

MINUTES OF REGULAR MEETING
JANUARY 03, 2023
@ 5:00 P.M.

Mayor Daniel Boone called the meeting to order with Aldermen Tony Eller, Alice Whittington, Darlene Hicks, and Mike Smith attending the meeting. Aldermen Joel Whitley absent. Employees' present were Connie Guinn, Jason Markland, Tyler Boone, and Mike Ellenburg. Guests were Cory Osborne and Sarah Price with High Country Council of Governments (COG).

Invocation given by Mayor Daniel Boone.

Mayor Boone welcomed Cory Osborne and asked him to address the board. Mr. Osborne stated that everyone should have a copy of the proposed resolution requesting Avery County to enforce its High Impact Protection Ordinance and Flood Damage Prevention Ordinance. These resolutions have been discussed in the prior monthly meeting. (Copies attached with minutes) Motion was by Alice Whittington and seconded by Darlene Hicks to adopt the Flood Damage Ordinance. All in favor. Motion to adopt the High Impact Ordinance was made by Mike Smith and seconded by Darlene Hicks. All in favor.

Mr. Osborne read over the revised Nuisance Ordinance and Abandoned Vehicles Ordinance he had prepared as requested by the board. After a brief discussion the board agreed to hold a Public Hearing on February 06, 2023, to approve and adopt both ordinances.

Mayor Boone discussed the matter with dangerous dogs and informed Mr. Osborne that several months ago Attorney Eggers had sent the town some samples of dog ordinances and asked Mr. Osborne if he would review the ordinance. Mayor Boone asked Clerk Guinn to send Mr. Osborne the information the town had received from the Attorney. Mayor and Board thanked Mr. Osborne for attending the meeting and look forward to seeing him at the February meeting. Mr. Osborne and Ms. Price left the meeting at this time.

Motion to approve the Minutes of December 05, 2022 was made by Mike Smith and seconded by Darlene Hicks. All in favor.

Financial Statement for November 2022 was approved with a motion made by Mike Smith and seconded by Alice Whittington. All in favor.

Bills for December 2022 was approved with a motion made by Mike Smith and seconded by Darlene Hicks. All in favor.

There were no water/sewer releases requested at this time.

Mayor Boone discussed the matter of Dean Rupard. Mayor Boone stated that according to the Water/Sewer Ordinance the town has the right to say yes or no on his request to connect to the town's sewer system. Mayor Boone stated that they can request that he connect to both the town's sewer system and water system. Mayor Boone had Clerk Guinn read a email the town received from Cindy Puckett Administrative Assistant with the Avery County Inspections Department. Clerk read the email which stated "Avery County Inspections Department will not turn permanent power on or give a Certificate of Occupancy until we receive approval from the Avery County Health Department concerning a cistern water system"

Mayor Boone stated they should try to help the citizens that live inside the city limits and let the citizens that live outside the city limits pay more for the services. Mayor Boone stated that Elk River Club has a boring machine for sale. If the town could purchase the boring machine, the town wouldn't have to contract out a company like Iron Mountain to come and do the bore for the town or for a citizen. The town could charge for a bore if necessary. After a discussion the board agreed that Dean Rupard will need to connect to both town water and sewer. He will have to pay for a sewer tap along with a water tap and pay for the town to bore under the road.

Tyler Boone informed the board that a boring machine like the one that Elk River Club has cost around \$6,000.00 but Elk River Club said they would sell the boring machine to the town for around \$2,500.00 to \$2,000.00. At this time, a motion was made by Mike Smith to purchase the boring machine from Elk River Club in the amount of \$2,000.00. All in favor.

Mayor Boone asked Mike Ellenburg if he had given Misty Holtsclaw her Notice of Violation. Mike Ellenburg stated that he had not. Mayor Boone stated that the attorney had sent papers for them to serve and would like for the papers to be served on her by the end of the week. Mayor Boone asked if JR McCoury had been served with his \$100.00 fine. Mike Ellenburg stated no, he was waiting after the holidays were over. Mayor Boone stated that this matter has went on long enough, and wanted the papers served.

Mayor Boone asked if Andrea Brewer had paid her \$100.00 fine concerning her dogs being off her premises. Clerk Guinn stated that she has not paid her fine as of today. Mayor Boone stated a lady Melissa Watson from an insurance company had gone onto Andrea's property to appraise her house and one of the dogs bite her in the leg. Mayor Boone showed the board pictures. Mayor Boone stated that Ms. Watson had called the sheriff's department. Mayor Boone stated that according to the Dog Ordinance they have in place now, the town couldn't issue the Brewer's a \$500.00 because the dog was not off their property. Mayor Boone stated that the board really needs to review the information Attorney Eggers sent the town concerning dangerous dogs.

Clerk Guinn stated that the signs for the Elk River Falls are here and just need to be placed.

Mayor Boone stated that they will table the matter of July 4th fireworks show due to Joel Whitley not here.

Clerk Connie Guinn informed the board of the Christmas Light Contest winners. Kathy McKinney 1st place, Jessica Hughes 2nd place and Bill Carpenter 3rd place. Mike Ellenburg suggested the town might consider that the same people can't win every year.

Mayor Boone reviewed the letter the town has to send to the State concerning the loss in the Water/Sewer Fund for the fiscal year 2021-2022 audit report. Mayor Boone stated that the town may have to consider raising water/sewer rates again. Alice Whittington asked if the town could annex the Cranberry area. Mayor Boone stated that there is a lot to that, and it must be cost efficient. The town would have to provide police protection, streetlights and water or sewer services. The town don't have that kind of money.

Mayor Boone asked Tyler Boone to go over the water use report. Tyler Boone stated that according to his figures in October 2022 water loss was 40%, November 2022 52%, and December 2022 48%. Tyler Boone stated that the town needs to put new water meters in on the high-water users and replace so many each year.

Tyler Boone stated that he could borrow a correlator leak detector from the Town of Banner Elk to try and find some of the water leaks. Mayor Boone asked if he could call the NC Rural Water Association and ask them to come and help find some of these water leaks. Alice Whittington asked if there was a water leak at the Elk River Depot Restaurant. Tyler Boone said there wasn't a leak there it was a spring. Mayor Boone informed Tyler Boone to call the NC Rural Water Association and get them to come up as soon as possible.

Mayor Boone stated that the contract with the Avery Animal Support is coming up for renewal in March 2023 and there are several things he wanted to discuss with Ellie Lecka before the town renews the contact. Mayor Boone informed the board that Brandy Boone has talked with Phillip Barrier, County Manager several times concerning the Avery Animal Support. According to Mr. Barrier the county is willing to help in supporting the Avery Animal Support by giving them \$500.00 a month. But since they don't have a board, they will not support the program. Mayor Boone stated that the Animal Support needs to get some people to be on a board, and have a financial statement each month, Mayor Boone stated that the board could meet after the towns meeting each month. Mayor Boone discussed some of the issues he feels like to be addressed with Ms. Lecka before the town renews the contract. One being no negativity on Facebook, she needs to have a board and review the income and expense. Mayor Boone will continue to keep the board updated.

Mike Ellenburg informed the board that he is retiring this month. The State will need to know who is going to be the Police Chief whether full time or part time. Mike Ellenburg stated that Jack McCloud is ready to start working. He has his uniforms and badge. If the town needs to get the Mutual Aid Agreement signed with Sheriff Henley as soon as possible. Mike Ellenburg stated that the town needs to consider buying a new computer and looking into the police pack from Southern Software. Mayor and board members agreed for Jack McCloud to attend the next meeting.

Mayor Boone discussed the radio system that lets the wells know when to turn on the pumps to fill the holding tank on Ferncliff Drive. Mayor Boone stated that as of now the town is with AT&T and the cost is \$94.37 a month for pay for this system. Tyler Boone has some information to change out this system. Tyler Boone will get all the information on the system and have at the next meeting for review.

Darlene Hicks stated that she had received a phone call about a sewer line or water line broken near Tracie Cables residence on Elk River Road. Tyler Boone stated that he will check on the is matter.

Mayor Boone stated that he has received four resumes for the town clerk position and will have copies for everyone to review at the next meeting.

There being no further business a motion to adjourn the meeting was made by Mike Smith and seconded by Alice Whittington. All in favor. Meeting adjourned at 7:00 p.m.

Town Clerk

Mayor

AGENDA
FEBRUARY 06, 2023
@ 5:00 P.M.



1. MEETING CALLED TO ORDER BY MAYOR DANIEL BOONE
2. INVOCATION
3. PUBLIC HEARING NUISANCE ORDINANCE AND ABANDONED VEHICLE ORDINANCE
4. GUESTS: A.
5. APPROVAL OR DISAPPROVAL
 - A. MINUTES JANUARY 03, 2023
 - B. FINANCIAL STATEMENT DECEMBER 2022
 - C. BILLS FOR JANUARY 2023
 - D. WATER/SEWER RELEASES
 - A. SARAH CORLEY
 - B. TAMMY BENFIELD
6. OLD BUSINESS:
 - A. UPDATE ON DEAN RUPARD REQUEST
 - B. UPDATE ON MISTY HOLTSCLAW VIOLATION
 - C. UPDATE ON JR MCCOURY
 - D. UPDATE ON ANDREA BREWER
 - E. DISCUSS JULY 4TH FIREWORKS (JOEL WHITLEY)
 - F. UPDATE ON WATER LOSS (TYLER BOONE)
 - G. UPDATE ON AVERY ANIMAL SUPPORT
 - H. UPDATE ON RADIO SYSTEM FOR WELLS
7. NEW BUSINESS:
 - A. APPOINT JACK MCCLLOUD AT PART TIME POLICE CHIEF
 - B. REVIEW APPLICATIONS FOR TOWN CLERK POSITION
(set date and time for interviews)
8. EMPLOYEE REPORTS:
 - A. TYLER BOONE
 - B. JASON MARKLAND
 - C. CONNIE GUINN
 - D. MIKE ELLENBURG
9. DISCUSSION BY MAYOR AND BOARD
10. ADJOURNMENT

MINUTES OF REGULAR MEETING
MARCH 06, 2023
@ 5:00 P.M.

Mayor Daniel Boone called the meeting to order with Aldermen Tony Eller, Joel Whitley, Alice Whittington, Darlene Hicks and Mike Smith attending the meeting. Employees' Connie Guinn, Jason Markland, Tyler Boone, and Jack McCloud. Guest Jamie Shell with the Avery Journal Times. JR McCoury and Ellie Lecka came later in the meeting.

Invocation given by Mike Smith.

Motion to approve the Minutes of February 06, 2023, were approved with a motion made by Mike Smith and seconded by Darlene Hicks. All in favor.

Financial Statement for January 2023 was approved with a motion made by Mike Smith and seconded by Tony Eller. All in favor.

Bills for February 2023 were approved with a motion made by Mike Smith and seconded by Alice Whittington. All in favor.

Water/sewer release requests were from Trey Hicks \$ 160.23, Katie Stamey \$ 41.05, Jim Cornett \$28.04 and Woodland Hills \$ 495.73 and all were due to water leaks and have been fixed. Hannah Holtsclaw meter was read wrong and her bill needs to be adjusted \$14.14 in which she will not be charged for a release due to the meter being read wrong. Motion to approve adjustments was made by Darlene Hicks and seconded by Tony Eller. All in favor.

Old business was discussed and Mayor Boone asked Jason Markland if he could give an update on the water loss. Jason Markland stated that they have not been able to borrow the water leak correlator from the Town of Banner Elk due to the guy that was going to show them how to use has been sick. Mayor Boone stated that he wanted them to contact NC Rural Water Association and see when they can come up and help look for water leaks. Clerk Connie Guinn stated that someone from rural water is coming up this week to help Woodland Hill, POA look for water leaks. Mayor Boone informed Tyler Boone is get in touch with them and maybe they can help us while they are up here this week. Mayor Boone asked for an update on the radio system that was purchased. Tyler Boone stated that they are working on it. The antennas have been put together. They still need to run the wire. Other on going projects were discussed and Jason Markland informed the board that the project in the park is almost ready for the paving to be done. Mayor Boone stated that he will contact Todd Burleson and Moretz Paving concerning the project. Mayor Boone also asked Jason Markland to contact the fencing company. Jason Markland stated that the concrete should be fixed this week at the picnic shelter. Tarheel Basement called him and said they were coming this week.

Update on JR McCoury was discussed and Jack McCloud informed the board that he served McCoury with the letter informing him to contact the town clerk to appeal. McCoury informed McCoury to attend the meeting. Tony Eller said that McCoury had contacted him about the fine and Tony Eller informed McCoury to come to the meeting and be nice and the board may wave his \$100.00 fine.

Mayor Boone gave an update on Andrea & Darrell Brewer. Mayor Boone stated that Clerk Guinn contacted Attorney Four Eggers and informed her the next step would be to go through the Magistrate for collection. Clerk Guinn informed the board that she had informed the attorney that all the town wanted was a notice of violation like was sent to Holtsclaw and McCoury. According to the attorney there isn't a notice or violation in ordinance the town can only fine or sue. Clerk Guinn stated that Darrell Brewer does not see the mail because Andrea will not give it to him. This has happened in the past with delinquent tax notices etc. Clerk Guinn stated that if they could contact Darrell, she felt like he would pay the fine. Jack McCloud stated that he would contact Darrell personally and let him know the situation. Mayor Boone asked that this be done this week.

At this time JR McCoury attended the meeting and Mayor Boone asked McCoury to address the board. McCoury stated that he was attending the meeting due to the fine and letters he has received for nuisance. McCoury stated that he has cleaned up in the front part of his property and he done this prior to receiving his letter and didn't know why he received the fine in the amount of \$100.00. McCoury informed the board that he had cleaned up a lot of the equipment and stuff lying around including all the generators. McCoury informed the board that he is currently in the process of building a storage building in the back portion of his property to store his equipment and work supplies. McCoury stated that he is doing some remodeling inside his house and hopes to put his property up for sale in the near future. McCoury stated that the town employees had mown grass near the fence on Parlier Street and left the grass in the street. McCoury stated that he has someone mow his yard and they were told not to blow the mowed grass in the street. Mayor Boone stated that it is actual a state law to not blow mowed grass onto the streets. McCoury stated that the town employees didn't need to mow grass onto the streets either. Board agreed for the employees to blow the mowed grass off the streets. McCoury also stated that the wooden fence located in his back yard has been damaged while the town employees were working on laying the block for the new basketball court and he would like the fence to be repaired because he is worried about his daughter getting hurt if she was around it. Mike Smith stated that he had witnessed McCoury hauling off items and working on cleaning up his property. Mike Smith stated that he didn't go out Parlier Street, so he never seen what the back side of his property looked like. Alice Whittington stated that Parlier Street was a town street and they had to look at all the streets inside the city limits when the committee is evaluating everyone's property. Alice Whittington thanked McCoury for his cleanup efforts and hopes he continues cleaning up his property. Darlene Hicks asked if he was going to organize the stuff that will remain sitting in the back yard. McCoury stated that he would organize the stuff as much as possible. Mayor Boone stated that the cleanup committee goes around every quarter. Mayor Boone informed McCoury that in the future should he receive a correspondence of similar nature from the town he should contact the town clerk or town hall directly. McCoury stated that he had contacted Mike Smith and Tony Eller about the fine. Mayor Boone stated that he must contact the town clerk like the notice stated and not contact an individual board member. At this time Mayor Boone asked the board members if they wanted to dismiss the fine or have McCoury pay the fine. Board members agreed that McCoury did not have to pay the fine. Board members asked that he continue to keep his property in compliance. McCoury left the meeting at this time.

At this time Ellie Lecka with the Avery Animal Support came to give the board an update on the current situation concerning the animal support. Ms. Lecka asked the board if they would consider extending the contract between the town and the animal support another 2-3 months while they look to regroup and determine its future.

Ms. Lecka stated that earlier in the day they met with the Avery County Commissioners, and they informed the animal support group that they were not going to be able to fund the animal support group. They have chosen to go in with Mitchell County and build near the county lines. Lecka stated that they will continue to prioritize providing assistance to Elk Park animals. After a brief discussion a motion was made by Joel Whitley and seconded by Alice Whittington to extend the contract. All in favor. Ms. Lecka thanked the board and left the meeting at this time.

Motion was made by Joel Whitley and seconded by Tony Eller to advertise the 2022 delinquent tax listing. All in favor.

Large trash pick-up days were discussed with town employees and the town will haul off large trash items April 17-21, 2023. Clerk will place ad in local paper.

Mayor Boone stated that everyone had a copy of the quote from Auto Image in Newland, NC to stripe the new police vehicle in the amount of \$ 1,334.38. Motion to approve was made by Joel Whitley and seconded by Tony Eller. All in favor.

Tyler Boone stated that he needed to know what to charge Dean Rupard for the bore that will have to be done before Rupard can connect to the town water system. Mayor and board members discussed the matter at length and they agreed that \$2,500.00 should be charged. Mike Smith made the motion to charge said amount and Joel Whitley seconded the motion. All in favor.

Clerk Guinn stated that before a bore underneath a state road the state (NCDOT) must approve the request and all paperwork will need to be in place prior to the bore.

Jack McCloud provided a proposal to the board for purchasing a software system to assist with tickets, ordinances and incident reports. The police Pak is available through Southern Software. The initial cost is around \$12,000.00 and then an annual cost for licensing. This is something that has been discussed in the past when Mike Ellenburg was chief of police. Jack McCloud stated that he will also need a new computer. Board agreed to put in this year's budget which will start in July 2023.

Mike Smith asked if the town was going to hire anyone to help with the mowing this year. Mayor Boone stated that they will need to hire someone to help out. Joel Whitley stated that the manhole on Harley Davidson Lane needs to have some asphalt or gravel placed around it due to the rain water washing around the manhole. Joel Whitley stated that there needed to be a new Harley Davidson Lane sign ordered. Alice Whittington stated that there was a lot of trash and a bumper beside the road near the Pilgrim Baptist Church and asked that this area be cleaned up.

Mayor Boone asked the board if they wanted to continue with Mike Richardson providing the BBQ and fixings for the July 4th event or try to get some vendors to come and sell food. After a discussion the board agreed to have Mike Richardson provide the BBQ like he has in the past years. Clerk Guinn contacted Felix Hutcheson by text and asked if he had any inflatables available for Saturday, July 1st, Felix texted back and stated that he has an obstacle course and bounce house available for \$450.00. Board agreed on the inflatables. Mayor Boone will contact the Boone and Church boys and see if they will be available to play for the July 4th event.

At this time a motion was made to go into closed session to discuss hiring a town clerk. Motion was made by Joel Whitley and seconded by Darlene Hicks. All in favor.

Mike Smith made a motion to go out of closed session and back into regular session and Alice Whittington seconded the motion. All in favor.

Mike Smith made a motion to hire Katelynn (Gabby) Townsend at \$17.00 per hour and after a 6-month probation period raise the pay to \$18.00 per hour. Tony Eller seconded the motion. All in favor were Tony Eller, Mike Smith, Joel Whitley, and Darlene Hicks. Opposed Alice Whittington. Motion carried.

Motion was made by Tony Eller to accept the bid from Kenny Lunsford for the old police blazer in the amount of \$400.00. Mike Smith seconded the motion. All in favor.

Motion to adjourn was made by Joel Whitley and seconded by Mike Smith. All in favor.

Town Clerk

Mayor

AGENDA FOR REGULAR MEETING
APRIL 03, 2023
@ 6:00 P.M.

1. MEETING CALLED TO ORDER BY MAYOR DANIEL BOONE
2. INVOCATION
3. GUESTS: A. CHAD OR MARCIE WAYCASTER
4. APPROVAL OR DISAPPROVAL
 - A. MINUTES OF MARCH 02, 06, & 07, 2023
 - B. FINANCIAL STATEMENT FEBRUARY 2023
 - C. BILLS FOR MARCH 2023
 - D. WATER/SEWER RELEASES
5. OLD BUSINESS
 - A. UPDATE ON WATER LEAKS
 - B. UPDATE ON PARK PROJECTS, PAVING ETC.
 - C. UPDATE ON DARRELL & ANDREA BREWER
 - D. UPDATE ON STRIPING FOR POLICE VEHICLE
 - E. UPDATE ON DEAN RUPARD REQUEST
 - F. UPDATE ON NEW TOWN CLERK
6. NEW BUSINESS
7. EMPLOYEES REPORTS
 - A. TYLER BOONE
 - B. JASON MARKLAND
 - C. JACK MCCLOUD
 - D. CONNIE GUINN
8. DISCUSSION BY MAYOR AND BOARD
9. ADJOURNMENT

MINUTES OF MAY 01, 2023
@ 6:00 P.M.

Mayor Daniel Boone called the meeting to order with Aldermen Mike Smith, Darlene Hicks, Alice Whittington, Joel Whitley, and Tony Eller attending the meeting. Employees' attending the meeting were Connie Guinn, Tyler Boone, Jason Markland, and Jack McCloud. Guests attending the meeting were Jamie Shell (Avery Journal), Tim Brinkley, Louise Hughes, Charlie Dearmin (Avery Connect), Jr. Benfield and Jennifer Beam.

Mayor Boone asked Charlie Dearmin to address the board first. Mr. Dearmin stated that he along with Tim Brinkley and Louise Hughes were attending the meeting to update the board. Mr. Dearmin stated that it had been over a year since they attended a meeting with the town to discuss the possibility of a homeless shelter in Elk Park. Mr. Dearmin stated that didn't work out as they had wanted. They wanted to help in some way the young kids in the community and have decided to try and mentor juniors and seniors in a program called Avery Connect. They have gone to a training in Raleigh which is funded by the Duke Endowment. This program is to teach kids before they get out of school to teach them some trade. Avery Connect received a grant in the amount of \$15,000.00 and they will pay half the salary to some kids who want to work. They want to sponsor 2-5 kids this summer. This will be a 6-week program. They want to teach kids how to apply for a job, do a resume, balance a checking account etc. They have a website which is www.averyconnect.org. Mr. Dearmin stated that they want to keep the town informed, would like for them to give them ideas, if they know of any kids in the community, and know of any businesses or employers that would like to participate in the program. They are also looking for sponsors. The mayor and board members all agree that this program will help the community and felt like it was a great opportunity. Mayor and board thanked them for the update.

Mayor Boone then asked Jr. Benfield to address the board. Mr. Benfield stated that he has recently bought a 20-acre tract of land that joins the Freedom Trail Elementary School in the Cranberry area. Mr. Benfield stated that he wants to put his business and eventually build his home on the property. There may be a couple more homes built on the property in the future. Mr. Benfield stated that he would like permission from the town to connect to the town's water and sewer system. Mr. Benfield informed the board that he has already received permission from the school system as well as the homeowners living between the entrances of Cranberry Middle School and Freedom Trail Elementary School. Benfield stated that he will run the sewer line and install each resident with a sewer tap. Clerk Guinn stated that someone from the WAMY Program called her and informed her that the residence of Lucia Hicks septic system was failing, and the county will not let her repair the current septic tank she has. They asked if the town would allow her to connect to the town's sewer system. The clerk told them they would have to come to the board for approval. Mr. Benfield stated that he will make her a tap also. Mr. Benfield stated that he had met with Tyler Boone, and he had confirmed that there shouldn't be any issues with running the lines. Benfield stated that they would have to install 2 manholes with the 8" sewer pipe. Following a discussion Mike Smith made the motion to allow Benfield to connect to the town's existing water and sewer lines. Joel Whitley seconded the motion. All in favor. Mr. Benfield thanked the board and left the meeting at this time.

Motion to approve the Minutes of April 02, & 20, 2023 was made by Mike Smith and seconded by Joel Whitley. All in favor.

Financial Statement for March 2023 was approved with a motion made by Joel Whitley and seconded by Tony Eller. All in favor.

Bills for April 2023 were approved with a motion made by Joel Whitley and seconded by Alice Whittington. All in favor.

There was only one water/sewer release requested from Rafael Sanchez in the amount of \$ 58.58 due to a water pipe busted underneath his house. Leak was repaired. Motion to release amount requested was made by Mike Smith and seconded by Tony Eller. All in favor.

Staff reported that the water leak on Brooks Shell Road and Davis Street have been repaired.

Mayor Boone reported on the project in the park. Mayor Boone stated that engineer Charles Michael Alberto had met with them in the park and informed them that both walls should have buried the block deeper in the ground so the block won't kick out over time. The engineer quoted a cost of \$1,500.00 to be engineer for the project which must be turned in with the permit to the county inspections before the work can be completed. Motion was made by Joel Whitley and seconded by Mike Smith to approve the engineer fee of \$1,500.00. Mayor Boone stated that he had spoken to Todd Bureson, and he said he would give a quote for the paving for the basketball court.

Clerk Guinn informed the board that the town was approved for a Division of Water Infrastructure grant for \$400,000.00 with application assistance from WithersRavenel. The grant funding money will be contributed toward hiring an engineer that the board must approve. Engineers will do a Capitol Improvements Plan along with an Assessment Plan for the water and sewer system. Clerk Guinn stated that they will have to have a called meeting to approve an engineering firm. The board agreed to have a called meeting on May 22, 2023 @ 6:00 p.m.

Update on Darrell Brewer fine. The clerk stated that the fine has been paid in full.

Update on Dean Rupard request for water and sewer tap. Tyler Boone reported that the water tap was in place but was not connected from his side yet. Clerk Guinn stated that he has paid for a sewer tap. Tyler Boone stated that as soon as they finish the park project, they will make a sewer tap.

Health insurance was discussed for the employees. The town has received a quote from BlueCross and BlueShield and the coverage and price is better than the existing coverage the town currently has with the NC League of Municipalities. The cost with the league is a considerable amount more than the BlueCross coverage. Chris King with Fortner Insurance Company will be the agent for the BlueCross policies. After a discussion a motion was made by Mike Smith and seconded by Alice Whittington to switch the town's health insurance to BlueCross & BlueShield. All in favor.

Mayor Boone informed the board that he along with Clerk Guinn will be working on the 2023-2024 budget and asked the employees if they knew of anything they would need. Jason Markland stated that the town really needed a new riding lawn mower and weed eater.

Jack McCloud stated that he had quoted the yearly subscription with Southern Software incorrectly. The yearly subscription will be \$1,800.00. Mayor Boone informed them to get some prices and let him know so they can make sure to add in the budget.

Mayor Boone stated that the head for the Ford F-250 truck still hasn't been shipped. As soon as they get it, they can fix the truck.

Motion to go into closed session to discuss the employees' raises for the 2023-2024 fiscal year was made by Joel Whitley and seconded by Tony Eller. All in favor.

Motion to go back into regular session was made by Mike Smith and seconded by Darlene Hicks. All in favor.

Alice Whittington made the motion to give Tyler Boone and Jason Markland a 6% raise for the upcoming fiscal year. Tony Eller seconded the motion. In favor were Alice Whittington, Mike Smith, Tony Eller, and Darlene Hicks. Opposed Joel Whitley. Motion carried. Tyler Boone would be making \$21.35 and Jason Markland would be making \$16.85 per hour.

Mayor Boone stated that Jack McCloud 90-day probation period was up and at the next regular meeting they would need to swear McCloud in as Part Time Police Chief and increase his pay to \$22.00 per hour. Board agreed.

The motion to adjourn the meeting was made by Mike Smith and seconded by Joel Whitley. All in favor. Meeting adjourned at 7:30 p.m.

Town Clerk

Mayor

TOWN OF ELK PARK
JUNE 6th, 2023, REGULAR MEETING



Attending:

- Mayor:** Daniel Boone
- Alderman:** Mike Smith, Darlene Hicks, Alice Whittington, Tony Eller
- Employees:** Jennifer Beam, Jason Markland, Jack McCloud
- Guests:** Jamie Shell (Avery Journal), Ellie Lecka, Brandy Boone,
Chad & Marcie Waycaster

Agenda:

Mayor Daniel Boone called the meeting to order, and Alderman Mike Smith led the invocation.

Mayor Boone asked for a motion to approve the agenda.

Guest:

Mayor Boone invited Ellie and Brandy to speak to the board on behalf of Avery County Animal Support. Ellie read a statement concerning the closure of the rescue. Ellie stated the rescue has stopped taking donations, as well as the intake of animals. While the need for animal support is important, the county's involvement is a necessity. Ellie continued, the building at 128 Old Mill Road will be emptied of everything except the kennels, which the rescue will donate to the town for future use. The rescue plans to donate non-cash assets such as food, bedding, leashes, etc., to families in need. As for cash assets, they will be used towards the execution of the proposed Avery County Animal Shelter. Ellie asked the board if the town would be willing to hold these funds as a trustee for future distribution with a proposal as follows:

If Avery County does not finalize an animal rescue within twelve (12) months, the funds are to be distributed to other existing 501(c)(3) nonprofits for animal care within Avery County. This list

is to be determined by the board of Avery County Animal Support no later than June 30th, 2023.

If the Town of Elk Park is not able to hold the funds in trust. The funds will be distributed by Avery County Animal Support within 30 days to a list of local organizations to be determined by the board of Avery County Animal Support no later than June 30th, 2023.

Mayor Boone asked the board if they had any questions and suggested if the board is interested in holding the funds, to allow Avery County Animal Support to draft the paperwork, have the town attorney look over everything and vote at the next meeting. Brandy and Ellie thanked the board for their support. Joel Whitley asked if the closure is due to lack of funding, Ellie answered yes. Tony Eller asked the mayor if there were any grants that could assist. Mayor Boone stated if there were grants available the board of Avery County Animal Support would have filed for them.

Mayor Boone invited Chad & Marcie Waycaster to address the board. Marcie Waycaster stated they came to the meeting in reference to the town's noise ordinance. Marcie said over the past year her neighbor's dog continuously barks at every person or vehicle that passes by. She has several videos and has kept documentation of the situation. Marcie stated that the dog barks viciously at people and anytime they go outside the dog barks at them to the point where they cannot enjoy being outside. Marcie said they had spoken to an officer concerning the dog and they were told it was up to them to get the videos and proof and to enforce the noise ordinance they must come to a meeting. Mike Smith stated he knows it must be aggravating, there is a barking dog near his house as well. Mayor Boone stated this is not the first complaint that the board has had concerning this dog. The mayor continued, the flash drive that the Waycaster's provided with the videos would not work on the town's computers. Mayor Boone asked if they could play a few videos for the board, as well as send the videos to Chief Jack McCloud another way. Joel Whitley asked how late the dog stayed out at night. Marcie answered until nine or ten at night. Marcie played videos of the dog for the board. Mike Smith asked what the next step will be. Mayor Boone stated that would be up to Chief McCloud. If he sees enough evidence to fine the owner, then the owner of the dog can dispute the fine if they wish. Joel Whitley stated anyone who owns a dog knows when they become a nuisance to others. Joel stated it does not matter but asked what kind of dog. Marcie answered a large German Sheppard. Mayor Boone said that he has noticed the dog more when he

drives by, and Jason Markland agreed that the dog has become worse. Mayor Boone thanked the Waycaster's for coming.

Joel Whitley asked Jack McCloud what his next step would be and if Mike Ellenburg had already spoken with the owner, is it time for the town to fine them. Chief McCloud answered yes, he believed it is time to issue a fine. Joel continued it had been some time since they had heard about the barking dog. Mike Smith stated he believed the town had issued the fine before, however the owner came to the meeting and the board dropped the fine. Mike Smith stated if we issue the fine this time, it shouldn't be lifted.

Approvals:

A motion to approve the minutes of May 1st and 22nd was made by Joel Whitley and seconded by Mike Smith. All in favor.

The financial statement for April 2023 was approved with a motion made by Joel Whitley and seconded by Tony Eller. All in favor.

Bills for April 2023 were approved with a motion made by Joel Whitley and seconded by Darlene Hicks. All in favor.

There were no water/sewer releases.

Old Business:

Leak Update. Mayor Boone asked Jason Markland about an update on water leaks throughout the system and when they will be able to borrow the tool from Banner Elk to help locate the leaks. Jason Markland said that he can get the leak correlator from Banner Elk now or after the Fourth of July. Mayor Boone said to wait until after the fourth because there will not be enough time with the event in the park. The mayor stated that he wants to find the leaks before the end of July and if the public works department does not have enough time to find them, he would like Jason to contact Rural Water to help.

Park Update. Mayor Boone stated that if the weather is good for the next week or so the big wall should be back up according to Tyler. Joel Whitley asked if they had the correct geogrid. Jason answered no, they have to take the other back and exchange it. Jason explained they were going to go last week but the town's credit card fell victim to fraud, and they have to wait for a new one.

New Business:

Mayor Boone asked if the board has had a chance to overlook the budget for fiscal year 2023-2024. The mayor asked Chief McCloud to explain to the board about the county's emergency service radios. Chief McCloud stated that the county is planning to switch from analog to digital radios sometime over the next year. The radios that he currently uses will not have the capability to make the switch and he will need to purchase new ones. Mayor Boone explained with the funds that are allotted in the current budget, there should be no problem when the time comes. Joel Whitley asked if the town was still paying \$1,200.00 toward Mike Smith retiree insurance. Mayor Boone explained that would be for the full year and the cost of the insurance is fifty dollars a month, but Connie Guinn left it at one hundred monthly just in case.

Joel Whitley asked how long the board must advertise before the hearing. The clerk answered ten days. Mayor Boone asked Jamie Shell when it could go in the paper. Jamie answered the earliest would-be next week's edition. The board decided to meet Monday, June 26th at 5:00 pm for the public hearing to adopt the budget.

Reports:

Jason Markland had nothing to report.

Chief McCloud confirmed with the board that he would issue a violation of the noise ordinance and asked the board what amount. Mayor Boone stated the ordinance says \$100.00, as well as states how to dispute the violation.

Jennifer Beam was concerned about the minutes being from 2021 when the board voted Darlene Hicks in as finance officer. Mayor Boone explained even though the board voted in Darlene and the documents were signed to change it over to Darlene, the accounts still have Tony's name as a signer. Mayor Boone asked Darlene to stay after the meeting and fill out the paperwork that the bank provided so all the accounts can be corrected.

Council Comments:

Alice Whittington asked if Ms. Dellinger could sell snow cones at the Fourth of July event. Mayor Boone responded there is someone confirmed to sell snow cones and funnel cakes, but cotton candy would be good.

Jason Markland asked the board if public works could purchase a packer to assist with the park, and to help when they patch up from water leaks. Jason told the board that it would be \$329 weekly to rent a “jumpin’ jack” packer and he believed that if they were to rent one, the time of use would be equivalent or more than purchasing a new one from Harbor Freight for \$699. Alice Whittington asked if it would help them with other projects too. Jason answered yes. Joel Whitley asked if a “jumpin’ jack” would be better than a plate compactor, Jason stated jacks are harder to use but felt they do a better job. Mayor Boone asked for a motion to purchase the packer. Joel Whitley made the motion; Tony Eller seconded the motion. All in favor.

Joel Whitley welcomed the new clerk, Jennifer Beam, to the town and asked if there was anything that needed to be done for the Fourth. Joel mentioned there needs to be a temporary barricade at the top of the wall that will prevent children from jumping or falling off it. Joel suggested getting temporary fencing from Avery Rental. The board agreed.

Tony Eller stated he was at the park and saw kids climbing the rocks for the wall. He stated he would hate to see one fall. The mayor suggested putting up a sign and adding more caution tape until the wall is completed. Mr. Eller stated the town should pay the part-time maintenance workers more, they don’t receive benefits from the town. Mayor Boone stated they are making twelve dollars an hour now. Mike Smith and Darlene Hicks were not sure about giving them a raise. Joel asked how many hours they were working weekly. The mayor answered that most days they work 9 am until 4 pm and though he has not mentioned anything about them getting a raise, Bentley had asked the mayor to ask the board about allotting twenty dollars a week in gas for Tim Carpenter when he uses his personal truck. After a small discussion, the board agreed to giving both Tim and Bentley twenty dollars a week for gas when they use their personal vehicle. Mike Smith made a motion to give both part-time employees a one dollar raise at thirteen dollars an hour, Joel Whitley seconded the motion, Darlene Hick and Alice Whittington voted in favor, while Tony Eller opposed.

Mayor Boone said at the July meeting Chief Jack McCloud will be sworn in and he will gain a two dollar raise at twenty-two dollars hourly.

Mike Smith asked the board to consider hiring a full-time public works employee. Mayor Boone said it is something to consider but remember if they are full-time, the town will have to purchase benefits as well.

Mayor Boone stated that the banners and lights for the fourth need to go up as soon as possible. The mayor continued he knows Jason and Tyler are busy but the next deadline for when he would like to see the park finished is by Labor Day.

Mike Smith made a motion to adjourn. Joel Whitley seconded the motion. All in favor.

Meeting adjourned.

Town Clerk

Mayor

**MINUTES OF THE PUBLIC HEARING
FOR THE 2023-2024 BUDGET**

June 26, 2023

@ 5:00 P.M.



Attending:

Mayor: Daniel Boone

Alderman: Mike Smith, Darlene Hicks, Joel Whitley, Tony Eller

Employees: Jennifer Beam

Public Hearing:

Mayor Boone called the meeting to order and announced the purpose of the public hearing.

Mayor Boone stated that Doug Tenant spoke with Jennifer about amending the budget for the 2022-2023 fiscal year. Jennifer stated the purpose of the amendments, which followed with Mike Smith making a motion to approve the following amendments to the 2022- 2023 budget:

1. \$35,375.00 to be transferred into the General fund (for the expenditures under the line item of transportation expense) from the ARP funds.
\$35,375.00 to be transferred into the Water/Sewer fund (for the expenditures under the line item of salaries) from the ARP funds.
2. \$25,000.00 to be transferred from Capital Outlay – Equipment in the Water/ Sewer fund to the Appropriated fund balance.
3. \$60,000.00 of revenue in the General Fund from Ad Valorem Taxes and Unrestricted Intergovernmental Revenue to be transferred to expenditures that fall under Transportation – Capital Outlay Park.

Darlene seconded the motion. All in favor.

Mayor Boone asked for a motion to approve the 2023-2024 budget. Mike Smith made a motion, Joel Whitley seconded. All in favor.

The mayor asked for a motion to adjourn. Mike Smith made a motion. Joel Whitley seconded the motion. All in favor.

Town Clerk

Mayor

TOWN OF ELK PARK
JULY 3RD, 2023, REGULAR MEETING



Attending:

Mayor: Daniel Boone

Alderman: Mike Smith, Darlene Hicks, Alice Whittington, Tony Eller

Employees: Jennifer Beam, Jason Markland, Jack McCloud

Guests: Jamie Shell (Avery Journal), Kristina Reep

Agenda:

Mayor Daniel Boone called the meeting to order, and Alderman Mike Smith led the invocation.

Mayor Boone asked for a motion to approve the agenda. Mike Smith made a motion to approve the agenda; Darlene seconded the motion, all in favor.

Guest:

Kristina Reep asked the board to repeal the nuisance fine issued to her due to her barking dog. Kristina stated the dog offers a sense of security to her property, and only one neighbor has had issues with her dog. Mike Smith asked what she was doing to prevent the dog from barking. Kristina answered she likes for the dog to bark whenever someone comes around her house but if she notices he is barking excessively, she brings the dog back inside. Mike suggested for Kristina to install a privacy fence or tarp along the fence so that the dog cannot see passersby. Kristina mentioned she had got a quote for a privacy fence at the corner of her property, and it was nearly \$1,000. Mike suggested tarping the fence would be an option that might help and asked if the board had issued a fine in the past. Kristina stated that she was not sure, and she remembered it being a verbal warning. Mike asked if she had received a copy of the ordinance. Kristina stated yes. Darlene asked if Kristina could afford to put in a fence. Kristina stated not really. Alice asked if that was the only dog that Kristina had. Kristina stated that she has one other dog. Tony asked if the dog was only barking after 10:00 p.m. Kristina stated that her husband left the dog out one

night when he left for work and that is the only time it has been out late at night. Mayor Boone stated the board would decide at the next meeting to repeal or approve the fine.

Mayor Boone asked for a motion to approve the June 6th and June 26th Minutes. Darlene made a motion and Alice seconded the motion. All in favor.

Mayor Boone asked for a motion to approve the financial statements from May. Mike made a motion to approve the financial statements, Tony seconded the motion. All in favor.

Bills for the month of June were approved with a motion made by Mike Smith and seconded by Alice Whittington. All in favor.

There were no water releases for the month of June.

Old Business:

Alice Whittington asked when the town started the project in the park. Jason answered last fall. Alice stated it's been going on for over a year. Mayor Boone the last project in the park came down to a time crunch. Jason mentioned the weather, and other duties that have kept them from working on it. Mayor Boone stated that the town has had to tear down the wall three times. Alice asked if the town has stayed on budget with the project. The mayor said no, the town is over budget. Alice made a motion that if the project is not finished in thirty days, the town will accept bids for a contractor to complete it. Jason stated that the project will not be done in thirty days and Mayor Boone asked what part of the project to be done and mentioned the separate parts of the project. Alice stated this is the second summer that Elk Park is without a basketball court. Mike asked if we shouldn't start looking before the thirty days, Darlene agreed. Darlene seconded Alice's motion. All were in favor of accepting bids on the project. The mayor clarified if the block wall and the paving for the basketball court is not finished in one month, the town would take bids. Alice stated we should have hired someone in the beginning, and it has cost the town more time and money in the long run. Tony Eller stated he was not sure that this project should be placed on Tyler and Jason anyways.

Alice asked about the dump truck and how long it had been in the shop. She suggested that if it is not finished in thirty days, the town should have it towed to the ford place and have it done. Jason stated that it would be in the same situation. Jason said it's been in the shop since January.

Alice stated it has been six months on the truck, one year on the park project and a lot of overtime. She continued to ask why there is so much overtime and the projects take so long. Alice asked if there were water leaks in the month of June. Jason stated there were a couple of leaks and asked how much overtime he had in June. Mayor Boone answered Jason received 6.98 comp time and Tyler received 28.16. Alice asked if they needed to consider hiring someone else to complete the projects or in the future contract out work so Jason and Tyler could do the work they were hired to do. Alice stated we would address the truck at the next meeting. Tony stated the town should have bought a motor from a wreck truck in a junk yard. The mayor asked about contracting other projects out such as the Reservoir Hill. Alice asked about advertising for bids, and naming projects to be completed and how long the town would need to run the ads. Mike stated that the town should run them now to have them before the next meeting. Mayor Boone suggested the town get bids on the project at well 2 and the last bay, at the sewer plant.

Darlene Hicks asked about the AIA grant. Jennifer stated Withers-Ravenel and the Town are supposed to meet in July, to get everything started and for them to let us know what the grant can be used for. Mayor Boone stated that this grant is for an engineering study to help us apply for other grants in the future.

New Business:

There was a discussion about what streets need to be paved. Mike stated he would like to take pictures of places throughout town that need to be paved. Mayor Boone stated the town has plenty of money to pave, the town needs to decide where the worst roads are and the roads most traveled. Mayor stated that the board needs to decide at the next meeting in order to get roads paved this year.

Mayor Boone said the board needs to decide what day to have the fourth celebration next year, his suggestion was Wednesday, July 3rd or Saturday, June 29th. Mike said he would like to do it earlier rather than later. Alice said she liked the Saturday before the fourth. Mayor Boone asked about when Newland would be doing their fourth celebration.

Mayor Boone said he received \$125 donations towards the event this year and next year the Mayor would like to put donation boxes out because several people were wanting to donate. Alice said we need to remember napkins for the event.

Reports:

Tyler and Jack were absent.

Mayor Boone stated Jack would be sworn in next month.

Jason asked when he would get a raise on vacation time. Jennifer said she believed it was 0-5 years, 5-10 years, and 10-15 years but she was unsure how much it went up. Mayor Boone said 0-5 is ten days a year, and 6-10 is twelve days a year.

Alice asked if there were any leaks, Jason stated the church had a leak. Mike made mention of another place where there may be a leak. Jason stated that he believed there are springs underground there.

Jennifer mentioned she attended a meeting with the county on Friday. They are submitting three projects for the county to be completed by DOT. One of the projects will be widening the road from Elk Park to Banner Elk. Jennifer mentioned that based on the meeting it didn't seem likely that it would start anytime soon. Jennifer stated that the second part of the meeting was about a planning committee for NC Main Street & Rural Planning Center. Jennifer believed that it would be good to have someone from Elk Park on the committee to stay involved with planning throughout the county. Jennifer continued the county is getting grants for broadband and lack of housing was another issue brought up at the meeting. Mayor Boone asked what was said about housing. Jennifer said the county is looking for a place for reentry housing as well as workforce housing.

Council Comments:

Mike said Jack had asked him about taking the police car home and Mike thought it was a good idea. The board agreed. Mayor Boone asked if Jack clocked in the night there was a wreck in front of his house, if so, and he is getting paid for the time at the wreck he needs to do the wreck report. Mayor Boone also asked for Jack to track the tickets that he wrote and for him to sign up the next radar certification class.

Alice asked Jennifer to find out if the written ticket for the barking dog was issued the first time. Alice asked Jason to work on the culvert at the bottom of Reservoir Hill because it gets clogged badly.

Tony suggested the town pay the ones who helped for the fourth. Mayor said Brandy and Tammy helped but if the board were to decide to give something he would suggest a gift card and a thank you note. Alice suggested we pay anyone that helps for Halloween and Christmas too.

The board agreed if an employee works an event on the weekend, it is time and a half pay.

Mayor Boone stated that the town now has a website and within the next few weeks, the town will be accepting card payments online and a credit card machine for payments. Mayor stated if the board members would like to have their information on the site, get with Jennifer and she can add it.

Mayor Boone stated that everyone needs to sign up for reelection. Registration is July 7th through the 21st. Also, the Mayor asked the board members to dress for an updated picture before next month's meeting.

Mike Smith made a motion to adjourn. Darlene seconded the motion. All in favor.

MEETING ADJOURNED.

MAYOR DANIEL BOONE

CLERK JENNIFER BEAM

REGULAR MEETING
AUGUST 1ST, 2023, | 6:00 P.M.



ATTENDING:

MAYOR: DANIEL BOONE

ALDERMAN: TONY ELLER, MIKE SMITH, DARLENE HICKS, ALICE WHITTINGTON,

EMPLOYEES: JENNIFER BEAM, JASON MARKLAND

GUESTS: JAMIE SHELL (AVERY JOURNAL),

AGENDA:

Mayor Daniel Boone called the meeting to order, and Alderman Mike Smith led the invocation.

Mayor Boone asked for a motion to approve the agenda, Mike made a motion, Darlene seconded the motion. All in favor.

APPROVALS:

Mayor Boone asked for a motion to approve the minutes from July. Mike made a motion; Tony seconded the motion. All in favor.

Mayor Boone gave an update on the budget for the fiscal year 2022-2023. The town was under budget in the general fund by one percent and under budget in the water/sewer fund by sixteen percent. Mayor Boone asked for a motion to approve the June financial statements. Joel made a motion; Mike seconded the motion. All in favor. The Mayor mentioned the loan payment came out this past month.

Mayor Boone asked for a motion to approve the July bills. Alice asked why the bill from Scotty's was so high. The clerk mentioned the town had bought mulch for the park. Alice asked about the Boone Rental bill for \$2,400. Jason said that was where they rented the track-hoe for one week. Joel made a motion to approve the July bills.; Darlene seconded the motion. All in favor.

The clerk asked the board to release two water bills this month due to water leaks.

Byrum Partington \$111.98 & Rockin' Locks \$110.08

Joel asked how Byrum fixed his leaked. Jennifer stated she wasn't sure but believed it was fixed based on August's bill. The Mayor asked for a motion to release the water bills. Mike made a motion; Alice seconded the motion. All in favor.

OLD BUSINESS:

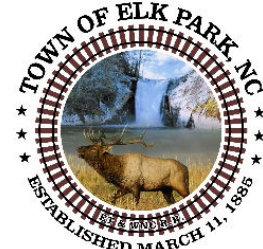
Alice suggested the board have a called meeting for park project bids due to the deadline being later in the week. After a discussion on the materials needed to finish the park project, Mayor

Boone stated the board will wait until the deadline to see if any other bids come in and schedule a meeting to discuss them.

Jack McCloud was not at the meeting to be sworn in. Mayor Boone asked the board for a motion to raise Jack's pay to the full-time police chief wages. Alice made a motion; Mike seconded the motion. All in favor.

Jason provided the board with a list of roads that need to be paved or patched.

REGULAR MEETING
SEPTEMBER 5TH, 2023, | 6:00 P.M.



ATTENDING:

MAYOR: DANIEL BOONE

ALDERMAN: TONY ELLER, DARLENE HICKS, MIKE SMITH, ALICE WHITTINGTON, JOEL WHITLEY

EMPLOYEES: JENNIFER BEAM, JASON MARKLAND, TYLER BOONE

GUESTS: JAMIE SHELL (AVERY JOURNAL), JACQUIE BALHOUSE AND SAMMIE JONES

AGENDA:

Mayor Daniel Boone called the meeting to order, and Alderman Mike Smith led the invocation.

Mayor Boone asked for a motion to approve or amend the agenda, Mike stated he would like to amend the agenda to add sidewalks because someone had fallen near the lodge earlier in the day. Mike made a motion; Darlene seconded the motion. All in favor.

GUESTS:

Jacque Balhouse, owner of The Eclectic Closet, and Sammie Jones, shopkeeper of Hidden Treasures came to the meeting to discuss communication with the town and the ideas of future events for the town. Jacque mentioned the possibility of moving Elk Park's Christmas festivities to Main Street. After some discussion, Alice agreed to talk with the business owners of Elk Park to collaborate on planning the event. The Mayor mentioned that the town will be hosting food truck nights every other Monday, continuing through October 2nd.

APPROVALS:

Mayor Boone opened the floor for a motion to approve the August Minutes. Joel made a motion to approve followed by Mike seconded the motion. All in favor.

Mayor Boone asked for a motion to approve the August financial statements. Alice asked about getting an itemized report for the business card. Jennifer agreed. Alice asked about payroll transfers. Jennifer stated, initially she thought that direct deposit could come out of two accounts because Tyler's pay, and half of the clerk's salary come out of the water/sewer fund. After she had done payroll, she found that QuickBooks does not offer that feature. The transfers were made to each account to reconcile the transactions. Mike made a motion to approve the financial statements and Alice seconded the motion. All in favor.

After looking over the bills, Mayor Boone asked for a motion to approve the August bills. Joel made a motion to approve, seconded by Darlene. All in favor.

Two water releases were discussed. The Cranberry Lodge in the amount of \$134.94 and Tracie Cable in the amount of \$128.22. Mayor Boone opened the floor for a motion to approve, Mike made a motion, Joel seconded, and all were in favor.

OLD BUSINESS:

Mayor Boone mentioned Chief McCloud needs the police pack from Southern Software in order to do reports efficiently and correctly. The cost of the software and training will be \$10,700, and an annual cost of \$1,800 for support. Mayor Boone also mentioned Jack will need a computer for his office that will be around \$1,500. Mike Smith stated that it is something Jack will need to have and made a motion to purchase the police pack and computer for the police chief. Alice seconded the motion. All in favor.

Jason stated that he had received the new heads for his truck and would be working on it in the upcoming weeks. He added that he would still get the other heads from the machine shop to put in storage for the future.

The Mayor stated that Tyler was meeting with Todd Burleson about street paving and asked Jennifer if the town had received any other bids. Jennifer said no. The Mayor stated that if they had not received word from Tyler before the meeting adjourned, they would need to schedule a called meeting to discuss paving.

NEW BUSINESS:

The Mayor informed the board about an incident where Tyler cut his finger working on the old Town Hall. Mayor Boone continued that at the time Tyler believe to have only cut it but after trying rehabilitation he would need to have surgery to attempt to be able to use his finger. Mayor Boone stated he wanted the board to know because Jennifer would be looking into workman's comp to cover the surgery.

Mayor Boone stated Jason had received gas from Scotty's in the previous week and was billed for over forty gallons, when the truck only holds thirty-four in the tank. Mayor Boone asked the board if Tyler and Jason could start using the business card to get gas in roan mountain. Joel asked if the stations did not provide some type of gas card. Mayor stated Connie had checked into it before and was not able to but suggested Jennifer to look into a fuel card for the town. The board agreed.

Mike Smith stated he had to help someone who had fallen over the sidewalk near The Cranberry Lodge and Thrift Store on Main Street. He asked Jason to get something to fill in cracks and holes in the sidewalk. Jason agreed.

REPORTS:

Jennifer stated that Marie Hagie came into Town Hall to ask if the town could put some gravel in the driveway that her tenant must use since Parlier Street is closed. Mike Smith suggested paving

the bottom of that driveway so that gravel stays on the road better. Mayor Boone asked Jason if he could lay gravel on the driveway. Jason agreed.

Mayor Boone stated Todd's quote on the street paving is \$75,500 and that would be Joe Greene Street, Sunset Circle, Ginnie Street, Harley Davidson, Chamber Street, Fern Cliff, and Cornett Street. Mike Smith asked about the hole in the street as you turn onto Main Street. The Mayor stated that included patches throughout the town as well. After some discussion, the Mayor opened the floor for a motion to approve Todd Burleson paving the agreed locations. Mike made a motion followed by Joel seconding the motion. All in favor.

COUNCIL COMMENTS:

Mayor Boone stated if they were going to continue to have food trucks on main street it would be nice to have some portable picnic tables for people to sit at. Mayor Boone asked how many the board would like to start with. The board agreed to six picnic tables with a motion made by Alice, seconded by Darlene. All in favor. Mayor Boone stated that he would like to see about getting the cars that are parked on Main Street moved because food trucks can't leave once parked. The council members discussed "no overnight parking" signs being placed on Main Street.

Jason suggested writing a nuisance letter to the owner of the property behind the thrift store on Main Street. He stated the property is unkept and weeds have overgrown the property. Mayor Boone stated he would contact the owner of the property.

The Mayor stated since there have been so many water leaks on Elk River Road, he would like for Tyler to get a quote to replace the line that is approximately one-half mile. It would be a four-inch line sleeved and packed to prevent freezing during the winter months.

Mayor Boone asked the board for direction on the dog barking fine. Jennifer stated that she had not received payment for the fine. Mayor Boone stated the ordinance says the town may file a civil action if the fine is not paid. Alice made a motion for the clerk to contact Four Eggers to file a civil action for non-payment. Joel seconded the motion. All in favor.

Mayor Boone mentioned the county will be conducting a meeting about Re-Entry Housing, Thursday, September 7th at 7pm. In the commissioner's boardroom in the administrative building for those who would like to attend.

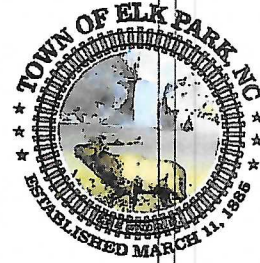
Jason asked the board to consider putting a storage building at the sewer plant for decorations. He stated that the building they are using is too small, the decorations need to be organized and put up better.

Mayor Boone asked for a motion to adjourn the meeting. The motion was made by Mike, seconded by Joel. All in favor.

MEETING ADJOURNED:

TOWN OF ELK PARK

October 2nd, 2023, REGULAR MEETING



Attending:

Mayor: Daniel Boone

Alderman: Darlene Hicks, Alice Whittington, Tony Eller

Employees: Jennifer Beam, Jason Markland, Jack McCloud

Guests: Jacquie Balhouse, Sammie Jones, Tiffany Moon

Agenda:

Mayor Daniel Boone called the meeting to order and led the invocation.

Mayor Boone asked for a motion to approve the agenda. Alice Whittington made a motion to approve the agenda; Darlene seconded the motion, all in favor.

Guest:

Jacquie Balhouse and Sammie Jones with the businesses of Elk Park came to discuss a date for a fall festival in the town. Jacquie stated that she would like to have it on October 14th, Mayor Boone stated the town doesn't have any other events that day and it would be fine. Alice asked if they would want to shut down the street to traffic and if so, what time. Jacquie confirmed they would like to shut down the street from 11am to 4pm. Mayor Boone asked if they had talked to Brinkley's Hardware, and to be sure that customers could get there during business hours. Alice also mentioned it would need to be after the post office closed. Jacquie asked to use four picnic tables and the cones to block off the street. Mayor Boone agreed.

The clerk mentioned to the board that the Bank of Tennessee representative wouldn't be attending the meeting. However, Jennifer spoke to the business banker at Bank of Tennessee/Mountain Community Bank, and they could get the town at least .05 percent interest on the town's funds,

whereas now the funds are not earning interest. Jennifer stated she would be getting more information on the matter and bring it back to the board.

Tiffany Moon with Western Youth Network attended the meeting to discuss using the boardroom for an upcoming meeting with Blue Cross Blue Shield. Mayor Boone asked how many people would be attending the meeting. Tiffany answered 15-20 people. Alice asked what the town would need to provide for the meeting. Tiffany stated Blue Cross Blue Shield will provide everything needed and The Liar's Table will cater. After some discussion, the Board asked Tiffany to contact the clerk concerning the rental fee for Town Hall. Mayor Boone thanked Tiffany for considering Elk Park to host the meeting.

Mayor Boone asked for a motion to approve the September Minutes. Alice made a motion and Darlene seconded the motion. All in favor.

Mayor Boone asked for a motion to approve the financial statements from August. Darlene made a motion to approve the financial statements, Alice seconded the motion. All in favor.

Bills for the month of June were approved with a motion made by Alice and seconded by Tony. All in favor.

Mayor Boone asked for a motion to release utility bills for Jack McCloud and Tyler Vance. Darlene made a motion, seconded by Tony. All in favor.

Old Business:

Mayor Boone asked Tyler if he had heard from Todd. Tyler said Todd will start paving by the end of the week. Mayor Boone told the board that Frieda Briggs had asked for a ditch line to be paved on Hopson Street to prevent it from getting stopped up. Mayor Boone stated if Todd says it will be that much more added to the price, he will let them know. Alice mentioned a sink hole that is starting to open on Reservoir hill. Mayor Boone asked Tyler to look at it.

Reports:

Alice asked Tyler and Jason if the water leaks were fixed on Claude Isaacs Road. Tyler stated they are all fixed except the fire hydrant, and they have to order a new one. Alice asked if they could get it fixed before winter. Tyler stated yes.

Mayor Boone mentioned Jason's truck is fixed and he asked Tyler about the quote for replacing the water line on Elk River Road. Tyler stated for 2,400 feet and 305 PSI it would be \$18,000.00

or \$13,000.00 for 235 PSI. Tyler continued he believed it would be worth it to purchase the 305 PSI rated pipe.

Jack McCloud gave the police report. He mentioned that Roan Mountain is possibly putting in a suboxone clinic. Alice stated there is one in Newland and with that the police department is going to need more help. The Mayor stated that is something that he wanted to speak with the board about, and with the tax rate being .30, the only town lower is Sugar Mountain. Mayor Boone stated that for extra police protection, it might be worth considering a tax increase. The town would then be able to have a full-time chief and an assisting officer. The Mayor asked the board for a motion to approve Jack getting a vest, taser and handcuffs. Darlene made a motion; Alice seconded the motion. All in favor.

Jennifer stated that the Powell bill funds were approved. Alice asked the purpose of the funds. Jennifer answered it is used towards the town streets, snow removal and repairs.

Council Comments:

Tony stated he would like to see Jack working every now and then until twelve at night.

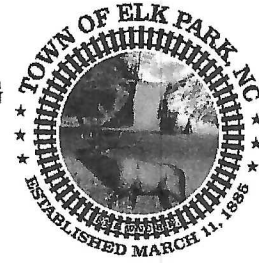
Mayor Boone stated that the town meeting would be at 5pm next month and the board needs to be thinking about end-of-year bonuses to be discussed at the next meeting.

The Mayor asked if the board would like to allot a certain amount for Jennifer to get fuel. Mayor Boone continued the state only allows the clerk to keep up to \$500.00 before taking a deposit. Jennifer stated that by the state's general statutes the board is supposed to vote on whether the clerk is to take a daily deposit or if it can be held until the deposit reaches \$500.00. The Mayor asked for a motion to approve the clerk waiting until the deposit reaches \$500.00 before taking it to the bank. Darlene made a motion; Tony seconded the motion. All in favor. Mayor Boone then asked if the board would like to pay for mileage or purchase a certain amount of fuel. Alice stated they would need to look at what the IRS allots for mileage. After some discussion, Tony made a motion to pay mileage according to the IRS, Alice seconded the motion. All in favor.

Mayor Boone asked for a motion to adjourn, Darlene made a motion to adjourn. Alice seconded the motion. All in favor.

MEETING ADJOURNED.

TOWN OF ELK PARK
NOVEMBER 6TH 2023, REGULAR MEETING



Attending:

Mayor: Daniel Boone
Alderman: Mike Smith, Darlene Hicks, Alice Whittington, Joel Whitley
Employees: Jennifer Beam, Jason Markland, Jack McCloud
Guests: Jamie Shell (Avery Journal), Jacquie Balhouse, Sammie Jones

Mayor Boone called the meeting to order at 6:12 p.m., and Mike Smith led the invocation.

Alice Whittington asked to amend the agenda, adding the park to old business. Mike made a motion to approve the agenda, Darlene seconded the motion. All in favor.

Jacquie Balhouse and Sammie Jones came to discuss the Christmas on Main Street event on December 2nd. Jacquie asked the board about closing Main Street at 4p.m. for the festivities. Jacquie continued, two food trucks have confirmed they will be there, Diggy Donuts and Holy Smokes. The placement of event signs, use of picnic tables and making sure Santa could attend were items also discussed.

Mayor Boone asked for a motion to approve the October minutes. Joel made a motion to approve, Mike seconded the motion. All in Favor.

The Financial Statements and October Bills were approved with Joel making a motion to approve and Mike seconding the motion. All in Favor.

The water releases were as follows: Grace Clark, 82,990 gallons for \$637.48 and Marie Hagie, 27,120 gallons for \$98.61. Kathy Lunsford with Appalachian Properties asked the board to release the sewer fees on their bill for 341,980 gallons of water because one of their employees had been using town water to fill water tanks for the Christmas Trees. The bill totaled \$5,794.43. Mayor Boone stated per the ordinance, that is not a cause for an adjustment. The board agreed and did not approve an adjustment.

Mayor Boone asked the clerk to explain the rates at Mountain Community Bank. Jennifer stated that Mountain Community offers a 3 percent interest rate on a money market account and 2.5 percent interest rate on regular checking accounts. Jennifer continued, with the current bank, the funds are not gaining interest and if the town were to switch, it would give the town approximately twenty-four thousand dollars in annual return. Alice asked about the banks location, and Jennifer confirmed that the operating branch is out of Sugar Mountain but the deposits can be made in Roan Mountain which will be more convenient for her and town hall. Mayor Boone asked for a motion to move the accounts, Joel made the motion, Darlene seconded the motion. All in favor.

Alice mentioned that Junior would start in the park in the upcoming week, and it would be done in about seven to ten days and ready for Todd to pave the basketball court.

Mayor Boone mentioned that the town usually hosts a large debris trash pickup in the fall. Jason suggested waiting until Spring to schedule one and if someone needs something hauled away, they can call town hall and schedule a pickup. The board agreed.

Reports:

Jason told the board that concrete is \$200.00 a yard, and he gave the board a quote for a storage building at the sewer plant that could be used for holiday decorations as well as other things. The quote was for a twenty-four foot building for \$10,856.48. Joel mentioned the concrete would be \$1,481.00 plus the cost of steel and delivery. After some discussion, the board asked Jason to check other locations for pricing of the building.

Jennifer asked the board if the sick time that she gained at Newland could be transferred to Elk Park, in total it would be 29 hours. Mayor Boone opened the floor for a motion. Mike made a motion to approve, Alice seconded the motion. All in favor.

The Mayor asked for a motion to enter closed session to discuss personnel. Joel made a motion, seconded by Darlene. All in favor.

Closed Session.

Motion to go out of closed session was made by Mike seconded by Alice.

Mike made the motion for Jack to receive \$250 as an end-of-year bonus. Joel seconded the motion. All in favor. Alice made a motion to approve \$600 for Jason's end-of-year bonus, Mike seconded

the motion. Darlene in favor. Joel opposed. Mike made a motion to approve \$600 for Tyler's end-of-year bonus, Darlene seconded the motion. Alice in favor. Joel opposed. Mike made a motion to approve \$1,000 for Jennifer's end-of-year bonus, Alice seconded the motion. All in favor. A motion to approve \$200 for Mayor Boone's bonus was overthrown with a motion to approve \$1,000 end-of-year bonus made by Joel and seconded by Alice. All in favor.

Adjournment.

A motion to adjourn at 6:55pm was made by Mike. Seconded by Joel. All in Favor.



MAYOR DANIEL BOONE



CLERK JENNIFER S. BEAM

TOWN OF ELK PARK
DECEMBER 4TH, 2023
REGULAR MEETING



Attending:

- Mayor: Daniel Boone
- Alderman: Mike Smith, Darlene Hicks, Alice Whittington, Brad Benfield, Tony Eller
- Employees: Jennifer Beam, Jason Markland
- Guests: Auditor Sharon Gillespie, Brandy Boone, Jamie Shell (Avery Journal),
Jacquie Balhouse, Sammie Jones

Mayor Boone called the meeting to order at 5:06 p.m., and Mike Smith led the invocation.

Mayor Boone asked if there were any amendments to the agenda. The Mayor continued he needed to add the fence at the sewer plant to new business because it would need approval to be repaired due to cost. Mike made a motion to amend the agenda; Brad seconded the motion. All in favor.

Mayor Boone welcomed Sharon Gillespie to speak to the board concerning the audit for the fiscal year 2022-2023. Sharon introduced herself to the board as the new auditor for the town. She stated that Doug Tenant, the former auditor, and herself have worked closely together and she has been as auditor of towns and government units for over thirty years. Sharon stated the town had a clean audit. Sharon explained there are two methods of accounting which towns are evaluated. The first is a current-flow method of accounting, described by what comes in and what goes out over a year's period. The other is as if the town is an operating business and includes all assets, how much is owed and how much could be owed in the future. Sharon explained the water and sewer fund needs to be self-supporting and operated as a business. The Town of Elk Park received \$510,000 in in-flows from the governmental funds and had \$355,000 in expenditures, which brought in a profit of \$190,000. In the Water/Sewer fund, operations cost \$264,000, and the change in net position was negative \$33,393, which caused a write-up for the town in the audit. Sharon stated the LGC wants the town's water/sewer fund to be self-supporting and Elk Park's was not for this fiscal year, using \$35,000 in ARPA funds. Sharon stated Jennifer will need to write a letter to the

Local Government Commission in response to that finding. Sharon mentioned the town's tax collection rate for Elk Park 98.6%. Sharon pointed out that there are two performance indicators that the LGC wants the town to address. One was the ARPA funds being transferred to the Water/Sewer account, and the other says that the fixed assets within the town's system are aging. Once the ratio is under 50% the town needs to consider when they will replace the equipment. Elk Park's ratio for the year was at 41%. Sharon mentioned that the two indicators will require a response from management to the LGC.

Jennifer stated that she drafted a letter of response to the LGC concerning the findings that Sharon spoke about in the audit. Jennifer asked the board to consider signing the letter because it must be submitted before early January. The board agreed.

Otis Ward came to ask for an adjustment for Woodland Hills due to a water leak. He stated he has not been able to locate a leak. Otis stated that Woodland Hills is asking for an adjustment over the regular bill. Mayor Boone stated they would look at the bill next month but for Woodland Hills to pay the normal amount for December's Bill.

Brandy Boone came to ask the board to use the old town hall again for a nonprofit, small dog rescue, called Scooter's Underdogs. Brandy stated the goal for the nonprofit would be to have the dogs out within a week, and they have resources off the mountain to help them do so. Brandy stated there are cameras within the facility and welcomed the board members to visit the kennels. Brandy stated the dogs will be under constant supervision, taken on walks three times a day and spoiled while in the facility. As a nonprofit, Brandy asked the alderman if they would consider being on the board for Scooter's Underdogs. Mike stated he appreciates everything that was done before. He hated to see them close the first time and made a motion to allow them to use the old town hall. Tony, Darlene, and Brad agreed. Alice asked for the building to be painted, the Mayor agreed. Tony asked if the town could give a donation, Mayor Boone stated that as of right now the town would have to wait until Scooter's Underdogs becomes a nonprofit. Mayor Boone made a motion to do a sixth month contract with Scooter's Underdogs to use the old town hall building. Mike made a motion; Brad seconded the motion. All in favor.

Jacquie Balhouse and Sammie Jones came to say thank you for the town's assistance with the Christmas festivities. Mayor Boone and Alice Whittington thanked them as well. Jacquie said Santa was great, the kids that attended had a great time.

APPROVALS:

Mayor Boone stated the minutes were amended to add the closed session minutes and asked for a motion to approve the November minutes. Alice made a motion to approve the minutes, Darlene seconded the motion. All in favor.

Mayor Boone asked for a motion to approve the financial statements. Alice made a motion; Darlene seconded the motion. All in favor.

Mayor Boone asked for a motion to approve the bills for November. Brad made a motion, Tony seconded the motion, all in favor.

Jennifer went over the leak adjustments for the month of November,

- Charles Hughes - \$298.13
- Shanna Houston - \$227.73
- Amos Nidiffer - \$277.62
- Tonia Cable - \$102.26

Mayor Boone asked for a motion to approve the leak adjustments. Mike made a motion to approve the leak adjustments, Brad seconded the motion. All in favor.

OLD BUSINESS:

Jason discussed the size and pricing of a new storage building at the sewer plant for Christmas decorations. Brad asked if one size building would be better, Jason answered bigger would be best. After some discussion, a discrepancy in the price was found. Mayor Boone asked if the board all agreed on the bigger building and if the price is close to thirteen thousand dollars, would the board want to approve the building? Brad made a motion to approve the building, if the price is close to thirteen thousand dollars, Alice seconded the motion, all in favor.

Mayor Boone stated that every two years the board appoints council members positions on the board. The Mayor continued he would recommend Darlene as Mayor Pro Tem, as it is usually the member with the most votes in the election, as well as she has the experience to do so. The board agreed with Brad making a motion to approve, Mike seconded the motion. All in Favor. Mayor Boone said he would like Darlene to remain the finance officer, Jennifer is in the process of switching bank accounts and it would be difficult to change now. Mike made the motion to approve Darlene as finance officer, Brad seconded the motion. All in favor. Mayor Boone stated

he would like to remain the clerk's supervisor; however, he would like to split Tyler and Jason up to have two separate supervisors. Mayor Boone stated he would like to be Jason's supervisor. Mike made a motion for Mayor Boone to become Jason's supervisor, Tony seconded the motion. All in favor. Tony and Brad agreed Mike should remain over the police chief. Darlene made a motion to approve Mike over Jack McCloud, Tony seconded the motion. All in favor. Mayor Boone asked the board who they would like to supervise Tyler. Tony stated he would like to. Mike made a motion to approve Tony as Tyler's supervisor, Alice seconded the motion. All in favor.

Jennifer stated that the board needs to adopt an ordinance for the AIA grant. The ordinance states how funds shall be properly handled during the grant. The Mayor opened the floor for a motion to approve the ordinance, Brad made a motion to approve, Tony seconded the motion. All in favor.

Mayor Boone asked Jennifer to read the information concerning the Resolution for the Town Attorney to act for The Town of Elk Park. Jennifer read "The attached Resolution helps avoid jurisdictional challenges to enforcement actions brought on behalf of the Town and other matters which may require court action. The Town Council ultimately retains the authority to determine whether the Town pursues any matter in litigation." Darlene made a motion to approve the resolution, Brad seconded the motion. All in favor.

Mayor Boone asked the board to approve raising his spending limit to \$1,500 based off inflation. Tony made a motion to approve raising Mayor Boone's spending limit, Brad seconded the motion. All in favor.

Mayor Boone showed the board the fence at the sewer plant where a large tree had fallen and broken the fence. Mayor Boone stated he requested it be fixed right away due to safety concerns. Mayor Boone stated he would text everyone when they find out the cost of the repairs.

REPORTS:

Jason stated Ed Turbyfill asked if the town can replace the door on the blower room at the sewer plant because it is becoming louder. Mayor Boone was concerned about how the building has settled and if the doors could be replaced. Mike stated he would visit the sewer plant and let the board know about replacing the doors.

Mayor Boone asked Mike if he had any reports from Jack. Mike stated no, and he would like Jack to work nights and weekends. The Mayor asked if he had written any tickets since working for the town. Mike stated he believed he had written a couple, but he would find out more. Mayor Boone mentioned that the Sheriff had spoken with him about a mutual aid agreement between the sheriff's department and the town. The Mayor stated the town would sign a contract with the sheriff's department where the town would be responsible for half the salary of the officers and would sell the police vehicle to the sheriff's department for one dollar. In exchange, there would be twenty-four-hour law enforcement coverage for Elk Park. Alice asked who would do the officer's scheduling. Mayor Boone stated that the sheriff's department would be responsible, and the officers could be radar certified.

BOARD DISCUSSION:

Tony stated that all the aldermen can tell the employees to do something when something needs to be done. Tony also stated when an employee is out of work their supervisor and the clerk needs to know. The Mayor agreed and stated any sick time or vacation time needs to be approved.

Mayor Boone asked the board to look through the packets before the meeting and if there are questions about anything ask Jennifer before the meeting. Mayor Boone asked the alderman if they would mind picking up their packets from town hall on Thursday afternoon or Friday before the meeting.

Mike Smith stated Chris King isn't answering questions and has been hard to deal with as our insurance representative. Mike continued Jennifer is going to meet with a new group to take over our benefits from Chris.

Mayor Boone mentioned getting quotes from trash companies to start doing trash pickup for the town. Mayor Boone said it would free up Jason and Tyler for another day and might be a better option than hiring another full-time employee. Brad stated there are several new local companies that would be a better option than GDS.

Mayor Boone stated it is time for the council members to take their ethics training. Alice and Darlene suggested having a called meeting for everyone to take it at the same time.

The Mayor asked for a motion to enter closed session, Mike made a motion, Brad seconded the motion. All in favor.

CLOSED SESSION.

Mike made a motion to give \$200.00 to Tyler and Jason. Brad stated end-of-year evaluations will be used to base raises and bonuses across the board. Tony seconded Mike's motion. Brad and Darlene in favor. Alice opposed. Alice stated the board needs to restructure raises & bonuses.

ADJOURNMENT:

A motion to adjourn was made by Mike. Seconded by Brad. All in Favor.

MAYOR DANIEL BOONE

CLERK JENNIFER S. BEAM