

BANNER ELK TOWN COUNCIL MEETING
December 9, 2024
MINUTES

The Banner Elk Town Council met on Monday, December 9, 2024, at 6:00 p.m.

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

Staff present: Town Manager Rick Owen, Chief Kevin Hodges, Public Services Director Justin Hodges, and Attorney Four Eggers.

Call Meeting to Order

At 6:00 pm Mayor Lyerly called the regular Town Council meeting of December 9, 2024, to order.

Pledge of Allegiance

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

Invocation

Council Member Charles VonCanon opened the meeting with prayer.

Public Comment

There was no public comment.

Approval of Stated Agenda

Mayor Lyerly asked for a motion to approve or amend the stated agenda. Council Member Tufts motioned to approve the agenda as stated and was seconded by Council Member VonCanon. The motion passed unanimously.

U.S. Small Business Administration

Brian Frydenborg introduced himself as the U.S. Small Business Administration specialist assigned to seven Western North Carolina counties. He explained the three main programs offered by the SBA. The SBA can offer loan assistance for individuals dealing with physical damages, for individuals with economic loss, and for small businesses needing support. Their loans offer zero interest and zero payments due in the first year of the loan. While the funding for these loans is currently expended, there is work being done on the Federal level to re-fund these loans. He encouraged people not to wait for that but to apply now. Mr. Frydenborg left his information for questions and as an ongoing resource.

Council Member Dunn asked if an applicant would have to accept a loan if the application is successful and Mr. Frydenborg said a loan does not have to be accepted. He also clarified that there is no penalty for early repayment.

Pat Martin asked if property in a storage unit would be eligible for one of these loans and Mr. Frydenborg affirmed that it would if it was in the disaster area. Fred Schmitt asked if the money for the SBA fund replenishment was specifically for this disaster or for the full fund base and Mr. Frydenborg explained that it was his understanding that it would be for the fund base but should be largely for the Southeast.

Council Member Tufts asked what was required in the form of proof for the use of SBA loan funds. Mr. Frydenborg said that there is a process, and he would get back with a full response. He said receipts would be important and that it would be important for the applicant to list as many things as they can imagine to cover their expenses because going back to add things is difficult.

Annexation Request for Banner Lowe 1, LLC

Manager Owen explained that this was the *Parcel: 1858-1552-2667*, Banner Lowe, LLC, property that was withdrawn for consideration when brought before the Town last year. It has been brought back to the Town with a renewed request for Annexation. Council Member Dunn made a motion to certify the petition and Council Member VonCanon seconded the motion. The motion passed unanimously.

Storm Recovery Update

Manager Owen reviewed with Council the current recovery process.

All Town customers have water and sewer with Highlands being the final area, completed right before Thanksgiving. It entailed about 20 different projects that the Town contracted for work.

A contractor has been hired, and work is ongoing for road and shoulder repair to make way for emergency vehicles and to prepare for winter and potential snow clearing. Much of the work is temporary, but necessary as some areas need to be protected against snowplows and there is a contractor able to do some pavement patching in places where necessary.

The amount of money expended so far is \$1.3 million and they have all been emergency related expenses.

The items still pending on the repair list are: bridges and culverts, more work on shoulders, paving, SCADA issues relating to communications with water tanks and pump houses as they have been brought back online, park and greenway work. Damages in the insurance area: vehicles with water intrusion, a snowplow, a Ram pickup truck. The Town has bought the latter vehicles back from the insurance company to get the best value out of them. At the Town Hall, Manager Owen is still waiting to hear back from insurance on storm-related damage like leaks caused by wind-driven rain and gutter damage.

The biggest item is the Police Department. The Council will need to consider next steps. Because that building sits in the flood plain, it is likely that it will flood again. The option for finding, purchasing, and building on a new location is extensive and expensive. The temporary location in the Town Hall is not ideal for any involved. Among the considerations is the lack of space it provides for the personnel involved. Temporary structures are available and are being considered but they are not a long-term solution. Manager Owen suggested that the current Police Department building is at its most ideal right now because it has been gutted and creates a blank slate. He further stated that while the building has now flooded and shows potential for flooding, it is possible that work could be done to mitigate that.

Mayor Lyerly expressed concern with the idea of continuing to use that location because it also has had drainage problems.

The Town made a request a few weeks prior for debris pickup to clear the roads for emergency passage. The debris management crew came in and cleaned up and even extended beyond the requested area. There is discussion that there may be a need for extending a debris contract beyond the state contract to take care of the debris on property, especially considering returning home-owners in the spring.

There are currently bi-weekly meetings with FEMA. The current work is damages, damage inventory, and the timeline involved. The reality of the monetary turn-around is two to eight months because the process includes documentation and paperwork, inspection and review, and then the reimbursement.

The emergency agreement with Insight began October 4, 2024, for a ninety-day term. FEMA wants that now to go through a competitive proposal process to hire a consultant which would need to include at least three proposals. All proposals are now in, including Insight, and the tentative date of December 20,

2024, has been set as a goal to award a new contract. The goal is also to meet the ninety-day deadline for Insight.

Manager Owen distributed a list of damages to give the Council an idea of what was happening around town. Kevin (with Insight) updated information on what will be covered for owners who have lost access to public roads due to debris blockage. Manager Owen clarified that this option would only be in effect for properties in Town limits, but County Manager Phillip Barrier should be able to assist in other properties around the county. Mr. Frydenborg said that, through the SBA, another possibility could be to include this in a loan.

Manager's Update & Staff Reports

Town Manager Owen reminded Council about the staff lunch at Stonewalls on December 12 and requested RSVPs. He also reminded everyone about the Open House in the afternoon from 4-7 at the Historic Banner Elk School.

He made a general recommendation for everyone to apply to FEMA. He explained that at the most basic level, the number of applications to FEMA helps the government gauge the level of the disaster. He also encouraged applicants to get help when they get a denial and not to give up.

Fred Schmitt stated that he would be happy to spread the word but wanted clarification on who should apply. Manager Owen said that applications show the impact of the disaster and even the most basic impact should be submitted.

Other Business

There is no other business this evening.

Adjourn

With no further business, Council Member VonCanon motioned to adjourn and was seconded by Council Member Lecka. The motion passed and the meeting was adjourned.

The meeting ended at 6:53.

Approved: _____
Mayor Brenda Lyerly

Attested: _____