

**MINUTES – SPECIAL MEETING
BOONE TOWN COUNCIL
August 31, 2022**

CALL TO ORDER

A special meeting of the Boone Town Council meeting was held on Wednesday, August 31, 2022 at Boone Town Council Chambers located at 1500 Blowing Rock Road in Boone. Mayor Pro-Tem Edie Tugman presided. Council members present included Dalton George, Virginia Roseman, and Todd Carter. Staff present included Interim Town Manager and Finance Director Amy Davis, Town Clerk Nicole Harmon, Public Works Director Rick Miller, Deputy Public Works Director Todd Moody, Fire Chief Jimmy Isaacs, Planning Director Jane Shook, Police Chief Andy Le Beau, Sustainability and Special Projects Manager George Santucci, and Human Resources Director Dale Presnell. Town Attorney Allison Meade was also in attendance. Mayor Futrelle and Ms. Nenow were not in attendance.

MOMENT OF SILENCE

TENTATIVE AGENDA ADOPTION

Upon a motion by Mr. Carter, seconded by Ms. Roseman, Council voted unanimously to approve the agenda as presented.

PUBLIC COMMENT

There were several members of the audience in attendance regarding a proposed housing development near Chase Hill Drive. Mayor Pro-Tem asked speakers to limit their speeches to three minutes to allow everyone an opportunity to speak.

Mr. (?) spoke to oppose the proposed housing development in the Chase Hill Drive area. He was concerned that half of the development was proposed to be built in a floodplain, as well as the increase in traffic. He was also concerned about inadequate stormwater, increased erosion and mudslides if the development was approved.

Rosie (?) spoke against the proposed housing development due to the increase in traffic the area would see. She was also concerned about increased flooding and erosion if the development were allowed to be built.

Jim Lane of Boone was concerned about the adverse impacts to the community and the negative affects to the environment that would ensue as a result of the proposed development. He indicated that currently, members of the neighborhood felt safe walking with their children and pets on the street, but the increase in traffic would prohibit that. Mr. Lane stated that the streets were riddled with numerous potholes and cracked and broken pavement which was partly due to poor drainage control, and that a crawlspace to his home was infiltrated by runoff, which would increase if a development was allowed to be built on this space.

Rebecca Maness of Boone stated that she and her family have lived in the neighborhood for five years in a unit next to the creek. She indicated that flooding was a concern of hers if the development went in.

Brandon Maness of Boone acknowledged that the developer touted that his proposed development would increase home values for neighbors, but for neighbors who intended to stay in the community, it just meant increased taxes.

Jason Roy of Boone was concerned that potential buyers of homes in the area may not be aware of some of the issues the potential development may bring.

Planning Director Jane Shook gave a brief description of the Planning Commission process for those in the audience, and indicated that the matter would be on the September 26 Planning Commission/Public Hearing agenda.

Diane Blanks of Green Street in Boone spoke in favor of the Junaluska neighborhood conservation district. She believed that Boone's older neighborhoods were endangered and felt that it was in the Town's best interest to preserve all the character possible by allowing this neighborhood to become a neighborhood conservation district.

Joey Matthews, Peer Support Specialist at AppHealthcare shared statistics regarding overdosing and recovery.

APPROVAL OF ITEMS ON CONSENT AGENDA

Upon a motion by Ms. Roseman, seconded by Mr. Carter, Council voted unanimously to approve the following

items on the consent agenda:

1. Overdose Awareness Day Proclamation
2. Recovery Month Proclamation

WHEREAS, the Town of Boone, North Carolina, does affirm and acknowledge the harm and hardship caused by drug overdose; and

WHEREAS, we recognize the purpose of International Overdose Awareness Day as remembering loved ones lost to overdose and ending the stigma of drug-related deaths; and

WHEREAS, we resolve to play our part in reducing the toll of overdose in our community, which claimed the lives of at least 121 residents in Watauga County, North Carolina in 2020 together with countless more affected forever; and

WHEREAS, we affirm that the people affected by overdose are our sons and daughters, our mothers and fathers, our brothers and sisters, and deserving of our love, compassion and support;

1 Source for 2020 overdose deaths by county:

<https://wonder.cdc.gov/controller/datarequest/D76;jsessionid=FE2F14832714B9BFF1369C65856B> Watauga LEAD Case Management/ Peer Support/ Harm Reduction www.wataugalead.org 828-406-9911 AppHealthCare Narcan/Naloxone training and distribution 336-372-5641 ext 1116 Olive Branch Ministry/ Faith-based Harm Reduction Our mission is simple: Extend Hope. Extend Life. Narcan/Naloxone training and distribution Mobile SSP/Syringe Service Program (828) 278-4445

THEREFORE, I, Tim Futrelle, Mayor, do hereby proclaim August 31st, 2022, as Overdose Awareness Day in Boone, North Carolina, and encourage all residents to consider being trained in the use of life-saving overdose reversal medication and having it available to use.

This the 24th day of August, 2022 _____ Tim Futrelle, Mayor

ATTEST: _____ (SEAL) Nicole Harmon, Clerk

Mental health and substance use disorders affect all communities nationwide, with commitment and support, those impacted can embark on a journey of improved health and overall wellness. The focus of Recovery Month in September is to celebrate all people that make the journey of recovery possible by embracing the theme, "Recovery is For Everyone: Every Person, Every Family, Every Community." Recovery Month spreads the message that people can and do recover every day.

The impact of mental health and substance use disorders (SUDs) is apparent in our local community as many people in Boone, North Carolina are affected by these conditions through their own SUD, by SUDs experienced by loved ones, or both. Recovery Month can help people become more aware and able to recognize the signs of substance use disorders and other mental health disorders and encourages people in need of recovery services to seek help. Managing the effects of these conditions helps individuals, families, and communities achieve healthy lifestyles, both physically and emotionally.

The Recovery Month observance continues to work to improve the lives of those affected by substance use disorders and other mental health disorders by raising awareness and educating communities about the effective services that are available. For the above reasons, I am asking the citizens of Watauga County to join me in celebrating this September as Recovery Month.

I, Tim Futrelle, Mayor, do hereby proclaim the month of September 2022 as Recovery Month in Boone, North Carolina and call upon our community to observe this month with compelling programs and events that support this

year's observance, the 33rd anniversary of Recovery Month.

This the 24th day of August, 2022 _____ Tim Futrelle, Mayor

ATTEST: _____ (SEAL) Nicole Harmon, Clerk

Mr. Carter then read and presented the proclamations to

COUNCIL MATTERS

CONSIDERATION OF CASE HEARD AT AUGUST 22, 2022 SPECIAL PUBLIC HEARING

Ms. Shook presented Case Number PL05865-070822 Watauga County Parking Structure. She noted that the Planning Commission felt that it would be valuable for the Town Council to know where problem areas in terms of drainage were located, and recommended that staff work with property owners to make a prioritized list of what needed to be addressed throughout the Town's jurisdiction. Ms. Meade suggested that staff prepare a list and bring back to Council at a later date rather than delaying this item. Ms. Roseman was interesting in how the Town could be involved with how the stormwater component of the project got managed. Ms. Shook reminded Council members that according to the testimony at the hearing, this project would not have an impact on the area in front of the Tilley office. Mr. Miller noted that the piping in this area was NCDOT owned and maintained. Ms. Meade felt that it would not be appropriate to consider conditions or table this matter based on the piping since it was not an issue on this project and the applicants had no control over it. Mr. George was in support of the project, and felt that this was a good opportunity for the county and Town to increase cooperation. He added that there were new faces on the Town Council and hoped that the County Commissioners were open to cooperation in the future. Ms. 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 plan(s) of the Town that are applicable because it is consistent with Comprehensive Plan Policy 1.1 Automobile Transportation; Comprehensive Plan Policy 1.1 Infrastructure; and Comprehensive Plan Policy 2.1.5(B) Downtown. Mr. George seconded the motion which carried unanimously. Ms. Roseman made a second motion to approve the proposed amendment to the Town's zoning map and believes approval of ordinance PL0585-070822 is reasonable and in the public interest because the project will enhance the downtown district and the ability to have access to public parking, therefore allowing more people to enjoy the downtown area and businesses. Mr. Carter seconded the motion, which carried unanimously. Ms. Shook noted that this project involved the modification of a wall owned by the Town which would come back to Council for discussion at a later date. County Attorney Chelsea Garrett stated that she and her client appreciated the Town's effort toward this case, and was hopeful that this was the beginning of better collaboration.

Ordinance PL05865-070822

WHEREAS, pursuant to N.C. Gen. Stat. §160D-601, the Town may amend its zoning map after giving proper public notice and holding a public hearing; and

WHEREAS, the Planning Commission has received the request to amend the Official Zoning Map of the Town of Boone, North Carolina to rezone the parcel identified below to Conditional District B1 Core District: Address: 136 N. Water Street Watauga County PIN: 2900-79-9830-000 Property Owner: Watauga County

WHEREAS, in accordance with the procedures set forth in the Town of Boone Unified Development Ordinance, the Commission and Council met to consider the proposed amendment on August 22, 2022; and WHEREAS, this Town Council has reviewed these written recommendations of the Town of Boone Planning Commission; and

WHEREAS, in accordance with North Carolina General Statutes and with the provisions set forth in Article 9 of the Town of Boone Unified Development Ordinance, the Town of Boone duly advertised and held a public hearing to consider the proposed amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE BOONE TOWN COUNCIL THAT

SECTION 1. The Boone Town Council hereby approves and adopts the modifications to the Town Zoning Map as set forth herein.

SECTION 2. All provisions of any Town ordinance in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 3. This Ordinance shall be effective immediately upon its adoption by Town Council.

Adopted this the ____th day of _____, 2022.

CASE PL05865-070822 WATAUGA COUNTY PARKING STRUCTURE CD ZONING MAP AMENDMENT 15

The Honorable Tim Futrelle, Mayor

Attest: Nicole Harmon, Town Clerk

CONSIDERATION OF AREA FOR JUNALUSKA NEIGHBORHOOD CONSERVATION DISTRICT

Ms. Shook presented a request to have the Neighborhood Conservation District overlay be located in the Junaluska area, and outlined the process and associated costs. Ms. Jackson stated that she was happy that the Town was considering the Junaluska neighborhood for this type of service. Ms. Roseman felt that the Junaluska community was integral to the founding of Boone and that the people in that community were the heartbeat that kept Boone growing. Mr. George believed this was an exciting opportunity to be able to provide protections to a neighborhood that has had some challenges in terms of growth and rental properties pricing property owners out. Katie Mack of Boone spoke to say that she raised her children in the area, and hoped that the Junaluska community did not go unnoticed. Mr. George then made a motion to move forward with the consideration of the Junaluska Neighborhood Conservation District and to schedule the matter for public hearing in November. Ms. Roseman seconded the motion which was unanimous.

CONSIDERATION OF BARNEY & DELORES HAMPTON'S VOLUNTARY ANNEXATION PETITION (TBD W. DONNIES DRIVE)

Mr. James presented the case and indicated that, though the most appropriate zoning designation for the property was R1, everything else in the area was zoned RA, which was the reason this particular classification was chosen by staff. Ms. Meade suggested Council make the motion and run the public notice for both the R1 and RA designations to allow for change later on if needed. The applicant, who was in the audience, indicated that his reason for annexation was solely to build a single family home. Ms. Roseman made a motion to approve the certificate of sufficiency, resolution directing the clerk to investigate, and the resolution setting the date of public hearing for October 12, 2022 at 9:00 a.m. Mr. George seconded the motion, which carried unanimously.

CONSIDERATION OF INITIAL COMPREHENSIVE PLAN MEETING

Ms. Shook asked to table this item in light of the Town Manager hiring process.

CLOSED SESSION

Upon a motion by Ms. Roseman, seconded by Mr. Carter, Council voted to enter into closed session at 7:27 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)(3), to consult with the Town Attorney in order to preserve the attorney-client privilege between the attorney and the Town Council and obtain legal advice, consider and/or give instructions to the attorney concerning the lawsuit involving Watauga County relating to the local sales tax.

4. N.C. Gen. Stat. § 143-318.11(a)(1)(6) to prevent the disclosure of information that is privileged or confidential pursuant to N.C. Gen. Stat. § 160A-168, and to consider the qualifications and conditions of the initial employment of a prospective employee.

Mr. George made a motion, which was seconded by Ms. Roseman, to exit closed session at approximately 10:56 p.m. The motion carried unanimously.

ADJOURNMENT

Mayor Pro-Tem Tugman adjourned the meeting at approximately 10:56 p.m.

Nicole Harmon, Town Clerk

Tim Futrelle, Mayor