

# EGGERS, EGGERS, EGGERS, AND EGGERS

ATTORNEYS AND COUNSELORS AT LAW

P.O. BOX 248

BOONE, NORTH CAROLINA 28607

STACY C. EGGERS, JR.  
STACY C. EGGERS, III (1948-1990)  
REBECCA EGGERS-GRYDER  
STACY C. EGGERS, IV  
KIMBERLY M. EGGERS  
AUSTIN F. EGGERS

PHONE (828) 264-3601  
FAX (828) 262-5229  
737 WEST KING STREET

October 23, 2014

Christine Pope  
Town Clerk  
Town of Boone  
Post Office Drawer 192  
Boone, NC 28607  
VIA CERTIFIED MAIL

Re: Request for Records from Watauga County Emergency Management

Dear Ms. Pope:

I represent the County of Watauga. Last month, the Watauga County Fire Marshal and Emergency Management Coordinator requested certain information from the Town of Boone regarding fire inspections and special events. He was advised that he would have to make a public records request for that information. On October 9, 2014, Mr. Sudderth emailed you a request for the following information:

- 1. The addresses where the Boone Fire Department is currently doing fire inspections which are in The Town of Boone ETJ; and*
- 2. A list of the special events that have been permitted either through Boone Planning and Inspections or Boone Fire Department in calendar years 2013 and 2014 which are in the ETJ for the Town of Boone.*

Later that afternoon, you emailed Mr. Sudderth a reply that you have received a high volume of records requests and to please "bear with us as we try to process them as quickly as we are able." To date, Mr. Sudderth has not received a reply to his request. While I understand the many tasks which occupy your time, I would hope that the Town would take the time to respond to this relatively simple request made by an Emergency Management Official.

Failing to provide necessary records to the County Fire Marshal and the Emergency Management Office in a timely manner is beyond my comprehension. These documents are public records under N.C. Gen. Stat. §132-1 et seq., and should be available to *anyone* for their inspection and copying. As a governmental body tasked with providing for the protection, safety, and welfare of our citizens, I would think that some deference would be given to the duly appointed Fire Marshal and Emergency Management Coordinator.

October 23, 2014  
Page Two

I realize that the Town of Boone does not wish to accept that the State of North Carolina has taken away its control of its ETJ; nonetheless, the County Fire Marshal must take steps to prepare for the transition of authority over this area in order to ensure the safety of the citizens living in this area and provide for a smooth transition of inspections. Providing records to the Fire Marshal has nothing to do with the politics of the Town's ETJ authority; it is simply good common sense for all governmental entities to work together for the benefit of their citizens.

Much has been said of the desire for local governments to work together for the common good; this is a perfect example of an opportunity for the Town and County to work together for the benefit of its citizenry. Please forgive the tone of my letter, but it is disappointing that I even have to write to you on this matter on behalf of the Fire Marshal and Emergency Management.

Please provide all requested documents to Mr. Sudderth no later than November 12, 2014. Thank you in advance for your prompt attention to this request, and for helping to provide for the safety and welfare of our citizens.

Very truly yours,

A handwritten signature in black ink, appearing to read "Stacy C. Eggers, IV", with a stylized flourish at the end.

Stacy C. Eggers, IV

cc: Steve Sudderth, Watauga County Fire Marshal  
Deron Geouque, Watauga County Manager  
Watauga County Board of Commissioners