

BANNER ELK TOWN COUNCIL

July 9, 2018

MINUTES

The Banner Elk Town Council met Monday, July 9, 2018 at 6:00 p.m. at the Banner Elk Town Hall for their regular scheduled meeting.

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

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

Call Meeting to Order

At 6:00 p.m. Mayor Lyerly called the regular monthly meeting of July 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 the June 2018 Town Council Minutes. Council Member Tufts motioned to approve the June Town Council Minutes as written. Council Member Bolick seconded the motion. All were in favor. No one opposed.

Approval of Stated Agenda

Mayor Lyerly called for a motion to approve the agenda set before Council. Council Member Dunn motioned to approve the stated agenda as written. Council Member Tufts seconded the motion. All were in favor. No one opposed.

Public Comments

There were no public comments.

Presentation by Friends of the Historic Banner Elk School

Mayor Lyerly called upon Ted Silver. Mr. Silver, representing The Friends of the Historic Banner Elk School, presented the Town with a check in the amount of \$50,000. He noted that this money represents two grants from the Cannon Foundation (\$25,000) and the Mariam and Robert Hayes Charitable Trust (\$25,000). Mr. Silver noted that this grant money will be used for the school project specifically for repairs to the Learning Center area and the building that houses Mayland Community College. Mr. Silver thanked Leslie Carter for her work in writing the grants. Leslie Carter addressed Council and thanked them for the opportunity to work for the benefit of the Historic Banner Elk School, working closely with Alan Bolick, Rick Owen and Ted Silver. She spoke highly of the contributions and commitments made to the Town of Banner Elk by the Cannon and Hayes families. Ms. Carter explained in detail the work that was done in receiving

the grants from the foundation and trust, the history behind the Cannon Foundation and the Hayes Charitable Trust and its beneficiaries, and the presentations which were made on behalf of the Historic Banner Elk School to these two entities. Mayor Lyerly thanked everyone for their tireless work and effort in making this happen.

Consider Budget Amendment for Historic Banner Elk School

Mr. Owen reported that this budget amendment will recognize the \$50,000 in revenue received from the grants and to expense it to the Town's Historic Banner Elk School for maintenance and repairs to the building. Council Member Bolick stated that the money will be used specifically for the Community Learning Center, a building located behind the main building. He noted that Mayland Community College is currently located in that building. Council Member Bolick stated that a complete budget was put together for this grant money which will be used for repairs to the outside of the building (i.e. new roof, gutters, new windows to match the main building, new siding, new doors, painting, etc.). Council Member VonCanon motioned to approve Budget Amendment #20180709. Council Member Dunn seconded. All were in favor. No one opposed.

Discuss Agreement for Grant Management

Mr. Owen reported that one of the requirements of the grants that were applied for called for a line item related to *grant management* and *grant writing*. He noted that it was the intention of the Town that if we received the grants, the Town would work with Leslie Carter to manage the grants. Mr. Owen stated that The Friends of the Historic Banner Elk School, which is made up of volunteers, received the grants. The "grantee" wants to know who will be managing the grants, making sure all the work and paperwork is completed and filed. The grant specifies that a sum of money be paid to the person administering the grants. Mr. Owen would like Council to consider directing he and Attorney Eggers to prepare and enter into an agreement with Ms. Carter to meet the terms of the grant as specified. Council Member VonCanon motioned to approve entering into an agreement with Leslie Carter. Council Member Tufts seconded the motion. All were in favor. No one opposed.

Discuss Appalachian Regional Commission Grant

Mr. Owen reported that there have been discussions about potentially making wireless internet available in the downtown area. It would be a useful feature to offer residents and visitors who use the park and the downtown area. He noted that the Appalachian Regional Commission (ARC) had a project fund that that Town applied for a pre-application for a Downtown Wi-Fi Project. Mr. Owen noted that the Town's application met the initial eligibility requirements. The ARC came back to the Town and offered it half of the funds the Town would need to complete the project and also invited us to submit a full application which is due at the end of July. Mr. Owen stated that he needs Council's input and he also approached the TDA. The project could cost up to \$50,000 with monthly provider costs. The Town has received one quote but needs several quotes to complete the full application. The ARC is offering roughly half of the startup cost. Mr. Owen noted that he foresees the Town and TDA working together to meet the other half of the cost; approximately \$26,000 and on the monthly charges which could be close to \$600. He stated that the project is still in planning stages and he also sees a potential of selling advertising features on it from the TDA, the Town, local restaurants, etc. Mr. Owen noted that the coverage area is from the Banner Elk Chamber of Commerce, down in front of the Historic Banner Elk School and heading back into the park. The Town would be providing a directional service. Mr. Owen noted that he is wanting Council's feedback as to what direction he should proceed with the application and grant process. Council Member VonCanon asked if a part of the \$50,000 included hardware.

Mr. Owen stated that it is for installation and hardware, setting up the system by one provider. He noted that the monthly fee is for service, but also includes a maintenance contract on the equipment that is installed around the Town. Mr. Owen described the installation, locations and placement of the equipment. There was concern about the cost and if this would affect tax payers. Mr. Owen stated that the Town will not be solely responsible. He is looking at TDA and advertisers to help offset the cost. He is not looking at spending this amount of tax dollars. Mr. Owen is also asking for Council's input and if the staff should proceed with the application process with the ARC. Council Members all agreed that it would be nice to offer this service to Town visitors and residents and agreed that Staff should continue with the grant process.

Historic Banner Elk School Project Updates

Council Member Bolick reminded everyone that the 4th annual golf tournament will be held on September 24th at Beech Mountain. He noted that sponsorships are still needed.

Council Member Tufts reported that Art on the Greene held on July 7th and July 8th went very well. There were approximately 80 vendors which means there was a lot of money raised for the Town. Despite the weather, there was positive feedback from vendors and visitors. He stated that it was a profitable event and the show has an excellent reputation. Council Member Tufts thanked Police Chief Kevin and the Police Department for their help.

Mr. Owen thanked everyone who participated in the dedication of the school auditorium. It was a very nice event.

Mr. Owen reminded everyone of the Avery County Chamber of Commerce art show which will be held the weekend of July 20th on the school grounds.

Manager's Update

Mr. Owen reported that included in Council Member's packets are the planning, zoning and tax collection reports, police report and the financial summary report for twelve months ending 6/30/18 was distributed. Also attached is a copy of the May 15, 2018 High Country ABC Board Meeting Minutes. He stated that if there were any questions regarding these reports to let him or the staff know.

Mr. Owen reported that the Corner on Main project is progressing. The rock is being installed and once complete, the timber frame structure will be installed.

Mr. Owen stated that he would like Council to consider a resolution to engage in electronic payments. He noted that back in 2015 the legislature made some modifications to state law about making payments electronically (i.e. credit card, debit card, etc.). They gave the Local Government Commission the authority to set up rules and guidelines for local government units to address electronic payments. Mr. Owen noted that right now when we make any kind of payment the finance officer must follow a process for disbursements of funds and approve the payment of these funds. It requires a type of paper stamp showing everything that is being charged, which is hard to do with electronic payments. Mr. Owen stated that this resolution gives the local government the ability to waive the "paper copy". It doesn't waive any of the responsibilities of the Finance Officer. It just changes the way it gets approved. One of the requirements is that Council needs to be aware of it and pass a resolution specifying the responsibilities of the Finance

Officer. Council Member Bolick motioned to accept the resolution. Council Member VonCanon seconded the motion. All were in favor. No one opposed.

Mayor Lyerly had a question for Chief Kevin regarding “welfare check” on his Activity Log Event Summary. Chief Kevin reported that they checked on a woman living in Crooked Creek who was not answering her phone and had some medical issues. It is similar to the community calls which the sheriff’s office performs.

Mayor Lyerly noted that she spoke with Sara Brewer and Sara told her that the ABC store’s sales over the 4th of July week were more than ever before.

At 6:32 p.m. Council Member Bolick motioned for Council to proceed to closed session pursuant to NCGS 143-318.11. Council Member Dunn seconded the motion. All were in favor. No one opposed.

Council returned to open session at 7:12 p.m.

Other Business

Attorney Eggers asked Council for a motion to direct the Town Manager and himself to proceed with setting up a 501(c)(3), a non-profit organization, which would be able to receive donations for any Town project which someone wished to contribute to. Council Member VonCanon motioned to proceed with the project. Council Member Dunn seconded the motion.

Chief Kevin appeared before Council requesting that they adopt a Resolution Establishing August 7, 2018 as National Night Out in Banner Elk, NC. He read aloud the Resolution. Council Member VonCanon motioned to approve the resolution. Council Member Tufts seconded the motion. All were in favor. No one opposed. Chief Kevin explained that the event will be held in front of the Historic Banner Elk School from 6:00 – 8:00 p.m. There will be several participants: police officers from Avery and Watauga Counties, the Banner Elk and Beech Mountain Fire Departments, SBI, WINGS, etc. He noted that this is a nationwide event and 2018 marks its 35th year. Chief Kevin explained that this event’s goal is to build community/police awareness and relations.

Council Member Tufts expressed his concern for the need for communication among Council Members with regards to the Historic Banner Elk School. He noted that there also needs to be better communication with Ensemble Stage and their scheduling, the tenants within the Historic Banner Elk School, the festivals and functions that are scheduled during the summer and the Banner Elk Chamber of Commerce. There were discussions on whether the school should be closed when major festivals are scheduled (i.e. Woolly Worm), the art festivals and advertising by tenants, sign ordinance, the use of the bathrooms within the school, etc. Mr. Owen noted that perhaps the tenants who want to remain open during the festivals, etc. should take on the responsibility of the cleaning and maintaining the building and restrooms. Mr. Owen suggested that the Artist Gallery should offer to pay the vendor fee and be a vendor because they are benefiting from what Art on the Greene is doing. It was decided that for Town sponsored events (i.e. Art on the Greene) there will be no promotion outside the building for individual businesses.

There was a discussion regarding the dumpster outside of Sorrento’s and if and how trash services are provided for vendors at the art festivals.

There being no further business, Mayor Lyerly asked for a motion to adjourn this evening's meeting.

At 8:02 p.m. Council Member VonCanon motioned to adjourn the July 2018 Town Council meeting. Council Member Tufts seconded the motion. All were in favor. No one opposed.

Adjourn

The Banner Elk Town Council meeting adjourned at 8:02 p.m.

Mayor Brenda Lyerly

Attested

Approved: August 13, 2018