

# *Town of Boone*



August 22, 2014

Chair, Board of Directors  
Southern Appalachian Historical Association  
P.O. Box 295  
Boone, NC 28607

Dear Mr. Ernest:

I write to inform the Southern Appalachian Historical Association (SAHA) of the decision by the Boone Town Council at the regular August meeting to modify the SAHA license dated March 18, 2014, as provided under paragraphs 14 and 18. The revised license attached to this letter allows SAHA exclusive use of the Hickory Ridge Living History Museum, as the term is defined in the attached revised license, ingress to and egress from the cabins, and exclusive use of the six parking spaces previously dedicated for the organization's use until Dec. 31, 2014. The license for Hickory Ridge Living History Museum will be subject to renewal annually by the Town Council, and SAHA is entitled to approach the Town Council next year for a new license covering other activities.

SAHA has repeatedly conducted work on the property without a building permit or permission of the Town, at times utilizing workers who are not qualified to perform the work. The most recent example of this is electrical work regarding stage lighting where SAHA did not obtain a permit, did not obtain permission, as required, and used unsuitable materials and methods, creating a dangerous situation. This is a violation of sections 4.E., 4.H., 9 and 10 of the agreement as well as North Carolina law.

SAHA also failed to complete agreed upon work prior to the start of the 2014 season of Horn in the West and has yet to finish it. The work yet to be completed is the soffits for the pit building. The Town in good faith issued a conditional certificate of occupancy so SAHA's season could begin on time, based on SAHA's promise to complete this work. SAHA's failure to do so is in violation of Section 10 and Attachment A, Section 3.B.x. of the license agreement.

Another violation by SAHA is the unwillingness to open, maintain and clean the restroom facilities at the Horn in the West site. As expressed in SAHA's e-mail correspondence of Aug. 12, 2014, SAHA has refused to perform these referenced services beyond the ending of the outdoor

drama. The Town accepted SAHA's offer to maintain the bathrooms until Oct. 11, 2014, and the Watauga County Farmers' Market agreed to pay the \$300 SAHA requested to do so. Yet, SAHA has repudiated this responsibility. In particular, this violates sections 5.A.i through 5.A.v.

I'd like to note that the Town has given extensive consideration to the changes requested by SAHA and has agreed to a revised agreement, but SAHA has failed to execute the revised license incorporating most of SAHA's requests.

On behalf of the Boone Town Council, notice is hereby given that the license agreement has been revoked, and SAHA must immediately vacate the property **with the exception of** the Hickory Ridge Living History Museum buildings and the associated parking spaces for those buildings, which SAHA may use until Dec. 31, 2014, the original term. Enclosed is a copy of the license agreement for SAHA's reference. Please surrender all keys to the remaining buildings to the town manager by Wednesday, Aug. 27, 2014, at 5 p.m. However, the Town will provide access to SAHA to remove SAHA's personal property from the premises for 60 days from the date of this letter.

Sincerely,

A handwritten signature in cursive script that reads "Andy Ball".

Andy Ball  
Mayor

cc: Boone Town Council

enclosures: Existing License Dated March 18, 2014  
Modified Licensed Approved by Town Council Dated Aug. 21, 2014