

BANNER ELK TOWN COUNCIL

April 12, 2021

MINUTES

The Banner Elk Town Council met Monday, April 12, 2021 at 6:07 p.m. in person for Council and staff with public participation facilitated through remote communication using audio and video connections due to the COVID-19 pandemic.

Council Members present: Mayor Brenda Lyerly, David Lecka, Mike Dunn and Charlie VonCanon. Council Member Tufts was absent.

Staff present: Town Manager Rick Owen, Chief Kevin Hodges, Cheryl Buchanan and Attorney Four Eggers.

Call Meeting to Order

At 6:07 p.m. Mayor Lyerly called the regular monthly meeting of April 2021 to order.

Pledge of Allegiance

Mayor Lyerly led those in attendance with the Pledge of Allegiance.

Invocation

Council Member VonCanon opened the meeting with prayer.

Public Hearing

Attorney Eggers reported that as previously discussed, he presented Council with a proposal for an alternative structure to Council. Currently Council is comprised of five Council Members plus a Mayor, as a separate elected position where the Mayor only votes in the position of a tie. He noted that the recommendation from staff is to restructure Council to a five-member Council where the Mayor still runs independently but does have a vote on all matters before Council. Attorney Eggers stated that all terms would remain 4-years. He noted that in order to pass this resolution as considered at the previous meeting, a public hearing would need to be passed at this meeting. If Council approves the resolution, it would take effect following the next election cycle for members. Mayor Lyerly asked if there were any comments or questions. Rick Owen asked if there were any comments from our virtual audience. There were no comments or questions. Mayor Lyerly closed the public hearing at 6:11 p.m.

Approval of the Regular Meeting Minutes

Mayor Lyerly asked for a motion to approve or amend the March 8, 2021 Regular Meeting Minutes. Council Member Lecka motioned to approve the minutes as written. Council Member VonCanon seconded the motion. All were in favor. No one opposed.

Approval of Stated Agenda

Mayor Lyerly called for a motion to approve or amend the stated agenda. Council Member Lecka motioned to approve the agenda as written. Council Member Dunn seconded the motion. All were in favor. No one opposed.

Public Comments

There were no public comments.

Holston Presbytery Camp Sewer Request

Mr. Owen reported that this request came from Jim Austin with Holston Presbytery Camp. They would like a bathroom addition (2 toilets and 2 sinks) to an existing building. Based on this request it would require an additional 500 gallons per day of flow availability which they are requesting. Mr. Owen noted that the reason he is bringing this to Council for approval is because Holston is a current out-of-town sewer customer. It is Town policy not to extend service outside of Town without first considering annexation of the property. Mr. Owen stated that they currently receive service from the Town. Mr. Owen is asking Council to approve the additional 500-gallon flow. Council Member VonCanon motioned to approve the sewer request. Council Member Lecka seconded the motion. All were in favor. No one opposed.

Replacement of In-Car and Body Worn Cameras

Mr. Owen reported that this item was discussed at the last planning workshop that was held a couple of weeks ago. He noted that the Police Department has been using its current system for several years and we are seeing repair issues with both the in-car and body worn cameras. Mr. Owen stated that Chief Hodges received quotes from two companies for purchase and lease options for the equipment. In the past, the Town has always purchased the camera equipment, but because of the changes in technology, he is recommending the lease option for five years. Mr. Owen reported that in the quote from Motorola the cost of the lease is \$16,889 which includes on-site set-up of the wireless program and a recurring annual cost of \$10,944. He noted that as part of the lease program the body worn cameras would be replaced at the beginning of the third year and the in-car camera at the end of five years. At the end of the lease the Town would own the equipment. Chief Hodges stated that he favored WatchGuard by Motorola because they offer the best option for our department. This system would allow us to store videos on site at the police department and noted that the department would start by using a cloud-based management system offered as part of the lease. Chief Hodges noted that the department would own the equipment in five years along with software and hardware. There was discussion about the ever-changing technology, support and warranty, installation cost (\$750 per car for the in-car camera system), etc. Chief Hodges presented to Council the body worn camera and how it works. Attorney Eggers stated that one of the advantages of a body camera is that it cuts down on personnel issue complaints. These can now be addressed a lot easier. He also stated that the cameras would also help address citizen complaints. If there is a complaint, it makes it a lot easier for the Chief, the Town Manager or me to actually see and hear the interaction between the citizen and police officer. Mayor Lyerly asked if there were any questions. Council Member VonCanon motioned to approve the proposal from Motorola Watchdog system. Council Member Dunn seconded the motion. All were in favor. No one opposed.

Consider New Date for September Council Meeting

Mayor Lyerly reported that the September Council meeting falls on September 13th. It is also the same day that Elk River offered the Town to hold its Historic Banner Elk School Golf Classic. After some discussion Council Member Lecka motioned to move the September Council Meeting to Tuesday, September 14th. Council Member VonCanon seconded the motion. All were in favor. No one opposed.

Consider Resolution for Change in Council Structure

Mayor Lyerly stated that Council discussed the change in Council structure and held the required public hearing. The resolution would allow reducing the size of Council from 5 members and a mayor to 4 members and a mayor with the mayor being a voting member. Mayor Lyerly asked for a motion. Attorney Eggers noted that this resolution would take effect at the November 2021 municipal election. Council Member Lecka motioned to approve the resolution. Council Member Dunn seconded the motion. All were in favor. No one opposed.

Manager's Update

Mr. Owen reported that included in Council's packets is the Financial Summary Report for nine months ending 3/31/21, Public Services Monthly Report for March 2021, the police report, planning, zoning and tax collection reports. He asked if there were any questions regarding these reports to let him know or staff know. Mr. Owen noted that also included in Council's packets is a copy of the High Country ABC Board Meeting Minutes dated February 18, 2021.

Mr. Owen reported that Ensemble Stage has put together a schedule for this summer. Their first play will be July 3rd along with 2-3 main stage plays this summer into the fall.

Mr. Owen thanked Lees-McRae for their help with Mountain Day of Service in Town. Students helped spread landscape mulch on beds in the park, playground and around Town Hall.

Mr. Owen stated that Mountain Electric will have a planned power outage this Saturday from 11:00 p.m. until 8:00 a.m. Sunday. He noted that there will be power in the Town limits. Mr. Lecka reported that the date has been changed to May 1st.

Mr. Owen reported that the May Wildlife Center asked the Town if they could use the amphitheater this summer (June, July and August) for wildlife presentations. It would be free to the public and promoted as a free activity. It would take place on Fridays and Saturdays for one hour each day (beginning at 1:00). Council Members thought it was a great idea.

Mr. Owen noted that he was contacted by Paul Buchanan with Avery County and that all Towns and Municipalities will need to adopt the Toe River Regional Hazzard Mitigation Plan. He just received the plan this afternoon via email and hasn't read it (500 pages). Mr. Owen stated that Council adopted the plan back in 2011 and 2016. It is a regional plan and Paul Buchanan stated that if Council had any questions, he would be available by phone for answers or clarifications. Mayor Lyerly called for a motion. Council Member VonCanon motioned to adopt the plan. Council Member Lecka seconded the motion. All were in favor. No one opposed.

Mr. Owen stated that he and Police Chief Hodges have had discussions regarding the trade in of the 2015 Ford Taurus police vehicle. The trade in couldn't happen so the Town would like to sell this vehicle to the police department in Nashville, NC for \$4,900. Mayor Lyerly called for a motion. Council Member VonCanon motioned to approve the sale of the vehicle. Council Member Dunn seconded the motion. All were in favor. No one opposed.

Mr. Owen stated that we need to set up budget workshops for this year. Last year we had the first one in May 25th and another one on June 29th. After discussion among Council Members, dates were set at: Monday, May 24th and Monday, June 28th at 6:00 p.m.

Mayor Lyerly thanked everyone for joining us for this meeting.

At 6:43 p.m. Council Member VonCanon motioned for Council to go into closed session. Council Member Dunn seconded the motion. All were in favor. No one opposed.

At 7:30 p.m. Council returned to open session.

Council Member Dunn questioned the 4th of July activities. Mayor Lyerly reported that the Chamber of Commerce will be in charge of the parade and the Kiwanis will be handling all activities (i.e., duck races, vendors, food vendors, etc.) which will be held in the park. There was discussion about other Town activities held in Town during the summer months in regard to crowd control, liability, health department and their guidelines, etc.

There being no further business, Mayor Lyerly asked for a motion to adjourn the April meeting.

At 7:40 p.m. Council Member Lecka motioned to adjourn the April 2021 Town Council meeting. Council Member Dunn seconded the motion. All were in favor. No one opposed.

Adjourn

The Banner Elk Town Council meeting adjourned at 7:40 p.m.

Mayor Brenda Lyerly

Attested

Approved: May 10, 2021