

**BANNER ELK TOWN COUNCIL**  
**April 13, 2020**  
**MINUTES**

The Banner Elk Town Council met Monday, April 13, 2020 at 6:00 p.m. by remote meeting via an electronic conference due to the COVID-19 pandemic.

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

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

**Call Meeting to Order**

At 6:00 p.m. Mayor Lyerly called the regular monthly meeting of April 2020 to order.

**Pledge of Allegiance**

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

**Invocation**

Council Member Allen Bolick opened the meeting with prayer.

**Approval of the Regular Meeting Minutes**

Mayor Lyerly asked for a motion to approve or amend the March 9, 2020 Regular Meeting Minutes. Council Member VonCanon motioned to approve the minutes as written. Council Member Tufts seconded the motion. All were in favor. No one opposed.

**Approval of Stated Agenda**

Mayor Lyerly asked for a motion to approve or amend 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**

Ted Silver thanked the Town Manager, Mayor Lyerly, Town Council, Public Works, Police Department, Town Staff for everything being done to keep the Town going during this coronavirus crisis.

**Remote Meeting Ordinance**

Mayor Lyerly reported that due to the current pandemic, it has come to the Town's attention that to ensure governing boards are still able to conduct business when not permitted to hold a public gathering, Attorney Eggers prepared a resolution to amend the Town Code to provide for remote meetings. She asked for a motion to approve the ordinance. Council Member Tufts motioned to approve the ordinance. Council Member Bolick seconded the motion. All were in favor. No one opposed.

## **Open Discussion**

Mr. Owen reported that with this new ordinance we will be able to meet remotely as needed. We will need to schedule a few budget workshops in the future.

There was discussion regarding the bridge at Banner Creek Road. Mr. Owen reported that DOT has been planning this project for several years. The Town has a water line in that location and there is a private sewer line which connects to the Little Faces Child Care Center. Mr. Owen noted that their intentions are to move the bridge more toward the right side to get a few feet further away from the Town's water line and make the bridge wider and also widen the road.

Mr. Owen reported that because of the heavy rain which occurred Sunday night, there were issues with the lift station. Triple T came out early this morning to pump. Justin Hodges concurred that everything was leveling off and soon will be back to normal

Questions arose regarding the COVID-19 testing. Mr. Owen reported that approximately 59 tests have taken place in Avery County and that there are no specifics as far as location (i.e. Banner Elk) and not positive results. Appalachian Regional is still doing drive through testing in Linville and the results typically take five days. Mr. Owen stated that there is a lot of speculation going around about cases within the gated communities, people returning from Florida, etc. but he noted that there are no confirmed cases from the County Manager and the Health Department. He also noted that at the State level all essential employees (i.e. police department) would get preferential timing in getting test results back. Mr. Owen reported that Town Staff is still working although the scheduling has changed

Mr. Owen stated that it being close to budget time, there are a lot of concerns statewide and locally regarding revenues with regards to sales tax, property tax collection rates, vehicle property tax, occupancy tax, water & sewer, etc. He noted that there will be a lot of revenue issues that will arise in the coming months and the Town will be learning more about this from the League of Municipalities. The League is trying to work with State legislature to introduce some type of relief for local governments. Mr. Owen reported that at this point all relief is coming from the federal level and it specifically states that it cannot go to replace lost revenues for local government entities. He noted that the monies issued are only available to help replace costs associated with the response to the COVID-19 outbreak and not to replace lost revenues. Council Member Dunn gave his perspective, as a business owner, of how the COVID-19 outbreak is affecting his business and what relief measures are being offered for his business and other businesses.

Council Member VonCanon thanked Justin Hodges and the entire Public Works' crew for a job well down with the park bridge along with the Garden Club's garden in the park. Mr. Owen stated that the Garden Club is still a functioning group. The planter was in disrepair and the club requested the help of the Town. They provided all the material and Justin and his crew put it all together which involved a lot of work and time.

**Manager’s Update**

Mr. Owen noted that included in Council’s packets is the Financial Summary Report for 9 months ending 3/31/20

Mr. Owen reported that the Wi-Fi project is active and operating. He noted that it is working very well, and the signal is strong. We are still in the testing phase because we are still collecting data on the strength of the signals and the band waves.

Mr. Owen stated that several Town projects have been put on hold. The tank removal project and surveying that project out is still on hold. Derek Goddard is working on some finishing touches to the site plan for the Historic Banner Elk School. Mr. Owen reported that the hydrant testing that the Town was anxious to start in the Spring before people returned is also on hold. He was concerned about starting a project that potentially could create disruption to the water system for people who were stuck at home. The water would be stirred up in the lines causing discoloration.

Mr. Owen emphasized the importance of the 2020 Census. He asked Council to get the word out. Mr. Owen reported that Avery County is #98 out of 100 counties in North Carolina with the lowest response rate and Banner Elk is right there with Avery County. 16.5% of Banner Elk’s residents have responded and 18.2% in Avery County. He noted that the Town is working with the college in getting their paperwork out for their students. Mr. Owen stated that it is countrywide due to the coronavirus. When asked about receiving a notice from the US Census, Mr. Owen stated that even if you don’t receive a notice with a number, you can still go on their website and take the census.

Mayor Lyerly stated that she was concerned about this summer’s activities at the Historic Banner Elk School and being able to make payments on the loan (i.e. golf tournament? art shows, etc.). Council Member Tufts noted that the first Art on the Greene is Memorial Day weekend and we will be making a final decision by the end of April if it’s a “go”. Council Member Bolick reported that in regard to the golf tournament, we will wait till the end of May to make a decision. Our concern is the sponsorships and asking for money during this time.

There being no further business, Mayor Lyerly asked for a motion to adjourn the April meeting.

At 6:29 p.m. Council Member Lecka motioned to adjourn the April 2020 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 6:29 p.m.

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Mayor Brenda Lyerly

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Attested

Approved: May 11, 2020