

**MINUTES – EMERGENCY MEETING
BOONE TOWN COUNCIL
December 22, 2023**

CALL TO ORDER

An emergency meeting of the Boone Town Council was held at 9:03 a.m. on Friday, December 22, 2023 in the Boone Town Council Chambers located at 1500 Blowing Rock Road in Boone. Mayor Tim Futrelle presided. Councilmembers present included Mayor Pro-Tem Dalton George, Todd Carter, Virginia Roseman, Edie Tugman, and Eric Plaag. Staff present included Town Manager Amy Davis, Communications Specialist Laney Wise, Public Works Director Todd Moody, Planning Director Jane Shook, Police Chief Andy Le Beau, Major Shane Robbins, Fire Chief Jimmy Isaacs, and Emergency Management Coordinator Matt Krause. Town Attorney Allison Meade was also in attendance.

MOMENT OF SILENCE

TENTATIVE AGENDA ADOPTION

Mayor Futrelle asked for a motion to adopt the agenda as presented. Upon the motion of Mayor Pro-Tem George, seconded by Council member Tugman, the agenda was adopted as presented unanimously.

COUNCIL MATTERS

Mayor Futrelle began the discussion by announcing that Councilmember Eric Plaag, Councilmember Roseman, and Ms. Davis were attending the meeting virtually. He thanked everyone in attendance, and explained that the sole purpose of this meeting was to discuss a joint resolution between the Town of Boone and Watauga County Condemning Appalachian State University's Dissolution of Consolidated 911 Services. Mayor Futrelle then read the following resolution:

WHEREAS, pursuant to North Carolina Administrative Code 10A NCAC 13P .0201 Watauga County is responsible for the provision of Emergency Medical Services (EMS) including public access to emergency services by dialing 9-1-1; and

WHEREAS, the Watauga County Sheriff's Office has policing jurisdiction throughout Watauga County, including areas within the Town of Boone limits and Appalachian State University's ("App State") Boone Campus and the Town of Boone has policing jurisdiction over the portion of App State's campus that lies within the Town limits; and

WHEREAS, the Town of Boone Fire Department provides fire protection to all property within the Town of Boone and adjoining rural fire district, including App State's Boone Campus; and

WHEREAS, according to North Carolina General Statutes § 166A, App State is required to coordinate all emergency management activities with Watauga County; and

WHEREAS, on May 1, 2022, the Town of Boone and Watauga County successfully consolidated 911 Primary Public Safety Answering Points (PSAPs) which increased public and responder safety; and

WHEREAS, the Watauga County Communications Center currently dispatches all fire and EMS responses to App State, including Mountaineer Medics, and also dispatches other agencies surrounding App State; and

WHEREAS, App State has secured funds outside of the Emergency Telephone Surcharge Fund, which serves to circumvent the North Carolina 911 Board's stated goal of consolidating 911 services; and

WHEREAS, The App State Police Department has offered no coordination of impact or planning with outside community partners; and

WHEREAS, Town of Boone and Watauga County officials have communicated safety concerns to the App State Police Department; and

WHEREAS, pursuant to North Carolina General Statutes, Chapter 116, App State is a UNC system school

which is classified as a State Agency; and

WHEREAS, App State is attempting to construct, operate and own a communications network for the purpose of providing 911 service, in direct violation of North Carolina General Statute § 143B-1402(b), specifically prohibits any State Agency from constructing, operating, or owning a communications network for the purpose of providing 911 service.

WHEREAS, App State's current pursuits will result in the following:

- o A negative impact to the safety of all citizens and visitors to Watauga County and the Town of Boone, as well as students, faculty, staff and visitors of App State
- o Needless delays in critical medical care and responses to fire or threat of fire
- o Dramatic decreases in coordination among all agencies as information will once again be split between two 911 centers
- o Inconsistencies among the overall partnership of the County, Town, and App State

NOW, THEREFORE, BE IT RESOLVED, that the Watauga County Board of Commissioners and the Boone Town Council hereby request that App State, in consideration of the laws of the State of North Carolina and the safety of citizens and visitors of Watauga County and the Town of Boone, as well as App State students, faculty, staff and visitors, direct the App State Police Department to cease its pursuit of dissolving the existing consolidated 911 service in Watauga County; and

BE IT FURTHER RESOLVED, in the spirit of cooperation and for overall safety of the public within Watauga County, that App State be offered a seat in Watauga County's Consolidated 911 Center.

ADOPTED by the Watauga County Board of Commissioners on this the 19th, day of December, 2023.

After reading the resolution, Mayor Futrelle noted that this issue involves the number one priority of the Town of Boone and Watauga County, which is public safety. Mayor Futrelle then asked County Manager Deron Geouque. Manager Geouque thanked the Boone Town Council, and began by giving a history of the matter at hand. He explained that Watauga County learned through a third party vendor the intention of Appalachian State to relocate their 911 lines to a different facility. He explained that the County communicated this to the University, and that it was determined that a further discussion would be had at the upcoming Town/Gown meeting. Manager Geouque explained that he, Manager Davis, and Mayor Futrelle brought this matter to Chancellor Sheri Everts. Chancellor Everts explained that the University's Police Chief had had an exploratory meeting, and that no further discussion had been had. Chancellor Everts explained that it was a misunderstanding and that she would direct the University's Police Chief to meet with Watauga County. Manager Geouque went on to explain that afterwards, the University's Police Chief contact Watauga County to schedule a meeting with both him and Mr. Will Holt, Watauga County's Emergency Services Director. Manager Geouque noted that he felt it was important to have all emergency services providers throughout Watauga County present, which included Boone Fire, Boone Police, the Sheriff's Office, and Watauga Medics. He explained that the initial meeting was canceled and that in the cancellation email it was noted that Appalachian State University would continue moving forward with the matter, and that the University would contact the County for further coordination. Manager Geouque noted that he felt that it was still important to have a meeting with all emergency services providers, and that a meeting was scheduled and held on December 18, 2023. Manager Geouque explained that the purpose of the meeting was to learn the status of the matter. He explained that he stated during the meeting that neither he nor Mr. Holt had had any discussions with the University regarding any issues they may be having. He went on to say that during the Town/Gown meeting, he talked with Chancellor Everts and explained that the County would help alleviate any issues the University may be having with the current 911 operating system, however, he did not know of any issues and thus, could not fix any issues. He explained that during that meeting, he told the University's Police Chief that he, Manager Davis, and Mayor Futrelle were told that the matter was just in an exploratory phase, in which the University's Police Chief explained that they were misinformed. Manager Geouque then went on to say that the reason the Watauga County Commissioners had adopted the joint resolution was because of the outcome of the meeting that was held on December 18. He reiterated

that the choice made by Appalachian State would affect the community of Watauga County at large. He went on to say that if someone were to make a call on King Street due to a heart attack, because of how 911 calls are transferred to 911 centers and how close King Street is to Appalachian State's campus, there would be a chance that the cell tower pinged would send the call to Appalachian State's 911 call center. The call would then need to be transferred back to the County's 911-call center, as Appalachian State's 911-call center would not be equipped to handle the call. This would be the same situation Watauga County and the Town of Boone were in before consolidating, Manager Geouque explained. Manager Geouque then discussed how long it takes to create a 911-call center, and how six months is too short of a time to fully implement a 911-call center. A discussion was held regarding how the proposed 911 center would be funded, and the length of time it took to consolidate Watauga County and the Town of Boone's 911 call centers.

Mayor Futrelle then opened up the discussion for questions. Council member Carter asked why Appalachian State had any reason to implement a new 911-call center and take on more responsibility in regards to public safety. Manager Geouque answered that he could not answer the question, as Watauga County does not know what the issues are. Council member Carter expressed frustration due to the situation with Appalachian State. A discussion was had regarding how this 911-call center would affect Appalachian State's Hickory campus, and the efforts taken to reach out to the local public officials of the City of Hickory and Catawba County.

Mayor Futrelle then called upon Mayor Pro Tem George. Mayor Pro Tem George discussed the article in which Appalachian State had released the night prior, and how every representative of the emergency services providers, outside of Appalachian State, felt like this was a bad idea. A discussion was held regarding how Appalachian State's property is on King Street and throughout the Town of Boone, and how the lines of jurisdiction are already blurred, and the effect this new 911-call center could have on the residents and visitors of Boone. Mayor Pro Tem George said that this issue was bigger than politics; it is about public safety and not about egos. Manager Geouque noted that this conversation was not about Watauga County and the Town of Boone being against Appalachian State. He explained that emergency services in the Town of Boone and Watauga County work very well with the emergency services of Appalachian State, and that a good working relationship has already been built. The Boone Town Council agreed. Mayor Futrelle then recognized Council member Plaag, who attended the meeting virtually.

Council member Plaag thanked Mayor Futrelle, and thanked Manager Geouque for attending. He then went on to discuss the dangers of having multiple 911-call centers in different jurisdictions, and the effect that transferring a call to the right center might have on the outcome of the emergency. Council member Plaag stated that this center appeared to violate state law, and then asked Manager Geouque if he knew if this proposed center would violate the requirements of FCC (Federal Communications Commission). Manager Geouque asked Mayor Futrelle if he could refer to Attorney Meade, in which Mayor Futrelle said that he could. Attorney Meade noted that she was not sure about violating FCC, and that she could look into that further. However, she noted that she could not conceive how Appalachian State's plan could get around the state law. She went on to say that the language is very clear regarding what a PSAP is, however, she noted that in the press release issued by the University, they clearly state that this center would not be a PSAP. She said she was puzzled as in the press release, it is noted that other universities had similar arrangements. Manager Geouque noted that the County was aware of only UNC Chapel Hill and NC State having these centers; however, County staff was contacting the other universities noted in the press release. A discussion was held in regards to the timeline of the Town of Boone and Watauga County combining their PSAP centers and how issues were addressed. Council member Carter noted that the lack of regard for public safety Appalachian State has with the matter at hand baffles him.

Mayor Pro Tem George reiterated Council member Carter's sentiments regarding transparency, and explained that if this center goes through, the mutual aid agreement between the Town of Boone and Appalachian State would be jeopardized. He explained that the agreement might need to be reevaluated, and asked Chief LeBeau for his perspective of the matter. Chief LeBeau said that discussion of the mutual aid agreement should be discussed at another meeting, as he did not want the proposed Appalachian State 911 call center to be combined with the mutual aid agreement as they are two separate items. However, Chief LeBeau did agree with Mayor Pro Tem George that the agreement is based on trust between the two agencies. Council member Tugman noted that this is another example of the arrogance of Appalachian State toward the communities in which it resides. She expressed that she

was angry and appalled by the actions Appalachian State has taken regarding the matter. A discussion was held regarding an accident where a vehicle was hit at the corner of Highway 105 and Highway 321 when an AppPD officer sped through a red light on Blowing Rock Road. She explained that she could find no information regarding the accident until she spoke with the Town of Boone's Police department.

Chief LeBeau then thanked Manager Geouque for attending and for covering many of the speaking points well. He then discussed why the Town of Boone and Watauga County combined their PSAP centers. He explained that one main factor was due to the trouble of transferring cell phone calls to the right center. He also explained that one of the main goals of the 911 Board was to consolidate PSAP centers, as it increases the level of public safety. A discussion was held regarding the difficulties experienced when transferring calls between different PSAP centers, and how it is unnecessary and harms public safety by increasing the time a caller receives services. Chief LeBeau discussed how there are secondary centers, in which they cannot receive 911 calls but the calls can be transferred to there and dispatched to the agency. Chief LeBeau said that he has not heard any complaints regarding the service Watauga County is provided through the joint PSAP, and explained that when minor issues arise they are handled effectively through a phone call or text message. Chief LeBeau expressed concern regarding how Appalachian State is not calling the proposed 911-call center a PSAP, however, by definition what they are proposing is a PSAP. He also explained that another issue with the statement that was released was the notion that Appalachian State is among a shrinking number of universities that do not operate their own 911 call centers. He explained that it has been verified that many of the universities identified within the release do not have their own PSAP centers. He did note that some campuses utilized secondary centers; however, the center proposed by Appalachian State would not be a secondary center. Chief LeBeau went on to say that, the main issue with the matter at hand was the effect it will have on public safety. He agreed with Manager Geouque regarding his sentiments of the partnership between all emergency service providers and their working relationships with Appalachian State. Chief LeBeau ended his statement that he does not know what to think about it, as he is led to believe that this was conducted in secrecy and he can only surmise why. He did note that one thing that does seem apparent is that they seem to plan to work in isolation, and that during the December 18 meeting, it was noted that the University's Police Chief only wanted AppPD cars on campus. Chief LeBeau said that they wanted everyone to work together for the good of public safety. He then opened up the conversation for questions.

A discussion was held regarding the incidents on King Street after two Appalachian State football games, initiated by Council member Plaag. Council member Plaag then asked Chief LeBeau that if Appalachian State initiated their own 911 call center, what center would calls go to if placed on King Street and what would happen if a crime was committed against a Town of Boone resident and the call was received by Appalachian State, in which the crime was then never relayed to the Town of Boone's Police Department. Chief LeBeau said that if property damage were to take place on King Street, if this center was active it could potentially be transferred to Appalachian State's center in which the service by the Boone Police could potentially be delayed. He then asked Chief Isaacs to discuss more about how 911 calls are picked up and transferred to centers. However, he did state that the goal for Watauga County and the Town of Boone is not to transfer 911 calls, and that Watauga County has offered Appalachian State a seat at the table for consolidation or colocation.

Chief Isaacs discussed how approximately 90% of 911 calls to the PSAP center are through cell phones. A discussion was had regarding the science behind how cell phone calls reach PSAP centers. He went on to discuss how even with landlines, sometimes there is a glitch in the call routing. However, he explained that by consolidation or colocation, the preventable problems are fixed. Chief Isaacs then discussed how if a call needs to be transferred from one PSAP center to another, the outcome of the situation might change significantly. The proposed 911-call center by Appalachian State could also adversely affect the fire rating for Watauga County. Chief Isaacs then played audio of a 911 call that was received by the Town of Boone's PSAP center before the consolidation. He explained that this call represents what could happen if a center is short staffed and if the transfer to the correct center fails. The audio played was from a fire in Watauga County in which there was one fatality and other injuries. After playing the audio, Chief Isaacs said that if there is a big incident in which multiple calls are being placed, each caller has a different perspective of the incident. If all calls placed are received in the same call center, more information can be gathered. Chief Isaacs reiterated that no one wants to be in a life or death situation where they call 911 and their call has to be transferred. Mayor Futrelle thanked Chief Isaacs for playing the audio, and stated that the audio

played was a perfect illustration of the point that the Town of Boone and Watauga County were making. Council member Carter asked if there were an active shooter on campus, would Appalachian State call the Town of Boone or Watauga County for assistance. Chief LeBeau explained that under that circumstance, if Appalachian State operates their own 911-call center they would need to transfer some information for Fire and medical service, however he could not answer if they would ask for police response. Council member Carter noted that historically universities across the nation do not have a good reputation of reporting sexual assaults, and that he was scared that this would be a way in which Appalachian State could keep the reports quiet. A discussion was held regarding how the Town of Boone communicates with Appalachian State if a sexual assault of a student is reported to the Boone Police department. Mayor Futrelle asked where numbers of calls and types of calls would be reported if Appalachian State continued with the proposed 911 call center. Chief LeBeau explained that Appalachian State would have their own CAD center. Mayor Futrelle noted that there were no transparent conversations happening with Appalachian State regarding their plans right now, and asked if there was any guarantee if those numbers would be transparent. Chief LeBeau said that he could not speak to that question.

Mayor Futrelle then called upon Council member Roseman. Council member Roseman apologized for not being there in person and that she would need to log off soon. However, she wanted to state her support for the joint resolution between Watauga County and the Town of Boone. She noted that she was scared that things that do not shine highly upon Appalachian State students, such as sexual assaults, abuse, and drunken misconduct, would not be reported in order to increase the image of the University. Mayor Futrelle thanked Council member Roseman, and wished her a speedy recovery. Chief LeBeau concluded his comments by saying that when the Town of Boone consolidated with Watauga County, there was agreement. However, during the December 18 meeting, there was no agreement at all, which is unfortunate. Manager Geouque explained that one of the main reasons the Town of Boone and Watauga County consolidated was due to staffing issues. With consolidation, staff rises. He said that he could not speak to the amount of staff that Appalachian State would hire for their proposed 911-call center, however, when thinking about if there is an active shooter situation Appalachian State would not be able to handle the volume of calls coming in.

Council member Roseman left the meeting at 10:20 am.

A brief discussion was had regarding what happens if calls go unanswered immediately, and where the calls are directed. Mayor Futrelle asked if any Council members present had any further questions. With no further questions, Mayor Futrelle then asked for a motion regarding the proposed joint resolution.

Mayor Pro Tem George made the motion to adopt the resolution and to send the published minutes to the University once adopted. Council member Tugman seconded the motion. Upon the motion of Mayor Pro Tem George, seconded by Council member Tugman, the motion was approved with Mayor Pro Tem George, Council member Tugman, Council member Carter, and Council member Plaag voting in favor. Council member Roseman was absent for the vote.

With no further discussion, Mayor Futrelle thanked everyone who attended, and asked for a motion to adjourn.

Upon the motion of Mayor Pro Tem George, seconded by Council member Tugman, the motion to adjourn was approved with Mayor Pro Tem George, Council member Tugman, Council member Carter, and Council member Plaag voting in favor. Council member Roseman was absent for the vote.

The December 22, 2023 Emergency Meeting of the Boone Town Council adjourned at 10:28 am.

Nicole Harmon, Town Clerk

Tim Futrelle, Mayor