

**MINUTES - SPECIAL MEETING
BOONE TOWN COUNCIL
APRIL 26, 2011**

A special meeting of the Boone Town Council was called to order at 5:05 p.m. on Tuesday, April 26, 2011 in the Council Chambers, 1500 Blowing Rock Road. Mayor Loretta Clawson presided. Council members present were Mayor Pro-Tem Lynne Mason, Rennie Brantz, Jamie Leigh and Stephen Phillips. Council member Andy Ball joined the meeting at 5:22 p.m. Town Attorney Sam Furgiuele was also present. Staff members present were Town Manager Greg Young, Town Clerk Freida Van Allen and Public Utilities Director Rick Miller.

The purpose of the meeting was to discuss an additional water allocation for the old Watauga High School property.

On a motion by Council member Mason, seconded by Council member Brantz, Council moved to increase the available water allocation in Ordinance #11-01 by 200,000 gallons per day based on information provided by Rick Miller, Director of Public Utilities. Mr. Miller stated that this additional water allocation is based on water-use trends over that past several years in which both the maximum daily demand and average daily demand have been below 2 million gallons per day and that water use is below the amounts that were included in the 2004 Engineer Study, the basis for the existing allocation in Ordinance #11-01. Before voting, Council member Leigh questioned why the Water Committee was being bypassed and why was there the rush to allocate the additional gallons per day, especially since the Water Committee is scheduled to meet in July to discuss water allocations. After a lengthy discussion about the water allocation process in relationship to the water intake permit, Council members Mason and Brantz agreed to an amendment to the motion made by Council member Leigh that would increase the available water allocation by only **130,000** gallons per day and confirming that Water Study Committee would meet in July to discuss available water/allocations.

VOTE: Aye-3 (Brantz, Mason, Phillips)
Nay-2 (Ball, Leigh)

On a motion by Council member Mason, seconded by Council member Brantz, Council moved to amend Ordinance #11-01, paragraph #2 to read as follows:

In addition, in recognition of its value to the citizens of the Town and the taxpayers of Watauga County in terms of its size, key location, and financial importance; and as a result of the Town Council's express interest in promoting the sale and beneficial development of the property currently owned by Watauga County upon which the old Watauga High School is situated ("the property"), **and in recognition that the previous reserve amount of 70,000 per day may not be sufficient for this property**, there shall be a reserve of ~~70,000~~ **150,000** gallons per day set aside until December 31, 2011 ("the high school reserve"), for allocation to the property, subject to the following conditions and provisions:

- i. For a site specific development plan (hereinafter, "the project") to qualify for allocation of the high school reserve, both the preparation of the site for the project and the construction of the project must fully comply with all provisions of the Town's Unified Development Ordinance, whether or not they would generally be applicable to Watauga County;
- ii. The applicant for the reserve must obtain approval for the allocation of the reserve from the Boone Town Council in conformity with this ordinance;
- iii. The application for the reserve may request an amount larger than the reserve, if needed for the project; and
- iv. If the reserve is not allocated before December 31, 2011, the water thus reserved shall again be made available to applicants in conformity with this ordinance.

Before voting, Council member Leigh commented that it is clear that a big project is being proposed for the property and that the development will not be commercial as commercial projects tend to use less water. Council member Leigh expressed her concern that the Town has an over-development of student housing and asked why the Town would want another large multi-family housing project. Council member Ball agreed that 150,000 gallons of water per day is a huge allocation for commercial development. Council member Phillips argued that just because the Town reserves the water does not mean the Town has to allocate all the water reserved or for another multi-family project. Council member Mason felt that reserving the water will help Watauga County to market the property. After some discussion, Council members Mason and Brantz accepted an amendment to the motion made by Council member Leigh that would make the 150,000 gallons per day reserve **contingent upon Watauga County Board of County Commissioners adopting a resolution of support for the Town of Boone's Water Intake project.**

VOTE: Aye-3 (Brantz, Mason, Phillips)
Nay-2 (Ball, Leigh)

There being no further discussion, the meeting adjourned at 5:46 p.m.

Town Clerk

Mayor