

Minutes-Special Meeting of the Boone Town Council

Water Use Committee

March 26, 2014

A special meeting of the Boone Town Council was called to order at 5:30 p.m., Wednesday, March 26, 2014 in Council Chambers located at 1500 Blowing Rock Road. Mayor Andy Ball presided. Council Members present: Lynne Mason, Jennifer Pena, Quint David and Fred Hay. Members of the Water Use Committee present: Dr. James Buchanan, Tim Wilson, Dr. Kristan Cockerill, Pam Williamson, Patrick Beville, Emily Bish, Dr. Fred Badders, and Amy Adams. Staff Members present: Public Utilities Director Rick Miller, Planning and Inspections Director Bill Bailey, Public Utilities Service Technician Josh Eller and Committee Secretary Lane Weiss. Town Attorney Sam Furguele was also in attendance.

Mayor Ball called the meeting to order and welcomed all in attendance.

Discussion of Committee Member Terms

Mayor Andy Ball turned the discussion over to Public Utilities Director Rick Miller. Mr. Miller explained that when the Water Use Committee was formed there were no term limits set; however, Town Council made changes regarding committee term limits and some membership terms now expired. Mr. Miller noted that he has given applications to Committee members whose membership terms are expired. After a brief discussion the Committee moved on to the next agenda item.

Discussion of 2013 Actual VS Predicted Report Numbers

Public Utilities Director Rick Miller opened the discussion and referred the Committee to the reports included in the agenda. After a review of the numbers and some discussion the Committee moved on to the next agenda item.

Discussion of and Possible Action of Text Amendments to and the Expiration of Ordinance 11-01. Including Altering the Staff Allocation Amounts and Committee Member Badders Suggested Changes

Mayor Andy Ball turned the discussion over to Committee Member Badders who clarified his reasoning behind the submitted changes. After short discussion, Mayor Ball stated that at this time the Committee may review Ordinance 11-01 line by line to address any issues. Town Attorney Sam Furguele stated that his responses were solely addressing Dr. Badders recommendations, as he had not combed the entire ordinance for possible changes. Public Utilities Director Rick Miller also stated that he had only responded to Dr. Badders changes. Mayor Ball acknowledged both the Town Attorney and Public Utilities Director further stating that now would be a good time for any other Committee members to voice concerns with sections previously unaddressed in Ordinance 11-01.

In section 1.a. The beginning date is recommended to be July 1, 2014 or the date adopted and the ending date December 31, 2018.

In section 2.a. After a lengthy discussion, the amount of water available for any designated calendar year is to be set at 150,000 gallons per day. In the first sentence, the addition of the word "hereafter" is to replace the word "collectively". Finally anything referring to old high school reserve needs to be omitted.

In section 2.C. sub-section i-iii. It is recommended that sub-section i. be deleted so that sub-section ii. will become sub-section i. and sub-section iii. will become sub-section ii.

In section 3.A. In the first sentence where it states "two-thirds or more", it is recommended that the word "or more" be struck from the Ordinance. The amount of water to be allocated by staff is recommended to increase to 10,000 gallons per day or less.

In section 4. The Committee felt that a definition of what the "secondary pressure zone" is needs to be added.

In section 6.a. In the first sentence the word "Council" needs to be added after Town and the word "provide" needs to be struck and replaced with "consider."

At 7:20 Committee Member Patrick Beville left the meeting.

In section 7. In the first paragraph second sentence after the phrase “considerations described in” needs to be followed by “the foregoing.” Also in the second sentence the number 7 needs to be struck.

In section 9.d. In the first sentence following “approved site specific development plan,” “as further explained hereunder” needs to be added. It will read “...for the approved site specific development plan, as further explained hereunder.”

In section 9.g. In the first sentence after “but not less than one additional year from the expiration of the initial vesting period,” the sentence needs to be ended after “period” with a period and “and a” needs to be struck with “Any” being the first word of the second sentence.

In section 9.g.iii. The sub-section needs to be divided into two sentences for readability. After the word “allowed” a period needs to be placed and “If” will become the first word of the second sentence.

At 7:30 Town Council Member Fred Hay and Committee Member Dr. Jim Buchanan left the meeting.

In section 10.a A minor typo needs to be changed. After the words “Section 179” the “if” needs to be replace with “of.”

In section 10.a & b. In the second sentence “or there is more than a ten percent (10%) change plus or minus,” needs to have the following words struck: *more, a, change, plus, or, and minus*. It will now read “, or there is an increase or decrease of greater than ten percent (10%).” The same will happen in sub-section b. the phrase “or for which there is more than ten percent (10%) change plus or minus” will need to have the following words struck; *more, a, change, plus, or, and minus*.” It will now read “for which there is an increase or decrease of greater than ten percent (10%).”

It will be left up to Town Council’s discretion as to what to title the updated Ordinance.

After the review of Ordinance 11-01 Committee Member Pam Williamson made a motion to recommend to Town Council the changes recommended. This motion was seconded by Committee Member Kristan Cockerill and there was general consensus.

At 7:40pm Committee Member Dr. Fred Badders made a motion to adjourn. This motion was seconded by Pam Williamson and there was general consensus.

Lane Weiss, Committee Secretary

Andy Ball, Mayor