further suggested having a small business representative on

Town boards and committees when possible. Discussion ensued regarding the creation of an informational listing for small businesses with such information as Town requirements for businesses i.e., business license information. Council Member Brantz suggested the use of the ASU Entrepreneur Program as a tool in creating this information and also suggested a link from the Town's website homepage to this information.

CUSTOMER SERVICE

Council agreed that providing exemplary customer service is a top priority. It was the consensus of the Council to conduct a customer service audit to determine any areas where improvement may be needed.

OTHER MATTERS

Council discussed the importance of having an emergency response plan. It was pointed out that a copy of the emergency response plan is on file at the Watauga County Office of Emergency Management. Council Member Mason stated she would like to see a method developed to notify those individuals who may be visually impaired of an impending emergency.

Discussion ensued concerning the need for a consolidation of Town services and the need for more office and equipment space by several of the Town's departments. Council Member Pepin suggested that a plan for growth for the Town of Boone's departments is needed to help in addressing future space and growth needs.

Mayor Clawson declared a break a 3:00 p.m. Council reconvened at 3:15 p.m.

UPDATE FROM ZERO WASTE COMMITTEE - JASMINE SHOSHANNA

Ms. Jasmine Shoshanna, Chair of the Zero Waste Committee, appeared before the Town Council to present an update on the activities of the committee. She discussed topics such as "extended producer responsibility" and the need for a resource recovery park. Watauga County Recycling Coordinator Lisa Doty explained that a resource recover park is designed around the waste stream of an area. She suggested that the current landfill system needs to be redesigned around the ecology of the area instead of the use of machinery. Harrison Sterne, Director of Finance for the Ginn Company and a member of the Zero Waste Committee, advocated support from the Town of Boone by providing a percentage of funding for the zero waste non-profit group to be used during the first year of operation. The Mayor and Council expressed appreciation for Ms. Shoshanna's efforts in educating and championing the cause for a zero waste community in Boone.

DISCUSSION OF HORN IN THE WEST PROPERTY - NANCY SPANN

Ms. Nancy Spann, Chair of the Southern Appalachian Historical Association (SAHA), appeared before the Council to discuss the status of the Horn in the West program. She introduced members of the Association also present: Steve Canipe, Warren Trivette, Rich Bowers, Freda Greene, Rex Hughes, Terry Hamilton, and John Grasinger. She presented a packet of information (**copy permanently on file at Town Hall**) to Council concerning background information about the Horn in the West outdoor drama including attendance and economic impact statistics and a vision of the future of the program. Ms. Spann stated that the SAHA Board of Directors would like to partner with the Town of Boone in developing a plan for the design and construction of a new state-of-the-art theater and for raising the money necessary to make it a reality. She listed the following actions that the SAHA Board of Directors will take:

- \$ Continue to produce a quality play
- \$ Increase memberships and attendance
- \$ Apply for grants to help fund ongoing operations and equipment needs; seek corporate sponsorships
- \$ Assist Town staff in applying for grants through government, corporate, and private entities to obtain funds for a new theater
- \$ Network with individuals, businesses, and corporations to raise funds
- \$ Gather and report demographic information on visitors and audience members.

She offered the following list of actions from the Town Council:

- \$ Extend lease of property to SAHA for ten years
- \$ Set aside some additional funds for a new theater when possible
- \$ Continue overseeing maintenance and repair of property
- \$ Make available the Town's grant writer for writing grant proposals for government, corporate, and private entities to obtain funds for a new theater
- \$ Make available the Town's lobbyist for securing state and federal funds to obtains funds for a new theater.

Mayor Clawson and members of the Council thanked Ms. Spann for her presentation and expressed the importance of maintaining such a vital cultural feature for this area.

ADJOURNMENT

With no other items for consideration, Mayor Clawson adjourned the meeting at 4:11 p.m.

Deputy Town Clerk

Mayor