

BANNER ELK TOWN COUNCIL
June 10, 2019
MINUTES

The Banner Elk Town Council met Monday, June 10, 2019 at 6:00 p.m. at the Banner Elk Town Hall for their regular scheduled meeting.

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

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

Call Meeting to Order

At 6:00 p.m. Mayor Lyerly called the regular monthly meeting of June 2019 to order.

Pledge of Allegiance

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

Invocation

Council Member VonCanon opened the meeting with prayer.

Public Hearing – Annexation Request Water Quality Labs

At 6:02 p.m. Mayer Lyerly requested a motion to open the public hearing. Council Member Tufts motioned to open the public hearing. Council Member Dunn seconded the motion. All were in favor. No one opposed.

Mayor Lyerly noted that the first public hearing is regarding the annexation request of Water Quality Labs. Cheryl Buchanan stated that at last month's meeting she reported that the application for annexation by Water Quality Labs had been certified and asked Council to call for a public hearing at this evening's meeting. She noted that the property is located on Highway 184. Mayor Lyerly asked if there were any questions or comments. There were none.

At 6:03 p.m. Council Member Bolick motioned to close this public hearing and open the second public hearing. Council Member Tufts seconded the motion. All were in favor. No one opposed.

Public Hearing – Proposed 2019-2020 Budget

Mr. Owen, the Town Manager, read the "*Budget Message*" dated June 10, 2019 addressed to the Mayor and Council Members. Mayor Lyerly asked if there were any questions or comments. There were none.

At 6:09 p.m. Council Member VonCanon motioned to close the public hearing. Council Member Dunn seconded the motion. All were in favor. No one opposed.

Approval of the Minutes

Mayor Lyerly asked for a motion to approve or amend the May 13, 2019 Town Council Minutes. Council Member Tufts motioned to approve the minutes as written. Council Member Lecka seconded the motion. All were in favor. No one opposed.

Approval of Stated Agenda

Mayor Lyerly asked for a motion to approve the stated agenda. Council Member Lecka motioned to approve the stated agenda. Council Member Dunn seconded the motion. All were in favor. No one opposed.

Public Comments

Mr. Silver reported that the bicycle repair station has been installed at the Corner on Main. He thanked the Council Members, Town of Banner Elk, the Bicycle Pedestrian Committee for supporting this endeavor and for all the private donations that came in that made this possible. Mr. Silver also spoke about the NC Department of Transportation's comprehensive budget goals for bicycle/pedestrian projects for the State, funding opportunities and matching grant programs. There was a discussion about electric charging stations for bicycles, scooters and cars.

Annexation Request, Water Quality Labs

Mayor Lyerly noted that this item was discussed in our public hearing and asked if there were any questions or further discussion. Council Member VonCanon motioned to approve the annexation request for Water Quality Labs. Council Member Lecka seconded the motion. All were in favor. No one opposed.

Subdivision of Property, David Burns

Cheryl Buchanan reported that the Town recently approved the annexation of Mr. Burns' parcel located along Highway 194 consisting of 3.33 acres and noted that he has Town water and sewer. She stated that Mr. Burns has already begun construction of a home on lot #1 and is wanting to subdivide the property into more home sites (4 total). Ms. Buchanan noted that he came before the Planning Board last week. The Board gave recommendation of approval of the subdivision request. She noted that the new lots exceed the ordinance requirements for minimal lot size. It will not be considered a subdivision, but Mr. Burns is requesting the property be subdivided. Ms. Buchanan reported that there will be no new roads, just 3 driveways off of Highway 194. Mr. Burns shared with Council a plan for the driveways, accessibility to the houses and visual buffers. Attorney Eggers stated that the subdivision request as presented to Council just shows the subdivision of the lots and the 15 ft. wide right-of-way for each lot. He noted that Council can approve the subdivision as it is written, or Council may impose a condition of subdivision that the proposed driveways be included on the map. Since each lot fronts Highway 194, it is not required that the driveways be shown. However, Council could make that a condition of approval if Council believes it is necessary. Attorney Eggers reported that obviously these lots will have to have a DOT permit. There was discussion regarding lot #4 and X zone and AE zone which relate to the flood plain. Mayor Lyerly asked if there were any more questions. Council Member Lecka motioned to approve the subdivision of property as presented. Council Member Tufts seconded the motion. All were in favor. No one opposed.

ABC Board Appointment

Mayor Lyerly reported that the ABC Board would like to reappoint Robin Dunn as their alternate member. She asked for a motion. Council Member Bolick motioned to approve the reappointment of Robin Dunn to the ABC Board. Council member VonCanon seconded the motion. All were in favor. No one opposed.

Equipment Purchase, Street Sweeper/Vacuum Truck

Mr. Owen reported that this equipment purchase was discussed at our budget workshops and Council agreed to move forward. With this purchase the Town will have to make sure that the equipment purchase meets the NC bidding requirements. Instead of bidding it out, the Town determined that the machine can be purchased through Sourcewell, a national organization that has already been through the bidding/contracting process for this piece of equipment. They have negotiated a price with the Town in the amount of \$261,000 (\$3,000 less than the Town intended to spend. Mr. Owen noted that included in Council's packets is the pricing information from Johnston North America (through Sourcewell) along with data and performance specifications for the sweeping equipment. The two caveats are that the Town has in the budget for next year is to fund \$161,000 of it out of the fund balance and an equipment loan in the amount of \$100,000. Mr. Owen stated that he will need a commitment from Council that this will be budgeted in next year's budget. Council Member VonCanon motioned to approve the equipment purchase at the presented price. Council Member Bolick seconded the motion. All were in favor. No one opposed. Mr. Owen noted that at next month's budget meeting there will be a discussion of financing.

Budget Amendment

Mr. Owen noted that there are two other budget amendments that will need to be addressed. The first, which is in Council's packet, is in reference to the Historic Banner Elk School Fund. Mr. Owen stated that at one of the budget workshops there was discussion about refinishing the wood floors in rooms 10 and 11. The amount budgeted for is \$12,000. There is money in the fund balance received from donations. Council Member Dunn motioned to approve Budget Amendment #20190610. Council Member Lecka seconded the motion. All were in favor. No one opposed.

Mr. Owen distributed the second budget amendment and noted that it is in reference to the Corner on Main Project which will cover the work being done with the brick, which covers labor and materials. He noted that Council previously approved the Manager spend up to \$25,000 to complete that project. Mr. Owen stated that this budget amendment will allocate funds from the Fund Balance to the Capital Project for the Corner on Main. Council Member VonCanon motioned to accept Budget Amendment #20190610-2. Council Member Dunn seconded the motion. All were in favor. No one opposed.

Mr. Owen distributed the third budget amendment which is in reference to the project which Council is fully aware of and has already been completed. It is regarding the installation of the water line from Silver Springs Drive to the Elk River lift station. He noted that the project was initiated by the property owner who requested Town water and sewer and were annexed into the Town. Council agreed to do a cost share with the property owner. Mr. Owen is asking Council to approve a Fund Balance Appropriation in the amount of \$55,553.25 to Capital Outlay expenditures. He stated that the actual cost to the Town was \$21,000 and the property owner paid the Town \$39,992. Council Member Lecka motioned to approve Budget Amendment #20190610-3. Council Member Bolick seconded the motion. All were in favor. No one opposed.

Historic Banner Elk School Project Updates

Council Member Bolick reported that the refurbishing of room 11 is underway (i.e. walls, refinishing of the wood floor, repair work, electrical). He also noted that the layout in the front of the school is prepared to house two electric charging stations for cars and bikes. He noted that they have received information from the NC Electrical Cooperatives and are working at applying for financial assistance.

2019-2020 Budget Discussion

Mr. Owen reminded Council that the final budget meeting is scheduled for Tuesday, June 25th at 6:00 p.m. The budget will need to be adopted at that meeting or before July 1st. He asked Council if they had any additional input or recommendations that needed to be addressed. Mr. Owen clarified that in his “*Budget Message*” the increase in rates for water and sewer was roughly 2% for all rates (base rate and usage rate). He noted that a few items that may change are the vision and dental benefit rates. He is waiting for a quote which he believes will be lower. Mr. Owen also noted that the budget Council did receive this evening has the bear proof trash cans that were approved. The Town won’t pay or those until July 1st. Mayor Lyerly questioned the County’s tax rate. Was there an increase? Mr. Owen stated that he was told no increase.

Manager’s Update

Mr. Owen reported that included in Council Member’s packets are the planning, zoning, tax collection reports, police report and the Financial Summary Report for 11 months ending 5/31/19 was distributed before the meeting. He stated that if there were any questions regarding these reports to let him or the staff know. Mr. Owen noted that included in their packets is a draft copy of the Planning Board Meeting Minutes of June 3, 2019.

There being no further business, Mayor Lyerly asked for a motion to adjourn June’s meeting.

Adjourn

At 6:46 p.m. Council Member VonCanon motioned to adjourn the June 2019 Town Council meeting. Council Member Bolick seconded the motion. All were in favor. No one opposed.

Mayor Brenda Lyerly

Attested

Approved: July 8, 2019