**MINUTES - TOWN COUNCIL REGULAR MEETING**
**BOONE TOWN COUNCIL**
**JUNE 11, 2025**

## I. Call to Order

A Town Council Regular Meeting of the Boone Town Council was called to order at 9:00 AM on Wednesday, June 11, 2025 at the Town Council Chambers 1500 Blowing Rock Road. Council members present included Tim Futrelle, Dalton George, Todd Carter, Virginia Roseman, Eric Plaag. Staff present included .

## II. Moment of Silence

## III. Announcements

### 1. List of Current Board Vacancies

Mayor Futrelle announced the following Town of Boone board vacancies, and noted that the deadline to apply for open positions was June 27, 2025:

**BOARD OF ADJUSTMENT**
Four regular positions, three alternate positions

**CULTURAL RESOURCES ADVISORY BOARD**
One vacant position

**DOWNTOWN BOONE DEVELOPMENT ASSOCIATION**
One Council-appointed position

**HISTORIC PRESERVATION COMMISSION**
Three regular positions, one student position

**HUMAN RELATIONS COMMISSION**
Three regular positions

**PLANNING COMMISSION**
One student position, one regular position, one regular position (renter)

**SUSTAINABILITY COMMITTEE**
Two regular positions, three student positions

### 2. Presentation of FY2023/2024 Audit Report

Mayor Futrelle invited the representatives from Combs, Tenant, and Carpenter P.C. to present the FY 2023/2024 audit. After presenting, representatives of Combs, Tenant, and Carpenter P.C. asked if Council had any questions. Council thanked the representatives for their work, and moved to the next item.

## IV. Tentative Agenda Adoption

Council Member Plaag made a motion, which was seconded by Mayor Pro

Tem George, to Approve the agenda as presented.

VOTE: Aye: Tim Futrelle, Dalton George, Todd Carter, Virginia Roseman, Eric Plaag
Nay: None
Absent: Edie Tugman

Council Member Plaag made a motion, which was seconded by Mayor Pro Tem George, to Approve the tentative agenda as presented.

VOTE: Aye: Tim Futrelle, Dalton George, Todd Carter, Virginia Roseman, Eric Plaag
Nay: None
Absent: Edie Tugman

## V. Listening Session for Constituent Concerns Regarding the Current Federal Administration

Mayor Futrelle asked if anyone in attendance would like to speak regarding the current federal administration. Hearing none, he moved to the next item.

## VI. Public Comment

Mayor Futrelle asked if anyone in attendance would like to provide public comment. Hearing none, he moved to the next item.

## VII. Public Hearing - FY2025/2026 Proposed Budget

Mayor Futrelle opened the public hearing, and asked if anyone in attendance would like to speak regarding the proposed FY 2025/2026 budget. Hearing none, Mayor Futrelle opened the floor for staff and Council. Mr. Miller provided a brief overview of the budget presented, and noted that the proposed budget reflects a 1 cent increase in property tax rates, raising the current property tax rate to $0.40 per $100 valuation and a $0.1575 per $100 valuation for the Municipal Service District Tax. Mayor Futrelle asked if Council had any questions. Councilmember Roseman noted that the Outside Agency Funds discussion held during the previous budget retreat was a good debate, and that she personally felt that the Watauga County Library deserved an allocation. She also explained that during the Outside Agency Funds discussion, she excused herself from discussing the Southern Appalachian Historical Association's application as she was too intertwined with the organization. Councilmember Roseman went on to say that she appreciated all of the applications and wished that there were additional funds to give to applicants. Councilmember Plaag agreed, and asked for the May 22nd Budget Retreat Minutes reflect that change. Mayor Pro-Tem George noted that he was happy to see the additional firefighters in this budget, and explained that ensuring Town of Boone employees are getting paid a living wage is important. Councilmember Carter agreed, and highlighted the affordable housing fund in the proposed budget. Mayor Futrelle said that he was very proud of this budget. With no further comments, Mayor Futrelle moved to the next item.

## VIII. Work Session

Councilmember Plaag asked for Council to discuss two items, and Council agreed. Councilmember Plaag initiated a discussion with the Council and the Town Attorney about the possibility of passing an ordinance that would prohibit any individual acting under police authority, whether federal, state, or local, from performing their duties while masked or without clearly displaying a nameplate and the name of their agency on their uniform, or from stopping, arresting, or detaining someone without probable cause or a warrant. He noted that he had sent this question prior to Attorney Meade, and explained that she had responded already but wanted Council to be aware of the questions and concerns being raised by the constituents of Boone. Attorney Meade explained that there are limitations to local government's powers, and that generally municipalities cannot interfere with federal law. However, she noted that if an action is deemed unconstitutional, the individual committing the action can be taken to federal court. Attorney Meade went on to say that municipalities could not criminalize an action that is already deemed criminal at the State level, and explained that individuals falsely identify themselves as law enforcement officers could be charged for multiple misdemeanors or felonies. Further discussion commenced. Councilmember Roseman asked what the community could do if an individual was being detained illegally, and Mayor Futrelle asked if it would be wise to have an individual from Legal Aid to discuss options for the community. Attorney Meade recommended contacting an immigration advocacy organization, and Mayor Pro-Tem George noted that many organizations are producing free infographics for the publics use. Councilmember Plaag thanked Attorney Meade and Council for the discussion, and moved to his second item for the work session.

Councilmember Plaag explained that on Friday, he was notified by Mayor Pro-Tem George of a "WNC is Open" ribbon-cutting event at the Jones House. He explained that no prior notice was given, and he was unable to attend as he received no notice from anyone involved with the event. He explained that he had discussed his concerns with Ms. Moody who claimed that the event was in partnership with the Boone Area Chamber of Commerce and was not a town event. He also discussed this with Ms. Davis, who provided some additional details but noted that she was caught off guard as well. He asked Council for their opinion on where Council fit in events such as these, and noted that he would prefer communication prior to the day of the event. Mayor Pro-Tm George noted that he heard about the event from Mr. Freed the day of, and notified the rest of Council once he heard. Mayor Futrelle noted that he heard about the event the afternoon of as well from Ms. Moody, and that she had apologized for the late notice. Mr. Freed apologized to Council, and explained that a conversation was held prior to the "WNC is Open" kick-off regarding how the Town of Boone could be involved with the Summer Concerts at the Jones House and Boonerang, but that the conversation stalled until the day of. Councilmember Roseman noted that she felt that Council was not necessarily wanted at the event due to the lack of conversation prior. Mayor Pro-Tem George noted that his intentions were just to notify Council and apologized for the confusion. Councilmember Plaag clarified and explained that he was asking for better coordination and internal messaging for events such as this so that councilmembers could prepare ahead of time. Mayor Futrelle asked if Council could move to the next item on the agenda, and Councilmember Carter asked if he could introduce a final item for discussion. Mayor Futrelle agreed.

Councilmember Carter showed Council the draft Human Relations Commission Online Complaint Form, and asked if Council could review the form briefly before submitting it

to Attorney Meade for legal review, and then to the Human Relations Commission for final approval. Mayor Pro-Tem George noted that that he was very impressed with the current membership of the Human Relations Commission. Attorney Meade noted that briefly scanning the document, the form looked good but asked for Councilmember Carter to submit the form to her for approval as well, in which Councilmember Carter agreed. Attorney Meade then asked Council if she could briefly update regarding the House Bill 781. Council agreed, and Attorney Meade explained that the bill would require municipalities enact an ordinance that would make camping on public land illegal, and that individuals could sue if the municipality does not enforce on the ordinance. A discussion ensued regarding this potential bill. Councilmember Plaag asked if municipalities that have a vagrancy ordinance currently could claim that ordinance as the required ordinance in House Bill 781, and Attorney Meade said that she did not believe so. Mayor Pro-Tem George explained that he was extremely disappointed in the amount of bills being pushed that negatively affect local government's authority, and Councilmember Carter noted that a lot of bills that are being pushed currently are backed by private entities that would profit from the bill's being passed. With no further discussion, Mayor Futrelle thanked Council for the discussions and moved to the next item.

## IX. Approval of Items on Consent Agenda

Mayor Pro-Tem thanked Mr. Moody and the Public Works staff for the work currently being done at Hunting Hills, and Mayor Futrelle agreed.

Council Member Plaag made a motion, which was seconded by Council Member Carter, to Approve items on the proposed consent agenda.

VOTE: Aye: Tim Futrelle, Dalton George, Todd Carter, Virginia Roseman, Eric Plaag
Nay: None
Absent: Edie Tugman

**1. Approval of Agreement Between the Town of Boone and Gannett Fleming Inc.**

**2. Award of Bid - Hauling and Placement of Asphalt**

**3. Recommendation of Award of Construction Contract, B-5979 Hunting Hills Lane Bridge Replacement Project, and Approval of Resolution**

**4. Approval of FY2025/2026 Outside Agency Funding Allocations**

**5. Approval of Budget Amendments**

## X. Planning Matters

**1. Scheduling of Housing Related Work Session**

Ms. Shook asked if Council could choose a date for a housing-related work session, hosted at Planning and Inspections. She presented two options, Monday, July 21st or Tuesday, July 22nd, and explained that this work session

would be hosted in a similar fashion to the land use mapping work sessions. After a brief discussion, Council agreed to meet on Monday, July 21st at 9:00 a.m. at the Planning and Inspections Conference room.

**2. Consideration of scheduling Final Adoption of Boone Next**

Ms. Shook noted that she was hoping that the Boone Next consultants would be sending the final draft of the Boone Next comprehensive plan, and asked for Council's approval to schedule a date for the final vote for Boone Next. After a brief discussion, Council agreed to schedule the final vote for Boone Next during the last Council Meeting in June on June 25th, 2025 at 6:00 p.m..

Mayor Futrelle called for a break at 10:15 a.m..

## XI. Council Matters

**1. Discussion Regarding Parking and Passes for Rivers Park Trail**

Mayor Futrelle resumed the meeting at 10:25 a.m..

Councilmember Plaag introduced the item, and explained that he asked for this item to be added to the agenda as the trail at the Rivers House Park is set to be complete before the end of the calendar year. He noted that the current intention for this trail is to include parking specifically for the trail on the parcel of the previous R.L. Clay house and explained that due to deed restrictions that parking area must remain free parking. Councilmember Plaag noted that Council had talked previously about gravelling that parcel and using it for parking, however, he wanted to discuss with Council their thoughts on how to monitor the parking area as no town staff are currently housed at the Rivers House to monitor the parking area. Councilmember Roseman asked if the staff at Cultural Resources could handle parking passes for the Rivers House lot. Mayor Pro-Tem George thanked Councilmember Plaag for this item as he had not thought of this issue prior, and noted that while he did not have an answer now he was happy to discuss with Council. Councilmember Plaag explained that he felt it was urgent to begin working on this as the trail will be coming to the property soon. He noted that the signs at the Boone Jaycee Park seem to work well deterring individuals from parking in the parking lot unless they are park users, and asked about using signs as an interim way to deter students parking in the future gravel lot to attend class. Councilmember Roseman explained that the parking lot at the Boone Jaycee Park is relatively unknown, and not as close to campus as the Rivers House. Mayor Pro-Tem George stated that he was not opposed to the signs as an interim option, however, he would prefer deploying a permanent option first and deal with the aggravation initially than later on. Councilmember Roseman asked if a code could be used to access the parking area. A discussion ensued.

Councilmember Plaag asked if staff could begin working on gravelling the parking lot area soon. Councilmember Roseman asked if gravel was the best option. Mr. Moody explained that gravel could be used temporarily, however it would eventually need to be paved. Mr. Moody also explained that due to the

parcel's potential slope of over 5%, according to the Town of Boone's Unified Development Ordinance. Mayor Pro-Tem George reiterated that this discussion was difficult, and asked for additional time to think about a potential plan. Councilmember Plaag asked Mayor Futrelle if Council's consensus for Town Staff to come to the June 25th meeting with information regarding gravelling or paving the parcel would suffice. Mayor Futrelle agreed, and consensus was given for Town Staff to return to the June 25th meeting with an estimated cost, information regarding the scope of the project, and a generalized plan for the parking area.

**2. Appointment to Board of Adjustment**

Councilmember Plaag nominated Ms. Pam Williamson for reappointment to the Board of Adjustment. Mayor Pro-Tem George nominated Ms. Barbara Yale-Reed for reappointment to the Board of Adjustment as well. Council gave consensus for both board appointments. Councilmember Plaag asked Ms. Shook if the Board of Adjustment had to nominate a chair that was approved by Council, and Ms. Shook said that they did.

**3. Appointment to Historic Preservation Commission**

Councilmember Plaag nominated Mr. Vardell Smyth for reappointment to the Historic Preservation Commission. Council gave consensus for the board appointment. Attorney Meade noted that the Historic Preservation Commission need additional members, and soon will not have quorum to meet. Ms. Shook explained that she has reached out to Appalachian State University for student positions. Mayor Pro-Tem George noted that a previous member of the Commission had reached out to him, and explained that they could not participate because of the meeting schedule. He went on to say that any individual that holds a 9 to 5 job would not be able to participate on this Commission. Councilmember Carter agreed. Councilmember Plaag explained that many professors in the History Department at Appalachian State University were unable to participate as well as they live outside of the Town of Boone town limits. Councilmember Roseman asked if there was a way for the Town to amend this to allow for greater participation, and asked if a state statute prevented the Town from amending this. Ms. Shook said that it was a state statute that prevented the Town from amending the board requirements as the Historic Preservation Commission is a quasi-judicial board.

**4. Appointment to Planning Commission**

Councilmember Plaag noted that there were two student applications and asked if Council would be willing to appoint a student to a regular seat. After a brief discussion, Councilmember Plaag asked if Council would approve the appointment of Mr. Michael Mileski to the 2027 seat and Ms. Frida PazMiranda to the student seat. Ms. Shook noted that while Ms. PazMiranda submitted a student application, she is currently a resident of Boone and is attending school online at UNC Charlotte. Councilmember Plaag thanked Ms. Shook for the clarification. Mayor Pro-Tem George nominated Ms. PazMiranda to the 2027 seat and Mr. Mileski to the student seat. Council gave consensus for both

board appointments

## XII. Mayor Report

Mayor Futrelle had no report.

## XIII. Town Manager Report

Ms. Davis had no report.

## XIV. Town Attorney Report

Ms. Meade had no report.

## XV. Board Liaison Report

Mayor Futrelle asked Councilmember Carter if he had a report. Councilmember Carter explained that the AppalCART Board had just passed their budget and that the double decker bus is supposed to be in Boone by June 30th. A discussion was held regarding expanding AppalCART routes to the East Boone corridor. Councilmember Carter then gave a brief update regarding the Human Relations Commission, and explained that a budget request for a disability pride request would soon be brought to Council. He also noted that the Human Relations Commission was working on a "How Local Government Works" workshop, and then noted that Boone Pride would be hosted on June 28th. Councilmember Roseman noted that the Historic Preservation Commission had recently approved the Certificate of Appropriateness for the Rivers House Trail and that the Parks and Recreation Board would be meeting that evening. She thanked the State of North Carolina for their support for the Horn in the West park, and noted that that due to construction, Horn in the West would be hosting a limited series beginning July 10th with limited dates. Mayor Pro-Tem George noted that Councilmember Carter had already updated Council on the Human Relations Commission, and noted that the Sustainability Committee was canceled. Councilmember Plaag has nothing to report as well.

Councilmember Roseman asked if Mr. Freed could quickly update Council on Boonerang, and Mr. Freed agreed. Mr. Freed gave a brief overview of the upcoming Boonerang Music & Arts Festival schedule and explained the different road closures,. Councilmember Carter asked if in the future they could partner with AppalCART more to extend hours and routes for festival-goers, and Mr. Freed agreed. Councilmember Roseman thanked the Public Works Department and the Howard Street contractors for their work in getting Howard Street safe for Boonerang.

## XVI. Closed Session

## XVII. Potential Action Following Closed Session

## XVIII. Adjournment

Mayor Pro Tem George made a motion, which was seconded by Council Member Plaag, to Adjourn the June 11th, 2025 Boone Town Council meeting at 11:07a.m...

VOTE: Aye: Tim Futrelle, Dalton George, Todd Carter, Virginia Roseman, Eric Plaag
Nay: None
Absent: Edie Tugman

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Nicole Harmon, Town Clerk Tim Futrelle, Mayor