

MINUTES – REGULAR MEETING
BOONE TOWN COUNCIL
JUNE 26, 2024

CALL TO ORDER

A regular meeting of the Boone Town Council was called to order at 6:00 p.m. on Wednesday, June 26, 2024 in the Town Council Chambers located at 1500 Blowing Rock Road in Boone. Mayor Tim Futrelle presided. Council members present included Mayor Pro-Tem Dalton George, Todd Carter, Virginia Roseman (entered the meeting at 6:04) Edie Tugman, and Eric Plaag. Town staff present included Town Manager Amy Davis, Town Clerk Nicole Harmon-Church, Planning Director Jane Shook, Fire Chief Jimmy Isaacs, Deputy Planning Director Brandon Wise, Public Works Director Todd Moody, Police Chief Andy Le Beau, Finance Director Guy Miller, Sustainability and Special Projects Manager George Santucci, Commercial Zoning Administrator Mike James (remote), Advanced Planning Specialist Jessica Mitchell (remote), Residential Zoning Administrator Christy Turner (remote), Human Relations Director Dale Presnell, and Deputy Public Works Director Justin Stines (remote). Town Attorney Allison Meade was also in attendance.

MOMENT OF SILENCE

ANNOUNCEMENTS

TENTATIVE AGENDA ADOPTION

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

VOTE: Aye: George, Tugman, Carter, Plaag
Nay: None
Absent: Roseman

PUBLIC COMMENT

Mayor Futrelle explained how public comment worked and indicated that every voice mattered. He said each speaker would be allotted three minutes to allow everyone who wanted to speak time to do so. Mayor Futrelle added that public comment was not a time for back-and-forth conversation but for speakers to thoughtfully express their viewpoints while the Council listened.

Catharine Milner of Morningside Drive in Boone indicated that she had been a resident of Boone her entire life and a resident of Morningside Drive for three years. She asked that Council resume mowing the field adjacent to her property. She stated that her children often played in the field and that she and her family cared for the field by picking up trash. Mrs. Milner noted that she cared deeply about the environment and was familiar with the importance of pollinators, but indicated that the field is only growing grass. She stated that she and her neighbors were willing to help plant flowers in the field, which would, in turn, help with flooding, which was

sometimes a problem in the area.

Ian Milner of Morningside Drive in Boone announced that he was 7 years old and asked the Council to resume mowing the grass in the field near his house. He stated that neighborhood children liked to play in the field and walk their dogs and felt it was unsafe to do so in tall grass because of the dangers of ticks.

James Milner of Morningside Drive in Boone recently learned that, without public input, the Town Council decided after "No Mow May" to stop mowing the field near his home. He indicated that the field was made up of former FEMA lots and was mostly grass with a few trees scattered throughout. He stated that this field was often used as an extension of the Greenway and believed that the Town of Boone should be held to the same standards as any other property owner within its jurisdiction.

Rebecca Pitts of Morningside Drive in Boone said that she had lived at the end of Morningside Drive since 2008, and for this entire time, the Town of Boone has maintained and mowed the adjacent plot of land. She added that the neighborhood children often played sports, played in the creek, bikers and hikers utilized the trails, and neighbors walked their pets on the property but now that it was grown up, the land was useless. Rebecca pleaded with Council to mow the property so that it could be used.

Cara Dehen of Morningside Drive in Boone indicated that her husband, John, had recently sent an email to Mayor, Council, and staff regarding the unmowed field. She indicated that they had lived in the neighborhood for 5 ½ years and that she worked from home, so the field played an essential role in her physical and mental health. Mrs. Dehen advocated for better communication from Council and asked for a better solution than leaving the field unmowed. She gave her opinion that the Town simply did not want to mow the field any longer and was leaning on environmental issues to not have to. She asked Council to remember that the people in this neighborhood were real and not just budgetary numbers.

Bob Baker of Hialeah Lane in Boone introduced himself as a Homestead Recovery volunteer. He thanked staff for their help on the administrative side and the Council and the Planning Commission for their time and effort in the process.

Pam Greer of Ella's Way in Zionville indicated that she was a peer support specialist at Homestead Recovery. She thanked Council for its work during the hearing process and for the compassion and open-mindedness she saw in the members.

Amy Hudnall of Oak Street in Boone stated that she was a genocide scholar at AppState and asked Council to consider tabling the proposed Resolution Advocating for an Immediate, Sustained, and Permanent Bilateral Peace in Palestine and Israel. She indicated that she was appointed as a member of the working group who put together the final draft but after speaking to members of the Temple of Boone, she believed the resolution to be flawed and unbalanced. Ms. Hudnall believed that the only appropriate language in the resolution was the language caring for Boone. She did not think the Town should be making decisions on international

affairs. Ms. Hudnall suggested the first paragraph be changed to include the text “Israel has a right to exist and defend itself..”. She added that the Town’s job was to protect its citizens and it should not offer international policy suggestions.

Rabbi Alty Weinreb of the Temple of the High Country thanked the Council for its efforts regarding the ceasefire resolution but believed the document as presented would create a chasm between the resolution's intention and reality. He cautioned that it could create harm and potential bloodshed, though he knew that was not the intention. Rabbi Alty announced that he had been tasked by the Board of Directors of the Temple of the High Country to respectfully oppose the latest resolution and appeal to Council to resurrect the resolution drafted by the Town of Boone and presented during the May 8, 2024 meeting. He added that there were words contained in the final document being considered that were a-historical, false, and could be construed to be slanderous. Rabbi Alty finished by stating he believed the document as written would open the door for further division.

Alex Castillo of Ambling Way in Boone spoke in favor of the proposed rezoning on Green Street and believed this was the Town’s chance to erase a stigma and prove that everyone was worthy of community support, love, and life.

Rachel Sanders of Boone thanked Council for listening to public comment on the matter and stated that she used to be angry and afraid of people (including her brother) who chose to be high until she realized addiction was an illness. She found it unfortunate that many people were unable to see it the same way and wondered if her brother would have had access to a place like Homestead Recovery if he had been more successful. Rachel indicated that by offering a supportive community in a structured environment, the Council would be supporting people to break free from addiction.

Laura KaCere read a statement from Madeline George of High Country Peace and Justice expressing gratitude to Council members Tugman and Plaag for their work on the resolution. She acknowledged that she was surprised to learn that she was in agreement with other parties on many more matters than she thought she would be. Ms. George noted that all parties made compromises in drafting the resolution and believed that it reflected a diverse group of stakeholders coming together to find a common ground. She added that not approving the resolution would be profoundly discouraging and asked that Council honor and respect the result of the process by voting yes on the resolution presented.

Dr. Khurram Tariq of Palmer Drive in Boone said that he had gotten involved in the drafting of the proposed ceasefire resolution last month. He felt that nothing was impossible if people worked together to achieve a goal and believed that all life was important and that Boone would make history by advocating for bilateral peace and sanctity of human life regardless of who.

Meg Brown asked Council members to use their positions to stand up for human rights and against the abuse of power by passing the proposed resolution. Meg stated that no place in Gaza would be safe until a ceasefire was achieved and noted that the last-minute objections felt like

they were in bad faith.

Laura Navell read a statement by Nicole F. that said it was critical to pass the proposed resolution as an act of solidarity with black and brown oppressed people globally. Laura agreed with the statement and added that even though the conflict seemed far away, she believed that since Council held a public office, it was their responsibility to actively oppose abuses of power.

Christina Bailey indicated that they have lived in the area since 2005 and were a member of High Country Peace and Justice and Queers for Palestine. They expressed their support for the proposed ceasefire resolution and the Homestead Recovery rezoning project. They then read a comment by Lyn, a black, non-binary, queer, neurodivergent member of Queers for Palestine. Lyn referenced quotes by James Baldwin and Malcom X and said that Council members had a moral obligation to call for the end of genocide and destruction of the Palestinian state.

Renee T. thanked the Council members who worked on the resolution and stated she was encouraged by seeing how the representatives of the community have come together on this topic. Renee continued by adding that in the current political climate, it was easy to demonize one another but this resolution proved it was possible for people to set aside their differences in a true spirit of community to work toward common goals. She finished by asking Council to pass the proposed resolution.

Nicholas Hammock applauded the recent Boonerang festival and expressed support for No Mow May. He believed that steps like No Mow May needed to be taken to ensure that humans were not the only beings able to thrive on the planet. Nicholas referenced a recent influx of smoke and haze in the areas due to wildfires.

Sia Marty expressed concern at previous comments that a ceasefire resolution was not the responsibility of the Town of Boone. It was Sia's opinion that Council carried the responsibility as human beings to call for a ceasefire.

Sam Franklin, a member of the Boone Jewish community, indicated that everyone was upset by the death in the Middle East and that, despite best intentions, the document, as presented, oversimplified the Gazan conflict in a dangerous way.

Kurt Love with the Temple of the High Country stated that he was part of the working group that worked on the resolution as presented. He said that after he talked with other members of the Temple, he became concerned about the resolution's context and felt the nationwide context needed to be taken into consideration. Kurt felt that the Town should avoid implications of anti-Israel and anti-Semitism. He was of the opinion that the Town did not have a precedent for weighing in on international issues.

Starla De La Fontaine quoted Dr. Martin Luther King, Jr.

Mayor Futrelle opened the public hearing regarding Case A24-0269 Todd Nolt - General Use Zoning Map Amendment at 7:04 p.m. Hearing no public comment, Mayor Futrelle closed the public hearing at 7:04 p.m.

Mayor Futrelle opened the public hearing regarding Case A24-0273 Pricilla Rich - General Use Zoning Map Amendment at 7:04 p.m. Hearing no public comment, Mayor Futrelle closed the public hearing at 7:05 p.m.

Upon a motion by Council member Tugman, seconded by Council member Carter, Council voted unanimously to approve the following items on the Consent Agenda:

1. FY2024/2025 Budget (with fee schedules)

ORDINANCE #

**TOWN OF BOONE, NORTH CAROLINA
FY 2024-2025 BUDGET ORDINANCE**

BE IT ORDAINED by the Town Council of the Town of Boone, North Carolina that:

SECTION 1: It is established that the following revenues will be available in each fund listed for the operation of the Town of Boone government and its activities for the fiscal year beginning July 1, 2024 and ending June 30, 2025.

GENERAL FUND	
CURRENT YEAR TAXES	\$ 9,057,244
PRIOR YEAR TAXES	\$ 350,000
TAX PENALTIES & INTEREST	\$ 30,000
NCVTS TAXES	\$ 264,220
TAX REFUNDS	\$ (750)
GROSS RECEIPTS TAX	\$ 55,000
PRIOR YEAR TAX REFUNDS	\$ (250)
MUNICIPAL VEHICLE TAX	\$ 180,000
LOCAL SALES TAX 1%	\$ 1,951,580
LOCAL SALES TAX 1/2% (40)	\$ 800,650
LOCAL SALES TAX 1/2% (42)	\$ 959,604
LOCAL SALES TAX 1/4% (44)	\$ -
LOCAL SALES TAX 1/4% (14) MEDICAID HOLD HARMLESS	\$ 651,142
SOLID WASTE DISPOSAL TAX	\$ 15,000
BUSINESS LICENSE	\$ 1,500
ROOM OCCUPANCY TAX	\$ 650,000
ROOM OCCUPANCY TAX - ADMIN	\$ 70,000
LOCAL VIDEO PROGRAMMING REVENUE	\$ 140,000
UTILITIES FRANCHISE TAX	\$ 995,700
TELECOMMUNICATIONS SALES TAX	\$ 87,500
BEER & WINE TAX	\$ 87,975
ABC REVENUES	\$ 560,000
ABC BOARD - LAW ENFORCEMENT	\$ 48,500
STATE FUNDS - POWELL BILL	\$ 490,000
PYMT IN LIEU OF TAXES - APPALACHIAN STUDENT HOUSING	\$ 165,473
NC DEPT OF PUBLIC SAFETY GRANT FUNDS	\$ 5,700
CBP - TREASURY FEDERAL FUNDS	\$ 10,000
BUILDING & SIGN PERMIT FEES	\$ 185,000
COURT COSTS, FEES & CHARGES	\$ 1,000
PARKING VIOLATION PENALTIES	\$ 744,220
PENALTIES - PLANNING & INSPECTIONS	\$ 60,000
SOLID WASTE FEE	\$ 263,844
POLICE FEES	\$ 5,000
FIRE PROTECTION CHARGES - ASU	\$ 265,000
FIRE DEPARTMENT - MISC. FEES/PERMITS	\$ 92,500
E911 SERVICES - TOWN OF BLOWING ROCK	\$ -
PUBLIC WORKS FEES	\$ 30,000
INTEREST EARNED ON INVESTMENTS	\$ 675,733
INTEREST EARNED ON POWELL BILL	\$ 75,000

LIBRARY LOT PARKING	\$ 10,500
TRACY CIRCLE PARKING	\$ 5,500
HORN IN THE WEST PARKING	\$ 165,000
JONES HOUSE PARKING	\$ 12,350
QUEEN STREET PARKING	\$ 65,000
BOOT FEES	\$ 2,100
PARKING METERS	\$ 475,000
OFF STREET PARKING METERS/PAY STATIONS	\$ 300,000
BULLET PROOF VEST - DOJ	\$ 1,500
SALE OF SURPLUS PROPERTY	\$ 50,000
SALE OF SURPLUS PROPERTY - POWELL BILL	\$ 10,000
CONTRIBUTIONS/DONATIONS	\$ 55,000
CONTRIBUTIONS/DONATIONS - GREENWAY	\$ 35,000
CONTRIBUTIONS/DONATIONS - CULTURAL RESOURCES	\$ 30,000
RENTAL INCOME	\$ 75,000
RENTAL INCOME - JONES HOUSE	\$ 5,000
LICENSE FEES	\$ 5,000
CULTURAL RESOURCES REVENUE	\$ 35,000
MISCELLANEOUS REVENUE	\$ 359,661
LOAN PROCEEDS	\$ 750,666
TRANSFER FROM E-911	\$ -
TRANSFER FROM TOWN FACILITIES CAPITAL RESERVE FUND	\$ 121,100
TRANSFER FROM SIDEWALK CAPITAL RESERVE FUND	\$ 100,000
TRANSFER FROM SEPARATION ALLOWANCE TRUST	\$ 109,812
TRANSFER FROM WATER & SEWER FUND	\$ 473,451
TRANSFER FROM MUNICIPAL SERVICE DISTRICT	\$ 72,628
TRANSFER FROM TOB RURAL FIRE TAX	\$ 1,284,030
TRANSFER FROM AMERICAN RESCUE FUNDS	\$ -
APPROPRIATED FUND BALANCE	\$ -
TOTAL GENERAL FUND REVENUE	\$ 24,631,383
NARCOTICS ENFORCEMENT	
APPROPRIATED FUND BALANCE	\$ 35,600
TOTAL NARCOTICS ENFORCEMENT	\$ 35,600
WATER & SEWER FUND	
CDBG - DECK HILL TANK PROJECT	\$ 75,000
CIVIL PENALTIES	\$ 5,000
PUBLIC UTILITIES FEES	\$ 750
INTEREST EARNED ON INVESTMENTS	\$ 125,000
WATER SALES	\$ 4,430,450
SEWER CHARGES	\$ 4,383,000
WATER - LABOR & MATERIAL CHARGES	\$ 125,000
SEWER - LABOR & MATERIAL CHARGES	\$ 25,000
CONNECTION/RECONNECTION/DISCONNECTION FEES	\$ 20,000
SEPTIC TANK DISCHARGE FEE	\$ 270,000
SYSTEM DEVELOPMENT FEES - WATER	\$ 75,000
SYSTEM DEVELOPMENT FEES - SEWER	\$ 75,000
NSF/RETURNED CHECK CHARGES	\$ 500

METER CHECK/RE-READS	\$ 35,000
LATE PAYMENT PENALTIES	\$ 65,000
SALE OF SURPLUS PROPERTY	\$ -
MISCELLANEOUS REVENUES	\$ 69,959
LOAN PROCEEDS	\$ 150,000
TRANSFER FROM WATER CAPITAL RESERVE	\$ 487,000
TRANSFER FROM SEWER CAPITAL RESERVE	\$ 288,780
TRANSFER FROM AMERICAN RESCUE FUNDS	\$ -
APPROPRIATED FUND BALANCE	\$ -
TOTAL WATER & SEWER FUND REVENUE	\$ 10,705,439
HEALTH INSURANCE FUND	
INSURANCE REVENUE - COBRA	\$ 3,020
INSURANCE REVENUE - RETIREE %	\$ 60,000
INSURANCE REVENUE - GENERAL FUND TRANS	\$ 1,814,522
INSURANCE REVENUE - WATER/SEWER FUND TRANS	\$ 524,396
INTEREST EARNED ON INVESTMENTS	\$ 4,397
MISCELLANEOUS REVENUE	\$ 9,381
TOTAL HEALTH INSURANCE FUND REVENUE	\$ 2,415,716
MUNICIPAL SERVICE DISTRICT	
CURRENT YEAR TAXES	\$ 233,964
PRIOR YEAR TAXES	\$ 1,000
TAX PENALTIES & INTEREST	\$ 400
NCVTS TAXES	\$ 1,600
TAX REFUNDS	\$ -
LOCAL SALES TAX	\$ 67,200
INTEREST EARNED ON INVESTMENTS	\$ 2,500
TOTAL MUNICIPAL SERVICE DISTRICT REVENUE	\$ 306,664
RURAL FIRE SERVICE DISTRICT	
CURRENT YEAR TAXES	\$ 1,401,462
PRIOR YEAR TAXES	\$ 5,000
TAX PENALTIES & INTEREST	\$ 1,000
NCVTS TAXES	\$ 50,000
TAX REFUNDS	\$ -
LOCAL SALES TAX	\$ 401,500
INTEREST EARNED ON INVESTMENTS	\$ 100,000
TOTAL RURAL FIRE SERVICE DISTRICT	\$ 1,958,962
GRAND TOTAL - ALL REVENUE	\$ 40,053,764

SECTION 2: The following amounts are hereby appropriated in each fund listed for the operation of the Town of Boone government and its activities for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

GENERAL FUND	
---------------------	--

GOVERNING BODY	\$ 146,695
ADMINISTRATION	\$ 1,766,543
FINANCE	\$ 744,648
TAX COLLECTIONS	\$ 183,135
LEGAL	\$ 125,200
ELECTIONS	\$ -
FIRE STATION # 1	\$ 44,500
BLOWING ROCK ROAD BUILDING	\$ 52,950
BROWN BUILDING	\$ 214,150
JONES HOUSE	\$ 40,500
TOWN HALL BUILDING	\$ 69,000
SPECIAL PROGRAMS & PROJECTS	\$ 1,471,437
SUBSIDIES & ALLOCATIONS	\$ 121,900
PROFESSIONAL MEMBERSHIPS	\$ 40,905
GIS	\$ 248,574
FIRE STATION #2	\$ 21,000
DOWNTOWN POST OFFICE BUILDING	\$ 40,750
CULTURAL RESOURCES	\$ 429,038
FIRE STATION #3	\$ 14,500
NON-DEPARTMENTAL/DEBT SERVICE	\$ 630,377
POLICE DEPARTMENT	\$ 6,016,532
FIRE DEPARTMENT	\$ 4,498,525
PLANNING & INSPECTIONS	\$ 1,278,731
PUBLIC SERVICES & ENGINEERING	\$ 418,535
STREET DEPARTMENT	\$ 2,173,275
PARKING SERVICES	\$ 540,675
POWELL BILL	\$ 490,000
FLEET MAINTENANCE	\$ 509,872
FACILITIES MAINTENANCE	\$ 1,736,736
SANITATION	\$ 270,000
RECYCLING	\$ 292,700
TOTAL GENERAL FUND APPROPRIATIONS	\$ 24,631,383
NARCOTICS ENFORCEMENT DIVISION	
ENFORCEMENT	\$ 35,600
TOTAL NARCOTICS ENFORCEMENT APPROPRIATIONS	\$ 35,600
WATER & SEWER FUND	
PUBLIC UTILITIES (ADMIN)	\$ 927,126
WATER OPERATIONS	\$ 2,209,498
SEWER OPERATIONS	\$ 1,402,024
WATER TREATMENT PLANT	\$ 1,339,671
WASTE WATER TREATMENT PLANT	\$ 2,262,123
UTILITY BILLING & COLLECTIONS	\$ 420,980
NON-DEPARTMENTAL/DEBT SERVICE	\$ 2,144,017
TOTAL WATER & SEWER FUND APPROPRIATIONS	\$ 10,705,439
HEALTH INSURANCE FUND	

HEALTH INSURANCE	\$ 2,415,716
TOTAL HEALTH INSURANCE FUND APPROPRIATIONS	\$ 2,415,716
MUNICIPAL SERVICE DISTRICT	
MUNICIPAL SERVICE DISTRICT	\$ 306,664
TOTAL MUNICIPAL SERVICE DISTRICT APPROPRIATIONS	\$ 306,664
RURAL FIRE SERVICE DISTRICT	
RURAL FIRE SERVICE DISTRICT	\$ 1,958,962
TOTAL RURAL FIRE SERVICE DISTRICT APPROPRIATIONS	\$ 1,958,962
AMERICAN RESCUE FUNDS	
AMERICAN RESCUE FUNDS	\$ -
TOTAL AMERICAN RESCUE FUNDS APPROPRIATIONS	\$ -
GRAND TOTAL - ALL APPROPRIATIONS	\$ 40,053,764

SECTION 3: There is hereby levied a tax rate of thirty nine cents (\$0.39) per one hundred dollars (\$100.00) valuation of property as listed for taxes as of January 1, 2024 for the purpose of raising the revenues listed "Current Year Taxes" in the General Fund in Section 1 of this Ordinance. This rate is based on an estimated total valuation of property for the purpose of taxation of \$2,334,040,260 assessment ratio of 100% of the appraised value. The collection rate of 99.50% is reflected in the budget. The FY 2024-2025 operating budget follows the general reappraisal of real property for the Town of Boone. The Municipal Vehicle tax is levied at \$30.00 per registered vehicle. Solid water fee is set at \$10.50 per month per single-family residence receiving trash pick up.

SECTION 3 (a): There is hereby levied a tax rate of fifteen and three quarter cents (\$0.1575) per one hundred dollars (\$100.00) valuation of property as listed for taxes as of January 1, 2024 for the purpose of raising the revenues listed "Current Year Taxes" in the Downtown Municipal Service District in Section 1 of this Ordinance. This rate is based on an established taxation of \$149,777,930 assessment ratio of 100% of the appraised value. The collection rate of 99.18% is reflected in the budget. The FY 2024-2025 operating budget follows the general reappraisal of real property for the Downtown Municipal Service District.

SECTION 4: The Budget Officer is hereby authorized to transfer appropriations within a Fund as contained herein under the following conditions:

A. He/she may transfer amounts between objects of expenditure within a Department to a maximum of the budgeted amount per Department. Transfers shall be filed with the Finance Department for public and Town Council inspection. Town Council shall approve transfers in excess of the limitation.

B. He/she may transfer available funds between departments of the same fund with an official report of such transfer on file with the Finance Department for inspection by the general public and the Town Council.

C. He/she may not transfer any amounts between Funds.

D. Town Council shall establish, by governing body procedure, the purchasing mechanism for large capital items (e.g. vehicle purchases). Such procedures shall not be in conflict with NCGS 143-129.

SECTION 5: The rates for water and sewer shall be established as set forth in Exhibit A, which is an attachment to this Ordinance. These rates will remain in effect until subsequently repealed or modified by the Town Council.

SECTION 6: Copies of this Budget Ordinance shall be furnished to the Finance Director and to the Budget Officer of the Town of Boone to be kept on file by them for their direction in the disbursement of funds.

ADOPTED this the 26th day of June, 2024 by the Town Council of the Town of Boone, North Carolina.

Mayor

ATTEST:

Town Clerk

Town of Boone Public Works Fee Schedule, **Effective July 1, 2024**

321 East King Street, Boone, North Carolina 28607

Phone: (828) 263-6230 | Email: publicworks@townofboone.net | <http://www.townofboone.net/pw>

Office Hours: 8 a.m. – 5 p.m., Monday-Friday

PUBLIC WORKS – SERVICES DIVISION.....	2
SOLID WASTE FEE (MONTHLY)	2
BRUSH, DEBRIS, & LEAF PICKUP SERVICE FEES (BILLED IN HALF-HOUR INCREMENTS)	2
DEVELOPMENT/CONSTRUCTION RELATED FEES.....	2
SIDEWALK/GREENWAY FEE-IN-LIEU.....	2
STREET/RIGHT-OF-WAY CLOSURES	2
PUBLIC WORKS – UTILITIES DIVISION.....	2
DEVELOPMENT/CONSTRUCTION RELATED FEES.....	2
METER DEPOSITS*	3
CONSTRUCTION METER (TEMPORARY)	3
SYSTEM DEVELOPMENT FEE (PER GALLON)	3
MINIMUM FEE WATER & SEWER*	3
DISTRIBUTION – WATER*	3
COLLECTION – SEWER*	4
MISCELLANEOUS UTILITY FEES	4
<i>Pretreatment Fee (previous violation)</i>	<i>4</i>
<i>BOD Surcharge (per pound)</i>	<i>4</i>
<i>TSS Surcharge (per pound)</i>	<i>4</i>
<i>Bio-Solid Sales (per ton)</i>	<i>4</i>
<i>WTP Sample Charge (per sample).....</i>	<i>4</i>
<i>Septic Disposal Fee (per gallon)</i>	<i>4</i>
<i>Meter Connect/Disconnect/Reconnect (each)</i>	<i>4</i>
<i>Returned Check Charge.....</i>	<i>4</i>
<i>Meter Re-Read Charge.....</i>	<i>4</i>
<i>Late Penalty Charge</i>	<i>4</i>

**indicates double fee/rate, please see fee for more detail.*

Town of Boone Public Works Fee Schedule, **Effective July 1, 2024**

321 East King Street, Boone, North Carolina 28607

Phone: (828) 263-6230 | Email: publicworks@townofboone.net | <http://www.townofboone.net/pw>

Office Hours: 8 a.m. – 5 p.m., Monday-Friday

Public Works – Services Division

Solid Waste Fee (Monthly)		\$10.50
Brush, Debris, & Leaf Pickup Service Fees (Billed In Half-Hour Increments)		
Brush & Debris	Grapple Truck	\$40.00
	2 Employees	\$36.00
	Total	\$76.00
Leaf	Vacuum Truck	\$21.50
	1 Employee	\$18.00
	Total	\$39.50

Development/Construction Related Fees

Driveway Permit (per driveway)	\$50.00
Encroachment Agreement	\$75.00
Zoning Permit – Site Plan Review	\$115.00
Re-Inspection Fee (Per Employee, Per Trip)	\$55.00
Sidewalk/Greenway Fee-In-Lieu	
Per Linear Foot of Concrete Sidewalk (5' width)	\$110.00
Per Linear Foot of Asphalt Greenway (10' width)	\$80.00
Per Linear Foot of Curb and Gutter	\$40.00
Wheelchair Ramp	\$1,620.00

Street/Right-of-Way Closures

Non-Refundable Petition Fee	\$500.00
All Costs Incurred with Respect to Petition & Closure (e.g., legal notice, recording fees,); Customer to Be Billed Direct Costs	TBD

Public Works – Utilities Division

Development/Construction Related Fees

Building Permit – Pretreatment Review	\$115.00
Building Permit – Utility Systems Review	\$115.00
Zoning Permit – Site Plan Review for Utility Connections	\$115.00
Re-Inspection Fee (Per Employee, Per Trip)	\$55.00

Town of Boone Public Works Fee Schedule, **Effective July 1, 2024**

321 East King Street, Boone, North Carolina 28607

Phone: (828) 263-6230 | Email: publicworks@townofboone.net | <http://www.townofboone.net/pw>

Office Hours: 8 a.m. – 5 p.m., Monday-Friday

Meter Deposits*

*Note: Deposits for any meter outside corporate limits are double the rate listed below.

Residential	\$150.00
Commercial	\$500.00

Construction Meter (Temporary)

3/4"	\$500.00
2" or 3"	\$1600.00

System Development Fee (per gallon)

Water	\$7.89
Sewer	\$7.99

Minimum Fee Water & Sewer*

*Note: Minimum rates for use outside corporate limits are double the rate listed below.

	Water	Sewer
Minimum Residential 3/4" includes 0-1,000 gallons	\$18.15	\$17.55
Minimum Residential 3/4" includes 1,001-2,000 gallons	\$19.80	\$19.15
Minimum Commercial 3/4" includes first 2,000 gallon	\$26.50	\$25.60
Minimum Commercial 1" includes first 2,000 gallons	\$32.25	\$31.20
Minimum Commercial 1 1/2" includes first 2,000 gallons	\$38.00	\$36.75
Minimum Commercial 2" includes first 2,000 gallons	\$38.00	\$36.75
Minimum Commercial 3" includes first 2,000 gallons	\$49.50	\$47.90
Minimum Commercial 4" includes first 2,000 gallons	\$61.00	\$59.00
Minimum Commercial 6" includes first 2,000 gallons	\$84.00	\$81.25
Minimum Commercial 8" includes first 2,000 gallons	\$107.00	\$103.55

Distribution – Water*

*Note: Minimum rates for distribution outside corporate limits are double the rate listed below.

2,001-4,999 gallons	\$7.90
5,000-9,999 gallons	\$8.25
10,000-14,999 gallons	\$8.55
15,000-19,999 gallons	\$8.80
Over 20,000 gallons	\$9.10

Town of Boone Public Works Fee Schedule, **Effective July 1, 2024**

321 East King Street, Boone, North Carolina 28607

Phone: (828) 263-6230 | Email: publicworks@townofboone.net | <http://www.townofboone.net/pw>

Office Hours: 8 a.m. – 5 p.m., Monday-Friday

Collection – Sewer*

*Note: Minimum rates for collection outside corporate limits are double the rate listed below.

Residential- Over 2,000 per 1,000 gallons \$6.75

Commercial- Over 2,000 per 1,000 gallons \$7.05

Miscellaneous Utility Fees

Pretreatment Fee (previous violation) \$100.00

BOD Surcharge (per pound) \$0.376

TSS Surcharge (per pound) \$0.433

Bio-Solid Sales (per ton) \$1.00

WTP Sample Charge (per sample) \$20.00

Septic Disposal Fee (per gallon)

Residential \$0.10

Commercial \$0.13

Meter Connect/Disconnect/Reconnect (each) \$40.00

Returned Check Charge \$20.00

Meter Re-Read Charge \$10.00

Late Penalty Charge \$10.00

Town of Boone Planning and Inspections Fee Schedule, **Effective July 1, 2024**
680 West King Street, Suite C, Boone, North Carolina 28607
Phone: (828) 268-6960 ♦ Email: planning@townofboone.net ♦ <http://www.townofboone.net/pi>
Office Hours: 8 a.m. – 5 p.m., Monday-Friday

Table of Contents

Frequently Asked Questions	2
Section 1. Board/Hearing Fees.....	3
Board of Adjustment	3
Planning Commission/Public Hearing.....	3
Historic Preservation Commission.....	3
Section 2. Subdivision Fees	3
Section 3. Annexation Fees.....	3
Section 4. Zoning Fees.....	3
Single-Family & Duplex (Use 1.06).....	3
Commercial/All Other Residential	3
Wireless Transmission Facilities	4
Section 5. Building/Construction Related Fees	4
Single-Family & Duplex (Use 1.06).....	4
Commercial/All Other Residential	4
Other Building/Construction Related Fees	4
Section 6. Combination Zoning and Building Fees	4
Section 7. Development Related Fire Department Fees.....	5
Section 8. Development Related Public Works Department Fees	5
Utilities Division Fees.....	5
Services Division Fees	5
Section 9. All Other Fees & Penalties.....	5

Frequently Asked Questions

Many projects require Town of Boone permits before construction may commence. The permit and inspection process is designed to ensure that the development of land and construction of buildings are in compliance with applicable codes. Please see below for additional guidance on how to use this fee schedule. For any questions on whether or not a permit is required or for more information on a permit, please contact the Town of Boone Planning and Inspections Department.

When are fees due? Fees are due upon receipt of invoice. Initial fees shall be paid prior to the processing of the application. Any additional fees assessed prior to the issuance of a permit shall be paid prior to the release of the requested permit, and any subsequent fees assessed shall be paid prior to the final inspection, issuance of a certificate of compliance, or issuance of a certificate of occupancy.

Fee Responsibility & Communications. The applicant shall be responsible for all associated fees. **Additionally, all communications will be sent only to the applicant and relevant design professional.**

Inspection Fees. Where the Department stipulates a maximum number of inspections for a permit, applicants requiring inspections beyond that count incur an added charge per inspection.

A re-inspection fee shall be assessed when the project is not ready for inspection, deficiencies exist, or access to the site is not available at the time the inspection has been scheduled to be conducted.

Other Town Department Fees. Fees may be collected on behalf of other Town of Boone Departments for project reviews and inspections as listed herein.

Refund Requests. Refund requests shall be submitted in writing from the applicant. Refund requests for applications not yet reviewed will be processed at 10% of permit costs (up to \$100.00 per permit) to cover administrative costs. All other refund requests will be reviewed by the Director or their designee, who shall evaluate the amount of work completed by the Town as compared to the cost of the permit to ensure the Town has recovered the costs incurred with the processing, review, and inspections associated with the application.

Application Review Time Policy. The Town will strive to process all submittals in a timely fashion, with the knowledge that some submittals are more complex and will require additional review time than those set forth below. Additionally, applications are processed in the order in which they are received. See below for estimated review times (please note, the day of submittal is not counted in the estimated review time):

Application Type	Review Time	Application Type	Review Time
Residential Accessory Solar Energy Systems	3 business days	Commercial Accessory Solar Energy Systems	10 business days
Sign Permits	5 business days	Board/Hearing	25 business days
Short-Form Building Permit	5 business days	Commercial	25 business days
Single-Family	10 business days	All Other	20 business days

Please note, subsequent reviews times are anticipated to be shorter than the initial application review.

Submittals which contain any of the following elements may require additional review time: properties located in a B1 zoning district, Department of Insurance review, encroachment agreements, geologic hazard, historic landmark, historic district, special flood hazard area, steep (or very steep) slope, traffic impact analysis, watershed, or viewshed.

Review Fees. Each application is allowed two (2) reviews under the initial fee, the first review and a second (2nd) review if revisions or supplemental information is required based upon the first review. Each subsequent review after the 2nd review will be charged at 50% of the original fees charged for the application. These fees shall be paid at the time of resubmittal.

Working without Permits Penalty. Initial submittal fees are doubled if the activity or site change requested has already occurred or has been started unless the Director or their designee finds that there are mitigating circumstances.

Town of Boone Planning and Inspections Fee Schedule, **Effective July 1, 2024**
680 West King Street, Suite C, Boone, North Carolina 28607
Phone: (828) 268-6960 • Email: planning@townofboone.net • <http://www.townofboone.net/pi>
Office Hours: 8 a.m. – 5 p.m., Monday-Friday

Section 1. Board/Hearing Fees

Board of Adjustment

Special Use Permit (ANY)/Major Subdivision Preliminary Plat	\$1190	+ \$0.71 per adjacent property owner notification letter
Variance (per each request to vary a standard)	\$805	
Appeal of Administrative Decision	\$995	

Planning Commission/Public Hearing

Text Amendment	\$875	+ \$0.71 per adjacent property owner notification letter
General Use Zoning Map Amendment	\$765	+ Prorated cost of legal advertising for case
Conditional District Zoning Map Amendment	\$1090	

Historic Preservation Commission

Certificate of Appropriateness	\$375	+ \$0.71 per adjacent property owner notification letter
Historic Landmark Designation	\$375	

Section 2. Subdivision Fees

Exempt Division of Land	\$145
Minor Subdivision	\$180
Major Subdivision Final Plat	\$245

Section 3. Annexation Fees

Voluntary Annexation Fee	\$375	+Cost of legal advertising for case
Exception: The annexation petition fee and newspaper publication costs are waived for applicants with incomes below 60% of local area median family income as defined by the most recent figures published by the U.S. Department of Housing and Urban Development		

Section 4. Zoning Fees

Single-Family & Duplex (Use 1.06)

New Construction & Additions	\$455
Other Improvement & Repair: Accessory Structures , Yard/Parking Improvements, Culverts, Decks/Porches, Etc.)	\$205

Commercial/All Other Residential

Note: Pursuant to UDO Subsection 7.05.02, additional compliance with the UDO may be required when project cost (not including maintenance & repair, with exceptions for work in the SFHA) exceeds a percentage of the overall total development value (land & building). See project manager liaison for more detail.

New Construction, Additions, Tier 4: Project Cost Exceeds 75% of Total Development Value

≤ 2,500 total building square footage and land disturbance	\$545
>2,501 building square footage	\$1265

Renovation/Change of Use/Other

No Site Plan Review Required <u>and</u> Project is < 10% of Total Development Value	\$250	+ Land disturbance ≥ 1 acre, per acre or part thereof + Special Flood Hazard Review ¹	\$305 \$315
Tier 1: Project Cost Exceeds 10% of Total Development Value	\$340		
Tier 2: Project Cost Exceeds 25% of Total Development Value	\$515		
Tier 3: Project Cost Exceeds 50% of Total Development Value	\$780		

Other Improvement & Repair: Façade/Landscape/Lighting/Parking Modification, Culverts, Accessory Structures	\$255
--	-------

Town of Boone Planning and Inspections Fee Schedule, **Effective July 1, 2024**
680 West King Street, Suite C, Boone, North Carolina 28607
Phone: (828) 268-6960 • Email: planning@townofboone.net • <http://www.townofboone.net/pi>
Office Hours: 8 a.m. – 5 p.m., Monday-Friday

Wireless Transmission Facilities

Colocation or Eligible Facility Modification	\$310	
All Others	\$1265	+ Land disturbance ≥ 1 acre, per acre or part \$305 thereof + Special Flood Hazard Review ¹ \$315

Other Zoning Fees

Annual Short-Term Rental Permit	\$530	
Home Occupation	\$100	
Neighborhood Conservation District Parking Sticker (No Charge)		
Special Flood Hazard Area – Map Revision/Amendment	\$640	+ \$0.71 per adjacent property owner notification letter + Prorated cost of legal advertising for case
Statement of Conformity	\$100*	*Note: Additional permits may be required
Pavement Sealant	\$100	
Temporary Sign Registration (No Charge)		
Zoning Confirmation Letter	\$160	

Section 5. Building/Construction Related Fees

Single-Family & Duplex (Use 1.06)

New Construction & Additions	\$605	+ Additional fee each sq. ft. over 2,500 sq. ft. \$0.152 + Homeowners Recovery Fee ² \$10
Other Improvement & Repair: Accessory Structures, Equipment Change-out, Decks/Porches, Short-form, Etc.	\$165	+ Homeowners Recovery Fee ² \$10 +\$55.00 per inspection after 1st TBD

Commercial/All Other Residential

New Construction & Additions	\$755	+ Per Square Foot \$0.273
Equipment Changeout (per unit)/Short Form (1 inspection)	\$165	+\$55.00 per inspection trip after 1st TBD
Renovation & Repair, Change of Occupancy with Renovations		
≤ 5,000 square feet total building square footage)	\$245	
5,001 – 20,000 square feet of total building	\$295	+ \$55.00 per inspection trip TBD
>20,001 square feet of total building	\$370	

Change of Occupancy – no modification to building necessary

Other Building/Construction Related Fees

At Risk Special Footing/Foundation	\$230	+ \$55.00 per inspection trip TBD
Contractor Change	\$10	
Total Demolition/Moving	\$300	

Section 6. Combination Zoning and Building Fees

ABC Compliance Inspection	\$250	
Accessory Electric Vehicle Charging Station (No Charge)		
Accessory Solar Energy System (No Charge)		
Construction Trailer	\$255	
Manufactured Home in Park	\$290	
Master Sign Plan or Permanent Sign, per sign	\$195	+Additional Fee for Freestanding Permanent Sign \$55

Town of Boone Planning and Inspections Fee Schedule, **Effective July 1, 2024**
 680 West King Street, Suite C, Boone, North Carolina 28607
 Phone: (828) 268-6960 • Email: planning@townofboone.net • <http://www.townofboone.net/pi>
 Office Hours: 8 a.m. – 5 p.m., Monday-Friday

Section 7. Development Related Fire Department Fees

New Construction (per square foot)	\$.03	
Building Permit Renovation Review Fee	\$50	
Multi-Family and Commercial Zoning - Site Plan Review	\$115	
New Fire Alarm System up to 10,000 square feet	\$100	+ Additional fee each sq. ft. over 10,000 sq. ft. \$0.01
Fire Alarm System Renovation	\$50	
New Fixed Fire Suppression System	\$100	
Fixed Suppression System Renovation	\$50	
New Sprinkler System up to 10,000 square feet	\$200	+ Additional fee each sq. ft. over 10,000 sq. ft. \$0.02
Sprinkler System Renovation	\$100	
New Standpipe System	\$200	
Emergency Responder Radio Systems	\$150	
New Underground Tank Install (per tank)	\$100	
Underground Tank Removal (per tank)	\$50	

Section 8. Development Related Public Works Department Fees

Utilities Division Fees

Building Permit – Pretreatment Review	\$115
Building Permit – Utility Systems Review	\$115
Zoning Permit – Site Plan Review for Utility Connections	\$115

Services Division Fees

Town of Boone Driveway Permit (per driveway)	\$50
Zoning Permit – Site Plan Review	\$115
Encroachment Agreement (per encroachment agreement)	\$75
Sidewalk/Greenway Fee-In-Lieu	
Per Linear Foot of Concrete Sidewalk (5' width)	\$110
Per Linear Foot of Asphalt Greenway (10' width)	\$80
Per Linear Foot of Curb and Gutter	\$40
Wheelchair Ramp	\$1,620

Section 9. All Other Fees & Penalties

Miscellaneous	\$125	Penalties
Re-inspection Fee (per Town Employee), per trip	\$55.00	Working without Permits @ double applicable permit(s) cost
On-site consultation (per Town Employee), per trip	\$55.00	Other Zoning Penalties – See UDO Section 12.07
Subsequent review fee for each review after 2nd, 50% of original fees		Other Town Code Penalties – See Appropriate Town Code

Tob_141_DevInspectionFee_072023.docx

Town of Boone Planning and Inspections Fee Schedule, **Effective July 1, 2024**
680 West King Street, Suite C, Boone, North Carolina 28607
Phone: (828) 268-6960 ♦ Email: planning@townofboone.net ♦ <http://www.townofboone.net/pi>
Office Hours: 8 a.m. – 5 p.m., Monday-Friday

¹ A special flood hazard review is required where noted for projects which require the applicant to demonstrate compliance with UDO Article 30 through the submittal of elevation or flood-proofing certificates or other similar documentation.

² Required when a licensed General Contractor is used.

2. Budget Amendments

TO: Maintenance & Repair – Buildings 010-410-000-525101 \$10,000

FROM: Misc. Revenue 010-000-000-489900 (\$10,000)

Recognize NCLM grant award for safety improvements at Town Hall.

TO: Capital Outlay – Land 030-700-801-575021 \$3,000,000.00

FROM: Appropriated Fund Balance –

Water/Sewer Fund 030-000-000-4999900 (\$3,000,000.00)

Appropriate funds for the purchase of Hwy. 421 property.

TO: Capital Outlay – Land 010-411-000-575021 \$491,320.00

FROM: Affordable Housing 010-411-000-549115 (\$417,650.00)

Transfer From Town

Facilities Capital Reserve 010-000-000-498017 (\$73,670.00)

Appropriate funds used to purchase Wyn property.

TO: Tax Collections 010-403-000-5771100 \$29,000.00

Tax Collections 050-450-000-5771100 \$300.00

FROM: Current Year Tax Collections 010-000-000-411080 (\$29,000.00)

Current Year Tax Collections 050-450-000-411080 (\$300.00)

Appropriate additional funding to cover tax collection fees associated with tax revenue collected beyond budget.

TO: Transfer to Water Capital Reserve 030-700-890-598031 \$280,000.00

Transfer to Sewer Capital Reserve 030-700-890-598032 \$285,000.00

FROM: System Development Fees – Water 030-000-000-467301 (\$280,000.00)

System Development Fees – Sewer 030-000-000-467302 (\$285,000.00)

Appropriate system development fees collected in excess of FY 2023/2024 budget.

TO: Town Hall Bathroom Project 010-411-000-549101 \$87,591.00

FROM: Room Occupancy –

Other Tourism Related 010-411-000-549140 (\$27,591.00)

Transfer from MSD 010-000-000-498050 (\$60,000.00)

Appropriate funds allocated to Town Hall bathroom project.

TO: Daniel Boone Park 015-420-000-551138 \$2,400,000.00

Police Department Equipment 015-420-000-551139 \$105,000.00

FROM: State of NC - General Assembly

Appropriation 015-420-000-442104 (\$2,505,000.00)

Recognize/appropriate NC General Assembly funding.

.....

3. Personnel Policy Amendment – Reasonable Accommodations for Pregnant Workers

4. Minutes:

- a. May 8, 2024, Regular Town Council Meeting
- b. May 21, 2024, Special Town Council Meeting
- c. May 22, 2024, Regular Town Council Meeting
- d. May 30, 2024, Special Town Council Meeting

Consideration of Cases Heard at the April 22, 2024 Public Hearing-Case PL05640-040822: Lighting Standards UDO Text Amendment

Mayor Pro-Tem George made a motion, which was seconded by Council member Carter, to approve the proposed amendment to the Town's zoning map and that it is consistent with the Town's comprehensive plan and any other adopted plan(s) of the Town that are applicable because it is consistent with: Comprehensive Plan Policy 1.1 Overall Objectives for the Boone Comprehensive Plan Neighborhoods: Ensure the livability of neighborhoods, especially through land use and traffic planning. Comprehensive Plan Policy 2.1.1 Economic Development E.1 Continue to look for ways to make development regulations and permit procedures more predictable and timely. Evaluate opportunities for administrative review and permit issuance for development projects which, due to their small or relatively minor impacts, may not require review by a formal public commission or board. A.1 Continue to evaluate and amend development regulations to help insure aesthetic quality in the area and preserve the natural beauty of the area. The motion carried unanimously.

Council member Roseman made a second motion that the Town Council approve Ordinance PL05640-040822 to the Town zoning ordinance and believes that approval is reasonable and in the public interest because it will enhance lighting standards and the quality of life overall for the community and allow more darkened sky for all to observe. Council member Carter seconded the motion, which carried unanimously.

Cases A24-0107, A24-0109, A24-0110 RL Clay (Rivers) House Local Historic Landmark Designation – 150 Clay House Drive – General Use Zoning Map Amendment

Council member Plaag made a motion to approve the proposed amendment to the Town's zoning map and that it is consistent with the Town's comprehensive plan and any other adopted plan(s) of the Town because it is consistent with: Comprehensive Plan Policy 2.1.1 Economic Development Initiatives and the Role of Educational Institutions A. The Town shall protect and enhance a high quality of life, image, cultural amenities, and natural beauty as the most effective, long term component of an economic development strategy. C. The Town shall encourage the development of a well-balanced tourism trade as a primary element of the area's economic future. Investments in services, facilities, and proper growth management shall be employed in furtherance of this objective. D. Economic development efforts shall encourage the revitalization and reuse of currently unused or underutilized structures, sites and infrastructure in appropriately located areas. 2.1.5 Downtown D. Public and private developments shall be encouraged to incorporate local artistry into public and semi-public spaces downtown. F. The maintenance and revitalization of downtown Boone, as well as planning for its future development, will reflect the realities and qualities befitting its geographical setting and function as a center of (1) commercial and service activities, (2) educational and cultural activities, events and (3) public services. 2.2.3 Parks, Recreation and Open Space A. Future park development and open spaces shall be planned

to provide for the rational and equitable distribution of recreation and open space opportunities within the planning area. Public facilities shall be provided to address the unmet needs of area residents lacking access to university or private recreational facilities. 2.3.2 The Community A. Urban type development within the Urban Growth Area shall meet appropriate Town standards. A(2) Seek out locations of historical merit in the community, and prepare an action plan for their enhancement, rehabilitation, or relocation as may be necessary. **B.** Multiple and appropriate adaptive reuse of historic resources shall be encouraged. **B.1** Amend development regulations to offer flexibility for restoration and active use of historic structures and other resources. **C.** Wise development of the tourism potential of the area's architectural, historic, scenic and natural resources shall be encouraged. **D.** The destruction of significant architectural, historic, scenic, natural and archaeological resources in the planning area shall be discouraged. **E.** New development, redevelopment and rehabilitation of structures and sites shall occur in a manner which is consistent with the neighborhood and architectural context of the immediate area, and supportive, whenever possible, of Boone's original community character as a High Country small town. Council member Roseman seconded the motion, which carried unanimously.

Council member Plaag made a second motion to approve Ordinance A24-0107, A24-0109, A24-0110 and that they are reasonable and in the public interest because the designation of this local landmark helps preserve a property of special historic and architectural significance, encourages redevelopment of the property and compliance with the spirit of the deed restrictions of the property and facilitates planned recreational use of the property and its resources. Council member Roseman seconded the motion which carried unanimously. Mayor Pro-Tem George expressed his excitement at this amendment since the property was originally gifted to the Town by a remarkable local family.

Case A23-0634 Horton Hotel Local Historic Landmark Designation – 611 West King Street – General Use Zoning Map Amendment

Council member Plaag announced that he needed to recuse himself from this case due to the fact that he represented the applicant. There were no objections. Council member Roseman made a motion to approve the proposed amendment to the Town's zoning map and that it is consistent with the Town's comprehensive plan and any other adopted plan(s) of the Town because it is consistent with Comprehensive Plan Policy 1.1 Overall Objectives for the Boone Comprehensive Plan Downtown: Support and enhance the cultural and historic significance of downtown Boone, and affirm its appealing, pedestrian orientation.

Comprehensive Plan Policy 2.1.1 Economic Development A. The Town shall protect and enhance a high quality of life, image, cultural amenities, and natural beauty as the most effective, long term component of an economic development strategy. D. Economic development efforts shall encourage the revitalization and reuse of currently unused or underutilized structures, sites and infrastructure in appropriately located areas. Comprehensive Plan Policy 2.1.5 Downtown A. A compatible design character for the downtown area, drawing upon the locality's original High Country small town features, shall be identified, reinforced and supported to put forth a quality image and sense of place.

B. The Town, in concert with the downtown property owners and merchants, shall encourage public and private efforts to develop and publicize adequate and appropriately designed off-street parking lots in the downtown area. Comprehensive Plan Policy 2.3.2 Community Character A.

The identification, restoration and active use of structures, buildings, monuments, and neighborhoods of historic or architectural significance shall be encouraged as a means of enhancing their economic and cultural value to the planning area. A.1 Conduct on-going assessments of critical locations in the community deserving special attention by the zoning ordinance, in light of their high visibility, traffic impact, strategic location, or other unique features. Continue to encourage significant new public buildings and outdoor spaces to locate in these and other positions of visibility and strategic prominence. Encourage the private sector to do likewise. A.2 Seek out locations of historical merit in the community, and prepare an action plan for their enhancement, rehabilitation, or relocation as may be necessary. B. Multiple and appropriate adaptive reuse of historic resources shall be encouraged. C. Wise development of the tourism potential of the area's architectural, historic, scenic and natural resources shall be encouraged. E. New development, redevelopment and rehabilitation of structures and sites shall occur in a manner which is consistent with the neighborhood and architectural context of the immediate area, and supportive, whenever possible, of Boone's original community character as a High Country small town. Council member Tugman seconded the motion.

VOTE:Aye: Roseman, Tugman, Carter, George
Nay: None
Recused:Plaag

Council member Roseman made a second motion to approve the amendment to the Town's zoning map and Ordinance A23-0634 and that the amendment is reasonable and in the public interest because by designating the Horton Hotel as a historic landmark, we continue to preserve Boone's eclectic history for futures to come. Mayor Pro-Tem George seconded the motion.

VOTE:Aye: Carter, George, Roseman, Tugman
Nay: None
Recused:Plaag

Case A24-0269 Todd Nolt – General Use Zoning Map Amendment

Mayor Pro-Tem George made a motion that the proposed amendment to the Town's zoning map with R3 Multi-Family and Corridor District Overlay is consistent with the Town's comprehensive plan and any other adopted plan(s) of the Town that are applicable because it is consistent with Comprehensive Plan Policy 2.2.2 Utilities B. Water and sewer services shall be concentrated within the limits of a geographically defined Urban Growth Area. The Primary Growth Area shall receive first priority for the provision or enhancement of water and sewer services. C. The Town shall consider the highest level of participation in the cost of providing water and sewer services within the Primary Growth Area with the next highest level of participation considered for the Secondary Growth Area. D. Water and sewer services shall not be extended to properties in the Rural Area (outside the Urban Growth Area). Exceptions to this policy may include the provision of services to other local governments, cooperative agreements on major economic development initiatives, and extensions needed to address imminent public health problems or related environmental hazards. Council member Carter seconded the motion. Council member Plaag offered a friendly amendment to include comprehensive plan policies 2.3.3 a and 2.3.3 h. Mayor Pro-Tem George and Council member Carter accepted this

amendment. Council member Roseman stated that she felt this was an appropriate case to utilize an R1S designation, but understood that the R3 designation was given because of the surrounding properties. Brief discussion ensued before a vote was taken.

VOTE:Aye: George, Carter, Plaag, Tugman
Nay: None
Abstain:Roseman

Mayor Pro-Tem George made a second motion to approve Ordinance A24-0269, and that approval is reasonable and in the public interest because this will extend the Town's corporate boundaries and add a zoning designation that allows for density and additional housing stock. Council member Carter seconded the motion.

VOTE:Aye: George, Carter, Plaag, Tugman
Nay: None
Abstain:Roseman

Case A24-0273 Rich – General Use Zoning Map Amendment

Council member Roseman made a motion to approve the proposed amendment to the Town's zoning map to zone the property R1A Viewshed Overlay and that it is consistent with the Town's comprehensive plan and any other adopted plan(s) of the Town that are applicable because it is consistent with Comprehensive Plan Policy 2.2.2 Utilities

B. Water and sewer services shall be concentrated within the limits of a geographically defined Urban Growth Area. The Primary Growth Area shall receive first priority for the provision or enhancement of water and sewer services. C. The Town shall consider the highest level of participation in the cost of providing water and sewer services within the Primary Growth Area with the next highest level of participation considered for the Secondary Growth Area. D. Water and sewer services shall not be extended to properties in the Rural Area (outside the Urban Growth Area). Exceptions to this policy may include the provision of services to other local governments, cooperative agreements on major economic development initiatives, and extensions needed to address imminent public health problems or related environmental hazards. Council member Plaag suggested a friendly amendment to add comprehensive plan policies 2.3.3 a and 2.3.3 h. Council member Roseman accepted this amendment. Council member Tugman seconded this motion, which carried unanimously.

Council member Roseman made a second motion to approve Ordinance A24-0273, and that approval to zoning the property R1a Viewshed Overlay is reasonable and in the public interest because it will extend the boundaries of the R1A section and help grow Boone and make a more contiguous Boone. Mayor Pro-Tem George seconded the motion, which carried unanimously.

Case A24-0264 Mediation & Restorative Justice Center (MRJC) Conditional District Zoning Map Amendment

Council member Carter made a motion to approve the proposed amendment to the Town's zoning map and that it is consistent with the Town's comprehensive plan and any other adopted plan(s) of the Town that are applicable because the amendment is consistent with:

Comprehensive Plan Policy 1.1 Overall Objectives for the Boone Comprehensive Plan

Neighborhoods: Ensure the livability of neighborhoods, especially through land use and traffic planning. Public Involvement: Encourage active public involvement and volunteerism to expand the effectiveness of community planning and action. Comprehensive Plan Policy 2.1.1 Economic Development A. The Town shall protect and enhance a high quality of life, image, cultural amenities, and natural beauty as the most effective, long term component of an economic development strategy. D. Economic development efforts shall encourage the revitalization and reuse of currently unused or underutilized structures, sites and infrastructure in appropriately located areas. Comprehensive Plan Policy 2.3.2 Community Character E. New development, redevelopment and rehabilitation of structures and sites shall occur in a manner which is consistent with the neighborhood and architectural context of the immediate area, and supportive, whenever possible, of Boone's original community character as a High Country small town. Comprehensive Plan Policy 2.3.3 Housing and Neighborhoods A. The protection and rehabilitation of viable neighborhoods shall be encouraged to insure their continued existence as a major housing source and as a reflection of the area's image as an attractive, highly livable community. G. Compact, full service neighborhoods, offering opportunities for living, working, shopping, and gathering places, shall be encouraged in newly planned developments, as well as for redeveloping areas. The following conditions of approval shall apply: 1. Where there is a conflict between the application information and the plans (dated received on April 16, 2024), the plans shall control. Insignificant deviations may be permitted to comply with the requirements of the UDO. 2. Any commitments and representations concerning the proposed development made by the applicant or its (his or her) representatives at the public hearing shall also become a condition of the permit and a basis for a stop work order and/or permit revocation if violated. 3. The applicant shall submit the necessary applications, plans, details, and specifications which meet the requirements of the Town Code, UDO, Building Code, and any other applicable codes for review and approval necessary to issue Zoning and Building Permits. 4. A Senior Resident shall be in place within six months of the beginning of operation. 5. There shall be a maximum of 9 residents, including the Senior Resident. Council member Plaag seconded the motion and emphasized this vote was for a site-specific conditional district rezoning, so the result did not bind the property and if the use was discontinued, it would revert to its pre-existing zoning. Deputy Planning Director Wise replied that it would not revert immediately, but that was correct, that it would revert to its initial zoning. Attorney Meade added that the applicant would be required to go through another process for a different use. The motion carried unanimously.

Council member Carter made a second motion to approve Ordinance A24-0264 and that approval is reasonable and in the public interest because recovery housing is needed in the community and this would provide a much-needed and overdue resource for people in recovery and would provide additional housing stock which the Town is sorely in need of. Mayor Pro-Tem George seconded the motion, which carried unanimously.

Case A24-0265-209 Sunset Drive Conditional District Zoning Map Amendment

Council member Tugman made a motion to approve the proposed amendment to the Town's zoning map as Conditional District R3 and that it is consistent with the Town's comprehensive plan and any other adopted plans of the Town that are applicable because the amendment is consistent with: Comprehensive Plan Policy 1.1 Overall Objectives for the Boone Comprehensive Plan Neighborhoods: Ensure the livability of neighborhoods, especially through land use and traffic planning. Public Involvement: Encourage active public involvement and volunteerism to expand the effectiveness of community planning and action. Comprehensive Plan Policy 2.1.1 Economic Development A. The Town shall protect and enhance a high quality of life, image, cultural amenities, and natural beauty as the most effective, long term component of an economic development strategy. D. Economic development efforts shall encourage the revitalization and reuse of currently unused or underutilized structures, sites and infrastructure in appropriately located areas. Comprehensive Plan Policy 2.3.2 Community Character E. New development, redevelopment and rehabilitation of structures and sites shall occur in a manner which is consistent with the neighborhood and architectural context of the immediate area, and supportive, whenever possible, of Boone's original community character as a High Country small town. Comprehensive Plan Policy 2.3.3 Housing and Neighborhoods A. The protection and rehabilitation of viable neighborhoods shall be encouraged to insure their continued existence as a major housing source and as a reflection of the area's image as an attractive, highly livable community. G. Compact, full service neighborhoods, offering opportunities for living, working, shopping, and gathering places, shall be encouraged in newly planned developments, as well as for redeveloping areas. The following conditions of approval shall apply: 1. Where there is a conflict between the application information and the plans (dated received on April 16, 2024), the plans shall control. Insignificant deviations may be permitted to comply with the requirements of the UDO. 2. Any commitments and representations concerning the proposed development made by the applicant or its (his or her) representatives at the public hearing shall also become a condition of the permit and a basis for a stop work order and/or permit revocation if violated. 3. The applicant shall submit the necessary applications, plans, details, and specifications which meet the requirements of the Town Code, UDO, Building Code, and any other applicable codes for review and approval necessary to issue Zoning and Building Permits. 4. A Senior Resident shall be in place within six months of the beginning of operation. Council member Plaag seconded the motion, which carried unanimously.

Council member Tugman made a second motion to approve Ordinance A24-0265 and that approval is reasonable and in the public interest because this will provide much-needed housing for people in recovery and general housing for the Boone community and people in need. Council member Plaag seconded the motion, which carried unanimously. Council member Roseman hoped that those in opposition to this project would see the beauty in what was just accomplished.

Consideration of Voluntary Annexation Petitions

Upon a motion by Mayor Pro-Tem George, Seconded by Council member Plaag, the Council voted unanimously to approve both ordinances (Nolte and Rich) as presented, effective today.

Discussion and Consideration of Draft Planning Principles for Boone Next

Nate Baker presented to Council draft planning principles for the basis of the Boone Next plan. After the presentation, Council member Plaag suggested that Nate's team include a commitment to protecting Boone's historic districts and properties and their contributing features. Director Shook and Mr. Barker were in agreement to include this addition. Council member Tugman noted that Boone had a number of old neighborhoods with narrow streets and no sidewalks that saw traffic and accessibility issues. She asked that the plan recognize the difficulty travelers faced in traversing through the neighborhoods. It was the consensus of Council to move forward with the draft as amended.

Council member Plaag moved, seconded by Council member Tugman, to amend the agenda to discuss the Morningside Drive property as the first Council matter. Council member Roseman started by stating that she did not recall Council voting to stop mowing the property on Morningside Drive. Council member Tugman added that there was not a vote, but that it was decided as part of a broader discussion to discontinue mowing certain Town properties. Mayor Pro-Tem George indicated that Sustainability and Special Project Manager George Santucci had been working on a grant for a restoration project in the area and that if the grant was awarded, the field would not exist in its current state. He assumed that, given the previous discussion about No Mow May, the intention was to turn this property into a natural space. Mayor Pro-Tem George expressed concerns about Town taxpayers paying to maintain the property to benefit only a handful of neighbors. He suggested the land be advertised as for public use and noted that the Town was not required to mow its own undeveloped land. Mayor Pro-Tem George further noted that there was language in the Town Code that would exempt wild, natural areas from mowing regulations. At the request of Council, Mr. Santucci gave a brief update on the planned project for the area if grant funds are received. He indicated that the culvert in the area is ineffective and often leads to flooding. The intent of the project, if approved, is to replace the culvert with a bottomless structure that would allow for a natural channel ecosystem to exist. Mr. Santucci noted that at one point in the past, the stream was moved causing unnatural water runoff. He added that the goal was to move the water flow to the right, which would, in turn, take up space in the field. Council member Plaag suggested designating this land as Morningside Park and adopting a policy to maintain a buffer around the basketball court for public use and trusted staff to make these decisions. Mayor Pro-Tem George was in agreement. Public Works Director Moody suggested only mowing around the basketball court and not mowing around the creek. It was the consensus of Council to discuss this item further in July.

Approval of Resolution Advocating for Peace in Palestine and Israel

Council member Plaag provided background information on the resolution, including the initial resolutions brought to Council and the final product created and presented to Council today by the working group, which included members of the Jewish and Palestinian communities. Council member Carter referenced a recent training given to Boone Human Relations Commission members by Gene Troy of the North Carolina Human Relations Commission and stated that the initial resolution would never have made it past the Human Relations Commission to Council if he had had the training prior. He clarified that, according to the guidance given by Mr. Troy, resolutions brought to Council should only be about issues affecting town citizens. Council member Plaag expressed concern at harassment involving this matter and stated that this needed

to be addressed. Council member Carter agreed and stated that he would like to see the original resolution submitted by the Mayor and Council member Plaag approved. He was also concerned that Hamas was not mentioned in the most recent resolution. Council member Plaag said that it was his feeling that references to Hamas were equivalent to references to the IDF and that no one was insisting upon a reference to the IDF in the resolution. He added that Hamas was not representative of the government of the Palestinian people and that it was a war taking place in these countries, not between these countries. Council member Roseman noted that previous Councils have passed resolutions that included the word “Nazi” and did not believe that the inclusion of Hamas was any different. She stated that terrorists should be called out for who they are. Council member Tugman was of the opinion that this was not the purview of the Town Council and suggested this resolution be tabled to allow revisions to be reflective only of the Town of Boone. Council member Carter agreed. Council member Tugman made a motion to table the resolution. Council member Carter seconded the motion. During the discussion of Council member Tugman’s motion to table, Council member Plaag stated that a lot of work went into the resolution and suggested that the only fair thing to do was to vote on the document as presented.

VOTE: Aye: None
 Nay: All

Council member Plaag then called the question and moved to approve the resolution as presented. Mayor Pro-Tem George seconded the motion. The motion carried, and the resolution was approved.

VOTE: Aye: Plaag, George
 Nay: Carter, Tugman
 Abstain: Roseman

Resolution Advocating for an Immediate, Sustained, and Permanent Bilateral Peace in Palestine and Israel

Whereas, the decades-old conflict in the Middle East has claimed the lives of thousands of innocent men, women, and children; has caused immeasurable suffering to countless individuals in both Israel and Palestine; has destroyed civilian infrastructure, including homes, schools, places of worship, and medical facilities; and continues to pose a significant risk of further death and destruction on both sides if de-escalation does not occur; and

Whereas, no people should be expected to abandon the hope and expectation of a safe, stable home that ensures an environment conducive to inalienable rights such as the freedom of speech, assembly, and religion; the right to self-government; the right to acquire, possess, and

protect property; the right to vote; the pursuit of happiness; and the right to self-determination; and

Whereas, the ongoing conflict in the Gaza Strip, the West Bank, and Israel—which has resulted in tens of thousands of deaths and more than 100,000 injuries to noncombatant civilians who reside in the region and rendered much of the Gaza Strip unsuitable for habitation—is a direct result of one people's need for a safe homeland being pitted against another's by the actions of 20th-century Western colonizing powers; and

Whereas, conditions of deprivation and hopelessness are known to be fertile breeding grounds for violence and extremism; and

Whereas, the U.S. federal government holds immense political, diplomatic, and economic power to save both Palestinian and Israeli lives; and

Whereas, the Town of Boone does not invest municipal funds in Israel- or Gaza-based companies, does not hold Israeli or Gazan debt or other securities, and is not invested in United States or international defense or military equipment stocks or securities; and

Whereas, the Town of Boone advocates for peace, safety, dignity, freedom, and equality for all people, and is composed of diverse individuals whose collective cultures, religions, backgrounds, orientations, abilities, and viewpoints create a community that prides itself on being welcoming and accepting of people from all walks of life; and

Whereas, the Town of Boone and all levels of government must stand united in combating intolerance, xenophobia, discrimination, and hate against individuals of varying ethnicities and religious beliefs, particularly in response to the recent rise in Islamophobia and antisemitism;

Now, therefore, be it resolved that the Town of Boone, North Carolina, advocates for the federal government of the United States and other willing global and regional leaders to facilitate:

1. Cessation of Hostilities:

An immediate and bilateral ceasefire in Israel and Palestine, supervised by neutral global powers to ensure a fair, honest, and sustained cessation of all hostilities. This will facilitate the process of healing and normalcy for all communities involved.

2. Release and Return of Detainees:

The release and safe return of all Israeli and Palestinian hostages, and all people detained without reason deemed appropriate by established international law. This includes a call for an end to all

forms of torture, whether social, livelihood-based, financial, psychological, sexual, or physical, for everyone in the lands of Israel and Palestine.

3. Urgent Humanitarian Aid:

Immediate, unfettered, sustained, and enhanced resumption of aid, including shelter, food, clean water, sanitary products, medical supplies (e.g., antibiotics, intravenous fluids, anesthetics, bandages, labor and delivery/surgical products), and the recruitment of medical staff including doctors, nurses, and the required support staff. This also includes the procurement of ambulances and the rebuilding of civilian infrastructure (homes, schools, hospitals, roads, internet, and mobile services) via international aid agencies, or through the creation of new agencies to support this task.

4. Material and Environmental Support:

- Provision of adequate material support for and work towards enhancing and uplifting physical and social environments in order to transform entrenched conditions of constructed hopelessness, pessimism, and abject poverty.
- Establishment of pathways for trauma-informed mental health counseling for all those who have been affected by the conflict.
- Creation of meaningful opportunities for youth, the unemployed, and the disabled, and promotion of an environment free of antisemitism, Islamophobia, and any other forms of prejudice and bias.

5. Media Access:

Allowing access to journalists from well-established international agencies to ensure the above measures are being followed by all parties, and providing additional resources and oversight as needed; and

Be it further resolved that the Town of Boone reaffirms its support for all Palestinian, Israeli, Muslim, Jewish, and Christian people, as well as people of all other faiths and people of no professed faith. This includes people of all cultures, ethnicities, backgrounds, orientations, abilities, identities, genders, and viewpoints who are residents, visitors, and guests in our community; and

Be it further resolved that the Town of Boone condemns all forms of antisemitic, Islamophobic, and anti-Arab rhetoric and/or attacks, as well as any other forms of "othering" rhetoric and/or attacks; and

Be it further resolved that the Boone Town Council and the Town of Boone are committed to taking legal, policy, legislative, and/or enforcement action whenever necessary to protect the

safety, health, and well-being, as well as the civil, political, and human rights, of all members of the Boone community, to the extent permitted under the Constitution and laws of the United States, the Town charter issued by the State of North Carolina, the General Statutes of the State of North Carolina, and the Town of Boone Municipal Code, and to the extent that such actions fall within the purview of the Town's authority and expertise; and

Be it further resolved that the Boone Town Council will ensure that copies of this Resolution are quickly forwarded to President Joseph Biden; Secretary of State Antony Blinken; Senators Thom Tillis and Ted Budd; and its Congressional Representative, Virginia Foxx.

Adopted this 26th day of June 2024

Tim Futrelle, Mayor

ATTEST:

_____ (SEAL)

Nicole Harmon-Church, Clerk

Request for Approval to Increase ABC Working Capital Balance

Manager Davis presented a request from the ABC Board to increase its working capital balance by \$200,000 to assist in building renovations and noted that one way or another, it would come out of the Town's allocation. She added that the board had the funding set aside and that they had voted to increase the Town's budget to \$650,000. Manager Davis stated that the board went through the same auditing and purchasing protocol as the Town so she saw no reason for Council not to approve. Mayor Futrelle noted that there were no plans for a second ABC store in town so ABC store was attempting to separate commercial and retail sales. Mayor Pro-Tem George found it interesting that the ABC board or staff did not provide supporting documentation or attend the meeting for the request and wished that the two entities had a cooperative relationship. Upon a motion by Council member Plaag, seconded by Council member Roseman, Council unanimously approved the request as presented with the stipulation that ABC Board members attend the regular meeting in July and give additional details regarding the plans.

Adjournment

Upon a motion by Mayor Pro-Tem George, seconded by Council member Roseman, Council voted unanimously to adjourn the meeting at 9:03 p.m.