

BANNER ELK TOWN COUNCIL MEETING
JANUARY 9, 2023
MINUTES

The Banner Elk Town Council met on Monday, January 9, 2023, at 6:00p.m. in person for Council and staff with public participation. Remote viewing was offered through zoom.

Council Members present: Mayor Brenda Lyerly, Mike Dunn, David Lecka, Charles VonCanon, and Robert Tufts.

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

Call Meeting to Order

At 6:00 p.m. Mayor Lyerly called the regular Town Council meeting of January 9, 2023, to order.

Pledge of Allegiance

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

Invocation

Council Member Charles VonCanon opened the meeting with prayer.

Approval of December 12, 2022, Minutes

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

Approval of Stated Agenda

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

Public Comment

Mayor Lyerly opened the meeting to comments from the public who were not on the stated agenda. There was one individual who signed up to speak.

Jim Swinkola addressed the Council informing them of a new food security program within Avery County. He explained that the issue of food insecurity became clear during the COVID-19 pandemic. Riverside Elementary has started a program that has taught their students to tend to raised-gardens and greenhouses. It has created a 4H club for the students as well. He invited the Council to attend a meeting on January 17th, 2023, at the Kiwanis Club where a representative will speak about the program and the early success it has had. Councilman Tufts asked who benefits from the produce in the gardens. Mr. Swinkola explained that the students and their families get the crop, and the goal is to eventually have them sell it at a farmer's market. Mr. Swinkola ended by saying he hopes to see the Council at the meeting next week.

Banner Elk Fire Department Presentation-Tyler Burr

Banner Elk Fire Chief Tyler Burr presented a year in review report to the Council. Chief Burr explained that the department responded to over 700 calls, received an ISO Class 5/5 rating, expanded community outreach, received over \$60,000 in grants, raised over \$10,000 in

fundraisers, began a community task force, provided CPR training, and purchased a new fire truck. Chief Burr also expressed concern for the upcoming year and the lack of volunteers for the department. He explained to the Council that a majority of the volunteers live outside the county and often cannot respond to calls, either making the response times longer or other neighboring departments having to respond.

Mark File spoke on behalf of the fire department and reiterated the need for volunteers and members of the community task force. Members of the Council followed up with questions. Mayor Lyerly asked if they had positive results from the Eagles Nest fundraiser? Chief Burr said that they did okay and that there has been a generous uptick in donations. Councilman Lecka asked how many firefighters were needed for the department to be at a comfortable level? Chief Burr answered that they would need an additional 10-15 quality volunteers that would be able to respond. Councilman Dunn followed up by asking what a volunteer would have to commit to? Chief Burr explained that a volunteer would need 36 hours per year, receive training in firefighting and medical and go through a background check. Lastly, Councilman Tufts asked if the department utilizes Junior Firefighters? Chief Burr answered that they do, however, they have aged out and the department currently does not have any. There were no further comments or questions from the Council.

ABC Board Member Appointment

Town Manager Rick Owen informed the Council that Donna Dicks currently serves as the Town's primary ABC Board member. The Town's alternate member is Robin Dunn. He explained the Mrs. Dicks is asking the Council to consider switching both of their roles, placing Mrs. Dunn as the primary member and Mrs. Dicks as the alternate. The Council had no comments or questions and Councilman Lecka motioned to approve the request and was seconded by Councilman Tufts. The motion passed unanimously.

NCLM Municipal Advocacy Goals

The Council has the opportunity to select 10 goals from the League of Municipalities list of suggested goals for the upcoming legislative session. All member cities will select their top 10 and the League will concentrate their efforts on the top 10 collective goals. The Council agreed on the following ten:

- Expand federal and state resources for affordable housing.
- Create an adequate and permanent funding stream for local infrastructure.
- All municipalities use local resources and capabilities to expand broadband access in their communities through innovative partnerships.
- Expand state transportation funding streams for construction and maintenance for municipal and state-owned secondary roads.
- Support integrated and multi-modal transportation solutions.
- Expand incentives and funding for local economic development.
- Enhance state systems and resources for local law enforcement officer recruitment, training, and retention.
- Revise state contracting laws to better protect public entities from the effects of inflation.
- Provide authority to municipal water systems to recoup costs of clean-up from polluters.
- Provide local revenue options beyond property tax.

Culver Street Project

Town Manager Owen provided the Council with the complete change order for the Culver street project. The change order included: gutter drains, raised crosswalk, sidewalk, paving, electrical conduit, stand curb for future pavers and stone base for future pavers. Derek Goddard also spoke regarding the change order and informed the Council that this is the best price that it could be

completed for. Mayor Lyerly asked if a loan would be required to cover the costs. Town Manager Owen stated that it would not need a loan and will be funded through a budget amendment. Councilman Tufts asked if the electrical conduit was just the conduit or would the concrete bases be installed as well. Mr. Goddard stated that it would just be the conduit. Councilman VonCanon stated that he believed it is worth the cost and motioned to approve the change order. The motion was seconded by Councilman Lecka and passed unanimously. Derek Goddard then explained that the next step of the project would be Phase 2 and would contain the drainage in the front of the school, paving and lighting. He proposed getting started on the bids process and is looking for the consensus of the Council to move forward. Councilman Lecka stated that if the Town waits a year or two to begin phase 2, it will cost more due to prices going up. Councilman Tufts asked if the project would be completed in one season. Mr. Goddard stated that it would be part of the bid contract to be done by Woolly Worm or there would be liquidation penalties. The Council came to a 5-0 consensus to move forward and start the bid process.

Manager's Update

Town Manager Owen provided updates to the Council. He explained that funding for the rest of the Historic School Site Project would require a loan. He explained that he has started talking to banks to determine a loan rate.

He updated the Council on the pictures that were donated to the Town. He stated that the pictures would be hung in the Historic Banner Elk School unless the Council had any other suggestion.

The Council recommended reaching out to the Museum to see if they had room for them. Town Manager Owen stated that wherever the pictures are hung, the funds for maintaining them would be provided to that location as well.

He also provided the Council with a letter from the Crooked Creek POA thanking the Town and Public Works department for their efforts in restoring water after the leak over Christmas.

Councilman VonCanon stated that the Town and the public works employees should be commended for their work.

Lastly, Town Manager Owen informed the Council of a new project/initiative that Avery County is starting. Organization Freedom Life is a reentry program for those recently out of incarceration. The program will help those impacted get back into everyday life by finding jobs and housing.

Other Business

Councilman VonCanon asked Town Manager Owen about the status of the metal bridge that was pulled out of the river. He asked if it was salvageable. Town Manager Owen stated that it was not, and that maintenance would be cutting it up and removing it piece by piece.

Mayor Lyerly wished to publicly thank the Village of Sugar Mountain for their Resolution honoring the life and service of the late Judge Alexander Banner Lyerly.

With no further comments or questions, Councilman VonCanon motioned to adjourn and was seconded by Councilman Dunn. The motion passed unanimously, and the meeting was adjourned at 7:10 p.m.

Mayor Brenda Lyerly
Approved:

Attested