MINUTES – REGULAR MEETING
BOONE TOWN COUNCIL
AUGUST 27, 2025

CALL TO ORDER

A regular meeting of the Boone Town Council was held on Wednesday, August 27, 2025, at 6:00 p.m. at the Jones House Cultural and Community Center located at 604 W. King Street in Boone. Mayor Tim Futrelle presided. Council members present included Mayor Pro-Tem Dalton George, Todd Carter, Virginia Roseman, Edie Tugman, and Eric Plaag. Town staff present included Town Manager Amy Davis, Town Clerk Nicole Harmon-Church, Public Works Director Todd Moody, Planning Director Jane Shook, Deputy Planning Director Brandon Wise, Police Chief Daniel Duckworth, Cultural Resources Director Mark Freed, Sustainability and Special Projects Manager George Santucci, Grants/Communications Coordinator Laney Wise, Advanced Planning Specialist Jessica Mitchell (remote), Commercial Zoning Administrator Amy Snider (remote), and Town Attorney Allison Meade.

MOMENT OF SILENCE

A brief moment of silence was observed.

TENTATIVE AGENDA ADOPTION

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

PUBLIC COMMENT

There were no speakers signed up for public comment.

REQUESTED APPEARANCES

Mollie Bolick – Homestead Recovery

Ms. Bolick thanked the Town Council for its support and provided an update on the recovery housing program approved last year. Housing Coordinator Heather Smith reported that there had been 99 applicants with 24 acceptances to date.

Senior resident Jacob Heaton stated that the program had helped save his life, noting that he was now sober, employed, and had a renewed sense of pride while building a better future. Senior resident Amanda Hoke, who had lived in the house for a year, emphasized the stability, accountability, and the safe space it provided.

Council Member Roseman expressed excitement for this positive step in the community and conveyed her pride and gratitude for the project as a whole. Council Member Carter recalled the planning meeting during which the zoning was approved, calling it his proudest moment on Council, and expressed gratitude for the work of the MRJC and the residents. Mayor Pro-Tem George stated that he was glad to be part of a town that takes care of each other and commended the residents of the home. Council Member Plaag echoed the others' sentiments, sharing that as the child of parents with addictions, he knew firsthand the importance of the program and agreed the planning meeting was one of his proudest moments. Council Member Tugman acknowledged the significant work, love, and commitment invested in the project. Mayor Futrelle thanked the speakers for sharing their stories and described the program as his crowning achievement as Mayor.

Rebecca Hutchins – Additional Discussion Regarding Fencing at Daniel Boone Native Gardens

Ms. Hutchins was unable to attend the meeting, but Council Member Plaag shared photos of the site and noted questions regarding the possibility of using mesh fencing, which was lower in cost and less intrusive in appearance than the trial section of willow reed fencing. Attorney Meade confirmed that under the lease, the lessee was required to obtain its own approval for any improvements or modifications to the premises. Ms. Meade noted that the essential purpose of the gardens' lease was the operation of a native garden. She felt that if the Town did not allow the lessee to take steps necessary to preserve that fundamental purpose, the lessee would have grounds to cancel the lease; but obviously, neither party wanted that extreme outcome.

Council Member Plaag commented that, in his view, permanent metal fencing would alter the historical character of the Gardens, whereas temporary mesh fencing would not. He further noted that metal fencing around the entire perimeter would be cost-prohibitive and ineffective against deer. Council Member Tugman mentioned that Dr. Stanley used mesh fencing in his garden, and the vine coverage provided both protection from pests and aesthetic value. She emphasized that the Gardens were an important community asset and deserved Council's support, suggesting that funding assistance could be requested from the Tourism Development Authority (TDA).

Council Member Roseman expressed concerns, noting that the Gardens had previously cited other issues, such as salt brine damage, and voiced opposition to the use of metal fencing. Council Member Carter observed that other cities with public gardens often utilize metal fencing, which makes green space easier to identify and enhances security. He supported mesh as a compromise but requested that the Gardens return with a budget and a complete diagram for further consideration.

Mayor Pro-Tem George cautioned against micromanaging the Gardens and expressed hesitation about providing additional Town funding, although he wanted to remain

supportive. Mayor Futrelle stated his support for pursuing TDA funding and encouraged ongoing discussions with the Gardens.

Council Member Plaag reminded Council of potential pushback from the State Historic Preservation Offices (SHPO) regarding significant changes to the property, noting that there had never been an integrated vision for the park. The consensus of Council was against the willow reed fencing. Council Member Tugman raised broader concerns about the condition of the arboretum, questioning whether the Town could maintain the Gardens effectively if the lease were ever terminated. She referenced previous plans submitted by Destination by Design for the area. Council Member Plaag opposed the Destination by Design plan and pursuing other such planning contracts for the park. Mayor Pro-Tem George suggested waiting until Ms. Hutchins was present before making final decisions. A straw poll indicated support for mesh fencing and pursuing TDA funding. Staff was asked to communicate this to Ms. Hutchins and request that she obtain quotes for mesh fencing to be installed around the perimeter of the Gardens.

APPROVAL OF ITEMS ON THE CONSENT AGENDA

Upon a motion by Mayor Pro-Tem George, seconded by Council Member Plaag, Council unanimously approved the following items on the consent agenda:

1. Contract Between the Town of Boone and the Truist Charitable Fund/Arbor Day Foundation

PLANNING MATTERS

Consideration of Petition of Annexation – Andrew Hannon

Deputy Planning Director Brandon Wise presented the voluntary annexation petition for Andrew Hannon, noting that the applicant had requested a zoning designation of R1.

Council Member Plaag asked whether any non-conformities had been created by annexation and/or zoning. Mr. Wise responded that there were none regarding this petition.

Consideration of Petition of Annexation – John Seldomridge

Deputy Planning Director Brandon Wise presented the voluntary satellite annexation petition for John Seldomridge, noting that the applicant had requested a zoning designation of R3.

Consideration of Petition of Annexation – Justin Rogers

Deputy Planning Director Brandon Wise presented the voluntary satellite annexation petition for Justin Rogers, noting that the applicant had requested a split zoning designation of R3 and B3.

Council Member Plaag noted that staff had previously invested significant time identifying and reducing split-zoned properties throughout Boone, with the goal of eliminating split zoning wherever possible. He expressed reservations about split zoning this property and asked whether it would be possible to make the annexation approval conditional upon the property owner subdividing the parcel in accordance with the two zoning classifications. Council Member Plaag indicated this approach would ensure consistency with the Town's broader land use objectives and avoid creating a new split-zoned property upon annexation. This condition was agreeable to Planning staff and to the applicant.

Consideration of Petition of Voluntary Satellite Annexation – Nicole and Daniel Kerr

Deputy Planning Director Wise presented the voluntary satellite annexation petition for Nicole and Daniel Kerr, noting that the applicant had requested a zoning designation of R1.

Upon a motion by Council Member Roseman, seconded by Mayor Pro-Tem George, Council voted unanimously to move the above-mentioned cases (Hannon, Seldomridge, Rogers, Kerr) forward to Public Hearing.

Consideration of Cases Heard at the July 28, 2025, Public Hearing

Case A25-0115 – Jeremiah's Ice Conditional District Zoning Map Amendment

Council Member Plaag expressed interest in why the Planning Commission did not recommend implementing the Traffic Impact Analysis (TIA) recommendations and asked if the applicant was open to doing so. The applicant confirmed agreement.

Council Member Plaag then suggested allowing the drive-through to operate from November 1 through April 30 during the first year, with a review scheduled in the summer of 2026 to evaluate impacts. The applicant accepted this condition.

Mayor Pro-Tem George stated agreement with the Department of Transportation condition and supported limiting drive-through operations to peak hours of 6:00–9:00 p.m. year-round, while not opposing Council Member Plaag's seasonal proposal. Council Member Tugman asked if the applicant could operate successfully without a drive-through. The applicant responded that winter operations would be difficult but expressed willingness to accept any or all conditions and revisit after one year.

Mayor Pro-Tem George supported weekend operations without restriction. Council Member Roseman inquired about the sale of coffee from the drive-through. The applicant stated that coffee would not be offered and confirmed that a coffee truck would only be allowed if permitted through the itinerate merchant ordinance.

Council Member Carter emphasized the need to account for school traffic and proposed requiring drive-through operations during school-year evenings from 6:00–9:00 p.m. The applicant suggested including both year-round evening hours and weekend operations as

part of the one-year review. Council Member Roseman suggested using the school calendar to guide restrictions due to high school traffic.

Council Member Carter 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 of the following from Boone Next:

Chapter 1: Goal 1.2, Policy 1.3.4, **Chapter 3, Goal 3.1, Policy 3.1.1, Policy 3.1.4**

Additional conditions included: no left turn sign on Grove Street, drive-through hours from 6:00 p.m. to close year-round, and open all hours on weekends. Council Member Plaag seconded the motion and proposed a friendly amendment to add Planning Principles 1 and 2 and to revise the first condition to simply include the Traffic Impact Analysis recommendations. Council member Carter accepted these amendments. Upon a recommendation from Ms. Shook, a third condition was added that the applicant would come back to Council for a review no earlier than June 1, 2026, with no requirement for a new file. Council Members Carter and Plaag accepted this amendment, and the motion carried unanimously.

Council Member Carter made a second motion to approve Ordinance A25-0115, and that it is reasonable and in the public interest because the project will be a really cool thing for Boone and its economic development, will add business to East Boone, and will help Boone's strong and diverse economy. Council Member Roseman seconded the motion, which carried unanimously.

Cases A25-0504 & A25-0505 HC Mountain Properties, LLC – General Use Zoning Map Amendment

Council Member Roseman began by stating that she had friends who lived in this beautiful area and was excited for it to become part of the Town of Boone. Council Member Plaag noted that he stood by the concerns he raised at the public hearing, emphasizing that the area in question had been identified as one where the Town preferred to limit growth in order to preserve rural character and green space. He acknowledged, however, that development could still occur under county jurisdiction regardless of the Town's position. Council Member Plaag concluded that, despite his concerns, he would support the annexation request because it represented the best long-term outcome for the Town of Boone. He then 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 of the following from Boone Next:

Planning Principle 9, Chapter 1, Policy 1.4.5, Chapter 5 Policy 5.3.1

He noted that he did not include Policy 5.1.1 because he felt it to be redundant. Mayor Pro-Tem George seconded the motion, which carried unanimously.

Council Member Roseman made a second motion to approve Ordinance A25-0504/0505, and that it is reasonable and in the public interest because it will give the property an R1 zoning designation that will fall under the Unified Development Ordinance and that will allow the Town to assist and preserve, to the best of its ability for the community at large. Council Member Carter seconded the motion, which carried unanimously.

Case A25-0506 & 0507 Jones General Use Zoning Map Amendment

Council Member Plaag 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 of the following from Boone Next:

Chapter 5, Policy 1.1.1, Goal 1.5, Policy 1.5.2, Policy 1.5.3, Goal 1.6, Policy 1.6.5, Policy 5.2.2

Mayor Pro-Tem George seconded the motion, which carried unanimously.

Council Member Roseman made a second motion to approve Ordinance A25-0506/0507, stating that it is reasonable and in the public interest. If the property were not zoned R1 and connected to the Town, it could potentially be rezoned for a business overlay, which would preserve it for the future. Council Member Carter seconded the motion, which carried unanimously.

Case A25-0230 Conditional District Zoning Map Amendment Modification

Council Member Plaag 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 of the following from Boone Next:

Planning Principle 2, Planning Principle 3, Planning Principle 9, Planning Principle 10, Planning Goal 1.1, Policy 1.1.2, Policy 1.1.3, Planning Goal 1.2, Policy 1.2.1, Policy 1.2.2, Policy 1.6.1, Policy 1.6.2, Implementation Action A.1

Council Member Carter seconded the motion, which carried unanimously.

Mayor Pro-Tem George made a second motion to approve Ordinance A25-0230 and that approval is reasonable and in the public interest because runs parallel with so many of the goals and embraces so many of the goals in the visions in Boone Next, and gives staff and Council the ability to work with developers to achieve the type of development that Council wants to have and creates the Boone that was reflected in the many public hearings and public meetings that have been held. Council Member Carter seconded the motion, which carried unanimously.

Annexation Public Hearing and Consideration of Ordinance to Extend Corporate Limits - Case A24-0417/A24-0418 HC Mountain Properties

Mayor Futrelle opened the public hearing for the above case at 7:35 p.m. Hearing no speakers, the hearing was closed at 7:35 p.m.

Upon a motion by Council Member Plaag, seconded by Council Member Carter, Council voted unanimously to approve the Ordinance to Extend the Corporate Limits of the Town of Boone and the Annexation Map.

Annexation Public Hearing and Consideration of Ordinance to Extend Corporate Limits - Case A25-0279/A25-0280 Tyler Jones

Mayor Futrelle opened the public hearing for the above case at 7:35 p.m. Hearing no speakers, the hearing was closed at 7:36 p.m.

Upon a motion by Council Member Plaag, seconded by Mayor Pro-Tem George, Council voted unanimously to approve the Ordinance to Extend the Corporate Limits of the Town of Boone and the Annexation Map.

Recommendation and Selection of Historic Preservation Commission Chair and Vice-Chair

Upon a motion by Council Member Roseman, seconded by Council Member Plaag, Council voted unanimously to approve the applications of Vardell Smyth for HPC Chair and Bettie Bond for HPC Vice-Chair.

Update Regarding Potential Flood Map Changes

Deputy Planning Director Brandon Wise reported that Watauga County would be hosting a public meeting regarding the proposed flood map updates on September 30 from 5:30 to 7:30 p.m. in the Commissioners' Meeting Room. He indicated that the sessions would be informal drop-in opportunities for questions, with no formal presentation. Mr. Wise noted that a press release would be issued by Town staff next month. It was highlighted that many properties would be removed from the flood zone, while one property would be added.

Council Member Carter observed that the maps had been drawn prior to the recent hurricane. Mr. Wise clarified that FEMA and the State considered Hurricane Helene an outlier and did not adjust the maps based on that event. Council Member Plaag asked if versions of the maps could be made available for review, and staff confirmed they could. Council Member Plaag also inquired about submitting comments if unable to attend the meeting, and staff confirmed that comments could be submitted.

Boone Next Development Related Discussions

Planning Director Jane Shook requested input on working with the Boone Area Chamber of Commerce to communicate messaging for future development applications and asked for

Council's guidance, noting that the first major presentation with the Chamber was scheduled for October.

Council Member Plaag emphasized the importance of clearly communicating Council's expectation that applicants address the community's needs in creative and innovative ways. Town Attorney Allison Meade reminded Council that the specific, currently-applicable standards set forth Unified Development Ordinance (UDO) had not yet been amended. Council Member Carter suggested that messaging should include not only what had been accomplished but also what was planned for the future. Attorney Meade reiterated that consensus could be expressed while noting that work on the UDO was still ongoing.

Council Member Tugman stated that she often found the language confusing and would like to see both good and bad examples included, as well as comparisons between the old Comprehensive Plan and the new plan. Council Member Carter disagreed, emphasizing a preference to focus on moving forward rather than revisiting past practices.

COUNCIL MATTERS

Request for Discussion Regarding Cut-through Traffic on Poplar Hill Neighborhood Streets

Council Member Plaag presented concerns that had been emailed to Council regarding neighborhood cut-through traffic and acknowledged that residents often use shortcuts. He suggested that there were simple fixes available and asked whether the Town could modify the intersection of Poplar Hill and Highway 105 independently from the NCDOT. Public Works Director Todd Moody responded that he thought the Town could make changes, but would need to confirm with the Department of Transportation (DOT). Council Member Plaag proposed that restricting the intersection to right turns in and out only could resolve some neighborhood issues. He further noted that such a change might worsen traffic on Highway 105, thereby encouraging DOT to take action on larger traffic problems. He also requested that staff examine other neighborhood streets that were never intended to carry through traffic.

Mayor Futrelle observed that this had been a chronic issue in communities for decades. Mayor Pro-Tem George reported that he had already reached out to the resident who had emailed regarding the matter to discuss potential solutions, and he expressed support for the proposal. Mr. Moody stated that he would follow up with DOT, but cautioned that cut-through traffic was unlikely to be fully eliminated. He noted that an engineer had studied the issue twenty years ago, and that despite increased enforcement, the problem persisted. Without measures such as creating one-way streets or physical disconnections, the issue would remain.

Council Member Plaag requested that all problem areas, including Cherry and Eastbrook/Westbrook, be identified. Mayor Pro-Tem George suggested that Mayor Futrelle inform the concerned citizen that Council had discussed the issue. Council reached consensus to move forward with these considerations.

CLOSED SESSION

Upon a motion by Mayor Pro-Tem George, seconded by Council Member Roseman, Council voted to enter into closed session at 8:07 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.

3. N.C. Gen. Stat. § 143-318.11(a)(6), to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

ADJOURNMENT

Nicole Harmon-Church, Clerk

Tim Futrelle, Mayor