

**MINUTES – REGULAR MEETING
BOONE TOWN COUNCIL
AUGUST 13, 2025**

CALL TO ORDER

A regular meeting of the Boone Town Council was held on Wednesday, August 13, 2025, at 9:00 a.m. at the Jones House Cultural and Community Center located at 604 W. King Street in Boone. Mayor Pro-Tem Dalton George presided. Council Members present included Todd Carter (remote), Virginia Roseman, Edie Tugman, and Eric Plaag. Staff present included Town Manager Amy Davis, Town Clerk Nicole Harmon-Church, Grants Coordinator/Communications Laney Wise, Cultural Resources Director Mark Freed, Planning Director Jane Shook, Deputy Planning Director Brandon Wise, Public Works Director Todd Moody, Fire Marshall Amy Flieg, Police Chief Daniel Duckworth, Finance Director Guy Miller (remote), Human Resources Director Dale Presnell, Downtown Boone Development Coordinator Lane Moody, and Town Attorney Allison Meade.

MOMENT OF SILENCE

A moment of silence was observed.

ANNOUNCEMENTS

Mayor Pro-Tem George announced the following board vacancies:

BOARD OF ADJUSTMENT

One regular position, three alternate positions

HUMAN RELATIONS COMMISSION

Three regular positions

PLANNING COMMISSION

One regular position

SUSTAINABILITY COMMITTEE

One regular position, three student positions

TENTATIVE AGENDA ADOPTION

Upon a motion by Council Member Roseman, seconded by Council Member Tugman, Council voted unanimously to approve the agenda as presented.

PUBLIC COMMENT

Cathy Franklin-Griffin, District 1 and 2 Director of the Garden Club of North Carolina, spoke to express the Garden Club's support for the Daniel Boone Native Gardens and thanked the Town of Boone for its continued partnership.

REQUESTED APPEARANCES

Molly Shandly – Daniel Boone Native Gardens

Molly Shandly referenced information in the meeting packet regarding the currently installed temporary deer fence made from willow reed. Councilmember Roseman stated that she appreciated the Gardens and all they contribute to the community, but she did not like the willow fence and stated that it was unattractive.

Councilmember Plaag noted that the willow fence was considered temporary, with a lifespan of approximately two to three years. Ms. Shandly confirmed that the plan was to continue fundraising until a more permanent option could be implemented. Councilmember Plaag expressed his opinion that the current willow fencing was a poor choice. While he appreciated the effort to create a natural appearance, he stated that, in his opinion, the reed fence was more attractive from inside the gardens than from outside, and did not believe this to be a very neighborly approach. He also raised concerns about the historical impact of the reed fencing on the grounds and the increased potential for graffiti.

Public Works Director Todd Moody expressed concerns that snow removal could potentially damage the current reed fence, noting that Public Works was not consulted prior to the installation. In response to a previous question, Director Moody added that the Gardens and the Town had previously collaborated on trail development and coordinated maintenance efforts, but was unsure whose responsibility maintenance on the fern trails actually was. He believed the Gardens were responsible for maintenance, even though the Town mowed the area. Attorney Meade stated that the lease would need to be reviewed to give clarity in terms of responsibility.

Ms. Shandly indicated that the Garden's consultant had recommended the current fence as a temporary solution and had provided suggestions for future improvements to Rebecca Hutchins. She reported that the temporary fencing cost approximately \$1,600 and that \$20,000 had already been spent on existing, permanent fencing. She stated that fundraising efforts were underway to raise an additional \$10,000 for permanent fencing. Ms. Shandly confirmed that wrought iron fencing was not feasible due to cost and slope issues along Horn in the West Drive.

Councilmember Roseman stated that the previous mesh fencing had been less offensive in appearance and questioned why it could not be used. Ms. Shandly stated she would have to defer to Rebecca (who was not in attendance) on that matter. Councilmember Plaag stated that in March, he had been informed by Rebecca that the fencing previously

approved by Council would not be feasible in the Horn in the West Drive section. He expressed frustration that this had been known for months and suggested that, for the lower part of Horn in the West Drive, if the approved fencing was not possible, the Town should revisit the original proposal rather than making unfeasible commitments. He reiterated his opposition to reed fencing and voiced concern for Public Works staff not being consulted, as well as the possible impacts on snow removal.

Town Manager Davis stated that she had previously raised the snow removal concern with Rebecca and that the Police Department had also expressed concerns about visibility. Attorney Meade reiterated that she had not reviewed the lease regarding the Town's versus the Garden's rights. Ms. Franklin-Griffin also noted that the Garden Club had not been consulted in regards to the reed fencing and that she had only learned of the fence this year, though outreach had been made to other larger gardens.

Mayor Pro-Tem George suggested, and it was the consensus of Council, to pause the project until the matter could be revisited and Ms. Hutchins could be present for discussion. Councilmember Plaag requested that the item be placed on the second agenda of the month.

WORK SESSION

Councilmember Plaag stated that a recent social media interaction had prompted him to suggest to have the Sustainability Committee prepare a recommendation to Council on the Town's use of artificial intelligence (AI) and its environmental impacts. He noted that a recent decision by the Downtown Boone Development Association (DBDA) not to partner with an AI firm for training was not based on environmental concerns or intellectual property rights, and he was of the opinion that this should have been taken into consideration. Councilmember Plaag stated that, if the Town is serious about addressing environmental impacts, these considerations should be part of future evaluations.

Attorney Meade stated she would also conduct additional research on the matter. There was consensus to proceed with obtaining both the recommendation from the Sustainability Committee and a report from Attorney Meade.

Councilmember Plaag reported that he had recently received an email to himself and fellow Council members regarding the ongoing problem of mufflerless vehicles in town. He noted that this issue had been discussed in the past, and that former Police Chief Le Beau had previously stated the Town did not have sufficient manpower to address it, and asked if this was still the case. Councilmember Plaag also reported conversations with Chief Duckworth and Major Houck regarding two recent shoplifting cases. He expressed concern that the District Attorney's office appeared to be aggressively prosecuting cases involving very small monetary amounts, even in situations where the individuals involved offered to pay for the items. He was concerned with the DA's apparent view that noise ordinance violations, such as those caused by mufflerless vehicles, were not worth pursuing.

Councilmember Plaag stated that he believed the impact of noise ordinance violations was greater than that of some shoplifting incidents.

Chief Duckworth responded that most vehicles involved in such complaints either had a malfunction or no muffler at all. He noted that Chapter 20 of the State Statutes provided authority for enforcement and that staffing levels had improved since the issue was last discussed. He further stated that officers could also issue noise ordinance violations in addition to the state statute violations. He explained that charges were typically dismissed by the DA once the vehicle was repaired.

Attorney Meade stated that she had not heard of any deviation from the normal process in how the DA's office handled these matters. She noted that shoplifting cases and noise ordinance violations followed two entirely different processes.

Mayor Pro-Tem George expressed appreciation for Chief Duckworth's willingness to take a proactive approach to this matter. Chief Duckworth encouraged residents to call the Police Department to report noise violations, while Councilmember Plaag noted that the problem was often resolved before officers arrived on scene.

CONSENT AGENDA

Councilmember Plaag offered the following changes to the proposed minutes:

June 25 – page 22 in the second motion regarding Boone Next: “rescinded” should be “repealed”.

June 25 - page 23, regarding the meeting at the Rivers property, it was suggested that both Mayor Pro-Tem George and Councilmember Plaag meet.

Upon a motion by Councilmember Tugman, seconded by Councilmember Carter, Council voted unanimously to approve the following items on the consent agenda with the above changes to minutes:

1. Minutes
 - a. June 25, 2025 Regular Town Council meeting
 - b. July 9, 2025 Regular Town Council meeting
2. WWTP Sludge Dryer Rebuild Materials
3. Amendment to Agreement Between Town of Boone and Davis Martin Powell Engineering Firm

Mayor Pro-Tem George declared a break at 9:57 a.m. Council reconvened at 10:06 p.m.

PLANNING MATTERS

Planning Director Shook stated that she wished to continue the discussion from the recent work session regarding planning-related cases in which applicants request to meet in

advance with Council members to receive feedback before submitting a formal application. Councilmember Plaag provided a brief overview of the prior discussion, noting his concern about the appearance of “back-room” discussions, which could give the impression that decisions made in a Council setting were merely pro-forma votes because the matter had already been worked out privately. He stated that he had participated in one meeting with an applicant alongside Lane, Amy, and Councilmember Tugman, which felt less problematic since staff and multiple members were present, though he still was not satisfied with the outcome. He also described another meeting he had agreed to after speaking with Director Shook, but stated he remained displeased with how that situation turned out.

Attorney Meade explained that, because these were legislative matters, there was no legal obstacle or requirement regarding such meetings. However, she acknowledged there was good reason to be concerned about transparency. She advised that, to avoid additional staff workload, staff involvement should not be encouraged. Attorney Meade further suggested that if Council members wished to provide feedback, applicants could be scheduled for requested appearances during meetings, limited to fifteen minutes.

Director Shook expressed comfort with that approach. Attorney Meade emphasized the importance of making it clear to applicants that this was an informal process.

Councilmember Plaag suggested that the agenda could include a sentence or an announcement by the Attorney indicating “Planning Project Requested Appearance” to clarify the nature of the discussion.

CONSIDERATION OF SPECIAL EVENT PERMIT – MOUNTAINEER ROAD RACE 10K

Noting a discrepancy on the event application, Jess Hardy with Capstone Races stated that the event organizers were targeting Sunday, July 14, 2026, due to lower traffic volumes, which they believed would be beneficial to all involved.

Councilmember Plaag asked about potential conflicts with the Pride event.

Councilmember Carter noted that efforts were underway to formalize the parade as the last Saturday in June. Councilmember Plaag inquired whether a local charity beneficiary had been selected. Ms. Hardy responded that one had not yet been determined, and that this was a component being developed in coordination with Appalachian State University (ASU). She indicated that a University-related charity was likely. Charlie Mercer with Capstone added that the ASU Foundation was the likely focus since ASU needed to be a partner in the event. He noted that as the event grows, there could be opportunities to direct funds toward the Town or other Town-sponsored causes.

Councilmember Plaag stated that he understood the Boone Police Department would not be used for the event. Ms. Hardy clarified that Boone PD would handle all traffic concerns on Town-owned public roads, while Capstone would use its own contracted company for cones and related needs, with ASU also assisting. Council member Plaag also expressed

concern that the \$1 million liability insurance limit seemed low for the scale of the event. Mr. Mercer replied that in over 40 jurisdictions in the United States and Canada, liability limits had remained the same. Attorney Meade noted that the limits were standard. Mr. Mercer stated that an umbrella policy was in place and that he would provide the information at a later date. Councilmember Plaag suggested increasing the limits, with Councilmember Tugman agreeing.

Councilmember Plaag raised concerns about alcohol availability at the end of the race without adequate food or other beverages. Ms. Hardy responded that there was always finisher food provided and that alcohol availability was not certain at this time.

Councilmember Plaag also noted the lack of sidewalks on a section of the route and suggested realigning it to use Greenway Drive and Leola Street, where sidewalks were available. Fire Marshall Flieg stated that Horn in the West Drive lacked sidewalks and expressed concern over the one-hour closure of State Farm Road. Ms. Hardy stated that the team had been working with Major Houck and that traffic would be allowed to flow when there were breaks in runners.

Councilmember Carter compared the event's insurance to that of the Turkey Trot and expressed concern over the limits due to the number of participants. He also noted that the County had taken over medical services from the previously unreliable provider and encouraged the organizers to select a professional service, adding that Watauga Rescue had always been reliable. He expressed hope for more professionalism and oversight from the County.

Councilmember Roseman noted that when the Hunter's Heroes event was held, the route included a stop at Council Chambers, and people became accustomed to seeing runners on U.S. 321. She suggested this might be a more appropriate route than the one used in the application.

Chief Duckworth stated that the Town had a good working relationship with Capstone and that, while every event route presented logistical issues, the combined experience of all involved would allow the event to be conducted safely. Attorney Meade stated that Council could approve the application with the condition of final Police and Fire Department approval.

Councilmember Tugman voiced concern that a \$500,000 aggregate was not adequate for the number of participants and suggested increasing the coverage to \$2 million or \$5 million. Councilmember Plaag asked whether there were concerns about dedicating substantial Town resources to an event whose beneficiary would be an ASU nonprofit. Ms. Hardy responded that officers would be paid an hourly rate for special events. Councilmember Roseman suggested that event organizers direct some funds to the Town's Affordable Housing Fund in addition to ASU.

Councilmember Carter moved to approve the Special Event Permit (SEP) application, and Councilmember Roseman offered an amendment adding the contingency that all routes receive final approval from the Police and Fire Departments. Councilmember Carter accepted the amendment, and Roseman seconded the motion.

Before a vote was taken, Councilmember Plaag asked whether insurance limits should be increased. Mr. Mercer stated that a recent event with 9,000 participants had maintained the same coverage limits and that they followed jurisdictional requirements, which were consistent with current standards. Attorney Meade suggested allowing staff to review the matter before imposing a new requirement, noting that if the Town increased requirements for this event, it would need to do so for all similar events.

VOTE: Aye: All
Nay: None

DISCUSSION REGARDING PARKING KIOSKS ON ASU FOOTBALL GAME DAYS

Mayor Pro-Tem George stated that he felt a two-hour parking limit at kiosks on ASU game days was reasonable and would benefit downtown business owners. Manager Davis noted that two weeks' notice would be required to implement such a change, if approved. Mayor Pro-Tem George added that the parking agreement with the County was still delayed.

Councilmember Plaag asked about the enforcement impacts for the Boone Police Department in the areas near the parking deck and Social Services building if these locations became tailgating areas, or whether such enforcement would fall to the Watauga County Sheriff's Office (WCSO). Chief Duckworth responded that dispatch would route such calls through Watauga County since these spaces were County-owned, and depending on the seriousness of the matter, Boone PD would respond if needed.

Councilmember Plaag moved to limit kiosks to a two-hour time limit for public downtown parking spaces on ASU football game days or any other ASU-related events, such as concerts, that would draw a large number of people, and to allow for Town Manager discretion in implementation. Councilmember Tugman seconded the motion.

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

DISCUSSION OF POSSIBLE REGULATION RELATING TO RESTAURANT DRIVE-THRU TRAFFIC STACKING OUT INTO PUBLIC ROADWAY

Attorney Meade reported that, in her view, there was no question that the Town could regulate new development through a Unified Development Ordinance (UDO) amendment to require sufficient stacking capacity for drive-through operations. While no direct statutory authority had been located, she expressed confidence that the Town currently

had the authority to control public streets within the corporate limits, as well as to regulate traffic and other matters of public safety on those streets as a part of its police powers. She added that she would work with Director Shook and Chief Duckworth on the text for the amendment.

Attorney Meade explained that the proposed regulation would cite the business operator or tenant, rather than the individual driver, in situations where drive-through lines blocked public streets. She noted that drivers were already subject to penalties for blocking a public roadway; however, the business was considered the source of the problem. She stated that the enforcement approach would include issuing warnings, increasing civil penalty levels, and applying a rolling enforcement period.

Attorney Meade added that she would work with Director Shook to incorporate flexibility for business owners, such as allowing the use of unused parking spaces to accommodate overflow. Alternatively, businesses could hire personnel to direct vehicles past the entrance when the drive-through reached capacity.

FOLLOW-UP DISCUSSION OF OVERDOSE AWARENESS PROPOSALS

Purple Pantry Discussion

Council discussed distinguishing between a standard pantry and an exhibit. Attorney Meade expressed comfort that a pantry fell within the Town's authority, as it provided a health and welfare benefit. She suggested that staff flag any similar future requests to be brought before Council for consideration.

Attorney Meade reported that the proposed Narcan/purple pantry raised separate concerns due to the fact that Narcan is a drug. She noted that state statutes establish standing prescription orders for Narcan distribution and emphasized that any implementation must comply with those statutes through coordination with the Health Department. Attorney Meade suggested contacting the overdose awareness group Just Love to ensure they were aware of the statutory requirements.

Manager Davis inquired about the potential for individuals to be unfamiliar with administering Narcan. Attorney Meade responded that the group should conduct due diligence, report back to Council, and partner with the Health Department. Councilmember Plaag asked whether other communities had implemented similar projects. Attorney Meade stated that there were examples involving health departments, but was unsure whether other municipalities had done so.

Councilmember Carter noted that the group had been conducting this work since 2022 and that there were several Narcan distribution sites around Town, including some on County property and private property. Councilmember Tugman expressed concern about children who use the greenway and potential access issues. Attorney Meade stated that

the design of such installations could address those concerns and reiterated her intent to speak with the group before proceeding.

Councilmember Carter stated that in some cases, such as with fentanyl test strips, this could be the only way a young person might access lifesaving resources. He emphasized that the Town should facilitate measures that could prevent youth deaths in the community. Councilmember Roseman noted that Narcan is not harmful even if administered to someone not under the influence of opioids. Attorney Meade recommended working with the organization and Public Works on the project. Councilmember Roseman added that the organization should be responsible for restocking the Narcan pantry.

Public Exhibits Discussion

Attorney Meade stated that her First Amendment analysis was clear in that anyone had the right to gather and make speeches on public property. She noted that other uses of Town property had been extensively litigated and that the Supreme Court had established a strong line of cases regarding government speech, and referred to her advice given in regards to the Town's flagpoles and banners. She explained that the same principles applied to public exhibits, with the key being for the Town to exercise control consistently. Attorney Meade stated that the Town could allow an exhibit if desired, but that she would be more comfortable if it were adopted as a Town project.

Councilmember Plaag asked about the possibility of establishing an application process. Attorney Meade advised against an ongoing application process to avoid opening the opportunity too broadly, recommending instead that it be handled as a one-time approval. She suggested that the duration and scope be clearly defined and that, until such projects became more common, they should remain subject to Council approval.

Councilmember Roseman proposed a ten-day duration for such exhibits, with Councilmembers Tugman, Plaag, and Carter expressing agreement. Councilmember Tugman asked whether someone should review the materials before they were displayed. Mayor Pro-Tem George suggested determining a single designated site for such displays. Councilmember Plaag expressed support for staff review but questioned who would conduct it. Manager Davis suggested that the Cultural Resources Advisory Board (CRAB) could meet on an ad-hoc basis to make recommendations to Council. Councilmember Carter stated he was reconsidering the approach, given the potential precedent it could set.

Mayor Pro-Tem George suggested that individuals be permitted to set up displays and remove them the same day, as part of their right to assemble, which could be allowed indefinitely. Attorney Meade stated that this approach would make her more comfortable from a legal standpoint. Councilmember Plaag emphasized that such displays should be the result of a Town-based choice.

It was the consensus of Council that there would be no formal application process. Instead, individuals could request Council approval through the regular requested appearance process to gain Council approval to host an awareness program. If approved, the Town would partner with the applicant to set up the display in a designated location, with staff involvement, as a Town-sanctioned partnership rather than an independent effort.

Mayor Pro-Tem George declared a break at 11:56 a.m. Council reconvened at 12:14 p.m.

DISCUSSION OF POSSIBLE NEW REGULATIONS LIMITING THE EXTENT TO WHICH SIDEWALKS CAN BE CLOSED TO PEDESTRIANS DURING CONSTRUCTION PROJECTS

Attorney Meade reported that she would return to Council with a proposed Unified Development Ordinance (UDO) amendment and changes to Chapter 96 to address the blocking of sidewalks for construction purposes. She noted that the proposed UDO amendment would require new development projects to include a specific plan for any sidewalk blockages, ensuring they occur for the minimum time necessary. She added that she was still working with Public Works Director Moody to address practical concerns related to long-term sidewalk closures. Regarding the sidewalk issue at the former Portofino location, she noted that Director Moody planned to call the developer to address the matter. Mayor Pro-Tem George emphasized the safety hazards posed by keeping sidewalks closed for extended periods.

Councilmember Plaag stated that, as a standard practice, a shelter should be built over a sidewalk to allow continued pedestrian use during construction, or, if sidewalk repairs were necessary, the pedestrian path should be relocated into the adjacent parking area. He stated that such measures should have been implemented at Portofino. Councilmember Plaag also suggested that construction companies be required to rent any parking spaces used for such purposes. Director Moody agreed with this approach, and Attorney Meade added that there would be an application process along with a per-day charge for such closures. Further discussion on the matter was tabled.

DISCUSSION OF RECENT DISCHARGE OF UNTREATED WASTEWATER

Mayor Pro-Tem George provided an update on the recent untreated wastewater incident near the former Legends site. Public Works Director Moody explained that the sewer line was located approximately 20 feet from the creek, which was the reason it had originally been demolished. During recent work, rocks were removed, which led to the blockage of the sewer line. As a result, wastewater seeped into the creek. He further reported that Appalachian State University (ASU) would pay for the sewer line repair and that Town staff were working with ASU to complete the work. The discharge into the creek was described as being highly diluted due to the large volume of water present and contained minimal solids. No further dilution measures were taken by the Town. Director Moody noted that such incidents occur across the state on a daily basis. The Town was notified of the

situation on the 9th at 6:30 a.m., with staff on site by 7:00 a.m. to verify the problem. Staff attempted to clear the blockage but were unable to remove the rock and began setting up a pump. The discharge continued until approximately midnight.

APPOINTMENT TO DOWNTOWN BOONE DEVELOPMENT ASSOCIATION

Mayor Pro-Tem George noted that both Roger Capote and Joey Lynch worked for The Speckled Trout and emphasized the importance of different representation. He added that Joey is the manager for the Boone location, which might be a better fit.

Councilmember Plaag nominated Megan Kevorkian and Kendra Sink for reappointment.

VOTE: Aye: All
Nay: None

These terms will expire on July 31, 2028.

Councilmember Tugman spoke in favor of the First Baptist Church representative and nominated Jordan Humler.

VOTE: Aye: All
Nay: None

Jordan's term will expire on July 31, 2028.

Mayor Pro-Tem George nominated Joey Lynch. Councilmember Plaag nominated Julia Moretz and inquired about term limits on these two applicants. After a brief discussion, Joey Lynch was nominated for a full term, and Julia Moretz was nominated to fill the remainder of the unexpired V. White term. Councilmember Roseman expressed displeasure with Ms. Moretz's application.

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

Joey's term will expire on July 31, 2028. Julia's term will expire July 31, 2026.

APPOINTMENT TO SUSTAINABILITY COMMITTEE

Mayor Pro-Tem George nominated Scott Morgan to regular vacancy. Hearing no other nominations, he called for a vote.

VOTE: Aye: All
Nay: None

Scott's term will expire on June 30, 2028.

TOWN MANAGER UPDATE

Manager Davis updated Council on the following items:

- Manager Davis announced that Human Resources Director Dale Presnell had recently graduated from the UNC School of Government's Executive Leadership Academy.
- Grants Coordinator Laney Wise recently submitted a USDARCDI grant application for \$75,000 for the Wyn property feasibility study.
- The Town recently received two fully electric vehicles.
- The Downtown Boone Development Association (DBDA) hosted the Main Street Conference.
- Regarding FEMA projects, staff reported that the estimated cost for the South Fork intake was \$2.5 million, and the reservoir catwalk was estimated at \$300,000. Although the applications had not yet been submitted, staff were working closely with FEMA. Justin from Senator Ted Budd's office had maintained communication regarding funding and announced the release of \$170,000 for the district, with efforts underway to secure additional funds.
- Staff reported that the County had begun sending out updated flood maps, with more discussion planned for September.
- Two local students received a grant for the "Books Around the Block" project, which will create small "Little Free Libraries." They requested to install one at the Jones House along Grand Boulevard. Councilmember Plaag noted there was already one located at Jaycee Park in need of maintenance and stated that Council approval would be required for the new installation.
- Doc Watson Day is scheduled for August 15.
- Registration will open soon for junior music lessons.
- Manager Davis was excited to announce a new children's project with the Boone Police Department and Meadow Hill.
- Manager Davis announced an Office of State Fire Marshal grant award of \$50,000 for wildland fire to enhance the Town's wildland fire response capabilities.
- The Town is currently in the process of milling and resurfacing the following streets: Meadowview Drive from Pilgrims Way to Madison Avenue, and Chase Hill Drive.
- New pedestrian infrastructure has been installed on New Market Boulevard near Market Hills Drive. The new rapid flashing beacon features two push buttons and four flashing beacons, making the crosswalk more visible to the traveling public.
- Mayor Pro-Tem George reported that Representative Virginia Foxx had visited the Public Works facility to discuss funding opportunities. A district staffer would be working with Ms. Wise, and he was pleased to announce the Town had secured a

letter of support. Manager Davis noted that the staffer would also look for opportunities outside the current funding scope.

TOWN ATTORNEY UPDATE

Attorney Meade stated that during the last public hearing, one of the applications involved an annexation, which raised the question of whether the Planning Commission was expected to address the annexation or only the associated zoning request. She proposed a change in process to make it clear that the Commission could speak to annexation matters.

Planning Director Shook noted that the Planning Commission was not required to provide a recommendation on zoning; however, she observed that it was difficult for the Commission to separate the two issues, particularly in light of the Boone Next comprehensive plan update.

BOARD LIAISON REPORTS

Councilmember Carter reported a successful Disability Pride event and AppalCart double-decker bus ribbon-cutting ceremony. He noted that the new bus had been tested and was able to run on every route in town.

Councilmember Roseman stated that she had not attended the Historic Preservation Commission (HPC) meetings in July and August. She reported that the Parks and Recreation Committee was meeting that evening. She attended the opening night of SAHA, which she described as decently attended with a unique atmosphere. She expressed concern about construction and attendance for next year.

Councilmember Tugman stated that she had missed both meetings last month.

Councilmember Plaag reported attending the WNC Recovery meeting, where Dr. Scott Elliott provided updates. He announced a September 22 event for emotional support following Hurricane Helene. He stated that Representative Ray Pickett had been in attendance and was thanked for his help in obtaining financial assistance. He also reiterated to Rep. Pickett the need for assistance with future debris staging.

Councilmember Plaag noted a proposal that was made to DBDA to bring benches downtown made from old turbine blades. He cautioned that due to the permanent nature of this design, a Certificate of Appropriateness (COA) process would likely be required. He also reported that survey information on the social district was complete, with more details forthcoming.

Next, Councilmember Plaag reported that the Cultural Resources Advisory Board met on Monday and discussed Daniel Boone Park. He noted that questions from a new member highlighted potential management issues and suggested the process might be due for reimagining. He inquired as to the feasibility of creating a separate line item for each park

to more easily keep track of expenses and labor. Manager Davis added that while there was a budget line item for Daniel Boone Park, there was no labor allocated from it, which would create payroll challenges.

Mayor Pro-Tem George reported that the Sustainability Committee was organizing invasive plant removal days on August 21 and possibly on August 29, at Clawson Burnley Park.

CLOSED SESSION

Upon a motion by Councilmember Plaag, seconded by Councilmember Roseman, Council voted unanimously to enter closed session at 1:12 p.m. pursuant to:

1. N.C. Gen. Stat.§ 143-318.11(a)(1), to review, approve, and seal closed session minutes from Council's prior closed session(s).
2. N.C. Gen. Stat.§ 143-318.11(a)(3), to consult with the Town Attorney in order to preserve the attorney-client privilege between the attorney and the Town Council, and obtain legal advice, consider, and/or give instructions to the attorney concerning one or more potential legal claims.
3. N.C.Gen.Stat.§ 143-318.11(a)(6), to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

Exit Closed Session:

ADJOURNMENT

Nicole Harmon-Church, Clerk

Tim Futrelle, Mayor

