

MINUTES
WATAUGA COUNTY BOARD OF COMMISSIONERS
TUESDAY, MAY 6, 2025

The Watauga County Board of Commissioners held a regular meeting, as scheduled, on Tuesday, May 6, 2025, at 5:30 P.M. in the Commissioners' Board Room located in the Watauga County Administration Building, Boone, North Carolina.

Chairman Eggers called the meeting to order at 5:30 P.M. The following were present:

PRESENT: Braxton Eggers, Chairman
 Todd Castle, Vice-Chairman
 Emily Greene, Commissioner
 Tim Hodges, Commissioner
 Ronnie Marsh, Commissioner
 Nathan Miller, County Attorney (arrived at 5:47 P.M.)
 Deron Geouque, County Manager
 Anita J. Fogle, Clerk to the Board

Commissioner Marsh opened with a prayer and Vice-Chairman Castle led the Pledge of Allegiance.

APPROVAL OF MINUTES

Chairman Eggers presented the April 1, 2025, regular meeting and closed session minutes.

Commissioner Marsh, seconded by Commissioner Greene, moved to approve the April 1, 2025, regular meeting minutes as presented.

VOTE: Aye-5
 Nay-0

A Commissioner requested amendment to the closed session minutes was shared with the Board.

Commissioner Marsh, seconded by Commissioner Greene, moved to approve the April 1, 2025, closed session minutes as amended.

VOTE: Aye-5
 Nay-0

APPROVAL OF AGENDA

Chairman Eggers called for additions and/or corrections to the May 6, 2025, agenda.

County Manager Geouque requested to remove the following items from the agenda:

- Old Cove Creek School Facility Feasibility Study and Concept Plan
- Board of Equalization and Review (E&R) Compensation

Vice-Chairman Castle, seconded by Commissioner Hodges, moved to approve the May 6, 2025, agenda as amended.

VOTE: Aye-5
Nay-0

PUBLIC COMMENT

The following spoke during public comment:

- Trudy Moss
- Donna Lisenby
- Kal Appel

PUBLIC HEARING TO ALLOW CITIZEN COMMENT ON A PROPOSAL TO REPEAL A 2024 AMENDMENT TO THE WATAUGA COUNTY BUILDING CODE ORDINANCE WHICH ADDED THE WORDING “AND ALL APPENDICES THEREIN”

Chairman Eggers stated that a public hearing was scheduled to allow public comment on the potential repeal of the fire appendices by removing “and all appendices therein” as shown below:

Section 1-2.1 Fire Code Adopted

*On July 1, 1991, or other date established by the North Carolina Building Code Council, the Standard Fire Prevention Code – 1988 Edition **and all appendices therein** as adopted by the Building Code Council and as amended ...*

Chairman Eggers opened the public hearing at 5:47 P.M.

The following spoke:

Mr. Frank Aldridge with Foscoe Fire Department shared concerns of fire trucks not being able to get to homes on smaller roads and with steeper grades.

Mr. Jeff Fisher agreed that fire trucks needed to be able to get to homes and also shared concerns for those who could not build on their property due to the restraints which, in his opinion, lead to an unconstitutional taking of land. Mr. Fisher stated that Mr. Will Holt, Emergency Services Director, and Mr. Shane Garland, Fire Marshal, had been great at answering questions but worried about future staff that may not be as helpful.

Mr. Ralph Daughtry, a surveyor, shared concerns that building had become too restrictive and would shut down development if a happy medium was not reached.

Vice-Chairman Castle, seconded by Commissioner Greene, moved to close the public hearing at 6:00 P.M.

VOTE: Aye-5
Nay-0

Commissioner Marsh, seconded by Vice-Chairman Castle, moved to direct staff to have a committee (comprised of two fire chiefs, 2 commissioners, the County Manager, the Fire Marshal, the Planning Director, a surveyor, an engineer, a developer, and one additional member) work in corporation with the Planning Board to review the Fire Appendices.

VOTE: Aye-5
Nay-0

WATAUGA MEDICS MERGER REQUEST

Mr. Craig Sullivan, Watauga Medics Owner, requested approval of a merger with Priority On Demand ambulance services based out of Knoxville Tennessee. The current contract with Watauga Medics expires December 31, 2025. Mr. Sullivan stated that the merger would provide more resources through staffing and supplies and he couldn't see a downside. Vice-Chairman Castle stated that he had no qualms with Priority On Demand but, he had a desire to see a County run service. He had concerns with a non-local agency handling the services. Mr. Sullivan stated that there was a 180-day clause in the current contract, he would still be running the operation, and it was bonded. Vice-Chairman Castle stated that Mr. Sullivan does a good job and that he was not against him at all. Chairman Eggers followed up by saying that he had not received any complaints against Watauga Medics.

Chairman Eggers stated that he had visited a Priority On Demand facility and it was a top-notch company. Commissioner Marsh stated that the Board was responsible for 54,000 citizens as well as travelers and had to give good consideration of what was best for all. Commissioner Hodges agreed that the Board had an obligation to make a good decision.

Chairman Eggers tabled consideration to allow time to meet in closed session to seek legal advice prior to any Board decision.

APPALACHIAN STATE UNIVERSITY REQUEST FOR NC HWY 105 PROPERTY RELEASE

Mr. JJ Brown, Executive Vice Chancellor, Chief Operating Officer for Appalachian State University, requested a release of a portion of the App105 Property (formally the old Watauga High School property). The request was related to the development of off-campus apartments at the App105 site. Appalachian State University (Endowment) has requested a partial release from the County from the Deed of Trust of approximately 18.84 acres of the 74.634-acre site. The balance of 55.794 acres and the improvements (~26M to date – softball, tennis, track and field, etc.) made on the property since the 2017 purchase would remain subject to the lien of the Deed of Trust.

The Bank providing the loan for the project required a release of the deed of trust for the project area in order to close (scheduled for May 15, 2025). After negotiations, staff and officials of the County and University staff agreed to accelerate the installments of the repayment schedule from 15 years to 7 years in exchange for the release. A proposed agreement was presented.

Commissioner Marsh, seconded by Commissioner Hodges, moved to approve the agreement as presented.

VOTE: Aye-5
Nay-0

BID AWARD REQUEST FOR ADMINISTRATION HVAC

Mr. Robert Marsh, Maintenance Director, requested the award of a contract to Edmisten Heating & Cooling in the amount of \$26,136 for air conditioning equipment at the Watauga County Administration Building. Two bids were received with Edmisten Heating & Cooling being the lowest responsive bidder.

Commissioner Greene, seconded by Commissioner Marsh, moved to award the bid to Edmisten Heating & Cooling for the HVAC replacement at the Watauga County Administration Building in the amount of \$26,136.

VOTE: Aye-5
Nay-0

EMERGENCY SERVICES MATTERS

A. Resolution Opposing House Bill 675: EMT Personnel Credentialing Modifications and House Bill 219: Counties/Franchise Ambulance Service

Mr. Will Holt, Emergency Services Director, requested the adoption of a proposed resolution opposing House Bill 675: EMT Personnel Credentialing Modifications and House Bill 219: Counties/Franchise Ambulance Service.

Vice-Chairman Castle, seconded by Commissioner Hodges, moved to adopt the resolution as presented.

VOTE: Aye-5
Nay-0

B. Resolution Opposing Senate Bill 257: Current Operations Appropriations Act of 2025

Mr. Will Holt, Emergency Services Director, requested the adoption of a proposed resolution opposing Senate Bill 257: Current Operations Appropriations Act of 2025.

Vice-Chairman Castle, seconded by Commissioner Hodges, moved to adopt the resolution as presented.

VOTE: Aye-5
Nay-0

C. Resolution Supporting House Bill 695: Support VIPER/Assist 911 Operations/Dispatch

Mr. Will Holt, Emergency Services Director, requested the adoption of a proposed resolution as presented supporting House Bill 695: Support VIPER/Assist 911 Operations/Dispatch.

Vice-Chairman Castle, seconded by Commissioner Hodges, moved to adopt the resolution as presented.

VOTE: Aye-5
Nay-0

D. Hurricane Helene Update

Mr. Will Holt, Emergency Services Director, provided the following Hurricane Helene update:

"I would like to offer a brief update on the status of recovery in Watauga County from the Emergency Services perspective. It is hard to imagine that it has been seven months since Helene struck our County and while we have made great progress we know we still have a long way to go. A few key points:

- *County staff continue to work with our insurance provider, most claims have received their determination and this information has been passed along to FEMA as we work through our Public Assistance (PA) projects*
- *Right-of-Way debris removal continues and new debris placement ended March 2nd. We have shared multiple concerns with overall progress with the vendor. It is noted other counties are having similar or worse concerns with the same vendor and we are coordinating that flow of information with NCEM for future operations.*
- *Waterway and private property debris removal operations with the Corps of Engineers (USACE) has been approved and have begun. Aerostar and TetraTech are leading the intake process, Right of Entry acquisition, and site assessments for the Private Property Debris Removal (PPDR) program. Bering Strait is the prime contractor for the actual debris removal work.*
- *The PPDR ROE intake process concluded on May 1st with the contractor completing follow up inspections for final submission to USACE no later than May 15th. At time of report, over 900 applications have been received.*
- *Staff continues to coordinate weekly with USACE, Watauga County Soil and Water, NRCS, and FEMA on debris management and future steps in restoring our waterways. At time of report, over 80,000 cubic yards of debris have been removed from our waterways.*
- *FEMA has stood up a landslide taskforce to assist State and local governments with tracking landslide damage and potential paths forward for remediation. At time of report there are 247 mapped landslides in the County varying in size.*

- *The OSBM/NCEM Private Road and Bridge program has been partially funded through HB47. This program is designed to duplicate the success seen in the southwest part of the State during the 2022 TS Fred floods, however continued funding will be critical to long term success. Currently, the State has procured 10 engineering firms to assist with evaluating the thousands of applications for assistance. We are monitoring this closely as a critical path of our recovery.*
- *Hagerty Consulting is on the ground and working with staff to complete PA projects. We currently meet bi-weekly to discuss progress and priorities and have meetings with FEMA every two weeks.*
- *The Multi-Agency Resource Center (MARC) remains open however use data is being monitored to ensure this is the best use of resources. We have requested the MARC stay open through the summer and will monitor continued use. Currently, the MARC averages 6-10 visits per day for various services.*

The Emergency Services Department is grateful for the partnership with our local, State, and federal partners specifically as they focus efforts to get money flowing into our community to restore what was lost and also build an even more resilient future.”

The report was given for information only; therefore, no action was required.

E. Powder Horn Site Tree Removal and Construction Driveway Request

Mr. Will Holt, Emergency Services Director, requested approval of Engineered Tower Solution's (ETS) quote for \$41,212 for tree removal at the Powder Horn site. The tree removal was a technical process as trees would be dropped between houses and a water tank. The costs also would cover the construction driveway and silt fencing. Funds were budgeted as part of the project.

Commissioner Marsh, seconded by Vice-Chairman Castle, moved to approve the Engineered Tower Solution's quote as presented by Mr. Holt.

VOTE: Aye-5
Nay-0

MISCELLANEOUS ADMINISTRATIVE MATTERS

A. Presentation of the FY 2026 Capital Improvement Plan (CIP)

County Manager Geouque presented the FY 2025-2026 Capital Improvement Plan (CIP) for review prior to discussion during the upcoming budget work sessions.

B. Presentation of the Manager's FY 2026 Recommended Budget

County Manager Geouque presented his recommended FY 2026 Budget at the meeting and reviewed the following highlights:

- Maintains the property tax rate at \$0.318, third lowest in the State behind Macon and Moore Counties.
- School funding levels:
 - \$621,561 increase in current operations expenses.
 - \$130,000 for 2 nurses' positions.
 - \$130,000 for Phase II of teacher supplements.
 - \$25,000 for National Board certifications.
 - \$950,000 for current capital.
 - \$5,179,550 in CIP set-aside.
- \$785,000 for an additional 24-hour ambulance crew.
- \$546,769 increase for the Sheriff's Office.
- The Emergency Services Center construction has commenced and is scheduled for completion in late 2026.
- \$50,000 for future Library Expansion.
- \$50,000 for the Heritage Museum.
- Balanced budget with no General Fund balance appropriation.

The budget work sessions are scheduled on Thursday, May 8, 2025 beginning at 12:00 P.M. and Friday, May 9, 2025 at 9:00 A.M.

The recommended Budget would be available for public inspection on the County's website and at the County Manager's Office.

Commissioner Marsh, seconded by Chairman Eggers, moved to schedule a public hearing on May 20, 2025, at 5:30 P.M. to allow citizen comment on the proposed budget.

VOTE: Aye-5
Nay-0

C. Proposed Valle Crucis School Change Order

County Manager Geouque stated that the Board previously approved the furniture bid for the Valle Crucis Elementary School in the amount of \$905,128.32. However, due to product discontinuations and manufacturer refinements an additional cost of \$8,848.41 was incurred. The total for furniture was now \$913,976.73. Adequate funds were available in the project to cover the increase.

Commissioner Greene, seconded by Vice-Chairman Hodges, moved to approve the additional increase of \$8,848.41 for furniture at the new Valle Crucis Elementary School.

VOTE: Aye-5
Nay-0

D. Civil Design Services for Proposed Solid Waste Convenience Center at Landfill Road

County Manager Geouque stated that, as part of the scale house renovation project, the container site would be relocated to the end of Landfill Road to remove residential traffic out the commercial traffic flow at the scale house. Civil Design Concepts (CDC) provided a proposal for civil design services for the project in the amount of \$50,590. CDC was currently providing the civil work for the new EMS Center.

The County Manager requested the Board exempt the County from the quality-based selection process required by the Mini-Brooks Act (N.C.G.S. 143-64.31). The statute allows local governments to exempt specific projects from the provisions of the general statute if the estimated fee was less than \$50,000. The reason for the requested exemption was the specialty of the scope of services for the project. The architect also recommended approval of the exemption and hiring ECS to provide materials testing and special inspection services.

Funds were available in the current budget to cover the related expense.

Commissioner Hodges, seconded by Commissioner Greene, moved to accept Civil Design Concepts proposal for civil services for the new container site in the amount of \$50,590.

VOTE: Aye-5
Nay-0

E. Proposed Property & Liability Insurance and Workers Compensation Renewals Request

County Manager Geouque presented the renewal rates for property and liability insurance and workers compensation. The rate for property and liability was \$387,667 or a \$29,292 increase, and the rate for workers compensation was \$224,937; a \$6,552 increase over last year. Based on prior years' claims experience, staff recommended continuing the property deductible at \$5,000. The Manager's recommended budget includes adequate funds to cover the insurance premiums.

Vice-Chairman Castle, seconded by Commissioner Marsh, moved to approve the property and liability insurance and workers compensation from the North Carolina Association of County Commissioners (NCACC), in the amount of \$387,667 and \$224,937 respectively.

VOTE: Aye-5
Nay-0

F. Request to Amend the "Not to Exceed" Amount in Debris Tech's Notice to Proceed

County Manager Geouque stated that the Board had previously approved an amendment to the "Not to Exceed" amount for SDR's contract regarding right-of-way debris removal. In conjunction with that amendment, Debris Tech, the monitoring company (as required by FEMA for reimbursement), has requested an increase in the not to exceed amount of their contract from \$1 million to \$1.5 million. The \$1.5 million plus the \$3.8 million for SDR brings the total amount to \$5.3 million which was approximately \$1,090,781 less than the initial estimate.

Chairman Eggers, seconded by Commissioner Greene, moved to grant the increase to \$1.5 million in the not to exceed amount of Debris Tech's contract.

VOTE: Aye-5
Nay-0

G. Boards and Commissions

County Manager Geouque presented the following for consideration:

Watauga Medical Center Board of Trustees

The Watauga Medical Center Board of Trustees has recommended Mr. Jeff Greene for appointment as a Board Trustee. Mr. Greene's term would be effective from January 1, 2025, through December 31, 2027. This was a second reading.

Vice-Chairman Castle, seconded by Commissioner Marsh, moved to appoint Mr. Jeff Greene to the Watauga Medical Center Board of Trustees with his term being effective from January 1, 2025, through December 31, 2027.

VOTE: Aye-5
Nay-0

Personnel Advisory Committee

The Watauga County Personnel Ordinance established a Personnel Advisory Committee comprised of five (5) persons designated by the Board, authorized to hear employee grievances, and recommend decisions to the appointing authority. The Committee consists of one (1) Commissioner, one (1) Department Head and three (3) rank and file employees. Current members and alternates of the Personnel Advisory Committee, including one (1) proposed new rank and file member (Deidre Guy, Assistant Finance Director) and two (2) proposed alternate members (Chris Marriott, Operations Services Director and Jennifer Kemp, Veterans Services Assistant) are as follows:

Member	Position	Department	Appointment Date
BCC Chairman	Commissioner Representative	BCC	12/02/2024
Angie Boitnotte	Department Head Representative	POA	12/03/2012
Deidre Guy	Rank and File Employee Representative	Finance	for consideration
Regina Houck	Rank and File Employee Representative	Tax	03/01/2016
Greg McGrady	Rank and File Employee Representative	IT	08/20/2019
BCC Vice-Chair	Commissioner Representative Alternate	BCC	12/02/2024
Chris Marriott	Department Head Representative Alternate	Sanitation	for consideration
Derrick Ellison	Rank and File Employee Representative Alternate	Maintenance	03/01/2016
Lynne Austin	Rank and File Employee Representative	DSS	09/03/2019
Jennifer Kemp	Regular Employee Representative Alternate	Veterans' Serv.	for consideration

The above appointments for consideration were first readings.

Commissioner Greene, seconded by Vice-Chairman Castle, moved to waive the second reading and appoint Deidre Guy, as a rank and file employee representative, Mr. Chris Marriott, as a department head representative alternate, and Jennifer Kemp, as a regular employee representative alternate.

VOTE: Aye-5
Nay-0

Voluntary Farmland Preservation Program Advisory Board

The Voluntary Farmland Preservation Program Advisory Board recommended the re-appointment of Mr. Kelly Coffey and Mr. Joe McNeil. Each were willing to continue to serve if so reappointed. These were first readings.

Commissioner Marsh, seconded by Commissioner Hodges, moved to waive the second readings and re-appoint Mr. Kelly Coffey and Mr. Joe McNeil to the Voluntary Farmland Preservation Program Advisory Board.

VOTE: Aye-5
Nay-0

H. Announcements

County Manager Geouque announced the following:

- An Ethics for Elected Officials training course will be held via Zoom on Thursday, May 22, 2025, from 10:00 A.M. to 12:00 P.M. in the Commissioners' Board Room. The course is required to be taken by all Commissioners by December 2025. A quorum may be present for the training; however, no County business will be conducted.
- The Trustees of Caldwell Community College & Technical Institute have invited the Board of Commissioners to a meeting on Wednesday, May 21, 2025, at 6:00 P.M. in the Instructional Building on the Watauga Campus.

Commissioner Marsh, seconded by Vice-Chairman Castle, moved to amend the agenda to include a Possible Action After Closed Session as well as include the following discussions (Voto Latino – Case No. 1:23-cv-861-TDS-JEP and Case No. 1:23-cv-862-TDS-JEP) in closed session, per the County attorney.

VOTE: Aye-5
Nay-0

Chairman Eggers announced that Emergency Fest went well over the weekend.

Chairman Eggers and Commissioner Marsh met with New River representatives.

Commissioner Marsh stated that Soil and Water reminds recreational and business users of the rivers that they want to protect the wildlife and clear the debris.

Commissioner Greene stated that the North Carolina Association of County Commissioners District Meeting was held recently in Avery County where it was great to hear of resources available. Future meetings will be held in June and August.

Commissioner Marsh stated that Watauga County has never adopted a resolution designating the County as a sanctuary county and that the Sheriff's Office was fully working with Federal directives.

CLOSED SESSION

At 7:11 P.M., Commissioner Marsh, seconded by Commissioner Greene, moved to enter Closed Session to discuss Attorney/Client Matters, per G. S. 143-318.11(a)(3), including discussions of Case No. 1:23-cv-861-TDS-JEP and Case No. 1:23-cv-862-TDS-JEP.

VOTE: Aye-5
Nay-0

Chairman Eggers, seconded by Vice-Chairman Castle, moved to resume the open meeting at 8:01 P.M.

VOTE: Aye-5
Nay-0

At 8:03 P.M. Vice-Chairman Castle, seconded by Commissioner Greene, moved to declare a brief recess.

VOTE: Aye-5
Nay-0

Chairman Eggers reconvened the meeting at 8:13 P.M.

At 8:13 P.M., Vice-Chairman Castle, seconded by Commissioner Hodges, moved to re-enter Closed Session to continue to discuss Attorney/Client Matters, per G. S. 143-318.11(a)(3), including discussion of Case No. 1:23-cv-861-TDS-JEP and Case No. 1:23-cv-862-TDS-JEP.

VOTE: Aye-5
Nay-0

Commissioner Marsh, seconded by Chairman Eggers, moved to resume the open meeting at 8:24 P.M.

VOTE: Aye-5
Nay-0

Commissioner Marsh, seconded by Vice-Chairman Castle, moved to approve Watauga Medics merger with Priority On Demand contingent upon a fully executed contract with Watauga County and County staff and Priority On Demand shall provide a contract subject to approval no later than May 27, 2025, by 2:00 P.M. for consideration of approval at the June 3, 2025, Board of Commissioners meeting.

VOTE: Aye-5
Nay-0

At 8:26 P.M., Commissioner Greene, seconded by Commissioner Hodges, moved to re-enter Closed Session to continue to discuss Attorney/Client Matters, per G. S. 143-318.11(a)(3), including discussion of Case No. 1:23-cv-861-TDS-JEP and Case No. 1:23-cv-862-TDS-JEP.

VOTE: Aye-5
Nay-0

Vice-Chairman Castle, seconded by Commissioner Hodges, moved to resume the open meeting at 8:41 P.M.

VOTE: Aye-5
Nay-0

ADJOURN

Vice-Chairman Castle, seconded by Chairman Eggers, moved to adjourn the meeting at 8:42 P.M.

VOTE: Aye-5
Nay-0

Braxton Eggers, Chairman

ATTEST: Anita J. Fogle, Clerk to the Board