

BANNER ELK TOWN COUNCIL

**January 11, 2016
MINUTES**

The Banner Elk Town Council met Monday, January 11, 2016 at 6:00 p.m. at the Banner Elk Town Hall for their regular scheduled meeting.

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

Staff present: Town Manager Rick Owen, Cheryl Buchanan and Attorney Austin Eggers.

Call Meeting to Order

At 6:00 p.m. Mayor Lyerly called the regular monthly meeting for January 2016 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 December 14, 2015 Town Council Minutes. Council Member VonCanon motioned to approve the December 2015 minutes as submitted. Council Member Bolick seconded the motion. All were in favor. No one opposed.

Approval of the Stated Agenda

Mayor Lyerly asked if there were any additions or changes to the January agenda. Council Member Dunn motioned to approve the agenda as stated. Council Member Tufts seconded the motion. All were in favor. No one opposed.

Public Comments

There were no public comments.

Zoning Ordinance Amendment - Call for Public Hearing

Cheryl Buchanan reported to Council that this Zoning Ordinance Amendment is a recommendation from the Planning Board to amend Section 502.2 *Exterior Materials*. The Planning Board would like to add to the allowed list Commercial Grade Vinyl Siding in the C-2 Zoning District only. She noted that it must be ASTM approved, must be a minimum of .044 grade and must be installed by someone who is certified by VSI (Vinyl Siding Institute) or by a similar institution, manufacturer or supplier. Ms. Buchanan noted that under paragraph (b) *Prohibited*, the words vinyl siding have been struck through. However, Mr. Eggers recommends the Town keep the words vinyl siding but add in parenthesis the words *unless specified otherwise*. Vinyl siding has to meet the above referenced description and installation. Council Member Tufts motioned to call for a Public Hearing at Council's February meeting. Council Member Lecka seconded the motion. All were in favor. No one opposed.

Consider Resolution – Connect NC Bond Proposal

Mayor Lyerly reported that Governor McCrory has signed a proposed \$2 billion bond initiative to be placed on the NC Primary Election Ballot for a vote by the people in March. She noted that this bond is intended to improve educational facilities, parks and recreational facilities, upgrade technology, etc. to every community across the State. Mayor Lyerly referred to the map of North Carolina and noted that several projects have been proposed for the High Country area including Avery County (i.e. Mayland Community College and Grandfather Mountain State Park). She noted that as municipalities, we have been encouraged to consider the resolution supporting the Connect NC Bond Proposal. Mayor Lyerly asked if there was a motion. Council Member VonCanon motioned to approve the resolution supporting the NC Bond Proposal. Council Member Bolick seconded. All were in favor. No one opposed. Mayor Lyerly thanked Council for their support.

Stormwater Grant Discussion

Mr. Owen recalled to Council that the Town has a storm water vault located on the Historic Banner Elk School property. The Town has discussed putting parking over the vault, but it needs to be upgraded before this can be done. He noted that several years ago Blue Ridge Environmental applied for a grant to assist with this work. The Town was awarded a \$95,000 grant related to making repairs to the Town's stormwater retention system. Mr. Owen stated that it is a matching grant which requires the Town to participate in the cost. He reported that he has been working with Derek Goddard with Blue Ridge Environmental in helping the Town come up with the matching funds. Mr. Goddard has offered to donate up to \$50,000 of his company's services towards the design work of this project which would leave the Town providing up to \$55,000 in cash matching funds. Mr. Owen stated that Blue Ridge Environmental presented to the Town a proposal. Mr. Goddard proposed a 5-step process in moving forward with the project. The first being that the Town commit paying up to \$55,000 towards the project. Blue Ridge Environmental would in turn complete a topo of the site, grading plan, calculate for a stormwater receiving area, develop options for Council and conduct design meetings with options for the property. Council Member VonCanon expressed the need for the Town to keep this stormwater vault system which keeps the runoff from entering into Shawneehaw Creek. He also asked whether the Town could save money by not digging up the vaults that are full, but installing a new system south of the existing. Mr. Owen stated that this has been discussed with Mr. Goddard and that he is looking into several options. Council Member Lecka asked if the \$190,000 was just for the engineering portion of the project. Mr. Owen stated that it is for the construction of a new stormwater vault and the cleanout of the wetland area. After further discussion, Mr. Owen noted that within the next 30 days he will gather additional information for Council so that everyone will be comfortable with the stormwater grant and ask that Derek Goddard appear before Council at February's meeting to take further questions. Council Members agreed. No action was taken.

Historic Banner Elk School Project Updates

Fred Schmitt reported that the meeting last month with CPN (Construction Professionals Network) which was headed up by Arty Bolick was very productive. They were fully prepared to deliver their report to Council this evening, but would like to postpone this till next month so they can complete some due diligence and recommendations they spoke of. Mr. Schmitt noted that CPN has a whole range of possible uses for the Historic Banner Elk School as far as cultural, retail, educational, etc. One of the contacts they have is with the Natural Science Museum of North Carolina. Arty Bolick will be meeting with Dr. Emlyn Koster, the director of the Natural

Science Museum and the regional network chief to see if they may be interested in opening a dialogue with the Town of Banner Elk with respect to a regional outlet for the museum. Hopefully Mr. Bolick will have more information regarding this potential possibility at next month's meeting.

Mr. Owen reported that at last month's meeting he discussed with Council the Leasing Committee. He noted that the Articles of Incorporation have been filed. Another issue of concern are the By-laws. Mr. Owen would like Council to review these and provide any recommendations they may have. He noted that he has some suggestions regarding the structure of the board, but these too can be discussed at a later date.

Mr. Owen reported that at last month's meeting he discussed Stewart Gray's work with the school receiving an Historic Designation and the Town's application process to place the school on the Historic Registry. He noted that at last month's meeting there wasn't much optimism with it moving forward. However, Cheryl Buchanan made a few contacts and will report her findings to Council. Ms. Buchanan reported that she contacted Lori Mitchell with the State Historic Preservation Office in Raleigh. Ms. Mitchell recommended a representative from the Asheville office, Annie McDonald, meet with Town staff. Ms. Buchanan noted that during her visit she had a complete tour of the school. She noted that when Mr. Gray filed the application the replacement windows and roof became a drawback. However, after touring the school's interior and seeing the historic fabric within the school and so much still intact, Ms. McDonald was encouraged in what she saw and recorded. Ms. Buchanan stated that she also gave the Town two grant sources. Mr. Owen noted that it was a very good meeting.

Mr. Owen distributed a handout to Council, a list of courses Mayland Community College will be conducting at their space in the Historic Banner Elk School. He noted that for now there is one class held per month, but they are confident and believe it's a good start.

Manager's Update

Mr. Owen reported that included in Council Member's packet were the police report, planning, zoning and tax collection report and a draft copy of the January 2016 Planning Board Meeting minutes. Mr. Owen noted that if there were any questions regarding these reports to let him or staff know.

Mr. Owen reported on the problem the Town had with the sewer line and restrooms at the amphitheater, which is believed to be related to vandalism. Discussions were had with regard to the placement of cameras around the park to help secure the area. Mr. Owen stated that the Police Department is working on pricing and ideas on types of cameras. He noted that the kiosk lighting in the park is now working.

Mr. Owen reported that one of the heating systems went out in the Police Department last month and they are working on getting it repaired.

Mr. Owen reported that the State is offering five courses on The Essentials of Municipal Government and Ethics Training. Three are sold out, but two are still available; one in Sunset Beach and one in Greenville. He noted that if any Council Member is interested in attending to please let him know. Those who are newly reelected will have to attend an ethics course and after May that will become available on the internet.

At 6:31 p.m. Council Member VonCanon 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 6:36 p.m.

Other Business

Council Member Tufts asked if the Town was prepared for inclement weather. Mr. Owen stated that we were. He noted that he didn't feel that way this morning when he received a telephone call from Avery County Schools reporting that the buses would not be running on the back roads in Banner Elk. The crew was out last night from 8:00 till 11:00 salting and scraping, but due to the freezing temps it was ineffective.

There being no further business, at 6:38 p.m. Council Member VonCanon motioned to adjourn the January 2016 Town Council meeting. Council Member Dunn seconded the motion. All were in favor.

Adjourn

The Town Council meeting adjourned at 6:38.

Mayor Brenda Lyerly

Attested

Approved: February 8, 2016