

**MINUTES – SPECIAL MEETING
BOONE TOWN COUNCIL
October 9, 2014**

A special meeting of the Boone Town Council was called to order at 5:55 p.m., Thursday, October 9, 2014, in the Council Chambers, 1500 Blowing Rock Road. Mayor Andy Ball presided. Council members present were Mayor Pro-Tem Rennie Brantz, Lynne, Mason, Jennifer Peña, Quint David and Fred Hay. Town Attorney Sam Furgiuele was also present. Staff members present were Bill Bailey, Director of Planning and Inspections, and Rick Miller, Director of Public Utilities.

REVISIONS TO ORDINANCE 11-01

Mayor Ball opened the Council meeting to discuss the proposed amendments to Ordinance 11-01 (formerly ordinance 05-01). Mayor Ball referred to the proposed revisions drafted by Town Attorney Sam Furgiuele and turned the meeting over to him. Town Attorney Sam Furgiuele reviewed the two proposed changes in the handout regarding hardship connections for connections or extensions outside the Town limits and the temporary extension of the vesting period for paying the 10 percent availability fee.

Town Attorney Sam Furgiuele noted that Attorney Dale Howard was present to answer questions on this topic. Town Attorney Sam Furgiuele said that he and Attorney Dale Howard had discussed the timing of this proposed amendment revision and they were in agreement on it.

Town Attorney Sam Furgiuele said if the Council desires to approve the proposed revision to the Temporary Extension of Vesting Period, he suggested that Council consider a grace period be added on the front end to help the people pay for their second-year vesting period if their one-year vesting is close to expiring. Town Attorney Sam Furgiuele suggested letting the grace period be until November 9, 2014, or thirty days from today.

Council Member Jennifer Peña asked if 30 days was an appropriate amount of time for the suggested grace period for an expiring one-year vesting period. Town Attorney Sam Furgiuele said he and Attorney Dale Howard felt that it is enough time to give applicants to arrange their finances and make their payment.

Council Member Quint David asked if there are any other properties that would be affected by this. Town Attorney Sam Furgiuele said it would affect Attorney Dale Howard's client and anyone whose one-year vesting is expiring prior to November 9, 2014.

Public Utilities Director Rick Miller came to the podium and talked about three properties that might take advantage of the 30-day grace period. He talked about the types of projects that use the one-year and two-year vesting. He talked about the process for paying the 10 percent and 20 percent with regard to the vesting period. Town Attorney Sam Furgiuele explained that the 10 percent is forfeited if the applicant does not go forth with the project and it is not always an insignificant amount of money.

Upon a motion by Council Member Mason, seconded by Council Member Peña, Council moved to adopt the proposed revisions drafted by the Town Attorney for Ordinance 11-01, 6(b) Requests for Service in Town Preferred over Other Requests and Ordinance 11-01, 9(f)

Temporary Extension of Vesting Period and to provide a grace period until November 9, 2014, that would help the applicant whose one-year vesting is expiring to be able to extend their vesting for another year.

Vote:

Aye – All

Nay – None

The vote was unanimous.

Mayor Ball closed the special council meeting at 6:14 p.m.

Christine Pope, Town Clerk

Andy Ball, Mayor

Marlene Crosby, Administrative Support Specialist