

**TOWN OF BOONE
SUSTAINABILITY COMMITTEE
MEETING MINUTES
THURSDAY, DECEMBER 10, 2020
5:30 P.M.**

Members Present: Chairperson-Brooke Kornegay, John Prickett, Lee Ball, Ballard Reynolds, Nikai Speight, Margie Mansure, Luanna Nesbit, Terry Cirone and Sustainability Scholar-Ella Jennings

Town Council Liaisons Present: Nancy LaPlaca and Dustin Hicks

Staff Members Present: Jane Shook-Director of Planning & Inspections, Christy Turner-Senior Planner, Mike James-Senior Planner, and Marlene Crosby-Board Secretary

Others Present:

Call to Order

Chairperson Brooke Kornegay called the Boone Sustainability Committee, virtual meeting via WebEx, a video conferencing software, to order on December 10, 2020 at 5:33 p.m.

Adoption of Agenda

Member Ball made a motion, seconded by Member Reynolds to adopt the agenda as written.

Vote:

Aye – All

Nay- None

The motion passed.

Board Training

Ms. Allison Meade, Town Attorney explained the reason for the board training. She explained that the Boone Town Council has asked her to provide board training to all of the Town boards and committees. She noted that this type of basic training would occur about twice a year. She said that the current quorum for the Sustainability Committee is five members.

Member Nesbit joined the meeting at approximately 5:30 p.m.

Ms. Meade reviewed the board training information included in the meeting packet which covered open meetings requirements, meeting procedures, public records and record keeping obligations, limitations on the powers and authority of committees and committee members, ethical issues and the Town's Code of Ethics, and a primer on sources of substantive law.

Ms. Meade talked about how and when to keep electronic communications or documents that are exchanged or produced in a transaction for public business. She said these types of electronic files like emails, texts or other forms of electronic communication from third parties are considered public record and it is a requirement that those communications be kept for four

years. She suggested that each board and committee member keep a folder of their communications. She explained that the board or committee member would not need to keep records that the Town is already maintaining, for example, meeting packets and emails which can be found in the Town's database.

Ms. Meade noted that no board or committee member can speak on behalf of any board or committee without being explicitly directed and empowered by the board or committee to speak on their behalf.

Ms. Meade said that no one can create a sub-committee without Council's approval.

Member Mansure left the meeting at approximately 5:45 p.m.

Ms. Meade talked about when a board or committee member would need to recuse themselves from a Town meeting. She said if the board or committee member is ever in doubt that they should recuse themselves or not recuse themselves from a Town meeting, she suggested that they contact the Planning Staff or herself and ask about their specific situation. She also explained that the board or committee members have the authority to recuse themselves and the board or committee has the authority to recuse a board or committee member by majority vote based on the situation.

Ms. Meade explained that federal law trumps state law and state law trumps local law. She pointed out that case law allows powers to municipalities and she said that we have to be very careful when addressing this topic. She explained that if some topic regarding case law comes up, we have to make sure that the Town has the authority to make recommendations on that topic. She told the committee members that if, some topic comes up that might cause an issue, she said usually the committee would make a recommendation to Council on the possible issue and Council would consult with Ms. Meade on it and she would give advice on the possible issue.

Council Liaison LaPlaca asked Ms. Meade about the research that she had done on the topic of plastics and the Town of Boones ability to address the use of plastics. Ms. Meade said she came away from doing the research on said topic feeling that the Town of Boone's authority was somewhere between uncertain to non-existing. Ms. Meade talked about the plastic bag ban in some of the counties at the Outer Banks of North Carolina. She said the General Assembly over turned these bans and they did not allow them. Ms. Meade said there was a question as to the counties having the authority to ban plastics in the first place. Ms. Meade said hearing about information that makes her feel uncertain tends to make her feel like this topic is a problematic area. Ms. Meade said that authority needs to be fairly clear in order for municipalities to exercise it. Ms. Meade said that there is authority for environmental-type regulation for municipalities but there certainly is no authority that specifically says that plastics or specific types of solid waste can be regulated.

Ms. Meade reviewed Chapter 35: Boards, Commissions, and Committees and Other Such Entities. She reviewed the revised changes in the Town Code Section 30.52(B) Code of Ethics and Gift

Policy. She explained what can and cannot be accepted as a gift by the Town board and committee members.

Ms. Meade left the meeting at approximately 6:05 p.m.

Approval of Minutes

Member Reynolds made a motion, seconded by Member Cirone to approve the November 12, 2020 meeting minutes as written.

Vote:

Aye – All

Nay – None

The motion passed.

UNFINISHED BUSINESS

County/Town-Wide Composting

Chairperson Kornegay said that she had talked to Mr. Cole Kiziah, Watauga County Recycling Coordinator. Mr. Kiziah said that Watauga County did receive a \$10,000.00 grant for the purpose of providing everyone in Watauga County a composting bin, if they want one along with educational information for backyard composting. Mr. Kiziah also noted that the soil sample results have not been completed for the Watauga County Recycling Facility property.

Ms. Jane Shook, Director of Planning and Inspections asked the Sustainability Committee about the motion and vote that they had made at their last meeting regarding making a resolution of support on composting in conjunction with Watauga County and to explore educational opportunities. Ms. Shook asked for clarification on the type of support the Sustainability Committee was referring to. Ms. Shook also asked was this a premature recommendation to Council or should the Sustainability Committee wait on considering this recommendation until the Sustainability Committee actually knows what Watauga County's program is going to be. Then, Ms. Shook suggested that specific recommendations be made at that time regarding the Town's involvement.

Ms. Shook talked about the Sustainability Committee possibly deciding on a resolution to support what Watauga County is actually putting forth to them on the composting project. Ms. Shook noted that at this time, we do not know if Watauga County is going to move forward with the proposed composting project.

Ms. Shook explained that the action request to Council from the motion and vote from the last meeting has been submitted and she has the opportunity to revise it, if needed prior to the December Council meeting.

Ms. Shook asked the Sustainability Committee would they like to table said recommendation until they hear from Mr. Kiziah from Watauga County regarding the development of the recycling program. She said that Mr. Kiziah might have specific recommendations for the Sustainability Committee to consider as it gets closer to approval by Watauga County and then take that

information to Council. She said another option would be to ask the Council Liaisons LaPlaca and Hicks to give an update on said topic at the Council meeting. She also mentioned that hopefully the information from Mr. Kiziah regarding the proposed composting project would come forth about the time that both Watauga County and the Town of Boone are working on their budgets for 2021.

Discussion ensued on the role the Town would play in the County's composting project. Chairperson Kornegay asked Ms. Shook about the Town's role in the County's composting project. Ms. Shook said the Town does not currently play a role in said project. Ms. Shook explained that the point of the discussion is to talk about the things that the Town could do to support composting. Ms. Shook said that Ms. Christy Turner, Senior Planner had suggested that educational composting information could possibly be included in the utility bills.

Council Liaison LaPlaca said that she thought that the Sustainability Committee should wait for Mr. Kiziah to get back to them with an update on the Watauga County composting project. Council Liaison LaPlaca talked about the need for a place to put the commercial restaurant food waste and she said the Town currently does not have a place for it. She noted that the Town is depending on Watauga County to help with the said food waste.

Council Liaison LaPlaca said that she thought that the Town could include in their budget some amount of money to help with the placement of the commercial restaurant food waste. She said that the Town Staff and the new Town Sustainability employee Mr. George Santucci could work together to create a proposed program for said food waste. Ms. Shook noted that she thought that as the County recycling project becomes more concrete, then the Town could check on what they might can do which could include an educational component. Ms. Shook suggested that the Sustainability Committee wait until they can see how the Watauga County recycling program develops and see what type of opportunities evolve for the Town to possibly become involved in it.

Member Ball noted that it might require a third party vendor to pick up the commercial food waste. He said this type of service is available. He said the Town would not have involvement with collecting commercial food waste from businesses in Town. He indicated that he is very interested in supporting residential composting. He said that hopefully the Town will eventually figure out a way to help with it. Council Liaison LaPlaca said it was her understanding that residential composting is the most expensive. She said that this is why she suggested starting with the commercial food waste because Mr. Kiziah had noted that it could be sold for \$16.00 per ton. Council Liaison LaPlaca noted that she thought the commercial food waste topic would be the easiest thing for the Sustainability Committee to make a recommendation on. She said, then the Sustainability Committee could begin to look at residential composting programs. Member Ball reiterated that his point is that the County is taking care of the commercial food waste and there is nothing that the Town needs to do with it. He said the business just needs to take it to the recycling location that accepts the food waste. He also noted that he is very excited that this type of recycling is finally happening. He also noted that communication will be key to making the recycling program work for the Town and the County.

Ms. Shook suggested one option would be to table the discussion for composting until the Sustainability Committee hears back from Mr. Kiziah regarding the development of the program. She said the action request could be modified to give the Council an update that the Sustainability Committee had received communication from Mr. Kiziah saying they are working on a composting program so the Council knows about it.

Ms. Turner gave a brief update regarding the residential composting program information. She said she checked with the department that does the water billing for the Town. She said it would cost \$200.00 to do one-third of a page ad which can be black and white or color print and it would cost about \$300.00 for a full page ad. She said she would need two-week's notice to submit the ad, whenever the Sustainability committee wants to send this information out. She confirmed that this information for those who get their water bill online.

Member Ball asked Ms. Shook to give an update on Mr. George Santucci who was recently hired by the Town of Boone. Member Ball also asked what will be the role of the Sustainability Committee now that Mr. Santucci is onboard and how the communication will flow between the Town and the County.

Ms. Shook said Mr. John Ward, Town Manager announced at the last Council meeting that they had made a selection for the position for Sustainability and Special Projects Coordinator. She said they selected Mr. Santucci who has worked with New River Conservancy in the past. She said that Mr. Santucci will be working out of the Downtown Boone Post Office building on the second floor. She said the Town Staff will be able to coordinate with Mr. Santucci on topics that the Sustainable Committee will be working on. She said he will start his full time position in January of 2021. Ms. Shook said that an agenda item can be added to next month's meeting regarding the role of new position.

Chairperson Kornegay asked if the Sustainability Committee was in agreement to table the composting discussion until more information was received from Mr. Kiziah regarding the development of Watauga County's composting program. Member Cirone agreed on the tabling of the said discussion until the Sustainability Committee can give specifics on the resolution by learning more from Mr. Kiziah. Chairperson Kornegay confirmed that there was consensus on tabling said discussion.

Discussion ensued on a recommendation to include an educational component. Member Ballard suggested recommending the educational component to Council. He said at last month's meeting discussion ensued on creating a video for the Town website that would contain educational information on backyard composting. Ms. Shook said that the Sustainability Committee can make a recommendation to Council on said topic, the Council might task Mr. Santucci with handling it. Ms. Shook also noted that there are other topics that can be added to the Town website that relate to sustainability that would include composting, energy efficiencies and sustainable transportation with links to other sources.

Ms. Shook talked about the Sustainability Committee making a recommendation to withdraw their action request that has already been submitted to Council. She suggested changing the recommendation that Council consider updating the Sustainability Committee Town webpage to include educational materials on composting. Ms. Shook said Staff can include in the action request to Council the history that Watauga County is working on developing a composting program and that the Sustainability Committee also anticipates sending future recommendations as more information about the program is developed and released.

Motion and Vote:

Member Cirone made a motion, seconded by Member Ball that the Sustainability Committee request to withdraw their action request and table the composting discussion until more concrete information is learned from Watauga County and request for educational materials be developed and placed on the Town's Sustainability webpage.

Vote:

Aye – All

Nay- None

The motion passed.

Discussion ensued on who would present the recommendation to Council. Chairperson Kornegay asked if she should be present at the Council meeting to present this recommendation. Ms. Shook said that the Staff can present it to Council or she can present it but there will need to be an approval from the Sustainability Committee for Chairperson Kornegay to present it. Chairperson Kornegay said that she was alright with the Staff presenting it to Council.

NEXT STEPS

ENERGY EFFICIENCY

Net-Metering Update

Council Liaison LaPlaca said at the last Council meeting, the Council voted 3 to 2 to direct New River Light and Power to do a presentation on net metering at either the Council's January 19 or 21, 2021 meetings. She noted that it would be helpful for the Sustainability Committee members to attend the meeting and show their support for said topic. She said that she is making a list of questions for NRLP and if anyone has questions they can send them to her and she will ask them at the meeting.

Council Liaison LaPlaca talked about the following information noting that Mr. Jonathan Scott did a great job in presenting the educational information: Educational Opportunity - Jonathan Scott's Power Trip, a PBS documentary on solar and net-metering. Documentary can be viewed until December 16, 2020 at the following Link: <https://www.pbs.org/independentlens/videos/jonathan-scotts-power-trip/>.

Council Liaison LaPlaca encouraged everyone to watch the video that includes information on a battle in Nevada where net metering was outlawed overnight and 6,000 people lost their jobs.

She said the video explains the fight that is going on with installing roof top solar. She said we should have the right to install solar on our homes and be compensated fairly.

Identify Other Energy Efficiency Goals

Ms. Shook noted that there are other goals such as incentive to build green and identifying programs for energy audits that could be discussed for efficiency goals.

Member Cirone asked which building code the Town of Boone uses. Ms. Shook said it is the national building code that is adopted by the State. Member Cirone that it would be a good idea for the Sustainability Committee to understand the parts of the building code that address energy efficiency. Ms. Shook suggested that the Sustainability Committee identify these types of things and possibly schedule the topics into the meeting agendas. Ms. Shook said when the topic of building codes comes up on the meeting agenda, she would invite the chief building inspector to attend that meeting to answer those types of questions.

Council Liaison LaPlaca agreed that there are some energy efficiency codes that the Sustainability Committee could review after they review the net metering information. She suggested that there be a goal to discuss home energy audits since NRLP has 8,500 meters, she agreed that a certain percentage of energy audits should be completed annually. She said the Sustainability Committee could discuss what percentage of meters should be audited annually. She talked about the Public Benefits Program that generally speaking is funded by the utility company. She noted that there should be rebates programs for installing high efficiency appliances, heat pumps, fireplace inserts, windows, LED lights and electrical vehicles. She also suggested to add weatherization as a goal. Ms. Shook confirmed with Council Liaison LaPlaca that the Sustainability Committee would be make a recommendation to Council to consider these types of programs. Member Cirone said these types of programs are beneficial to home owners and businesses and the utility companies and she said these programs are available in larger cities and she felt they should be available in this area.

Ms. Shook suggested finding out what types of programs that Blue Ridge Electric Company and New River Light and Power offer in a Public Benefits Program. Council Liaison LaPlaca said they do not have a program, they have pre-pay. Council Liaison LaPlaca said they have pre-pay which is not an energy efficiency program according to the experts, she said it is used for people who cannot pay their whole bill and who need to make payments on their bill. Ms. Shook said that the Staff will do some basic research with the local utility companies on the possible Public Benefits Program that they may have.

Ms. Shook talked about the STARZ Community Rating Program and in (CE-4 Energy Efficiency Section) and noted that there is some information in said program that would fit in the regulatory category such as heat island distribution and providing incentives to support the program.

Ms. Shook said that other topics to be discussed for goals would be the town incentives.

Council Liaison LaPlaca referred to these two websites called, www.dsireusa.org and www.aceee.org. She asked each Sustainability Committee member to visit these websites and research the three programs that interest them the most and present that information at the next Sustainability Committee meeting.

Member Ball explained that he is interested in an update regarding the new municipal center plans and if they are pursuing any green building certifications and what level of certifications.

Ms. Shook noted that it would be helpful to schedule one topic in each category for Staff to research and present at the next Sustainability Committee meeting.

Council Liaison LaPlaca asked if she could submit a website link with a list of programs in North Carolina to Chairperson Kornegay and Staff. Member Ball said that the www.dsireusa.org website is a great resource and has information from all over the country and you can see what other areas are doing. Chairperson Kornegay suggested that the Sustainability Committee members do some research on said website and report back at the next meeting.

Member Ball asked Ms. Shook about the process to ask the utility companies to offer these types of Public Benefit Programs. Ms. Shook said we will probably be in the same position as we are with net metering and the utility companies. She said we could use our leverage in our conversations with the utility companies. She said we might know more after NRLP presents at next month's Council meeting. Council Liaison LaPlaca said that she hopes to educate the community on net metering. She said her personal goal would be to get a statewide law that enshrines the North Carolina law for the right to go solar which is called the Solar Bill of Rights.

Discussion ensued on submitting agenda topics. Ms. Shook said the Staff sets the agenda based on the topics that are discussed at the meetings. She explained that last minute submittals to Staff are not easy to add to the system that we use to post the meeting packets and meet the posting requirements under State law.

Ms. Shook suggested only setting one agenda item for the January 2021 Sustainability Committee meeting because, if each of the ten members presents their three topics under the Public Benefits Program agenda item, there could be 30 topics presented for discussion. She said if the Sustainability Committee does not get through their list of topics at this meeting, they might want to continue discussion on them at the February 2021 Sustainability Committee meeting.

Ms. Shook suggested scheduling at the February 2021 Sustainability Committee the Local Regulatory Codes agenda item depending on the amount of discussion that occurs on the Public Benefits Program agenda item.

Ms. Shook said that the Staff can also include on the meeting agenda any updates on other topics like for example net metering.

Ms. Shook said the Staff would email the website information to the entire Sustainability Committee.

Ms. Shook suggested scheduling at the March 2021 Sustainability Committee meeting the Sustainable Transportation Goals agenda item for discussion.

Prioritize and Schedule Sustainable Transportation Goals

Council Liaison LaPlaca talked about a Council meeting agenda item regarding the use of propane gas in the Town of Boone Police vehicles. She said this agenda item is being withdraw for now. She said she is relieved that it is being withdraw for now because the whole world is moving towards electrification. She said that she does not want the Town of Boone to convert half of its Police fleet to run on propane gas that gets delivered from Louisiana because it is not a good idea to do so.

Council Liaison LaPlaca talked about swine waste methane in the gas being tied to swine waste renewable energy credits. She said that the use of swine waste is not a solution.

Member Ball said that Appalachian State University is putting together an RFP for a ride share program. He said it might be scooters or bikes or it might be both. He said he has worked with Mr. Ward and they feel that there should just be one company in Boone, if they are going to have the program at all. He said there is a lot of information to be discussed on this topic, whenever, the Staff wants to schedule it as an agenda topic. He said he would share what he has learned about it. He noted that he wants to make sure that we are prioritizing safety and locate them in hubs on University campus and in the Town as well. He said that scooters are recommended over bicycles because you do not have far to fall to the ground. He said that the scooters can be geo-fenced and e-bikes cannot be done that way. He talked about his personal concern for crossing Hwy 105 at the Wendy's Restaurant intersection with the scooters and e-bikes. He said the target date to deploy the bike share program is in the fall of 2021. He said the user would pay for a subscription to use the bike share program.

Ms. Shook suggested for the Sustainability Committee to make a recommendation to Council for topics that involve regulatory code because it takes the Staff a lot of time to prepare the proposed language.

Ms. Shook explained that the Staff has tied the bike share program to the STARZ Rating System under Built Environment. She talked about the action items that start on page 35. She said that the Town is already doing some of these things through different committees of the Town. She said when this information was presented to Council, it was suggested by a Council member to at some point connect with the Alternative Transportation Committee.

Ms. Shook noted that at a future date the Staff can show the Sustainability Committee some of the adopted plans of the Town on the programs that they have already participated in.

Chairperson Kornegay asked if the Sustainability Committee should invite members of the Alternative Transportation Committee to a future Sustainability Committee meeting. Ms. Shook said the Staff would recommend that the Public Works Department be invited because they are the Staff for the Alternative Transportation Committee. Ms. Shook said the Alternative Transportation Committee only meets as needed.

Ms. Shook confirmed with Member Ball that he would be prepared to talk about the Bike Share Program at the Sustainability Committee meeting in January 2021. Ms. Shook said the agenda items would be divided appropriately to allow discussion on the Public Benefits Program as well as the Bike Share Program.

NEW BUSINESS

There were no new business items scheduled for this meeting.

Informal Discussion/Other Matters

There were no other matters discussed at this meeting.

Public Comment

No individual requested the opportunity to speak during public comment.

Adjournment

Member Reynolds made a motion, seconded by Member Cirone to adjourn the meeting at 7:28 p.m.

Vote:

Aye – All

Nay – None

The motion passed.

Brooke Kornegay, Chairperson

Marlene Crosby, Committee Secretary