

TOWN OF BURNSVILLE  
Regular Meeting  
December 2, 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, December 2, 2010, in the Town Hall. Also in attendance were town staff members Brian Buchanan, Leslie Crowder, Shane Dale, Charlie Hensley, Niles Howell, Jeanne Martin, George Nero, and Tom Storie; and visitors Jody Higgins and Barbara Webster. Mayor McIntosh, who presided, called the meeting to order.

▪ Public Comment:

No one asked to be heard during the public comment period.

- Adoption of Agenda – Ruth Banks made a motion to adopt the agenda, as proposed. Judy Buchanan seconded the motion, which was unanimously approved.

- Consideration of Minutes - The minutes from the following meetings were considered:

- Regular meeting held November 4, 2010
- Closed session held November 4, 2010

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

- Main Street Advisory Board Concerns/Update

- Council learned that Barbara Webster will once again be the recipient of a NC Small Town Main Street award, this time for the Burnsville Sundial Quilt Block project. The awards ceremony will be held in Shelby on January 27<sup>th</sup> and Mrs. Webster is hopeful that Council and others from Burnsville will attend. Details of the Shelby program will be available at the January meeting.
- Barbara Webster discussed preliminary details regarding the "Starry Sky Night" she is organizing for January 8<sup>th</sup>. The star-gazing event will take place on the square from 8 p.m. until midnight and much interest has been generated thus far. Judy Buchanan made a motion for the town to sponsor this event, which is expected to recur at least quarterly. Ron Powell seconded the motion, which was unanimously approved.

- Public Art

- Council considered a proposed revision to the town's public art policy. Changes affect membership on the Design Board, replacing the "downtown merchant" seat with a "person-at-large." Design Board terms were also specified.

Ron Powell made a motion to adopt the revised policy, 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.

- Council considered the appointment of an at-large member to the Public Art Design Board. Ron Powell made a motion to appoint Lisa England from the NuWray Inn. Judy Buchanan seconded the motion, which was unanimously approved.
- Proposal for Assistance with Information Technology – A proposal submitted by Janice McKinney for information technology assistance was reviewed. Council generally agreed to utilize Mrs. McKinney's services as proposed through the end of the budget year.
- Commissioner Vehicle Request – Councilors learned that Yancey County Commissioners have asked to use the town car for 2 to 3 days while they attend the School of Government's "Essentials" class in Asheville next week. Ron Powell made a motion to approve the use of the town car for this purpose. Judy Buchanan seconded the motion, which was unanimously approved.
- Budget Amendment for Wastewater Compliance Assistance – Council considered a budget amendment to include expenditures for miscellaneous engineering related to compliance in the "Wastewater Penalty" line. Ruth Banks made a motion to amend the budget to include these expenditures. Judy Buchanan seconded the motion, which was unanimously approved.
- Resolution Concerning the United States Flag Protocol – Consideration was given to proposed protocols concerning the U. S. flag. Doyce McClure made a motion to adopt a Resolution defining U. S. flag protocols to which the town would adhere. Ron Powell seconded the motion, which was unanimously approved. A copy of the Resolution is attached to these minutes and by reference made a part hereof.
- Department Updates

Fire Department – Speaking on behalf of the Burnsville Fire Department, Charlie Hensley proposed consideration of a salary increase for the town's full-time firefighter, since he is assuming additional responsibilities as the town's safety officer. Mr. Hensley advised that no budgetary revision would be necessary other than adjustments to the department's expenditure lines. Ruth Banks made a motion to designate the paid firefighter as the town's safety officer, and to change this position from hourly to salaried, with supervisory responsibilities over part-time employees. Annual salary will be equivalent to \$15/hour. The job description will include safety-related duties pursuant to OSHA requirements. Judy Buchanan seconded the motion, which was unanimously approved.

Mr. Hensley provided an update on the Fire Department's 2010-2011 revenues, which appear to be healthy thus far. He asked for and received permission from Council to begin the planning process for a new fire department facility.

Police Department – Police Chief Brian Buchanan presented samples of ordinances that were obtained from Marion and Chapel Hill that regulate street solicitations. It was mentioned that the town can lawfully set criteria that could include the requirement for insurance coverage, 501(c)3 status, and specific hours/locations for solicitation activity. Attorney Todd Bailey will be asked to draft an ordinance for consideration.

Public Works – It was reported:

- The town's application to the Clean Water Management Trust Fund was denied;
- Utility relocation on the bypass has begun;
- The town's application to the state's Clean Water Revolving Fund has been approved for \$1.6 million @ 1.5% over 40 years, with \$800,000 forgiven. It is estimated that payments will be approximately \$28,000 annually. Ruth Banks made a motion to proceed with this loan project and authorize the Mayor to sign all related documents. Doyce McClure seconded the motion, which was unanimously approved.
- Conversations with the Rural Center concerning the Asset Management program are ongoing; after the first of the year this program, which is required for the revolving loan, will get underway. The town is a pilot community in this program;
- Longview will be patched when weather improves;
- The \$40,000 project for McGill to develop the town's Capital Improvement Plan will begin after the first of the year;
- To date, there has been no word about the town's application to the Department of Commerce for zoning assistance;
- Codification of ordinances will begin after the first of the year;
- Work continues with the Small Town Main Street advisory board; Jake Blood is applying for a Main Street Solutions grant, which necessitated Councilor Ron Powell's attendance at a recent workshop; and
- The STEP program is moving along as prescribed by the program facilitator/coach.

Town Center – Facility Manager George Nero gave an update on events that have been scheduled for the next month.

- Closed Session - A motion was made by Ron Powell to enter into closed session to discuss matters relating to the qualifications, competence, performance, condition of appointment of a public officer or employee or prospective public officer or employee (N.C.G.S. 143-318.11(a)(6)). The motion was seconded by Doyce McClure and unanimously approved.

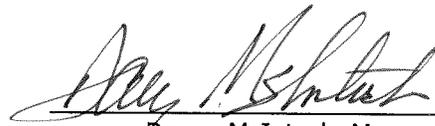
Council reconvened open session. No action was taken as a result of the closed session.

- Next Regular Town Council Meeting – The next regular meeting will be held at the Town Hall on January 6, 2011, at 6:00 p.m.

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



Jeanne Martin, Town Clerk



Danny McIntosh, Mayor