

BANNER ELK TOWN COUNCIL

February 9, 2015

MINUTES

The Banner Elk Town Council met Monday, February 9, 2015 at 6:00 p.m. at the Banner Elk Town Hall for their regular scheduled meeting.

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

Staff present: Town Manager Rick Owen, Chief Byron Clawson, Steve Smith and Attorney Four Eggers.

Call Meeting to Order

At 6:00 p.m. Mayor Brenda Lyerly called the regular monthly meeting for February 2015 to order.

Pledge of Allegiance

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

Invocation

Council Member Bolick opened the meeting with prayer.

Approval of the Minutes

Mayor Lyerly asked if there was a motion to approve the January 12, 2015 Town Council meeting minutes. Council Member VonCanon motioned to approve the minutes. Council Member Dunn seconded the motion. All were in favor and no one opposed.

Approval of the Stated Agenda

Mayor Lyerly stated that Item #4 will be removed from February's agenda. Council Member Tufts motioned to approve the agenda with the one change. Council Member Dunn seconded the motion. All were in favor. No one opposed.

Public Comments

There were no public comments.

Board Appointment, TDA

Mayor Lyerly reported that she has appointed Shannon Manes, manager of the Best Western, to serve on the TDA Board and that she has accepted the position. Mayor Lyerly asked Council to approve her appointment. Council Member Dunn motioned to approve Shannon Manes as the new TDA Board member. Council Member Bolick seconded the motion. All were in favor. No one opposed.

Historic Banner Elk School Fund Raising Committee Update

Mr. Ted Silver reported to Council that the Fund Raising Committee will have its second meeting on Wednesday, February 11th. He noted that negotiations continue with regards to a pending pledge that was made. The committee is hopeful that within the next couple of weeks a confirmation will be received at which time we will be able to give Council more specific details. Mr. Silver stated that the Friends of Historic Banner Elk are receiving donations as well as the staff at Town Hall. He noted that the Committee will be exploring ways of getting a presence in the computer world (i.e. obtaining a domain name, web site, etc.). Mr. Silver stated that the Committee is working on a more concentrated campaign intending to get more information out to the public. Mayor Lyerly thanked Mr. Silver and stated that we look forward to bigger and better news.

Historic Banner Elk School Property Use Committee Update

Mr. Tom McMurray reported to Council that the Committee met last week for its second time and are continuing to receive a great deal of interesting input. There was a consensus that the green space in front of the school needs to remain green space. Mr. McMurray stated that the committee is working on making that space the Town Center; a focal point of the downtown. Since there are ongoing uses of that space (i.e. Woolly Worm, arts and craft shows, etc.) we need to improve that area and make it a magnet to the building. Mr. McMurray noted that everyone is aware of Mayland's interest in the back portion of the building which will be a benefit to the property. He stated that the committee shared another primary concern which is the gymnasium. There was a consensus that it should remain a community use space. It is the largest, open indoor space in Town and that it could be a great use to the community later on. Mr. McMurray noted that the question remains: what do we do with the original portion of the building (i.e. retail, service based, anchor vendors, etc.). There is a lot to consider: the open space community gym, Mayland, tying the use of the property in with the how to fund the property, etc. Mr. McMurray stated that the committee will present several proposals to Town Council at next month's meeting. Mayor Lyerly thanked Mr. McMurray for all his hard work. Mr. McMurray added that on April 11th the Kiwanis service day will be held. With the help of volunteers their focus will be on the cleanup of the school.

Insurance Agreement, Bill Burleson

Mr. Owen reported to Council that at Bill Burleson's retirement, the Town had a personnel policy in place which allowed employees who retired with 25 years of service with the Town to remain on the Town's insurance policy. That personnel policy has since been changed. However, Bill Burleson is still receiving health insurance from the Town. Mr. Owen noted that he has spoken with Mr. Burleson about other health insurance possibilities. Mr. Burleson believes he has the potential to receive an insurance policy for about half of what the Town is paying. Mr. Owen reported that Mr. Eggers has prepared an agreement which would allow Mr. Burleson to purchase insurance independent of the Town and the Town would reimburse him for that cost. Mr. Owen noted that he has not spoken with Mr. Burleson in depth about the agreement on questions that he may have, but if Council is comfortable with the wording of the agreement they can vote to approve it. Council Member Dunn motioned to accept the

agreement contingent upon Bill Burleson's agreeing with it. Council Member VonCanon seconded the motion. Council Member VonCanon asked how much longer the Town has to cover Mr. Burleson's insurance. Mr. Smith reported eleven more years. Council Member VonCanon asked if this would have any effect on the Town's employees and the policy that exists. Mr. Owen clarified that Mr. Burleson is on a policy independent of the Town. He can't be on the Town's group policy because he is no longer an employee. The Town is paying for an individual policy along with the employees' group policy. Mayor Lyerly asked if there were any other questions. All were in favor of the motion. No one opposed.

Consider Playground Improvements

Mr. Owen reported that Council has had discussions in the past about the need for new playground equipment in the 2-5 year old age range. Several years ago a residential play structure for this age group was removed from the park at the Town's insurance company's recommendation because it was in need of repair and did not meet commercial standards. Mr. Owen stated that staff is working with the same company that designed and manufactured Fort VonCanon. He noted that included in Council's packets is a proposal from the company which shows a "structure" for children and other playground pieces for the entire area. The price listed is for everything shown. The main structure is \$13,800 and the total price for the entire package installed is \$43,000. The installation cost is \$9,900, but Mr. Owen stated that he thinks this figure could be cut deeply if the Town organized a field day where volunteers would help put it all together supervised by the company (similar to what was done for Fort VonCanon). The Staff is not requesting any money from Town Council. Mr. Owen is asking Council if they will consider approving the concept of new playground equipment for this area. Staff will then work on ways to pay for the equipment (i.e. fund raising, other sources to fund the project, etc.). Mr. Owen stated that the Town is working toward funding the main structure (\$13,800). Items like the new swing set, the Woolly Worm feature, etc. are not priorities, but were priced in as a package for that particular area. He noted that another cost that has been included in the proposed budget for this project is the ground cover. Presently there is engineered wood; wood mulch that has been tumbled to remove the splinters, which needs replacing every few years. Council Member VonCanon expressed his concern over the ground cover and its upkeep. He suggested looking into a more sustainable ground cover such as a rubber mat that wouldn't wash or blow away. It would be more permanent. Council Members discussed rubber mats, their durability, wheelchair accessibility, low maintenance and appearance. All agreed that the Town is heading in the right direction regarding the concept of the playground equipment.

Manager's Update

Mr. Owen reported that included in Council Member's packet were the financial report, police report, planning, zoning and tax collection report. Mr. Owen noted that if there were any questions regarding these reports to let him or staff know.

Mr. Owen stated that Council previously discussed having a Chamber of Commerce after hour's event at the Historic Banner Elk Elementary School. He noted that the Chamber

has offered the Town the date of July 29th. It will be a special event and wanted to make Council aware of the date.

Mr. Owen updated Council on the guard rail at the Mill Pond which has been a topic of discussion at several Council meetings. Mr. Owen stated that he contacted the regional office of the DOT about the rail along the head wall. They will be looking into this.

Mr. Owen updated Council on the Streetscape Fund that the auditors recommended the Town close out a couple of months ago. He noted that Council Member Tufts asked if any development money went into that fund. Mr. Owen stated that \$13,000 did go into the fund from the Klonteska project.

Mr. Owen reported that Town Hall Day will be held on March 18th. He asked that if any Council Member would like to attend to please let him know.

Mr. Owen stated that Mr. Eggers has provided him a draft of the Mayland lease for space at the old elementary school. He was hoping that Melissa Phillips would have brought their architect/contractor over to visit the site before going over the lease to see if there were any issues that needed to be resolved. Mr. Owen stated that he and Ms. Phillips have not scheduled a walk through/meeting as of yet so that the lease can be discussed.

Mr. Owen reported that the Town is working on securing the easements for the sidewalk between the caboose and the Mill Pond. It is working with the VonCanon's who are in the process of reviewing the easement to make sure it satisfies their needs in coming across their property.

At 6:36 p.m. Council Member Bolick made a motion for Council to proceed to closed session pursuant to NCGS 143-318.11. Council Member Dunn seconded. All were in favor. No one opposed.

Mayor Lyerly thanked everyone for coming.

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

There being no further business, at 7:30 p.m. Council Member Bolick motioned to adjourn the February 2015 Town Council meeting. Council Member Dunn seconded the motion. All were in favor.

Adjourn

The Town Council meeting adjourned at 7:30 p.m.

Mayor Brenda Lyerly

Steven R. Smith
Finance Officer/Clerk

Approved: March 9, 2015