

**MINUTES – REGULAR MEETING
BOONE TOWN COUNCIL
October 11, 2023**

CALL TO ORDER

A regular meeting of the Boone Town Council was held on October 11, 2023 at 12:00 p.m. at the Town Council Chambers located at 1500 Blowing Rock Road in Boone. Mayor Tim Futrelle presided. Council members present included Mayor Pro-Tem Edie Tugman, Virginia Roseman, Dalton George, and Becca Nenow. Town Staff included Town Clerk Nicole Harmon-Church, Fire Chief Jimmy Isaacs (remote), Downtown Boone Development Coordinator Lane Moody, Major Shane Robbins, Public Works Director Todd Moody, Planning Director Jane Shook, Long Range Planner Jessica Mitchell, Planner Mike James (remote), Interim Grants Coordinator Laney Pilkington (remote), Deputy Public Works Director Justin Stines (remote), Finance Director Guy Miller (remote), Human Resources Director Dale Presnell (remote), Deputy Planning Director Stacey Miller (remote), Deputy Public Works Director Josh Eller (remote), and Cultural Resources Director Mark Freed. Town Attorney Allison Meade was also in attendance.

MOMENT OF SILENCE

Mayor Futrelle announced that the Town had suffered many losses recently. He honored former Chancellor Peacock, former Mayor Rennie Brantz, and Town Manager Amy Davis' father, Archie "Lewis" Castle with a moment of silence.

Councilmember George and Attorney Meade spoke to Mayor Brantz's legacy as a person and during his time on the Town Council.

ANNOUNCEMENTS

Mayor Futrelle announced the following board vacancies:

BOARD OF ADJUSTMENT

One regular position, Three alternate positions

COMMUNITY APPEARANCE COMMISSION

Four regular positions, One student position

CULTURAL RESOURCES ADVISORY BOARD

One student position

SUSTAINABILITY COMMITTEE

Two regular positions, one student position

TOURISM DEVELOPMENT AUTHORITY

One position (a business that collects tax)

TENTATIVE AGENDA ADOPTION

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

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

PUBLIC COMMENT

No one was signed up to speak during the public comment period.

MAYOR'S REPORT

Mayor Futrelle updated Council on the following matters:

- Appropriations were received from the General Assembly that will fund the following projects:
 - \$3.7 million for water and wastewater improvements
 - \$2.4 million for Horn in the West amphitheater and Hickory Ridge History Museum improvements
 - \$105,000 for a forensic scanner and live scan fingerprint machine
- Staff met with representative Ray Pickett recently and toured the potential new kill-chill facility, Bolick Farm, and Horn in the West
- Boone TDA meeting was canceled
- High Country Council of Government annual banquet was held last week and had a good turnout.

TOWN ATTORNEY UPDATE

UPDATE ON 155 WYN WAY PROPERTY

Attorney Meade announced that the Town had recently entered into a contract for a four-month examination period for the former Western Youth Network property located at 155 WYN Way. She indicated that the next steps would be a thorough survey of the property and title work, as well as inspections to be performed by a general contractor. Attorney Meade added that pest and radon inspections would also take place as well as discussions regarding whether or not a phase one environmental inspection was in order. She cautioned that since the building was constructed in the 1960s there could be lead and asbestos issues which would require additional discussion in the future. Attorney Meade estimated that the cost for the first step would be around \$10,000 and would not count toward the purchase price if the Town chose to move forward with the purchase of the property.

BOARD LIAISON REPORT

Councilmember Nenow announced that the Sustainability Committee would meet on Thursday and the Parks and Recreation Commission next Wednesday. She added that the Great Trails State Steering Committee had more than 50 million dollars had been approved for new trails and greenways over next two years and that \$200,000 of that would go to Blue Ridge Conservancy for local projects. Councilmember Nenow stated that the GREAT NC Program had pledged to build 148 miles of bike and pedestrian facilities in rural areas. She added that a meeting regarding the Winkler's Creek bike park was scheduled for later this month. Councilmember George stated that the Sustainability Committee recently had its final climate action plan meeting and would be working on the plan itself moving forward.

Mayor Pro-Tem Tugman announced that Downtown Boone Development Association members had been assigned to take photographs of the downtown area for the new website, and indicated that new members and officers were sworn in at the most recent meeting. She added that a Mainstreet Workplan meeting would take place on November 16th, and announced the possibility that the Mainstreet director's meeting would take place in Boone in 2024. Mayor Pro-Tem Tugman added that discussion took place regarding the art in the planter next to Town Hall, the new website downtown bathrooms, the vendor ordinance, and the partnership with the HPC on the proposed Hellbender mural. In response to a question raised by Councilmember George, Mayor Pro-Tem Tugman indicated that DBDA members understood the Town's reasoning behind the closure of Town Hall restrooms.

Councilmember Roseman stated her opinion that in light of recent heated debates during Historic Preservation Committee meetings, facts need to be presented, not wishes or folklore. She added that discussion would continue regarding graveyard panels and asked Council members to consider how such a simple attribute as a panel could be so important to the members of the community. Councilmember Roseman stated that she believed that the Human Relations Commission was made up of a diverse representation and that the committee recently had a meeting regarding the proposed Hispanic Heritage Month proclamation. She added that an email was read to members of the committee to denounce them based on their faith and that she did not think that was okay.

PLANNING MATTERS

CONSIDERATION OF CASES HEARD AT THE SEPTEMBER 25, 2023 PUBLIC HEARING

Case A23-0003 Andrea K. Finney General Use Zoning Map Amendment

Planner Mike James presented Case A23-0003 Andrea K. Finney general use zoning map amendment. Mayor Pro-Tem asked if the lot was rezoned, would the nonconforming area remain but be reduced. Planner James answered that the lot as it existed currently was nonconforming for lot size requirements, width and street frontage, but if the property was rezoned, it would be conforming for lot size, but would remain nonconforming for width and street frontage. Attorney Meade added that the property owner would have the right to recombine the adjacent property and at that point the property would be conforming. Councilmember Roseman made a motion that the proposed amendment to the Town's zoning map 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 2.1.2 Commercial Development C. Community/Commercial Centers shall be located adjacent to a major street and contain or be adjacent to other appropriate community facilities. F. Commercial uses may be encouraged to develop by consolidation and expansion of existing commercially zoned property, only when such consolidation and expansion does not encroach upon a viable residential area. J. Highway Oriented Commercial uses shall be clustered along segments of major streets and contain land uses which are mutually compatible and reinforcing in use and design. Businesses shall be encouraged to coordinate their site designs with other nearby businesses. Design factors shall include, at a minimum, shared parking and street access, convenient pedestrian and vehicular movement, and consistent sign standards; Comprehensive Plan Policy 2.2.2 Utilities C. The Town shall employ incentives to encourage a concentration of intense urban type development with the Urban Growth Area. Comprehensive Plan Policy 2.1.1 Economic Development D. Economic development efforts shall encourage the revitalization and reuse of currently unused or underutilized structures, sites and infrastructure in appropriately located areas. Mayor Pro-Tem Tugman seconded the motion. Councilmember George stated that it was his hope that there would be a public component of the project that was usable, and that folks who lived and worked here could enjoy the property as well.

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

Councilmember Roseman made a second motion that the proposed amendment to the Town's zoning map is consistent with the Town's comprehensive plan and any other adopted plans of the Town that are applicable because providing each property to be a contiguous component of the same zoning will allow a more cohesive development within Boone's future. Mayor Pro-Tem Tugman seconded the motion.

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

Case A23-0183 WVS Investments LLC-General Use Zoning Map Amendment

Planner Mike James presented case A23-0183 WVS Investments LLC general use zoning map amendment and indicated that staff had missed the deadline for advertising which would push back the hearing process. Planning Director Shook added that Council could move forward with the zoning designation. Councilmember George made a motion that the proposed amendment to the Town's zoning map 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 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. Comprehensive Plan Policy 2.3.2 Community 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 ensure their continued existence as a major housing source and as a reflection of the area's image as an attractive, highly livable community. H. The overall housing unity density for proposed infill residential development or redevelopment should be compatible with the average density of existing areas. Councilmember Roseman seconded the motion.

VOTE: Aye: Roseman, Tugman, George, Nenow
 Nay: None

Absent: Carter

Councilmember George made a second motion that the proposed amendment to the Town's zoning map is consistent with the Town's comprehensive plan and any other adopted plans of the Town because the R1 zoning designation conforms with area around it. Councilmember Roseman seconded the motion.

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

REQUEST FOR DIRECTION REGARDING DANA FOLK WAY PROJECT

Long Range Planner Jessica Mitchell presented a request for direction regarding the proposed Dana Folk Way project, and announced that the Downtown Boone Development Association had agreed to partner with the Historic Preservation Commission on the project. Councilmember Roseman asked whether this project would have to go through the certificate of appropriateness process since this was a Town project. Attorney Meade responded that since the property was private and not Town-owned, it should go through the certificate of appropriateness process. Downtown Boone Development Coordinator Lane Moody added that the DBDA was excited to partner with the Town on new lighting in the alleyway, and noted that there was potential for additional art opportunities on other buildings located along the alleyway. After a brief discussion about the process, it was the consensus of Council to direct staff to move forward with the process.

REQUEST TO SCHEDULE SPECIAL TOWN COUNCIL MEETING

It was the consensus of Council to hold a special Town Council meeting on December 4, 2023 at 9:00 a.m. at Town Council Chambers to hear various planning-related matters and other matters as needed.

CONSIDERATION OF BOYETTE VOLUNTARY ANNEXATION PETITION (TBD QUEEN STREET)

Upon a motion by Councilmember George, seconded by Mayor Pro-Tem, Council voted to send the following annexation petitions forward to the public hearing process, with hearings taking place on December 4, 2023:

1. TBD Queen Street (Boyette)
2. 112 Paul Critcher Road (CasaRock, LLC)
3. 372 Junaluska Road (Folk)

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

Mayor Futrelle declared a break at 1:03 p.m. Council reconvened at 1:11 p.m.

CONSENT AGENDA

Councilmember George expressed his excitement about the Rivers House local landmark designation and thanked staff for their work on the stormwater grant. Mayor Futrelle was concerned with the amount of staff time that would go toward the property once it had been designated a local landmark and was unsure that Town resources should be used on this project. Councilmember Roseman stated that it was her opinion that the designation would not tie the Town down, but would enhance the heritage of the community.

After prefacing her comments by saying that they were not related to the language issue that was raised during the Human Relations Commission meeting regarding the use of the terms Latinx or Latine, Mayor Pro-Tem Tugman read the following statement concerning the Hispanic Heritage Month proclamation:

*"I am sorry to say I cannot vote to approve the Hispanic Heritage Proclamation as proposed.
I do not believe this proclamation reflects the diverse community or the history of most in the community, as a*

whole. A proclamation should be a celebration of the entire community and their history. In many ways the current proclamation strikes me more as a manifesto.

I am saddened by this work. I recognize there have been many struggles for the peoples of this commission as well as a great deal of pain, anger, and frustration that goes with that. I do not believe this proclamation, which should be designed to celebrate the culture and history of the Hispanic Community as a whole, is the most appropriate way to bring The Human Relations Commission's issues to the forefront.

One of the things that makes me the saddest, is that the commission doesn't seem to see the parallels between the two communities. They, themselves, have suffered so many insults, discrimination and threats, and violence through the years, just based on who they are. And yet, they appear to be turning their backs on a significant part of the Hispanic community that has also experienced discrimination, truly horrific immigration stories, deprivation, and so much more, just to be here, trying to avail themselves of our democracy and economic opportunities.

There is pain on both sides of this. I am not the person who can truly understand this matter as a whole, I can only tell you and the Commission what I see from where I stand.

I went to the meeting that didn't happen on Oct 3 to say this to the Commission, but didn't know their meeting time had been changed. I hoped to widen their view to be more inclusive of the voices of more of their community. I do not believe the proclamation reflects and celebrates the community's history as a whole."

Councilmember Roseman asked that the proclamation in question be pulled from the Consent Agenda and voted on separately based on Mayor Pro-Tem Tugman's statement.

Annaleise Maria Thoma Elias, member of the Human Relations Commission, stated that they did not agree with the statement given by Mayor Pro-Tem Tugman, and was of the opinion that Latinx included everyone. They added that this term was commonly used and that it was chosen to properly represent non-binary individuals.

Yndiana Montes Fogelquist stated that they were heterosexual and that these discussions were a sign of the times. They asked Council to try and understand how society was developing and stated that they were in support of the proclamation as presented. Councilmember Roseman made a motion to remove the Hispanic Heritage Month proclamation from the Consent Agenda so that a separate vote could be taken. Councilmember George seconded the motion.

VOTE: Aye: Roseman, George, Nenow
 Nay: Tugman
 Absent: Carter

Upon a motion by Councilmember George, seconded by Councilmember Nenow, Council voted to approve the following items on the consent agenda:

1. Constitution Week Proclamation
2. Public Power Week 2023 Proclamation
3. R.L. Clay (Rivers) House Local Landmark Designation Report
4. Request for Boone HPC to work with Civil War Trails marker program for the Stoneman's Raid interpretive panel project
5. Contract with High Country Council of Government – Stormwater
6. Renewal of Sustainability Committee Charge
7. Budget Amendment
 - a. Police Department:

TO: Maintenance – Vehicles	010-500-300-525301	\$300	
FROM: Misc. Revenue		010-000-000-489900	(\$300)

Restitution payments received for damages to a patrol vehicle OCA 211699.

8. Minutes:

August 9, 2023 Regular Town Council Meeting
 (Councilmember George asked that the following statement be added: "Councilmember George voiced concern in regards to the timing of the proposed project. He explained that they had just displaced people who were living on the property, and that the optics of the project were not good, and that he believes the vision for the project is great for the future **after taking time to understand the situation and those living in the area.**"

August 23, 2023 Regular Town Council Meeting
September 13, 2023 Regular Town Council Meeting

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

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WHEREAS, September 17, 2023 marked the two-hundred thirty-sixth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary and to the patriotic celebration that will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17th through September 23rd as Constitution Week.

NOW, THEREFORE, BE IT RESOLVED that I, **TIM FUTRELLE**, by virtue of the authority vested in me as Mayor of the town of Boone, North Carolina, do hereby proclaim the week of September 17th through 23rd as **CONSTITUTION WEEK**, and ask our citizens to reaffirm the ideals of the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties remembering that lost rights may never be regained.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Town of Boone to be affixed the 11th day of October of the year of our Lord two thousand twenty-three.

MAYOR

ATTEST:

TOWN CLERK
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WHEREAS, public power is a crucial component of cities and towns across North Carolina, contributing to the overall health of communities by providing reliable electricity, excellent local service, and prompt restoration; and

WHEREAS, North Carolina's more than 70 public power cities and towns are among more than 2,000 across the country; and

WHEREAS, many of North Carolina's public power cities and towns have been electric providers for more than 100 years, assisting their communities through boom times as well as pandemics and economic downturns; and

WHEREAS, public power meets the electric needs of 49 million Americans, who make up almost 15 percent of electricity consumers; and

WHEREAS, North Carolina's public power utilities are valuable community assets that contribute to the well-being of the community and provide economic development opportunities; and

WHEREAS, North Carolina's public power utilities are dependable institutions that are committed to providing excellent service; and

WHEREAS, the Town of Boone recognizes Public Power Week and commends the public power cities and towns across our state for their outstanding contributions to our communities;

NOW, THEREFORE, the Town of Boone hereby proclaims October 1 -7, 2023, as "PUBLIC POWER WEEK" in the Town of Boone and commends its observation to all citizens.

This is the 11th day of October, 2023. MAYOR

ATTEST:

TOWN CLERK

**AGREEMENT between the High Country Council of Governments and the
Town of Boone for the Provision of
GRANT MANAGEMENT ASSISTANCE
with respect to the
Boone Stormwater Infrastructure Inventory and Assessment
DEQ – DWI Project #SRP-SW-ARP-0064**

This Agreement is entered into by and between the High Country Council of Governments (hereinafter called the "Planning Agency") and the Town of Boone, North Carolina (hereinafter called the "Local Government") as of the date of the last execution by a party as appears below.

WITNESSETH THAT:

WHEREAS, the Local Government has obtained a grant to fund its Stormwater Infrastructure Inventory and Assessment Project (hereinafter, "DEQ Project");

WHEREAS, the Local Government has requested that the Planning Agency provide grant management assistance to the Local Government with respect to the performance of the DEQ Project; and

WHEREAS, the Planning Agency is empowered under the North Carolina General Statutes to provide grant management assistance to the Local Government with respect to the DEQ Project;

WHEREAS, the parties have agreed that the Planning Agency shall provide to the Local Government those grant management services more fully described on Attachment A to this Agreement; and

WHEREAS, the Planning Agency desires to cooperate with the Local Government in every way possible to the end that the proposed activities are carried out in an efficient and professional manner.

NOW, THEREFORE, the parties hereto do mutually agree as follows:

- 1) *Services* - During the period of this Agreement, the Planning Agency will furnish the necessary trained personnel approved by the Local Government to provide the DEQ Grant management assistance set forth at Attachment A.
- 2) *Compensation* - The Local Government will pay the Planning Agency \$15,000 for the satisfactory performance of all services related to the administration of the project. It is expressly understood that the total compensation shall not exceed the maximum sum specified without prior approval of both parties.
- 3) *Time for performance* - The Planning Agency shall ensure that all services required herein shall be completed and all required reports and documents submitted during the

period beginning June 1, 2023 and ending November 30, 2025. This Agreement shall terminate upon the completion of all required services and payment of all required compensation.

- 4) *Interest of Members, Officers, or Employees of the Planning Agency, Members of the Local Government, or Other Public Officials* - no member, officer, or employee of the Planning Agency, or its agents; no member of the governing body of the locality in which the program is situated; and no other public official of such locality or localities who exercises any functions or responsibilities with respect to the program during his tenure or for one year thereafter, shall have any financial interest, either direct or indirect, in any contract or subcontract, or the proceeds thereof, for work to be performed in connection with the program assisted under this Agreement. Immediate family members of said members, officers, employees, and officials are similarly barred from having any financial interest in the program. The Planning Agency shall incorporate, or cause to be incorporated, in all such contracts or subcontracts, a provision prohibiting such interest pursuant to the purpose of this section.
- 5) *Nondiscrimination Clause* - No person in the United States shall on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds available under the Appalachian Regional Development Act of 1965.
- 6) *Age Discrimination Act of 1975, as amended* - No qualified person shall on the basis of age be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from Federal financial assistance.
- 7) *Section 504, Rehabilitation Act of 1973, as amended* - No qualified handicapped person shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from Federal financial assistance.
- 8) *Access to Records and Record Retainage* - All official project records and documents must be maintained during the operation of this project and for a period of five years following closeout, in compliance with 04 NCAC 19L Rule .0911, Record keeping. The North Carolina Department of Commerce, the North Carolina Department of Treasurer, Appalachian Regional Commission, the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the Planning Agency which are pertinent to the execution of this Agreement, for the purpose of making audits, examination, excerpts, and transcriptions in compliance with 04 NCAC 19L Rule .0911, Record keeping.
- 9) *Termination of Agreement for Cause* - If, through any cause, the Planning Agency shall fail to fulfill in a timely and proper manner its obligations under this Agreement, or violate any of the covenants, conditions, or stipulations of this Agreement, the Local Government shall thereupon have the right to terminate this Agreement by giving written notice of such termination and specifying the effective date thereof. In such event, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs, and reports prepared under this Agreement shall, at the option of the Local Government, become its property, and the Planning Agency shall be entitled to receive

just and equitable compensation for any satisfactory work completed on such documents and other materials in direct proportion to the extent of services actually completed.

- 10) *Remedies/Sanctions or Breach of Contract Terms* - In accordance with 24 CFR 85.36, upon written notice, the Local Government may withhold payments to the Planning Agency if the Planning Agency shall fail to fulfill in a timely and proper manner its obligations to the Local Government under this contract, or if the Planning Agency shall violate any of the conditions of this contract. The Local Government shall in its written notice to the Planning Agency fully describe the nature of failure or violation by the Planning Agency, the corrective action required of the Planning Agency, and the Local Government shall allow the Planning Agency thirty (30) days from the date of the notification to correct such failure and/or violation. If such failure or violation is corrected by the Planning Agency within thirty (30) days from the date of notification, then the Local Government shall process payment(s) to the Planning Agency. If such failure or violation is not corrected within thirty (30) days from the date of the notification, then the Local Government may proceed to terminate this contract.
- 11) To the extent applicable in the performance of its services hereunder and consistent with applicable federal and state law, Planning Agency agrees to comply with the nondiscrimination ordinance of the Local Government set forth at Town Code Section 38.05 (nondiscrimination in employment and contracting).

IN WITNESS WHEREOF, the Planning Agency and the Local Government have executed this Agreement as of _____, 20_____.

For the Local Government

For the Planning Agency

TOWN OF BOONE

**HIGH COUNTRY
COUNCIL OF GOVERNMENTS**

By: _____
Mayor

By: _____
Executive Director

Attest

_____
Attest

This instrument has been preaudited in the manner required by the local government budget and fiscal control act.

Town of Boone Finance Officer

ATTACHMENT A**Scope of Services
Boone Stormwater Infrastructure Inventory and Assessment
DEQ – DWI Project #SRP-SW-ARP-0064****Scope of Services/Staff Assignment**

The High Country Council of Governments will assign Kelly Coffey, HCCOG Senior Planner, the responsibility of administering the Town of Boone's DEQ Project – Stormwater Infrastructure Inventory and Assessment. The scope of services will include the following:

- 1) Maintain on file all correspondence, agreements, and documentation relating to project activities.
- 2) Maintain documentation on the use of all project funds.
- 3) Process NC Department of Environmental Quality (DEQ) reimbursements for funds as necessary.
- 4) Prepare all project amendments, as needed.
- 5) Coordinate with the Engineer or Project Manager to maintain ARPA compliance with the project contracts and contractors.
- 6) Attend meetings and monitoring visits with DEQ
- 7) Assist the Local Government to ensure contractors and subcontractors are not debarred from doing business with the Federal or State Government.
- 8) Attend pre-bid conferences to advise contractors of their required ARPA compliance responsibilities.
- 9) Maintain complete files on the project with all documentation required by program regulations.
- 10) Submit required progress reports to the Town which would include a list of all project activities, expenditures, work accomplished, description of work in progress and information on any problems with the grant.
- 11) Prepare and submit required reports to the DEQ in a timely manner.
- 12) Assist the Local Government with required Annual Performance Reports
- 13) Assist the Local Government in closeout procedures.
- 14) Perform other activities deemed necessary for the success of the project.

Time of Performance

The High Country Council of Governments proposes to complete all activities involved in administration of the Town of Boone's DEQ Project – Stormwater Infrastructure Inventory and Assessment Project in a 30-month period beginning June 1, 2023 through November 30, 2025.

Cost

High Country Council of Governments will provide the above services, which includes project administration and services associated with the Project for a fee of \$15,000.

Amendments

This scope of services and budget may be amended as desired by mutual consent of the Local Government and Planning Agency.

Councilmember Roseman made a motion to uphold and approve the Hispanic Heritage Month proclamation as presented. Councilmember George seconded the motion.

VOTE: Aye: George, Roseman, Nenow
 Nay: Tugman
 Absent: Carter

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Mes de Herencia Hispana - Hispanic Heritage Month

Considerando que el mes de la herencia hispana es celebrado por el gobierno de Estados Unidos del quince de septiembre al quince de octubre con la intención de honrar los logros y los aportes de la comunidad hispana en este país.

Whereas Hispanic Heritage Month is recognized and celebrated by the United States government from September 15th to October 15th with the intention to honor the achievements and contributions of the Hispanic community in the country.

Considerando que el quince de septiembre inicia la celebración como un referente de las celebraciones por la independencia en países centroamericanos como Guatemala, El Salvador, Costa Rica, Honduras y Nicaragua; así como los países de México y Chile, en los cuales se celebra la declaración de independencia en los días quince, dieciséis y dieciocho de septiembre.

Whereas the 15th of September is the start of celebrations of independence of Central American countries, like Guatemala, El Salvador, Costa Rica, Honduras, and Nicaragua; as well Mexico and Chile, whose Declarations of Independence are celebrated on the 15th, 16th, and 18th of September.

Considerando que aun cuando la independencia fue declarada en estas regiones, los sistemas de opresión y el racismo sistemático seguían enraizados en estas sociedades y continúan presentes hoy en día. La historia de las naciones hispanoamericanas está llena de infamias, desde el origen mismo de la fusión de culturas, donde los europeos llevaron casi al exterminio a los pueblos originarios, desarrollando con el tiempo un variado mestizaje de culturas.

Whereas although independence was declared in these regions, the systems of oppression and systematic racism were still rooted in our societies and continue to be present today. The history of the Hispanic-American nations is full of atrocities, from the very origin of the clash of cultures, where the Europeans almost exterminated the Indigenous Peoples. Although with time, a varied mixture, or “mestizaje” of cultures was developed.

Considerando que reconocemos que estas naciones que celebramos hoy no son homogéneas y que el término hispano/latino para nombrar a estos diversos grupos étnicos es un término que se origina de la colonización europea. En décadas recientes, ha habido un llamado por activistas indígenas de diversas etnias del continente quienes utilizan el nombre de Abya Yala para nombrar al continente, como una alternativa al nombre de origen europeo. Abya Yala proviene del idioma Guna de la etnia indígena Kuna de Panamá y Colombia que significa “tierra en pleno florecimiento”.

Whereas, we recognize that the nations we celebrate today are not homogeneous, and the term Hispano/Latino, used to describe these various ethnic groups, was imposed by European colonization. In recent decades, there has been a call by indigenous activists from diverse ethnicities from all over the continent to use the name Abya Yala as an alternative to the European-derived name for the continent. Abya Yala comes from the Guna language of the indigenous Kuna People from Panama and Colombia, and it means “land in full bloom”.

Considerando que latine o latinx es un vocablo de género neutro que algunos hablantes del español utilizan para referirse a personas que se identifican como no binarias y, por ende, no se identifican con alguno de los dos géneros

tradicionales. El uso de este término es una forma de mostrar respeto por las identidades personales en la convivencia social.

Whereas, Latinx or Latine is a gender-neutral term that some Spanish speakers use to refer to people of Latin American descent that identify as non-binary and do not identify themselves with either of the two traditional genders. The use of this term is an attempt to show respect for the wide range of personal identities in our communities.

Considerando que algunos líderes políticos continúan avanzando políticas que perpetúan la ignorancia, el prejuicio y la discriminación contra la población hispana/latina/latine; tomando como ejemplo la constante amenaza de iniciativas de ley de Carolina del Norte, HB10 y SB50, las cuales buscan obligar a las agencias locales de seguridad pública a colaborar con las autoridades migratorias.

Whereas some political leaders continue to advance policies that perpetuate ignorance, prejudice, and discrimination towards the Hispanic/Latino/Latine community such as the constant threats of North Carolina's HB10 and SB50 which would compel local law enforcement to collaborate with the Immigration and Customs Enforcement agency.

Considerando que este municipio en las montañas de Carolina del Norte se ha convertido en un espacio más hospitalario para la población hispana/latina, y que en especial la municipalidad de Boone ha reconocido el trabajo y la dedicación de estas comunidades por su aporte a la economía local, como emprendedores de negocios, así como una parte importante de la fuerza laboral

Whereas this county in the North Carolina mountains has turned into a more welcoming space for the Latinx/Latino population, and specially the Town of Boone has recognized the work and dedication of these communities for their contribution to the local economy as entrepreneurs, jobs creators, and as an important part of the labor force.

Considerando que la municipalidad de Boone ha demostrado su compromiso en crear un municipio inclusivo y abierto para todos a través del reconocimiento y la apreciación de la comunidad latina, quienes han contribuido al enriquecimiento cultural de la región compartiendo su cultura, tradiciones y gastronomía.

Whereas, the Town of Boone demonstrates its commitment to being a welcoming and inclusive community through the recognition and appreciation of the Latino/Latinx community who have enriched the town with its cultures, traditions, and cuisines.

Considerando que este día honramos especialmente a nuestros vecinos quienes aportan su cultura, legado histórico, arte, tradición y mérito en los aspectos propios de cada actividad que realizan. **Por eso ahora y en adelante es resuelto que** en este día once de octubre de dos mil veintitrés, el municipio de Boone proclama el Mes de Herencia Hispana del quince de septiembre al quince de octubre.

Whereas this day we honor our neighbors who contribute their culture, historical legacy, art, tradition and merit in each aspect of their daily lives and the activities they carry out. For this reason, now, therefore, be it resolved that on this eleven of October two thousand and twenty-three, the municipality of Boone proclaims Hispanic Heritage Month from September fifteen to October fifteen.

This the 11th day of October, 2023.

Tim Futrelle, Mayor

ATTEST:

_____(SEAL)
Nicole Harmon-Church
Town Clerk

CLOSED SESSION

Councilmember George made a motion, which was seconded by Councilmember Roseman, to enter into Closed Session at 1:31 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.

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

Councilmember George made a motion, which was seconded by Mayor Pro-Tem Tugman, to exit closed session at 2:29 p.m.

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

ADJOURNMENT

Councilmember George made a motion, seconded by Mayor Pro-Tem Tugman, to adjourn the meeting at 2:30 p.m.

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

Nicole Harmon, Town Clerk

Tim Futrelle, Mayor