

**MINUTES – REGULAR MEETING
BOONE TOWN COUNCIL
January 14, 2020**

CALL TO ORDER

A regular meeting of the Boone Town Council was called to order on Tuesday, January 14, 2020 at 6:00 p.m. in the Council Chambers located at 1500 Blowing Rock Road in Boone. Mayor Rennie Brantz presided. Council members present included Mayor Pro-Tem Loretta Clawson, Sam Furgiuele, Connie Ulmer, Dustin Hicks and Nancy LaPlaca. Staff present included Town Manager John Ward, Town Clerk Nicole Harmon, Public Works Director Rick Miller, Planning Director Jane Shook, Deputy Director/Chief Building Inspector Stacey Miller and Police Captain Andy LeBeau. Town Attorney Allison Meade was also in attendance.

ANNOUNCEMENTS

Mayor Brantz welcomed all in attendance and asked anyone who wished to speak during the public comment section of the agenda to please sign up.

He then announced the following board vacancies:

ABC BOARD

One position

BOARD OF ADJUSTMENT

Two alternate positions

COMMUNITY APPEARANCE COMMISSION

Four positions

CULTURAL RESOURCES ADVISORY BOARD

Four positions

DOWNTOWN BOONE DEVELOPMENT ASSOCIATION

One Board appointed position, One Council appointed position

HISTORIC PRESERVATION COMMISSION

Two positions

OUTSIDE AGENCY FUNDING REVIEW COMMITTEE

One position

PLANNING COMMISSION

One position

SUSTAINABILITY COMMITTEE

Two positions

WATER ADVISORY COMMITTEE

Two positions

TENTATIVE AGENDA ADOPTION

Upon a motion by Mayor Pro-Tem Clawson, seconded by Council Member Furgiuele, Council voted to approve the agenda as presented.

VOTE:	Aye:	All
	Nay:	None

PUBLIC COMMENT

Michelle Novacek, Downtown Boone Development Association member and on behalf of Appalachian State University, asked whether Council would be interested in having a two-hour joint meeting during which Council and the DBDA could meet with ASU representatives to discuss parking, construction and real estate projects that the University was currently working on. Ms. Novacek stated that the idea to invite ASU representatives to discuss parking was discussed at the DBDA meeting earlier that morning, but believed it may be helpful to expand the meeting to discuss construction projects and real estate as well. Mr. Furgiuele indicated that he was always open to hearing about the plans of ASU and would be open to such a meeting. Mr. Ward suggested holding a special meeting prior to the January 27 Public Hearing/Planning Commission meeting. Council Member Furgiuele made a motion, which was seconded by Council Member Ulmer, to amend the agenda to add an item onto the Consent Agenda to set a special meeting with ASU to discuss parking, construction and real estate projects. Mr. Ward asked that Ms. Novacek incorporate an update on the Peacock Lot parking deck with as much detail as possible.

VOTE: Aye: All
 Nay: None

REQUESTED APPEARANCES

RORY MCILMOIL - APPALACHIAN VOICES

Rory McIlmoil of Appalachian Voices presented Council with a Power Point presentation of ways the Town can work toward achieving energy democracy and 100% energy in North Carolina. Mr. McIlmoil indicated that he would be interested in researching whether the Town could create its own municipal utility company. Ms. Meade answered that the Public Utilities Commission was of the position that the Town was unable to take over control of ASU's utilities and organizing a new entity. Mr. McIlmoil clarified that he believed that the Town could municipalize the remainder of the Town's utilities which were not connected to New River Light and Power.

Achieving Energy Democracy and 100% Clean Energy in North Carolina

Rory McIlmoil
Appalachian Voices
July 17th, 2019



AppalachianVoices



BACKGROUND: GOALS AND IMPACTS

Energy Goals for the Town of Boone

- **Existing goals**

- Governmental climate neutrality by 2030
- Governmental 100% renewable energy by 2040
- Town-wide 100% renewable energy by 2050

- **Recommendations for revision/addition**

- Set more specific (but flexible) annual & five-year benchmarks
- Set specific goals for energy, transportation/fleet, water, environment (e.g. greening)
- Develop equity goals to guide policy, investments, implementation

Energy Burden, Defined

- **Energy burden** – the percent of gross household income spent on home energy bills (electricity, gas/oil/fuel oil)
- **Unaffordable energy burden** – any amount spent on home energy costs that exceeds 6% of gross household income is deemed unaffordable
- **Factors influencing energy burden**
 - Household income/poverty
 - Inefficient home (air leakage, lack of or poor insulation, old and/or inefficient heating and cooling systems, etc)
 - Inefficient appliances/lighting
 - Household behavior/knowledge

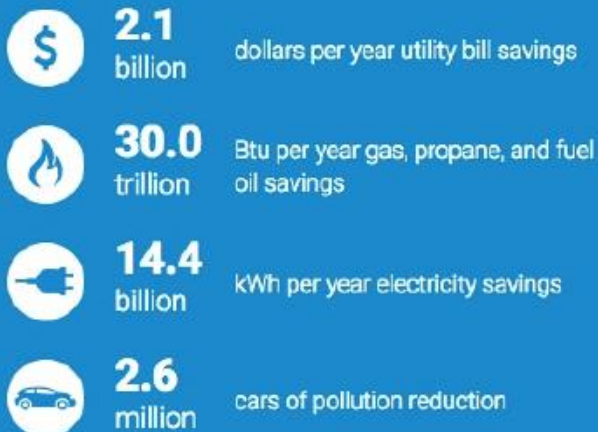
Local Energy Burden

- Watauga County energy burden, number of homes:
 - All households: 3% (20,320 homes)
 - < 200 federal poverty level: 8% (8,966 homes)
 - <100% FPL: 12% (5,124 homes)
- *As many as half of all households in Watauga Co. experience unaffordable energy costs*
- Boone energy burden, number of homes:
 - All households: 3% (5,333 homes)
 - < 200 federal poverty level: 7% (3,293 homes)
 - <100% FPL: 11% (2,278 homes)
- *MORE THAN half of all households in Boone experience unaffordable energy costs*

Source: US Dept. of Energy, National Renewable Energy Laboratory, "Low-Income Energy Affordability Data Tool." Data from 2018.

Economic and environmental potential of energy efficiency

Cost-effective package savings potential in North Carolina single-family homes



Energy used by North Carolina single-family homes that can be saved through cost-effective improvements

Distribution of Solar Energy Projects Valued at \$1 Million or Greater
Across North Carolina Counties, 2007-2018

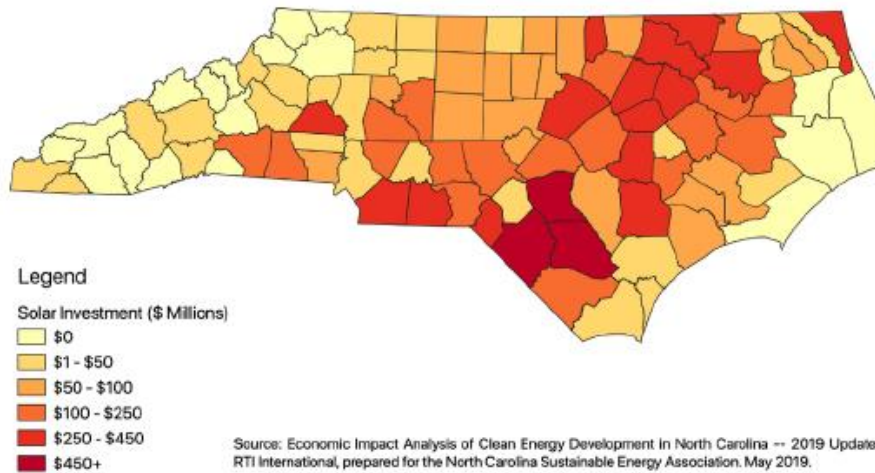
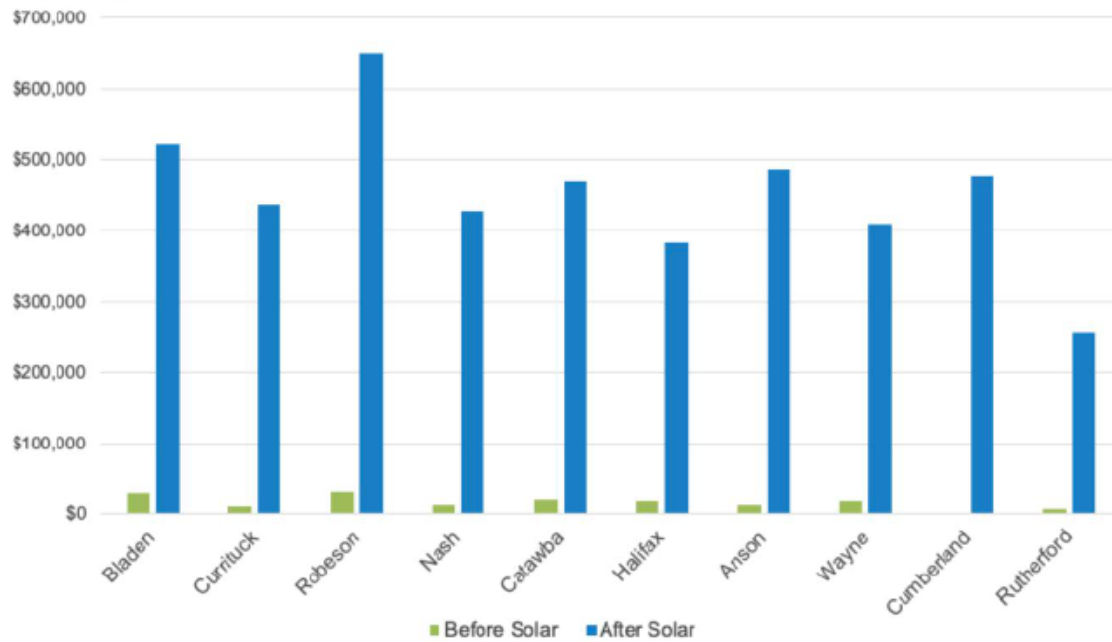


Chart 1. Annual Property Taxes Paid on Real Estate Parcels with Solar Projects

*Data represents taxes collected in the year before and after a large solar project was built.

Source: County Tax Offices, North Carolina Utilities Commission and NCSEA Renewable Energy Database





RECOMMENDATIONS FOR BOONE

Administrative Recommendations

- **Create official Department focused on Energy, Equity and Sustainability** – fully funded and staffed, and responsible for:
 - Developing/implementing annual clean energy plans, constructed to achieve annual benchmarks toward 2030/2040/2050 goals
 - Obtaining funding for direct investments in related projects
 - Recommending and implementing funding, financing and incentive programs to support public investment in clean energy
- **Education and outreach –**
 - Invest in educating local residents, tenants, businesses, contractors, community organizations, and other stakeholders on the need to conserve energy, invest in efficiency and renewables, etc.
 - Prominently promote Boone's clean energy plan on town website, and track progress toward goals – use this as a marketing tool, source of community pride

Policy/Program Options

- **Adopt equity goals**
 - Ensure that energy burdened households and small, local businesses receive priority designation
- **Pursue options through New River Light and Power, ASU**
 - Explore ways to align goals and incentives w/ NRLP and ASU
 - Identify projects and funding/financing options to implement
 - US Department of Agriculture Rural Determination = Eligibility for low-no-cost federal financing for efficiency and renewables
 - Develop “inclusive” on-bill energy efficiency financing
 - Implement a strong net metering option for local residents and businesses, characterized by:
 - Energy credit at retail rate (until 10% distributed solar penetration)
 - Small standby charge acceptable for systems/customers**
 - Simple interconnection process w/ small admin. Fee
 - “Time of Use” rate option to maximize benefits
 - Develop subscription-based community solar projects

Policy/Program Options

- **Offer direct incentives and financing**
 - Work with local efficiency contractors to package residential and commercial energy audits at a reduced/subsidized price
 - Provide rebates or property tax incentives to property owners installing efficiency measures for energy and water
 - Develop a revolving loan fund to finance clean energy investments for property owners and businesses
- **Facilitate bulk purchasing**
 - Work with solar companies and community stakeholders to set up a “Solarize” program offering reduced price solar systems
- **Use legal and administrative powers**
 - Use Unified Development Ordinance as a tool to advance town climate and clean energy goals
 - Explore options for true municipalization – developing a utility owned by the Town of Boone
- **Explore potential “off-grid” options**

Planning Tools and Resources

- **National Renewable Energy Laboratory**
 - Resources for local governments to go solar
 - Cities Leading through Energy Analysis and Planning (LEAP): mapping and decision-making for achieving energy/climate goals
 - <https://www.energy.gov/eere/cities-leading-through-energy-analysis-and-planning>
- **SolSmart Designation (www.solsmart.org)**
 - All cities eligible for no-cost, six-month technical assistance from SolSmart
 - Includes direct assistance for advancing solar through favorable policies and actions, including:
 - Permitting, Inspection, Construction Codes
 - Planning, Zoning and Development
 - Utility and Community Engagement
 - Market Development and Finance
 - Provides a toolkit for local governments

Questions?

Rory McIlmoil, Senior Energy Analyst

Rory@appvoices.org

(828) 278-4558

www.AppalachianVoices.org

APPROVAL OF ITEMS ON CONSENT AGENDA

Upon a motion by Council Member Furgiuele, seconded by Mayor Pro-Tem Clawson, Council voted to approve the following items on the Consent Agenda:

1. Proclamation - WYN Mentoring Month
2. Request Authorization to Surplus Radios to Caldwell County
3. Minutes
 - May 20 Public Hearing/Planning Commission
 - May 23 Planning Retreat
 - May 30 Planning Retreat
 - June 27 Town Council Public Meeting
 - June 27 Town Council Special Meeting
 - August 22 Planning Retreat
 - August 26 Public Hearing/Planning Commission
 - November 19 Regular Town Council Meeting
 - November 21 Regular Town Council Meeting
4. Request to Schedule Special Town Council Meeting with ASU Representatives to Discuss Parking, Construction, and Real Estate Projects on Monday, January 27, 2020 at 3:30 p.m. at the Town Council Chambers located at 1500 Blowing Rock Road in Boone.

Aye: All
Nay: None

.....

Thank Your Mentor Day and Mentoring Month Proclamation

WHEREAS, January 2020 will mark the 20th anniversary of National Mentoring Month, an annual campaign to recruit volunteer mentors for young people.

WHEREAS, National Mentoring Month celebrates the benefits of youth mentoring across the country. Every day in communities across the country, caring adults volunteer their time with mentoring programs to create consistent and supportive relationships to young people. At its most basic level, mentoring is successful in real life because it guarantees a young people has an adult to turn to and that they have a guiding hand to help them in dealing with day-to-day challenges. At a more complex level, there is a powerful mentoring effect that ultimately makes our communities stronger and;

WHEREAS, Quality mentoring programs are proven to build relationships that help improve school attendance and academic achievement, promote responsible decision-making, and provide skills to better navigate relationships at school, socially and at home and;

WHEREAS, in 2019, volunteers in Western Youth Network's Mentoring program spent more than 5,500 hours with youth in Watauga County totaling more than **\$139,865** of donated time to benefit our community; and

WHEREAS, "Boone Thank Your Mentor Day" (January 25) promotes three ways to honor your mentor (1) contact your mentor directly to express your appreciation; (2) pass on what you received by becoming a mentor to a young person in your community; and (3) write a tribute to your mentor for posting on www.WhoMentoredYou.org; and

WHEREAS, the Town of Boone is dedicated to realizing the promise and power of mentoring.

NOW THEREFORE, I, Rennie Brantz, Mayor of the town of Boone, as a demonstration of the value of volunteerism to this community, do hereby proclaim January 25th, 2020 as "BOONE THANK YOUR MENTOR DAY" and January 2020 as Mentoring Month, celebrated by the Town of Boone, and urge our citizens to recognize this day, to consider mentoring a young

person in their community, and to celebrate this month with appropriate ceremonies, activities, and programs.
This the 14th day of January, 2020.

Mayor

ATTEST:

Town Clerk

COUNCIL MATTERS**TOWN MANAGER UPDATE**

Mr. Ward presented updates on the following topics:

1. Meadowview Drive: Mr. Ward indicated that Police Department staff had made contact with a concerned parent who had recently complained about safety issues in the area, and that a traffic study was subsequently ordered and completed. The area was designated as an increased traffic enforcement area and the first study was conducted between November 14-21 with approximately 9,000 vehicles traveling westbound at an average speed of 35-36, posted as 25 miles per hour. He stated that the second study was conducted while students were on winter break, and that there were approximately 5,800 vehicles traveling eastbound at average speeds of between 16-23 miles per hour, and approximately 8,000 traveling westbound at average speeds of between 34-35 miles per hour. Mr. Ward noted that while there were three accidents along Meadowview Drive last year, there were none in the 800

block, which was the primary area of concern of the citizen. He added that the Police Department continued their enforcement in the area. Council Member Furguele stated that the concerned citizen had asked that "zero tolerance" signage be installed along Meadowview Drive, and asked whether staff felt such signs had been effective in the past. Mr. Ward believed that these signs were similar to "no thru truck" signs in that there was not sufficient staff to enforce the rule depicted on the signs. Captain LeBeau felt that a zero tolerance policy was not the best solution to the problem, but was agreeable to the concept of installing zero tolerance signage, though he noted that the Police Department would like to have the staff to be able to enforce the signage. Mr. Ward further noted that due to the speed and volume of traffic on the road, it was not a candidate for traffic calming mechanisms. Council Member Furguele asked whether the radar trailer could be placed along Meadowview Drive to make motorists aware of their speed. Captain LeBeau noted that since there was no sidewalk along the roadway, and no significant shoulder, there was nowhere to park the trailer. Mr. Ward stated that he would work with staff to look into the cost of radar speed signs and possible ways to power them. He did not believe they could be incorporated throughout Town, but they could potentially be placed in areas where there were more complaints. Captain LeBeau was in favor of radar speed signs and believed them to be effective, as well as more aesthetically pleasing than the radar trailer. He also indicated that the staff had researched whether these signs were offered as part of the Governor's Highway Safety grant program, but they were not. It was the consensus of Council to direct staff to look into the price of radar speed signs.

2. Hunting Hills Bridge: In coordination with the North Carolina Department of Transportation and the Federal Highway Administration, engineering design services and survey work is now underway for the new bridge. The Public Works Department mailed Outreach Letters to Hunting Hills landowners on December 20, 2019 to give advance notice of construction. The engineer is working to complete Ready For Construction plans by the end of the year, with construction beginning in 2021.
3. Highway 194: Staff has obtained an Encroachment Agreement from NCDOT to install sidewalk from Highway 421 to Perkinsville Drive, which we have scheduled to begin in the spring. Survey work for the remaining properties from Perkinsville Drive to Hardin Park School's entrance have been completed. Staff is currently working with these property owners to obtain easements for sidewalk and related appurtenance installation.
4. LED Streetlight Conversion Project: Utilizing a \$21,653 credit from New River Light and Power granted to the Town for previous overpayment/billing issues to purchase and replace 100 fixtures could potentially reduce energy costs by approximately \$3,500 a year. Council Member Furguele asked whether the NRLP would lower the rates as soon as the lights were switched to LED, to which Mr. Ward answered that they would. Ms. Meade further noted that she believed the LED streetlight charges had recently been approved as a rate change by the Public Utility Commission. Council Member Furguele asked whether there were lower cost options that staff could consider. Mr. Ward indicated that these fixtures were the lower cost option, and were also the softer light which seemed to be more favored.
5. Martin Luther King, Jr. Street Dedication Ceremony: Due to possible unfavorable weather conditions, the plan was to hold the dedication ceremony inside Fire Station #2 on State Farm Road.
6. Status of Draft Resiliency Plan: Staff is in the process of getting assistance from the High Country Council of Government to develop a plan specific to our area, Mr. Ward said he planned to discuss other options during February's budget workshops.

7. Post Office Plaque in Honor of Stacy Eggers, Jr.: Due to the poor condition of the desk Mr. Eggers frequently used to open his mail at the post office, staff is refinishing the table prior to installing the plaque. Council Member Furgiuele asked that staff arrange a small dedication ceremony during a First Friday event, and invite Mr. Eggers' daughter to speak.
8. Scheduling of Police Department Forum: Mr. Ward asked how Council wished to proceed on scheduling a 2020 Police Department Forum. Council Member Furgiuele was supportive of having a forum this year, and asked whether police staff believed the forum to be helpful. Captain LeBeau answered that staff was happy to hold a forum if Council wished for them to do so, and felt that it was a good opportunity to educate Council members on the duties of the department. Council Member Furgiuele asked how well attended last year's Coffee with a Cop events were. Captain LeBeau responded that the lowest attended brought in around 15, and the highest around 40 attendees. Council Member Furgiuele expressed that he wanted the Town to provide opportunities for citizens to engage the department and ask questions, and believed that if the department was doing this on their own with the Coffee with a Cop events, maybe a forum was not needed this year. Council Member Furgiuele felt when he first proposed it, he thought that a forum reached a broader audience, and that if a forum was held this year, that he would like for Council to have the opportunity to submit questions to the department in advance. Council Member Ulmer agreed, but felt that the department should be able to pick the questions they wanted to address. Captain LeBeau stated that he believed an hour and a half had been planned for the forum this year. Council Member Hicks noted that in the future, it would be helpful to add a "Frequently Asked Questions" section to the Town of Boone website.
9. Waste Water Treatment Plant Energy Audit: Mr. Ward announced that the audit was complete and that Waste Water Treatment Plant Superintendent Rudy Broschinski would present the results to Council in February.
10. Meeting and event schedule update
11. Mr. Ward indicated that staff and Republic Services had completed an assessment on the effectiveness of the Town's current recycling program, and would present their completed report in February.
12. Mr. Ward reported that the Town's flood insurance report had been completed, and that this would allow residents who participated in the program the opportunity to obtain flood insurance at a discounted rate.

TOWN ATTORNEY UPDATE

Ms. Meade presented her updated priority list to members. Mr. Furgiuele inquired about the reference to incorporating the International Property Maintenance Code. Council Member LaPlaca asked about the status of the previously mentioned bike-share program on campus, with Ms. Meade indicating that the project was not as developed as she once thought it was, which is why it had moved down on the priority list. Mr. Ward noted that it had started making traction recently in the sustainability department at ASU.

BOARD LIAISON REPORT

Mayor Pro-Tem Clawson announced the upcoming concerts at the Jones House. Council Member Ulmer expressed concern with being able to recruit and retain board members. Mayor Brantz indicated that the Historic Preservation Commission was almost finished with downtown design guidelines, with Dr. Plaag

clarifying from the audience that the commission had actually completed the guidelines. Mr. Ward noted that the Transportation Committee had reached its limit, and that staff planned to seek Council's direction regarding the future of the committee in February. Council Member Furguele felt that it was important to continue to examine Town committees, and echoed Council Member Ulmer's concern with being able to recruit members, as well as the large amount of time and resources and people who do not live within the Town limits being able to make recommendations on how to use Town resources. Council Member Furguele reported that the Community Appearance Commission and staff were working on appearance standards which would be discussed at the Planning Retreat and applauded their work on the project. He added that the Downtown Boone Development Association meeting earlier that day brought in a large crowd, and had several projects going on currently. Council Member Furguele stated that the board was working on trade marking the logo and on different ways to use it, such as incorporating it into activities and signage, as well as banners which would hang downtown.

APPOINTMENT TO THE WATAUGA COUNTY ECONOMIC DEVELOPMENT COMMISSION

Upon a motion by Mayor Pro-Tem Clawson, seconded by Council Member Furguele, Council voted to nominate Nancy LaPlaca to serve as the liaison to the Watauga County Economic Development Commission.

VOTE: Aye: All
 Nay: None

CONSIDERATION OF APPROVAL OF PROMOTIONAL FLYER FOR COMMUNITY ASSISTANCE PROGRAM

Mr. Ward presented a copy of the draft promotional flyer for the community assistance program which would potentially go out in resident's water bills. Council Member Furguele asked that the flyer be posted on social media. Mr. Ward agreed to do so, and noted that he had recently talked with Jennifer Herman of Oasis who indicated that she would put notice in their newsletter of the new round-up program. Mayor Brantz asked whether the program would be evaluated annually, to which Mr. Ward answered that a report on collections would be brought back each year during budget discussions. Council Member Furguele made a motion to adopt the materials as presented and authorize staff to move forward with the community assistance program. Council Member Ulmer seconded the motion.

VOTE: Aye: All
 Nay: None

Mayor Brantz declared a break at 8:08 p.m. Council reconvened at 8:20 p.m.

DISCUSSION OF STEPS TO PREVENT DEMOLITION OF THE HARDIN HOUSE/TURNER LAW OFFICE

Council Member Furguele presented a request for the discussion of steps to prevent the demolition of the Hardin House/Turner Law Office and requested that the Council invite Dr. Eric Plaag to speak regarding the matter. Dr. Plaag expressed that it was surprising to him that there was action taken at a previous meeting of the County Commissioners that was not reflected in their minutes, and felt that their reasoning for not working with the Town on this matter was retribution regarding past plans for a parking garage at the site of the former Sheriff's Department. He added that this was the first he had heard of the County's offer to sell the building to the Town for \$1 and to pay to move the building, though he stated that he was told by the commissioners that they had communicated it numerous times to the Town. Dr. Plaag stated that he did not want this situation to devolve into finger pointing and would like to move forward with options outlined in a previous email sent to commissioners. He added that one commissioner in particular was frustrated with the Town's lack of response, but that they did not state that they were closed to the options presented to them in the email. Dr. Plaag indicated that the County Manager expressed frustration with the Town being more focused on the joint parking garage project with ASU for what he perceived to be the benefit of the Appalachian Theatre than on the parking issue the County has had for years. Dr. Plaag believed that if a proposal was made publicly by the Town for a

joint public meeting, that may be the most productive way to start dialogue on the matter. Council Member Furgiuele agreed with this viewpoint, and stated that in regards to hard feelings over past plans for a parking garage at the former Sheriff's Department site, Council Member Furgiuele indicated that he was asked by two elderly neighbors of his to speak on their behalf in opposition to the garage, which he believed led to the perception that he blocked the project. Council Member Furgiuele added that he did not have a problem with the project, and believed that the parking deck would have been a better solution than tearing down historic houses in the downtown area. Mr. Furgiuele indicated that he personally would have been happy to meet with commissioners to discussion solutions, but he was unaware of any invitations to do so. He suggested that the County consider selling the house to another attorney since it was a prime location near the courthouse, and that the Town work with the County to construct a parking deck on their own property. Mention was made of the porch on the house as a barrier to moving it, with Dr. Plaag noting that the building had significance for its location as well as its architectural style. He believed that any needed changes or repairs were achievable to make it the best version of itself, and that with modest efforts, the house would be eligible for listing on the National Registry of Historic Structures. Council Member Ulmer suggested that the Town work to get the word out since there was confusion on the matter and no one knew with certainty what was going on. Council Member Furgiuele felt that if the County believed that they had invited Council members to joint meetings on the topic, then Council should accept their offer. Council Member Furgiuele made a motion to accept the offer previously made by Watauga County Commissioners for a public meeting to address the County's parking needs and saving the Turner Law Office/Hardin House, and that in preparation for the meeting, that the County discuss and consider the possibility of turning their surface lot at the intersection of Queen and Water Street into a parking deck, or alternatively, to discuss the Town turning the surface lot on Queen Street into a parking deck. Mayor Pro-Tem Clawson seconded the motion. Mr. Furgiuele clarified that this would be a public meeting.

VOTE: Aye: All
 Nay: None

DISCUSSION OF UDO AMENDMENT TO ALLOW STUDENT DESIGNS FOR REDEVELOPMENT OF MULTI-FAMILY PROJECTS

Council Member Furgiuele presented an item for discussion of a UDO amendment to allow student designs for redevelopment of multi-family projects. He noted that when the Council had recently imposed family-oriented housing configurations on all multi-family development, but that the Council had considered that an interim step in trying to promote affordable housing, but might interfere with rehabilitation of older apartment complexes. He asked that Council and staff think about incentives for redevelopment of multifamily projects and added that one of the disincentives was that the more money a developer spent, the more they would have to spend to come into full compliance with the UDO. Council Member Furgiuele stated that he did not have the answers, but asked that if this proposal were adopted in due time that staff come back to Council with their ideas to incentivize the redevelopment of older apartment complexes since many were dilapidated. Council Member Furgiuele did not believe that all redevelopment should be eligible for incentives, and suggested a limit to buildings 50 years or older, but he said he would defer to staff's suggestions. Council Member Furgiuele suggested that staff bring back a menu of options for Council to choose from. Mr. Ward stated that this would be added to the agenda for the upcoming Planning Retreat. Council Member Ulmer made a motion to accept Council Member Furgiuele's proposal and to consider modifications to the UDO which might allow the traditional housing targeted for students for the redevelopment of existing multi-family developments, and to allow increased height in appropriate places which are not near low density neighborhoods (as long as they do not block viewshed from the viewshed corridors or from low density neighborhoods) and for staff to make recommendations to staff at an appropriate time. Council Member Furgiuele seconded the motion and suggested a friendly amendment to add this item on the Planning Department's priority list behind the other projects which are currently in process, which Council Member Ulmer accepted. Council Member LaPlaca offered another amendment to direct staff to reach out to students for their input on the topic. Council Member Furgiuele did not believe the timing to be appropriate to gather student input, and was unwilling to accept Council Member LaPlaca's amendment.

VOTE: Aye: All
 Nay: None

CONSIDERATION OF APPROVAL OF RESOLUTION - 10% CAMPAIGN

Upon a motion by Council Member Furgiuele, seconded by Council Member Ulmer, Council voted to adopt the Resolution in support of the 10% campaign. Council Member Hicks stated that he would like to see the local food rating system utilized by many restaurants encouraged by the Town.

A Resolution to Promote the Town of Boone's Local Food Economy

WHEREAS, North Carolina has the opportunity to harness consumer spending on food to bolster the sustainability of local farms and fisheries, support economic development, job creation and help address diet-related health concerns; and

WHEREAS, consumers are demanding locally produced foods and food producers are responding positively to this increased consumer demand; and

WHEREAS, the demand for locally produced foods has not been diminished by a weak economy; and

WHEREAS, there is significant potential for local food and farming businesses to be an economic development engine in North Carolina, particularly in rural areas; and

WHEREAS, North Carolinians spend about \$35 billion a year on food; and

WHEREAS, if individuals spent 10 percent of their food dollars on local foods, approximately \$3.5 billion would be available in the local economy; and

WHEREAS, local governments have an important role to play in supporting their local food systems; and

WHEREAS, local governments control budgets that allocate funds for food service in schools, jails and medical centers; and

WHEREAS, local governments set policies to procure local foods; and

WHEREAS, local governments may commit to purchasing local foods when hosting meetings, conferences and or workshops; and

WHEREAS, the Center for Environmental Farming Systems' **10% Campaign** supports local and regional food economies that benefit local food producers, related businesses and communities; and

WHEREAS, the North Carolina Cooperative Extension Service is working in support of the **10% Campaign** in all 100 counties, including Watauga County; and

WHEREAS, these on-the-ground experts are working with other community leaders, farmers, businesses, parents, teachers and students, many of whom are already working to build the state's sustainable local food economy, from farm to fork; and

WHEREAS, the Town of Boone is responsible for promoting economic development and job creation; and

WHEREAS, the Town of Boone is responsible for protecting and enhancing the health, welfare and safety of its resident in prudent and cost-effective ways; and

WHEREAS, the people of Boone will benefit significantly through the success of the **10% Campaign** through a stronger economy and access to fresh, affordable meats, produce, fish and shellfish.

NOW, THEREFORE, BE IT RESOLVED that the Boone Town Council pledges to access its ability to source local foods and to promote participation in the **10% Campaign** to its employees and citizenship as appropriate to help build the local food economy.

This the ____ day of January, 2020.

Rennie Brantz, Mayor

ATTEST:

_____(SEAL)
Town Clerk

DISCUSSION OF TOWN OF BOONE LOCAL FOOD PLAN

Council Member Furguele felt that the implementation of a local food plan crossed multiple departmental lines, including Public Works in terms of edible plants and Planning in terms of the UDO. Council Member Ulmer believed that this should not be handled by forming a new committee, but by recruiting help from other organizations already in existence, such as those involved with the local Agricultural Extension. Council Member Furguele asked that Mr. Ward confer with department heads on ways to identify steps to achieve a local food plan, as well as to see if department heads believed a committee with this direction would be helpful. Council Member Furguele envisioned a potential committee would be comprised of staff, Council, Watauga County Food Council representatives, and would likely be ad hoc. Council Member Furguele believed the committee should look at recommendations and identify specific steps and propose specific ways to implement them. Mr. Ward noted that staff had already implemented some of the Food Council's suggestions, and added that he was fearful of adding this to the large volume that has already been assigned to staff, as well as additional meetings. Mr. Ward reminded Council of recent complaints about the excess of deer in neighborhoods, and worried that edible plants would increase these complaints. He stated that he would brainstorm with staff and would meet with Food Council representatives, and added that this discussion would tie into budget discussion in the coming weeks. Council Member Furguele applauded Food Council staff for their recommendations. Council Member Hicks noted that Blue Ridge Women in Agriculture had been doing this type of work for a long time, and asked in what ways the Town was able to work with them or other volunteers. Mr. Ward answered that it came down to finding available sites for plantings and funding for these projects. Ms. Meade noted that there were implementation issues, in that only staff would be able to figure out how to implement these policies. Mr. Ward stated that the majority of Town food purchases were for retreats and parties. Council Member Furguele suggested that staff work with the Farmer's Market when available in an effort to accomplish these goals. It was the consensus of Council to discuss this item further in February after staff has discussed and after the budget workshops. Brooke Kornegay of the Watauga County Food Council noted that when the recommendations were presented to Council, they were things that they believed would not cost the Town money to implement. She also indicated that the Food Council would be willing to help advise and implement a food plan when the Town was ready. Mr. Ward believed that he may be willing to accomplish a good bit by distributing a memo from his office to staff outlining Council's wishes. Council Member Furguele also asked that staff work on ways to encourage private property owners to plant more edible plants on their own property.

CONSIDERATION & DISCUSSION OF SEVERAL LEGAL & ETHICAL REQUIREMENTS PERTAINING TO COUNCIL MEMBERSHIP

Ms. Meade presented Council Members with a legal update and ethics review particularly for new Council members on topics such as public (open) meetings, the public records law, and the Town's ethics code. Council Member Furguele noted that a public meeting issue arose with the previous Council during a public forum at the hospital. Council Member Furguele believed that it should have been distinguished as a public meeting since members could have potentially participated in discussion involving Town business. Ms. Meade agreed, but noted that there was a downside to listing every event attended by members as a public meeting. Mr. Ward indicated that he believed Council and staff had worked to find a balance, and asked that Council liaisons share this information with committees, since members may not understand these rules to the extent Council members

did, even though they were expected to follow the same rules. Council Member Furgiuele noted that committees were not permitted to create subcommittees, even in an attempt to accelerate projects, to which Ms. Meade added that a meeting of the majority of board members, even of a sub-committee, constituted a public meeting. Council Member Furgiuele asked how Ms. Meade recommended members make it clear to the public that their opinions were their own and did not represent Council's opinion as a whole. Ms. Meade recommended that members answer that they were answering in their own capacity and that their opinions did not represent the entire Council. She added that if members were answering as Council liaison on a board or committee, that the member would take the view back to the entire Council. Ms. Meade further added that members should treat any written and/or electronic material as a public record and that it was essential that members use only their Town assigned email accounts so that administration could access emails if needed. Council Member Furgiuele inquired whether a member's personal notes were considered public record. Ms. Meade answered that she believed it would depend how the member used those notes. She indicated that, for example, her notes were transitory in that she only used them for scheduling or temporary organizing purposes and did not retain them for further use, so she did not view her notes as a public record. As to whether persons who used their notes differently needed to retain them, Ms. Meade stated that she would research the matter further and would bring her findings back to Council at a later date, but recommended that members maintain their normal use – i.e., if they used them only for transitory purposes, to continue to throw them out, and if they saved them indefinitely for reference as Mr. Furgiuele indicated he did, to continue to do so.. Ms. Meade clarified that it was not a violation for members to use their personal email accounts, but that members would potentially have to search their personal accounts each time a public records request arose which could be burdensome. She recommended that members avoid using any social media platform for public business that could not be easily stored and searched by the administration, and asked members to direct people to use their Town email account for conducting public business.

CLOSED SESSION

Upon a motion by Mayor Pro-Tem Clawson, seconded by Council Member Furgiuele, Council voted to enter into closed session at 10:16 p.m. pursuant to the following:

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 or other legal matter(s).
3. N.C.Gen.Stat.§143.318.11 (a)(5), to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (I) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease (PIN 2911-33-9240-000 and PIN 2900-79-5183-000).
4. 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 the matter involving Zhiyuan Chen.

VOTE: Aye: All
 Nay: None

Upon a motion by Mayor Pro-Tem Clawson, seconded by Council Member Ulmer, Council voted to exit closed session at 11:45 p.m.

VOTE: Aye: All
 Nay: None

POSSIBLE ACTION FOLLOWING CLOSED SESSION

Upon a motion by Council Member Furgiuele, seconded by Council Member Ulmer, Council voted to cancel the regularly scheduled meeting on Thursday, January 16, 2020 due to a lack of items for discussion.

VOTE: Aye: All
 Nay: None

ADJOURNMENT

Upon a motion by Council Member Furgiuele, seconded by Mayor Pro-Tem Clawson, Council voted to adjourn the meeting at 11:48 p.m.

VOTE: Aye: All
 Nay: None

Nicole Harmon, Town Clerk

Rennie Brantz, Mayor