

TOWN OF BURNSVILLE
Regular Meeting
June 3, 2010

The Town Council, with members Mayor Danny McIntosh, Ruth Banks, Judy Buchanan, Doyce McClure, and Ron Powell present, held its regular meeting on Thursday, June 3, 2010, in the Town Hall. Also in attendance were town staff members Brian Buchanan, Leslie Crowder, Shane Dale, Jeanne Martin, Isaac McCurry, and George Nero; Town Attorney Todd Bailey; and visitors Jake Blood, Lucy Doll, Jody Higgins, Amanda Martin, Steve Souther, and others. Mayor McIntosh, who presided, called the meeting to order.

- Public Comment
 - Steve Souther spoke to Council about what he perceives to be a dangerous situation when walking or pulling out of Mountain Village Apartments. His concerns were illustrated with photographs that he brought for Council review. The Mayor advised Mr. Souther that some safety issues in this area have already been addressed by the town recently. Police Chief Brian Buchanan and Public Works Director Shane Dale agreed to study the situation for further opportunities to improve safety in this area.
- Adoption of Agenda – Ron Powell made a motion to adopt the agenda before Council. Judy Buchanan seconded the motion, which was unanimously approved.
- Consideration of Minutes - The minutes from the following meetings were considered:
 - Regular meeting held May 6, 2010
 - Closed session held May 6, 2010
 - Special meeting held May 11, 2010
 - Closed session May 11, 2010
 - Special meeting held May 12, 2010 (recessed) and May 19, 2010
 - Closed session held May 12, 2010
 - Closed session held May 19, 2010
 - Special meeting held May 20, 2010
 - Closed session held May 20, 2010
 - Special meeting held May 26, 2010
 - Closed session held May 26, 2010

Ruth Banks made a motion to approve the minutes from the aforesaid meetings as written. Judy Buchanan seconded the motion, which was unanimously approved.

- Consideration of Ordinances – Town Attorney Todd Bailey was present to discuss the following proposed ordinances:
 - For control of "internet sweepstakes" businesses – Attorney Todd Bailey told Council that the General Assembly is currently considering this issue and it would be wise to wait for the outcome before proceeding any further.
 - Revision to Ordinance Addressing Public Consumption of Alcohol – Todd Bailey presented Ordinance 2010.6.3-1, a proposed revision to Section 5-6 in Chapter 5 of the Town's

Code of Ordinances, which addresses public consumption of alcohol on town property. The revision makes an exception to the existing ordinance to allow consumption of various alcoholic beverages at the Burnsville Town Center, and includes a declaration that public sidewalks are owned by the town. A copy of the aforesaid ordinance is attached to these minutes and by reference made a part hereof. Ron Powell made a motion to adopt the aforesaid ordinance; Judy Buchanan seconded the motion, which was unanimously approved.

Review of Town Center Policy / Rental Contract – Attorney Todd Bailey presented a revision to Burnsville Town Center policies which delegates authority to the Town Center manager with regard to events that include alcoholic beverages. The Mayor said he would like to see the policy include a requirement for examination of permits by the police chief. Ron Powell made a motion to adopt the aforesaid policy with the suggested inclusion. Judy Buchanan seconded the motion. Voting results were as follows:

Ayes: Ruth Banks	Noes: Doyce McClure
Judy Buchanan	
Danny McIntosh	
Ron Powell	

- Conference with Town Attorney – Judy Buchanan made a motion to enter closed session pursuant to N.C.G.S. 143-318.11(a)(3) and N.C.G.S. 143-318.11(a)(6). Ruth Banks seconded the motion, which was unanimously approved.

Council reconvened the open meeting. No action was taken as a result of the closed session.

- Small Town Main Street Community Update – Jake Blood reminded Council that the town has been chosen for participation in the NC STEP program; an orientation will be held in Raleigh next week.
- Consideration of Contract with Yancey County for Fire Service Protection – Available for review was a proposed contract with Yancey County for Fire Service Protection. This contract for fire protection outside city limits provides for a tax rate increase from 5 to 6 cents and authorizes a \$12,099 annual payment to the Pensacola Fire Department for their services to the Pensacola fire insurance district. Ruth Banks made a motion to approve the aforesaid contract with Yancey County and authorize the Mayor's signature to the document. Ron Powell seconded the motion, which was unanimously approved.
- Appointment of PEDC Member: Finance and Banking Seat – Council considered an appointment to the Economic Development Commission. After discussion, Ruth Banks made a motion to reappoint Gerald Presnell to the Finance and Banking seat of the PEDC. Judy Buchanan seconded the motion, which was unanimously approved.
- Consideration of Resolution Authorizing Application for a Grant for a Water/Sewer Capital Improvement Plan – Council members learned of an upcoming opportunity for the development of a comprehensive water/sewer capital improvement plan. Available for consideration was "*Authorizing Resolution by the Town Council of the Town of Burnsville.*"

Doyce McClure made a motion to adopt said Resolution and authorize the Mayor to sign the document. Judy Buchanan seconded the motion. Voting results were as follows:

Ayes: Ruth Banks
Judy Buchanan
Danny McIntosh
Doyce McClure

Noes: Ron Powell

- Energy Efficiency Grant Award – Council was advised that the town was recently awarded a \$10,250 energy grant, which will be used for the retrofit of lighting and replacement of a heating/cooling unit at the Town Hall.
- NC DENR Assessment of Civil Penalties – Council discussed a DENR notice of violation that needs to be addressed by June 17th. It was generally agreed that Shane Dale would contact Attorney Billy Clarke for help in obtaining an extension on the response.
- Recommendations for Water and Sewer Rates/Fees – Ron Powell made a motion to adopt water and sewer rates/fees on the schedule marked "M," a copy of which is attached to these minutes and by reference made a part hereof. Judy Buchanan seconded the motion, which was unanimously approved.
- FY 2010 – 2011 Budget – Ruth Banks made a motion to hold a public hearing to consider the upcoming budget on June 29th at 5:30 p.m. at the Town Hall. Judy Buchanan seconded the motion, which was unanimously approved.

Ruth Banks made a motion to hold the regular July meeting on June 29th, directly following the budget hearing, at the Town Hall. Judy Buchanan seconded the motion, which was unanimously approved.

- Department Updates

Fire Department – Assistant Chief Isaac McCurry reported:

- Updates on grant activity;
- A live burn will be conducted on June 12th at 219 McIntosh Street at a house donated by the Martins;
- The 85th Fire Department banquet will be held on June 18th.

Police Department – Police Chief Brian Buchanan reported:

- Officers have been busy on narcotics activities;
- Coordination of summer activities on the town square is underway;

Public Works – Public Works Director Shane Dale reported:

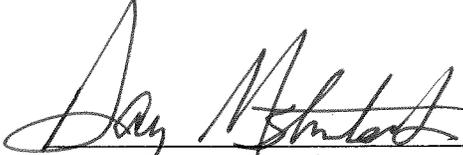
- Staff has been involved in routine operations;
- As the newly-appointed department director, he is working on acclimating himself.

Town Center – Facility Manager George Nero updated Council on events that have been scheduled for the next month. Nine public ticketed events will be held in July, including "Folkmoot."

- Next Regular Town Council Meeting – The next regular meeting (for July, 2010) will be held at the Town Hall on June 29, 2010, directly following the budget hearing scheduled for 5:30 p.m.

There being no further business, Doyce McClure made a motion to adjourn. The motion was seconded by Ron Powell, and unanimously approved.

Jeanne Martin, Town Clerk



Danny McIntosh, Mayor

TOWN OF BURNSVILLE
Special Meeting
May 27, 2010 (recessed)
June 2, 2010

On May 27, 2010, the Town Council, with members Mayor Danny McIntosh, Ruth Banks, Judy Buchanan, Doyce McClure, and Ron Powell present, held a special meeting in the Town Hall. Also in attendance were staff members Leslie Crowder, Niles Howell, Jeanne Martin, and Isaac McCurry. The Mayor called the meeting to order, stating that the purpose of the meeting was to consider budgetary issues for FY 2010 – 2011.

Councilors examined the proposed fire department budget for the upcoming fiscal year with Fire Chief Niles Howell and Assistant Chief Isaac McCurry, who explained the rational for their budget requests. No contentious issues were identified.

Councilors revisited the water and sewer budgets, and directed the clerk to obtain comparative quotes on tests that are routinely performed for the water and sewer operations.

There was a discussion of proposed rates for health insurance for town employees. It was generally agreed that the town would build the Blue Cross renewal rates in the preliminary budget.

Judy Buchanan made a motion to recess the meeting until Wednesday, June 2, 2010, at 5:30 p.m. at the Town Hall. Ruth Banks seconded the motion, which was unanimously approved.

On Wednesday, June 2, 2010, the Town Council, with members Mayor Danny McIntosh, Ruth Banks, Judy Buchanan, Doyce McClure and Ron Powell present, reconvened a Special Meeting that was recessed on Thursday, May 27, 2010, at the Town Hall. Also in attendance were town staff members Leslie Crowder and Jeanne Martin; and visitor Jody Higgins. Mayor McIntosh, who presided, called the meeting to order.

Council revisited several versions of the proposed water and sewer rates and the water/sewer and street budgets.

It was generally agreed that the second revision of the NC Rural Water Association rate schedule, which doubles the water and sewer rates for outside customers and follows the practice of maintaining the base rate of 0 to 3,000 gallons, would achieve revenues necessary to meet the town's budget. It was also generally agreed that CDI fees would remain unchanged, reconnect fees would increase by \$10, and late fees would be imposed of 8% or a minimum of \$5.00, whichever is greater.

Ron Powell made a motion to recess the meeting. Judy Buchanan seconded the motion, which was unanimously approved.

After a short recess, the meeting resumed, with previous attendees present, and Councilors considered salary increases. It was generally agreed that salaries would be increased across-the-board by 2%, with some exceptions; changes to the longevity policy would not occur at this time. Proposed increases to water and sewer rates were considered in relation to the upcoming budget.

There being no further business, Ron Powell made a motion to adjourn. Judy Buchanan seconded the motion, which was unanimously approved.

Jeanne Martin
Jeanne Martin, Town Clerk

Danny McIntosh
Danny McIntosh, Mayor