MINUTES – REGULAR MEETING
BOONE TOWN COUNCIL
MAY 28, 2025

CALL TO ORDER

A regular meeting of the Boone Town Council was called to order on Wednesday, May 28, 2025, at 6:00 p.m. in the Boone Town Council Chambers located at 1500 Blowing Rock Road in Boone. Mayor Futrelle presided. Town Council members present included Mayor Pro-Tem Dalton George, Todd Carter, Virginia Roseman, and Edie Tugman. Town staff present included Town Manager Amy Davis, Town Clerk Nicole Harmon-Church, Grants Coordinator/Communications Director Laney Wise, Deputy Planning Director Brandon Wise, Program Coordinator Victoria O'Connor, Public Works Director Todd Moody, Sustainability and Special Projects Coordinator George Santucci, Fire Chief Jimmy Isaacs, Police Chief Daniel Duckworth, Planning Director Jane Shook (remote), Finance Director Guy Miller, and Cultural Resources Director Mark Freed. Town Attorney Allison Meade was also in attendance.

MOMENT OF SILENCE

ANNOUNCEMENTS

Town Manager Amy Davis formally announced the appointment of Daniel Duckworth as the new Chief of Police. She thanked Chief Duckworth for all his hard work and dedication to the Town and expressed her appreciation for the opportunity to work with him in this capacity. Chief Duckworth stated that he felt humbled to serve the Town and its citizens as Chief of Police. He also commended all Town staff for their dedication and emphasized the importance of their continued collaboration in serving the community.

Program Coordinator Victoria O'Connor gave a brief overview of the "Every Drop Counts" program and announced the winners of this year's contest.

Mayor Pro-Tem George requested that the agenda be amended to include an item for discussion and potential action at the end of Council Matters, specifically to address the support of Howard Street businesses during construction. Mayor Futrelle also asked to amend the agenda to strike items 1 & 2 from the Consent Agenda at the request of staff. Upon a motion by Mayor Pro-Tem George, seconded by Council member Roseman, the Council voted to approve the agenda as amended.

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

LISTENING SESSION FOR CONSTITUENT CONCERNS REGARDING THE CURRENT FEDERAL ADMINISTRATION

There were no speakers signed up for the listening session.

PUBLIC COMMENT

There were no speakers signed up for public comment.

APPROVAL OF PROCLAMATIONS AND RESOLUTIONS

Council member Carter read the following proclamation into record:

TOWN OF BOONE
PRIDE MONTH PROCLAMATION

***WHEREAS*,** the Mayor and Town Council of Boone, N.C. recognizes and proclaims the month of June 2025 as Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) "Pride Month" throughout the Town of Boone; and

WHEREAS, Boone, N.C. joins the State of North Carolina and multiple nations around the world in observance of Pride Month to honor the history of the LGBTQ liberation movement and to support the rights of all citizens to experience equality and freedom from discrimination; and

WHEREAS, the Rainbow Flag and Progress Pride Flag are widely recognized as a symbol of pride, inclusion, and support for social movements that advocate for LGBTQ people in society; and

WHEREAS, all human beings are born free and equal in dignity and rights. LGBTQ individuals have had immeasurable impact to the cultural, civic, and economic successes of our country; and

***WHEREAS*,** the Town of Boone is committed to supporting visibility, dignity, equity, and equality for LGBTQ people in our diverse community; and

WHEREAS, while society at large increasingly supports LGBTQ equality, it is essential to acknowledge that the need for education and awareness remains vital to end discrimination and prejudice; and

WHEREAS, as attacks on the LGBTQ community, particularly Transgender individuals and Queer youth continue to rise, we denounce the 575 anti-LGBTQ bills that have been introduced across our nation this year; and in particular, the six bills, H595, H606, H560, H791, H776, and H1000 generated in the N.C. House and the two bills, S516 and S442 in the N.C. Senate that seek to deny healthcare, identification, and access to LGBTQ North Carolinians; as well as allowing the censorship of LGBTQ curriculum and enshrining discrimination against LGBTQ people into law; and

***WHEREAS*,** we categorically state that "Pride is Pride" and denounce the recent actions by the current Presidential administration to dismantle Diversity, Equity, and Inclusion efforts and to target LGBTQ and other marginalized communities for erasure in our nation's history; and

WHEREAS, we stand in solidarity with the citizens of Boone, Watauga County, North Carolina and the United States who are resisting the dismantling of our Democracy and standing up to preserve fundamental freedoms that are enshrined in the U.S. Constitution; and

WHEREAS*,* this nation was founded on the principle that every individual has infinite dignity and worth, and the Mayor and Town Council of Boone calls upon the people of this municipality to embrace this principle and work to eliminate prejudice everywhere it exists; and

WHEREAS, celebrating Pride Month influences awareness and provides support and advocacy for Boone's LGBTQ community, and is an opportunity to take action and engage in dialogue to strengthen alliances, build acceptance and advance equal rights.

NOW, THEREFORE BE IT RESOLVED that Town of Boone Council herby proclaims the month of June 2025 as Pride Month in support of the LGBTQ community.

BE IT FURTHER RESOLVED that the Progress Pride Flag will be raised on Friday, May 30, 2025, and to be flown over Town Hall throughout the month of June, recognizing all LGBTQ residents whose influential and lasting contributions to our neighborhoods make Boone, N.C. a vibrant community in which to live, work and visit.

This is the 28th day of May 2025.

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Tim Futrelle, Mayor

ATTEST:

_____(SEAL)

Nicole Harmon-Church, Clerk

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Council member Tugman read the following resolution into record:

RESOLUTION

WHEREAS, in 1775, Richard Henderson, a prominent North Carolina judge, purchased land from the Cherokee in Kentucky for the purpose of establishing a colony called Transylvania; and

WHEREAS, whereas Henderson hired Daniel Boone to lead the 1775 effort by 35 ax men to blaze a new trail to the Transylvania land holdings, sometimes called the Wilderness Road and more specifically identified as the Boone Trace; and

WHEREAS, this new road to Kentucky led Boone and his compatriots, including several enslaved individuals, through the Cumberland Gap to the Kentucky River, where they established the new settlement of Fort Boone, later known as (Fort) Boonesborough; and

WHEREAS, local tradition holds that Daniel Boone hunted and on occasion encamped within what is now Watauga County and purportedly stayed in a cabin owned by Benjamin Howard that was once located on what is now the Appalachian State University campus in Boone, North Carolina; and

WHEREAS, local tradition holds that the Town of Boone was named in 1849 and incorporated in 1872 in honor of Daniel Boone, the legendary pioneer, soldier, enslaver, businessman, frontiersman, and folk hero; and

WHEREAS, the Fort Boonesborough Foundation is celebrating Daniel Boone's contributions to the creation and settlement of Boonesborough by hosting the "250th Anniversary of the Settling of Kentucky" at Fort Boonesborough State Park in Richmond, Kentucky, on June 7 and 8, 2025;

NOW, THEREFORE, BE IT RESOLVED, that the Boone Town Council and the Town of Boone send their congratulations, well wishes, and this resolution of support to the Fort Boonesborough Foundation and the Fort Boonesborough State Park for its efforts to

commemorate this important historic event, in spite of devastating flooding that adversely impacted Kentucky and the Richmond area in April 2025, including the Fort Boonesborough site and its infrastructure.

This is the 28th day of May, 2025.

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Tim Futrelle, Mayor

ATTEST:

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Nicole Harmon-Church, Town Clerk

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Upon a motion by Council member Roseman, seconded by Council member Carter, Council voted to approve the following:

1. Proclamation - Pride Month
2. Resolution - Boonesborough

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

REQESTED APPEARANCES

BILL DIXON – APPALACHIAN ARCHITECTURE

Architect Bill Dixon provided a brief update on the ongoing project at the Horn in the West, noting that the parking lot had been paved and striped, and landscaping work was underway. He indicated that Phase II bids were scheduled to be released on Friday and that safety concerns would be addressed as part of the next phase as well. Council Member Roseman inquired about the timeline for the completion of the restrooms. Mr. Dixon responded that construction would take approximately 180 days, making it a close timeline to complete the work before winter. He added that the pathways would need to be repaved, a process that would be weather-dependent.

COUNCIL MATTERS

CONSIDERATION OF DRAFT PLANS FOR THE RIVERS HOUSE RESTROOM PROJECT

Next, Mr. Dixon provided an update on the Rivers House project. He reported that the plans included the installation of a new water line and new electrical service. He stated the project was expected to go out to bid in July. Council member Tugman asked whether, given the current social climate, it would be feasible to make the restrooms gender-neutral. Mr. Dixon confirmed that it would be. Grants Coordinator Laney Wise noted that the plans had been submitted to the Historic Preservation Commission (HPC) and were now being presented to Council for approval. She added that the project would proceed to a quasi-judicial hearing before the HPC next in order to obtain permits before going out to bid.

Council Member Roseman recommended that changing tables be included in both restrooms. Council Member Carter inquired whether the rear area of the building would serve as an emergency exit, to which Mr. Dixon clarified that it was intended for storage and not as an emergency exit. He also mentioned the need to relocate the pony cart currently stored in that area. Cultural Resources Director Mark Freed noted that there was currently no alternative location to store the pony cart. He added that in a previous conversation, Council Member Plaag had suggested asking the County if they would be interested in taking it for use in their new museum, and, as an alternative, proposed allocating funds for a storage unit. He also recommended placing a tobacco scale, also stored in the area, on Town-owned land as public art.

CONSIDERATION OF AMENDMENT TO TOWN CODE CHAPTER 50 TO ALLOW MASTER METERS FOR MULTIFAMILY

Attorney Meade provided a brief summary of the previous meeting, noting that the ordinance amendment had passed on a 3-2 vote on the first reading and required a second vote. She explained that the amendments took a limited approach, applying only to multifamily developments of five or more units. She also explained that the intent was to remain revenue-neutral while allowing for the development of multifamily housing without the significant costs associated with installing, maintaining, and repairing individual meters.

Council member Carter commented that the amendment aligned with the Town's affordable housing goals. Mayor Pro-Tem George expressed mixed feelings, acknowledging the value of the amendment but noting his concern about the broader housing conversation involving AppState. He referenced a current bill in the state senate that would exempt universities from local zoning codes and wondered who at the university initiated the addition of AppState to the bill. He noted that the legislation and its implications felt offensive given the Town's efforts to work collaboratively.

Council Member Tugman expressed support for the project and added that AppState contributed to many of the town's affordable housing challenges due to its failure to house its student population adequately. She stated that while she was pleased AppState was pursuing this particular project, she was especially grateful that it was located outside of the downtown core.

Council member Carter made a motion in favor of amending Town Code Chapter 50 to allow master meters for multifamily development. Council member Tugman seconded the motion.

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

To break the tie, Mayor Futrelle was asked to vote. He voted aye, and the motion passed.

WILDFIRE RISK PRESENTATION

Fire Chief Jimmy Isaacs gave a presentation on the growing risk of wildfires in the Boone area. He shared insights from his experience fighting major fires in other regions, including the Gatlinburg wildfires, to underscore the seriousness of the threat. Chief Isaacs emphasized the need for proactive mitigation strategies given the region's topography and increasing development.

Mayor Pro-Tem George commented on the strong cooperation between local emergency departments and asked whether other agencies in the region shared similar concerns about wildfire risk. Chief Isaacs responded that Boone was somewhat of an anomaly in terms of its unique vulnerability and growth patterns.

Council Member Carter shared his personal experience living through the 1993 Laguna Beach fire, which affected an area only slightly larger than Boone. He noted that while Laguna Beach has maintained a population of around 22,000 since that time, Boone had grown by approximately 15,000 residents. Carter stated that the Town was now faced with multiple, intersecting challenges, including managing population growth, mitigating fire risk, and addressing housing affordability. He also mentioned the use of goat herders in California to clear overgrown vegetation as one example of creative fire prevention efforts. Council member Carter emphasized the importance of acknowledging the pressures the Town is under as it works to balance safety and development.

ANNOUNCEMENT OF RIBBON-CUTTING CEREMONY - HARDIN CREEK STREAM RESTORATION AND GREENWAY BRIDGE REPLACEMENT PROJECT

Sustainability and Special Projects Manager George Santucci announced a ribbon-cutting ceremony for the Hardin Creek Stream Restoration and Greenway Bridge Replacement project on June 23 at 2 p.m. He asked that Council members meet at Watauga High School so that they could travel to the location together. He stated that this was a wonderful celebration of a good project and collaboration between many different local agencies. Council member Carter made a motion to approve the request. Council member Tugman seconded the motion.

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

REQUEST TO SCHEDULE ADDITIONAL BUDGET MEETING

Mayor Futrelle indicated he was comfortable moving forward without scheduling an additional meeting, though he acknowledged that some Council Members had expressed interest in meeting a second time. Pro-Tem George proposed allocating $10,000 to support communications and outreach efforts for the Howard Street project. Council Member Tugman noted that she had approached the Tourism Development Authority (TDA) to request assistance with advertising, but the request was declined. She stated her intention to return to the TDA and request matching funds from their marketing and advertising budget to support the affected businesses on Howard Street. She added that the Downtown Boone Development Association also had funding set aside for this, but was unsure of an amount. Council Member Carter expressed support for the funding allocation and agreed that a meeting would not be necessary if staff could identify funds. Town

Manager Amy Davis confirmed that she could allocate funds from the current fiscal year, which would roll into the next fiscal year, ensuring that the money would be available for immediate use.
Mayor Pro-Tem George added that he had spoken with Downtown Development Coordinator Lane Moody and several business owners on Howard Street. While the Downtown Boone Development Association (DBDA) had some funding available, he felt the Town should also contribute. Council Member Carter emphasized the importance of doing everything possible to support the Howard Street businesses during this construction period.

There was consensus among Council to proceed with the allocation and to authorize Council member Tugman to approach the TDA to ask for a match in funds. Mayor Pro-Tem George also recommended that, moving forward, whenever food is ordered for Town meetings or events, efforts should be made to support Howard Street businesses, and that this intention should be clearly communicated to spread the word that businesses remain open during construction.

PLANNING MATTERS

CONSIDERATION OF MODIFICATION TO PLANNING PUBLIC HEARING SCHEDULE

Council member Carter made a motion to modify the public hearing schedule to hold a public hearing every month on the fourth Monday, adding hearings on August 28, 2025, and October 27, 2025. Mayor Pro-Tem George seconded the motion.

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

CONSIDERATION OF UDO TEXT CHANGES

Planning Director Shook requested permission for staff to proceed with drafting proposed text amendments for consideration at the next public hearing. Topics included greater flexibility for outdoor dining, food truck regulations, and signage allowances for medical campuses. Mayor Pro-Tem George made a motion to approve the request to proceed with drafting the text amendments and sending them to the next public hearing. Council member Tugman seconded the motion.

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

CONSIDERATION OF DRAFT CONDITIONAL DISTRICT ZONING MAP AMENDMENT UDO TEXT CHANGES

Planning Director Jane Shook presented proposed amendments to the Conditional District (CD) zoning process, indicating that the proposed changes were intended to introduce greater flexibility for developments to deviate from existing district standards when those deviations served the public interest. She noted that the revisions aimed to streamline the process by allowing Council to approve such deviations as part of the CD approval, rather than requiring a separate variance process through the Board of Adjustment. Director Shook noted that while this flexibility would apply to most ordinance requirements, some regulations, such as those pertaining to floodplain and watershed protections, would still require formal variances due to state law.

Council members expressed general support for the proposal, particularly its emphasis on serving the public interest and allowing Council to negotiate conditions and appropriate deviations with developers directly. Mayor Pro-Tem George commended the planning staff for creatively incorporating the public interest language, noting that it empowered the Council to shape key development sites in alignment with community goals.

The discussion then shifted to proposed timelines for reapplying or modifying an approved CD. Attorney Meade indicated that the current draft included a twelve-month waiting period for reapplications or major modifications. Director Shook noted that this timeline was a bit excessive in her view and could hinder project momentum, especially given the limited two-year vesting period for developers. Attorney Meade suggested, and Council expressed consensus that a shorter waiting period, such as four to six months, would be sufficient to discourage abuse of the process while still allowing flexibility for legitimate revisions.

Planning Director Shook agreed, noting that a four-month minimum would likely translate into a six-month turnaround in practice due to application deadlines and scheduling constraints. Council agreed to move forward with a four-month modification window in the draft text and acknowledged that the proposed changes would return for formal review and adoption in July.

CLOSED SESSION

Mayor Pro-Tem George made a motion to enter into closed session at 8:06 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.

Council member Carter seconded the motion.

Mayor Pro-Tem George made a motion to exit closed session at 8:20 p.m. Council member Roseman seconded the motion.

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

ADJOURNMENT

Mayor Futrelle adjourned the meeting at approximately 8:22 p.m.

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Nicole Harmon, Town Clerk Tim Futrelle, Mayor