

BANNER ELK TOWN COUNCIL
January 11th, 2010
MINUTES

The Banner Elk Town Council met Monday January 11th, 2010 at the Banner Elk Town Hall for the regular scheduled meeting of the Town Council.

Council Members present: Mayor Tate, Ms. Draughon, Mr. Tufts, Mr. Phillips and Mrs. Lyerly. Mr. Hahn was absent.

Staff present: Town Manager John Mejaski, Chief of Police Bill Burleson, Assistant to the Town Manager Cheryl Buchanan, Town Attorney Chelsea Garrett and Steve Smith.

Others present: Mrs. Mari-Liis Smyth of the Avery Post, Charles and Penny VonCanon, Kevin Holden of the Avery Journal, Mr. and Mrs. Ted Silver.

Call Meeting to Order

Mayor Tate called the regular monthly meeting for January 2010 to order at 7:00pm.

Pledge of Allegiance

Mayor Tate led those in attendance in the Pledge of Allegiance.

Invocation

Mayor Tate opened with prayer.

Public Hearing for Comment on Proposed Surcharge on Water and Sewer

Mayor Tate opened the public hearing on the proposed water and sewer charge for the purpose of building the reserve for capital improvements.

Mr. Charlie VonCanon stated that he has five water accounts with the Town and supports the ideal of the dollar and twenty five cents per month on each account.

Mr. Mejaski stated that being a surcharge the amount can be reduced in the future should development fees increase. Mr. Mejaski stressed that it is to go into a separate fund and that the Town should receive about twenty thousand dollars a year on the surcharge. Mr. Mejaski stated that the money will be only for water system improvements.

Mr. Silver of Crooked Creek was also in favor of the surcharge.

Mr. Tufts asked if he had heard Mr. Mejaski correctly in that the money would be used solely for water and not for sewer. Mr. Mejaski stated that it is intended for use for the water system only.

With no further comments from the public Mayor Tate closed the public hearing.

Approval of the Minutes

Mayor Tate asked Council for a motion to approve the minutes from the December 2009 meeting of the Town Council. Ms. Draughon motioned to approve the minutes as presented. Ms. Lyerly second the motion. Mayor Tate called for a vote. Ms. Draughon, Mrs. Lyerly, Mr. Phillips and Mr. Tufts all voted in favor. There were none opposed.

Approve the Stated Agenda

Mayor Tate asked Council for a motion to approve the agenda. Ms. Draughon suggested adding an item on which to take action on the water/sewer surcharge. Mayor Tate agreed to the addition. Mr. Tufts motioned to approve the agenda as amended. Mrs. Lyerly made the second. Mayor Tate called for the vote. Ms. Draughon, Mrs. Lyerly, Mr. Phillips and Mr. Tufts all voted in favor. There were none opposed.

Citizens Concerns

There were none.

Set Public Hearing on Extra Territorial Jurisdiction

Mayor Tate asked for a motion to set a date for a public hearing. Mrs. Lyerly motioned to set the date for the public hearing on March 6th, 2010. Ms. Draughon provided a second and all approved. Further discussion was held. Mrs. Lyerly rescinded her original motion and Mayor Tate agreed to rescind the vote. Mayor Tate called for a new motion. Mrs. Lyerly motioned to set the date of the public hearing for Monday, February 22, 2010 at 7:00pm to be held in the Council Chambers for the purpose of hearing comments on the purposed ETJ. Mayor Tate called for a vote. Mrs. Lyerly, Ms. Draughon, Mr. Phillips and Mr. Tufts were in favor, none being opposed.

Financial Report

Mr. Mejaski reported on the status of the budget at the mid year point. Mr. Mejaski reported that the General Fund is right on budget at fifty percent spent and revenues being at fifty three percent collected. Mr. Mejaski reported that the Water/Sewer Fund is at forty one percent in expenditures and forty three percent revenue collected. Mr. Phillips asked if budget was set before or after this the last rate increase. Mr. Mejaski responded by saying that the budget was set before the last rate increase. Council took no formal action.

Water and Sewer Surcharge

Mayor Tate asked for a motion on the purposed surcharge on the Water Utility Fund. Ms. Draughon motioned to approve the surcharge of one dollar and twenty five cents per month be added to the Town's fee schedule and that charge be effective on the March 2010 water and sewer bill. Mrs. Lyerly seconded the motion. Mayor Tate asked for discussion of the matter. Ms. Draughon asked the town manager to provide the citizens with awareness on the new charge. Mr. Mejaski agreed. Mayor Tate called for a vote. Mrs. Lyerly, Ms. Draughon, Mr. Phillips and Mr. Tufts were in favor, none being opposed.

Manager's Update

The town manager updated Council on a number of issues, including employee evaluations, rural economic issues conference, retreat preparations, internship with LMC, bicycle committee with first meeting in February. A big goal for the upcoming month will be to update of the Web site.

Closed Session

Mayor Tate asked for a motioned to move into closed session. Mrs. Lyerly motioned to move into closed session pursuant to N.C.G.S. 143-318.11(a)(8). Ms. Draughon second the motion and Mayor Tate called for a vote. Mrs. Lyerly, Ms. Draughon, Mr. Phillips and Mr. Tufts were in favor, none being opposed.

Return to open session

Council returned to open session.

Adjourn

At 8:35pm Mr. Phillips motioned to adjourn. Ms. Draughon second the motion. Mayor Tate called for a vote. Mrs. Lyerly, Ms. Draughon, Mr. Phillips and Mr. Tufts were in favor, none being opposed.

Mayor Deka Tate

Steven R. Smith Clerk/Finance Officer

February 8th, 2009
Approved