

**Town of Boone
Town Council Regular Meeting
9:00 AM, April 9, 2025
Town Council Chambers
1500 Blowing Rock Road**

I. Call to Order

II. Moment of Silence

III. Announcements

1. Announcement of Board Vacancies
For Information

IV. Tentative Agenda Adoption

V. Approval of Proclamations and Resolutions

1. Resolution of Support - Intersection Improvements at US 421 and SR 1655
(Landfill Road), including Innovation Drive
For Approval
2. Consideration of Proclamation - Week of the Young Child
For Action
3. Consideration of Proclamation - Child Abuse Prevention Month
For Action
4. Consideration of Proclamation - Sexual Assault Awareness Month
For Action

VI. Work Session

1. Boone Next Discussion
For Information and Potential Action
2. Discussion Regarding Various Items - Town Attorney
For Information and Potential Action
3. Discussion of Blowing Rock Road MSD
For Discussion and Potential Action

VII. Public Comment

VIII. Listening Session for Constituent Concerns Regarding the Current Federal Administration

The Boone Town Council invites its constituents who would like to share concerns about the current federal administration and how it is directly affecting them and/or the community.

IX. Approval of Items on Consent Agenda

1. Consideration of Budget Amendments
For Action
2. Consideration of Lease Agreement - Bonnie Brown (Public Works Parking)
For Action
3. Consideration of Lease Agreement - Kingswood Condominium Association, Inc.
For Action
4. Consideration of Minutes
For Action

X. Planning Matters

1. Request for Scheduling an Unveiling Ceremony for the Boone Cemetery
Interpretative Panels

For Action

XI. Council Matters

1. Consideration of License Agreement - Watauga County Farmer's Market
For Action
2. Downtown Boone Development Association Annual Report
For Information and Potential Action
3. Request for Direction - Rivers House Trail Plans
For Action
4. Consideration of Letter of Support for S. Fox
For Action
5. Request to Schedule Budget Retreat
For Action
6. Appointment to ABC Board
For Action
7. Appointment to Human Relations Commission
For Action
8. Appointment to Planning Commission - Student Seat
For Action

XII. Mayor Report

XIII. Town Manager Report

XIV. Town Attorney Report

XV. Board Liaison Report

XVI. Closed Session

1. Closed Session

1. N.C. Gen. Stat. § 143-318.11(a)(3), to consult with the Town Attorney in order to preserve the attorney-client privilege between the attorney and the Town Council and obtain legal advice, consider and/or give instructions to the attorney concerning one or more potential legal claims.

2. N.C. Gen. Stat. § 143-318.11(a)(3), to consult with the Town Attorney in order to preserve the attorney-client privilege between the attorney and the Town Council, and obtain legal advice, consider and/or give instructions to the attorney concerning one or more potential legal claims.

XVII. Potential Action Following Closed Session

XVIII. Adjournment



Town Of Boone AGENDA ITEM ACTION REQUEST

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Nicole Harmon

Department: Administration

Contact Phone # 828.268.6200

Date Submitted: April 3, 2025

Email: nicole.harmon@townofboone.net

Date of Council Meeting to Consider this Item: April 9, 2025

Council Action Requested: For Information

Title: Announcement of Board Vacancies

Summary of Information:

Please see attached list of board vacancies.

PUBLIC NOTICE

The Town of Boone is currently soliciting applications from people who would like to serve on the following boards:

POSITIONS OPEN

ABC BOARD

One vacant position

BOARD OF ADJUSTMENT

Two regular positions, three alternate positions

CULTURAL RESOURCES ADVISORY BOARD

Three vacant positions

DOWNTOWN BOONE DEVELOPMENT ASSOCIATION

One Council-appointed position

HISTORIC PRESERVATION COMMISSION

Two regular positions

HUMAN RELATIONS COMMISSION

Five regular positions

PLANNING COMMISSION

One student position, One regular position (renter)

SUSTAINABILITY COMMITTEE

One student position

The next application deadline is **May 2, 2025**, by **5 p.m.** If you qualify for any of the positions and would like to apply, please contact Town Clerk Nicole Harmon-Church at 268-6200 or e-mail Nicole.harmon@townofboone.net for more information. You may also visit the Town's Website at www.townofboone.net to view information about the various boards and to download an application form.



Town Of Boone AGENDA ITEM ACTION REQUEST

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Nicole Harmon

Department: Public Works

Contact Phone # 828-268-6238

Date Submitted: April 2, 2025

Email: todd.moody@townofboone.net

Date of Council Meeting to Consider this Item: April 9, 2025

Council Action Requested: For Approval

Title: Resolution of Support - Intersection Improvements at US 421 and SR 1655 (Landfill Road), including Innovation Drive

Summary of Information:

The North Carolina Department of Transportation (NCDOT) seeks a resolution from the Town Council to demonstrate support for an intersection improvement project at US 421 and SR 1655 (Landfill Road), along with additional improvements to Innovation Drive, known as Project WBS 50899. The project will close Landfill Road and divert traffic to Innovation Drive, where the existing traffic signal is located, reducing turning conflicts and enhancing safety. NCGS 136-11.1 requires NCDOT to notify municipalities and counties when project funding exceeds \$250,000 and to obtain a resolution of support from the local government. This resolution is required before NCDOT can request funding approval from the North Carolina Board of Transportation.



**RESOLUTION IN SUPPORT OF NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION INTERSECTION IMPROVEMENT PROJECT AT US 421 AND SR
1655 (LANDFILL ROAD) WITH IMPROVEMENTS TO INNOVATION DRIVE (NS)**

WHEREAS, the North Carolina Department of Transportation (hereinafter “N.C.D.O.T.”) is proposing intersection improvements at US 421 at SR 1655 (Landfill Road) with improvements to Innovation Drive (NS) in Watauga County, North Carolina (hereinafter referred to as the “Project”); and

WHEREAS, the estimated cost for the Project funding exceeds \$250,000; and

WHEREAS, North Carolina General Statute 136-11.1, “Local Consultation on Transportation Projects,” requires N.C.D.O.T. to notify all municipalities and counties affected by a planned transportation project and to request that they submit a written resolution expressing their views on the same within 45 days; and

WHEREAS, N.C.D.O.T. has notified the Town of Boone (hereinafter the “Town”) of the project on April 1, 2025, and has requested that the Town submit a resolution expressing its views on the same and;

WHEREAS, the Town, acting through its Town Council in regular session assembled on the 9th day of April 2025, has expressed its support of the Project and has voted unanimously to adopt this Resolution evidencing the same, all in compliance with the requirements of N.C.G.S. 136-11.1;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Boone, Town Council does hereby express its support of the Project as set forth hereinabove.

BE IT FURTHER RESOLVED, that the Town of Boone, Town Council authorizes its Mayor and the Clerk to the Board to sign this Resolution, affix the Town seal thereto, and to forward a copy to the N.C.D.O.T.

ADOPTED this 9th day of April 2025, by the Town of Boone, Town Council.

ATTEST:

Nicole Harmon-Church, Town Clerk

Tim Futrelle, Mayor



Town Of Boone AGENDA ITEM ACTION REQUEST

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Nicole Harmon

Department: Town Council

Contact Phone # 828.268.6200

Date Submitted: April 2, 2025

Email: tim.futrelle@townofboone.net

Date of Council Meeting to Consider this Item: April 9, 2025

Council Action Requested: For Action

Title: Consideration of Proclamation - Week of the Young Child

Summary of Information:

Please see the attached proclamation.



Week of the Young Child Proclamation

Whereas, the future of the Town of Boone and Watauga County depends on the healthy development and education of our youngest citizens, and the foundation for a prosperous community is built on the nurturing of our children, from birth to age eight; and

Whereas, the **National Association for the Education of Young Children (NAEYC)** has declared the **Week of the Young Child** to be a time for celebrating early learning, young children, and their families, and recognizing the essential role that early childhood educators play in the development and well-being of children in our community; and

Whereas, **early childhood programs** play a critical role in ensuring that children begin life with the tools they need to succeed—social skills, academic readiness, and emotional resilience—and support families in their important role as their child's first teacher; and

Whereas, research consistently shows that the early years of a child's life are the most significant in shaping future success, and investing in the early development of children provides lifelong benefits to individuals and society as a whole; and

Whereas, we recognize the commitment of **families, educators, and community members** in supporting young children through partnerships, providing positive experiences that support healthy development, and fostering a culture of inclusion and belonging; and

Whereas, the **Week of the Young Child** reminds us that high-quality early childhood education should be accessible to all children, regardless of background or ability, and

that all children deserve to grow up in an environment where their physical, emotional, and intellectual needs are met with love, care, and respect;

Now, Therefore, I, Tim Futrelle, Mayor of Boone, NC, do hereby proclaim the week of April 5-11, 2025, as the **Week of the Young Child** in Watauga County, North Carolina. I encourage all citizens to recognize the importance of early childhood education and celebrate the contributions of the children, families, and educators who shape the future of our community.

This is the _____ day of April, 2025.

Tim Futrelle, Mayor

ATTEST:

_____(SEAL)
Nicole Harmon-Church, Clerk



Town Of Boone AGENDA ITEM ACTION REQUEST

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Submitted By: Nicole Harmon

Department: Town Council

Contact Phone # 828.268.6200

Date Submitted: April 2, 2025

Email: tim.futrelle@townofboone.net

Date of Council Meeting to Consider this Item: April 9, 2025

Council Action Requested: For Action

Title: Consideration of Proclamation - Child Abuse Prevention Month

Summary of Information:

Please see the attached proclamation.



Child Abuse Prevention Month 2025 Proclamation

WHEREAS, children are our state's most vulnerable members as well as our state's most valuable resources, helping to shape the future of North Carolina; and

WHEREAS, positive childhood experiences (PCES)—like loving caregivers and safe, stable, and nurturing relationships—can help mitigate trauma and the negative impact of adverse childhood experiences (ACES) to promote the social, emotional, and developmental well-being of children; and

WHEREAS, childhood trauma can have long-term psychological, emotional, and physical effects throughout an individual's lifetime and impact future generations of their family; and

WHEREAS, childhood trauma, including abuse and neglect, is a serious problem affecting every community, and finding solutions requires input and action from everyone; and

WHEREAS, children who live in families with access to concrete economic and social supports are less likely to experience abuse and neglect; and

WHEREAS, nurture positive childhoods and preventing child maltreatment is possible because of the partnerships created between families, prevention advocates, child welfare professionals, education, health, community, and faith-based organizations, businesses, law enforcement agencies, and local, state, and national governments; and

WHEREAS, we acknowledge that in order to solve the public health issue of abuse and neglect we must work together to change hearts and mindsets through storytelling and sharing, center the needs of families, break down bias and barriers, and inspire action from expected and unexpected partners; and

WHEREAS, we are committed to advancing equitable, responsive, and effective systems that ensure all children and families are healthy and thriving; and

WHEREAS, we recognize the need to prioritize kids and invest in more prevention initiatives like home visiting and family-strengthening policies, economic supports, and

community-based child abuse prevention programs at the national, state, and local levels; and

WHEREAS, thousands of working class families rely on friends, family and neighbor care for their children because it is often more affordable than out of home child care centers, and whereas, the loving child care provided by family members, friends and neighbors supports healthy brain development in young children and helps them to build resilience, we recognize the value of adults who care for young children each day in a home setting.

NOW, THEREFORE, I Tim Futrelle, Mayor of the Town of Boone, North Carolina, do hereby proclaim April as CHILD ABUSE PREVENTION MONTH in Boone, North Carolina and urge all citizens to recognize this month by building a narrative of hope for children and families through collaboration and the creation of an ecosystem of primary prevention that does not currently exist in this country.

This is the ____ day of April, 2025.

Tim Futrelle, Mayor

ATTEST:

_____(SEAL)
Nicole Harmon-Church, Clerk



Town Of Boone AGENDA ITEM ACTION REQUEST

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Submitted By: Nicole Harmon

Department: Town Council

Contact Phone # 828.268.6200

Date Submitted: April 2, 2025

Email: eric.plaag@townofboone.net

Date of Council Meeting to Consider this Item: April 9, 2025

Council Action Requested: For Action

Title: Consideration of Proclamation - Sexual Assault Awareness Month

Summary of Information:

Please see attached proclamation.



PROCLAMATION

WHEREAS, sexual violence is widespread and impacts every person in the Town of Boone; and

WHEREAS, one in five women in the United States experience attempted or completed rape in their lifetime and 24.8% of men, nearly a quarter of all men in the United States, experience attempted or completed rape in their lifetime; and

WHEREAS, OASIS, Inc., the local nonprofit serving survivors of domestic and sexual violence, received over 4,586 crisis and information calls from this community in FY23-24. Additionally, in FY23-24, OASIS provided support to 42 adult and 18 child survivors, totaling 60 sexual violence survivors in Watauga County with 350 interactions where Advocates spent over 175 hours with survivors; and

WHEREAS, we must work together to educate our community about sexual violence prevention, supporting survivors, and speaking out against harmful attitudes and actions; and

WHEREAS, when we actively get involved, we can prevent sexual violence through increasing education, awareness, and community involvement. It is time for everyone to start conversations, take appropriate action, and support one another to create a safer environment for all; and

WHEREAS, the yearly observance of Sexual Assault Awareness Month focuses on increasing the public's awareness of the issue of sexual violence and the services available to support those impacted, as well as acknowledging the efforts of citizens, service providers, governmental agencies, and the criminal justice system who work to improve prevention efforts, serve survivors, and hold perpetrators accountable;

NOW, THEREFORE, BE IT RESOLVED, that the Boone Town Council and the Town of Boone join advocates and communities across the country in taking action to prevent sexual violence. Along with the United States Government and the State of North Carolina, the Boone Town Council proclaims April 2025 as Sexual Assault Awareness Month.

This the 9th day of April, 2026.

Tim Futrelle, Mayor

ATTEST:

Nicole Harmon-Church, Town Clerk



Town Of Boone AGENDA ITEM ACTION REQUEST

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Nicole Harmon

Department: Planning and Inspections

Contact Phone # 828-268-6960

Date Submitted: April 1, 2025

Email: jane.shook@townofboone.net

Date of Council Meeting to Consider this Item: April 9, 2025

Council Action Requested: For Information and Potential Action

Title: Boone Next Discussion

Summary of Information:

Discussion of Boone Next modifications.



Town Of Boone AGENDA ITEM ACTION REQUEST

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Nicole Harmon

Department: Town Attorney

Contact Phone # 828.865.5555

Date Submitted: April 3, 2025

Email: ameade@meade-law.com

Date of Council Meeting to Consider this Item: April 9, 2025

Council Action Requested: For Information and Potential Action

Title: Discussion Regarding Various Items - Town Attorney

Summary of Information:

The Town Attorney will present various items for discussion and potential action.



Town Of Boone AGENDA ITEM ACTION REQUEST

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Submitted By: Nicole Harmon

Department: Administration

Contact Phone # 828.268.6200

Date Submitted: April 4, 2025

Email: amy.davis@townofboone.net

Date of Council Meeting to Consider this Item: April 9, 2025

Council Action Requested: For Discussion and Potential Action

Title: Discussion of Blowing Rock Road MSD

Summary of Information:



Town Of Boone AGENDA ITEM ACTION REQUEST

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Nicole Harmon

Department: Finance Department

Contact Phone # 828.268.6200

Date Submitted: April 3, 2025

Email: guy.miller@townofboone.net

Date of Council Meeting to Consider this Item: April 9, 2025

Council Action Requested: For Action

Title: Consideration of Budget Amendments

Summary of Information:

Public Works:

Explanation: To cover the initial cost of drum dryer replacement at the Jimmy Smith Waste Water Treatment Plant.

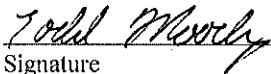
TO:	Capital Outlay - Other Equipment	030-700-805-574000	\$200,000.00
	Transfer to Water/Sewer Fund	032-700-000-598030	\$200,000.00
FROM:	Appropriated Fund Balance	032-700-000-499900	\$200,000.00
	Sewer Capital Reserve Contribution	030-000-000-498032	\$200,000.00

**TOWN OF BOONE
TOWN COUNCIL BUDGET AMENDMENT REQUEST
FY 2024-2025**

DATE: March 26, 2025

TO: Mayor & Town Council

FROM: Todd Moody, Public Works Director



Signature

I hereby request that the following BUDGET AMENDMENTS be approved by the Boone Town Council:

	LINE ITEM DESCRIPTION	ACCOUNT NO.	AMOUNT
TO:	Capital Outlay - Other Equipment	030-700-805-574000	\$200,000.00
	Transfer to Water/Sewer Fund	032-700-000-598030	\$200,000.00
FROM:	Appropriated Fund Balance	032-700-000-499900	\$200,000.00
	Sewer Capital Reserve Contribution	030-000-000-498032	\$200,000.00

EXPLANATION/JUSTIFICATION: To cover the initial cost of drum dryer replacement at the Jimmy Smith WWTP.

Date

Town Clerk



Town Of Boone AGENDA ITEM ACTION REQUEST

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Nicole Harmon

Department: Public Works

Contact Phone # 828.268.6230

Date Submitted: April 3, 2025

Email: justin.stines@townofboone.net

Date of Council Meeting to Consider this Item: April 9, 2025

Council Action Requested: For Action

Title: Consideration of Lease Agreement - Bonnie Brown (Public Works Parking)

Summary of Information:

The Public Works Department requests Council's consideration to approve the lease agreement between the Town of Boone and Bonnie Jean Brown for the property on Tracy Circle directly behind the Public Works Center. This property is used for Public Works employee parking as well as leased parking to Kingswood Condominium Association Inc. for tenant parking. Attached is the agreement between Bonnie Jean Brown (Lessor) and the Town of Boone (Lessee).

BONNIE JEAN BROWN - TOWN OF BOONE LEASE

LEASE AGREEMENT

STATE OF NORTH CAROLINA
WATAUGA COUNTY

This Lease Agreement, made and entered into this 1st day of April 2025, by and between Bonnie Jean Brown, of Cheatham County, Tennessee, party of the first part, hereinafter call Lessor, and Town of Boone, a body politic, organized and existing under and by virtue of the laws of the State of North Carolina, party of the second part, hereinafter call Lessee;

WITNESSETH:

That for and in consideration of the rents hereinafter reserved, the covenants, stipulations, and agreements herein contained, the Lessor does hereby demise and lease unto the Lessee, and the Lessee does hereby hire and rent from the Lessor, the following described property, lying and being in Boone Township, Watauga County, North Carolina: Being a 1.004-acre tract of land lying on the north side of Tracy Circle and being a portion of the Council Grove Subdivision.

For a term of three (3) years beginning on the 1st day of April 2025 and ending on the last day of March 2028. The increase of the annual rent will be changed to an additional \$250.00 per year.

The terms of this lease: Rental shall be as follows:

From April 1, 2025 to March 31, 2026 the sum of \$11,750.00
From April 1, 2026 to March 31, 2027 the sum of \$12,000.00
From April 1, 2027 to March 31, 2028 the sum of \$12,250.00

The Lessee covenants with the Lessor, her heirs, executors, administrators, and assigns, as follows:

1. The Lessee shall pay a cash rental for said property as follows: said rent is to be due and payable on the 1st day of April of each year and during the term of this lease.
2. That Lessee shall have the right to assign or sublease the premises.
3. The Lessee shall hold Lessor harmless from any and all claims or causes of action arising out of the Lessee's or their assigns use of the lease premises.
4. That if the Lessee shall default in the payment of rent or in the performance of any of the conditions of this lease, the Lessor shall give the Lessee written notice of such default, and if Lessee does not cure said default within ten (10) days after the giving of such notice, the Lessor may terminate this lease without further notice.
5. Either party may terminate this lease effective as of the next yearly anniversary date (April 1) by providing at least ninety (90) days prior written notice of termination. If the lease is terminated pursuant to this provision, neither party shall have any obligation to the other following the termination date. Following its vacation of the

premises, should Lessee leave any property on the premises, it shall be deemed abandoned, and Lessor shall have the right to dispose of the property as it sees fit, at the expense of the Lessee.

This lease shall be governed and constructed in accordance with the laws of the State of North Carolina.

That the Lessee shall use said premises well and will keep the same in a good condition at all times and will never use the same for illegal purposes, and the Lessee shall return said premises to the Lessor, her heirs, executors, administrators, and assigns, at the expiration of said lease in as good a condition as when the Lessee received the same, reasonable wear and tear excepted.

That said Lessee shall have the exclusive use and occupancy of said premises so long as the Lessee complies with the terms of this lease, or until the same shall be terminated by mutual agreement between the parties.

IN WITNESS THEREOF, the parties hereto have hereunto set their hands and affixed their seals, the day and year first above written.

LESSOR: *Bonnie Jean Brown*
Bonnie Jean Brown

LESSEE: _____
Mayor Tim Futrelle

ATTEST: _____
Town Clerk

STATE OF TENNESSEE
COUNTY OF *Cheatham*

I, *Glenn Remick*, Notary Public, do hereby certify that Bonnie Jean Brown personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Glenn Remick
NOTARY PUBLIC

My Commission expires: *12-08-2025*





Town Of Boone AGENDA ITEM ACTION REQUEST

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Submitted By: Nicole Harmon

Department: Public Works

Contact Phone # 828.268.6230

Date Submitted: April 3, 2025

Email: justin.stines@townofboone.net

Date of Council Meeting to Consider this Item: April 9, 2025

Council Action Requested: For Action

Title: Consideration of Lease Agreement - Kingswood Condominium Association, Inc.

Summary of Information:

The Public Works Department requests Council's consideration to approve the license agreement between the Town of Boone and Kingswood Condominium Association Inc. for the use of 24 parking spaces in the Tracy Circle parking lot directly behind the Public Works Center.

Attached is the agreement/license between the Town of Boone (Lessor) and Kingswood Condominium Association Inc. (Lessee) for your review.

STATE OF NORTH CAROLINA

COUNTY OF WATAUGA

PARKING LICENSE

THIS PARKING LICENSE is made as of 1st day of April, 2025 by and between Town of Boone, a North Carolina Municipal Corporation, as Licensor (hereinafter referred to as "Town") and Kingswood Condominium Association, Inc., as Licensee (hereinafter referred to as "Kingswood") collectively referred to as the "parties." Town reserves all rights not specifically granted hereunder.

1. **Parking Areas Provided:** For the term of this License, Town shall make available to Kingswood, and Kingswood shall have the right to use, twenty-four parking spaces (hereafter, the "premises") in Town's parking lot behind the "Brown Building," Town's Public Works building located at 321 East King Street, Boone, North Carolina, to wit: that certain parking lot (hereafter the "Brown Lot") leased by Town from Bonnie Jean Brown pursuant to a certain lease agreement dated April 1, 2025, and ending March 31, 2028 (hereafter, the "Brown Lease"), the Brown Lot being a 1.004-acre tract of land, more or less, lying on the north side of Tracy Circle and being a portion of the Council Grove Subdivision. Town is free to designate any of the spaces it chooses within the Brown Lot for Kingswood use.
2. **Term:** The term of this License shall be for the period commencing April 1, 2025, and extending through March 31, 2028; *provided, however*, that upon giving 30 days written notice, the Town shall have the right to terminate this license (i) at the end of each payment period noted at section (3) below, or (ii) upon the termination of the Brown Lease should that occur prior to expiration of the term of this License. Licensee understands and acknowledges that the Brown Lease is terminable as of March 30 of each of the next three years.
3. **License Payment:** License payments shall be payable in advance on an annual basis, and subject to an increase of \$150 per year, as follows:
 - a. For April 1, 2025 through March 31, 2026: the sum of \$6,200
 - b. For April 1, 2026 through March 31, 2027: the sum of \$6,350
 - c. For April 1, 2027 through March 31, 2028: the sum of \$6,500

Kingswood's failure to timely pay the license payment prior to the first day of each one-year period shall constitute a forfeiture of this License. Should the License be terminated prior to the end of the License term per paragraph 2 above, Licensee shall be entitled to refund of a prorated portion of the license payment made, based upon application of a factor with the number of days of licensed use during the term as the numerator and the total number of days of the license period as the denominator, multiplied by the amount of the full payment made for the period.

4. **Repairs and Maintenance:** Kingswood shall be responsible for all damages to the premises which result from the activities of its invitees or licensees. Kingswood will undertake no repairs to the premises without first notifying Town in writing, at least ten days in advance, of its intention to undertake or make such repairs and will undertake no repairs without approval of Town Manager. Any approved repairs made to the premises by Kingswood shall be done in a workmanlike manner. In making any repairs, Kingswood shall comply with all ordinances of Town of Boone and Watauga County, and any relevant federal and state laws. Town shall be entitled, at its sole option and whether or not requested to do so by Kingswood, to make any repairs to the premises and conduct any maintenance to the premises as it deems necessary or expedient.
5. **Alterations:** Kingswood shall make no alterations to the premises.
6. **Assignments, Subleases and Licenses:** Kingswood shall not assign its rights to this License to another party without the prior written consent of Town. The parking spaces provided herein may only be used by Kingswood, its licensees and invitees.
7. **Town's Right to Enter and Use Premises:** Town reserves the right and may enter the premises at any time for any purpose, including inspecting the premises, making such repairs as it, in its sole discretion, desire to make, maintaining the premises, removing snow from the premises, keeping the premises secure, and for any other purpose Town may have in carrying out its responsibilities under the Brown lease or may otherwise deem necessary.
8. **Indemnity by Kingswood:** Kingswood shall defend, indemnify, and hold harmless Town from any and all claims, actions, damages, and liability associated with personal injury and/or damage to property and/or any other matter arising out of any occurrence in, upon or at the premises, associated with any act or omission by Kingswood, its agents, employees, licensees or invitees, or associated with Kingswood's, or its licensees or invitees use of the premises. In the event that Town is made a party to any litigation brought against Kingswood related to Kingswood's use or occupancy of the premises, Kingswood shall defend, protect and hold Town harmless from any and all liability that may result therefrom, including Town's costs in defending itself against any claim, action, litigation or other assertion of liability.
9. **Indemnity by Town:** Town shall defend, indemnify and hold harmless Kingswood from any and all claims, actions, damages, and liability associated with personal injury and/or damage to property and/or any other matter arising out of any occurrence in, upon or at the premises, associated with any act or omission by Town, its agents, employees, licensees or invitees, or associated with Town's use of the premises. In the event that Kingswood is made a party to any litigation brought against Town related to Town's use or occupancy of the premises, Town shall defend, protect and hold Kingswood harmless from any and all liability that may result therefrom, including Kingswood's costs in defending itself against any claim, action, litigation or other assertion of liability.
10. **Kingswood's Use of Premises:** The License is for the sole purpose during the term of this License of allowing Kingswood to use the designated parking spaces for himself, his

employees and his invitees. Kingswood shall provide the Town's Public Works Director (hereafter, the "Director") with such information as may be acceptable to him to be able to determine whether people parked in the designated spaces have parked with the proper authority to do so. Persons who wrongfully park in said spaces, or for whom the required information is not provided to the Director may be cited for violation of Town's parking ordinances, and Town may undertake its normal procedures for violation, including immobilization and towing.

11. **Modification:** This License contains all of the terms and conditions agreed to by Town and Kingswood concerning the use of the above-described premises. There are no oral terms or conditions agreed to by the parties which are not contained herein. There shall be no modification of this License unless the modification is in writing and signed by both parties, and it cannot be extended beyond the stated term without approval by the Boone Town Council.
12. **Waiver:** Town's failure to strictly enforce its rights under this License shall not constitute a waiver of such rights with respect to any violation of the terms, and the parties agreed that this provision may itself not be waived by the conduct of the parties.
13. **Governing Law and Venue:** This License shall be governed by and construed in accordance with the laws of the State of North Carolina, and venue of any dispute between the parties shall be in Watauga County, North Carolina.
14. **Notices:** All notices, requests, demands, and other communications hereunder shall be in writing and shall be deemed given if personally delivered or mailed, certified mail, return receipt requested, to the following addresses:

If to Town, to: Amy Davis
Town Manager
PO Drawer 192
Boone, NC 28607

If to Kingswood, to: Harold Tilley
768 W. King Street
Boone, NC 28607
15. **Counterpart and electronic copies:** A copy of this agreement that has been signed (electronically or otherwise) and delivered by electronic means shall be just as effective as a signed original. Counterpart copies of this agreement may be signed by a party and exchanged by facsimile or electronic attachment. The parties intend that such copies shall be fully binding.

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IN WITNESS WHEREOF, Town and Kingswood agree to all of the terms and conditions set forth above, the day and year first above written.

Town of Boone

By: _____
Tim Futrelle, Mayor

Attest: _____
Town Clerk, Town of Boone

Kingswood Condominium Association, Inc.

By: Mitch Phillips
1873171E547748C
Mitch Phillips, President

Attest: [Signature]
Harold Tilley, Vice-President



Town Of Boone AGENDA ITEM ACTION REQUEST

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Nicole Harmon

Department: Administration

Contact Phone # 828.268.6200

Date Submitted: April 3, 2025

Email: nicole.harmon@townofboone.net

Date of Council Meeting to Consider this Item: April 9, 2025

Council Action Requested: For Action

Title: Consideration of Minutes

Summary of Information:

Please see attached the following minutes for Council's consideration and approval:

1. February 6, 2025 Special Town Council meeting - Planning Retreat
2. February 12, 2025 Regular Town Council meeting
3. February 26, 2025 Regular Town Council meeting
4. February 27, 2025 Special Town Council meeting - Budget Retreat
5. March 7, 2025 Special Town Council meeting
6. March 12, 2025 Regular Town Council meeting
7. March 26, 2025 Regular Town Council meeting
8. March 28, 2025 Special Town Council meeting

TOWN OF BOONE PLANNING RETREAT
Thursday, February 6, 2025

Town Council members in attendance: Tim Futrelle-Mayor, Dalton George-Mayor Pro Tem, Todd Carter, Eric Plaag, and Virginia Roseman

Planning & Inspections Staff in attendance: Jane Shook-Director of Planning & Inspections, Brandon Wise-Deputy Director, Jessica Mitchell-Advanced Planning Specialist, John Helton-Residential Liaison/Housing Specialist, and Brenda Henson-Administrative Coordinator

Legal Counsel in attendance: Allison Meade-Town Attorney

Call to Order

Mayor Futrelle called the meeting in Town Council Chambers at 1500 Blowing Rock Road to order at 9:11 a.m.

Moment of Silence

A moment of silence was observed.

UPDATES

Department Year-In-Review

Jane Shook, Director of Planning & Inspections, reviewed the organizational structure of the Planning & Inspections Department, noting that Brandon Wise was now the Deputy Director. She also expressed a need to backfill the Environmental Planner position.

Ms. Shook noted that the Planning & Inspections Department performed damage assessments in the Town, Watauga County, and Ashe County after Hurricane Helene.

Council Member Plaag questioned the total of 25 Neighborhood Conservation District parking stickers issued. Mr. Wise replied that 25 new stickers were issued during the year. He stated there was a period after Hurricane Helene when NCD enforcement was not at the forefront of concern, but that staff was now patrolling the neighborhoods again.

Board/Commission Updates

Jessica Mitchell, Advanced Planning Specialist, presented the Historic Preservation Commission's Work Plan and stated that the HPC agreed with the plan as presented. The Town Council agreed with the proposed work plan.

Council Member Plaag expressed concern about the difficulty in filling board vacancies. He asked what ways other jurisdictions used to entice participation other than the stipend. Ms. Shook replied that staff had looked at what other areas did and felt the Town was doing everything other jurisdictions did. She reminded Council members that they had discussed the possibility of handling the Board of Adjustment differently. Ms. Shook stated that staff could research that topic and bring back other legal options

regarding the Board of Adjustment.

Boone Next Updates & Recap

Ms. Shook stated that public comment for the Boone Next had been received. She noted that there was very little comment on the future land use map. Ms. Shook asked for further discussion on the future land use map to help identify a clearer vision of where uses should be located. Ms. Shook stated that final edits were being made, the document would go to through public hearing, and the Council would then adopt the plan. The discussion of the land use map could affect the time frame for adoption.

Allison Meade, Town Attorney, stated that the land use map was crucial because it would be cited by opponents and proponents of every rezoning that happened as long as this Comprehensive Plan lived. She felt that the Comp Plan was strong in articulating community values; however, she was not sure that it provided clear direction for what types of uses the Town wanted where. Ms. Meade stated that this was needed in order to engage in the next steps of ordinance amendments. She asked that the Council do some quality, deep, detailed work on the land use map to provide vision and direction. Council members agreed to schedule a meeting, or meetings, to discuss the land use map further.

Our States, Our Homes

Ms. Shook explained that the town had been selected to work collaboratively with Watauga County, Ashe County, and the High Country Council of Government for 18 months on the Our State, Our Homes program. She stated she had a seat on the core team, along with the Watauga County Planning & Inspections Director, the Ashe County Manager, the Ashe County Director of Human Services, Chris Grubb with the High Country Council of Governments, and Kelly Ashcraft with the Watauga Housing Council.

Ms. Shook noted that the core team was currently working on making a list for the larger community team that would also participate in the program and that she had recommended that at least one elected official from each area be included in the larger community group. She noted that the meeting with the core group was following the planning retreat.

It was suggested that Council Member Carter be involved in the larger community group as the Town's elected official if that recommendation was approved.

LEGAL DISCUSSION

Ms. Meade referred to Senate Bill 382, which would invalidate any efforts for down-zoning. She stated there were ongoing attempts to carve out exceptions for locales or completely repeal the legislation. Ms. Meade noted that some elements of the bill were poorly worded, which could create ongoing litigation for years. She felt that this legislation could make it very difficult, if not impossible, to go back and change regulations and require immediate compliance in some areas.

Ms. Meade noted that, depending on what municipality you were in, under Senate Bill 382, you may or may not have the same amount of power and control over your territory as you did before.

Ms. Shook stated that a bill had passed to modify the residential building code to include town homes, triplexes, and quadplexes to the current one and two-family regulations. She explained that this would limit regulations for building design elements for triplexes and quadplexes. Ms. Shook suggested that this regulation might provide an opportunity to create housing by using it as an incentive.

Ms. Shook noted that staff had been working on the Planning & Inspections page on the website. She stated that the Council had asked staff to provide a lot of information on the website, and people were having difficulty navigating through all the buttons to get to the information. The web page redesign should be complete within the next week or so.

ENVIRONMENTAL/RESILIENCE

Watershed Model Ordinance

Brandon Wise, Deputy Director of Planning & Inspections, stated that the full model ordinance from the North Carolina Department of Environment and Natural Resources (DEQ) came out in March 2023. That ordinance was reworded to fit with the Town's ordinance. Mr. Wise noted that some minor changes would need to be made, such as adding some tables to make it easier for people to understand. He stated that the watershed in town was not huge and was mostly comprised of the golf course and hospital areas.

Stormwater

Mr. Wise stated that our ordinance language indicated a 25-year, 24-hour event matching pre-development and post-development. He noted that this language was vague enough to allow people not to have to show the flow from the smaller five and 10-year storms. Mr. Wise stated that staff would like to add language requiring developers to provide detailed engineering showing that the 5- and 10-year storms were also being detained. Mr. Wise noted that there were also some changes to the impervious surface language. He added that the town could not make someone detain stormwater for an impervious surface that was already there, even if the impervious surface was removed and replaced.

Council Member Plaag asked about the stormwater survey from the Council of Governments. Mr. Wise replied that most of the mapping had been completed, but the data had to be compiled. He stated their goal was to go around and locate drop-inlet pipes under roads, figure out what they were made out of, and see their status.

Mayor Pro Tem George stated that he would like to see underutilized impervious areas become green spaces whenever possible.

Ms. Shook stated that the town's stormwater standards had remained largely unchanged since she started with the Town of Boone, with slight modifications along the way. She noted that the budget was tight, but felt there was an opportunity to update stormwater standards more comprehensively by having Mr. Wise work with a specialized consultant.

Ms. Shook stated that vacant parking could be an opportunity for infill development. She suggested reviewing the town's regulations to see what prohibited people from constructing infill development. Mayor Pro Tem George suggested an MSD for Blowing Rock Road to help fund projects in that area.

Mr. Wise stated that he had spoken with Public Works about changing the size of the town's drainage facility to handle a 50-year storm instead of a 25-year storm.

Special Flood Hazard Areas (SFHA)

Mr. Wise noted that the comment period for the proposed flood maps closed on January 31, 2025. He stated that one comment was received from the public, and it had been passed along to the state. Mr. Wise referred to the preliminary flood map in the meeting packet, noting that the town's floodplain areas

had decreased.

Ms. Shook stated that the 500-year floodplain was not considered part of the special flood hazard area, and the town did not regulate that area.

Mr. Wise stated that the town currently had a two-foot freeboard. The cost of improvements is compiled over a 10-year period. Once the cost reaches 50% of the value of the structure, the property must then come into compliance with the town's current flood ordinance.

Mr. Wise noted that anyone wanting to build or change something with the ground in the AE floodway had to get an engineering statement and full engineering documents to show that what they wanted would not cause a rise in the floodplain. Possible modifications to the SFHA regulations could be to increase the freeboard, lower the percentage of substantial improvement costs that triggered flood ordinance compliance, expand the 10-year rolling timeline, implement restrictions on the 500-year .2% floodplain, or further restrict development inside the floodway.

Ms. Shook stated she felt cautious regarding some of the statutory changes and some of the 500-year floodplain regulations. She wanted to make sure the town understood the impacts of any changes that might be made. Ms. Shook stated that more data might need to be provided to Council regarding how many structures could be impacted by the changes they made. She noted that the nonconformity parts of Senate Bill 382 needed careful evaluation.

Council Member Carter asked how many structures in the Leola Street area would not be allowed to be rebuilt. Mr. Wise replied that almost all of the homes in the mobile home park would have to be elevated. He noted that five properties had improvement costs that triggered 50% of the development value, with Walmart being the biggest. Mr. Wise explained that commercial properties could floodproof their buildings by installing floodgates, while residential properties had to be elevated.

Mayor Pro Tem George stated that Leola Street was the only manufactured housing in town limits. He felt that this type of housing stock was valuable because it allowed people to find stability and affordability.

Council Member Plaag expressed frustration that lower-income housing always seemed to be built in flood-prone areas. He stated that he was not opposed to having elevated structures with parking underneath. He also felt that the town should look at FEMA funding to help remove the propane storage facility that was located in the middle of the floodway before somebody got killed.

Ms. Shook stated that she would like to revisit the topic of manufactured housing. She felt that it was an affordable housing option that the town's ordinance severely limited.

Council Member Plaag referred to the flood map and stated that something that should be considered was not captured. He said North Water Street had always been a floodway, dating back to 1898, with flooding cascading down West King Street that did not come directly from the creek but from the surface flow. This type of activity was not shown on the maps but needed to be addressed from a planning and infrastructure perspective.

Ms. Shook noted that Mr. Wise had provided a good list of possible modifications in the meeting packet, and she felt that all of them should be explored with legal counsel.

Mr. Wise felt that the 50% threshold over a 10-year period was reasonable, but stated he was agreeable

to raising the freeboard from two feet.

Council Member Plaag felt strongly about restricting development in the AE floodway based on use.

Council Member Roseman asked if the town had to adopt the flood maps. Mr. Wise replied that if the town did not adopt the flood maps, no one in town could buy flood insurance.

Mayor Futrelle called a break in the meeting from 10:54 a.m. until 11:00 a.m.

NEIGHBORHOOD PROTECTION

Luis Aguilar, Zoning Code Compliance Official, joined the meeting.

Discussed ensued on Neighborhood Conservation Districts (NCDs). Ms. Shook provided a brief history of and explained that Neighborhood Conservation Districts were created as a way to deal with occupancy issues. She went over concerns with the parking sticker enforcement. She noted that the stickers were anticipated to be a tool to help staff ensure that there were no more than two unrelated tenants in a dwelling, however, the complaint from neighbors became more about not having parking stickers than occupancy concerns.

Discussion transitioned into neighborhood protection and the Town's current regulations that applied throughout the town, including the NCDs. Ms. Meade explained that the Police Department enforced the noise ordinance and parking in the street. The Public Works Department enforced trash, litter, and junkyard situations. The Planning & Inspections Department only enforced occupancy violations. Ms. Meade stated that Luis Aguilar had been a nice addition to the staff as the Zoning Code Compliance Official.

Regarding the noise ordinance, Ms. Meade stated that the Police were confident that their officers understood the noise ordinance and were enforcing it. She felt the main gap was public education. After she met with leadership from the Police Department, Public Works, and the Planning Department there were some recommendations to ensure compliance. Ms. Meade noted that one recommendation was that once the same property had been the subject of a third complaint, the issue would be escalated to the property owner, which had not been done previously. Another recommendation was to create a one-page action sheet as a brochure, flyer, or door hanger that listed who to call if you had a particular problem. This information should also be placed on the home page of the town's website.

Council Member Plaag stated he had heard complaints from residents about noise violations related to loud vehicles. Ms. Meade said she could speak with the Police Department about that topic.

Mayor Pro Tem George asked if something could be included in the lease or a separate letter that educated the renter on living requirements in an R1 zoning district. Ms. Meade felt it would be bad practice to require the information in leases and thought it would be nicer to get it out differently.

Council Member Plaag suggested supplying management companies, property owners, and tenants with the informational brochure.

Ms. Shook stated she was looking for long-term solutions that get the most bang for the buck. She noted that Mr. Aguilar was doing a great job with enforcement, partly because Mr. Wise provided so much support to him. Ms. Shook stated that Mr. Wise served as the Deputy Director and as the Environmental Specialist. She felt it was time to fill the Environmental Specialist position with a new employee to allow

Mr. Wise to focus more on supporting his direct reports.

Discussion ensued of the expansion of neighborhood protections by creating a Good Neighbor program that would apply to all of the residential districts so that instead of spending resources on sticker enforcement, there would be other educational elements to aid in enforcement. Ms. Shook stated that the neighborhood walks provided an excellent opportunity to speak face-to-face with neighborhoods. She suggested neighborhood signage and having a neighborhood social to engage the neighbors and build a sense of community. In addition to the informational flyer being mailed out, Ms. Shook suggested formalizing more contacts with the University and Caldwell Community College to participate in orientation. She also suggested the possibility of a wrap for Mr. Aguilar's town car so he would be visible in a non-threatening way.

Council Member Plaag expressed support for employing all of the tools Ms. Shook described, knowing that costs would be associated. He felt there could be concerns from neighborhoods when the Town transitioned away from Neighborhood Conservation Districts to a Good Neighbor Program. He advocated for promotional materials and marketing to go along with the transition.

Council Member Carter felt it was important to get as much information out through as many avenues as possible. He spoke in favor of exploring the options, including language in leases and implementing the usage of door hangers and magnets. Council Member Carter stated that people interpreted the word "conservation" to mean that things in their neighborhood would always stay the same, and he felt that was bad language.

Ms. Shook stated that the potential program goals would be to build community, treat all residents with courtesy and consideration, provide consistent and equitable enforcement of town regulations, accommodate growth with protection, seek to preserve the character of neighborhoods while considering opportunities for new residents and new housing types, and be intentional with creating successful, diverse neighborhoods, while at the same time addressing the area's needs for accessible housing for all residents. Ms. Shook agreed that the town should move away from the term Neighborhood Conservation District, and small area plans should be considered for neighborhoods that need additional protection.

Council Member Plaag suggested erecting signage at the entries to neighborhoods with the neighborhood name to help foster a greater sense of pride for the residents.

Council Member Roseman suggested having a colored button on the front page of the town's website that would allow citizens to provide their complaints. From that page, the person would be linked to the correct department. She also suggested a QR code on the door hanger or informational flyer to link them to the complaint page.

Mayor Futrelle called a break in the meeting from 11:50 a.m. until 12:36 p.m. for lunch.

Council Member Roseman stated that as she left for the lunch break, a community member stopped her and asked why this meeting was not on WebEx. They were concerned that the Town Council was considering projects without the community being involved. Council Member Roseman told the community member that the meeting had been properly notified and anyone was welcome to attend the meeting in person. She asked why the meeting was not offered via WebEx. Ms. Meade replied that there was no legal requirement to provide a virtual meeting option. She stated it would strictly be a policy issue.

Council Member Plaag asked if it was correct that the Council was not required to have a public comment

period at every meeting they had. Ms. Meade stated that public comment was required once a month.

HOUSING

Affordable Housing

Ms. Meade stated that the term affordable housing could mean 60% of the area median income or 60 to 80% of the area median income. Ms. Meade noted that inclusionary zoning was something the town could do. However, the overall impact of inclusionary zoning in North Carolina was minimal. Ms. Meade stated that Chapel Hill had had inclusionary zoning since 2011, and for the first seven years, 11 units were directly built as affordable housing. Chapel Hill's inclusionary zoning only concerned housing built for purchase, not housing built for rental. Ms. Meade stated that Raleigh adopted inclusionary zoning as an overlay district, which she felt would be a relatively easy way to do it because it would not involve rezoning parcels. She said she would like to review Raleigh's inclusionary zoning standards further.

Ms. Meade stated that she felt comfortable that the town could do density bonuses without worrying about Senate Bill 382 because it would be done in a way where density was added. She added that there would be trade-offs in terms of either height or impermeable foot area. Ms. Meade stated she could return to the Council with a draft ordinance for inclusionary zoning. She added that there would need to be very careful thought regarding density bonuses, types of uses, and location. Ms. Meade noted that inclusionary zoning was typically written to last for 30 years, making enforcement challenging.

Ms. Meade stated that the way to get the most housing was to be thoughtful about the obstacles. She noted that any amount of supply would have a positive overall effect on price and availability.

Mayor Pro Tem George felt if the town could guarantee 20 to 30 affordable units, it would show action. He stated that inclusionary zoning could be effective if well-planned. Mayor Pro Tem George noted that the Wellness District should have dense housing. He added that the aging housing stock that needed to be redeveloped was located where density needed to be. Mayor Pro Tem George was concerned with the displacement of tenants during the redevelopment phase. Ms. Meade replied that there would be displacement for several years in any residential area undergoing redevelopment. She stated that the people who would be displaced would not care that there would be more housing in a few years. Ms. Meade cautioned the Council there would be a political cost because redevelopment would be unpleasant for any displaced tenants. She noted that the same reasoning applied to the mobile home park.

Council Member Plaag suggested the town-owned property near the Hospitality House as a potential overlay district location for a long-term lease arrangement where the town retained ownership of the land. This would create a form of transitional/low-income housing to help people graduating from the Hospitality House or other low-income people in the community.

Ms. Shook stated that an extensive review of the UDO was needed in order to begin creating the type of development the town wanted.

Council Member Plaag noted that the Conditional District process allowed Town Council to negotiate different standards. Ms. Shook added that the Board of Adjustment had to make decisions on special use permits and variances based on the letter of the UDO regulations, where Town Council had more flexibility in the Conditional District process. She stated that once the Council identified what they wanted, they needed to make the process clearer and easier to understand in order to get the product they wanted. Discussion ensued as to the flexibility of the conditional district process.

Council Member Plaag stated that Town Council needed to identify areas where they wanted to see certain things happen, so that when a developer acquired a property, they would know what they were expected to build in that area. He suggested a one- or two-day workshop to review the future land use map and determine what the Council would like to see and where they would like to see it.

Low-High Density Options

Ms. Shook stated that there were several low-density housing options. The Council agreed that Ms. Shook should proceed with a draft regarding accessory dwelling units.

Ms. Shook referred to manufactured homes and suggested they could be allowed in more zoning districts. She felt there should be a review of the manufactured home park standards. Council Member Plaag added that there needed to be a distinction made between a trailer and the various forms of construction that were technically manufactured homes but did not look like trailers. Ms. Meade stated that cross mods, manufactured homes with a site-built element such as a front porch or garage, were treated as stick-built homes for loan and appraisal purposes. She was unsure how they were viewed for tax purposes.

Ms. Shook asked Council members how they would like to proceed with cottage housing. There was consensus among Council members to revisit the cottage housing concept.

Ms. Shook suggested that further discussion regarding duplexes should be postponed until Town Council decided what type of housing they would like and where they would like to see that housing. She noted that with triplexes and quadplexes moving to the residential building code, they would need to further evaluate regulations and the districts they were allowed in. Ms. Shook reminded Council members that soon the town would no longer be able to regulate the appearance of triplexes and quadplexes.

Ms. Shook stated that the mixed-use and multi-family standards needed to be evaluated.

Council Member Carter suggested considering pattern zoning.

Mayor Futrelle called a break in the meeting from 2:06 p.m. until 2:16 p.m.

OTHER DISCUSSION

Ms. Shook noted that George Santucci and Laney Wise were applying for a grant that would allow a consultant to review the town's current UDO for solar.

Ms. Shook stated that the Post Office building needed a new roof, there was some damage in the lobby, water had been getting into other areas of the building, and the handrails needed to be powder coated because the paint had chipped off.

Ms. Shook again noted the need to fill the Environment Specialist position.

Ms. Shook stated that she had spoken with the property owner of the manufactured home park behind Walmart about their options as they navigated through what they needed to do post-Helene. She explained that they had some expensive infrastructure to repair. Ms. Shook stated that organizations had approached the property owner about putting in temporary travel units for displaced people so they could move out of hotels. She noted that this scenario was not addressed in the last UDO text change. Ms. Shook asked Council members if they would like to pursue a text amendment to allow this temporary use. Mr. Wise added that FEMA had officially leased the Bradford Park for their recovery trailers.

Council Member Plaag asked what would happen if there was another flooding event while the temporary

homes were in the park. Mr. Wise replied that the units would be RVs and travel trailers and would be completely mobile. He stated that flood regulations required that they had to be tagged, titled, and ready to be relocated. The units would not be elevated because they would be ready to drive or pull away before flood waters arrived.

Council Member Carter felt the hotel extension would not go past Memorial Day. Ms. Shook noted that it was costly for people to live in hotels because they were spending more on food and were compressed into one room when they were used to having a home.

Ms. Shook stated that the next regularly scheduled public hearing was in March, which would make it April before Town Council considered approval of the text amendment. Council members agreed to schedule a special public hearing.

Ms. Shook asked Council members for any other items related to the Planning Department they would like to discuss.

Mayor Pro Tem George stated he would like to see the Downtown expand, have inclusionary zoning, and revise the Neighborhood Conservation District program. He suggested reserving seats on the Planning Commission for different types of stakeholders like renters or developers.

Council Member Plaag stated he would like to revisit the Blowing Rock Road corridor MSD. Ms. Shook noted that the Town Manager planned to place that topic on the next Town Council agenda for discussion.

Council Member Roseman stated that the Council needed to figure out a way to entice people along the corridors to annex into town. Mayor Pro Tem George suggested sending letters to property owners outlining the annexation process and the benefits of being inside Town limits. Council Member Roseman felt the focus for growth should be on East Boone. Ms. Shook responded that there were limitations to satellite annexation, noting that the town could not satellite annex more than 10% of its current jurisdiction.

Council Member Carter stated there was a need for in-fill development and addressing vacant mixed-use properties.

Ms. Shook noted that two meetings needed to be scheduled: one to review the future land use map and one for a special public hearing for the text amendment for temporary emergency units in manufactured home parks.

There was consensus of Council to schedule a special public hearing with the Planning Commission on Monday, February 24, 2025, at 6:00 p.m. in Town Council Chambers to hear the request for a text amendment for temporary emergency units. Town Council would then vote on the amendment at their regularly scheduled meeting on February 26, 2025.

Council members felt reviewing the land use map could take two all-day meetings. The following meeting dates were set to be held in Town Council Chambers:

- Monday, March 3, 2025, 9 a.m. until 4 p.m.
- Monday, March 10, 2025, 1 p.m. until necessary

Ms. Shook stated she would notify the consultant that Council and staff would work on the future land use map. She noted that the next thing the consultant expected from the town would be a time frame

for a public hearing and to return documents to the town.

RECAP

In summary, Ms. Shook listed the following items to be addressed:

- Update the watershed model based on the model ordinance for the watershed.
- Update stormwater regulations.
- Special Flood Hazard Area - evaluate the list of changes that Mr. Wise created. Modify standards to address freeboard and limiting use within the AE floodway.
- Consider lease language.
- Create a complaint button on the town website home page.
- Create informational brochures/flyers/door hangers/magnets for public education.
- Opt-in district guidance.
- Manufactured homes and similar housing types in the UDO.
- Develop standards for small-scale multi-family development
- Consider ways to encourage annexation and focus on gateways.

Adjournment

Council Member Roseman made a motion to adjourn the meeting at 3:11 p.m. Council Member Plaag seconded the motion.

VOTE: Aye – 4
Nay – None
Absent – 1 (Tugman)

The motion passed.

Tim Futrelle, Mayor

Brenda Henson, Administrative Coordinator

**MINUTES – REGULAR MEETING
BOONE TOWN COUNCIL
FEBRUARY 12, 2025**

CALL TO ORDER

A regular meeting of the Boone Town Council was called to order at 9:00 a.m. on Wednesday, February 12, 2025, at the Town Council Chambers located at 1500 Blowing Rock Road in Boone. Mayor Tim Futrelle presided. Council members present included Mayor Pro-Tem Dalton George, Todd Carter, Virginia Roseman, Edie Tugman, and Eric Plaag. Staff present included Town Manager Amy Davis, Town Clerk Nicole Harmon-Church, Public Works Director Todd Moody, Public Works Deputy Director Justin Stines, Planning Director Jane Shook, Planning Deputy Director Brandon Wise, Grants Coordinator Laney Wise, Interim Police Chief Daniel Duckworth, Downtown Boone Development Coordinator Lane Moody (remote), Finance Director Guy Miller (remote), Cultural Resources Director Mark Freed (remote), and Sustainability and Special Projects Coordinator George Santucci. Town Attorney Allison Meade was also in attendance.

MOMENT OF SILENCE

ANNOUNCEMENTS

Mayor Pro-Tem George announced the following board vacancies:

BOARD OF ADJUSTMENT

Two regular positions, three alternate positions

DOWNTOWN BOONE DEVELOPMENT ASSOCIATION

One Council-appointed position

HISTORIC PRESERVATION COMMISSION

Two regular positions

HUMAN RELATIONS COMMISSION

Six regular positions

PLANNING COMMISSION

One student position

SUSTAINABILITY COMMITTEE

One student position

TENTATIVE AGENDA ADOPTION

Upon a motion by Council member Carter, seconded by Council member Tugman, Council voted unanimously to approve the agenda as presented.

APPROVAL OF PROCLAMATIONS AND RESOLUTIONS

Upon a motion by Council member Plaag, seconded by Council member Roseman, Council voted unanimously to approve the following proclamations and resolutions:

1. Proclamation – Black History Month
2. Resolution - Improved Boone Government & Investments in Community Meetings
3. Resolution - Rural Downtown Economic Development Grant Program (Howard Street)
4. Resolution – National Fair Housing Month

Council member Carter read the Black History Month proclamation into record:

In Honor of Black History Month

WHEREAS, The Town of Boone takes pride in joining other North Carolina Municipalities in recognizing February as Black History Month; and

WHEREAS, in 1976, Black History Month was adopted to honor the importance of Black history in our Country; and

WHEREAS, since 1976, every American president has designated February as Black History Month and endorsed a specific theme; and

WHEREAS, The Town of Boone is home to Junaluska, one of the oldest historically Black communities in the Appalachian mountains; and

WHEREAS, Black Boone residents have consistently advocated and persevered, taking leadership roles in many vital organizations, leading the Town in elected office, and continuing to build and preserve the important Junaluska community; and

WHEREAS, Black Boone residents have contributed greatly to the development of not only our Town, but our State and Country, culturally, spiritually, economically, and beyond; and

WHEREAS, Black families have deep roots in Appalachia, contributing to our strong and unique cultural fabric that many Boone residents take great pride in; and

WHEREAS, Boone is a better Town today as a result of the contributions of Black residents; and

WHEREAS, this proclamation and this month give the Town the opportunity to celebrate the Black members of our community and encourage all residents to become more knowledgeable about the importance of Black Heritage and Boone's history; and

NOW, THEREFORE, I, Tim Futrelle, mayor of the Town of Boone, do hereby proclaim February 2025 as Black History Month for the Town of Boone.

This the 12th day of February 2025.

Tim Futrelle, Mayor

ATTEST:

_____(SEAL)
Nicole Harmon-Church, Clerk

Mayor Pro-Tem George thanked Grants Coordinator Laney Wise for finding grant funding for the proposed upgrades to Council Chambers. Ms. Wise clarified that funding had not yet been received but that a grant had been found and that she would work toward securing funding. She also noted that funding had been secured via the NC Commerce Rural Downtown Economic Development Grant Program to assist with underground utility costs on the Howard Street project.

Council member Carter then read the National Fair Housing Month resolution into record, and it was noted that this document was a requirement of CDBG funding received by the Town for Public Utilities projects:

RESOLUTION SUPPORTING NATIONAL FAIR HOUSING MONTH

WHEREAS, April marks the anniversary of the Fair Housing Act of 1968, which sought to eliminate discrimination in housing opportunities and to affirmatively further housing choices for all Americans; and

WHEREAS, the Town of Boone desires that all its citizens be afforded the opportunity to attain a decent, safe, and sound living environment; and

WHEREAS, individuals in the State of North Carolina have the right to choose where to live without discrimination based on race, color, religion, age, sex, national origin, handicapped status, or familial status; and

WHEREAS, the State of North Carolina enacted the North Carolina State Fair Housing Act in 1983;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Boone does hereby join in the national celebration by proclaiming April 2025 as Fair Housing Month.

Adopted by the Boone Town Council on the _____ day of _____, 2025.

Mayor

Town Clerk

Mayor Futrelle entered the meeting at 9:15 a.m.

PUBLIC COMMENT

David Jackson of the Boone Area Chamber of Commerce gave a brief update on the business projection report from 2024. He highlighted a concerning trend, noting that 65% of businesses failed to meet their revenue expectations for November. This issue was emphasized as a key point of discussion, with a strong recommendation to increase communication efforts to help address these challenges. Specifically, Mr. Jackson asked that Council continue reinforcing key information, including updates about Howard Street, parking changes, and the ongoing SDF discussion. He encouraged proactive discussion, whether directly or through the Chamber. Mr. Jackson finished by asking Council members to keep these factors in mind as decisions were made during the meeting to ensure they supported businesses as effectively as possible.

REQUESTED APPEARANCES

BILL DIXON, APPALACHIAN ARCHITECTURE

Bill Dixon of Appalachian Architecture provided an update on the state-awarded grant funding for improvements to the Horn in the West facility. He indicated a survey was completed in August, and a working group has been meeting monthly on the second Thursday of the month to discuss the project. In October, a walkthrough was conducted to discuss existing issues. Since then, outreach has been made to the North Carolina State Historic Preservation Office (NCSHPO), and an electrical engineer was engaged, with a report received this week. In January, a phone conference was held with the NCSHPO Asheville office.

Mr. Dixon stated that concerns were raised regarding the role of the Historic Preservation Commission (HPC). While the HPC has been requested to provide feedback, it was noted that they could not offer guidance since Horn was not currently in

the HPC's scope. Council member Plaag stated that Council has expressed interest in giving Horn in the West a local historic designation and found it unreasonable that the Town board had said they could not provide advice. Planning Director Jane Shook clarified that the HPC was empowered to research historic properties and should be able to offer feedback but was concerned that doing so might be premature. Attorney Meade agreed that the initial consultation should be with planning staff before moving forward with the HPC.

Council member Plaag expressed frustration over the delays, stating the need to move forward. Attorney Meade noted that without a full report, it would not be appropriate for the HPC to discuss recommendations with Mr. Dixon. Council member Plaag suggested setting up a separate meeting with himself and Mr. Dixon and asked for available dates.

Mr. Dixon continued with his update and announced planned improvements for the Horn project, including parking lot upgrades, a new restroom building, accessibility enhancements, improved lighting and safety, electrical system improvements, and a tree removal plan. He noted that additional funding is urgently needed. Council member Roseman expressed excitement about this first step but emphasized that more funding would be required.

Council member Plaag inquired about the status of the lot release from FEMA. Manager Davis confirmed that FEMA has released the lot, and DEQ has been deactivated, meaning there were no impediments. Public Works Director Moody stated that a contractor would be used for the paving of the lot, and AM confirmed that the project was currently going through the proper bidding process.

MARRENA GREER, SOUTHERN APPALACHIAN HISTORICAL ASSOCIATION

Marrena Greer, with the Southern Appalachian Historical Association, presented a plan to place a sign celebrating the 250th anniversary of the United States, which was gifted to them by the Daughters of the American Revolution. Council member Plaag urged Ms. Greer to place the sign as close to the pathway as possible for visibility purposes and asked that SAHA be thoughtful about placement so that the sign did not interfere with the feeling of the site. Ms. Greer agreed with this request. Council member Roseman suggested the sign be placed as close to the entrance of the WPA section as possible to ensure high visibility. It was the consensus of Council to allow Ms. Greer and SAHA to move forward with this request.

WORK SESSION

WORK SESSION ITEM - EXECUTIVE ORDER 14168 "DEFENDING WOMEN"

Council member Plaag presented and read Section 1B of the memo dated January 29, 2025 from the United States Office of Personnel Management circulated to Heads and Acting Heads of Departments and Agencies.

"b. Review all agency programs, contracts, and grants, and terminate any that

promote or inculcate gender ideology.”

Council member Plaag believed the issuance of this memo raised concerns about the potential impact on the Town’s Howard Street project loan and other grants. He believed the primary concern to be that funding could be at risk if a rogue employee decided that certain projects seemed to fall under diversity-related criteria. While he believed there to be a distinction between loans, such as the Howard Street project, and grants, there was a belief circulating that federal agencies may look for areas to cut funding. Council member Plaag believed the Town needed to be prepared for potential challenges.

Manager Davis shared an email from Josh Carswell, a USDA representative, stating that he has never seen funding recalled and that there was no indication of concern at this time. Additionally, Manager Davis noted that she had contacted federal lobbyist Brad Edwards, who will be conducting inquiries, as would the Town’s state lobbyists. She indicated that updates would be shared as soon as more information became available. Attorney Meade suggested contacting the North Carolina League of Municipalities (NCLM) for further guidance, emphasizing that major litigation had already been filed to seek an injunction against the executive order. She pointed out that the NCLM was well-equipped to handle such issues and could potentially connect the Town with an attorney if needed. Attorney Meade also noted that she was unaware of any language in current contracts or ordinances beyond federal legal requirements, aside from the HRC’s role.

Mayor Pro-Tem George expressed appreciation for lobbyist Brad Edwards’ guidance moving forward. Council member Carter acknowledged Council member Plaag’s concerns and stated that the situation was professionally overwhelming to him. He acknowledged that, while there has been no precedent for this in the past 20 years, things could change rapidly. Council member Tugman inquired how quickly the Town could break ground on affected projects. Manager Davis responded that an agenda item related to this would be coming up and confirmed that no funding has been spent yet.

Council member Roseman asked if a letter of support could be drafted. Council member Plaag supported crafting a resolution but emphasized the need for the document to be carefully worded to ensure relevance as the situation evolved. Given the fast-changing landscape, he felt the resolution must be broad enough to remain effective. Mayor Pro-Tem George expressed some conflict, noting the importance of including the public in this conversation.

Council member Plaag volunteered to draft the resolution and welcomed the participation of another member. Council member Roseman also volunteered to assist. Mayor Futrelle suggested leaving room in the resolution for any findings from his conversations with NCLM. Manager Davis confirmed that lobbyists would also be consulted. Council members reached a consensus to direct Council Member Roseman and Council Member Plaag to begin drafting a resolution that appropriately addressed

concerns with Executive Order 14168 concerning relevant Town projects and funding, with follow-up discussions at the second meeting in February.

WORK SESSION ITEM – INCLUSIONARY ZONING

Attorney Meade suggested tabling the discussion for now, noting that progress has been made in reviewing affordable housing strategies from Raleigh, Chapel Hill, Manteo, and Davidson. She said that each municipality had taken a different approach to the matter, with Chapel Hill and Davidson having longstanding programs that required developers to create and maintain a certain number of affordable units. Raleigh's approach, however, appeared to be the most viable option for Boone, in her opinion.

Attorney Meade noted that the legal strength of mandatory inclusionary housing requirements has evolved over time. She stated that overall regulations must be addressed, mainly through a two-tier system. Raleigh's model included a Transit Area Overlay District, where properties near rapid transit hubs were allowed more density, and a Frequent Transit Area, where developments along routes with 15-minute service intervals receive additional density bonuses—the new regulations allowed for increased flexibility in intensifying development to encourage affordability.

However, Attorney Meade emphasized that affordable housing initiatives required significant planning and ongoing resources. Someone must be responsible for qualifying applicants, supervising rentals and sales, and enforcing restrictions on sales and rentals.

Mayor Pro-Tem George asked whether the Housing Coordinator position would appropriately manage these responsibilities. Attorney Meade responded that careful parameters would be developed to ensure proper oversight and administration of any future affordable housing program. She will continue her research and bring it back to the Council at a later date.

Mayor Futrelle declared a break at 10:45 a.m. Council reconvened at 10:58 a.m.

ADOPTION OF ITEMS ON CONSENT AGENDA:

Mayor Pro-Tem George thanked Grants Coordinator Laney Wise and Sustainability and Special Projects Coordinator George Santucci for their work securing grants. Council members Roseman and Plaag agreed. Regarding the Legal Settlement on the Chen property, Council Member Plaag stated that Attorney Meade had indicated that she had personally walked the property, that the fence was intact, and that the bamboo had been trimmed back. Upon a motion by Mayor Pro-Tem George, seconded by Council Member Plaag, Council voted unanimously to approve the following items on the consent agenda:

1. Budget Amendments
2. Re-encumbrance of funds

3. Contract – CivicBrand
4. Grant Application – Renovating Boone’s Community Gathering Space
5. Letter of Support – Municipal Infrastructure Fund Grant
6. Notice of Settlement of Legal Claim
7. Minutes
 - a. January 8, 2025 Regular Town Council Meeting
 - b. January 22, 2025 Regular Town Council Meeting

CONSIDERATION TO ACCEPT STREET INFRASTRUCTURE – CHEEK AVENUE

Public Works Deputy Director Justin Stines presented a request from Pinnacle Storage for the Town to accept the newly named Cheek Avenue near New Market Center. Mayor Pro-Tem George began the discussion by stating that members of the Cheek family felt discouraged and preferred the road be named Norman Cheek Boulevard to honor Mr. Cheek’s family’s wishes. Council Member Plaag questioned why this name was not considered. Council Member Roseman explained that the initial reasoning was to maintain consistency with other roads in the area named after families by using only the last name. She noted that the intent was to ensure the name represented the entire Cheek family rather than a single individual. Council member Plaag noted that streets named after families in Columbia, South Carolina, often included historical markers to provide context. Mayor Futrelle reaffirmed his support for keeping the road name as Cheek Avenue. Council Member Plaag acknowledged a lack of detailed knowledge about Mr. Cheek and suggested that fully understanding Mr. Cheek’s history would be important before making any changes to the name. Council Member Roseman reaffirmed her decision to keep the road name Cheek Avenue but supported adding a historical plaque to recognize the family’s contributions. Council Member Tugman stated that if the Cheek family had granted the right of way to the Town, it might have changed her perspective on the naming decision. It was the consensus of the Council that the name should remain Cheek Avenue and to direct staff to explore the possibility of installing a historical plaque after researching Mr. Cheek’s contributions to ensure historical accuracy.

CONSIDERATION OF PARKING COMMITTEE RECOMMENDATIONS

Council Member Plaag presented recent meeting minutes and recommendations of the Council/staff parking committee. Mayor Futrelle noted that discussions regarding the county parking deck had always focused on coordination and mutual benefits. He indicated that the County had agreed that the deck would serve as a shared space after hours.

Mayor Pro-Tem George mentioned that the minutes were informative and highlighted the importance of sustainability incentives, noting that Congress previously provided tax breaks for such initiatives. Regarding the County partnership, he announced that a legal document was being created to formalize the agreement. Additionally, Mayor Pro-Tem George stated that the County had agreed to implement a kiosk system for the parking

deck on Saturdays and hire a parking officer to monitor the parking area near the Greenway.

Council Member Roseman suggested implementing 25-cent increment increases was in the community's best interest. Mayor Pro-Tem George also suggested metering some spaces at Jaycee Park to prevent walk-off parking.

Council Member Plaag made a motion to approve the parking plan as written, with the understanding that the rate increase will be voted on separately. Council Member Tugman seconded the motion, which carried unanimously.

Council Member Roseman then made a motion to increase parking costs to \$1.25, with \$.25 increment increases in successive years applied through FY 2029 to reach an hourly rate of \$2.00 per hour. Mayor Pro-Tem George seconded the motion, but failed.

VOTE: Aye: Roseman, George
 Nay: Carter, Plaag, Tugman

Council Member Plaag then made a follow-up motion to raise parking rates to \$1.50 per hour, increasing by \$.25 increments through FY 28/29. Council member Tugman seconded the motion, which carried.

VOTE: Aye: Plaag, Tugman, Carter
 Nay: Roseman, George

DISCUSSION AND POTENTIAL ACTION REGARDING THE ESTABLISHMENT OF A BIRD SANCTUARY

Discussion began with Council Member Plaag indicating his support for the Clayton structure included in the samples. At the same time, Council Member Roseman expressed support for the migrant and year-round bird piece in the St. James sample. It was the consensus of Council for Attorney Meade to bring a draft document back to Council on the Consent Agenda at a later date.

Mayor Futrelle declared a break at 12:00 p.m. Council reconvened at 1:04 p.m.

DISCUSSION AND ACTION REGARDING HOWARD STREET FINANCING

Manager Davis began by providing an update on the Howard Street project, explaining that the General Assembly's funding has now made it subject to a yellow book audit. She indicated that a review of the project revealed that a significant portion of the project cost was water/sewer-related. She indicated there was \$21 million available in the water/sewer fund, which could be used for self-financing the project over the 450-day construction period. Manager Davis noted that this approach could help avoid \$721,000 in interest costs. Council Member Tugman inquired if using these funds would be a cause for concern in the current political climate. Still, Manager Davis assured that, as a loan, she did not believe the new regulations were worrisome. Further information

was expected from Federal Lobbyist Brad Edwards the following day, and Manager Davis stated the matter could be revisited if his report was negative. She confirmed they had permission from the LGC and written confirmation from the USDA stating no objections to this funding model.

Council Member Plaag asked whether the funding would only cover water and sewer on Howard Street. Manager Davis clarified that the interim loan was \$9.7 million, supplemented by a \$300,000 ARC grant and a \$1.38 million General Assembly/DEQ grant, covering the entire water/sewer project. Additionally, \$4 million was from the general fund, leaving a remaining \$529,000. She explained that the Town had already collected \$400,000 from room occupancy tax revenue and expected to generate a surplus. She added that a capital project fund would be established, with transfers from the water/sewer fund to support it.

Council Member Tugman inquired about discussions with the Tourism Development Authority regarding occupancy tax and volunteer accommodations related to hurricane relief. Manager Davis believed the only relevant tax was sales tax and noted encountering a similar situation when the Standard had to house college students in hotels. Attorney Meade clarified that North Carolina did not exempt nonprofits from paying occupancy tax. Council Member Carter added that the tax must be paid and filed quarterly for state reimbursement, but he was uncertain if it applied to room occupancy. Council Member Plaag referenced a Coates' Cannon's post, which confirmed nonprofits were not exempt from the tax. Manager Davis mentioned that if individuals stayed in a room for over 90 days, it might qualify as a long-term rental, which Attorney Meade suggested should be further investigated.

Council Member Plaag then raised concerns about the potential risk if the Department of Agriculture failed to fulfill its commitments. Manager Davis indicated a preference for securing financing on a completed project through a bank placement or interim construction financing rather than seeking permanent financing immediately, as interim financing was more challenging to secure, came at a premium rate, and was more challenging to collateralize.

Council Member Carter made a motion to approve the interim financing for Howard Street as recommended, which Council Member Roseman seconded. The motion passed unanimously.

REQUEST FOR DIRECTION REGARDING THE BOLICK PROPERTY

Manager Davis expressed concerns about how to proceed with the sale of the property, emphasizing that, in her view, there was no way to move forward without selling it. She reminded members that a conservation easement of 30.286 acres was granted in 2021 and went on to reference a social media post from the Hellbender Rugby Team, disputing that the Town had been completely transparent and that the sale had been openly discussed at a previous meeting. Council Member Carter noted that several people had contacted him, expressing strong objections, but he reassured them that

this discussion had not been held in secrecy. Manager Davis clarified that no portion of the property was suitable for the team's needs, and no large retailers had approached the Town about the site.

Attorney Meade explained that the conserved area was under a perpetual easement as a floodplain to the river, designated for hiking and birdwatching, with no recreational fields permitted, and agreed that a rugby field was not a viable option. She added that the property was also not eligible for a Low-Income Housing Tax Credit (LIHTC) project, and while the Town was interested in affordable housing, this site was not ideal. Council Member Plaag asked if the appraisal considered the conservation easement and was included in the listing. Manager Davis responded that the conservation easement was accounted for in advance. Additionally, she added that Real Estate Appraiser Mike Sweeting had kept in mind using part of the property for a fourth fire station during the appraisal. Council Member Plaag inquired about the value of the remainder of the property if the Town retained the conservation easement and the fire station parcel. Manager Davis answered that further discussions with Mr. Sweeting would be needed.

Mayor Pro-Tem George emphasized that preserving the land for public use would be a positive outcome and expressed disappointment at potentially losing this opportunity. Attorney Meade agreed that maintaining access to the conservation easement would be beneficial. Mayor Futrelle was disappointed that the rugby team did not present the situation accurately and hoped they could find suitable land for their sport. Council Member Carter reiterated the Council's interest in carving out space for Fire Station Four while keeping the conservation easement intact. Attorney Meade pointed out that labeling the land for passive use might require additional work and noted that a park facility could not be located within the easement and that parking and access would also be necessary. Manager Davis warned that such considerations could reduce the property's value. Sustainability and Special Project Manager mentioned that the conservation easement permitted a pedestrian bridge from Brookshire to the Bolick property, eliminating the need for parking on the Bolick property. Mayor Pro-Tem reached out to Commissioner Eggers to suggest that the County purchase the property to expand Brookshire but was told there were no funds available.

Council reached a consensus to gather more information, explore carving out land for the fire station, and contact a surveyor for further review.

DISCUSSION AND DIRECTION REGARDING BLOWING ROCK ROAD MSD

Regarding the proposed Blowing Rock Road Municipal Service District (MSD), Manager Davis indicated that more detailed information would be presented at the budget retreat, including the most recent property valuation map. Council Member Roseman noted that her employer, Publix, had requested she abstain from votes affecting them, but Attorney Meade clarified that such a request was inappropriate, as abstentions counted as affirmative votes. Manager Davis stated that the taxable total of the proposed district was estimated at \$304,571,210, generating approximately \$30,000 per \$0.01 in tax

revenue. However, she indicated that the Town lacked the funds to finance an engineering report, as outlined in an email from the UNC School of Government's Kara Millonzi. Attorney Meade advised that before adopting the MSD, the Council must develop a plan for how funds would be used, with Manager Davis stating that the initial goal would be to finance engineering costs. Attorney Meade stressed the importance of carefully wording this. Mayor Pro-Tem George highlighted the need for stormwater improvements, streetscaping, and utility upgrades, while Attorney Meade reiterated that a clear plan must be established. Mayor Pro-Tem George went on to express interest in stormwater work, multimodal infrastructure, and streetscape enhancements. Manager Davis mentioned that MSD funding could support revitalization projects in urban areas, offering a broader scope of potential improvements. Council Member Carter voiced concern about adding financial burdens to struggling small businesses and suggested refining the approach to minimize impacts on businesses like Makoto's and Coyote Kitchen. It was the consensus of Council to hold further discussion during the upcoming budget retreat.

FOLLOW-UP DISCUSSION OF PROPOSAL TO REQUIRE POSTING OF FLOOD HAZARD WARNING SIGNS

The discussion then moved to flood hazard signs. Attorney Meade stated that signage could easily be incorporated into new developments. For existing areas, she noted that Public Works staff has been in contact with the Department of Transportation (DOT) and is awaiting their approval to install appropriate signage. Attorney Meade indicated that Town streets could be addressed as the budget allowed, leaving approximately a dozen private streets unaccounted for. She noted that police power should be sufficient for towing in flood-prone areas and recommended incorporating supportive language in the ordinance.

Once the updated flood mapping is complete, appropriate Town staff will assess the private streets and report back to the Council for direction. Attorney Meade believed that some private property owners might be willing to accept signs and handle installation under an encroachment agreement, which was preferred as a solution. If that approach is unsuccessful, a public hearing may be necessary to justify the need for signage. Council Member Plaag requested data on past flood-related incidents, including the number of boat rescues and displaced propane tanks. Council Member Roseman inquired whether the mall could delineate flood lines, but Attorney Meade noted that flooding could still occur unpredictably even if such lines were drawn. Instead, she suggested a more generalized flood hazard sign may be the best approach.

DISCUSSION OF POSSIBLE APPROACHES TO AIDING SMALL BUSINESSES AND/OR START-UP BUSINESSES

The discussion then shifted to support for small businesses. Attorney Meade explained that while local governments had broad statutory authority, constitutional law prevented them from offering direct startup grants to businesses. Local governments could provide

aid to individuals but not businesses, with economic incentives being a narrow exception permitted by the Supreme Court in cases involving interstate competition. The only viable carveouts Attorney Meade identified involved partnering with a nonprofit organization, such as the Downtown Business Development Association (DBDA), or offering real estate development grants, such as façade grants, through programs like Main Street. Attorney Meade stated that staff would conduct additional research and follow up with further details.

Mayor Pro-Tem George, having worked with local business owner Seth Norris on the issue, suggested an alternative approach that would benefit all businesses. He proposed asking Representative Ray Pickett to introduce a staggered collection system targeted at commercial properties of a certain square footage, preventing advantages for big box stores. He noted that if a business failed, the Town would lose some funds, but the financial loss would be minor compared to reducing fees for all businesses. Other members saw a delayed collection system as a reasonable approach.

Attorney Meade clarified that current statutes prevented the Town from collecting fees over time. Mayor Pro-Tem George noted that Representative Pickett was interested in finding a solution, proposing a local bill allowing businesses to pay 25% of their System Development Fees in the first year, 25% in the second year, and 50% in the third year. Council Member Plaag agreed with the idea, stating that this type of local bill was appropriate. He also expressed hope that any new business taking over a failed business's space would be responsible for the remaining payments. Mayor Pro-Tem George believed that in such cases, the Town would simply lose the money. Attorney Meade pointed out that while payments were made by property owners, the cost was typically passed along to renters through lease agreements. Council Member Plaag emphasized the importance of ensuring new owners covered unpaid balances. Public Works Director Todd Moody noted that staff does not currently keep an official record of payments, which Attorney Meade stated would need to change.

Manager Davis informed the Council that lobbyists had been in close communication with Representative Pickett and asked if she should allow them to continue those conversations. Mayor Pro-Tem George expressed support for this approach. Attorney Meade stated that a draft proposal would be prepared for review in March. Mayor Pro-Tem George approved sending a letter of support and expressed trust in Attorney Meade's work. Attorney Meade reiterated that any plan would need to be structured lawfully and could not be formally committed to at this stage but would be revisited later in the month or in March. Manager Davis confirmed that the lobbyists would coordinate with Ms. Meade on the matter.

PROPOSED POLICIES REGARDING PUBLIC COMMENT, REQUESTED APPEARANCES, AND EMAIL COMMUNICATIONS

Attorney Meade presented draft policies and noted a small typo to be changed to read "Once your time has expired" on the handout. Upon a motion by Council Member

Tugman, seconded by Council Member Plaag, Council voted unanimously to approve the policy as amended.

CONSIDERATION OF AMENDMENTS TO TOWN CODE RELATED TO INFORMATION OF BOARD SUBCOMMITTEES AND WORKING GROUPS

Council Member Plaag made a motion to adopt the policy as presented. Mayor Pro-Tem George seconded the motion. Council Member Carter noted a small typo to change “any” to “and” on Number 5 of page 121. Council Member Plaag and Mayor Pro-Tem George accepted this amendment, and the motion was carried unanimously.

APPOINTMENT TO THE HUMAN RELATIONS COMMISSION

Council Member Carter nominated Drew Finley to serve on the Human Relations Commission. Hearing no further nominations, Mayor Futrelle called for a vote.

VOTE: Aye: All
 Nay: None

Drew’s term will expire on February 12, 2028.

MAYOR’S UPDATE

1. Will be working with the North Carolina League of Municipalities regarding the proposed DEI resolution.
2. Meeting on Monday with the High Country Council of Governments.

BOARD LIAISON REPORTS

Council Member Carter

1. AppalCart recently made a request to Public Works staff for a loading zone on Burrell Street. He noted that the bus shelters used were expensive, and their mechanism for replacement was currently lacking.
2. The Human Relations Commission plans to meet on February 19, but members will not vote due to a lack of quorum.

Council Member Roseman

1. Southern Appalachian Historical Association will use the cabins for an abbreviated summer series.
2. Watauga County Parks and Recreation Board meets tonight.
3. The Historic Preservation Commission has concluded its work on the Stoneman’s Raid piece. Quasi-judicial meetings will resume in March.

Mayor Pro-Tem George

1. Announced two new sustainability-focused interns.

2. Announced upcoming events, including Earth First Friday and Filmfest in April.
3. The ABC Board needs to collaborate with the Police Department Social Worker in an attempt to acquire grant funding.

Council Member Plaag

1. The Cultural Resources Advisory Board is currently looking for nominations for the 1872 Award and asked for clarification on whether someone who has previously won the award could win a second time. He believed the intention was to honor a long record of contributions and not to be competitive. Mayor Pro-Tem George likened the award to the Longleaf Pine Award and did not believe it should be awarded to the same person/organization more than once.
2. CRAB members discussed the history of Kraut/Boone Creek. He stated that he told the board they could recommend to Council to direct the Historic Preservation Commission to do a historical marker. Council Member Plaag believed this to be an appropriate request and noted that a formal request was made at the most recent meeting.
3. Discussions regarding Boonerang were also held at the recent CRAB meeting, with an international celebration to be added on Sunday as part of a \$10,000 grant from Q' Pasa Appalachia to gain participation from the immigrant community who might be working on the other days of the festival.
4. Updates were given on various items during the regular Downtown Boone Development Association meeting, and action was taken to approve a letter of support for Howard Street funding.
5. During the annual DBDA budget retreat, members agreed to allocate funds to the High Country Jazz Festival, reviewed the board's strategic plan, and dropped funding for the Town and Gown attendance due to its high cost. Events discussed included a new Culinary Week downtown, BuskerFest, and OctoberFest.
6. Long-time Downtown Post Office employee Robin Hodges recently announced her retirement.

Upon a motion by Mayor Pro-Tem George, seconded by Council Member Roseman, Council voted unanimously to enter into closed session at 2:35 p.m. pursuant to:

1. N.C. Gen. Stat. § 143-318.11(a)(1), to review, approve and seal closed session minutes from Council's prior closed session(s).
2. N.C. Gen. Stat. § 143-318.11(a)(3), to consult with the Town Attorney in order to preserve the attorney-client privilege between the attorney and the Town

Council and obtain legal advice, consider and/or give instructions to the attorney concerning one or more potential legal matters.

Upon a motion by Council Member Plaag, seconded by Mayor Pro-Tem George, Council voted unanimously to exit closed session at 2:55 p.m.

Upon a motion by Mayor Pro-Tem George, seconded by Council Member Roseman, Council voted unanimously to adjourn the meeting at approximately 2:55 p.m.

Tim Futrelle, Mayor

Nicole Harmon-Church, Clerk

MINUTES – REGULAR MEETING
BOONE TOWN COUNCIL
FEBRUARY 26, 2025

CALL TO ORDER

A regular meeting of the Boone Town Council was called to order at 6:00 p.m. on Wednesday, February 26, 2025, in the Boone Town Council Chambers located at 1500 Blowing Rock Road in Boone. Mayor Tim Futrelle presided. Council members present included Mayor Pro-Tem Dalton George, Virginia Roseman, Todd Carter (remote), Edie Tugman, and Eric Plaag. Town staff present included Town Manager Amy Davis, Town Clerk Nicole Harmon-Church, Public Works Director Todd Moody, Planning Director Jane Shook, Deputy Planning Director Brandon Wise, Interim Police Chief Daniel Duckworth, Sustainability and Special Projects Manager George Santucci, Finance Director Guy Miller, Cultural Resources Director Mark Freed. Town Attorney Allison Meade was also in attendance.

MOMENT OF SILENCE

ANNOUNCEMENTS

Mayor Pro-Tem George made a motion to amend the agenda to consider resolutions and proclamations before the lobbyists gave their report. Council member Roseman seconded this motion, which carried unanimously.

APPROVAL OF PROCLAMATIONS AND RESOLUTIONS

Mayor Pro-Tem George made a motion to approve the proclamation honoring H.C. Moretz. Council Member Roseman seconded the motion, which passed unanimously.

Mayor Pro-Tem George expressed gratitude to Mr. Moretz's family for their presence at the meeting and commended the numerous achievements throughout his distinguished life. He then read the following proclamation into the record:

PROCLAMATION HONORING THE LIFE OF
HERBERT CLEVELAND (H.C.) MORETZ, JR. AND DECLARING A
DAY IN HIS NAME

Whereas, the Boone, North Carolina community mourns the loss of a beloved centenarian and respected citizen, Herbert Cleveland (H.C.) Moretz, Jr., who passed away peacefully at his home on January 9, 2025, at the age of 100 ½; and

Whereas, H.C. Moretz was born on March 14, 1924, to the late Herbert Cleveland, Sr.,

and Pearl Carpenter Moretz, and grew to exemplify the values of service, dedication, and community leadership throughout his long and remarkable life; and

Whereas, H.C. proudly served his country as a member of the “Greatest Generation”, bravely fighting in World War II as part of the 78th Lightning Division Infantry of the U.S. Army. H.C. demonstrated extraordinary courage during the Battle of the Bulge, where he was wounded on his 20th birthday and earned the Purple Heart, embodying the highest ideals of patriotism and sacrifice; and

Whereas, after returning from the war, H.C. pursued higher education at Appalachian State Teacher’s College, earning a Bachelor’s Degree in Business and Social Studies, and went on to touch the lives of countless students as a business education teacher at West Yadkin High School and as manager of Elkin Business College; and

Whereas, H.C.’s commitment to service extended beyond education and into the community as he served as the director of the Neighborhood Youth Corps program and later as the Executive Director of W.A.M.Y. Community Action for over two decades. During his long and fruitful career here, H.C. spearheaded initiatives that enriched the lives of many, including the development of Appalcart, the introduction of the public school breakfast program, and the implementation of the Head Start and WIC programs to name only a few; and

Whereas, H.C.’s dedication and contributions to his community and state were recognized with numerous accolades, including the prestigious Order of the Long Leaf Pine, one of North Carolina’s highest honors, awarded to him on June 10, 2012; and

Whereas, H.C. was a devoted family man, a loving husband to his late wife of 65 years, Phyllis Wilson Moretz, and a cherished father, grandfather, and great-grandfather, whose legacy continues through his four children, eight grandchildren, and four great-grandchildren; and

Whereas, H.C. enriched the lives of those around him with his passion for family, his love for games like cornhole and solitaire, his faithful membership at Bethany Lutheran Church, and joyfully continued his wife’s tradition of baking homemade yeast bread;

Now, therefore, be it resolved that we, the members of the Boone Town Council, honor and celebrate the remarkable life and enduring legacy of Herbert Cleveland (H.C.) Moretz, Jr., whose contributions to his family, country, and community will forever be remembered and declare _____ day of (Month) to be HERBERT CLEVELAND (H.C.) MORETZ, JR. day; and

Be it further resolved that a copy of this resolution be presented to the family of H.C. Moretz as a testament to his remarkable life and lasting impact.

Adopted this on the _____ day of February 2025.

Mayor Tim Futrelle

ATTEST:

_____(SEAL)
Nicole Harmon-Church, Town Clerk

LOBBYIST UPDATE

Nathan Honaker, State Lobbyist with Connect C, reported that the primary concern across the state remained the ongoing Helene relief efforts in the western part of the state. Since last year, he stated that there had been an election. However, the overall political landscape in Raleigh had seen little change, and the General Assembly still had a Republican majority in both chambers. Mr. Honaker explained that the Senate maintained a Republican supermajority while the House lost its supermajority by one vote. This shift meant Republicans would need at least one Democratic vote to override a gubernatorial veto, encouraging more bipartisan collaboration on policy matters.

In the executive branch, Mr. Honaker reported that there had been significant personnel changes, with seven out of ten members of the Council of State being newly elected, including the governor, attorney general, lieutenant governor, labor commissioner, treasurer, auditor, and superintendent. Despite these changes, the partisan balance remained relatively the same, shifting from a 6-4 Republican majority to an even 5-5 split, reflecting North Carolina's historically balanced political landscape.

Mr. Honaker indicated that the judicial branch had seen minimal changes in power dynamics. However, one unresolved Supreme Court race remained under litigation. The Democratic incumbent won the initial tally, but the Republican challenger has contested

certain votes. He reported that the case was before the Court of Appeals, and while a resolution was hoped for soon, it may take considerable time to finalize.

The legal dispute over the unresolved Supreme Court race remains ongoing, according to Mr. Honaker, and depending on the state court's ruling, it could potentially advance to federal court, prolonging the process.

Mr. Honaker said that legislative activities were in full swing at the General Assembly. Committees were appointed, leadership convened, and early budget discussions were underway. He indicated that senior budget chairs in the House and Senate were meeting behind closed doors to negotiate the framework. Additionally, Mr. Honaker said that the first draft of a Helene relief package had progressed through the legislative process. He stated that the House unanimously approved the bill, which would now move to the Senate for consideration. While some modifications may be made, he believed bipartisan unity remained strong, with all branches of government and North Carolina's congressional delegation prioritizing relief efforts for western North Carolina. His view was that the expectation remained that some version of the package would pass in the near future.

Mr. Honaker explained that the House's version of the relief bill, while not final, reflected key priorities that the Senate was expected to share. He indicated that the state had allocated approximately \$1.4 billion from its reserve fund, commonly referred to as the "rainy day fund," built up over the past decade from budget surpluses. The current bill allocated \$500 million of that total, including \$125 million for home reconstruction and repair to supplement FEMA assistance. Additionally, \$150 million has been designated for the North Carolina Department of Agriculture, with half allocated for crop loss recovery and the other half for stream restoration and infrastructure essential to agricultural operations.

Mr. Honaker added that the Helene relief package also included \$100 million to repair private roads and bridges, addressing gaps in federal coverage under current guidelines. This funding was essential for many counties in the western part of the state where the state must step in to support these infrastructure repairs.

Additionally, he stated that \$55 million had been allocated to the Small Business Infrastructure Grant Program. Unlike revenue loss assistance, this funding would go to support critical infrastructure such as sidewalks, utilities, and water systems. Mr. Honaker said that both local governments and individual businesses would be eligible to apply if this program remained in the final version of the bill.

Mr. Honaker indicated that another major component of the package was funding for debris removal, a pressing need in the region. He stated that a significant amount of debris remained, with complicated federal and state regulations governing its disposal due to hazardous materials mixed with natural debris. Mr. Honaker added that the initial bill

included \$20 million for this effort, though additional funding may be necessary. Federal support was also expected to contribute to this process.

He stated that non-profit organizations, which played a crucial role in initial disaster response efforts, would receive \$10 million through the Governor's Office of Emergency Management for reimbursement of expenses. Additionally, he said \$15 million would be allocated to the Golden LEAF Foundation to provide small grants (up to \$50,000) for nonprofit organizations assisting in western North Carolina's recovery.

According to Mr. Honaker, the bill also designated \$10 million for the Department of Health and Human Services (DHHS) to supplement federal rental assistance programs, addressing gaps where federal support falls short. Furthermore, recognizing the importance of tourism to the regional economy, the bill included \$5 million for travel and tourism marketing. He indicated that the Economic Development Partnership of North Carolina (EDPNC) would oversee this initiative to counter misconceptions that the region remained closed due to storm damage.

While this is the House's version of the relief package, Mr. Honaker stated that the Senate shared many of these priorities. Both chambers agreed on the importance of small business relief, debris removal, and agricultural support. He indicated that the final negotiations would determine the specific funding allocations. Still, he stated there was a strong bipartisan consensus on the need to act swiftly and collaborate with federal partners to ensure effective recovery efforts.

Mr. Honaker added that efforts to advance Helene recovery and relief remained a priority. As lobbyists, he promised that he and his firm would work closely with Manager Davis and the Town Council to ensure Boone had the necessary information to take advantage of available funding programs. In some cases, Mr. Honaker indicated that his firm could provide guidance before it was officially released, allowing the Town to prepare and maximize its share of available resources for local recovery and development.

Beyond Helene relief, Mr. Honaker noted that his firm's advocacy for Town funding at the state level continued. Even before the disaster, he indicated that they worked to secure the financing of various projects and achieved notable success in 2020 with the support of Senator Hise, Representative Pickett, and legislative leaders in both parties. He stated they remained committed to advocating for local projects; however, this year's state budget presented challenges.

While the current fiscal year had a \$500 million surplus, he noted that this was relatively small in the context of state government. Revenue projections indicated a flat budget next year, with a possible deficit the following year. As a result, Mr. Honaker predicted that funding opportunities may be more limited. However, he reassured that there were designated funds for disaster recovery, which increased the likelihood of securing support for projects related to hurricane relief. Mr. Honaker added that he and his firm would

continue working with state representatives and local leaders to explore funding opportunities, including ongoing support for infrastructure projects and cultural initiatives such as "Horn in the West," which received funding in last year's budget.

Regarding the legislative timeline, Mr. Honaker stated that the Senate was leading the budget process this year and aimed to pass a budget by April 18, before taking a brief recess for Easter. He added that the budget would then move to the House for consideration. While budget negotiations could extend beyond the intended schedule, given the pressing funding needs across the state, a budget bill was expected to be passed during this legislative session. Mr. Honaker and his team will continue to monitor developments and provide updates as the process unfolds.

While the goal was to finalize the state budget by July 1, it was Mr. Honaker's opinion that experience suggested that it would likely be delayed, with completion more realistically expected in late summer or early fall. Historically, budget negotiations often stalled due to policy debates on issues such as casinos or other legislative matters that may not directly relate to state funding but still impact revenue. He believed internal disagreements among Republican lawmakers could also contribute to delays.

Next, Lobbyist Brad Edwards, with Jenkins Hill Consulting, provided an update on the current political landscape in Washington, noting the recent changes in administration and shifts in party control. He explained that while the Senate transitioned from Democrat to Republican control, the House remained under a slim Republican majority, which has led to increased negotiations and complexities in governance. According to Mr. Edwards, one of the key issues being addressed was funding the federal government for the fiscal year 2025, initially due September 30 but has been repeatedly postponed, now set for resolution by March 14. He noted that negotiators from the top appropriations committees were working toward a funding agreement, which was expected to include disaster relief for recent events such as the Helene disaster and California wildfires. Additionally, he indicated that the debt ceiling, which was typically addressed every two years, was another pressing concern, with the president seeking a four-year extension. According to Mr. Edwards, these issues present significant legislative challenges and will require extensive negotiations in the coming weeks.

Mr. Edwards further explained that despite the Republican trifecta controlling the presidency, House, and Senate, it was not a fully functional majority due to internal divisions within the party. In the House, he noted that Republicans held only a narrow one-to-three-seat majority, making consensus difficult. Meanwhile, in the Senate, most legislation required 60 votes to proceed, necessitating bipartisan support. Regarding the appropriations process, he stated that Congress must either pass a full funding bill by September 30 or rely on short-term continuing resolutions (CRs) to keep the government running until an omnibus bill is agreed upon. Mr. Edwards stated that given the ongoing negotiations around disaster funding, the March 14 deadline, and the debt ceiling, it

appears unlikely that Congress will pass a full-year funding bill. Mr. Edwards also highlighted the budget reconciliation process, which allowed for certain legislation to pass with a simple majority. Recently, the Senate passed an immigration and energy reconciliation package, with the House following suit the previous night. Lawmakers must now reconcile differences between the versions and determine whether to proceed with a two- or three-bill approach. Mr. Edwards noted that the president's stance on the matter has varied, and further discussions would shape how Congress moves forward.

Mr. Edwards elaborated on the reconciliation process, which allowed legislation to pass with a simple majority—requiring only 51 votes in the Senate, with the vice president able to cast a tie-breaking vote if necessary. He noted that current reconciliation efforts aimed to make the tax cuts from the 2018 Tax Cuts and Jobs Act permanent, implement immigration reforms with additional funding, and expand energy opportunities while reassessing alternative energy policies. Mr. Edwards stated that lawmakers must identify spending cuts to offset costs, which would be a key point of contention. He predicted that Congress would likely approve a short-term continuing resolution into April rather than reaching a full funding agreement by the March 14 deadline. This would maintain the Biden administration's funding levels with a 1% across-the-board cut, limiting the deeper cuts some Republicans seek. Looking ahead, Mr. Edwards believed that discussions on the FY 2026 budget would likely begin in late April or early May, though meeting the September 30 deadline remained uncertain. Mr. Edwards also noted that President Trump had issued numerous executive orders in his first 30 days, impacting various federal agencies and policies. However, he stated that many of these orders have faced legal challenges, with some temporarily stayed and others awaiting court rulings, leading to uncertainty regarding their implementation.

Mr. Edwards also discussed efforts to scrutinize federal spending, noting that past administrations have conducted similar reviews, such as the Grace Commission under President Reagan and the Simpson-Bowles Commission under President Clinton. However, this time, he stated that the involvement of an outsider like Elon Musk has brought added attention to the issue. Mr. Edwards indicated that reports indicate that approximately \$50 billion in federal spending over the past fiscal year was identified as waste, fraud, and abuse, with some estimates suggesting the figure could be significantly higher. Much of this scrutiny focuses on funds allocated under the Inflation Reduction Act, which may not have been used as intended. As new cabinet secretaries take office, they will assess their agencies' budgets and explore ways to streamline operations while maintaining effectiveness. However, he noted that proposals to cut spending drastically have faced pushback from agency heads. Ultimately, Congress will play a key role in determining budgetary changes through the appropriations process or standard legislation. Mr. Edwards indicated that since most legislation in the Senate required 60 votes to advance, bipartisan support would be necessary, making substantial budget reforms an uphill battle—except through the reconciliation process, which allowed for a

simple majority vote. Mr. Edwards concluded by offering to answer any questions, after which the floor was opened for discussion.

Council member Plaag inquired about the projected state deficit and whether it could lead to an increase in the state tax rate or significant budget cuts similar to those being considered in Washington. It was noted that the state income tax rate had been lowered to 4.25%, down from just under 5%. Mr. Edwards responded that while he could not predict the future with certainty, it was unlikely that the state Senate, particularly under Senator Berger's leadership, would support raising taxes. Instead, he indicated lawmakers may explore expanding the tax base through other means. He highlighted ongoing discussions about revenue triggers, which could slow down planned reductions in corporate and income taxes. Additionally, certain revenue-generating measures, such as video lottery terminals, have gained bipartisan interest and could play a role in addressing budget concerns.

The discussion also touched on potential revenue sources to address the state's projected deficit. Mr. Honaker noted that video lottery terminals (VLTs), already widespread in gas stations and other locations, remain unregulated. He added that a diverse coalition was forming around regulating and taxing VLTs, with some conservative lawmakers supporting regulation for control purposes, while others across the political spectrum had mixed opinions. Mr. Honaker indicated that VLTs could generate significant revenue if taxed, and Republican leadership may favor a high tax rate on them. Additionally, he stated that casinos remained a potential revenue driver, though they were unlikely to be part of this year's budget discussions, possibly emerging in future legislative sessions. Other strategies to address the deficit included expanding the tax base or relying on general revenue growth from increased business activity. Mr. Honaker indicated that this long-standing Republican strategy has worked in the past, though the current projected deficit presented new challenges.

The conversation then shifted to concerns about federal funding cuts affecting local agencies, mainly due to compliance issues with diversity, equity, and inclusion (DEI) policies. In addition to these concerns, Council member Plaag indicated that some citizens have expressed concerns about data security, especially regarding the IRS and Social Security. He added that there was also growing unease about potential reductions in Medicaid funding and the impact these cuts could have on the local community. It was noted that the Town Council had previously discussed the possibility of passing a resolution to address these concerns, and the topic remained a point of consideration for future action.

Mr. Honaker noted that the administration had the authority to direct federal funding priorities, and agencies were enforcing compliance measures accordingly. However, he said that legal challenges may shape the future landscape of these policies.

Regarding the best way for the Town to engage with the community on these concerns, the lobbyists agreed that the Town Council may consider public forums, surveys, or town hall meetings to gather input from residents about how these issues were impacting their daily lives. They stated that it was also important to proceed cautiously, ensuring discussions remained non-partisan and focused on local impacts rather than broader political debates. Since these were federal-level policies, Mr. Edwards stated that municipal advocacy could involve drafting resolutions or letters to state and federal representatives, voicing the community's concerns, and requesting support or clarification on funding implications.

Ultimately, while municipalities had limited control over federal decisions, Mr. Edwards indicated that engaging residents and conveying their concerns to higher levels of government could be an effective strategy.

Mr. Edwards acknowledged that Medicaid was a critical issue in reconciliation discussions, and there was bipartisan concern over potential funding cuts. He added that securing enough votes in both the House and Senate to pass changes would be difficult, especially when considering the impact on constituents.

Regarding data security, Mr. Edwards stated that the ongoing threats from both foreign and domestic actors highlighted the need for modernization in federal systems. He noted that antiquated infrastructure left sensitive information vulnerable, as demonstrated by the high-profile IRS data leak to ProPublica. He believed that Congress would likely need to address these concerns to prevent further breaches.

As for federal funding for agencies and organizations, Mr. Edwards said compliance with administration policies was a determining factor, and entities unwilling to adjust to new funding requirements may face financial risks.

Mr. Honaker agreed that collecting data on community concerns and impacts was generally a good approach for municipalities to stay informed and advocate effectively. However, he cautioned that being overly proactive or taking a strong stance on certain issues could unintentionally create friction with state or federal officials working on related policies. He believed a balanced approach—gathering information while maintaining open lines of communication with elected representatives—would likely be the most effective way to address the community's needs without causing unintended political consequences.

Mr. Honaker indicated that the concern over Medicaid cuts was warranted and significant, especially given North Carolina's recent program expansion. He added that the potential for a reduced federal match could lead to widespread consequences, including losing coverage for hundreds of thousands of residents and severe financial strain on healthcare providers, particularly in rural areas.

Mr. Honaker stated that bipartisan worries in Raleigh reflected a broader awareness that these cuts could negatively impact constituents across political lines. Additionally, he noted that the mention of taxing nonprofit hospitals added another layer of complexity, as such a move could further strain the healthcare system, particularly for organizations that relied on their tax-exempt status to provide services to underserved communities.

Mr. Honaker believed that it was clear that maintaining open communication with federal representatives was crucial to ensuring that these concerns were fully understood before decisions were made that could have lasting consequences.

The discussion further emphasized the widespread concern over potential Medicaid cuts, particularly in North Carolina, where expansion had recently been implemented. Members highlighted the devastating impact such cuts could have on healthcare systems, especially in rural areas. Council member Tugman recalled her experience in hospital administration and stressed that reductions in funding, combined with the lingering effects of COVID-19 and the potential for future public health crises, could place an unsustainable burden on hospitals and healthcare providers.

Regarding the state's approach to Medicaid, it was noted that in the absence of federal action, the program would likely continue as implemented, though state officials remain anxious about potential changes. Communication between North Carolina's state representatives and federal lawmakers is ongoing, with many congressional delegates having prior experience in state government. These established relationships facilitate discussions on critical issues like Medicaid, though the extent of interstate communication with representatives from other states remains unclear. The conversation underscored the importance of continued advocacy and coordination to protect healthcare funding and access for North Carolina residents.

The meeting concluded with a discussion on past and ongoing interactions with federal representatives. It was noted that while some lawmakers, including Dr. Fox, have visited the town council in the past, there has not yet been an opportunity for the full council and staff to formally sit down with her. The council expressed interest in scheduling such a meeting to discuss key local concerns.

Brad Edwards highlighted the ongoing communication with congressional offices, particularly during emergencies such as hurricanes, to ensure that federal resources are directed toward infrastructure repairs and disaster recovery. He acknowledged the efforts of Senators Budd and Tillis in securing support for these initiatives.

The meeting concluded on an optimistic note regarding the Howard Street project. Mr. Honaker mentioned that John Cooper, as the former State Director for Rural Development in North Carolina, still maintained strong connections within the USDA, which has been instrumental in securing funding and support for the project. At this time, he did not believe there were any concerns regarding its progress, and officials remained optimistic about its

successful completion. Council members expressed appreciation for the ongoing efforts in Raleigh and Washington to advocate for the Town's priorities, reinforcing the importance of continued collaboration with state and federal representatives to ensure community projects and funding remain on track.

TENTATIVE AGENDA ADOPTION

Council member Tugman made a motion to approve the amended agenda. Mayor Pro-Tem George seconded the motion. Council member Plaag requested a friendly amendment to add a discussion of federal policy changes and a potential gathering of citizen input regarding the impact on the community as Council Matters Item Three. Both Tugman and George accepted the amendment and the motion carried unanimously.

PUBLIC COMMENT

No one was signed up to speak during public comment

REQUESTED APPEARANCES

REBECCA HUTCHINS/BOB OLBERG – DANIEL BOONE NATIVE GARDENS

Rebecca Hutchins and Bob Olberg, on behalf of Daniel Boone Native Gardens, presented a request for assistance in funding a deer fence. After speaking with Planning and Inspections staff, the group had already determined that a building permit was not required for the fence and was prepared to move forward with installation. They sought financial support from Council to cover the cost, which was estimated at just under \$30,000.

Manager Davis mentioned that past tourism-related funds had supported similar projects, such as stage construction at the Gardens. However, it was noted that due to the approaching Howard Street project, other tourism-related funds had not been allocated in the previous budget and were not planned for the upcoming year.

Ms. Hutchins indicated that she had previously met with Mayor Futrelle and that he had led her to believe that the Gardens could at least be reimbursed for the cost of the fence, though she acknowledged she could have misunderstood. She believed that the Gardens would maintain the fence if approved. Council member Plaag asked if staff believed the Gardens would be eligible for Outside Agency Funding. Manager Davis answered they would be and suggested they apply when the application process opened in April. She further recommended against allocating funds for the deer fence due to an upcoming budget amendment for Howard Street engineering, which required an additional \$220,000, significantly limiting available funding.

Council called for clarification from Public Works Director Todd Moody regarding the maintenance of the fence. He did not believe staff would be responsible for the maintenance of the fence if approved. He noted that they planned to spend the entire

\$75,000 allocated by the General Assembly to construct the stage on the property and did not anticipate any left over for a fence.

Council member Tugman made a motion to allow Daniel Boone Gardens to erect a deer fence within planning guidelines with the caveat that Public Works staff will not be responsible for maintaining the fence. Mayor Pro-Tem George seconded the motion. Council member Plaag made a friendly amendment that the plan for the fence should be equal to what has been described at previous Council meetings and is in the video located [here](#) as of today's meeting. Both Council Member Tugman and Mayor Pro-Tem George accepted the amendment, and the motion passed.

VOTE: Aye: Tugman, George, Carter, Plaag
Nay: Roseman

WATAUGA COUNTY FARMER'S MARKET – MICHELLE DINEEN

Michelle Dineen, Market Director for the Watauga County Farmers Market, expressed gratitude for the Town's support and emphasized the market's role in Boone's economy and culture. She highlighted that the market, operating in Daniel Boone Park, drew over 2,000 visitors weekly at peak season, supported over 60 local farmers and artisans, and generated an estimated \$1.49 million in vendor sales, with a broader economic impact likely closer to \$3 million annually. She stressed the importance of maintaining a stable environment for vendors, many of whom rely on the market as their primary source of income. She raised concerns about site planning, vendor protections, and infrastructure issues that needed to be structured, as well as long-term solutions. Ms. Dineen recalled a recent situation with having to be relocated after Hurricane Helene.

Ms. Dineen called for a dedicated work session to address these challenges, particularly regarding debris containment, snow storage, and the repaving of the market's parking lot, which could disrupt operations. She requested a clear timeline for the upcoming repaving project and for the market to be involved in discussions about parking lot design and shared facility updates to ensure they met vendor and community needs. She also raised concerns about unauthorized vendor sales within Daniel Boone Park during market hours, which could create confusion and unfair competition for official market vendors. To address this, she requested clear policies and enforcement measures to uphold market integrity. Additionally, Ms. Dineen emphasized the need for stronger communication with the Town, proposing regular meetings with Town staff and stakeholders, as well as a formal notification system to keep the market informed of policy changes. She also underscored the importance of a stable license agreement with the Town that would integrate solutions to these concerns and ensure a long-term, mutually beneficial partnership.

Council members acknowledged the market's concerns and recognized the need for better coordination. Councilmember Tugman and Councilmember Carter admitted confusion regarding their supposed assigned roles in reviewing the market's license agreement, leading to a delay in discussions. They committed to improving communication and ensuring a more structured approach moving forward.

Discussion turned to the impact of the recent hurricane, which required the market's parking lot to be used for debris removal, displacing vendors. Manager Davis explained that alternative locations had been explored but denied by the state, leaving the Town with no choice but to use the current site. She apologized for communication lapses, citing that many staff members, including herself, had limited access to phones and email during the crisis. Ms. Dineen clarified that their concerns were not a critique of the Town's response but a request for better planning in case of future disruptions.

Additionally, discussions extended to unauthorized vendor activity outside of market oversight. Ms. Dineen explained that a vendor selling native plants with permission from the Daniel Boone Native Gardens had sparked concerns, as they were not subject to the same application process and regulations as official market vendors. While the market supported the gardens' fundraising efforts, they sought clarity on how independent vendors operating outside market rules might impact fair competition. Attorney Meade noted that this issue fell outside the market's license agreement, and Council members suggested further discussion at a future meeting.

Council member Plaag raised a concern regarding the application of the Farmers Market's vendor policies, particularly regarding a past interaction with the Appalachian Abortion Support Collective. He noted that the group had been informed in April of the previous year that they would be required to pay a \$25 fee to table at the market, despite having tabled for free the year before. The justification given was that they were classified as a political advocacy organization. Council member Plaag pointed out that the group's stated mission was to provide information and support to individuals seeking abortion services in Western North Carolina and that abortion was legal in the state. Additionally, the market's communication had specified that the organization could distribute informational materials and stickers but could not give away free items such as pregnancy tests and Plan B, despite other vendors at the market being allowed to sell medicinal products.

Ms. Dineen acknowledged that there had been inconsistencies in applying their policies and took responsibility for the initial classification of the group as a non-profit community organization. However, after further review, Ms. Dineen indicated that the board determined that the organization fell into the market's fourth category, which included issue advocacy groups that required a participation fee. She clarified that while the group was still welcome to participate in the market, the board had chosen to enforce their policy, which included charging the fee.

Regarding the restriction on distributing medical supplies, Ms. Dineen explained that this rule applied to all non-profit groups. While organizations were allowed to distribute informational materials, she stated they could not sell or give away items at the market. Instead, they were encouraged to provide information on where such items could be obtained. Ms. Dineen emphasized that the board viewed the market as a space for outreach and education, and their policies were intended to reflect that purpose.

To finish the discussion, all parties, recognizing the need for better collaboration among all park-based organizations, Council proposed a work session for stakeholders, including the Farmers Market, Daniel Boone Native Gardens, and Horn in the West, to ensure coordinated planning. This meeting was scheduled for March 7th at 9:00 a.m. in the Town Council Chambers, with the first portion of the meeting focusing on discussions with staff regarding Town-wide planning considerations, followed by dedicated stakeholder discussions with each group. It was noted that each session was designed to be informational rather than a commitment-making meeting, allowing time for gathering input before final decisions were made.

To ensure fairness and efficiency, the Town Clerk was assigned to manage the agenda and to randomly assign the speaking order. Mayor Futrelle reassured stakeholders that the process would be transparent and inclusive, urging them to prepare their concerns, recommendations, and requests for discussion.

CONSENT AGENDA

Council member Roseman made a motion to approve the following items on the Consent Agenda:

1. Budget Amendments & Re-encumbrances

a. Fire Department

TO: Maintenance to Vehicles Car 21	010-500-350-525301	\$3,705.59
Maintenance to Vehicles Tower 1	010-500-350-525301	\$7,081.03
Physical Exams Workmen's Comp	010-500-350-509802	\$120.00
FROM: Misc. Revenue Car 21	010-000-000-48900	(\$6,705.59)
Misc. Revenue Tower 1	010-000-000-489900	(\$7,081.03)
Misc. Revenue Workmen's Comp	010-000-000-489900	(\$120.00)

1. Funds are to repair Car 21 when it was hit shielding an accident scene.
2. Funds are to repair Tower 1 compartment door damage.
3. Funds are for workmen's compensation claim.

.....

2. Contract Amendment – SDR

Council member Carter seconded the motion.

Council member Plaag expressed frustration with the quality of work by contractor SDR. Manager Davis agreed that she was not pleased with their level of service and would be hesitant to reengage with this firm in the future, should the need arise. Public Works Director Moody also agreed, but that the Town was stuck with them for the time being.

This motion carried unanimously.

Mayor Futrelle declared a break at 7:50 p.m. Council reconvened at 8:02 p.m.

PLANNING MATTERS

CONSIDERATION OF ANNEXATION PETITION – ESTEP/RIVERS

Deputy Director Wise presented the annexation request and noted the application requested a R1 zoning designation. He also noted an error on the Resolution – the date of the Public Hearing should be April 23, 2025, at 6 p.m. Council member Plaag noted that he was friends with both applicants and had worked with them, though he did not believe it impacted his ability to be impartial in a vote. Mayor Pro-Tem George made a motion to approve the Resolution, Setting the Date of Public Hearing as April 23, 2025, at 6 p.m. in the Council Chambers. Council member Roseman seconded the motion, which carried unanimously.

CONSIDERATION OF CASE HEARD AT JANUARY 27, 2025 PUBLIC HEARING

Case A24-0081 ASU – General Use Zoning Map Amendment

Mayor Pro-Tem George expressed frustration with the initial media coverage of a recent issue involving this university-owned property. He welcomed a new reporter from the Watauga Democrat and acknowledged the previous reporter's work but voiced disappointment in how the situation was initially framed. He noted that the first report suggested that the Town was simply moving forward with additional student housing without providing the broader context of the property's history.

Mayor Pro-Tem George member emphasized that the property in question was the former high school site, which has been owned by the university for over a decade. He felt that the article failed to communicate this and other key background information, leading to misconceptions among the public and generating unwarranted opposition toward the university. He expressed concern that the way the story was presented fueled a perception of a land grab by the university rather than reflecting the reality of long-term planning and ownership. He further stated that the coverage appeared to be designed to provoke opposition and anger rather than providing a comprehensive and balanced account of the situation.

Mayor Pro-Tem George then made a motion, which was seconded by Council member Carter, that the proposed amendment to the Town's zoning map is consistent with the Town's comprehensive plan and any other adopted plans of the Town that are applicable because the amendment is consistent with: Comprehensive Plan Policy 2.1.1 Economic Development D. Economic development efforts shall encourage the revitalization and reuse of currently unused or underutilized structures, sites and infrastructure in appropriately located areas. Comprehensive Plan Policy 2.3 The Community D. Coordinated, inter-governmental and university-town planning for urban area land use and development, transportation, utilities, recycling, environmental management, law enforcement, education, recreation, tourism and economic development shall be encouraged.

VOTE:	Aye:	George, Carter, Tugman, Plaag
	Nay:	None
	Abstain:	Roseman

Attorney Meade reminded Council member Roseman of her duty as a Council person to vote.

Mayor Pro-Tem George made a second motion to approve Ordinance A24-0081, and that approval is reasonable and in the public interest because it will allow the university to utilize the property they have long owned to house more students, alleviate the housing market, help with rental rates, and develop ongoing state-owned properties that are not on the tax roll. Council member Plaag suggested a friendly amendment to include the Planning Commission's recommendation: "This is a partial piece of land that has not been in use for a period of time, and it would be very beneficial to the whole community to put the property to use." Mayor Pro-Tem George accepted this amendment. Council member Plaag then seconded the motion.

VOTE:	Aye:	George, Carter, Tugman, Plaag
	Nay:	None
	Abstain:	Roseman

Case A25-0108 UDO Text Amendment – General Use Zoning Map Amendment

Council member Tugman made a motion that the proposed amendment to the Town's zoning ordinance is consistent with the Town's comprehensive plan and any other adopted plans of the Town that are applicable because of: A. The protection and rehabilitation of viable neighborhoods shall be encouraged to ensure their continued existence as a major housing source and as a reflection of the area's image as an attractive, highly livable community. F. The affordable housing needs of area residents, particularly elderly and low

to moderate-income residents, shall be recognized in Town policies and actions regarding residential development. Council member Roseman seconded the motion, which carried unanimously.

Council member Tugman made a second motion to approve Ordinance A25-0108, and that approval is reasonable and in the public interest because it facilitates affordable housing in an emergency situation and gets the community back up and running to its prior state. Council member Plaag seconded the motion, which carried unanimously.

REQUEST FOR DISCUSSION AND POTENTIAL ACTION REGARDING LOCAL HOUSING BILL

Manager Davis noted that Doug Matheson, a Council member from Blowing Rock, had initially approached Mayor Futrelle to gauge interest in participating. Since then, she indicated discussions had taken place with Blowing Rock Manager Shane Fox, who indicated an interest in pursuing workforce housing and offered the Town an opportunity to sign onto the proposal.

Council members reviewed the proposal's language, noting concerns about its wording, which currently grouped the Town of Boone, the Town of Blowing Rock, and the Watauga County Board of Education as a collective entity. Attorney Meade suggested that the language be revised to reflect that Boone's participation could be independent rather than requiring all three entities to act jointly. Members agreed that it would not be practical for Boone to enter a joint venture with Blowing Rock, as the two towns did not share jurisdictional land.

Manager Davis confirmed that the proposal that Representative Pickett had sponsored the proposal at the state level. Council members expressed overall support for the initiative, emphasizing that affordable workforce housing was a priority. Council member Carter voiced strong support, stating he would not oppose an initiative aimed at providing affordable housing for local employees. He also agreed with the need to modify the language for clarity.

He then made a motion to move forward with participation, with the understanding that the language of the proposal would be adjusted to reflect independent participation by the Town of Boone. Council member Plaag seconded the motion before the floor was opened to comments.

Issues were raised regarding whether this initiative was an extension of previous discussions held last year concerning the Watauga County Board of Education and its foundation exploring housing solutions. Council member Tugman noted that the Board of Education and its foundation had shown interest in applying for specific grant funding, but it was unclear whether this proposal was connected to those efforts. Mayor Futrelle confirmed that there had been no direct discussions with the Board of Education or its

foundation regarding this proposal and that the current discussions had only involved Blowing Rock Manager Shane Fox.

With no further discussion, Council proceeded to a vote, and the motion to move forward with participation passed unanimously.

REQUEST FOR DISCUSSION AND POTENTIAL ACTION REGARDING WAYS TO BETTER UTILIZE EVENING TOWN COUNCIL MEETINGS

Mayor Pro-Tem George made a motion to table this discussion. Council member Carter seconded the motion and suggested discussing the item during the next work session in March. The motion carried unanimously.

DISCUSSION REGARDING FEDERAL POLICY CHANGES

Council revisited discussions from the February 12, 2025, meeting regarding recent policy changes, federal grant restrictions, their impact on local agencies, and broader concerns about data security. It was noted that Council had previously tasked two members, Council members Roseman and Plaag, with drafting a resolution on these issues.

After completing a draft resolution, the members reconsidered the approach, determining that gathering direct input from the community would be more beneficial than making assumptions based on their own observations. To facilitate this, Council member Plaag suggested hosting a town hall event where residents could voice concerns about how federal actions affected local agencies and the community. He stated the purpose of this event would be to allow Council to represent the concerns of their constituents better and, when appropriate, convey those concerns to state and federal representatives.

Members discussed the importance of inviting key federal representatives to the town hall event. Dr. Virginia Foxx, the district's U.S. House Representative, was suggested as a primary guest, given her role in federal decision-making. It was also suggested that Senators Tillis and Budd be invited to ensure broader representation and increase the likelihood of federal officials hearing directly from the community. Members agreed that having as many representatives as possible in attendance would be beneficial.

Council member Plaag expressed deep concern about the uncertainty surrounding federal policies and their impacts on local governance. He described the situation as chaotic and unpredictable, likening it to a bull in a china shop, where every step taken risked further disruption and unintended consequences.

Members agreed to move forward with planning the town hall event, emphasizing the need for broad community participation and engagement to ensure that local voices were heard at both the state and federal levels.

Council member Roseman emphasized her dislike for political bullying and the uncertainty caused by current federal policies. However, Attorney Meade cautioned that while it was

important to voice concerns, the Town should avoid language that could inadvertently make it a target for political or financial repercussions. She stressed the importance of protecting the Town's financial interests, particularly given the millions of dollars in federal funding at stake. She urged Council to approach discussions with careful language to ensure that advocating for constituents did not put the town at unnecessary risk.

Council member Carter acknowledged these concerns, stating that he understood the anxiety surrounding the situation but emphasized the need for careful, measured responses. Mayor Pro-Tem George also supported moving forward with the town hall, referencing earlier discussions with lobbyists and reaffirming that local governments play a crucial role in amplifying the voices of their constituents effectively and appropriately.

The discussion concluded with a general agreement to proceed with planning the town hall event, ensuring that key federal representatives were invited and that the discussion remained constructive and beneficial to the Town and its residents.

The council discussed potential dates and venues for the proposed town hall event. It was noted that Representative Foxx's congressional district days—when she was expected to meet with constituents—could be an optimal time for the event. March 13 was identified as the next available non-Friday district day, but Town staff confirmed that the Council Chambers would not be available on that date. Council agreed on the importance of choosing a date aligned with congressional availability to increase the likelihood of securing federal representatives' attendance but also emphasized the urgency of gathering community input sooner rather than later.

A consensus emerged around the need for an evening meeting, as it was believed this would maximize public participation. Council member Tugman raised concerns that if the event were well-publicized and widely attended, the current Council Chambers would not be able to accommodate the expected crowd. She suggested utilizing the Watauga County Courthouse's main courtroom, which was noted for its capacity and formal setting. Members agreed that using a larger, neutral space could help facilitate a more productive and well-organized discussion.

It was suggested that staff research upcoming district days and propose two or three viable options rather than relying solely on a single date. While the week of Easter break in March was identified as a congressional recess, it was acknowledged that representatives might have personal or travel commitments during that time, making it an uncertain option for scheduling.

FURTHER DISCUSSION OF POSSIBLE LOCAL ACT RELATING TO SYSTEM DEVELOPMENT FEES

Attorney Meade presented an item for discussion regarding the development of a local act to allow small businesses and startups to pay system development fees in installments.

She indicated that a draft act was shared with Lobbyist Nathan Honaker and structured to capture small business efforts while excluding minimal-use cases where installment plans would be impractical. The proposed range was 2,500 to 3,250 gallons per day, equating to fees between \$5,000 and \$30,000.

Attorney Meade indicated that the draft act proposed allowing installment payments for up to three years with interest charges, subject to local government discretion. She stated that Representative Pickett and local business owner Seth Norris responded positively to the proposal, which was later escalated to consideration as a statewide act instead of a local one.

Council members expressed optimism about the initiative, with Council member Carter emphasizing the positive impact on small businesses statewide. He acknowledged the board's commitment to finding a solution to startup costs and noted that the Chamber of Commerce had responded favorably.

Concerns were raised about the act's potential transformation at the state level, as different municipalities may have different standards for measuring water usage. Council members remained hopeful but acknowledged the need to monitor legislative developments closely and to potentially have representatives from the town present when the bill was open for public comment at the General Assembly.

DISCUSSION AND POTENTIAL ACTION REGARDING WYN PROPERTY

Manager Davis updated Council on inquiries regarding the use of the WYN Property for a temporary childcare facility. She confirmed that a few Council members had asked about reaching out to Appalachian State University (ASU) regarding its potential interest in utilizing the property for childcare expansion.

Council members discussed potential costs associated with bringing the facility up to code. Manager Davis noted that while the Town would not assume the full cost of renovations, some expenses—such as improving driveway access—might need to be considered. Council agreed to first gauge ASU's interest before making financial commitments.

Council member Plaag suggested considering the WYN Property for future employee housing projects. Combined with the adjacent water tower property, he believed it could be an ideal site for workforce housing initiatives.

CLOSED SESSION

Upon a motion by Mayor Pro-Tem George, seconded by Council member Plaag, Council voted unanimously to enter into closed session at 8:45 p.m. pursuant to:

1.N.C. Gen. Stat. § 143-318.11(a)(1), to review, approve and seal closed session minutes from Council's prior closed session(s).

2.N.C. Gen. Stat. § 143-318.11(a)(3), to consult with the Town Attorney in order to preserve the attorney-client privilege between the attorney and the Town Council and obtain legal advice, consider and/or give instructions to the attorney concerning one or more potential legal claims.

Upon a motion by Council member Plaag, seconded by Mayor Pro-Tem George, Council voted unanimously to exit closed session at 9:29 p.m.

Mayor Futrelle adjourned the meeting at approximately 9:30 p.m.

**MINUTES - TOWN COUNCIL SPECIAL MEETING BOONE
TOWN COUNCIL FEBRUARY 27, 2025**

I. Call to Order

A Town Council Special Meeting of the Boone Town Council was called to order at 9:00 AM on Thursday, February 27, 2025 at the Town Council Chambers 1500 Blowing Rock Road. Council members present included Dalton George, Todd Carter, Edie Tugman, Virginia Roseman, Eric Plaag. Staff present included .

II. Moment of Silence

Mayor Pro-Tem George asked for a brief moment of silence. Following the moment of silence, Mayor Pro-Tem George asked Ms. Davis if there were any announcements that needed to be made.

III. Announcements

Ms. Davis gave no announcements. Councilmember Roseman noted that the new Chancellor of Appalachian State University would be announced during the meeting and would keep all members present notice of the outcome of the chancellor selections.

IV. Public Comment

Mayor Pro-Tem George asked if anyone present would like to provide public comment. Ms. Caruso gave a brief overview of the interior renovations planned for the Watauga County Library, and asked Council to consider providing \$47,000 to assist with the interior renovations. Mayor Pro-Tem George thanked Ms. Caruso and asked Mr. Arnaud if he would also like to speak. Mr. Arnaud introduced himself as the architect behind the presented design for the Watauga County Library, and gave a more detailed overview of the proposed library renovation.

Mayor Pro-Tem George thanked Ms. Caruso and Mr. Arnaud, and explained that Outside Agency Funding applications will be open in April. He recommended that Ms. Caruso and Mr. Arnaud return to Council after completing the Outside Agency Funding application. Councilmember Plaag asked Ms. Caruso if this request was a singular request outside of Outside Agency Funding, and Ms. Caruso said that it was. With no one else signed up for public comment, Council moved to the next item on the agenda

V. Tentative Agenda Adoption

Council Member Tugman made a motion, which was seconded by Council Member Plaaq, to Approve tentative agenda as presented .

VOTE: Aye: Dalton George, Todd Carter, Edie Tugman, Virginia Roseman, Eric Plaag
Nay: None
Absent: None

VI. Town Manager/Administration

A brief discussion was held regarding the request from the Watauga County Public Library. Ms. Davis explained that due to Hurricane Helene, this year's budget would have limited funds available for non-priority items. Councilmember Carter stated that he believed the library's request was well thought out and expressed a desire to assist if possible. Councilmember Roseman shared a similar sentiment. Mayor Pro - Tem George agreed but expressed concern that assisting the library would result in double taxation for Boone residents, as the library is a county entity. He noted that since the county declined to fund the renovation, the library turned to the Town for support, which he felt was unfair to taxpayers. Councilmember Plaag agreed with Councilmembers Carter and Roseman but acknowledged Mayor Pro- Tem George's concerns. He also recognized Ms. Davis's point that this budget year would be different from previous years and that decisions needed to be made carefully. After further discussion, Mayor Pro-Tem George thanked the Council for their input but requested that the topic be postponed until a later meeting to adhere to the agenda. The Council agreed.

Ms. Davis informed the Council that she had received the sales tax revenue data for Boone for the past six months about a week before the meeting and had received the property tax valuation figures that morning. While she had included the sales tax revenue in the information provided to the Council, she had not included the property tax valuation since she and Mr. Miller had not yet reviewed the numbers. Councilmember Tugman noted that, based on her involvement with the Boone/Watauga TDA, no occupancy tax data had been received yet, though a decrease from the previous year's figures was expected. Ms. Davis stated that the Town's share of the occupancy tax collected by the Boone/Watauga TDA had been allocated to funding the Howard Street project, which now required approximately \$235,000 more than originally estimated due to increased engineering and construction costs. Councilmember Carter inquired about the possibility of securing CDBG funds from the EDA. A brief discussion followed regarding CDBG funding.

Ms. Davis then asked Chief Isaacs to provide an overview of the costs associated with Hurricane Helene. Chief Isaacs reported that outstanding projects related to the hurricane currently totaled approximately \$ 2.9 million, with additional projects estimated at \$3.6 million. Ms. Davis added that \$1.9 million had already been expended on these projects, and the projected costs did not include personnel and labor expenses. Councilmember Plaag asked whether Ms. Davis and Chief Isaacs had concerns about the availability of FEMA funding under the new federal administration. Ms. Davis responded that while reimbursements might be slower than desired, she was not apprehensive. Chief Isaacs noted that the primary challenge had been the bureaucratic process associated with reimbursements. He also explained that Boone was an anomaly in the storm's aftermath, as the Town was able to restore operations more quickly than other affected communities due to prior planning and staff efforts. Councilmember Tugman inquired whether a trip to Washington, D.C., to discuss funding concerns would be beneficial. Chief Isaacs responded that it would not hurt. Following a discussion, the Council decided that Mayor Pro-Tem George, Chief Isaacs, and Ms. Davis would travel to Washington, D.C., to meet with legislators.

Ms. Davis provided an overview of Boone's financial climate as of February 2025. She

stated that, as of January 2025, approximately 96% of property taxes had been collected. She noted that the current property tax rate for Boone was 38.5 cents per \$100 valuation, with 1 cent dedicated to affordable housing. She further explained that changes to the ad valorem sales tax distribution by Watauga County had resulted in a revenue loss of \$5,073,680 for fiscal year 2023–2024, totaling approximately \$32.7 million in lost revenue since the change. However, Boone saw a 6.54% increase in sales tax revenue over the last six months of 2024, which was unexpected. Ms. Davis cautioned that this increase was likely due to hurricane-related supply purchases and should not be expected to continue. Councilmember Plaag asked whether Appalachian State University was still using hotels to house students and if they were paying occupancy taxes for those rooms. Ms. Davis confirmed that the university was still using hotel rooms but was not paying occupancy taxes. After a discussion, Ms. Davis suggested revisiting this arrangement once a new chancellor was appointed.

A brief discussion followed regarding proposed increases in water and sewer fees—8.5% and 5%, respectively—based on the adopted rate schedule. Ms. Davis also stated that, given previous discussions on parking, the Town could expect an increase in parking revenue if rates were raised to \$ 1.50 per hour starting July 1. A brief discussion was held regarding parking fee adjustments. Ms. Davis then discussed a proposed 4% increase in employee insurance renewal rates, noting that this was below the national average. She thanked the Council for its continued investment in Town employees and reported that employee turnover had decreased by 58% since fiscal year 2022–2023. Mr. Presnell agreed and clarified that the turnover figures included retirements, with three Town employees retiring in the last fiscal year. Mayor Pro-Tem George inquired whether any department had a particularly high turnover rate, to which Mr. Presnell replied that none stood out. Councilmember Tugman asked whether housing challenges were affecting recruitment for Town positions, and Mr. Presnell confirmed that it was a factor. Ms. Davis noted that North Carolina's unemployment rate stood at 3.7%, indicating a tight labor market. A discussion followed regarding current CPI projections.

Mr. Moody provided an update on the Howard Street project, stating that the Town was in the process of receiving a notice to proceed, with the intention of breaking ground in April. A discussion followed regarding updated project renderings. Ms. Davis then briefed the Council on the status of the Bolick Property, explaining that the Town planned to have the property reappraised, excluding the conservation easement and the two- acre site designated for Fire Station 4. Mr. Moody then updated the Council on the new Public Works Facility, stating that Appalachian Architecture had been commissioned to design the facility. Ms. Davis noted that once the Howard Street project was complete, the Town would pursue a long-term loan with the USDA. She then asked if there were any further questions. Hearing none, Mayor Pro-Tem George called for a break at 10:30 a.m.

VII. Fire Department

Mayor Pro-Tem George resumed the meeting at 10:37 a.m. and invited Chief Isaacs to present. Chief Isaacs began by explaining that the Town would be updating its phone lines to ensure quality service and requested that the Council consider a \$25,000 server upgrade. He noted that earlier this year, the Town had begun enhancing

security backups for all servers to improve cybersecurity. Additionally, as a result of Hurricane Helene, he recommended that the Town build redundancy into its internet access.

Chief Isaacs also requested \$5,000 for GIS service upgrades. He then stated the need for three additional firefighters—one per shift—to help manage call volume and maintain the level of service provided to the community. Additionally, he emphasized the need for a new fire engine and urged the Council to consider placing an order soon, as the supply chain for emergency vehicles remained disrupted due to COVID-19. In response, Councilmember Roseman asked how long it would take for the Town to receive the engine. Chief Isaacs estimated that, if ordered now, delivery would take approximately two and a half years.

Chief Isaacs further explained that staff were considering installing shelters behind Fire Station 2 to protect trailers from weather damage and ensure their continued operation. He also requested additional funding for radios, part-time salaries, and maintenance contracts, citing rising costs. Briefly discussing Fire Station 4, he mentioned that after consulting with Mr. Moody, they determined that space was available for a training facility at the site of the new Public Works facility. Councilmember Carter asked how much funding was set aside for Station 4, to which Ms. Davis responded that rural fire services had approximately \$7 million allocated. Councilmember Roseman inquired whether the Town would need to purchase vehicles for Station 4 before breaking ground, and Chief Isaacs replied that it would not be necessary. A brief discussion followed regarding Appalachian State University's contribution to fire services.

Councilmember Plaag then asked Chief Isaacs for his thoughts on having a dedicated IT director, clarifying that while Chief Isaacs has been instrumental in managing the Town's IT system, his primary responsibility remains emergency services. Chief Isaacs explained that the Town currently works with a vendor in Charlotte who is highly familiar with the IT system. Councilmember Carter then asked whether the Town would continue working with the Charlotte vendor after Chief Isaacs retires or consider switching to a local vendor. A discussion followed regarding the process of selecting an IT vendor.

Councilmember Carter also asked if the Town was continuing to take steps to prepare for disasters larger than Hurricane Helene. Chief Isaacs confirmed that preparations were ongoing. Interim Chief Duckworth added that the Police Department had created the Special Operations Sergeant position before Hurricane Helene to assist with large-scale events, and it had proven highly effective. Councilmember Plaag then asked if there were any updates regarding Appalachian State's PSAP (Public Safety Answering Point). Chief Isaacs stated that he had not received any new information and believed the project was indefinitely on hold.

With no further comments, Mayor Pro-Tem George moved on to the next agenda item.

VIII. Police Department

Interim Chief Duckworth began by stating that the Police Department's staffing levels are the strongest they have been since he started with the Town of Boone. He thanked

the Boone Town Council for its investment in personnel, emphasizing the significant positive impact on the department.

He then provided a brief overview of the grants received by the Boone Police Department, including the COPS Hiring Grant and the Connect and Protect Grant, both of which help fund officer, social worker, or peer support specialist positions. He also expressed gratitude to Ms. Wise for her assistance in managing these grants.

Interim Chief Duckworth explained that the department currently follows a five-vehicle rotation for police vehicles but noted that this rotation may need to expand in the future. He also mentioned the need for six additional radios.

Providing an update on the department's social work program, he stated that the Town's social worker, now with the department for approximately six months, would be spending more time engaging with the community. Councilmember Carter asked whether the Town anticipated hiring a second social worker by this time next year. In response, Interim Chief Duckworth said that instead, they were hoping to hire a peer support specialist through the Mediation and Restorative Justice Center.

Mayor Pro-Tem George commended the Police Department for its work and discussed the funds the ABC Board allocates for prevention efforts. A discussion followed regarding the types of calls the department has responded to over the past six months. Interim Chief Duckworth mentioned that he had spoken with Chief Brown at Appalachian State University, who advised against utilizing Boone Police Officers for traffic control at football games. However, he requested that the overtime budget line item remain unchanged, as the Town of Boone is experiencing an increase in both town-sponsored and other events.

With no further questions, Mayor Pro-Tem George moved to the next agenda

IX. Public Works Department

Mr. Moody began by providing a brief update on the construction at Horn in the West. He explained that he was currently awaiting the necessary permits to resurface the parking lot and install a sidewalk, with the goal of completing both projects by June. Councilmember Roseman asked whether this construction would interfere with the Watauga County Farmers' Market. Mr. Moody confirmed that it would, prompting a discussion on alternative locations for the market during construction.

Mr. Moody then addressed upcoming fee changes, stating that the Solid Waste Fee is set to increase by \$ 2 starting July 1. He proceeded to discuss major construction projects, beginning with the Hunting Hills Bridge Replacement. This project is funded 80% by federal dollars and 20% by local dollars; however, an additional \$200,000 is needed to complete it.

He also noted that several larger Town vehicles would need replacement soon. Similar to the Fire Department, these vehicle orders must be placed years in advance due to ongoing supply chain issues.

The Town of Boone has received a Carbon Reduction Grant of \$856,000 but still needs \$75,000 to meet the required match. The Grove Street Connector Project has been awarded \$1.9 million in federal funds, though an additional \$1.6 million is required. Meanwhile, the total projected cost for the Greenway Road multi-use path is

\$8 million. Mr. Moody explained that Ms. Wise is actively searching for grants to help meet the matching fund requirements.

Councilmember Plaag asked Mr. Moody for his opinion on bond referendums for the Public Works Facility and multi-use path projects. Mr. Moody responded that time constraints present the main challenge for a bond referendum, particularly for projects like the Grove Street Connector. Councilmember Roseman inquired whether the paths could be completed in segments. Mr. Moody acknowledged that this was possible but noted that incomplete paths often draw complaints for "leading to nowhere." Councilmember Roseman agreed but suggested that phased construction could still demonstrate progress.

Mayor Pro-Tem George brought up the idea of fundraising efforts similar to those used for the Middle Fork Greenway, leading to a discussion on potential fundraising strategies. Councilmember Plaag supported the idea but questioned why there seemed to be hesitation around bond referendums. Mayor Pro-Tem George clarified that he was not opposed to bond referendums but believed they should be tied to specific projects. Councilmember Tugman added that a thorough discussion would be necessary before considering either a bond referendum or a tax increase. A brief discussion followed.

Mr. Moody concluded by discussing upgrades at the Jimmy Smith Wastewater Treatment Plant. He explained that a new drying bed is needed at an estimated cost of \$700,000. Additionally, two new influx pumps, costing approximately \$300,000, are required. Finally, he noted that a trailer-mounted sanitary sewer pump, priced at around \$70,000, was identified as a critical need during Hurricane Helene.

With no further questions, Mayor Pro-Tem George called for a break at 12:00 p.m.

X. Planning & Inspections Department

Mayor Pro-Tem George resumed the meeting at 12:20 p.m.

Mayor Pro-Tem George invited Ms. Shook to present on Planning & Inspection matters. Ms. Shook explained that since his promotion in March 2024, Mr. Wise has been serving as both Deputy Director and Environmental Specialist. She recommended filling the Environmental Specialist position to better support department operations, noting that the total cost, including benefits, would be \$90,000 annually. Ms. Shook then outlined facility maintenance needs, requesting \$10,000 for a new roof and \$20,000 for exterior repairs to ensure the building remains functional. Additionally, she requested \$1,000 for office renovations to create workspace for the Environmental Specialist.

She also addressed the vacancy in the Residential Housing Specialist position, suggesting that the Council consider converting it into an Advanced Planning Specialist position with a focus on housing. Ms. Shook asked Ms. Davis whether this change would impact the funding structure, as the position is currently funded through

the one- cent tax designated for housing. Ms. Davis explained that if reclassified, the position would be funded 50% from that tax. Councilmember Plaag inquired whether a line item for cemetery maintenance existed in the budget. Mr. Moody confirmed that it is included in the Public Works budget. With no further questions, Mayor Pro-Tem George moved on to the next agenda item.

Council Member Carter made a motion, which was seconded by Council Member Plaag, to amend the agenda to include discussion of a press release for Chancellor Norris at the end of the meeting.

VOTE: Aye: Dalton George, Todd Carter, Edie Tugman, Virginia
 Roseman, Eric Plaag
 Nay: None
 Absent: None

XI. Finance Department

Mr. Miller began by stating that Finance's budget typically stays pretty similar each year. He noted that an increase in contracted services would be needed. Furthermore, Mr. Miller asked for \$10,000 to \$12,000 for new laptops in the Finance Department. A discussion was held about staggering laptop purchases. With no further discussion, Mayor Pro-Tem George asked to move to the next item on the agenda.

XII. Human Resources Department

Mr. Presnell provided a brief overview of employee turnover rates in the Town of Boone. He explained that the Human Resources department typically does not request increased line items beyond those related to benefits. He noted that the Paid Parental Leave policy, passed by the Boone Town Council in 2024, has been well received and utilized. Looking ahead, he mentioned the possibility of requesting a paid leave benefit for employees caring for elderly parents. This year, Mr. Presnell requested \$4,000 to implement new evaluation software and an additional \$3,000 to expand training opportunities.

Councilmember Carter asked whether there was a need to reinstate a safety officer position, which had been removed a few years ago. Mr. Presnell responded that, at present, the position was not necessary, but in the future, he would support a role focused on insurance claims and training initiatives. A discussion followed regarding the importance of investing in training for current Town of Boone employees. Councilmember Plaag inquired about funding for employee relocation expenses. Ms. Davis confirmed that the Town has covered moving expenses for employees in the past. With no further discussion, Mayor Pro-Tem George moved on to the next agenda item.

XIII. Cultural Resources Department

Mr. Freed reported that the Cultural Resources Department is operating smoothly. He requested additional funds for the part-time employee line item to support Boonerang. Additionally, he asked for approximately \$30,000 to replace the roof on the Jones

House. Councilmember Plaag inquired about the Rivers House. Mr. Freed explained that Ms. Wise had secured a grant to install restrooms in the Rivers House Garage and that he hoped to use those funds to upgrade utilities at the Rivers House as well. When asked if there were any clear plans for the Rivers House and its property, Mr. Freed stated that while conceptual plans had been developed, no definitive guidance had been provided. Councilmember Plaag asked if there was interest from the Council in renovating the Rivers House during the 2027 fiscal year. A brief discussion followed. With no further discussion, Mayor Pro-Tem George moved on to the next agenda item.

XIV. Final Discussion

Councilmember Virginia inquired about the current Cost of Living Adjustment (COLA) rate. Ms. Davis explained that while it is currently set at 3%, the rate could change later in the year. Councilmember Tugman expressed interest in touring the Rivers House property, and Mr. Freed agreed to arrange a tour. The Council decided on March 28th at 12:30 p.m. for the visit. Councilmember Plaag asked if the Council would support Ms. Davis and the appropriate staff researching bond referendums. The Council agreed. Councilmember Eric then asked if the Council wanted to discuss a potential tax increase. Councilmember Roseman expressed support for a 0.25 -cent increase, specifically earmarked for town infrastructure upgrades. A discussion followed, and the Council agreed that dedicating a tax increase to town infrastructure improvements would be beneficial.

With no further discussion, Mayor Pro-Tem George moved on to the final agenda

Discussion of Press Release for Chancellor Norris

Mayor Pro-Tem George asked Council their thoughts on a press release for Dr. Heather Norris's appointment as Chancellor of Appalachian State University. After a brief discussion, Council directed Ms. Wise to draft a press release and send it to Council for review. With no further discussion, Mayor Pro-Tem George asked for a motion to adjourn.

XV. Adjournment

Council Member Carter made a motion, which was seconded by Council Member Plaag, to adjourn the February 27th Special Meeting of the Boone Town Council..

VOTE: Aye: Dalton George, Todd Carter, Edie Tugman, Virginia
 Roseman, Eric Plaag
 Nay: None
 Absent: None

Nicole Harmon, Town Clerk

Tim Futrelle, Mayor

**MINUTES – SPECIAL MEETING
BOONE TOWN COUNCIL
MARCH 7, 2025**

CALL TO ORDER

A special meeting of the Boone Town Council was called to order at 9:06 a.m. on Friday, March 7, 2025, in the Town Council Chambers located at 1500 Blowing Rock Road in Boone. Mayor Pro-Tem George presided. Council members present included Todd Carter (virtual), Virginia Roseman, Eric Plaag, and Edie Tugman. Staff present included Town Manager Amy Davis, Town Clerk Nicole Harmon-Church, Public Works Deputy Director Justin Stines, Public Works Director Todd Moody, and Cultural Resources Director Mark Freed. Town Attorney Allison Meade was also in attendance.

The purpose of the meeting was to discuss and potentially take action regarding concerns and operational issues related to shared space at Daniel Boone Park. Representatives from the Southern Appalachian Historical Association (SAHA), Daniel Boone Native Gardens (DBG), and the Watauga County Farmer's Market participated in discussions.

COUNCIL DISCUSSION WITH STAFF REGARDING USAGE OF DANIEL BOONE PARK

Discussions began with Council members and staff. Council Member Tugman reported multiple meetings with Marrena Greene of SAHA and emphasized the importance of supporting this organization. She recommended expanding their licensing agreement to three to five years beginning next year due to ongoing work on the property. She also mentioned SAHA's issues with high public utility bills and the difficulties it brought on the group when they came due all at once as opposed to being sent monthly or quarterly.

Council Member Tugman clarified that the vendor at the Daniel Boone Native Gardens referred to by the Farmer's Market was a rotating group that used the space for a fundraiser rather than a single individual. Council member Roseman supported a five-year agreement with SAHA to provide security and facilitate grant applications. She noted that the amphitheater was historically used year-round and could be better utilized.

Council Member Plaag urged transparency in voting to avoid the perception of bias toward SAHA. Town Attorney Meade confirmed that council members could have personal opinions unless they had a financial interest or were engaged in a quasi-judicial matter.

Council Member Roseman emphasized the farmer's market's role in bringing the community together and the importance of equitable treatment among all entities. Council Member Carter viewed the meeting as a learning session, stating the need to plan for the market's operation during upcoming construction projects.

Mayor Pro-Tem George questioned the appropriateness of leasing Town facilities at nominal rates while simultaneously subsidizing those organizations. Council member Carter echoed frustration over repeated funding requests from organizations without solid financial plans while recognizing the market's significance in the Town.

Council member Plaag reported documenting substantial deferred maintenance issues at the Horn in the West property recently, stating that SAHA staff members believed the Town was responsible for upkeep.

Council Member Tugman noted that SAHA was fragile financially and creatively, emphasizing the need for stability. Council member Plaag recalled past conflicts when SAHA transitioned to a license, stating that previous agreements restrained SAHA's growth. Council Member Carter clarified that SAHA misunderstood certain limitations on their programming. Council member Roseman recalled SAHA's extensive past programming, stating that fear of exceeding license terms hindered growth.

Attorney Meade clarified that the differing agreements between SAHA and other entities stemmed from historical reasons. The transition from lease to license agreements was intended to make maintenance responsibilities clear. It was noted that some previous conflicts were attributed to personalities rather than substantive legal issues.

She also emphasized that SAHA could host events but could not sublease the property for profit. Cultural Resources Director Mark Freed stated that the main change under the licensing agreement was due to the loss of parking revenue and explained that the group used to receive the revenue from rented parking spaces on the property. Council Member Tugman expressed concerns about necessary repairs, stating that estimates suggested over \$200,000 in repairs were needed to meet safety standards.

DISCUSSION WITH REPRESENTATIVES FROM SOUTHERN APPALACHIAN HISTORICAL ASSOCIATION

SAHA representatives noted maintenance challenges, particularly with seasonal leaf removal, and expressed appreciation for the Town's newly created position to assist with maintenance. Ms. Greer reiterated reliance on volunteers and concerns about restrictions in their licensing agreement and the issues it caused with applying for grant funding.

Discussions with SAHA representatives concluded with Ms. Greer asking for Public Works staff to leave an access path to the museum when paving starts in the summer.

Mayor Pro-Tem George declared a break at 11:05 a.m. Council reconvened at 11:11 a.m.

DISCUSSION WITH REPRESENTATIVES FROM DANIEL BOONE NATIVE GARDENS

Representatives from the Daniel Boone Native Gardens expressed appreciation for their relationship with the Town and detailed future plans, including the installation of a deer fence and replanting areas with native plant species. Ms. Hutchins confirmed the intent to seek funding but acknowledged the difficulty of securing grants without long-term stability in the lease with the Town.

Ms. Hutchins reiterated that the primary goal for the upcoming year was to address the deer issue, with plans to install a deer fence before the spring planting season. Additionally, she noted that there was a plan to replant certain areas of the garden, some of which would serve as demonstrations for homeowners on how to incorporate native plants into their landscaping. She indicated that efforts were also being made to preserve parts of the garden that contained only true native plants, ensuring the garden evolved into what it originally intended.

Mayor Pro-Tem George confirmed that funding requests could be made during the Outside Agency Funding process, though Ms. Hutchins pointed out that such timing would be too late for the Garden's needs. As a result, she indicated that efforts would be made to raise funds independently.

Council member Plaag raised concerns regarding vendors utilizing four parking spots along the sidewalk and inquired about the nature of the agreement with them. Ms. Hutchins explained that the Native Plant Society conducted a native plant sale twice a year, and one vendor offered to donate 20% of gross sales every Saturday as a fundraiser. She noted that these sales involved only native plants and were not seen as direct competition. Council member Plaag asked whether these vendors were charged a fee, to which Ms. Hutchins responded that there was no fee, only an email-based understanding regarding donations. Attorney Meade inquired about vendor placement, and Ms. Hutchins explained that one vendor was positioned at the end of a parking space without occupying the space itself, while another was situated in a turnaround grassy area. She confirmed that no parking spaces were taken up and that there were no plans to move the vendors inside the gardens. Council member Plaag questioned whether the provision for subleases in the contract might be violated by these sales. Attorney Meade stated that this was a matter of legal interpretation, noting that it could become problematic if many other vendors operated similarly. However, she believed the arrangement fell within the lease parameters, allowing the committee to fundraise, similar to how SAHA conducted other similar events.

Council member Roseman expressed concerns regarding the installation of a deer fence, questioning whether it would restrict community access. Ms. Hutchins assured members that the gardens would remain open to the community and that free entrance would continue as usual. She added that the planned fence was intended to run through the rhododendrons at the back, with the area already having been cleared for fencing. Council member Plaag voiced concerns about the repairs clause in the lease, especially regarding potential future landmark designation, and that the lease did not adequately protect the town's historic preservation interests. Council member Plaag expressed surprise that the lease had been approved under these terms. Ms. Hutchins clarified that all hardscaping and buildings belonged to the Town, meaning the Town would not be responsible for the repair and maintenance of the fence. She also expressed willingness to consider an addendum to the lease if necessary. Attorney Meade distinguished between repairs and alterations, indicating that there was no concern regarding this matter. Council member Tugman inquired whether the lease terms had been established by the Town or the state. Ms. Hutchins responded that John Turner and Lilah Peterson had worked on the original lease but was unsure of the specific origins. Council member Plaag pointed out that if the property were designated a landmark or district, it would need to comply with the Secretary of the Interior's standards and COA regulations for repairs, emphasizing the need for greater clarity. Attorney Meade noted that any landmark designation ordinance would override the lease in terms of procedures and approvals required for renovations. Ms. Hutchins assured members that the replacement fence would be tall enough to keep deer out while maintaining an aesthetically pleasing appearance. She added that the design would align with the stone structure of the gatehouse, and a formal plan would be presented to Council for review.

DISCUSSION WITH REPRESENTATIVES FROM WATAUGA COUNTY FARMER'S MARKET

Michelle Dineen with Watauga County Farmer's Market read a statement addressing their need for stability and concerns about repaving and restroom renovations. Manager Davis assured her there were no plans to displace the market and acknowledged the difficulties caused by the need to relocate vendors following the hurricane. She stated that, despite her and other staff's best efforts to find other suitable locations, the space utilized by the Market was the only NCDEQ-approved debris site in town.

In response to a statement made by Ms. Dineen about conversations with the Mayor, Mayor Pro-Tem George clarified that only a majority of the Council could officially speak for the Town. Council Member Roseman supported the market's stability and acknowledged the need for shed improvements. Council member Plaag sought clarification regarding the Market's tax status. Ms. Dineen explained that the organization was a 501(c)(6) non-profit but was not recognized as tax-exempt at the

state level. As a result, it was ineligible for a charitable solicitation license and could not offer tax receipts.

Ms. Dineen then clarified other statements and noted that they were not seeking approval for structure or plans but confirming that the Market fit into the Town's long-term vision. She expressed that language in the license agreement acknowledging the long-term nature of the partnership would be helpful for grant applications. Attorney Meade noted that the short-term license was not originally this Council's idea, and she had no legal issue with extending the term. However, she opposed including language about future plans, as this Council could not legally bind future councils. Mayor Pro-Tem George was open to this but preferred to avoid extending terms beyond five years. Ms. Dineen argued that a longer term would provide security to the Market's vendors. Council member Tugman inquired why previous agreements had been two years or less. Cultural Resources Director Mark Freed explained that it was due to the need to navigate new relationships. Attorney Meade suggested that an annual report to the Council would be a good idea if the Council chose to lengthen the license term. Ms. Dineen also requested that renewal discussions be structured at least three months before expiration. She also recommended formalizing a stakeholder group discussion with staff and Council liaisons. Attorney Meade questioned the need for such formality and asked why Ms. Dineen could not simply meet with Mr. Freed as has been done in the past. Ms. Dineen argued that this formality would be more productive and help avoid conflicts. Director Freed assured that he would make himself available for meetings with Market representatives in the future. Mayor Pro-Tem George suggested the inclusion of the Cultural Resources Advisory Board. Ms. Dineen suggested that Town staff initiate these meetings, as past attempts to engage with stakeholders had been unsuccessful. Council member Tugman clarified that past failures to meet were due to misunderstandings. Attorney Meade noted that in her 11 years, Council members had never been involved in lease discussions like this and questioned whether it was a good use of their time. Mayor Pro-Tem George suggested that Mr. Freed take a role in organizing these meetings and invite Council member liaisons as needed.

Discussion turned to emergency protocols and disruptions, with Mayor Pro-Tem George addressing a clause in the license that allowed for emergency relocations, emphasizing that he was not comfortable with requiring coordination for a new location. Council member Tugman explained that during the recent hurricane, staff had been overwhelmed and working overtime, making it difficult to maintain communication. It was noted that the state had the right to take over the property, and the Town had not made that decision. Council member Plaag brought up snow storage procedures, stating that parking spaces along King Street were often declared emergency snow routes when needed and did not view this as any different. Council member Roseman emphasized that public safety and the greater good of the community took priority. Ms. Dineen

explained the difficulties faced by vendors during the displacement, including the lack of communication and the impact on operations. Manager Davis addressed rumors about FEMA involvement, confirming that a police presence had been required due to harassment complaints. Council member Tugman stated that during the emergency, the Town's focus was on immediate issues, and while they were concerned about the Market, Manager Davis had spent significant time trying to find an alternative space for the Market, which had been refused by Ms. Dineen. Council member Plaag expressed frustration with the organization's perceived sense of entitlement, especially given that the space was provided to the Market for free. Ms. Dineen apologized if the urgency had been misinterpreted and clarified that the intention was to share information on behalf of her board and vendors.

Regarding future communication and clarity, Ms. Dineen suggested ensuring clear communication from Town staff in writing. Mayor Pro-Tem George reminded Ms. Dineen that snow storage remained a possibility based on circumstances. Manager Davis acknowledged that while verbal communication had been clear during the recent hurricane, it had not been put in writing. Attorney Meade emphasized that communication required effort from both sides and encouraged utilizing available resources like Cultural Resources Director Freed to assist if needed. Council member Plaag recommended sending follow-up emails for clarity. Council member Roseman stated that finding alternative locations in the event of displacement was the organization's responsibility and stressed that the Town's priority was serving the greater good.

Council member Plaag questioned whether a fee for certain non-profits was allowed. Attorney Meade confirmed that it had to be allowed, as vendors paid fees that covered costs under the 501(c)(6) model. Council member Plaag inquired whether further clarity on the fee structure was needed. Attorney Meade affirmed that there should be no issue as long as compliance was maintained.

Regarding the upcoming paving of the parking lot, Mayor Pro-Tem George stated that the Town would advertise paving and the Market's displacement on social media in advance. Ms. Dineen requested a timeline, and Public Works Director Moody estimated the work would occur around May or June, potentially disrupting two market days. He indicated the striping plan would be shared with Ms. Dineen and noted that it would be in compliance with the UDO. Council member Plaag noted that certain spaces would require chalk marking for clarity. Director Moody mentioned that overlapping permanent markings with other parking spaces could be confusing, so Council member Roseman suggested clear corner markings.

Background information was provided on a vendor issue between the Market and the Gardens. Mayor Pro-Tem George asked whether conversations had been held with the

vendor and/or the Gardens, and Ms. Dineen confirmed that they had, seeking clarity on the decision-making process. Council member Plaag questioned whether the Market claimed a right to a non-compete regarding this vendor. Ms. Dineen denied this but explained that competing sales contradicted their system. Council member Plaag clarified that the licensing agreement did not grant the market exclusive control over farmer-related activities on the property. Attorney Meade emphasized that the Market controlled its designated space but could not dictate park-wide usage. Council member Tugman pointed out that Market participants were for-profit vendors and that other for-profit activities occurred at the site. Attorney Meade reaffirmed her comfort with the existing interpretation of the Garden's lease agreement and stated that Mr. Freed would continue discussions with the Gardens if issues arose. She added that there was a distinction between parking spaces and the gardens proper, and that the lease permitted the Gardens to engage in fundraising activities. Mr. Freed recalled that the Council had previously approved the vendor sales and that it was understood that anything beyond the sidewalk fell under the Gardens' purview.

The discussion ended with Ms. Dineen announcing that the Market planned to start operations in April despite not having a formal lease. Attorney Meade stated that as had been done in the past, they could continue operating under the understood terms of the existing written license until a new agreement was reached.

ADJOURNMENT

Upon a motion by Council member Roseman, seconded by Council member Tugman, Council voted unanimously to adjourn the meeting at 1:44 p.m.

**MINUTES – REGULAR MEETING
BOONE TOWN COUNCIL
MARCH 12, 2025**

CALL TO ORDER

A regular meeting of the Boone Town Council was called to order at 9:02 a.m. on Wednesday, March 12, 2025, in the Town Council Chambers at 1500 Blowing Rock Road in Boone. Mayor Pro-Tem Dalton George presided. Council members in attendance were Todd Carter, Virginia Roseman, Edie Tugman, and Eric Plaag. Town staff present included Town Manager Amy Davis, Town Clerk Nicole Harmon-Church, Planning Director Jane Shook, Public Works Director Todd Moody, Finance Director Guy Miller (remote), Interim Police Chief Daniel Duckworth, Cultural Resources Director Mark Freed, Sustainability and Special Projects Coordinator George Santucci, and Human Resources Director Dale Presnell (remote).

MOMENT OF SILENCE

A moment of silence was observed.

BOARD VACANCIES

The following board vacancies were announced:

TENTATIVE AGENDA ADOPTION

Upon a motion by Council member Plaag, seconded by Council member Carter, the agenda was amended to move public comment before proclamations and resolutions and add a second public comment period after board liaison reports. The amended agenda was approved unanimously.

PUBLIC COMMENT

No public comments were made.

APPROVAL OF PROCLAMATIONS AND RESOLUTIONS

Upon a motion by Council member Carter, seconded by Council member Plaag, Council voted unanimously to approve the following proclamations and resolutions:

Council member Carter read the Leola Gardens proclamation into the record, and Council member Plaag inquired whether funds had been set aside for the initiative. Council member Carter responded that he and Mr. Santucci had secured a \$1,000

donation and met with volunteers, with plans to begin fundraising now that the effort was official. Council member Plaag noted that the project might be eligible for Outside Agency Funding, but Council member Carter clarified that the property was Town-owned, making it ineligible. Mr. Santucci added that funds from the sustainability budget could be used as a starting point.

Mayor Pro-Tem George read the proclamation for Small Business Week.

Council member Plaag read the Earth Day proclamation.

REQUESTED APPEARANCES

Joe Johnson - New River Conservancy

Joe Johnson with New River Conservancy gave a presentation update on the Hardin Creek project and the confluence of the Middle, East, and South Forks project. He also requested Council support for a new project on lower Winkler Creek from State Farm Road to the South Fork of the New River. Discussion was held regarding a conservation easement with Watauga County at the Armory property. Town Manager Amy Davis clarified that once the Department of Justice's lease was up, the Town and County would jointly retain ownership of the property. Mr. Santucci noted that some of Appalachian State University's property might be affected, but the University had already expressed support for the project. He further indicated that a portion near the baseball field may require relocation, but the goal was to minimize movement to avoid additional costs.

Council member Tugman asked about remediation efforts regarding bank erosion on the Bolick property during the recent hurricane. Mr. Santucci explained that the damage would have been worse without boulders in place. Mr. Johnson added that ongoing efforts on Winkler Creek and the Confluence project aimed to mitigate future flood events. Ms. Roseman questioned whether this commitment would create a financial obligation. Mr. Santucci clarified that the land dedication served as a matching contribution and would assist in securing grants. Upon a motion by Council member Plaag, seconded by Council member Tugman, Council voted unanimously to move forward with the project and approve the letter of support.

Watauga County Library – Monica Caruso

Ms. Caruso presented an end-of-year report. A complete copy of the presentation can be viewed online [here](#).

Work Session – Social District

Mayor Pro-Tem George requested a discussion regarding a proposed social district on Howard Street, noting that the Town operated as a social district during football games.

He aimed to encourage visitors to patronize businesses on Howard Street instead of purchasing mass-produced alcohol elsewhere. He planned to work with the Downtown Boone Development Association (DBDA) and Interim Police Chief Duckworth on enforcement and Public Works regarding bollards.

Council member Carter stated that parking was the most common question he heard regarding a Howard Street social district. Council member Carter suggested that the downtown area operated as a social district during the Boonerang festival. He proposed experimenting with the concept, emphasizing that it could be discontinued if unsuccessful. Mayor Pro-Tem George agreed and suggested a one-year trial. Council member Roseman expressed enthusiasm, explaining that she had envisioned a pedestrian-friendly district on Howard Street for decades.

Discussions included the use of designated cups in the social district, concerns about loss of parking, business owner reactions, and logistics for deliveries. Council member Plaag pointed out that the Ale House already functioned as an informal social district, sometimes leading to noise complaints. He cautioned that parameters, including noise issues, must be in place with any social district. Interim Police Chief Duckworth highlighted public safety concerns such as crowd control, drug and alcohol use, noise complaints, vandalism, and policing challenges. He emphasized the need to balance economic benefits with enforcement measures and agreed to consult other communities with similar programs.

Council member Carter referenced North Wilkesboro's model, which did not require street closures and operated six days a week. Council member Tugman voiced strong opposition, citing concerns over police burden and public disorder. Mayor Pro-Tem George noted that most businesses supported the initiative. Council member Plaag stressed the need to align the social district hours with the Town's noise ordinance to minimize disruptions. Mayor Pro-Tem George agreed to continue engaging staff and to research further and bring back to Council at a later date for further discussion and vote. Council member Plaag agreed to assist.

APPROVAL OF ITEMS ON CONSENT AGENDA

Council member Plaag moved to approve the consent agenda with the exception of Chapter 70, which he wished to discuss separately. Council member Tugman seconded the motion, which passed unanimously.

In response to a question raised by Mayor Pro-Tem George regarding donated art, Cultural Resources Director Freed envisioned that staff would circulate artwork recommendations via email, similar to the process for special events. Mayor Pro-Tem George expressed skepticism about the need for an additional committee to offer protections to staff. Council member Tugman agreed with the need for a structured

committee with authority under the Town. Mr. Freed suggested that the Cultural Resources Advisory Board (CRAB) could have a subcommittee to provide liability protections. The Council supported this approach.

Regarding the proposed revisions to Chapter 70, Council member Plaag noted a discrepancy in the penalty fine listed as \$12, while the Council had previously amended it to \$25. He moved to approve the proposed revisions with the changes to the penalty fine to \$25 as approved last May. Council member Roseman seconded, and the motion passed unanimously. Attorney Meade suggested for clarity that she instead bring the text back for consideration at a later date.

APPROVAL OF RESOLUTION – COUNTY-TOWN BRIDGE

Dalton George presented a resolution and plans for a bridge located on the Bolick property dedicated to Town and County employees who served during Hurricane Florence. Council members discussed potential funding sources, including grant applications and TDA contributions. Upon a motion by Council member Carter, seconded by Council member Plaag, Council unanimously approved the resolution.

REQUEST FOR DISCUSSION AND POTENTIAL ACTION REGARDING WAYS TO BETTER UTILIZE EVENING TOWN COUNCIL MEETINGS

Mayor Pro-Tem George presented a request to potentially adjust meeting times to improve efficiency. He suggested shifting evening meetings to begin at 4 p.m. to allow more substantive discussions. Town Manager Davis explained the impact on staff, particularly exempt employees who were not eligible for comp time. Council member Plaag argued that if department heads were consistently working 80-hour weeks, additional staffing might be necessary. Manager Davis and Human Resources Director Dale Presnell highlighted the financial liability of offering comp time to exempt employees.

Council members Roseman and Tugman favored starting meetings at 4 p.m. but emphasized the need for public comment to occur after 5 p.m. Mayor Pro-Tem George agreed, suggesting a structured schedule to avoid major decisions being made before the public could participate. Council member Plaag recommended reserving evening meetings for agenda items likely to generate public interest. Manager Davis cautioned that while some items could be predicted, others could not. Council agreed to seek staff feedback before making a final decision.

LAND USE MAP MEETING

Planning Director Jane Shook requested members schedule a special meeting to finish up the land use map portion of the Boone Next project. Council member Roseman

requested that Webex be incorporated as a component of the land use map meeting due to her new work schedule. A special meeting was scheduled for March 31 at 2:00 p.m. in the Planning and Inspections Conference Room.

TOWN MANAGER REPORT

Manager Davis provided updates on the following topics:

1. Town Clerk Nicole Harmon-Church received her Master Municipal Clerk this week
2. FEMA update: It was reported that more than \$18 million had been distributed to Watauga County, with over 6,000 registrations recorded.
3. The New River Conservancy organized 39 volunteers who planted 6,000 shrubs and collected 400 pounds of trash.
4. The Sustainability Committee/Sustainability and Special Projects Manager Santucci has begun transitioning the Public Works department from gas to electric vehicles.
5. The annual litter sweep was scheduled for April 12. Council member Carter noted a strong social media push by the Hospitality House to prepare Boone for a "camera-ready" initiative.

TOWN ATTORNEY UPDATE

Attorney Meade shared an update on SDF legislation and indicated that the matter had expanded statewide. Town Lobbyist Nathan Honaker sent a draft that retained the gallon window originally proposed for Boone. However, Attorney Meade noted that concerns were raised that this approach would not be effective on a statewide level. She suggested a more flexible system, such as allowing local governments to determine appropriate fee ranges, would be preferable. She added the legislation also left installment interest decisions to local governments. Members thanked Attorney Meade for her efforts on this bill.

BOARD LIAISON REPORTS

Council Member Plaag

Economic Development Council (EDC) Report

Council member Plaag provided an update on the Helene Recovery small business initiative, noting that 60 applicants from Watauga County had applied. The Chamber Foundation opened a third round of funding for three counties, having previously assisted 162 businesses. Discussion on HB 47 continued

Downtown Boone Development Association (DBDA) Report

Council member Plaag gave an update on the recent parking changes shared during the most recent DBDA meeting, where attendees raised questions and provided feedback on remaining concerns. Overall, Council member Plaag indicated that the announcement was well-received. He then announced that he recently completed his site visit needed for local landmark designation to Horn in the West/Hickory Ridge Homestead, with additional visits scheduled for Daniel Boone Native Gardens and Strawberry Hill.

Council Member Tugman

Downtown Boone Development Association (DBDA) Report

Council member Tugman reported that the DBDA was receptive to recent parking discussions, with no significant concerns raised. The Tourism Development Authority (TDA) expressed support for trolley service but acknowledged the cost restraints noted by AppalCart representatives. She added that Jon Schallert was scheduled to visit Boone on March 25. Council member Tugman reported that staff was continuing their work on the Mainstreet work plan and planned to attend an Appalachian State University Board of Trustees meeting. Downtown Restaurant Week preparations were also underway. She noted that the library requested financial contributions for a shred event scheduled for April 25, and the association agreed to contribute. Additionally, she announced that the Main Street Conference was set for August in Boone. Final updates included a 40-team baseball tournament, a new Main Street contact, the installation of a Stoneman's Raid marker, public art for the Melanie's space, plans for children's art downtown, and progress on Howard Street improvements.

Mayor Pro-Tem George

Mayor Pro-Tem George indicated that he was absent from the ABC Board meeting.

Sustainability Committee Report

Mayor Pro-Tem George stated that the committee had recently discussed the Earth First Film Festival and First Friday events.

Council Member Roseman

Historic Preservation Commission Report

Council member Roseman reported on the Historic Preservation Commission (HPC) meeting, where Attorney Meade suggested reviewing past cases for lessons learned in hopes that this review might result in regulatory adjustments.

Southern Appalachian Historical Association Report

The Southern Appalachian Housing Authority (SAHA) received recognition when Congresswoman Foxx spoke on its behalf on the congressional floor.

Watauga County Parks and Recreation

Council member Roseman announced Parks and Recreation's Spring Break Camp and the upcoming baseball tournament.

Council member Roseman indicated that questions arose at the recent Parks and Recreation board meeting regarding jurisdictional policies between the Town and County. Interim Police Chief Duckworth clarified that if an incident took place within County facilities, including the Rec Center, the Watauga County Sheriff's Department handled the incidents unless external aid was requested. The Boone Police Department managed the parking lot area. In the event of a true emergency, he indicated that multiple agencies would respond. Council member Tugman asked whether a 911 dispatcher would direct responders accordingly, and Chief Duckworth confirmed that dispatch would route the call to the appropriate agency.

Council Member Carter

Council member Carter reported missing the recent AppalCart meeting but attended the Human Relations Commission (HRC) meeting. He announced that the HRC was actively recruiting members but lacked a quorum, preventing officer elections. Webex was being used to record meeting minutes. He noted that Pride Parade planning was also taking place.

Adjournment

Upon a motion by Council member Plaag, seconded by Council member Tugman, Council voted unanimously to adjourn the meeting at 11:51 a.m.

**MINUTES – BOONE TOWN COUNCIL
MARCH 26, 2025
1500 BLOWING ROCK ROAD**

CALL TO ORDER

A regular meeting of the Boone Town Council was called to order at 6:00 p.m. on March 26, 2025, in the Town Council Chambers located at 1500 Blowing Rock Road in Boone. Mayor Tim Futrelle presided. Council members present included Mayor Pro-Tem Dalton George, Todd Carter, Virginia Roseman (entered at 6:03 p.m.), Edie Tugman, and Eric Plaag. Town staff included Town Manager Amy Davis, Town Clerk Nicole Harmon-Church, Interim Police Chief Daniel Duckworth, Deputy Planning Director Brandon Wise, Planning Director Jane Shook, Advanced Planning Specialist Jessica Mitchell, Public Works Director Todd Moody, and Finance Director Guy Miller.

MOMENT OF SILENCE

A brief moment of silence was observed.

ANNOUNCEMENTS

No announcements were given.

TENTATIVE AGENDA ADOPTION

Upon a motion by Council member Tugman, seconded by Mayor Pro-Tem George, Council voted to adopt the agenda as presented.

VOTE: Aye: Tugman, George, Carter, Plaag
 Nay: None
 Absent: Roseman

APPROVAL OF PROCLAMATIONS AND RESOLUTIONS

Mayor Futrelle read the following proclamation into the record:

PROCLAMATION

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and
WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, the Town of Boone was named a 2024 Tree City USA by the Arbor Day Foundation in honor of its commitment to effective urban forest management; and **WHEREAS**, the Town of Boone has honored its commitment to effective urban forest management as a recognized Tree City for 33 years; and **NOW THEREFORE, LET IT BE RESOLVED**, I, Mr. Tim Futrelle, Mayor of the Town of Boone, do hereby proclaim April 4, 2025 **ARBOR DAY** in the Town of Boone, and I urge all citizens to support efforts to care for our trees and woodlands and to support our Town's Community Forestry Program, and further, I urge all citizens to plant trees to gladden the hearts and promote the wellbeing of present and future generations. Recognition as a 2024 Tree City USA is a reflection of The Town of Boone's commitment to the environment and an effective urban forest management. We realize that trees provide numerous environmental, social and economic benefits and that trees are one piece of community infrastructure that actually increases in value over time.

This the 26th day of March, 2025.

ATTEST: Tim Futrelle, Mayor

Nicole Harmon-Church, Town Clerk

Mayor Pro-Tem George thanked Deputy Planning Director Brandon Wise for his work on this program and proclamation, and noted that staff had acquired 33 Tree City awards over the years.

Council member Tugman read the following resolution into the record:

RESOLUTION RECOGNIZING WOMEN'S HISTORY MONTH

WHEREAS, March is designated nationally as Women's History Month, an annual commemoration acknowledging that women of every race, class, and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways; and

WHEREAS, women have been leaders not only in securing their rights of suffrage and equal opportunity but also in the abolitionist movement, the emancipation movement, the industrial labor movement, and the civil rights movement; and

WHEREAS, women have played vital roles in the Town of Boone, in particular as educators, business owners, healthcare professionals, public servants, religious leaders, artists, and engaged citizens, enriching the town's culture and economy; and

WHEREAS, women in Boone have been at the forefront of local initiatives and movements advocating for education, environmental sustainability, economic development, and social justice, ensuring a thriving and inclusive community; and

WHEREAS, despite these significant contributions, the role of women in history has often been overlooked and undervalued in literature, teaching, and the study of American history; and

NOW, THEREFORE, be it resolved that the Town of Boone formally recognizes March 2025 as Women's History Month and encourages all residents to celebrate and reflect upon the invaluable contributions of women throughout history and in our community today.

This the 26th day of March, 2025

Tim Futrelle, Mayor

ATTEST:

(SEAL)
Nicole Harmon-Church, Clerk

Mayor Futrelle applauded the recognition of women's vital role and acknowledged the ongoing assault on women's rights.

Mayor Futrelle stated that this year's Lineworker resolution carried more weight than in previous years. He believed the workers never receive the praise and recognition they deserved, but considering all the time and energy they put into restoring service after Hurricane Helene came through the area, everyone is even more grateful for their service this year. He then read the following statement and proclamation:

**PROCLAMATION HONORING PUBLIC POWER LINEWORKERS DURING
LINEWORKER APPRECIATION DAYS
APRIL 8 AND APRIL 18, 2025**

WHEREAS, on January 3, 2017, the 115th Congress of the United States adopted House Resolution 10 recognizing the profession of lineworkers, the contributions these brave men and women make to protect public safety, and expressing support for the designation of April 18 as National Lineman Appreciation Day; and

WHEREAS, on April 15, 2015, the North Carolina General Assembly ratified House Bill 140, which designates the second Monday in April of each year as Lineworker Appreciation Day in North Carolina; and

WHEREAS, the Town Council of Boone celebrates the profession of electric lineworkers and wishes to honor them for their exemplary service to the Town and its citizens; and

WHEREAS, lineworkers are often first responders during storms, working to repair broken and damaged electric lines under hazardous conditions to make the area safe for other public safety heroes; and

WHEREAS, lineworkers play a vital role in the lives of our citizens by maintaining and growing our electrical infrastructure, putting their lives on the line every day by working with the dangers of high voltage and ensuring they provide safe, reliable energy; and

WHEREAS, the lineworkers of Appalachian State University's New River Light and Power's electric utility and their example of service above self are deserving of the respect, admiration, and appreciation of all the citizens of the Town of Boone; now, therefore

BE IT RESOLVED that the Town of Boone, North Carolina, joins all N.C. public power communities and all public power systems in the United States in these celebrations of Lineworker Appreciation Days.

This the 26th day of March, 2025

_____ Tim Futrelle, Mayor

ATTEST:

_____ (SEAL)

Nicole Harmon-Church, Clerk

Upon a motion by Council member Plaag, seconded by Council member Tugman, Council voted unanimously to approve the following:

1. Proclamation – Arbor Day
2. Proclamation – Women's History Month
3. Proclamation – Power Lineworker Appreciation Days

PUBLIC COMMENT

Riley Oates, representative from the Small Business Administration (SBA) provided information regarding the availability of small business loans for relief and repairs related to Hurricane Helene. Council Member Plaag expressed concern about the public perception that funding for this program had been depleted. In response, the SBA representative clarified that ample funds remained available for distribution to storm victims. Council Member Plaag recommended that the SBA representative connect with the Boone Area Chamber of Commerce to help increase awareness and improve outreach regarding the availability of these resources.

APPROVAL OF ITEMS ON CONSENT AGENDA

Upon a motion by Council member Plaag, seconded by Mayor Pro-Tem George, Council voted unanimously to approve the following items on the consent agenda:

1. Ordinance – July 4th Parade

INTERPRETATIVE PANELS

Advanced Planning Specialist Jessica Mitchell provided a brief update on the Boone Cemetery Interpretative Panels, which were approved by Council in May 2024. She

reported that the panels were ready for installation and requested Council's guidance on whether an official unveiling ceremony should be held.

Council Member Plaag asked whether any additional changes had been made to the panels following their final approval. Ms. Mitchell confirmed that no further changes had been made. Council Member Plaag expressed his support for holding a ceremony, emphasizing the importance of commemorating one of the most critically significant events in Boone's early history. Council Member Tugman concurred and proposed that a guided tour of the cemetery be held in conjunction with the unveiling ceremony, noting that such an event would be both engaging and informative.

Council member Plaag offered to convey the request for a cemetery tour to the Watauga Historical Society, contingent upon consensus from the Council. Mayor Pro-Tem George expressed his support and agreed that collaboration with the Society would be both appropriate and enriching. There was consensus among the Council members to proceed with the request for a cemetery tour. Council Member Plaag recused himself from the consensus, as he is a member of the Watauga Historical Society. He confirmed that he would relay the request to the organization.

Regarding the timing of the unveiling ceremony, Council member Plaag recommended scheduling the event for early May, when the weather is typically warmer and drier, and Appalachian State University students are still present in town. He also suggested that staff contact the History Department at Appalachian State University to extend an invitation to attend the ceremony.

Ms. Mitchell stated that she would share this information with the Historic Preservation Commission and would coordinate with both the Commission and the Watauga Historical Society to plan the event. She concluded her update with a brief status report on the Stoneman's Raid interpretative panels.

APPOINTMENT TO HUMAN RELATIONS COMMISSION

Mayor Pro-Tem George initiated the appointment discussion by nominating applicant Trevor Moody to serve a three-year term on the Human Relations Commission. Before a vote was taken, Council member Roseman shared that she had encouraged applicant Evelyn Sharpe to apply for the position. She noted that, despite having differing political perspectives, her conversations with Ms. Sharpe had consistently demonstrated an ability to find common ground. Council member Roseman emphasized that this quality would be particularly valuable in a representative serving on the Human Relations Commission. She further emphasized the importance of ensuring diverse representation on the Commission to incorporate a broad range of viewpoints. In light of these considerations, Council Member Roseman nominated Ms. Sharpe for the seat set to expire in June.

Following the discussion, Mayor Futrelle called for a vote.

T. Moody
Term expiring March 26, 2028

VOTE: Aye: All
 Nay: None

Trevor's Term will expire on March 26, 2028.

Council member Carter expressed that he did not support the suggested term for applicant Evelyn Sharpe. He emphasized that the Human Relations Commission had a defined mission, and he believed that its members must be fully engaged with that mission to ensure both success and productivity. Council member Carter suggested that Ms. Sharpe be considered instead for the seat currently held by Buck or for a term expiring in September.

Council member Roseman responded by deferring to the Commission's liaisons, Council members Carter and George, regarding the appropriate term. However, Council member Carter also raised concerns about Ms. Sharpe's application, specifically noting issues related to name-dropping and questions about her residency. In response, Council member Roseman acknowledged these concerns but maintained that Ms. Sharpe's contributions could not be fully understood until she was given an opportunity to serve.

Council member Plaag expressed appreciation for Council member Roseman's collaborative spirit and her desire to find consensus. However, he stated that he could not support Ms. Sharpe's appointment to the Commission for any term.

Council member Tugman shared her concern based on the application, noting that it appeared Ms. Sharpe was significantly invested in her residency in Florida. She questioned the applicant's motivation to serve on a board in Boone and expressed doubts about her level of commitment to the Boone community. Council member Roseman agreed that she, too, had concerns about the emphasis the applicant placed on personal associations, including individuals she had previously worked with or dated, while making minimal reference to the mission and goals of the Human Relations Commission.

Mayor Pro-Tem George added that the Council had previously denied applicants based on residency and voter registration in other jurisdictions. He emphasized that all applicants, including Ms. Sharpe, would be welcome to reapply in the future.

Council member Roseman then provided background information on Ms. Sharpe, noting her familial connection to the owners of Mystery Hill in Blowing Rock as an explanation for her listed address. She also shared that Ms. Sharpe had experienced severe brain

trauma, which she believed might contribute to the applicant's current understanding of the world. Council member Roseman expressed confidence in the applicant's potential and encouraged Council members to give her a chance to serve.

Council member Carter acknowledged the applicant's background and recommended that she consider reapplying with a more complete and appropriate application. Despite the concerns raised, Council Member Roseman stood by her nomination of Ms. Sharpe for the seat, but with a September expiration. A vote was subsequently taken.

E. Sharpe

Term expiring September 14, 2025

VOTE: Aye: Roseman

 Nay: Carter, George, Tugman, Plaag

Mayor Pro-Tem George inquired whether applicant Puliatti, who was attending the meeting virtually, wished to speak about her application. Ms. Puliatti respectfully declined the opportunity and expressed her gratitude to Council members for their consideration.

Mayor Pro-Tem George proceeded to nominate Ms. Puliatti to serve a two-year term on the Human Relations Commission. Council member Carter expressed his support for the nomination, thanking Ms. Puliatti for submitting an excellent application that demonstrated both passion and a strong sense of commitment. He also acknowledged and expressed appreciation for her public service within the school system.

With no further nominations brought forward, Mayor Futrelle called for a vote.

VOTE: Aye: All

 Nay: None

Ms. Puliatti's term will expire March 26, 2027.

Upon a motion by Mayor Pro-Tem George, seconded by Council member Carter, Council voted unanimously to adjourn the meeting at 6:48 p.m.

Tim Futrelle, Mayor

Nicole Harmon-Church, Clerk

**MINUTES – BOONE TOWN COUNCIL
MARCH 28, 2025
1500 BLOWING ROCK ROAD**

CALL TO ORDER

A special meeting of the Boone Town Council was called to order on Friday, March 28, 2025, at 12:30 p.m. at the Rivers Park property and Clay House located at 159 Clay House Drive in Boone. Mayor Pro-Tem Dalton George presided. Council members present included Todd Carter, Eric Plaag, and Edie Tugman. Town staff present included Mark Freed, Director of Cultural Resources.

The purpose of the meeting was to allow members to tour the house and park.

Members took a general tour of the garage building, the stone house, and the surrounding property. After the tour, the group discussed the house and property on the porch. Council member Plaag made the following motion:

1. Requesting staff to get a quote for the removal of trees around the stone house and garage building. (*Including several ivy-covered trees behind the garage, six tall pine trees directly behind the house, two large trees on the west side of the house, and a small one on the east side. The Council would like the Town Attorney to weigh in on whether any tree removal would require HPC input/approval.)
2. Request that staff assess any urgent repairs and provide a prioritized list.
3. Requesting that the Town Manager discuss potential Town office space needs with staff. (*Keeping in mind they would like to work from the Appalachian Architecture plan and utilize the small front office as a greeting place for River's Park and trail users, and opening the larger living/dining spaces for Town or community meetings.
4. Requesting the Town Grants specialist investigate Hurricane Relief grants for tree/debris clean-up and removal. (*Council member Carter has some sources for Communications Specialist/Grants Coordinator Laney Wise to explore).

The meeting adjourned at approximately 1:30 p.m.

Tim Futrelle, Mayor

Mark Freed,
Director of Cultural Resources



Town Of Boone AGENDA ITEM ACTION REQUEST

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Nicole Harmon

Department: Planning and Inspections

Contact Phone # 828.268.6960

Date Submitted: April 2, 2025

Email: jessica.mitchell@townofboone.net

Date of Council Meeting to Consider this Item: April 9, 2025

Council Action Requested: For Action

Title: Request for Scheduling an Unveiling Ceremony for the Boone Cemetery Interpretative Panels

Summary of Information:

Town Council considered holding an unveiling ceremony for the Boone Cemetery Interpretative Panels at the March 26, 2025, Town Council meeting. Staff will provide an update on the Historic Preservation Commission's recommended dates following their April 8, 2025, meeting.



Town Of Boone AGENDA ITEM ACTION REQUEST

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Nicole Harmon

Department: Cultural Resources Department

Contact Phone # 828.268.6280

Date Submitted: March 19, 2025

Email: mark.freed@townofboone.net

Date of Council Meeting to Consider this Item: April 9, 2025

Council Action Requested: For Action

Title: Consideration of License Agreement - Watauga County Farmer's Market

Summary of Information:

Consideration of License Agreement - Watauga County Farmer's Market

Please see the attached three-year license agreement with the Watauga County Farmer's Market (WCFM). The two changes to note from the previous license agreement include an additional year (three-year, instead of a two-year agreement), and section 29, requesting an annual report from the WCFM to the Town Council.

STATE OF NORTH CAROLINA

LICENSE

COUNTY OF WATAUGA

THIS LICENSE is granted this _____ day of _____, 2025, by the Town of Boone, a North Carolina Municipal Corporation, hereinafter referred to as “Licensor,” to the Watauga County Farmer’s Market, Inc., a North Carolina corporation, hereinafter referred to as “Licensee,” collectively referred to as the “parties.” Licensee has signed this License to signify that it understands and agrees to its limitations and requirements. The term “Licensee” shall include, but is not limited to, Licensee’s officers, agents, employees, participants, patrons, invitees and contractors.

1. **Express Limitations:** This license is not intended to restrict in any way Licensor’s use of the premises or Licensor’s access to any part of the premises as it sees fit, including, but not limited to inspection to determine compliance by Licensee with the limitations and requirements of this License; maintenance, repair, alterations to the premises; safety inspections of any and all improvements as Licensor may deem necessary; and use of the premises as it sees fit.
2. **License Area:** As detailed on Attachment “A,” attached hereto and incorporated by reference herein, Licensee shall be entitled to the use of the described portions of Daniel Boone Park, that certain piece, parcel or lot of land situated, lying and being in Boone Township, Watauga County, North Carolina, and the described improvements thereto, hereinafter collectively referred to as “the License area,” during the times described therein, for the purposes provided herein.
3. **Term:** As described in more detail at Attachment A, which is incorporated herein by reference, this License authorizes uses by Licensee for four separate periods of time in connection with two different areas:

The first two periods, (i) April 5, 2025 through and including November 29, 2025; (ii) April 4, 2026 to and including November 28, 2026; (iii) April 3, 2027 to and including November 27, 2027, are for exclusive use of the Upper Parking Lot at Daniel Boone Park, excluding six parking spaces reserved for the Southern Appalachian Historical Association, Inc., and non-exclusive use of the lower lot, excluding four parking spaces reserved for the Daniel Boone Native Gardens, each Saturday during the term of the License between the hours of 6:00 a.m. and 2:00 p.m.

The fourth period, from January 1, 2025 and ending and including December 31, 2027, is for exclusive use of the “Storage Shed” located in the center of the Farmer’s Market, in the Kid’s Zone area.

The licensed uses are subject to all conditions and terms specified herein and in Attachment “A.”

Subsequent licenses may be issued for additional periods of time and upon such terms as may be provided.

4. **Scope of License:**
 - A. The license area may be used by Licensee for the primary purposes of:
 - i. Operating of a farmer’s market for the display and retail sales of agricultural products, food, crafts and similar items by members of Licensee; and
 - ii. Sales of prepared food from food trucks operated by members of Licensee, subject to the conditions stated in Attachment “A”.
 - iii. Tastings of wine and beer and sales of sealed containers of beer, wine, and hard cider, subject to the conditions stated in Attachment “A” and the maintenance of appropriate host liquor liability insurance as set forth at paragraph 17.

- B. This license includes and authorizes other and secondary activities conducted in association with the allowed uses as well as the use of such other and secondary facilities which are integral and necessary to support the authorized uses, so long as they are integral to the approved uses or constitute only an incidental and insubstantial part of the total activity; they are commonly associated with the use; and they are confined to the License areas and terms of use authorized in Attachment "A". Associated support activities shall include use of the parking lot in appropriate locations during appropriate times and use of restrooms on the property, as further described in Attachment "A".
- C. Any specific uses beyond the primary ones listed are permitted only with the advance written approval of the Town Manager or his or her designee (hereinafter, "Town Manager"). As used in this agreement, "written approval" includes approval communicated via email.
- D. When not in use by Licensee during the term and at the conclusion of each authorized period permitted by this license, Licensee shall properly:
 - i. Clean and make safe all structures to which it is entitled to only non-exclusive use;
 - ii. Clean, secure and make safe all structures to which it is entitled to exclusive use; and
 - iii. Remove any portable structures, or, if they do not interfere with potential use by other licensees, secure and make them safe.
 - iv. For purposes of this section, the term "make safe" shall include remediation of hazards which do not involve alterations of facilities or repair work which requires a permit or an expert to perform; and removal of litter, debris, scrap materials, junk, trash, and other items which could cause injury to a person, promote rodent infestation, or the like.
 - v. For purposes of this section, "clean" shall mean restoring all interior and exterior surfaces and floors of structures and facilities to a condition of cleanliness and sanitation which will allow a subsequent or intermittent licensee to utilize the structure and facilities with no more than a minimal amount of cleaning.
- E. Licensee shall not use or knowingly permit any part of the license area to be used for any purpose which violates any law, and Licensee shall familiarize itself and comply with all Town ordinances, including the Town's "Noise Control" ordinance, and the North Carolina State Building Code.
- F. Licensee acknowledges that Licensor may authorize other Licensees to use portions of the license area in ways which do not unduly interfere with Licensee's licensed use and that Licensor shall be the sole arbiter of what constitutes undue interference. Licensor itself may also use, as it deems appropriate, any portion of the License area.
- G. During an emergency, as determined by Licensor, Licensor may utilize the License area to its full extent even if it substantially interferes with this License.
- H. Licensee will take no action(s) which are in any way inconsistent with Licensor's ownership interest in the property.
- I. Licensee will take no action(s) which is not in accordance with the procedures mandated by its duly adopted by-laws.
- J. **Restrooms:** It is specifically agreed and acknowledged that while Licensee shall have use of the restroom facilities located in the license area as set forth at Attachment A, said re-

stroom facilities may be insufficient for the needs of Licensee and its customers and vendors, whether because of inadequate number of facilities or inoperability of the facilities or both. Licensee agrees that it will at its expense provide portable toilets if and to the extent reasonably necessary to provide adequate toilet facilities to serve its use (including the needs of its customers and vendors) of the licensed area. Furthermore, Licensor shall have no responsibility under this license to ensure or maintain the operability of the restrooms that are located in the licensed area.

5. **Rules for Operation:** In addition to any rules adopted by Licensor for the use of the License area, which rules shall be effective when adopted even if they are adopted during the term of this license, Licensee shall have the right to promulgate such rules and regulations as it may deem appropriate for the behavior of its employees, participants, patrons and invitees during its authorized use of the License area so long as they are not inconsistent with any rules promulgated by Licensor and are otherwise consistent with this License. Licensee shall provide Licensor with a copy of its rules and regulations, if any, sufficiently prior to their effective date to be kept on file with the signed copy of this license agreement.
6. **Licensing Fee:** For purposes of this License, the license fee has been waived.
7. **Utilities:** Licensee shall be responsible for paying directly or reimbursing Licensor all utility costs incurred in connection with its use of the license area. If more than one licensee is authorized to use all or a portion of the license area concurrently, Licensor may apportion these costs in an equitable way in proportion to the relative use of the license area by different licensees, and Licensee shall promptly reimburse Licensor for its share of these costs. Should Licensee fail to pay its share of utility costs within the time set by Licensor, this License shall terminate. To the extent Licensee's use of the Licensed area is exclusive and the utilities used relative to that exclusive use can be placed in an account in Licensee's name by the relevant utility company, Licensor may require that Licensee obtain such utility service in its own name. If Licensee obtains utility service in its name, it must keep its account in good standing and notify Licensor immediately if it receives any notice of the possible disconnection of service or if service is actually disconnected.
8. **Maintenance:** During and after its use of the License area, Licensee shall provide all maintenance necessary to keep and restore the license area to a good and sanitary condition as the result of its use. Such maintenance shall be performed as often as necessary to insure that any other licensee authorized to use the license area will find the license area in a sanitary and orderly state. For purposes of this section, "maintenance" shall include collection and removal of trash, garbage, and litter, regular cleaning of facilities and structures, which should be cleaned after every event, and other activities required to conserve the condition of the property while minimizing wear and tear. Should Licensee fail to properly maintain the License area, Licensor may terminate the License or itself provide maintenance, but if Licensor provides such maintenance, it will be at the expense of Licensee, which shall promptly reimburse Licensor for its expenses in doing so.
9. **Repairs:** Licensee must notify Licensor, in writing, of any and all conditions in need of correction or repair which it discovers, whatever the origin of the conditions (caused by Licensee, its employees, contractors, invitees, or others). Licensee shall make no repairs, and no person or entity will be hired to evaluate, assess or undertake any repairs without first notifying Licensor in writing, at least ten days in advance, of Licensee's intention to evaluate, assess, undertake or make such repairs, or in the event of an emergency, without first notifying Licensor by telephone at (828) 268-6200 of the condition and repairs contemplated. Repairs may only be performed by Licensee with express authorization of the Town Manager. Any repairs made to the license area shall be done in a workmanlike manner and shall become the property of Licensor. In making any authorized repairs, Licensee shall comply with the North Carolina State Building Code, as applicable, all ordinances of the Town of Boone and Watauga County, as pertinent, and all relevant federal and state laws relating to its operation of a facility and enterprise open to the public, and to its use of paid employees therein. Should Licensee be given permission to make repairs to the License area, for repairs requiring skilled workers, such as electrical repairs, plumbing re-

pairs, structural repairs, and the like, Licensee shall only employ appropriately licensed workers to make the repairs. If Licensor itself undertakes needed repairs of conditions which are the result of Licensee's failure to discharge its maintenance responsibility; Licensee's negligence; an intentional act of destruction by Licensee's participants, employees, patrons, invitees, agents or contractors; or other breach of its responsibilities under this License; Licensee shall be responsible for reimbursing Licensor the cost of such repairs, and its failure to promptly reimburse Licensor shall constitute a basis for the termination of this License. For purposes of this section, "repairs" shall refer to fixing something which has been damaged, broken, or is not working correctly, so that it is in good condition and working properly.

10. **Alterations:** Licensee agrees to neither make nor arrange for any alterations to the license area without the advance written approval of Licensor. Should any alterations be approved by Licensor, they shall be done in a workmanlike manner, and they shall become the property of Licensor. Should Licensee be given permission to make alterations to the License area, for alterations requiring skilled workers, such as electrical installations, plumbing installations, construction activities, and the like, Licensee shall only employ appropriately licensed workers to make the alterations. In making any alterations, Licensee shall comply with the North Carolina State Building Code, as applicable, all ordinances of the Town of Boone and Watauga County, as pertinent, and all other relevant Federal and State laws. For purposes of this section, "alterations" includes, but is not limited to: removal of vegetation, other than weeds removed as part of normal maintenance, permanent modification of any existing structures, and construction of new structures.
11. **Compliance with Laws:** In particular, and not by way of exclusion, in any and all its actions and activities, Licensee will comply and hereby certifies its compliance with the Americans with Disabilities Act, as amended, Title VII of the Civil Rights Act of 1964, as amended, the Fair Labor Standards Act, as amended, the Occupational and Health Safety Act, as amended, the North Carolina Employment Security Act, as amended, and the North Carolina Worker's Compensation Act, as amended, to the extent each such law applies to Licensee or any of its activities. Should Licensee's corporate status be revoked by the North Carolina Secretary of State, this license shall immediately terminate. Licensee commits that it will act in accordance with all laws related to its status as a North Carolina Corporation.
12. **Keys and Locks:** Licensee must provide duplicate keys to all structures in the License area to Licensor at the inception of this License. Should Licensee change any of the locks or add any locks to any of the doors, windows or other locked feature of the License area, Licensee shall, at its own expense, immediately provide duplicate keys to all such locks to Licensor. At the end of the License, Licensee shall return or turn over all keys which relate to the License area to Licensor.
13. **Information Required to be Furnished:** Licensee shall provide Licensor with its current by-laws at any time requested. Within ten days of any change, Licensee shall provide to Licensor any change to its by-laws, shall notify Licensor of any change to its management staff, and at the execution of this license and any time such composition changes, shall advise Licensor of the names and addresses of each member of its board of directors.
14. **Termination or Expiration:** This license is terminable at will by either party. Upon termination or expiration of this license, Licensee shall remove its personal property from the license area and shall surrender the license area to Licensor in good order and repair, reasonable wear and tear excepted.
15. **Abandoned Property:** Following the termination or expiration of this license, any property left by Licensee on the license area shall be considered abandoned and may be retained by or disposed of by Licensor as it sees fit. However, Licensee shall have a ten day period following the termination of this lease to remove any building(s) which it owns. Thereafter, such building(s) will be deemed donated to Licensor. Licensee shall not leave, place, or store any personal property unrelated to the scope of the License in the License area, and any such property shall be considered abandoned and may be disposed of by Licensor.

16. **Waiver and Exculpation, Indemnification:** Licensors shall not be liable for, and Licensee hereby waives all claims against Licensors for damage to its property, or for injury, illness or death of any person in, upon or about the License area arising from any act or neglect of Licensee or caused to or suffered by any person using the license area pursuant to Licensee's authority. Licensee shall indemnify, defend, protect and hold harmless Licensors from and against any and all claims, actions, loss, cost, damage, expense, and liability associated with personal injury, damage to property, or any other matter arising out of any occurrence in, upon, or at the License area, or associated with any act or omission of the Licensee, or associated with Licensee's use, occupancy or activities in the license area or access thereto by Licensee; provided, however, that the foregoing indemnity shall not be applicable to claims arising by reason of the gross neglect or willful misconduct of the Licensors. In the event that the Licensors is made a party to any litigation brought against the Licensee or by reason of or related to the Licensee's use or occupancy of the License area, the Licensee shall defend, protect and hold harmless the Licensors from any and all liability that may result therefrom, including Licensors' costs in defending itself against any claim, action, litigation or other assertion of liability.
17. **Insurance:** Licensee shall provide and maintain insurance coverage against loss, destruction, or other damage to its property located on the License area, as well as against all risks for which Licensee is required to indemnify and hold Licensors harmless, which includes injury or death of third parties and damage to the property of third parties, as more fully set out in paragraph 16. Licensee's liability insurance coverage shall provide coverage for personal injury or bodily harm occurring during the term of the license, whensoever the claim is made, in an amount no less than two million dollars (\$2,000,000.00) per occurrence, and shall insure against injuries or damages which occur as a result of Licensee's operations. Licensee shall also maintain insurance coverage for damage which Licensee itself may cause to the real or personal property of Licensors on account of Licensee's failure to discharge its maintenance responsibility; Licensee's negligence; or an intentional act of destruction by Licensee's participants, employees, patrons, invitees, agents, or contractors. In addition, if alcohol is served for consumption at the licensed area, Licensee or its vendor(s) shall maintain appropriate host liquor liability insurance in the amount of at least one-million dollars (\$1,000,000.00).
- Licensors shall be named as an additional insured on every liability insurance policy of Licensee relating to the license area. Certificates of insurance for each policy required to be obtained by Licensee in compliance with this paragraph shall be filed and maintained with Licensors. Upon request, Licensee shall provide the insurance policies to Licensors for its review. Licensee shall immediately advise Licensors of any injury, damage, or assertion of claim or litigation that may result in a claim of liability against Licensors.
18. **Modification of License:** There shall be no modification of this License unless the modification is in writing and signed by both parties; provided, however, that Licensors has the right to modify the License unilaterally as it may determine necessary in its sole discretion, such modification to take effect 30 days following written notice to Licensee unless Licensors, in its discretion, determines that the modification must go into effect immediately upon or at some earlier time following notice of the same to Licensee.
19. **Assignments:** This license may not be assigned.
20. **Not a Lease or Estate:** The parties agree and acknowledge that in no event shall this License constitute a lease or grant or create any leasehold estate or other estate in the License area. This license is intended and shall be construed as granting a License or right of use in the License area, and Licensee's use and occupancy of the license area shall not be deemed to be a tenancy under the laws of North Carolina, and Licensee shall not enjoy, and hereby waives, any protections afforded tenants under federal, state, or local laws or regulations. Furthermore, the parties expressly disavow that this instrument creates any contractual responsibilities on the part of the Licensors.
21. **Governing Law:** This license shall be governed by and construed in accordance with the laws of the State of North Carolina. Venue concerning any dispute regarding this license shall be in Watauga County, North Carolina.

22. **Severability:** If any provision of this license or the application thereof to any person or circumstance shall, for any reason and to any extent, be held invalid or unenforceable, that provision shall be severed, and the remainder of this license and the application of that provision to other persons or circumstances shall not be affected, but rather shall be enforced to the extent permitted by law.
23. **Parties' Relationship:** Nothing contained in this License shall be deemed or construed by the parties or by any third party to create the relationship of principal and agent, employer and employee, or of partnership or joint venture or of any association whatsoever between Licensor and Licensee other than as is contained herein, it being expressly understood and agreed that none of the provisions contained in this license nor any act or acts of the parties hereto shall be deemed to create any relationship between Licensor and Licensee other than the relationship of a Licensor and Licensee.
24. **Waiver:** Licensor's failure to strictly enforce its rights under this license shall not constitute a waiver of such rights.
25. **Entire Agreement:** This License contains all of the terms and conditions concerning the licensing and use of the License area by Licensee. There are no oral terms or conditions agreed to by the parties which are not contained in this License. Licensor has not made and is not making, and Licensee, in executing and delivering this License, is not relying upon any warranties, representations, promises or statements, except those that are expressly set forth in this License. All prior verbal agreements previously made by and/or between the parties, if not contained herein, are hereby expressly null and void, and insofar as such prior agreements and understandings between the parties are included herein, the same have merged into this License, which alone fully and completely expresses the current terms of this License.
26. **Execution:** Licensee represents and warrants that all necessary authorizations and approvals required for execution and performance of this License have been given and that the undersigned individual is duly authorized to execute this License and bind the Licensee to the conditions set forth.
27. **Notices:** All notices, requests, demands, and other communications hereunder shall be in writing and shall be deemed given if personally delivered or mailed, certified mail, return receipt requested, to the following addresses:
- If to **Licensor**, to: Amy Davis
Town Manager
Town of Boone
P.O. Drawer 192
Boone, NC 28607
- If to **Licensee**, to: Chair, Board of Directors
Watauga County Farmer's Market, Inc.
P.O. Box 2177
Boone, NC 28607
28. **Execution in counterparts:** This license agreement may be executed in separate counterparts, all of which together shall constitute and be effective as an original.
29. **Annual report.** Licensee shall appear before the Boone Town Council at a regular Town Council meeting in January of each year to report on its activities and, as appropriate, for discussion of any changes to this Agreement desired by either party.

IN WITNESS WHEREOF, the **Licensor** and **Licensee** have executed this Lease Agreement in duplicate originals, and agree to all of the terms and conditions set forth above, the day and year first above written.

Town of Boone, Licensors

Tim Futrelle, Mayor

Attest: _____(Seal)
Town Clerk, Town of Boone

Watauga County Farmer's Market, Inc. , Licensee, by

President

Attest: _____(Seal)
Secretary, Watauga County Farmer's Market, Inc.

ATTACHMENT “A”

1. The License area shall consist of the exclusive use of the Upper Parking Lot at Daniel Boone Park, excluding six parking spaces reserved for the Southern Appalachian Historical Association, Inc., and non-exclusive use of the lower lot, excluding four parking spaces reserved for the Daniel Boone Native Gardens, each Saturday during the term of the License between the hours of 6:00 a.m. and 2:00 p.m., and subject to the following conditions and limitations:
 - a. Non-exclusive use of the restrooms, along with ingress, egress and regress to them during Licensee’s hours of operation during the periods April 5, 2025 – November 29, 2025; April 4, 2026 – November 28, 2026; April 3, 2027 – November 27, 2027, with the following conditions:
 - i. Licensee shall assume responsibility for the opening, closing, cleaning, stocking and monitoring of the restrooms before, during and after each use. Restrooms should be cleaned, stocked, and made available for use by another Licensee after every use.
 - ii. Additional periods may be authorized by Licensor based on the determination that the restrooms can function properly in cold weather.
 - b. Non-exclusive access to a shared refuse facility on site, if it agrees to equitably share the cost of the same, as determined by Licensor.
 - c. Participants and patrons of the farmer’s market may not park in such a manner as to interfere with emergency access to the License area or other areas accessed through the License area, and upon request by Licensor or law enforcement or fire protection officer that participants or vehicles be relocated or rearranged, Licensee will ensure that its participants and patrons promptly honor the request.
 - d. Food trucks may be included in the operation of the Farmer’s market. The location(s) of food trucks must be approved by the Town of Boone Manager, or her designee, and Fire Marshall prior to their operation, and they must have all required permits and inspections.
 - e. Tastings and sales of beer, hard cider and wine shall be limited to vendor area of the licensed area. No open containers of any kind are permitted in parking areas.
 - f. Licensee and each winery, cidery or brewery will abide by all applicable regulations and laws, including but not necessarily limited to those of the Town of Boone and the NC ABC Commission
 - g. No more than three breweries, microbreweries, or wineries combined may offer samples or sales at the farmer’s market per day.
2. For the period of January 1, 2025 – December 31, 2027: Exclusive use of the “Storage Shed” located in the center of the Farmer’s Market, in the Kid’s Zone area.
3. Volunteer “clean-up” or “work” days may be allowed subject to the conditions and limitations of this agreement and with the advance approval of the Town Manager.



Town Of Boone AGENDA ITEM ACTION REQUEST

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Nicole Harmon

Department: Downtown Boone Development Association

Contact Phone # 828.268.6200

Date Submitted: April 2, 2025

Email: lane.moody@townofboone.net

Date of Council Meeting to Consider this Item: April 9, 2025

Council Action Requested: For Information and Potential Action

Title: Downtown Boone Development Association Annual Report

Summary of Information:

Per the agreement between the Town of Boone and the Downtown Boone Development Association (DBDA), Downtown Development Coordinator Lane Moody respectfully requests to appear and provide a brief report on the DBDA's quarterly activities.

The presentation will include an update on the DBDA's Main Street Accreditation status, upcoming events, and a summary of business communications related to the Howard Street Revitalization Project.



Town Of Boone AGENDA ITEM ACTION REQUEST

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Nicole Harmon

Department: Administration

Contact Phone # 828.268.6200

Date Submitted: February 28, 2025

Email: laney.wise@townofboone.net

Date of Council Meeting to Consider this Item: April 9, 2025

Council Action Requested: For Action

Title: Request for Direction - Rivers House Trail Plans

Summary of Information:

Town Staff brought the proposed Rivers House Trail plans to the Historic Preservation Committee (HPC): Advisory Meeting on March 4th, 2025. During the meeting, HPC members recommended moving the proposed beginning of the trail from near the intersection of Rivers Street and Burrell Street to the location of the current Daniel Boone Monument on the Rivers House property. Attached are the previously approved plans and a rough drawing of the proposed new plans.

Town staff requests direction on whether to pursue the proposed new construction plans or construct the trail based on the prior plans.



Previous Plan

✗ : Removed

■ : Unofficial Proposed Trailhead



Proposed Plan (Unofficial)



Town Of Boone AGENDA ITEM ACTION REQUEST

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Nicole Harmon

Department: Administration

Contact Phone # 828.268.6200

Date Submitted: April 2, 2025

Email: amy.davis@townofboone.net

Date of Council Meeting to Consider this Item: April 9, 2025

Council Action Requested: For Action

Title: Consideration of Letter of Support for S. Fox

Summary of Information:

The Watauga County Board of Commissioners recently approved a letter of support for nominating Blowing Rock Town Manager Shane Fox to serve on the North Carolina League of Municipalities Board of Directors, and Boone has been asked to do the same. Please see attached the letter approved by the Watauga County Board of Commissioners, as well as a proposed letter of support on behalf of the Town of Boone.



County of Watauga

Administration Building, Suite 205 • 814 West King Street • Boone, North Carolina 28607

BOARD OF COMMISSIONERS

Braxton Eggers, Chairman
Todd Castle, Vice-Chairman
Emily Greene
Tim Hodges
Ronnie Marsh

Telephone 828-265-8000

TDD 1-800-735-2962

Voice 1-800-735-8262

COUNTY MANAGER

Deron T. Geouque

COUNTY ATTORNEY

Nathan Miller

March 11, 2025

North Carolina League of Municipalities
434 Fayetteville Street
Suite 1900
Raleigh, NC 27601

Subject: Nomination for North Carolina League of Municipalities Board of Directors Dear Members of the Nominating Committee, The Watauga County Commission is pleased to offer our strongest endorsement for Shane Fox's nomination to the Board of Directors of the North Carolina League of Municipalities.

Shane Fox has demonstrated exceptional leadership and a deep commitment to public service throughout his tenure. His dedication to the Town of Blowing Rock and the broader Watauga County community is evident in his numerous accomplishments.

We particularly commend Shane's proactive approach to addressing critical infrastructure improvements, ensuring the delivery of high-quality services to our residents, tourists, and all stakeholders. His collaborative spirit is a hallmark of his leadership, as evidenced by his effective partnerships with Watauga County, the various towns within our jurisdiction, the High Country Council of Governments (HCCOG), and numerous non-profit organizations.

His unwavering commitment was particularly evident during the recovery efforts following Hurricane Helene, where his tireless efforts played a crucial role in restoring normalcy to our community.

Beyond his professional responsibilities, Shane is deeply invested in the well-being of our community. His service on the Children's Council of Watauga County highlights his dedication to our youth. Furthermore, his innovative vision led to the creation and opening of the Blowing Rock Academy, a testament to his commitment to education and community development.

We believe that Shane Fox's qualifications extend beyond his impressive resume and accomplishments. He brings a vital perspective and much-needed representation to Western North Carolina. His understanding of the unique challenges and opportunities facing our region will be invaluable to the Board of Directors.

Therefore, the Watauga County Commission wholeheartedly supports Shane Fox's nomination to the Board of Directors of the North Carolina League of Municipalities. We are confident that he will serve with distinction and contribute significantly to the League's mission.

Sincerely,

Braxton Eggers, Chair of Watauga County Commission
Watauga County Commission



Subject: Letter of Support for Shane Fox - NCLM Board of Directors

To the Nominating Committee, North Carolina League of Municipalities (NCLM),

It is with great enthusiasm that I write to express my strong support for Shane Fox's nomination to the Board of Directors of the North Carolina League of Municipalities.

Shane's accomplishments are directly due to his dedication, collaborative spirit, and progressive-minded approach to municipal governance. He possesses a unique ability to bridge diverse perspectives and foster productive dialogue, making him an invaluable asset to any team.

Shane's commitment extends far beyond the boundaries of Blowing Rock. He is deeply invested in the well-being of the entire High Country region and the state of North Carolina. He understands the unique challenges and opportunities facing small towns in Western North Carolina, and he is passionate about advocating for their needs at the state level.

His strengths include:

- **Collaborative Leadership:** Shane excels at building consensus and working effectively with stakeholders from various backgrounds.
- **Progressive Vision:** He demonstrates a forward-thinking approach to addressing complex issues and finding innovative solutions.
- **Regional Advocacy:** He is a strong advocate for the interests of Western North Carolina and small towns throughout the state.
- **Dedication to Public Service:** Shane's unwavering commitment to serving his community is evident in all his endeavors.

Shane Fox would be a tremendous asset to the NCLM Board of Directors. He would bring a valuable perspective, a strong work ethic, and a genuine passion for serving the municipalities of North Carolina. I wholeheartedly recommend him for this position.

Thank you for your consideration.

Sincerely,

Amy Davis, Town Manager



Town Of Boone AGENDA ITEM ACTION REQUEST

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Nicole Harmon

Department: Administration

Contact Phone # 828.268.6200

Date Submitted: April 3, 2025

Email: amy.davis@townofboone.net

Date of Council Meeting to Consider this Item: April 9, 2025

Council Action Requested: For Action

Title: Request to Schedule Budget Retreat

Summary of Information:

Staff requests Council to consider one of the following dates for the annual budget retreat:

Tuesday, May 20
Wednesday, May 21
Thursday, May 22

The meeting will take place in the Council Chambers and is scheduled to begin at 9:00 a.m. Staff intends to finish no later than 2 p.m.



Town Of Boone AGENDA ITEM ACTION REQUEST

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Nicole Harmon

Department: Administration

Contact Phone # 828.268.6200

Date Submitted: March 19, 2025

Email: nicole.harmon@townofboone.net

Date of Council Meeting to Consider this Item: April 9, 2025

Council Action Requested: For Action

Title: Appointment to ABC Board

Summary of Information:

There is currently one vacancy on the ABC Board. After advertising in my usual venues, I have received two applications for consideration from Matthew Farrington and Jacqueline Dunbar (reappointment) (attached). Also attached is the board roster.

ABC Board Roster

Five Members Serving Three Year Terms-No More Than Six Consecutive Terms

1 Member	Jacqueline Dunbar (1st Term) Post Office Box 2268 Boone, NC 28607 dunbarjacque@gmail.com 773.6607 Appointed: 4/2022 Expires: 4/2025	Town Council Liaison	Dalton George Expires with Term
2 Member	Charlie Wallin (3rd Term)CHAIR 295 High Meadows Drive Boone, NC 28607 Wallincr@gmail.com Appointed: 2/2017, 5/2020, 5/2023 Expires: 5/2026	4 Member	Dalton George 151 Gragg Street Boone, NC 28607 Dalton.george@townofboone.net Appointed: 9/2024 Expires: 9/2027
3 Member	Ronnie Holste (2nd Term) 151 Buckshot Circle Boone, NC 28607 919-451-9360 reholste@gmail.com Appointed: 5/2018, 6/2021, 6/2024 Expires: 6/2024, 6/2027	5 Member	Will Burrow 2129 Browns Chapel Road Unit 1 Boone, NC 28607 will@grandfathervineyards.com Appointed: 9/2024 Expires: 9/2027

Print

Town of Boone Board Application - Submission #5334

Date Submitted: 3/10/2025

Name*

Matthew Fearington

Email:*

mfearrington@yahoo.com

Address*

844 Blairmont Dr

City*

Boone

State*

NC

Zip Code*

28607

Is this Address Your Preferred Address?*

Yes

Address

City

State

Zip Code

Phone Number*

8287731982

Jurisdiction of Residence*

- ☒ Town of Boone (Inside Town Limits)
- ☐ Watauga County
- ☐ Other

Please Specify:*

How Long Have You Been a Resident in Your Jurisdiction?*

5 years

Do Yow Own Real Property (Land) in the Town of Boone?*

Yes

Name of Board, Commission, Task Force, Advisory Board, or Committee Appointment Sought*

ABC Board

Only choose one (1)

Why Do You Wish to Obtain this Appointment?*

I would like to be involved in helping to set policies for the ABC store and aid in reducing any challenges they are facing as they are a significant profit driver for the town. I would also like to be involved in alcohol education programs and think my background would be a good fit for that.

Are Your Familiar with the Town of Boone's 2006 Comprehensive Plan?*

Yes

[Town of Boone's 2006 Comprehensive Plan \(Revised July 19th, 2021\) \(PDF\)](#)

Rate Your Support for the 2006 Comprehensive Plan (1 Being Not Supportive at All and 10 Being Extremely Supportive)*

- | | |
|----------------------------|--|
| ☐ 1 | ☐ 6 |
| ☐ 2 | ☐ 7 |
| ☐ 3 | ☐ 8 |
| ☐ 4 | ☐ 9 |
| ☐ 5 | ☒ 10 |

Please Explain Your Level of Support for the 2006 Comprehensive Plan:*

I am extremely supportive of the Comprehensive Plan. I like the focus on intentional growth while also trying to maintain the character of the town. I think it is vitally important that we continue to focus on bringing high wage jobs to the area and look for options to create affordable housing for our residents. I also appreciate the emphasis on community appearance, and I absolutely all the greenway space!

What Skills, Education, Training, Experience or Area(s) of Expertise Would You Bring to the Appointment?*

I am a small business owner who managed to keep my company profitable through the pandemic. My background in psychology and education would be beneficial for addressing people-related issues and helping to create efficient policies adn procedures.

Have You Had Issues With the Town of Boone Which Relate to the Work of the Body to Which You Seek Appointment?*

No

Do You Know of Any Known or Potential Conflicts of Interest (Including Membership in Any Organization, Your Employment and the Memberships and Employment of Family Members) that Might Arise if You're Appointed?*

No

Explain:

Explain:

Have You Previously Served on any Town Board, Commission, or Committee?*

No 

Explain:

Please Include the Name of Board, Commission, Task Force, Advisory Board, or Committee Appointment, the Approximate Date(s) Served and a Brief Description of the Quality of Your Service

I hereby certify that the foregoing answers are true, and that should I be appointed to the board, commission, task force, advisory body or committee, and should a conflict of interest exist or develop with regard to a specific matter, I will disclose the conflict of interest and recuse myself from the deliberations and action involved. Conflicts of interest include, but are not limited to: a direct or indirect financial interest by myself or a member of my family, and other interest which impairs my ability to participate fairly in the deliberations and actions in question.*

Matthew Edward Fearington

Signature

Date*

3/10/2025

Print

Town of Boone Board Application - Submission #5404

Date Submitted: 3/27/2025

Name*	Email:*
Jacqueline Dunbar	dunbarjacque@gmail.com

Address*

POB 2268

City*	State*	Zip Code*
Boone	NC	28607

Is this Address Your Preferred Address?*

Yes

Address

City	State	Zip Code

Phone Number*

8287736607

Jurisdiction of Residence*

☐ Town of Boone (Inside Town Limits)

☒ Watauga County

☐ Other

Please Specify:*

How Long Have You Been a Resident in Your Jurisdiction?*

39 years

Do Yow Own Real Property (Land) in the Town of Boone?*

Yes

Name of Board, Commission, Task Force, Advisory Board, or Committee Appointment Sought*

ABC Board

Only choose one (1)

Why Do You Wish to Obtain this Appointment?*

I'm going to be brutally honest. I've completed this form down to the last box twice and lost all of my information. I have served on the board the past three years. I would like to serve the next three years but I'm not going to complete this form again. I worked very hard both times to do a good job. Hopefully your office administrator has the ability to pull up my previous information. If not, please ask Charlie Wallen to recommend me.

Are Your Familiar with the Town of Boone's 2006 Comprehensive Plan?*

Yes

[Town of Boone's 2006 Comprehensive Plan \(Revised July 19th, 2021\).\(PDF\)](#)

Rate Your Support for the 2006 Comprehensive Plan (1 Being Not Supportive at All and 10 Being Extremely Supportive)*

- | | |
|----------------------------|---------------------------------------|
| ☐ 1 | ☐ 6 |
| ☐ 2 | ☒ 7 |
| ☐ 3 | ☐ 8 |
| ☐ 4 | ☐ 9 |
| ☐ 5 | ☐ 10 |

Please Explain Your Level of Support for the 2006 Comprehensive Plan:*

I support the continuation of this plan. My areas of concern are the lack of housing for our low income population. It seems like most of the new housing targets ASU students. Also, traffic continues to be a serious problem. Along with the lack of accommodations for sustainable transportation (bike lanes, public transportation). Hats off to how the town has addressed the balance between development and preserving green space. (continued development of our beautiful Greenway.

What Skills, Education, Training, Experience or Area(s) of Expertise Would You Bring to the Appointment?*

This is the portion I didn't complete

*Work for the Department of Public Education as a Substance Abuse Prevention and Intervention Specialist. Trained school personnel. 1986-90

*Taught Drug, Alcohol and Tobacco courses at both Western Carolina University (1984) and Appalachian University (1988)

*Worked as Director of Student Services for both Iredell County Schools and Davie County Schools (1993-1999)

Have You Had Issues With the Town of Boone Which Relate to the Work of the Body to Which You Seek Appointment?*

No

Do You Know of Any Known or Potential Conflicts of Interest (Including Membership in Any Organization, Your Employment and the Memberships and Employment of Family Members) that Might Arise if You're Appointed?*

No



Explain:

Explain:

Have You Previously Served on any Town Board, Commission, or Committee?*

Yes



Explain:

The ABC Board the past three years.

Please Include the Name of Board, Commission, Task Force, Advisory Board, or Committee Appointment, the Approximate Date(s) Served and a Brief Description of the Quality of Your Service

I hereby certify that the foregoing answers are true, and that should I be appointed to the board, commission, task force, advisory body or committee, and should a conflict of interest exist or develop with regard to a specific matter, I will disclose the conflict of interest and recuse myself from the deliberations and action involved. Conflicts of interest include, but are not limited to: a direct or indirect financial interest by myself or a member of my family, and other interest which impairs my ability to participate fairly in the deliberations and actions in question.*

Jacqueline Dunbar



Signature

Date*

3/27/2025



Town Of Boone AGENDA ITEM ACTION REQUEST

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Nicole Harmon

Department: Administration

Contact Phone # 828.268.6200

Date Submitted: April 3, 2025

Email: nicole.harmon@townofboone.net

Date of Council Meeting to Consider this Item: April 9, 2025

Council Action Requested: For Action

Title: Appointment to Human Relations Commission

Summary of Information:

There are currently five vacancies on the Human Relations Commission. After advertising in my usual venues, I have received one application for consideration from Tori Rodriguez (attached). Also attached is the board roster.

Please note there are no residency requirements for this board.

[Print](#)**Town of Boone Human Relations Commission Application - Submission #5428****Date Submitted: 4/3/2025****Values and Purpose of the Human Relations Commission:**

The Boone Town Council finds that prejudice and the practice of discrimination against any individual or group based on actual or perceived age, mental or physical disability, sex, religion, creed, race, color, sexual orientation, gender identity or expression, familial or marital status, economic status, veteran status or national origin, may menace the peace and public welfare.

To work towards elimination of such prejudice and discrimination, a commission has been established through which the citizens of Boone may be kept informed of developments in human relations, the officers and departments of the town may obtain advice and assistance concerning practices to keep peace and good order, and private persons and groups may be officially encouraged to promote tolerance and goodwill to all people.

The purpose of the Human Relations Commission is to promote and improve human relations and equity among all citizens in the town. The Commission will work with town government and partner with communities and outside agencies in an effort to encourage and ensure diversity, fairness, equity and inclusion throughout the town. In furtherance thereof, the Commission should endeavor to identify and assist in addressing all forms of individual, institutional and community discrimination through education, advocacy and policy recommendations.

Name*

Tori Rodriguez

Email:*

rodrigueztori3@gmail.com

Address*

1240 Old Bristol Road

City*

Boone

State*

NC

Zip Code*

28607

Phone Number*

8283348812

Jurisdiction of Residence*

- ☐ Town of Boone (Inside Town Limits)
☒ Watauga County
☐ Other

Please Specify:*

How Long Have You Been a Resident in Your Jurisdiction?*

2 years

Do Yow Own Real Property (Land) in the Town of Boone?*

No

Are You Committed to the Values Listed at the Beginning of the Application?*

Yes

Please explain

Why Do You Wish to Obtain this Appointment?*

I believe in diversifying your perspective and wish to promote equity and community within the Town of Boone.

Please explain

What Skills, Education, Training, Experience or Area(s) of Expertise Would You Bring to the Appointment?*

I have been involved with Hospitality House of Northwest North Carolina for 4 years. I hope to use my experience working with vulnerable populations to advocate for ALL citizens. Additionally, I have lived in Boone off and on since 2019. I say "off and on" because it took me a few tries to gain housing stability in Boone. I was young, underpaid, and had no financial assistance from family. I work hard to stay in my community because I love it, but no one should have to work 3 jobs to experience community.

Please explain

I hereby certify that the foregoing answers are true, and that should I be appointed to the board, commission, task force, advisory body or committee, and should a conflict of interest exist or develop with regard to a specific matter, I will disclose the conflict of interest and recuse myself from the deliberations and action involved. Conflicts of interest include, but are not limited to: a direct or indirect financial interest by myself or a member of my family, and other interest which impairs my ability to participate fairly in the deliberations and actions in question.*

Tori Rodriguez

Signature

Date*

4/3/2025

Human Relations Commission
Up to 10 Members

1 3-Year Term	Trevor Moody 7286 Old US Highway 421 Zionville, NC 28698 Moody.t2009@gmail.com Appointed: 03.26.25 Expires: 03.26.28		7 1-Year Term	VACANT
2 3-Year Term	Sean Morris 334 George Wilson Road Boone, NC 28607 Seanmorris928@gmail.com 678.382.7949 Appointed: 9.13.23, 1.22.25 Expires: 9.13.24; 1.22.28		8 1-Year Term	VACANT
2 3-Year Term	Drew Finley 2016 US Hwy 421 S. Apt. 2107 Boone, NC Dfinley845@gmail.com Appointed: 2.12.25 Expires: 2.12.28		9 1-Year Term	VACANT
4 2-Year Term	Joanne Puliatti 275 Chestnut Drive Boone, NC 28607 veganslp@gmail.com Appointed: 03.26.25 Expires: 03.26.27		10	VACANT
5 2-Year Term	Dr. Kirstin Morgan 639 Country Place Dr. Boone, NC 28607 morgan.kirstin3@gmail.com Appointed: 3.13.24 Expires: 6.14.26			
6 2-Year Term	VACANT			Todd Carter Dalton George

The HRC shall consist of up to 10 members, appointed by the Town Council for staggered terms. 3 members shall be appointed to 3-year terms, 3 members shall be appointed to 2-year terms, and 3 members shall be appointed to 1-year terms.



Town Of Boone AGENDA ITEM ACTION REQUEST

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Nicole Harmon

Department: Administration

Contact Phone # 828.268.6200

Date Submitted: March 26, 2025

Email: nicole.harmon@townofboone.net

Date of Council Meeting to Consider this Item: April 9, 2025

Council Action Requested: For Action

Title: Appointment to Planning Commission - Student Seat

Summary of Information:

Appointment to Planning Commission - Student Seat

There are currently two vacancies on the Planning Commission, one regular seat and one student seat. After advertising in my usual venues, I have received one application for consideration from Michael Mileski (attached). Planning staff has reviewed the application for eligibility. Also attached is the board roster.

Print

Town of Boone Student Board Application - Submission #5350

Date Submitted: 3/15/2025

Name*	Email:*
Michael Mileski	mileskimj@appstate.edu

Address*

850 Blowing Rock Rd, Boone, NC 28607

City*	State*	Zip Code*
Boone	NC	28607

Is this Address Your Preferred Address?*

Yes

Address

City	State	Zip Code

Phone Number*

9192087419

Jurisdiction of Residence*

☒ Town of Boone (Inside Town Limits)

☐ Watauga County

☐ Other

Please Specify:*

How Long Have You Lived in Your Current Residence?*

4 months

When Is Your Expected Graduation Date?*

05/2027

Name of Board, Commission, Task Force, Advisory Board, or Committee Appointment Sought*

Planning Commission (6:00 p.m. on the 4th Monday of every month)



Please Note: Time of Meeting CANNOT be changed. Please take this into account with your school schedule.

Why Do You Wish to Obtain this Appointment?*

To further expand my knowledge and skills pertaining to community engagement and meeting the needs for multiple demographics of people. I also wish to have an outlet for my leadership and compassion for people in need.

What Skills, Education, Training, Experience or Area(s) of Expertise Would You Bring to the Appointment?*

I bring design skills, digital organization, networking and the ability to vet persons and ideas through critical thinking process and communicate them to the effected groups of people.

I hereby certify that the foregoing answers are true, and that should I be appointed to the board, commission, task force, advisory body or committee, and should a conflict of interest exist or develop with regard to a specific matter, I will disclose the conflict of interest and recuse myself from the deliberations and action involved. Conflicts of interest include, but are not limited to: a direct or indirect financial interest by myself or a member of my family, and other interest which impairs my ability to participate fairly in the deliberations and actions in question.*

Michael Mileski

Signature

Date*

3/15/2025

Planning Commission Public Roster as of February 14, 2025
7 Members

1	Frank Veno, Vice Chair 3 rd Term 524 Grand Blvd. Appointed: 06-21-18 Reappointed: 05-20-21 Reappointed: 06-12-24 Expires: 06-30-27		5	Scott Boyd (Student Rep) Vacant 1-year Term Appointed: Expires: 06-30-25
2	Smith Warren *RESIGNED 2-14-25 2 nd Term 686 State Farm Rd., Apt. 401 Appointed: 06-17-21 Reappointed: 06-08-22 Expires: 06-30-25		6	Adrian Tait, Chair 1 st Term 595 Eastview Dr. Appointed: 09-13-23 Expires: 06-30-26
3	Chris Behrend 3 rd Term 214 Adams Ln. Appointed: 07-19-18 Reappointed: 05-09-19 Reappointed: 06-08-22 Expires: 06-30-25		7	Anne Pruitt 1 st Term 143 E Glendale Dr. Appointed: 09-11-24 Expires: 06-30-27
4	Garrett Kight 1 st Term 508 Green St. Appointed: 05-08-24 Expires: 06-30-26		P & I Staff	Brenda Henson, Board Clerk brenda.henson@townofboone.net Jane Shook, Director of Planning & Inspections jane.shook@townofboone.net

1. 3 year staggered terms (except for ASU student who serves a 1-year term)
2. Terms expire on June 30
3. Members can serve no more than 3 consecutive terms

Comprehensive Plan Review

I am familiar with the comprehensive plan and feel a rating of 8.5/10 for my support based on intent is appropriate. After reviewing the narratives and policies (especially economic and agricultural development) the intent is grounded in the needs of the existing and historical community with fair opportunities for future investment.



Town Of Boone AGENDA ITEM ACTION REQUEST

This form must be completed and attached to all supporting documentation for items to be included in the Town of Boone Council agenda. One (1) form per agenda item.

Submitted By: Nicole Harmon

Department: Town Attorney

Contact Phone # 828.865.5555

Date Submitted: April 3, 2025

Email: ameade@meade-law.com

Date of Council Meeting to Consider this Item: April 9, 2025

Council Action Requested: 1. N.C. Gen. Stat. § 143-318.11(a)(3), to consult with the Town Attorney in order to preserve the attorney-client privilege between the attorney and the Town Council and obtain legal advice, consider and/or give instructions to the attorney concerning one or more potential legal claims.

2. N.C. Gen. Stat. § 143-318.11(a)(3), to consult with the Town Attorney in order to preserve the attorney-client privilege between the attorney and the Town Council, and obtain legal advice, consider and/or give instructions to the attorney concerning one or more potential legal claims.

Title: Closed Session

Summary of Information: