

**BANNER ELK TOWN COUNCIL MEETING
DECEMBER 12, 2022
MINUTES**

The Banner Elk Town Council met on Monday, December 12, 2022, at 6:00p.m. in person for Council and staff with public participation. Remote viewing was offered through zoom.

Council Members present: Mayor Pro Tem Mike Dunn, David Lecka, Charles VonCanon, and Robert Tufts. Mayor Brenda Lyerly was not present for the meeting.

Staff present: Town Manager Rick Owen, Town Attorney Four Eggers, Zoning Administrator Riley Pudney and Police Chief Kevin Hodges

Call Meeting to Order

At 6:00 p.m. Mayor Pro Tem Dunn called the regular Town Council meeting of December 12, 2022, to order.

Pledge of Allegiance

Mayor Pro Tem Dunn led those in attendance with the Pledge of Allegiance.

Invocation

Council Member Charles VonCanon opened the meeting with prayer.

Approval of November 14, 2022, Minutes

Mayor Pro Tem Dunn asked the Council to review and approve the minutes from the November 2022 meeting. With no changes made, Councilman Tufts motioned to approve the minutes as presented with a second by Councilman VonCanon. All were in favor of the motion.

Approval of Stated Agenda

Mayor Pro Tem Dunn asked if there was a motion to approve the stated agenda. Councilman Lecka motioned to approve the agenda with a second by Councilman Tufts. All were in favor of the motion.

Public Comment

Mayor Pro Tem Dunn opened the meeting to comments from the public who were not on the stated agenda. There were no comments made.

Public Hearing- Zoning Amendment Cultured Stone

Zoning Administrator Riley Pudney reminded the Council of a request to amend the Cultured Stone ordinance by removing “faux stone” from the definition. Councilman VonCanon asked why it was being changed. She explained that faux stone allowed for too many products that the Town did not intend to allow. Cultured stone is the only faux stone that is accepted by the Town.

With no further comments from the public, the public hearing was closed.

Audit Presentation-Misty Watson

Misty Watson, CPA for the Town of Banner Elk presented the report of the 2022 audit. She stated that it was a very clean audit with no disagreements or red flags in the accounts. She

explained that all funds, including the General fund, had seen an increase of revenue from the previous years.

Councilman Tufts asked what was included in the transportation fund. Town Manager Owen answered that it included a large portion of public works including road paving/maintenance and equipment purchases. Councilman Lecka commended the Town Manager and Staff for a great report. Town Manager Owen and Misty Watson stated that if the Council had any further questions, they are encouraged to contact Misty and she will answer any remaining questions.

Zoning Amendment Cultured Stone

Town Manager Owen further explained that the “faux stone” in the definition leaves room for products that the Town does not want, such as metal stone like panels and Styrofoam. He further explained that it was the Town’s intent to limit faux stone to just cultured stone.

Councilman Tufts asked if the term cultured stone was too broad. Zoning Administrator Riley Pudney stated that it is a specific type of material and is easier to enforce. Councilman VonCanon asked if painting concrete blocks to look like stone was allowed under this new definition. She answered that concrete blocks are not cultured stone and would not be allowed under this new amendment. With no further questions, Councilman VonCanon motioned to approve the amendment and was seconded by Councilman Lecka. The motion passed unanimously.

Annexation Ordinance Adoption

Zoning Administrator Riley Pudney explained to the Council that this request was just to finalize two already approved annexations with the State. She informed the Council that there are a few annexations that have been approved by the Council and have just not been completed and sent to the State. She told them that this was the final step in the process.

With no comments or questions, Councilman Lecka motioned to adopt ordinance #06-2022(1) and was seconded by Councilman Tufts. The motion passed unanimously.

With no comments or questions, Councilman Tufts motioned to adopt ordinance #03-2018(1) and was seconded by Councilman VonCanon. The motion passed unanimously

Town Boards Reappointments

Town Manager Owen informed the Council that there are 3 Boards that have members needing reappointment. The Planning Board has 2 terms expiring and vacancies for in town and ETJ members. The Board of Adjustment has 1 term expiring and vacancies for in town and ETJ members. Lastly, the Tourism Development Authority has 3 terms expiring and no vacancies. Town Attorney Four Eggers informed the Council that the Board of Adjustments needs to reappoint its expiring term so it can continue operating as a quasi-judicial Board. Mayor Pro Tem Dunn asked how the Town can recruit more people for the Boards. It was suggested that mailers go in with the water bills. Town manager Owen said he would look into ways of getting the information out.

Councilman Lecka motioned to approve the members up for reappointment if the members accepted. The motion was seconded by Councilman Tufts and passed unanimously.

Police Department Take Home Vehicles

Police Chief Kevin Hodges and Town Manager Owen informed the Council that the department was requesting to begin offering take home vehicles to officers as an additional benefit. This has been discussed with Council over the last few budget cycles. The hope is that the vehicles will help with recruitment and keep the Town competitive with neighboring departments. Police

Chief Kevin Hodges explained that it will help the vehicles last longer and that the biggest expenditure would be for gas. Town Manager Owen stated that the vehicles would be allowed to go no more than 25 miles outside of Town limits. They will be used by on duty officers and will be parked at their home when they are off duty. The vehicles will be driven roughly 182 days out of the year. Two cars have been purchased within the current budget year and are being outfitted for lights and sirens. An additional 2 vehicles will be purchased in the next budget year. Town Attorney Four Eggers reminded the Police Chief that the personnel policy will need to be updated to include take home vehicles. Members of the Council voiced their approval and support for the new benefit and hope it will help recruit officers

Manager's Update

Town Manager Owen provided the Council with staff reports. He also stated that he did not have any updates for the Council. Councilman Tufts asked for an update regarding the paintings from the previous meeting. Town Manager Owen stated that the Town did accept the paintings, however, they have not been picked up yet. Councilman Tufts also asked for an update on the Culver Street change order. Town Manager Owen answered that the bid was higher than expected and he wants to talk with the Contractor before bringing it to the Council.

Closed Session

Town Manager Owen requested to go into closed session. Councilman VonCanon motioned to go into closed session and was seconded by Councilman Tufts. At 6:41 p.m. the Council began closed session.

Closed session was adjourned at 6:50 p.m.

Other Business

Mayor Pro Tem Dunn motioned to approve the following amounts for Christmas Bonuses:

\$500 for full time staff
\$250 for part time staff
\$1,500 for department heads
\$1,500 for Town Manager.

Councilman Lecka seconded the motion and it passed unanimously.

With no further comments or questions, Councilman VonCanon motioned to adjourn and was seconded by Councilman Lecka. The motion passed unanimously, and the meeting was adjourned at 6:55 p.m.

Mayor Brenda Lyerly

Attested

Approved: