

**MINUTES – REGULAR MEETING
BOONE TOWN COUNCIL
January 12, 2022**

CALL TO ORDER

A regular meeting of the Boone Town Council was called to order virtually at 9:00 a.m. on Wednesday, January 12, 2022. Mayor Tim Futrelle presided. Council members present included Mayor Pro-Tem Edie Tugman, Virginia Roseman, Dalton George, Todd Carter and Becca Nenow. Staff present included Town Manager John Ward, Town Clerk Nicole Harmon, Police Chief Andy Le Beau, Long Range Planner Jessica Mitchell, Public Works Director Rick Miller, Police Captain Shane Robbins, Assistant Planning and Inspections Director Stacey Miller, Administrative Support Specialist/Communications Laney Pilkington, Police Captain Daniel Duckworth, Finance Director Amy Davis, GIS Coordinator Chris Miller, Sustainability and Special Projects Manager George Santucci, Human Resources Director Dale Presnell, Planning and Inspections Director Jane Shook, Fire Chief Jimmy Isaacs, Deputy Public Works Director Josh Eller, Cultural Resources Director Mark Freed, Deputy Public Works Director Todd Moody, and Downtown Boone Development Director Lane Moody. Town Attorney Allison Meade was also in attendance.

MOMENT OF SILENCE

A moment of silence a reflection was observed.

ANNOUNCEMENTS

Mr. Ward gave an update on the recent water main break before Mayor Futrelle read the following board vacancies:

BOARD OF ADJUSTMENT

One alternate position

COMMUNITY APPEARANCE COMMISSION

One regular position; One student position

CULTURAL RESOURCES ADVISORY BOARD

One student position

DOWNTOWN BOONE DEVELOPMENT ASSOCIATION

One board appointed position

HISTORIC PRESERVATION COMMISSION

One regular position

TRANSPORTATION COMMITTEE

One position (Cooperative Extension)

One resident position (Alternative Transportation)

One resident position

One student position

WATER ADVISORY COMMITTEE

Five regular positions; One student position

Mayor Futrelle and Chief Le Beau thanked Mr. Lee Collette, President of Nightline, Inc. for his generous donation of new equipment valued at \$21,992 to the Police Department.

TENTATIVE AGENDA ADOPTION

Upon a motion by Mayor Pro-Tem Tugman, seconded by Ms. Roseman, Council voted unanimously to approve the agenda as presented.

PUBLIC COMMENT

The owner of the Common Good store in Downtown Boone spoke against the local mask mandate.

Samantha Steele spoke against the local mask mandate.

Angel Geschichte spoke against the local mask mandate.

REQUESTED APPEARANCES

JENNIFER GREENE - WATAUGA COUNTY HEALTH DEPARTMENT COVID-19 UPDATE

Ms. Greene presented an update on Covid-19 in Watauga County. The presentation may be viewed online at http://boonenc.iqm2.com/Citizens/Detail_Meeting.aspx?ID=3410.

JASON CARPENTER - COMBS, TENANT & CARPENTER, PC

Mr. Carpenter presented the Fiscal Year 2020-21 audit report to the Town Council and indicated that the audit returned no findings.

ADOPTION OF ITEMS ON THE CONSENT AGENDA

Upon a motion by Mr. George, seconded by Ms. Roseman, Council voted unanimously to approve the following items on the Consent Agenda:

1. Mentoring Month Proclamation
2. Boone 150 Proclamation
3. Resolution on Statewide Workforce Board Realignment
4. Authorization to Convey Loom to Watauga County Schools
5. Audit Contract with Combs, Tenant & Carpenter, PC
6. Resolution Granting Rights-of-Way & Easements for Construction of Hunting Hills Lane Bridge
7. License Agreement - DRABA Music & Networking Event
8. Pinecones & Pages Literary Festival
9. Budget Amendments
 - a. Boone Greenway Skatepark - \$132,500
Contributions/Donations (\$60,000)
NC PARTF Grant (\$72,500)
 - b. Uniforms - - \$4,522
Contributions/Donations (\$4,522)

COUNCIL MATTERS

TOWN MANAGER UPDATE

Town Manager John Ward updated Council on the following topics:

1. **AWIA and SWRRP Compliance:** Town staff working with Engineers from McGill Associates, recently completed and implemented the Towns Risk and Resiliency Assessment and Emergency Response Plan in order to comply with EPA and NCDEQ source water and distribution system protection requirements. As a final step and in accordance with 15A NCAC 18C .1305 (a) in compliance with G.S. 130A-320, this will serve as notice of development and implementation of the aforementioned assessment and plan.
2. **AMI Meter System:** We are continuing to install the new type water meter with 1,273 (only 18 newly installed from the November update due to programming equipment issues) or 21% installed to date. Additionally, we anticipate more information from our system developer/equipment supplier regarding best data gathering and system communication point locations soon. Once these locations have been determined, we anticipate meter replacement and network development to escalate.
3. **CDBG-I ~ Deck Hill Water storage tank replacement:** The best project development option has been identified and subsequent property appraisal has been received. We are

continuing to negotiate with the property owner's representative working toward acquisition and achieving project milestones.

4. **ADA Transition Plan:** The Facilities Maintenance Division has been working to complete action steps identified in the Town's ADA Transition Plan adopted in October 2020. 51 identified items have been completed ranging from accessible curb ramps on our sidewalks to numerous building and parking lot alterations. We will continue working toward our goal to provide accessible pedestrian design features as projects progress.
5. **Christmas Tree Pickup Notice:** The Facilities Maintenance Division planned to pick up Christmas trees Monday, January 3 through Friday, January 14th, however, due to winter weather we will extend this pick-up time an additional week. Trees will now be collected through January 21st and will need to be placed curbside on your regular garbage collection day and be free of decorations, wire and nails.
6. **LED Street Light Conversion:** Traffic Operations has been busy converting our street lights to LED fixtures as time and weather conditions allow. As of December 31, 2021, 70% of our lights have been converted to LED.
7. Boone Creek daylighting project update
8. Social Media Policy update
9. Jones House art exhibit announcement
10. Snow removal update

BOARD LIAISON UPDATE

Ms. Roseman gave a brief update on Historic Preservation Commission projects. Mr. George gave a brief update on Sustainability Committee projects.

DISCUSSION REGARDING TOB POLICE/FIRE/MEDICAL PSAP 911 COMMUNICATIONS CENTER

Police Chief Andy Le Beau presented a request for discussion regarding the Town of Boone's communications center and the potential consolidation with Watauga County. He asked for Council's input regarding funding, maintenance and future operations and growth of the public safety answering point communications center. Ms. Roseman made a motion to direct staff to work with Watauga County staff to gather information on combining the Town and County communication centers. Mr. Carter seconded the motion. Mr. George stated that he wanted to make sure that Town employees were taken care of during the transition. Mr. Ward indicated that there would be no loss of employees at this time.

Mayor Futrelle declared a break at 11:25 a.m. Council reconvened at 11:34 a.m.

CONSIDERATION TO ALLOCATE FUNDS TO TAKE ADVANTAGE OF NRL&P'S GREEN POWER PROGRAM

Sustainability and Special Projects Manager George Santucci presented a request to allocate funds to take advantage of New River Light and Power's Green Power Program and Blue Ridge Energy's Solar Program. Upon a motion by Mr. George, seconded by Mayor Pro-Tem Tugman, Council voted unanimously to approve the following budget amendment:

TO:

Fire Station #1 –	Electricity	\$630
Blowing Rock Road -	Electricity	\$1,530

Brown Building	-	Electricity	\$2,790
Jones House	-	Electricity	\$540
Town Hall	-	Electricity	\$1,080
Fire Station #2	-	Electricity	\$437
Downtown Post Office	-	Electricity	\$600
Water Operations	-	Electricity	\$4,710
Sewer Operations	-	Electricity	\$4,710
WWTP	-	Electricity	\$43,263

FROM:

Appropriated Fund Balance- General Fund	(16,590)
Appropriated Fund Balance – Water/Sewer Fund	(43,700)

CONSIDERATION OF HOST COMPLIANCE PROPOSAL

Ms. Shook presented a proposal for software from Host Compliance for the monitoring of short-term rentals. Upon a motion by Mr. Carter, seconded by Ms. Roseman, Council voted unanimously to approve the proposal as presented.

APPLICATION TO HISTORIC PRESERVATION COMMISSION

Ms. Roseman nominated Rennie Brantz to serve on the Historic Preservation Commission. Hearing no further nominations, Mayor Futurelle called for a vote.

VOTE: Aye: All
 Nay: No

Mr. Brantz's term will expire on June 30, 2025.

CONSIDERATION OF UPDATED RULES OF PROCEDURE FOR HPC

Ms. Mitchell presented updated rules of procedure for the Historic Preservation Commission. Upon a motion by Ms. Roseman, seconded by Mr. George, Council voted unanimously to approve the rules of procedure as presented.

CONSIDERATION OF HAYES-BRYAN-GREENE CEMETERY HISTORICAL MARKER REPORT

Ms. Mitchell presented a request for the consideration of the Hayes/Brian/Greene Cemetery Historical Marker report. After brief discussion regarding the text of the historical marker, Ms. Roseman made a motion, which was seconded by Mr. Carter, to approve the report and the marker, but to direct the Historic Preservation Commission to reword the proposed marker text to be more sensitive regarding what could be viewed as an endorsement of Judge Greene who was regarded by some as racist, and to resubmit the request at that time.

REQUEST TO SCHEDULE BUDGET RETREAT

Upon a motion by Mayor Pro-Tem Tugman, seconded by Ms. Nenow, Council voted unanimously to schedule the budget workshops for March 7 & 8, 2022. The method and timing for both meetings will be flexible. It was also the consensus of Council that all Town board and Council meetings would remain virtual until further notice.

CLOSED SESSION

Upon a motion by Mr. Carter, seconded by Mayor Pro-Tem Tugman, Council voted unanimously at 1:43 p.m. to enter into closed session:

1. Pursuant to N.C. Gen. Stat. § 143-318.11(a)(1), to review, approve and seal closed

session minutes from Council's prior closed session(s).

- Pursuant to N.C. Gen. Stat. § 143-318.11(a)(3), to consult with the Town Attorney in
2. 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.

- Pursuant to N.C. Gen. Stat. § 143-318.11(a)(3), to consult with the Town Attorney in
3. 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 (2) the two lawsuits involving Watauga County pending in state courts, and (2) the lawsuit brought by Damon Malletere pending in the United States District Court for the Western District of North Carolina.

- Pursuant to N.C. Gen. Stat. § 143-318.11(a)(6), to consider the qualifications,
4. competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

Upon a motion by Ms. Roseman, seconded by Mr. Carter, Council voted unanimously to exit closed session at 4:10 p.m.

ADJOURNMENT

Upon a motion by Ms. Roseman, seconded by Mr. Carter, Council voted unanimously at 4:12 p.m. to adjourn the meeting.

Nicole Harmon, Town Clerk

Tim Futrelle, Mayor