

BANNER ELK TOWN COUNCIL

**January 8, 2018
MINUTES**

The Banner Elk Town Council met Monday, January 8, 2018 at 6:00 p.m. at the Banner Elk Town Hall for their regular scheduled meeting.

Council Members present: Mayor Brenda Lyerly, Allen Bolick, Mike Dunn, Charlie VonCanon and Robert Tufts. David Lecka arrived to the meeting at 6:20 p.m.

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

Call Meeting to Order

At 6:00 p.m. Mayor Lyerly called the regular monthly meeting of January 2018 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 or amend December 2017 Town Council Minutes. Council Member Tufts motioned to approve the November Town Council Minutes as written. Council Member Dunn seconded the motion. All were in favor. No one opposed.

Approval of the Stated Agenda

Mayor Lyerly asked if there was a motion to approve the January agenda. Council Member Dunn motioned to approve the January 2018 agenda as written. Council Member VonCanon seconded the motion. All were in favor. No one opposed.

Public Comments

There were no public comments.

Mentoring Month Proclamation

Mayor Lyerly introduced to Council, Sabena Maiden, who is involved with the Western Youth Network mentoring program. She noted that January is National Mentoring Month. Ms. Maiden reported that Avery Mentoring has been in Avery County for the past 14 years. Her job is to recruit role models, quality adults within the community to meet one on one with a specially matched student two hours a week for one year. Ms. Maiden noted that Avery County currently has 8 matches and their goal and grant is to have 15. Ms. Maiden reviewed with Council the mentoring program, their partnership with the YMCA, handed out flyers, answered questions from Council and asked for Council's support. Mayor Lyerly read the *Thank Your Mentor Day and Mentoring Month Proclamation*. Council member Bolick motioned to adopt the proclamation. Council Member Tufts seconded the motion. All were in favor. No one opposed.

Annexation Request, Old Turnpike Investments, LLC

Mr. Owen reported that Old Turnpike Investments LLC, the new owner of a 1.037 acre parcel located on Highway 194 across from Elk River Realty, is requesting annexation because the owner would like water and sewer connections from the Town. He noted that included in Council's packet is the vicinity map indicating the property location. Mr. Owen stated that the owner is also seeking rezoning to commercial because he intends to build a new building on the property. There was discussion regarding the water line. Mr. Owen noted that long term, the Town would like to extend the water line to the pump station, which is shown on the map (the pump station is noted by the green PS box, the green line is the sewer line, the blue line is the water line and the purple line is the force main going to the sewer plant). Mr. Owen also stated that the map shows the Town limits in orange. The owner/developer will be responsible for costs and any easements needed in getting the water and sewer to this property. Once that is complete, Mr. Owen is hoping to continue the water line to the pump station. Mr. Owen is recommending that Council direct staff to certify the petition. Once complete Council may then schedule a public hearing and consider the annexation for approval. All Council Members were in favor. Mr. Owen stated that he will move forward with the paperwork.

Proposed Audit Contract

Mr. Owen reported that Misty Watson has prepared the Town's audit for the past 3-4 years. He asked her to provide the Town with a contract for audit services for the 2017-2018 fiscal year. Mr. Owen noted that the proposed rate shows no increase. It is the same as last year's audit. Mr. Owen is requesting Council to approve the Town engaging in a contract for audit services with Ms. Watson. Council Member Dunn motioned to approve the proposed audit contract. Council Member VonCanon seconded the motion. All were in favor. No one opposed.

Historic Banner Elk School Project Updates

Council Member Bolick reported that the Artist's Gallery started their renovation and expansion work in rooms number 4 and 5. The work they have done so far has made a big difference and believes it will be an important improvement to the school. Mr. Bolick noted that all the materials and equipment that were removed from that area were moved to the kitchen/cafeteria area. He noted that the material will be used for the future bathrooms that will be built in the current room number 25, which backs up to Mayland Community College.

Council Member Bolick noted that the new gutters and downspouts will be installed later this week.

Council Member Bolick stated that the conference room and meeting room renovations should be completed by the end of this week. These rooms will be ready for clients to rent either on a daily or weekly basis.

Manager's Update

Mr. Owen stated that included in Council Member's packets are financial summary report for six months ending 12/31/17, the police report, planning, zoning, and tax collection report. Also attached is a copy of the November 2, 2017 High Country ABC Board Meeting Minutes. Mr. Owen stated that if there were any questions regarding these reports to let him or the staff know.

Mr. Owen reported that the 35 ft. flagpole will be installed at the Corner on Main tomorrow. A company from Charlotte will be doing the installation.

Mr. Owen stated that there is an issue with the sidewalk lights at The Cottages. He noted that when the infrastructure was taken over by the Town (water, sewer, sidewalks), the sidewalk lights were not mentioned as part of the Town's responsibility. Mr. Owen stated that one of the meters for the lights is in the developer's name and one meter is in a POA name. Several owners have approached him to see if the Town could take over the lights. He asked them to provide him with power bills for the meters to determine that the bills were truly for the lights. Council Member Tufts asked why several residents approached the Town. Mr. Owen stated that the bills were not being paid and the lights were off all the time. The POA sent the Town a letter requesting Council to act on the sidewalk light issue. Attorney Eggers asked that Council defer making a decision until next month. He would like to review the letter first.

Mr. Owen reported on the water loss that the Town is experiencing due to the freezing temperatures. He wanted Council to be made aware that the Town will be placed on voluntary water restriction and that the citizens will be notified through the Town's Code Red. Mr. Owen also notified Lees-McCrae to request to their students to conserve water. Due to the freeze and thaw conditions, the Town is undergoing a lot of long well-run times. The Town's ordinance requires that once the wells run a certain number of hours a day that we enter voluntary water restriction. So far, we haven't reached the mandatory stage. Mr. Owen reviewed with Council the conditions at the Laurel Lane pump house above Balsam and Dogwood, in which six homes receive their water from that pressure tank (i.e. loss of power, loss of water, ordering a new pump, renovations to that pump house, etc.). He reported that there was also an issue in Crooked Creek with a water tank overflowing due to freezing and a leak at the Mill Pond which was repaired. Mr. Owen noted that the Town's Public Works' crew have worked tirelessly, being called in at all hours due to emergency issues.

Chief Kevin Hodges reported to Council on the change in communications with the Police Department in the case of after hours non-emergency situations. Typically, if someone called the department after business hours, one would leave a voice message. He noted that now if you call, the call will be received at the communications center in Newland and someone at our department would be notified. Chief Hodges noted that it will be a better response time from the Police Department. Mr. Owen stated that if someone calls Town Hall with an emergency issue after hours, the recording gives the number for the Police Department. Calling that number, the call would then be transferred to Avery Communications. It was noted that emergency calls should always use 911.

Chief Kevin Hodges stated that at the Town's Open House, all Council Members and the Town Manager were presented with a plaque which displayed the department's past shoulder patch, that at one time was worn by a police officer on their uniform, and the newly designed shoulder patch. He noted that since Council Member Lecka was unable to attend the Open House, he wanted to personally present to him the plaque from the Police Department. Council Member Lecka thanked Chief Hodges.

Mayor Lyerly thanked everyone for attending and asked for a motion to go into closed session.

At 6:40 p.m. Council Member VonCanon motioned for Council to proceed to closed session pursuant to NCGS 143-318.11. Council Member Tufts seconded the motion. All were in favor. No one opposed.

Council returned to open session at 6:43 p.m.

Other Business

Council Member VonCanon questioned Mr. Owen about the work done on the water line leak/freeze issue at the Presnell house across from the Cheese House. Mr. Owen reviewed with Council the work that was done in regard to the sidewalk extension from the caboose towards the Mill Pond. A new service line was placed alongside the road on top of the culverts and put it inside a 2-inch pipe. A cut-off was put in at the sidewalk side. We knew that this could be a potential freeze issue. For the Town to run it under the creek would involve getting a permit. Mr. Owen reported that because of the freezing conditions experienced in Town, the water line did freeze and had to be pulled out, involving a lot of work. There were discussions on possible suggestions to remedy the situation (i.e. heat tape, getting a permit to bury the line, etc.).

There being no further business, at 6:50 p.m. Council Member VonCanon motioned to adjourn the January 2018 Town Council meeting. Council Member Tufts seconded the motion. All were in favor. No one opposed.

Adjourn

The Town Council meeting adjourned at 6:50 p.m.

Mayor Brenda Lyerly

Attested

Approved: February 12, 2018