

**MINUTES – TOWN COUNCIL
REGULAR MEETING
JANUARY 28, 2026
6:00 P.M.**

CALL TO ORDER

A regular meeting of the Boone Town Council was called to order at 6:00 p.m. on Wednesday, January 28, 2026, in the Boone Town Council Chambers located at 1500 Blowing Rock Road in Boone. Mayor Dalton George presided. Council members present included Mayor Pro-Tem Todd Carter, Virginia Roseman, Eric Plaag, and Adrian Tait. Staff present included Interim Town Manager Dale Presnell, Town Clerk Nicole Harmon, Grants Coordinator/Communications Laney Wise, Public Works Director Todd Moody, Planning Director Jane Shook, Deputy Planning Director Brandon Wise, Major John Houck, Advanced Planning Specialist Jessica Mitchell, Cultural Resources Director Mark Freed, Finance Director Guy Miller, and Town Attorney Allison Meade.

MOMENT OF SILENCE

A brief moment of silence was observed.

ANNOUNCEMENTS

None

TENTATIVE AGENDA ADOPTION

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

PUBLIC COMMENT

None

REQUESTED APPEARANCES

Daniel Boone Native Gardens – Rebecca Hutchins

Rebecca Hutchins provided a brief recap of the past year, noting that overall it had been a positive year for the Gardens. She stated that the deer fencing near the area around Hampton's was not complete and requested Council's input on how to proceed. Ms. Hutchins also reported that there was an existing historic cabin on the property. She indicated that she had consulted with staff at the Southern Appalachian Historic Association and expressed interest in relocating the cabin to SAHA's property in order to repurpose the current location for plantings, noting that repairs to the cabin would be cost-

prohibitive. Ms. Hutchins stated that Marrena Greer, Operations Manager at SAHA, believed volunteers could assist with moving the cabin.

Ms. Hutchins announced upcoming seasonal events, including Fairy Days and concerts to be held on the new stage.

Councilmember Plaag commented on the fencing along Horn in the West Avenue and suggested an alternative type of fencing that was Town-owned and located within the Town's right-of-way, which could also serve as a deterrent to deer. Public Works Director Todd Moody indicated that staff would look into this option and provide cost estimates.

Councilmember Plaag further stated that the cabin had been located on the property for at least fifty years and expressed concern that relocating it would damage the gardens as a historic site, making it difficult to move forward with any historic designation. He suggested a hybrid arrangement in which the cabin would remain in place, and SAHA would assume responsibility for use of the structure. He noted that this matter could be discussed further at the upcoming Daniel Boone Park summit. Councilmember Plaag also reported that the property had sustained significant damage during Hurricane Helene and suggested that grant funding might be available to assist with restoration efforts.

Ms. Hutchins introduced the Treasurer and the new Director, Amy Seely.

Councilmember Roseman noted that the cabin had previously been used by SAHA for television productions and stated that a formal agreement between the Town and SAHA could be mutually beneficial. She agreed that the issue should be discussed further at the upcoming summit and inquired about the pathway near the cabin that connects the two properties. Ms. Hutchins reiterated that the cabin was in poor condition and needed substantial repairs.

Councilmember Plaag expressed concern about a tendency of past Councils to shift the burden of repairs to lessees, stating that he was uncomfortable with that approach. He emphasized that while a partnership for use would be appropriate, responsibility for any necessary repairs and maintenance should remain with the Town.

Councilmember Tait offered assistance to the Public Works Department regarding the deer fencing. Mayor George asked whether there was consensus for the Town to take responsibility for locating appropriate fencing and assuming ownership of it. Councilmember Roseman stated that while she liked the existing fence design, she did not support adding deer fencing.

Councilmember Plaag and Mayor Pro-Tem Carter indicated their support for moving forward with fencing efforts. Ms. Hutchins stated that temporary measures would be implemented until the summit discussion could occur. Mayor George suggested that Councilmember Tait serve as the primary point of communication on this matter.

Watauga County Farmers Market – Michele Dineen

Michele Dineen gave a presentation regarding the previous year's operations at the Watauga County Farmers Market. Councilmember Roseman asked whether the new paving was adequate and whether it had benefited the Farmers Market. Ms. Dineen responded that the pavement had worked well and stated that adjustments had been made around the shelter to accommodate the change in traffic flow. She expressed appreciation to the Town for making the improvements possible.

Councilmember Plaag asked whether there was legislative funding available for improvements to the lower parking lot. Public Works Director Todd Moody responded that there had not been sufficient funding to pursue those improvements. Councilmember Plaag expressed concern about the condition of the lower parking lot and stated that he would like to explore options through the State and identify potential funding sources, including Town funds, to bring the area up to acceptable standards.

Councilmember Plaag indicated that he had been asked by members of the public how many of the vendors at the market were from Watauga County. Ms. Dineen responded that there is a residency requirement for all vendors that they must reside in Watauga or a surrounding county.

PUBLIC INPUT SESSION – ITENERATE MERCHANT AND MOBILE RETAIL VENDORS

Planning Director Jane Shook explained that the purpose of the input session was to gather community feedback before drafting the final ordinance text, and emphasized that no final language had been developed. She provided an overview of the draft framework, noting that it removed the redundant category of temporary open-air markets, clarified distinctions between itinerant merchants and mobile retail units, and sought to improve consistency and enforceability without changing how itinerant merchants were currently regulated. The draft focused primarily on distinguishing mobile retail uses, such as food trucks, because of their differing land-use and operational impacts.

Ms. Shook outlined key policy questions for Council consideration, including appropriate zoning districts, permitting processes, duration of operation, number of units allowed per site, whether mobile retail should be permitted as a principal or accessory use, and applicable operational standards such as lighting, signage, noise, traffic impacts, fire safety, and neighborhood protection measures.

There was discussion as to whether events already permitted under Chapter 94, including street fairs and festivals that require temporary street closures and undergo public safety review, should be exempt from these standards. Ms. Shook indicated that those events followed a separate permitting process and that exemptions could be considered.

Council members discussed a specific example involving a food truck that previously operated at Mr. Tire, where inadequate lighting raised safety concerns. It was noted that the vendor later relocated to a site with adequate lighting. Council emphasized the importance of ensuring fairness for both vendors and residents and discussed whether property owners who allow mobile retail uses should be responsible for providing adequate lighting and meeting the safety standards typically required of permanent businesses.

Questions were raised regarding outdoor seating and perceived inconsistencies in how seating was allowed at different food truck locations. Mayor Pro-Tem Carter noted an instance in which a food truck operator was approached by a member of the Planning staff and told they were not allowed to have outdoor seating because they did not have adequate restrooms and had not paid system development fees. Ms. Shook clarified that system development fees should not apply to uses that did not consume Town water, though additional evaluation might be needed when outdoor seating was provided for patrons using Town utilities. Council members noted the need to clearly articulate these standards.

Ms. Meade noted that food trucks presented a hybrid animal with respect to regulation because while they have land use impacts and are thus properly regulated to some extent under the UDO, they also are movable personal property rather than fixed structures and properly subject to regulation under the town's police powers through the town code. Further work would be needed to determine which standards belonged in the UDO and which were more appropriately addressed through Town Code police power regulations.

Council members expressed a preference for clear, easily accessible standards that the public could readily understand, with minimal permitting requirements, ideally allowing no permit or a one-time permit. Council members discussed concerns related to parking impacts and noted that the draft language required developments to maintain minimum parking standards. The idea of requiring dedicated parking spaces for mobile retail uses during operating hours was discussed, with recognition that such requirements would need to vary by zoning district and may not be feasible in downtown areas.

It was noted that some Town parking requirements had historically led to underutilized parking and that food trucks could serve as productive interim uses for those spaces. Concerns were raised that a strict three-day operational limit, modeled on itinerant merchant standards, could be overly restrictive. Ms. Shook clarified that the three-day limit was not a recommendation but a placeholder for discussion.

Next, Council members discussed the relationship between operating hours and site availability, emphasizing flexibility based on context and timing. A potential solution discussed was requiring property owners to ensure there is sufficient parking available during a mobile vendor's operating hours, rather than mandating new parking infrastructure.

Council members also discussed concerns about equity among downtown businesses, noting that some mobile vendors benefited from the municipal service district without directly contributing to it. Ms. Shook clarified that mobile vendors operated through sponsorship or permission from private property owners and that existing ordinances already prohibited food trucks from operating on Town property.

Ms. Shook explained that proposed operating-hour limitations were intended solely as neighborhood protection measures for sites adjacent to residential zoning districts and were offered for consideration rather than as mandatory standards. Council discussed potential impacts of noise, lighting, and music, noting that these should be evaluated to ensure consistency with standards for brick-and-mortar restaurants.

Council members expressed general support for the concept of mobile retail as a pathway to entrepreneurship and economic vitality and encouraged staff to continue refining the draft language based on the input received.

Public Comment

David Jackson of the Boone Area Chamber of Commerce thanked Council for holding the discussion and providing an opportunity for input. He advocated for policies that support pedestrian use, particularly at the Lowe's site, because of its proximity to the greenway. He referenced Boone Next and its emphasis on walkability and asked how the proposed changes aligned with those goals. Mr. Jackson suggested considering incentives for mobile vendors in areas such as Howard Street and along greenway-adjacent locations.

Mr. Jackson also emphasized the need for clarity in ordinance language, particularly regarding itinerant merchants. He asked whether the proposed standards could unintentionally prohibit other common uses, such as birthday parties, and requested that those distinctions be clearly articulated. He further inquired about potential impacts on existing markets, specifically referencing the Farmers Market and the King Street Market.

Owen Larsen raised concerns about a food truck located near Come Back Shack, noting that its placement contributed to traffic congestion. He suggested that Council consider establishing a minimum distance requirement between mobile food vendors and traffic intersections to reduce congestion and improve safety.

Amber Bateman of the Watauga Arts Council expressed agreement with comments made by David Jackson and voiced support for clearer distinctions between vendors and mobile merchants. She offered to meet with staff and the Town Attorney to further discuss the nuances of how the proposed changes could affect markets. The speaker expressed concern that removing the temporary open-air market category could make organizing community events more difficult and asked whether multi-day special events would be affected under the proposed framework.

Hearing no further comments, Mayor George closed the public comment period.

Ms. Shook clarified that the current draft does not require mobile merchants to locate specifically in areas with existing pedestrian activity, though vendors may choose to market themselves as near amenities such as the greenway. She noted that open-air markets were exempt from the proposed changes and that special events continued to be reviewed through existing processes involving the Fire Department and other agencies. It was explained that open-air markets require a one-time permit, that they include public safety requirements such as portable toilets, and that the King Street Market met those requirements and operated under a valid permit.

Ms. Shook stated that she would evaluate the availability of public restrooms for First Friday events and noted that existing itinerant merchant regulations addressed prior safety concerns, including vendors using open flames while selling food on sidewalks along King Street. In response to a question about designated parking spots for food trucks along Howard Street, Mr. Moody stated that there are no plans to allow food trucks on Howard Street at this time. Ms. Shook emphasized the importance of creating clear, accessible documentation for the public.

Councilmember Plaag referenced experiences in Columbia, South Carolina, where food trucks operated directly in front of brick-and-mortar businesses, and stated a preference to avoid that outcome in Boone. He encouraged identifying locations where mobile vendors could operate without directly competing with existing businesses and referenced the Farmers Market as a successful model, suggesting the greenway as a potential weekend location.

Mayor George expressed interest in exploring food truck opportunities along the greenway and directed staff to review policies in other communities. Mayor Pro-Tem Carter agreed and expressed support for encouraging food trucks to advance Boone Next's goals related to walkability. Councilmember Plaag noted that food trucks could provide an important pathway for small businesses unable to afford traditional brick-and-mortar rent. Councilmembers supported limited or no permitting, with enforcement focused on compliance with clear standards.

The Council discussed the proposed three-day operational limit and reached consensus that the restriction was unnecessary. Ms. Shook noted that some communities imposed no time limits and relied on property owner oversight. Council agreed there should be no time limit, so long as vendors remained in compliance with applicable standards.

Councilmember Plaag suggested separating zoning-related standards within the Unified Development Ordinance from operational standards enforced through the Town Code. Ms. Shook stated she would work with Ms. Meade to evaluate that approach.

Councilmember Roseman asked whether Watauga County Parks and Recreation should be involved in discussions regarding potential food trucks along the greenway and surrounding property. Mayor George suggested she bring the matter to the Parks and Recreation Committee, as its Council liaison, to gauge their interest.

Councilmember Tait questioned what problem a time limit or designated parking requirement was intended to solve and suggested that parking issues could be self-regulating based on property owners' discretion. He also suggested opportunities for food trucks to support events such as First Fridays, races, and festivals, noting that using public property could be appropriate with stricter guidelines. Councilmember Tait also proposed leasing a limited number of parking spaces on Howard Street and evaluating whether food trucks could operate on vacant parcels, subject to the surrounding area's zoning, lighting, and noise regulations.

Ms. Shook recommended deferring consideration of mobile retail as a principal use until the first round of ordinance revisions was completed.

APPROVAL OF ITEMS ON CONSENT AGENDA

Upon a motion by Councilmember Plaag, seconded by Councilmember Roseman, Council voted unanimously to approve the following items on the Consent Agenda:

1. Budget Amendments:

Public Works

To:	Capital Outlay- Other Equipment	030-700-805-57400	\$135,000.00
	Transfer to Water/Sewer Fund	032-700-000- 598030	\$135,000.00
From:	Appropriated Fund Balance	032-700-000- 499900	\$135,000.00
	Sewer Capital Reserve Contribution	030-000-000- 498032	\$135,000.00

Explanation: To cover the cost of a dryer drum gearbox replacement at the Jimmy Smith WWTP.

Public Works

To:	Snow & Ice Removal- Powell Bill	010-600-403-577403	\$64,000.00
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From:	Appropriated Fund Balance	010-000-000-499900	(\$64,000.00)
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Explanation: Appropriate additional funding to cover budget shortfall.

2. Amended Annual Meeting Notice

In response to a question from Councilmember Tait, Mr. Moody stated that the \$64,000 requested for salt would purchase approximately 400 tons. He noted that a nationwide shortage had made the product difficult to obtain and explained that the duration of the supply would depend on the severity of the remainder of the winter season.

PLANNING MATTERS

Advanced Planning Specialist Jessica Mitchell presented the proposed Stoneman's Raid Interpretative Panel and noted a spring installation was expected. She indicated that partners have agreed to contribute funds, but the Town would need to fund \$1,500 to cover the remainder of the cost.

Next, Ms. Mitchell requested Council's direction on the priority of a historic marker for Boone's tobacco trade and the tobacco burley warehouses within its work plan.

Councilmember Roseman indicated that the Historic Preservation Commission has worked diligently for many months on the Stoneman's Raid marker and expressed thanks to the Civil War Trail representatives for their assistance. She then made a motion to approve the design proof as presented and to have the Town fund the remaining \$1,500 for installation. Councilmember Plaag seconded the motion, which carried unanimously.

Regarding the work plan, Councilmember Roseman stated that she wanted to ensure staff time was used efficiently and requested guidance from other members on whether work related to the tobacco warehouse should proceed at this time. Ms. Shook explained that the item had been discussed previously but was inadvertently omitted from the Planning Retreat materials. She asked for clarification on where the project should fall within the current work plan.

Councilmember Roseman stated that she believed the three projects currently identified were appropriate priorities for the calendar year and suggested deferring the tobacco warehouse project to next year. Councilmember Plaag recommended that the project be included on a list of future projects.

Councilmember Plaag asked whether a proposal had been submitted identifying the location of the historic marker. Ms. Mitchell responded that the location was proposed for the Temple of the High Country. Councilmember Plaag expressed appreciation that the group had brought the proposal forward, noting that their property was the site of Boone's

third burley tobacco warehouse, while the two earlier warehouses had been located at the Watauga County Library and the Walker College of Business. He requested that both the Historic Preservation Commission and Council keep in mind that Mr. Freed had possession of a historic tobacco scale that currently had no permanent location and suggested that it be placed in a visible, public area along Queen Street near the site of the first tobacco warehouse.

Mr. Freed stated that he wanted to ensure the project was implemented in a way that functioned well and suggested it could be addressed as a winter project in coordination with Public Works. He also suggested the possibility of constructing a small shelter with benches or seating at the bottom of the Queen Street parking area.

COUNCIL MATTERS

Discussion Regarding Town Manager Hiring Process

It was the consensus of Council to table this item until the February 11, 2026, regular Town Council meeting.

Approval Of Letter-Trust For Public Land

Mayor George explained that the Trust for Public Land (TPL) assisted communities like Boone in exploring bond referenda, packaging bond proposals, and placing them on the ballot. He noted that the draft letter had been reviewed and approved by Allison and Interim Town Manager Dale Presnell.

Ryan Olson, representative from TPL, explained that the organization focused its work in four primary areas: conservation finance, urban parks, large-scale landscape conservation, and agricultural protection. Mr. Olson stated that TPL had achieved an 85 percent success rate since 1996, attributing that success to the organization's transparent process, lack of hidden agendas, and collaborative approach. He noted that TPL enjoyed working with municipalities that had not previously pursued bond initiatives and expressed the belief that such an effort was needed in Boone. It was explained that the letter demonstrated seriousness to potential funders and helped distinguish Boone's intentions.

Mr. Olson further explained that the initial phase would involve providing technical assistance and conducting a feasibility study, including guidance through the polling process. If polling results were favorable and Council elected to proceed, the process would move into a campaign phase. He clarified that TPL did not run campaigns but worked alongside local partners to ensure voters understood what would appear on the ballot. It was noted that, for a public works building, the Town Attorney would need to determine whether the project could be presented as a single-bond or multiple-bond question.

Mayor Pro-Tem Carter stated that he was very impressed with the proposal and viewed it as an opportunity for guided learning, with multiple off-ramps should Council decide not to move forward. He added that he could not recall the Town ever pursuing a similar effort in the past.

Councilmember Plaag suggested using the polling process to test a broad range of priorities and gauge community support, citing projects such as Rivers House and Daniel Boone Park. He stated that the process could help Council better understand priorities moving forward and that there was little downside in asking those questions.

Councilmember Roseman referenced a prior attempt by the County to pursue a bond referendum that was unsuccessful due to a lack of a clear narrative. She stated that having experienced guidance throughout the process would be beneficial.

Upon a motion by Councilmember Roseman, seconded by Councilmember Plaag, Council voted unanimously to direct Mayor George to sign the letter as presented and send it to the appropriate parties.

ADJOURNMENT

Mayor George adjourned the meeting at 8:01 p.m.

Nicole Harmon, Town Clerk

Dalton George, Mayor