

**MINUTES - SPECIAL MEETING  
BOONE TOWN COUNCIL  
JUNE 16, 2005**

A special meeting of the Boone Town Council was called to order at 4:39 p.m., Thursday, June 16, 2005, in the Town Council Chambers, 1500 Blowing Rock Road, Boone, NC. Mayor Velma C. Burnley presided. Council members present were Mayor Pro-Tem Loretta Clawson, Lynne Mason, Graydon Eggers, and Bunk Spann. Members of the Water Study Committee present were Pam Williamson and Mary Ruth McRae. Town staff members present were Greg Young-Town Manager, Rick Miller-Public Utilities Director, John Spear-Development Services Director, and Kim Tester-Deputy Town Clerk. Town Attorney Sam Furgiuele was also present.

One purpose of the meeting was to discuss Ordinance 05-01 with reference to future water allocations and the NC Rate Discharge Schedule; another purpose was to schedule a special meeting to hear additional water requests.

Mayor Burnley welcomed everyone to the meeting.

Public Utilities Director Rick Miller began the discussion by questioning whether or not approving a request using water allocated from 2006 is a violation of Ordinance 05-01. Council member Spann suggested the policy needs to be changed if the Council is going to grant water requests with allocations designated in other years. Committee member McRae suggested water allocation should be granted in the year when the project is started and ready to actually use the water. Committee member Williamson suggested that the Council could change the plan and allocate the entire amount of water until it is gone. Mr. Miller stated that keeping the numbers of the water allocation is a tedious task. Committee member Williamson suggested that projects located within the town limits seeking water under a certain amount be approved by the Public Utilities Department. It was the consensus of the Council and Committee that approval for applications for water service located within the town limits with a projected usage of 500 gallons per day can be determined by the Director of the Public Utilities Department. Mayor Burnley stated this change would need to be added to the agenda for the regular Town Council meeting on June 27, 2005.

Town Attorney Sam Furgiuele suggested the group discuss the "sunset clause" for an approved request. The "sunset clause" specifies that an applicant must receive permits from the Development Services Department within one year of the date of approval. An applicant can request an additional year extension from the Town Council. Upon approval by the Town Council, the applicant would pay a non-refundable availability fee. If the applicant does not have the necessary permits after the granted extension, the water amount would become available for redistribution. Council member Spann stated he feels the "sunset clause" should be continued.

A discussion ensued concerning the advantages and disadvantages of the current policy. Mr. Miller stated he would be able to provide more accurate information later in the year when several large projects come online. He also pointed out that the gallons of water usage listed in Appendix C of the Water Use Ordinance are actually 60% of the amounts listed in the NC Discharge Rate Schedule. Mr. Furgiuele stated the ordinance would need to be amended to reflect the percentage amount.

Committee member Williamson suggested keeping the current policy in use until more accurate information is available from Mr. Miller. It was the consensus of the Council and Committee to continue with the current policy until further data is available. Mr. Furgiuele advised that the "sunset clause" be clarified and the policy changed to allow approval for projects within the town limits with a usage of 500 or fewer gallons per day by the Public Utilities department.

The Council agreed to set a special meeting to hear water requests only. The special meeting was announced for Tuesday, July 19, 2005, at 6:30 p.m. in the Town Council Chambers.

Upon a motion by Council member Mason, seconded by Council member Clawson, Council moved to enter Closed Session at 6:11 p.m. pursuant to NCGS 143-318.11a)6) in order to discuss personnel matters.

VOTE:       Aye - All  
              Nay - None

Upon a motion by Council member Clawson, seconded by Council member Spann, Council moved to exit Closed Session at 6:18 p. m.

VOTE:       Aye – All  
              Nay – None

With no further matters before the Council, Council member Spann moved to adjourn the meeting. Council member Clawson seconded the motion. The meeting adjourned at 6:19 p.m.

VOTE:       Aye – All  
              Nay – None

Deputy Town Clerk		Mayor