

**TOWN OF BOONE
HISTORIC PRESERVATION COMMISSION
MEETING MINUTES
AUGUST 11, 2020
3:00 PM**

Historic Preservation Commission Members in Attendance:

Chairperson Eric Plaag, Vice-Chairperson Phoebe Pollitt, Teresa Pearman, Bettie Bond, Chuck Watkins, Rennie Brantz and Loretta Clawson

Town Staff in Attendance: Christy Turner – Senior Planner and Marlene Crosby-Board Secretary

Others Present: Allison Meade-Town Attorney and Lane Moody-Downtown Boone Coordinator

Call to Order

Chairperson Plaag called the meeting of the Boone Historic Preservation Commission, held via WebEx, a video conferencing software to order at 3:00 p.m.

Adoption of Agenda

Chairperson Plaag made a motion, seconded by Member Brantz to amend the agenda with the addition of the Greer-Henson House and Barn for informational purposes only.

Vote:

Aye – All

Nay – None

The motion passed.

Member Brantz made a motion, seconded by Member Pearman to adopt the agenda as amended.

Vote:

Aye – All

Nay – None

The motion passed.

Member Clawson joined the meeting at approximately 3:05 p.m.

Board Training

Ms. Allison Meade, Boone Town Attorney explained that the Town Council has asked her to give board training in two or more sessions during Town meetings. She reviewed the Town of Boone Board/Committee General Training Memo located on page three of the online meeting packet (permanently on file). She encouraged questions and interaction from the board members. She noted that both the Town Code Chapters 30 and 35 and the Unified

Development Ordinance are on the Town website at www.townofboone.net under ordinances. She noted that Article Two of the UDO will be proposed for a possible amendment by Council in a preliminary fashion in August of 2020 and it is expected to go before the Planning Commission in September of 2020. She said the proposed change to Article Two is to tighten and shorten the language and make it clearer.

Ms. Meade explained that when the Historic Preservation Commission is ready to begin reviewing Certificates of Appropriateness, the HPC will be governed by Article 8 of the UDO because the COA process is a quasi-judicial process. She noted that the quasi-judicial process will require another training session by the Town Attorney.

Ms. Meade talked about the open meetings law. She talked about attendance at events. And, she explained that emails can be a potential problem. She further explained that there should not be an email string regarding an HPC meeting topic because it could effectively be a Town meeting. She suggested being careful to not email each other to discuss any topic. She also suggested going to Robert's Rules of Order for meeting type questions. She talked about public records and record keeping by the Town, she told the board members that any Town maintained records do not need to be kept by the board members. She explained that personal notes that are only used by a board member and have no other use are not considered a public record. She said if you send your personal notes regarding a meeting agenda item to someone else or to the Planning Staff, the information becomes a public record. She said if there are emails between the board members that are not copied to the Planning Staff on a meeting topic, these emails should be kept in a folder just in case there is a public records request on that topic. Chairperson Plaag asked Ms. Meade for the retention schedule for the potential personal emails. She said she would provide the HPC with the record retention information via email.

Ms. Meade reviewed the Limitations on the powers and authority of committees and committee members in the Town Code. She explained that the HPC should not speak as though they have authority unless they have been given explicit authorization by the HPC or the Council. Chairperson Plaag asked a question regarding 4. (E) as it relates to sub-committee. He explained that this has always been a gray area for the HPC because of the nature of documents the HPC prepares for the Commission or by working individually. He asked for direction on this topic, he asked if the HPC go to Council every time for approval. She said there are two questions. She said in the first question is it clear that the HPC is working within the authority granted by Council and she said if there is a question on the authority, the HPC should go to Council. She said the best way to look at this type of working group, would be to ask is it an official meeting. She asked about the HPC majority for a quorum and noted that the quorum might change in the upcoming proposed change to the amendments to Article Two. She said she feels there are official meeting issues and not a sub-committee meeting issue. She said if there are three in a meeting which it may be three members in the future with the potential changes then the meeting should be officially noticed. She said right now, if there is not a quorum, what the HPC is doing is fine. She also pointed out that official meetings require Town staff to post meeting agendas and type minutes and maintain the meeting records.

Ms. Meade talked about ethical issues in Town Code Chapter 30. She explained that board members need to be careful that you are being perceived of being treated differently or in a better way than others.

Ms. Meade talked about how federal law trumps state law and state law trumps local law. She said the HPC with its quasi-judicial and advisory board actions are subject to detailed State law requirements.

Ms. Meade left the virtual meeting at approximately 3:34 p.m.

Approval of Minutes

Member Clawson made a motion, seconded by Member Brantz to approve the July 14, 2020 minutes as amended.

Vote:

Aye - All

Nay - None

The motion passed.

Public Comment

There was no public comment at this meeting.

District Designation Report

Chairperson Plaag noted that he had emailed out the draft District Designation Report to the HPC on Sunday, July 12, 2020 (permanently on file). He pointed out that he noted in the email about one significant change regarding the dates of significance and he said he needs to revisit it with the HPC. He noted that he had been trying to contact Ms. Annie McDonald from the State Historic Preservation Office to discuss it with her before he made the proposed change and sent it out to the HPC. He said his concern was having the courthouse at the end of the boundary and it not be a contributing building and whether the SHPO would accept this change. He said he was able to contact Ms. McDonald on Monday, July 13, 2020. He said her strong recommendation was to not list the Courthouse as contributing to the history of the district. He said some of the reasons for not including the Courthouse was: the architecture does not fit any other buildings in the district, it is an outlier in terms of its time period and the precedent it would set in terms of materials in the district. Chairperson Plaag said if it is included, it ties the hands of the County in terms of their ability to make repairs to the existing materials of that building which are non-contributing with most of the materials in the district. Chairperson Plaag said that Ms. McDonald recommended listing the Courthouse as non-contributing and rolling the date back to 1964 as Chairperson Plaag originally had the date in the survey report. He said that Ms. McDonald recommended this because of the development around the Courthouse and trying to regulate the Courthouse building as a historic location. Chairperson Plaag said he also has to change the smaller designations near the Courthouse from CH to NC meaning non-contributing.

Member Watkins and Member Brantz pointed out some typographical errors and Chairperson Plaag made note of them. He said that he would make any non-significant changes that he sees while going through the draft document. Chairperson Plaag pointed out that any non-significant changes that he makes to the draft document to improve clarity do not need to be approved by the HPC.

Motion and Vote:

Member Watkins made a motion, seconded by Vice-Chairperson Pollitt to send the draft District Designation Report to Council for their consideration and approval.

Vote:

Aye – all

Nay – none

The motion passed.

Discussion ensued on the joint meeting with the Council, Historic Preservation Commission and Community Appearance Commission and the State Historic Preservation Office. Chairperson Plaag said it is very important to have the joint meeting so they can strategize how to present the information to the property owners and tenants that are located within the district.

Chairperson Plaag said he would like to formerly request that the HPC request a meeting involving HPC, CAC, Council and Ms. Annie McDonald from SHPO and Ms. Kristi Brinkley from the Raleigh, North Carolina SHPO. Chairperson Plaag said that he felt this conversation should be started as soon as possible.

Motion and Vote:

Chairperson Plaag made a motion, seconded by Member Clawson to request approval from Council to have a joint-meeting that would include the Council, Historic Preservation Commission, Community Appearance Commission, Ms. Annie McDonald from the State Historic Preservation Office and Ms. Kristi Brinkley from the Raleigh, North Carolina Historic Preservation Office to work out the best approach to presenting the draft Designation District report to Downtown property owners and their tenants.

Vote:

Aye – all

Nay – none

The motion passed.

Ms. Lane Moody, Downtown Boone Coordinator told the HPC that she would like to help facilitate the presentation to the Downtown Boone property owners and their tenants.

In terms of the public presentations, Ms. Turner said the Planning Staff had discussed having the sessions at the Jones House and putting in one station for the Historic Preservation

Commission and one station for the Community Appearance Commission Downtown Design Guidelines as well as the survey report. She also said the Planning Staff suggested having all of the meetings in the Downtown area.

Junaluska Historical Marker

Ms. Turner began discussion on the Junaluska Historical Marker. She confirmed that Council had approved the location of the marker at the site closer to the Watauga County Library. Ms. Turner said that she would ask Mr. John Ward, Town Manager about the approval from the County to use this site. Ms. Turner asked Chairperson Plaag if the HPC was ready to order the historical marker. Chairperson Plaag said yes. Member Bond agreed with Chairperson Plaag on the ordering of the marker. Ms. Turner said that she would work on getting the historical marker ordered.

Discussion ensued on the timing for the installation of the Junaluska Historical Marker. Member Bond noted that she had recently spoken with a friend of hers from the Junaluska Community. Member Bond said she told her friend that the HPC was getting very close to erecting the Junaluska marker. Member Bond asked when would be an appropriate date in install the historical marker. Member Bond further asked if there was an event coming up on the Junaluska Heritage Association calendar where the historical marker could be installed at that time. Member Bond said when she was talking to her friend, she did not know at that time that Council has approved the site for the historical marker to be installed closest to the Watauga County Library. Member Bond said she asked her friend which of the sites which they might prefer for the historical marker to be installed. Member Bond said her friend said she would like to leave it to the experts to determine where the historical marker should be placed. Chairperson Plaag asked if the HPC wanted to make a motion to authorize Chairperson Plaag to contact the JHA members: Ms. Roberta Jackson, Dr. Kristen Baldwin-Deathridge and Dr. Sue Keefe to ask them for their input on a date for the installation of the historical marker.

Motion and Vote:

Member Bond made a motion, seconded by Member Brantz for the Historic Preservation Commission to authorize Chairperson Eric Plaag to contact the following members of the Junaluska Heritage Association, Ms. Roberta Jackson, Dr. Kristen Baldwin-Deathridge and Dr. Sue Keefe to ask for their input on the scheduling of the installation of the historical marker.

Vote:

Aye – All

Nay – None

The motion passed.

Bryan, Hayes, Greene Cemetery

Vice-Chairperson Pollitt explained that she had visited the cemetery and noted that it has been maintained very well. She said that she has done a lot of research on locating the deed for the cemetery both online and at the Watauga County Courthouse. She pointed out that she had forwarded to the HPC an email containing information on who is buried at the cemetery

(permanently attached). She asked Ms. Turner to explain the direction of Council for the cemetery. Ms. Turner said the Council had tasked the HPC to work with the Town Attorney to find out the ownership and more about the cemetery and to research proposed regulations for a cemetery. Chairperson Plaag said that the HPC needs to find out who has the ownership of the cemetery and the Town would know who to go to for a quick-claim type deed on it. Chairperson Plaag noted that while he was tracing the deed of the cemetery, he saw some deeds around the cemetery with the name of Mr. L.R. Greene and his descendants on them. Chairperson Plaag said he suspects that the cemetery property may have gotten lost within these deeds. Chairperson Plaag explained that now a combination of genealogy and deed research needs to be done and he has not had time to do this research. Chairperson Plaag said that Vice-Chairperson Pollitt has also hit some of the same dead ends that he had.

Vice-Chairperson Pollitt talked about the cemetery property possibly being a part of a process called adverse possession. She talked about also seeing the name Ms. Aleta Stafford in her research of the ownership of the deed. She asked if anyone knew this name and no one knew the name.

Discussion ensued on regulations for private cemeteries. Ms. Turner explained that in the meeting packet there is statutory information for their review on cemeteries from Blowing Rock Hickory, Chapel Hill and Hillsboro, North Carolina.

Chairperson Plaag suggested handing out the following tasks for the HPC members. The first task was for an HPC member to contact the Hamptons Funeral Service and Austin and Barnes Funeral Home to locate, if they have a burial record for Mr. William Baxter Bryan who died on May 19, 1996 and was born on September 30, 1926 or his brother who died in 1991 or a person named Ragan Bryan who died on March 10, 1994. The HPC member would need to ask for contact information or any permissions they may have to complete these burials at said cemetery or for a set of Trustees for the cemetery. Member Clawson offered to make the phone calls to the funeral homes.

Motion and Vote:

Chairperson Plaag made a motion, seconded by Member Brantz to authorize Member Clawson to make phone calls on behalf of the Historic Preservation Commission to the Hampton Funeral Service and Austin and Barnes Funeral Home to ask for burial information on William Baxter Bryan, Ragan Bryan and Mary Manarchy. The information would include asking for who might have given permissions for the burials at the Bryan, Hayes and Greene Cemetery and any other contact information including a possible set of Trustees for the cemetery.

Vote:

Aye – All

Nay – None

The motion passed.

Chairperson Plaag suggested that the second task be for two or three people work on the Chapel Hill and Hillsboro, North Carolina ordinances and begin pulling from them a general set of proposed guidelines that the HPC can start working on for the Boone Cemetery and the Hayes, Bryan and Hayes cemeteries and other cemeteries that the Town controls. Member Brantz and Member Bond volunteered to work on the proposed general guidelines and report back at the next HPC meeting on Tuesday, September 8, 2020.

Turner House

Chairperson Plaag told the HPC that he is going to the Turner House on August 12, 2020 at 8:30 a.m. on behalf of the Watauga County Historical Society to photograph the interior and exterior of the Turner House. He noted that he has permission from the Watauga County Manager, Mr. Deron Geouque to take the photographs. Chairperson Plaag said the purpose for taking the photographs is so the Watauga County Historical Society would have a good photographic record of the details of the house, if for some reason we are not able to save the house. Chairperson Plaag set he will probably turn the Turner House photos into a collection on Digital Watauga and upload those images to the website over the next couple of months so the public has access to the photos.

Member Brantz asked Chairperson Plaag asked Ms. Turner the status on the negotiations with the County and Town concerning the Turner House and the Queen Street Parking lot. Ms. Turner said she would ask Mr. John Ward, Town Manager for an update on it.

Member Bond talked about seeing the newspaper a photo of the proposed parking deck on Queen Street. She said it felt like it should be located in the Charlotte, North Carolina area. She asked if the appearance of the parking garage could be made to look a little softer. Chairperson Plaag explained that he watched the presentation to Council on the parking deck and he recalled the consultant saying that the digital showing was an out of the box standard garage dropped in place. Chairperson Plaag said the consultant showed the parking deck from an architectural front perspective, meaning it is not just poured concrete decking from a preliminary drawing and not an architectural drawing. Chairperson Plaag noted there were some variables which were presented to help control cost for the Town and County. Chairperson Plaag stated there were three parking deck designs proposed and he thinks the Town and the County will need to meet to discuss which design they want and to discuss the financing of it.

Greer-Henson Farmhouse and Barn

Chairperson Plaag presented this topic for informational purposes only. He referred to an article in the High Country Press regarding the Greer-Henson Farmhouse and Barn property located at Deerfield Road and Hwy 321 S. He said in the newspaper article a request for bids for the ARHS Surplus Property Sealed Bid Auction for Henson Farmhouse and Barn was made. He said the article communicated that whoever wins the bid has to remove the farmhouse and barn by September 18, 2020. Chairperson Plaag explicitly asked the hospital representatives if they had any plans for this house during the discussions of the property being used for a staging

area for the proposed expansion of the hospital. He said the hospital representatives told him at the end of July 2020 that they had no plans for the farmhouse.

Chairperson Plaag read aloud an email that he had recently sent to Mr. John Ward, Town Manager regarding said property. The email talked about a deed from the Greer Boone, LLC to Appalachian Regional Healthcare System has a restrictive covenant in it requiring that at least one-acre of the land be dedicated as a park with only park related structures on it and with historic interpretation of the property required by signage. Is it possible that ARHS could be persuaded to leave the original farmhouse and maybe the barn at the front of the property as a park setting with a local history museum and possibly a Boone Welcome Center in it? The new house next to this house could be demolished and a driveway between the house and the barn could lead to whatever they decide to build behind and around the house. The house could lease the house for a minimal annual rent and be responsible for maintenance of the "park". Chairperson Plaag stated he would need to check with the executive board but he feel fairly confident that part of the Watauga County Historical Society would be assist with the interpretative work on the signage thus saving ARHS expenses in this area as obligated by the restrictive covenants of the deed. The only expense that would need to be covered is the printing and mounting of the signage which the Town could take on. It would be an excellent way for people coming to Boone to learn about the Town.

Chairperson Plaag said this is a great opportunity for Boone and he hopes it is not too late to explore this option outlined in the email with ARHS because of the bidding process. He said the covenants do not mention what will happen to the farm house and the barn.

Member Watkins supported Chairperson Plaag's idea outlined in the email to Mr. Ward.

Chairperson Plaag talked about the members of Council being able to address the topic if they were so inclined because the HPC is not able to take action to recommend to Council the information on this topic without the 48 hour posting notice. Chairperson Plaag said that he could forward to Member Brantz and Member Clawson his email exchange with Mr. Ward so they would have the information and they could discuss it at the next Council meeting.

Member Bond asked Member Watkins about some ideas that he knew about for the said property. Member Watkins said there was one idea for a Farmers Market to be held at said location but there was no financial support at the time.

Chairperson Plaag noted that the farmhouse dates back to 1894 and the barn dates back to the 1930's. He said the barn has some integrity and severe maintenance issues. He said in his view the house is the prize so by keeping it and building the proposed medical park around it would make a huge public relations win for the hospital. He said it would also be an opportunity for the Town to address something that they have been asking for since the day he got to Boone which is some kind of museum or welcome center and Chairperson Plaag said that "you couldn't ask for a better location."

Chairperson Plaag said that at the Planning Commission meeting he had asked the hospital representatives about using the house as a hospice house but they are not licensed for it. Member Bond said that she felt that not the house or the barn need to be moved but they need to be repurposed. She suggested having a Ronald McDonald house at the said location.

Informal Discussion/Other Matters

Chairperson Plaag suggested the following topics for the next meeting agenda: Downtown Survey Report, Downtown Designation Report, Downtown Design Guidelines, Junaluska Historical Marker, Bryan, Hayes, Greene Cemetery and the Turner House.

There were no other matters discussed at this meeting.

Adjournment

Member Bond made a motion, seconded by Member Brantz to adjourn the meeting at 4:58 p.m.

Vote:

Aye – All

Nay – None

The motion passed.

Eric Plaag, Chairperson

Marlene Crosby, Board Secretary

Marlene Crosby - update on Hayes-Bryan-Greene cemetery

From: Phoebe Pollitt <[phoebe.pollitt@peoplelegacy.com](#)>
To: Eric Plaag <[eric.plaag@peoplelegacy.com](#)>
Date: 7/17/2020 12:22 PM
Subject: update on Hayes-Bryan-Greene cemetery

My son and I went to the cemetery this morning. It is very well maintained with cut grass and recent flags. The graves go from people who lived and died in the 1800s to 2 relatively recent deaths, 1994 and 1996.

A woman named Karen Toellner (anyone know her?) did a deep dive into the folks who are buried there in 2010. Here is a link to her work on Find-A-Grave:

[Memorials in Hayes-Bryan Cemetery - Find A Grave](#)



Memorials in Hayes-Bryan Cemetery - Find A Grave

The World's largest gravesite collection. Contribute, create and discover gravesites from all over the world. Me...

here is another site that has info about the folks buried there

From peoplelegacy.com:

[BARTLETT RANSOM BRYAN](#)

(1884-1941)



[DENVER RAGAN BRYAN](#)

(1922-1960)



[GEORGE A BRYAN](#)

(1874-1927)



[JAMES HENRY BRYAN](#)

(1869-1946)



MARY MANARKIE "ARKIE" RAGAN BRYAN
(1899-1994)



SARAH "SALLIE" HAYES BRYAN
(1844-1919)



WILLIAM LEWIS BRYAN
(1837-1928)



WILLIAM BAXTER BRYAN
(1926-1996)



WILLIAM LEWIS BRYAN, JR
(1888-1891)



CORA LEE BRYAN COUNCILL
(1871-1950)



LOUIS F COUNCILL
(1892-1893)



RICHARD LENOIR COUNCILL, JR
(1893-1893)



RICHARD LENOIR COUNCILL
(1864-1895)



JUDGE LEONIDAS L GREENE
(... - 1898)



MARTHA J "MATTIE" HORTON GREENE

(1853-1930)



WILMETTA GREENE

(1889-1951)



RANSOM HAYES

(1805-1868)



SARAH "SALLIE" GREENE HAYES

(1808-1862)

The ONLY plat of Judge Green/J.L. Green I could find at the courthouse was in Plat Book 1 page 96, recorded in 1941 which is of lots to the east of the cemetery - around Park and Gragg Streets. No Plats of the cemetery come up under "Greene", "Bryan" or Hayes". I am slowly trying to track all the deeds ... more later

Phoebe