

**MINUTES – REGULAR MEETING  
BOONE TOWN COUNCIL  
NOVEMBER 19, 2013**

A regular meeting of the Boone Town Council was called to order at 6:30 p.m., Tuesday, November 19, 2013, in the Council Chambers, 1500 Blowing Rock Road. Mayor Loretta Clawson presided. Council members present were Mayor Pro-Tem Jamie Leigh, Lynne Mason, Rennie Brantz, Andy Ball, and Allan Scherlen. Town Attorney Sam Furgiuele was also present. Staff members present were Town Manager Greg Young, Town Clerk Kimberly Brown, Assistant to the Manager Jim Byrne, Finance Director Amy Davis, Police Chief Dana Crawford, Fire Chief Jimmy Isaacs, Public Utilities Director Rick Miller, Interim Public Works Director Eric Gustaveson, Planning Director Bill Bailey, Human Resources Director Peri Moretz, and Planner Christy Turner.

**ANNOUNCEMENTS**

Mayor Clawson called the meeting to order and welcomed all in attendance. She noted that anyone wanting to sign up to speak during the public comment session would need to sign the public comment sign-up sheet.

**TENTATIVE AGENDA ADOPTION**

Town Manager Greg Young announced the following changes to the agenda:

1. Addition of Item 4.E. to Consent Agenda – Approval of Amendment to Owner-Engineer Agreement – W.K. Dickson.
2. Request to move the following items to the Thursday, November 21, 2013 agenda:
  - Item 6.F. -Updates from Cultural Resources Department.
  - Item 6.G. -CRaB Recommendation-Rate Changes for Jones House Community Center.
  - Item 6.H. - CRaB Recommendation-Outdoor Adventure Course on Rivers property.
  - Item 6.I. - CRaB Quarterly Report.
3. Addition of Closed Session – Pursuant to NCGS 143-318.11(a)(1)(3)(7) – To prevent the disclosure of information that is privileged or confidential pursuant to NCGS 160A-168, to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body concerning legal issues related to personnel matters, which privilege is hereby acknowledged, and to hear a report concerning investigations of alleged criminal misconduct.

Upon a motion by Council Member Brantz, seconded by Council Member Ball, Council moved to adopt the agenda, as amended.

VOTE:           Aye – All  
                      Nay – None

**CONSENT AGENDA ADOPTION**

Minutes:        October 15 & 17, 2013 – Regular Meetings.

Approval of Encroachment Agreement – Events by Elizabeth Ashley Projecting Sign.  
**(Permanently on file at Boone Town Hall.)**

Approval of Encroachment Agreement – Old World Galleries Canopy Sign.  
**(Permanently on file at Boone Town Hall.)**

Approval of Encroachment Agreement – Old World Galleries Projecting Sign.  
**(Permanently on file at Boone Town Hall.)**

Approval of Amendment to Owner-Engineer Agreement – W.K. Dickson. **(Permanently on file at Boone Town Hall.)**

Upon a motion by Council Member Mason, seconded by Council Member Brantz, Council moved to approve the consent agenda, as presented.

VOTE:       Aye – All  
              Nay – None

**PUBLIC COMMENT**

Billy Grimes, on behalf of residents of the Sunny Knolls Acres neighborhood, appeared before Council to speak against the proposed expansion of operations by Radford Quarries on residential property in the neighborhood. He noted that the property is located in the ETJ and asked Council to authorize staff to investigate the matter.

Upon a motion by Council Member Leigh, seconded by Council Member Brantz, Council moved to amend the agenda to add discussion of possible expansion of Radford Quarries operations.

VOTE:       Aye – All  
              Nay – None

Planning Director Bill Bailey stated that the use is not allowed by the UDO, but the use was grandfathered into the UDO. He stated that the expansion of business is covered by state regulatory authorities and that his office is awaiting confirmation from the Raleigh office regarding a possible violation. Upon a motion by Council Member Leigh, seconded by Council Member Brantz, Council moved to add this item to the Thursday night agenda for discussion.

VOTE:       Aye – All  
              Nay – None

**ADOPTION OF RESOLUTION – HONORING PUBLIC SERVICE OF VIRGIL W. GREER**

Betty Bond, chair of the Historic Preservation Commission, read the resolution into the record. Miles Greer, son of Virgil Greer, voiced his appreciation for resolution in memory of his father. He stated that his father was passionate about the community and history. Council Member Brantz stated that Mr. Greer was a kind and caring person who contributed greatly to the Historic Preservation Commission and was a pleasure to work with. Council Member Ball stated that he appreciated Mr. Greer's work on the Historic Preservation Commission. Council Member Mason voiced her appreciation of Mr. Greer's passion about history, the Junaluska Heritage Foundation and the Junaluska Community. Council Member Leigh stated our citizens were lucky to have Mr. Greer as part of the community. Council Member Sherlen stated that Mr. Greer was the "heart and soul" of the Historic Preservation Commission and will be missed. Chris Eidse, pastor of Boone Mennonite Brethren Church, stated that Mr. Greer was very involved in the church and will be sorely missed in the community. Sam Tate, of the Young World Radio program, stated that he worked for many years with Mr. Greer and his contributions to the community will be greatly missed. Pastor Morris Hatten thanked the Town for honoring Mr. Greer for his great work in the community. Upon a motion by Council Member Ball, seconded by Council Member Brantz, Council moved to adopt the following resolution:

**RESOLUTION**

The members of the Boone Town Council, meeting in regular session on November 19, 2013, do hereby adopt and pass the following resolution:

**WHEREAS**, Virgil Worth Greer served as the historian for the Junaluska Community, founded the Junaluska Heritage Foundation and served on the Town of Boone Historic Preservation Commission; and

**WHEREAS**, Virgil Worth Greer was a fifth-generation resident of the Western North Carolina mountains and third-generation resident of the Junaluska Community; and

**WHEREAS**, Virgil Worth Greer served as keynote speaker at many events to spread information about the Junaluska Community, one of the oldest continuously occupied African-American communities in Western North Carolina and the only African-American community remaining in Watauga County; and

**WHEREAS**, Virgil Worth Greer served in the US Army during the Vietnam Era, was a deacon, elder and church choir member, and member of the Gospel Gems; and

**WHEREAS**, the Junaluska Community and the residents in the Town of Boone will know of the distinct characteristics of the Junaluska Community and the Town of Boone, and their unique mutual history because of Virgil Worth Greer’s dedication and love for discovering and preserving history and his desire to protect the essential integrity of both communities;

**NOW, THEREFORE, BE IT RESOLVED** that the Boone Town Council, Boone Historic Preservation Commission, and especially the citizens of Junaluska and Boone, as well as generations to come will be able to view, learn of and know the history of Junaluska and Boone thanks to the tireless efforts and commendable work of Virgil Worth Greer.

**ADOPTED** the 19th day of November, 2013.

\_\_\_\_\_  
Loretta Clawson, Mayor

ATTEST:

\_\_\_\_\_  
Kimberly S. Brown, Town Clerk

**(RESOLUTION TO BY TYPED IN BOOK 3, PAGE(S) 211)**

VOTE:       Aye – All  
              Nay - None

**DISCUSSION OF PROCEDURE FOR FILLING UPCOMING VACANCY ON THE BOONE TOWN COUNCIL**

Council Member Ball moved that the following procedure be used in the upcoming fulfilment of the remainder of his two-year term:

- The upcoming vacancy will be advertised in the various media outlets by the Town Clerk.
- Applications will be accepted by the Clerk until Friday, December 6, 2013 and will be placed on the December regular meeting agenda.
- Council will consider applications and make an appointment during the December 17, 2013 regular meeting.

Council Member Brantz seconded the motion.

VOTE: Aye – All  
Nay - None

**DISCUSSION OF DECEMBER MEETING DATE**

Upon a motion by Council Member Brantz, seconded by Council Member Mason, Council moved to consolidate the December 2013 regular meetings to one night, December 17, 2013.

VOTE: Aye – All  
Nay – None

**PRESENTATION OF P&I MONTHLY REPORT**

Planning Director Bill Bailey presented the P & I Monthly report. **(Permanently on file in the November 2013 Town Council packet.)**

**APPROVAL OF CHANGE ORDER – MAC STREET, CREST DRIVE & ARBOR LANE SEWER REPLACEMENT PROJECT**

Public Utilities Director Rick Miller presented a request for approval of a change order for the Mac Street, Crest Drive, and Arbor Lane Sewer Replacement project to modify the contract price for an additional \$18,042.28. He explained the change in pricing is due to an unexpected increase in sewer taps discovered and conflicts encountered during construction. Upon a motion by Council Member Brantz, seconded by Council Member Ball, Council moved to approve a change order for the Mac Street, Crest Drive, and Arbor Lane Sewer Replacement project to modify the contract price for an additional \$18,042.28.

VOTE: Aye – All  
Nay – None

**MONTHLY WATER USE STATUS REPORT**

Public Utilities Director Rick Miller presented the monthly water status report. **(Copy of report permanently on file in the November 2013 Town Council packet.)**

**APPROVAL OF BUDGET AMENDMENTS**

Upon a motion by Council Member Brantz, seconded by Council Member Mason, Council moved to approve the following budget amendments:

DESCRIPTION	ACCOUNT#	TO:	FROM:
CAPITAL OUTLAY LINES	030-700-803-575000	\$18,043	
APPROPRIATED FUND BALANCE	030-000-000-499900		(\$18,043)
CAPITAL OUTLAY- AUTOMOBILES	012-500-303-573100	\$7,000	
APPROPRIATED FUND BALANCE-NARCOTICS FUND	012-500-303-499900		(\$7,000)

VOTE: Aye – All  
Nay – None

**CLOSED SESSION**

Upon a motion by Council Member Brantz, seconded by Council Member Mason, Council moved to enter into Closed Session at 7 p.m. pursuant to NCGS 143-318.11(a)(1)(3)(7) to hear the following:

- A. To prevent the disclosure of information that is privileged or confidential pursuant to NCGS 160A-168, to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body concerning legal issues related to personnel matters, which privilege is hereby acknowledged, and to hear a report concerning investigations of alleged criminal misconduct.

VOTE:       Aye – All  
              Nay – None

Upon a motion by Council Member Mason, seconded by Council Member Scherlen, Council moved to exit Closed Session at 7:25 p.m.

VOTE:       Aye – All  
              Nay – None

### **RECESS MEETING**

Upon a motion by Council Member Mason, seconded by Council Member Brantz, Council moved to recess the meeting at 7:26 p.m. until Thursday, November 21, 2013, at 6:30 p.m. in the Council Chambers, 1500 Blowing Rock Road.

VOTE:       Aye – All  
              Nay – None

### **CALL TO RECONVENE**

A recessed meeting of the Boone Town Council was called to order at 6:30 p.m., Thursday, November 21, 2013, in the Council Chambers, 1500 Blowing Rock Road. Mayor Loretta Clawson presided. Council members present were Lynne Mason, Rennie Brantz, Allan Scherlen, and Andy Ball. Town Attorney Sam Furgiuele was also present. Staff members present were Town Manager Greg Young, Town Clerk Kimberly Brown, Assistant to the Manager Jim Byrne, Finance Director Amy Davis, Police Chief Dana Crawford, Fire Chief Jimmy Isaacs, Public Utilities Director Rick Miller, Interim Public Works Director Eric Gustaveson, Planning Director Bill Bailey, Human Resources Director Peri Moretz, and Cultural Resources Director Pilar Fotta.

### **ANNOUNCEMENTS**

Mayor Clawson called the meeting to order and welcomed all in attendance. She noted that anyone wanting to sign up to speak during the public comment session would need to sign the public comment sign-up sheet.

### **TENTATIVE AGENDA ADOPTION**

Town Manager Greg Young presented the following changes to the agenda:

1. Addition of Item 12.B.9. – Planning Commission Appointment – ASU Student Representative.
2. Addition of Item 12.G. – Update on Radford Quarries Mining Permit and Expanded Operations.

3. Addition of Item 12.H. – Discussion of ETJ Board Appointments and Proposed UDO Text Amendments.
4. Addition of Item 13.B. – Requested Appearances – Phil Trew, High Country Council of Governments – Adoption of the High Country Regional Bike Plan.
5. Addition of Item 13.C. – Requested Appearances – Brad Shields, Blue Ridge Electric – Request Council’s consideration of a text amendment to the UDO to allow cellular sites as a collocation on high voltage transmission poles in the R-3 zoning district.
6. Addition of Item to Closed Session – Pursuant to NCGS 143-318.11(a)(1)(5) – To prevent the disclosure of information that is privileged or confidential pursuant to NCGS 160A-168 and to consider material terms of an employment contract or proposed employment contract.

Upon a motion by Council Member Ball, seconded by Council Member Mason, Council moved to adopt the agenda, as amended.

VOTE:           Aye – All  
                   Nay – None  
                   Absent – 1 (Leigh)

**PUBLIC COMMENT**

Bill Moretz expressed concern about budget cuts for the Agricultural Cooperative Extension which will effect such programs as the local 4-H Club. He asked that the Town send a letter of support for funding for the Cooperative Extension. Upon a motion by Council Member Mason, seconded by Council Member Brantz, Council moved to amend the agenda to add as Item 12.I. to discuss a letter of support for funding for the Agricultural Cooperative Extension.

VOTE:           Aye – All  
                   Nay – None  
                   Absent – 1 (Leigh)

**ANNOUNCEMENT OF BOARD VACANCIES**

Mayor Clawson announced that there is a vacant position for a Planning Commission representative on the Affordable Housing Task Force and ETJ Alternate on the Board of Adjustment.

**BOARD APPOINTMENTS**

**Affordable Housing Task Force**

*One position open.*

There were no applications for this position.

**Board of Adjustment**

*Two positions open.*

Council Member Brantz nominated James Milner for reappointment as a Resident Alternate position on the Board of Adjustment. With no other nominations, Mayor Clawson called for a vote:

VOTE:           Aye – All  
                   Nay – None  
                   Absent – 1 (Leigh)

**Community Appearance Commission**

*Two open positions.*

There were no applications for this position.

**Outside Agency Funding Review Committee**

*Three open positions.*

There were no applications for these positions.

**Boone Tourism Development Authority Board**

*One open position.*

There were no applications submitted for this position.

**Tree Board**

*Two open positions.*

There were no applications submitted for consideration for these positions.

**Watauga County Recreation Commission**

*Two open positions.*

There were no applications submitted for consideration for these positions.

**Water Use Committee**

*One open position.*

There were no applications submitted for this position.

**Planning Commission**

Council Member Mason nominated Ben Dannemiller to the Planning Commission as the ASU student representative. With no other nominations, Mayor Clawson called for a vote.

VOTE:           Aye – All  
                  Nay – None  
                  Absent – 1 (Leigh)

**UPDATES FROM CULTURAL RESOURCES DEPARTMENT**

Cultural Resources Director Pilar Fotta presented updates:

- Licensing program for town properties – The Cultural Resources Advisory Board has reviewed this information and returned it to the Town Attorney for review.
- Members of SAHA, CRaB and representatives from the Institute of Outdoor Drama met in October at the Horn in the West property and draft copy of the report has been sent to Council. The Cultural Resources Department is waiting to receive the final report.
- Daniel Boone Park cost estimates – Ms. Fotta requested approval of the Council to move forward on four of the safety issues concerning demolition and disposal at the Horn in the West property:

- Stage left wall - \$2059
- Back wall - \$7,100
- The Pit building. - \$9900.

Upon a motion by Council Member Brantz, seconded by Council Member Mason, Council moved to allocate \$20,000 from the general fund balance for demolition and disposal of items as outlined by Cultural Resources Director Pilar Fotta.

VOTE:           Aye – All  
                   Nay – None  
                   Absent – 1 (Leigh)

**CRAB RECOMMENDATION – RATE CHANGES FOR JONES HOUSE COMMUNITY CENTER**

Cultural Resources Director Pilar Fotta presented information on rate changes for the Jones House Community Center. Upon a motion by Council Member Brantz, seconded by Council Member Ball, Council moved to approve the following rate changes:

**PRIVATE RENTAL FEE SCHEDULE**

<b>Event Size</b>	<b>Rental Fee</b>	<b>Cleaning Deposit (Refundable)*</b>
Up to 25 people	\$40/hour	\$100 \$150 if alcohol is served
25-50 people	\$65/hour	\$100 \$150 if alcohol is served
More than 50 people (required to be outside)	\$130/hour	\$100 \$150 if alcohol is served
More than 100 people requires a Special Event permit and approval by the CR staff.	Fee to be determined based on attendance, staffing and security needs.	Deposit to be determined based on needs, not to exceed \$500.

VOTE:           Aye – All  
                   Nay – None  
                   Absent – 1 (Leigh)

**CRAB RECOMMENDATION – OUTDOOR ADVENTURE COURSE ON RIVERS PROPERTY**

Cultural Resources Director Pilar Fotta presented a recommendation on an outdoor adventure course located on the Rivers property. She stated that the Cultural Resources Advisory Board advocated for further investigation of this use on the property. Upon a motion by Council Member Brantz, seconded by Council Member Mason, Council moved to authorize Cultural Resources Director Pilar Fotta to further investigate the possibility of an outdoor adventure course located on the Rivers property.

VOTE:           Aye – All  
                   Nay – None  
                   Absent – 1 (Leigh)

**CRAB Quarterly Report**

Cultural Resources Director Pilar Fotta presented the Cultural Resources Department 3rd Quarter 2013 report. **(Copy of quarterly report permanently on file at Boone Town Hall.)**



## **UPDATE ON RADFORD QUARRIES MINING PERMIT AND EXPANDED OPERATIONS**

Planning Director Bill Bailey stated that he has not been able to speak with someone from the state office concerning the mining permit for Radford Quarries. Town Attorney Sam Furgiuele cautioned that this matter is complicated and that the Town may be limited in what it can do regarding the situation. It was the consensus of the Council to direct staff to keep the residents of this neighborhood informed of the status of the situation.

## **DISCUSSION OF ETJ BOARD APPOINTMENTS AND PROPOSED UDO TEXT AMENDMENTS**

The Council discussed the results of the joint meeting with the Watauga County Board of Commissioners regarding ETJ appointments that was held on Wednesday, November 20, 2013. Town Attorney Sam Furgiuele voiced his concern about some of the details of how changes to the UDO and the process of ETJ appointments might be accomplished. Council Member Ball summarized the points of the special joint meeting as follows:

- The requirement for holding a public hearing for ETJ appointments by the Watauga County Board of Commissioners will be removed from the UDO language.
- The Town can send as little or as many nominations for an ETJ position as it chooses, and the language regarding sending at least two nominations will be removed from the UDO.
- The Town will notify the County at least 90 days prior to the end of an ETJ position term to allow for both the Town and the County to advertise the vacancy.
- The Town agrees to forward any ETJ nominations to the Watauga County Board of Commissioners after the term ends until the vacancy is filled.
- The Town will notify the County of any vacancy of an ETJ position where the position is resigned as soon as possible and the Town will have 60 days to submit nominations to the County for appointment of the remainder of the ETJ position term.

Mr. Furgiuele noted that any changes to the appointment process will also have to be amended in the municipal code. Council Member Mason requested that the language which determines a “qualified applicant” should not be removed from UDO language. It was the consensus of the Council that any changes to the UDO need to be reviewed by both the Council and the County Commissioners prior to being scheduled for public hearing. It was suggested that the Town provide the County with a roster of both the Planning Commission and the Board of Adjustment annually in lieu of the 90 day notice prior to the end of the ETJ term. Upon a motion by Council Member Ball, seconded by Council Member Mason, Council moved to direct the Town Attorney to review the audio recording of the November 20, 2013 joint meeting with the Watauga County Board of Commissioners and to draft a UDO text amendment to come back before the Council for review and to be reviewed by the Watauga County Board of Commissioners before being scheduled for public hearing.

VOTE:           Aye – All  
                  Nay – None  
                  Absent – 1 (Leigh)

## **LETTER OF SUPPORT OF AGRICULTURAL COOPERATIVE EXTENSION**

Upon a motion by Council Member Mason, seconded by Council Member Brantz, Council moved to authorize a letter of support for funding for the Agricultural Cooperative Extension be sent to Governor McCrory and state representatives.

VOTE:       Aye – All  
              Nay – None  
              Absent – 1 (Leigh)

Mayor Clawson declared a break at 8:06 p.m. Council reconvened at 8:17 p.m.

**REQUESTED APPEARANCE – RANDY JONES**

Architect Randy Jones presented a recommendation for the conservation treatment for the historic Daniel Boone mural located in the downtown Boone post office. He stated that the recommendation is for David Goist, Conservator of Raleigh, North Carolina in the amount of \$8,610. Upon a motion by Council Member Brantz, seconded by Council Member Scherlen, Council moved to approve the recommendation for the conservation treatment for the historic Daniel Boone mural located in the downtown Boone post office by David Goist, Conservator of Raleigh, North Carolina in the amount of \$8,610.

VOTE:       Aye – All  
              Nay – None  
              Absent – 1 (Leigh)

**REQUESTED APPEARANCE – PHIL TREW**

Phil Trew, Director of Planning and Development for the High Country Council of Governments, appeared before Council to request adoption of the High Country Regional Bike Plan. Upon a motion by Council Member Ball, seconded by Council Member Brantz, Council moved to adopt the High Country Regional Bike Plan. **(Copy of plan permanently on file at Boone Town Hall.)**

VOTE:       Aye – All  
              Nay – None  
              Absent – 1 (Leigh)

**REQUESTED APPEARANCE – BRAD SHIELDS/BREMCO**

Brad Shields, of Blue Ridge Electric, appeared before the Council to request consideration of a text amendment to the UDO to allow cellular sites as a collocation on high voltage transmission poles in R-3 zoning district. He explained the location **(site plan and map of request permanently located in the November 2013 Town Council meeting information file)** and noted that the White Laurel POA has approved the location of the site on the property. He stated that the income for the location of the cellular site would be used by the POA for upgrading of the existing roads in the subdivision. Council Member Ball asked about any negative health effects in regard to the location of this type of equipment for persons in the area. Mr. Shields stated that the equipment will be located at least 100 feet above ground and will not have any negative effects on persons living in the surrounding neighborhood. He stated that he has provided plenty of documentation from the Cancer Institute regarding this issue to the property owners in the subdivision. Planning Director Bill Bailey stated that an adjustment will need to be made to the proposed specific uses listed in the updated UDO to allow for this specific type of use. He stated that these sites are designed to keep people away from the antenna and equipment. He recommended that the Council only allow this type of use on existing transmission poles that are taller towers. Upon a motion by Council Member Ball, seconded by Council Member Brantz, Council moved to direct the Planning Staff to draft an amendment to allow this specific use on existing transmission lines in the R-3 and R-A zoning districts with landscaping and aesthetic requirements.

VOTE:       Aye – All  
              Nay – None  
              Absent – 1 (Leigh)

## **DISCUSSION OF PROCEDURE FOR APPOINTMENT OF COUNCIL MEMBER**

Town Attorney Sam Furgiuele asked for clarification regarding the application for use for applying for the remainder of Council Member Ball's term. It was the consensus of the Council for any interested persons to use the Application for Boards & Committees that is posted on the website. Additionally, Council requested that each applicant submit a letter of interest and resume for consideration.

### **CLOSED SESSION**

Upon a motion by Council Member Brantz, seconded by Council Member Ball, Council moved to enter Closed Session at 9:12 p.m. pursuant to NCGS 143-318.11(a)(1)(3)(5) to hear the following items:

- A. Legal Advice and Instructions to Town Attorney Regarding Claim – To consult with the Town Attorney in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged, to consider and give instructions concerning the handling of a claim or judicial action against Morgan Murray.
- B. Legal Advice and Instructions to Town Staff or Negotiating Agents – To consult with the Town Attorney in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged, to instruct Town staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of an easement with the Gilbert Family Trust.
- C. Legal Advice and Instruction to Town Attorney Regarding a Possible Claim – To consult with the Town Attorney in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged, to consider and give instructions concerning the handling or settlement of liquidated damages for the Wilson Drive project.
- D. Legal Advice and Instruction to Town Attorney Regarding a Possible Claim – To consult with the Town Attorney in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged, to consider and give instructions concerning the handling or settlement of liquidated damages for the Downtown Boone Post Office Renovation project.
- E. To prevent the disclosure of information that is privileged or confidential pursuant to NCGS 160A-168 and to consider material terms of an employment contract or proposed employment contract.

VOTE:           Aye – All  
                  Nay – None  
                  Absent – 1 (Leigh)

### **POSSIBLE ACTION FOLLOWING CLOSED SESSION**

Upon a motion by Council Member Ball, seconded by Council Member Mason, Council moved to approve Change Order #3 to the Boone Post Office Renovation Project. **(Copy permanently on file at Boone Town Hall.)**

VOTE:           Aye – All  
                  Nay – None  
                  Absent – 1 (Leigh)

Upon a motion by Council Member Ball, seconded by Council Member Brantz, Council moved to assess a fine in the amount of \$100 against Morgan Murray for violation of the Community Improvement Code.

VOTE:           Aye – All  
                  Nay – None

Absent – 1 (Leigh)

Upon a motion by Council Member Ball, seconded by Council Member Brantz, Council moved to accept the recommendation from the engineer for the contract extension of time on the Wilson Drive project. **(Copy permanently on file at Boone Town Hall.)**

VOTE:       Aye – All  
              Nay – None  
              Absent – 1 (Leigh)

**ADJOURNMENT**

Upon a motion by Council Member Ball, seconded by Council Member Scherlen, Council moved to adjourn at 10:51 p.m.

VOTE:       Aye – All  
              Nay – None  
              Absent – 1 (Leigh)

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Kimberly S. Brown, Town Clerk

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Loretta Clawson, Mayor