

BANNER ELK TOWN COUNCIL MEETING

April 13, 2026

MINUTES

The Banner Elk Town Council met on Monday, April 13, 2026, at 6:00 p.m.

Council Members present: Mayor Brenda Lyerly, David Lecka, Mike Dunn, Chuck Saunders, 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 April 13, 2026 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.

Police Department Recognitions

Chief Hodges presented a plaque to Clay West recognizing his achievement certificate for Intermediate Law Enforcement.

Chief Hodges praised the work of Officer Logan and Que in the recent successful collaboration with multiple agencies that led to arrests.

Approval of Minutes

Council Member VonCanon made a motion to approve the minutes for the regular Town Council meeting on March 9, 2026 and Council Member Dunn seconded the motion. The motion passed unanimously.

Public Comments

There were no public comments.

Approval of Stated Agenda

Council Member Saunders made a motion to approve this month's agenda and Council Member Lecka seconded the motion. The motion passed unanimously.

Project Ordinance Adoption

Manager Owen introduced the Capital Project Ordinances as they pertain to Office of State Budget Management Grants that the town has applied for. He stated that one was for the Tate Evans Park Pavillion that was damaged during Hurricane Helene. He stated that the second was to replace the UV Disinfection System at the Sewer Plant. He explained that the Capital Project Ordinances make it easier to track the funds since they need to be separated from the town's general fund revenues. He asked the Council to adopt each Capital Fund Project Ordinance.

Council Member Saunders made a motion to adopt the Capital Fund Project Ordinance for the Tate Evans Park Pavillion and Council Member Dunn seconded the motion. The motion passed unanimously.

Council Member Lecka made a motion to adopt the Capital Fund Project Ordinance for the UV Disinfection System at the Sewer Plant and Council Member Dunn seconded the motion. The motion passed unanimously.

Engineering Agreement for Lead and Copper Line Inventory

Manager Owen explained that the Lead and Copper Line Inventory is another project that the town has received state grant funding and reviewed the scope of work information, the engineering agreement, and the Capital Project Ordinance related to the project.

Council Member VonCanon asked if there was a document that showed the number of hours expected for the work and Manager Owen stated that this work was just for an inventory of service lines and there was a timeline available and a stated amount of money that is not to be exceeded. He stated that if more funding is needed to replace the lines, that would be another step. Justin Hodges, Public Services Director, explained the scope of work being examined and that there currently isn't any way to know how many repairs will be needed.

Council Member VonCanon made a motion to enter into an engineering agreement for a lead and copper line inventory with Slate/Harvin Engineering after adjusting the agreement to read "sum not to exceed" and Council Member Dunn seconded the motion. The motion passed unanimously.

Council Member Lecka made a motion to approve a Capital Project Ordinance for Water Distribution System Inventory and Council Member Saunders seconded the motion. The motion passed unanimously.

Resolution Endorsing Bicycle and Pedestrian Planning Grant

Manager Owen stated that the town was submitting a grant application for funding to update the 2009 Bicycle and Pedestrian plan from NCDOT. This resolution would be approval for applying for \$45,000 in grant money with a \$4,500 match from the town.

Council Member Saunders made a motion to accept the resolution endorsing the bicycle and pedestrian planning grant and Council Member Dunn seconded the motion. The motion passed unanimously.

Call for Public Hearing for 2026-27 Budget

Manager Owen asked the council to call for a public hearing for the 2026-27 budget to be held at the June meeting.

Council Member Dunn made a motion calling for a public hearing for the 2026-27 budget at the June meeting and Council Member VonCanon seconded the motion. The motion passed unanimously.

Storm Recovery Update

Manager Owen stated that once the town has the civil engineering and construction costs for the Lecka Lane bridge repair, they will be ready to bid on the project. The plans are 90% completed for Crooked Creek, and the projects to follow will be Silver Springs, Chime Hill, and Apple Orchard.

Manager Owen stated that the town had received a PARTF Grant that would be used to fund approximately \$75,000 for the bridge in the park. He stated that FEMA is offering the town \$11,000 to complete the work and the town would not be able to complete the project for that amount.

Manager Owen stated that \$500,000 in projects have been approved by FEMA and this has now been signed off by both parties and should go to the state. He stated that he signed off to receive \$45,000 for permanent needs to support the temporary placement of the police department.

Manager Owen shared that the town has eight projects under review with FEMA. He stated that when FEMA returned to work last week, they told the town that there wasn't any more opportunity to increase the amount of money being offered for these projects. He explained that there is potential for a work audit that would examine where money can be shifted or adjusted. He stated that the challenge with this audit process is that it would prolong the work timeline for an extended period of time and potentially delay any funding. Manager Owen stated that the goal is to get as close to an amount as possible to be prepared with what is most likely going to allow completion of jobs. He stated that the town would then have to find other funds to make any short falls that happen.

Fred Schmitt spoke from the audience and asked Manager Owen what the next steps are once all the estimates are in hand and Mr. Schmitt asked for an estimate of what could be a realistic expectation on timelines. Manager Owen stated that there is bidding, advertising, contracts that could last several months before the schedule for contracting can begin. He stated that it is possible that the work could begin in the fall and he hopes that it would be late summer or early fall. Mr. Schmitt asked about what the town can do to reinforce the bridge if it has to last through the winter and Manager Owen stated that he would be able to respond to that in the next 30-60 days and the likelihood is that it won't come to needing to address that issue. He stated that the town has the projects extended until fall and it is his hope that those projects will not need to be extended a second time.

Council Member Lecka asked if the park pedestrian bridge would also be in that time frame and Manager Owen explained that engineers have stated that the abutment work needs to be done before the bridge can be rebuilt. Council Member Lecka stated that contractors are limited and that affects the cost and bidding for projects.

Donna Dicks asked if there would be a designated litter clean-up day for the town this year. Manager Owen stated that the town would make sure that the day gets put on the calendar.

Manager's Update & Staff Reports

Manager Owen reminded the council that there is an upcoming budget meeting on April 27, 2026.

He stated that Harris Teeter is coming in to the town this week with their updated plans for the Planning Board to review. He stated that the addition of the gas station will mean that they will need to obtain a Special Use Permit and therefore will also need to go before the Board of Adjustments.

He stated that the Board Of Adjustments is going to be hearing the application for the addition of coffee service as an accessory use for Dr. Nitti's photography business in the Caboose and the application for an Acai business in town where the former Clark Gallery business was located.

Manager Owen stated that Waterbean will be needing a Special Use Permit to adjust for food service.

Manager Owen shared that BE Scooped is planning to move to the business location next to the pharmacy and will be working through a Special Use Permit for that location as a combined commercial use facility.

Manager Owen asked the town to supersede the original Notice of Award for the Sewer Treatment Plant. Manager Owen detailed the changes and stated that the new Notice of Award has an adjusted total for the project is \$2,902,000.

Council Member Lecka made a motion to approve the updated Notice Of Award for wastewater treatment plant improvements and Council Member VonCanon seconded the motion. The motion passed unanimously.

Manager Owen highlighted the tax receivable report provided for the Council at this meeting. Council Member Saunders asked if the tax notices for the current calendar year had been published and Manager Owen stated that they would go out soon.

Adjourn

With no further business, Council Member Saunders motioned to adjourn and was seconded by Council Member Dunn. The motion passed and the meeting was adjourned at 6:43 pm.

Approved: _____
Mayor Brenda Lyerly

Attested: _____