

BURNSVILLE TOWN COUNCIL
REGULAR MEETING
Thursday, February 3, 2011

The Town Council, with members Mayor Danny McIntosh, Ruth Banks, Judy Buchanan, Doyce McClure, and Ron Powell present, held its regular meeting on Thursday, February 3, 2011, in the Town Hall. Also in attendance were town staff members Brian Buchanan, Leslie Crowder, Anthony Hensley, Jeanne Martin, George Nero, and Tom Storie; and visitors Michelle Ball, Jake Blood, Bob and Lisa Cohen, Chris Deyton, Jeff Moore, Lucy Doll, Jody Higgins, Britt McCurry, Wanda Proffitt, and Barbara Webster. Mayor McIntosh, who presided, called the meeting to order.

- Public Comment - No one asked to speak during the public comment period.

- Adoption of Agenda – Ron Powell made a motion to adopt the agenda placed before Council. Judy Buchanan seconded the motion, which was unanimously approved.

- Consideration of Minutes – The minutes from the following meetings were considered:
 1. Regular meeting held January 6, 2011
 2. Closed session held January 6, 2011

Ron Powell made a motion to approve the minutes from the aforesaid meetings. Doyce McClure seconded the motion, which was unanimously approved.

- ARC Closeout Documents, re: Altec Project – Documents intended to closeout ARC Grant 05-A-1481 (CDBG), which was the subject of the public hearing held prior to this meeting, were available for consideration. Ron Powell made a motion to authorize the Mayor to sign the documents and finalize the grant. Ruth Banks seconded the motion, which was unanimously approved.

- Consideration of Resolution “Establishing an Entrepreneurial Economic Development Plan” – EDC Director Wanda Proffitt explained that the process to certify Burnsville as an Entrepreneurial Community had begun several years ago and is now being completed. Certification will offer opportunities to help entrepreneurs to begin or expand in our county and provide possibilities for marketing through AdvantageWest. A resolution of support from the town council is required for certification.

Ron Powell made a motion to adopt a Resolution Establishing an Entrepreneurial Economic Development Plan. Judy Buchanan seconded the motion, which was unanimously approved.

- Sidewalks / Pedestrian Plan – EDC Director Wanda Proffitt explained that with the emphasis on walkable communities as a recruitment tool, she has been looking for help with sidewalks and bike paths in Burnsville, mentioning that the D.O.T. has a division for pedestrian sidewalks. She

introduced D.O.T. Division 13 engineers Jeff Moore, Chris Deyton, and Britt McCurry, who have agreed to assist in the pursuit of funding sources for an update of the town's existing pedestrian plan. Council members generally agreed that Anthony Hensley, Jeanne Martin, and Wanda Proffitt should work with the D.O.T. staff on this project.

- Budget Amendment – Finance Officer Leslie Crowder explained the need for a budget amendment to recognize payment due the Employment Security Commission for unemployment compensation. The amendment will have the following effect:

Increase 10-660-1000 Workers' Comp/Unemployment	-	\$9417.09
Decrease 10-420-7401 (General Fund Reserve)	-	\$9417.09

Ruth Banks made a motion to approve the budget amendment as stated above. Judy Buchanan seconded the motion, which was unanimously approved.

- Status Updates:

1. Small Town Main Street Advisory Board
 - a. Jake Blood told Council that the STMS Advisory Board is looking at spring cleanup on the town square.
 - b. Barbara Webster thanked Council for supporting her at the NC Small Town Main Street awards ceremony in Shelby, where the award was given for the Burnsville sundial quilt block.
 - c. *"Stars on the Square"* was a success and provided opportunities for improvement, including closing the square to traffic in the future. Tentative dates are April 9, October 1, and July 2.
2. Main Street Solutions Fund (NC Department of Commerce) – Available for review was a Resolution supporting the NuWray's grant application for the creation of a stay-eat-learn project at the Inn. The project will promote economic development in an historical context. Ron Powell made a motion to adopt the Resolution of support. The motion was seconded by Judy Buchanan and unanimously approved.
3. NC STEP (NC Rural Center) – At the January 18th meeting, Tres Magner told the leadership group about a feasibility study that is underway for marketing agricultural products in Yancey County. The group also discussed the development of a ten-year vision.
4. Water/Sewer Asset Management Plan (NC Rural Center) – Anthony Hensley reported that he has talked with GHD, the consulting firm doing the project. They will be in touch with us soon to set a date for a two-day visit. Duncan Cavanaugh, with High Country Council of Governments, has been updated with materials we provided to GHD.
5. Water/Sewer Capital Improvement Plan (NC Rural Center/McGill) – Tom Storie reported that McGill Associates is working on this project, but is not ready to submit anything to the town for review.
6. East Yancey Sewer District – Project is moving along with a summer 2011 construction date.

7. U.S. 19 E Utilities Relocation (NC D.O.T.) – A pre-bid conference on this project will be held on February 15th, when potential bidders can meet with engineers. Bid opening is scheduled for March 1st.
8. I & I Remediation Projects (NC Clean Water Revolving Loan/McGill) – Information received from NC DENR was available for council review, is attached to these minutes, and by reference made a part hereof. Harry Buckner with McGill Associates has indicated they will be in communication with DENR immediately.
9. Annexation Study (High Country Council of Governments) – Anthony Hensley reported that Kelly Coffey has indicated the mapping is complete and the COG is currently looking at areas for eligibility and financial gains/losses.
10. Ordinance Codification (American Legal) – This assignment has been delegated to Ronnie Tipton, who is currently pulling more information together for American Legal.
11. Zoning Assistance (NC Department of Commerce) – Ronnie Tipton is waiting to hear from Betsy Kane, who is to work with him on this project.
12. OSHA Safety Program – Anthony Hensley reported that the town’s safety director, Isaac McCurry, has begun coordinating Hepatitis A and B and tetanus immunizations for employees. Public Works staff now have safety vests and hard hats. Mr. McCurry has also been in discussion with the NC League of Municipalities about safety standards, and he has been investigating the safe transport of chlorine to the water plant.

Department Updates:

Police Department

- Councilors were asked for comments or questions regarding the proposed job descriptions they were given last month for review. Judy Buchanan made a motion to adopt the job descriptions with the proposed changes/additions. Ruth Banks seconded the motion, which was unanimously approved.
- Chief Brian Buchanan reported that the History Museum will be holding a reenactment in April and wants to fire a cannon. Council was told this would be a one-day event. It was generally agreed to turn the matter over to the police chief.

Public Works Department – Public Works Director Anthony Hensley reported:

- Staff has been involved in routine operations;
- A roof has been erected over the control panel at Altec;
- There is an ongoing cleaning process going on at the maintenance shed.

Town Center – Facility manager George Nero provided an update on events that have been scheduled for the next month. The fundraiser for a stage curtain that was held last month brought \$560; another event will be held in the future for this purpose.

Fire Department – Danny McIntosh reported that the department has been reasonably busy.

▪ Council Members' Reports

Ron Powell reported on the **Shelby awards ceremony**, mentioning that Barbara Webster's project was the prettiest.

Ron Powell reported that May 14th is the **Graham's** fitness run, and asked the town to sponsor and close the streets according to the way it was done last year. Ron Powell made a motion for the town to sponsor all events in 2011 that were sponsored last year. Ruth Banks seconded the motion, which was unanimously approved.

Danny McIntosh reported that **Traditional Voices'** Riddlefest is coming to the Town Center soon.

Danny McIntosh reported that a petition is being circulated involving the need for Frontier Communications to reestablish an office in Burnsville. He requested and received a motion from Doyce McClure for a letter to be written from the town in support of the reestablishment of a local Frontier office. Ruth Banks seconded the motion, which was unanimously approved.

- ABC Board First Quarter Reports – Attorney Todd Bailey reported on recent legislative activities that related to the ABC board. He also summarized the quarterly report, mentioning that the Burnsville ABC operation is well run, and is being operated on a shoestring. They are housed in a building with a 5 year lease that has a 3 year opt-out clause.

▪ Consultation with Town Attorney:

1. Town ordinances (status, adoption and/or discussion) – Council was given the following for consideration:
 - Ordinance No. 2011.2.3-1 – *Amending Chapter 8 of the Code of Ordinances of the Town of Burnsville by Adding Certain Business Regulations*, a copy of which is attached to these minutes and by reference made a part hereof. Mr. Bailey suggested that Council proceed slowly with changes to ordinances, except for emergencies, until existing ordinances are codified.
 - Ordinance No. 2011.2.3-2 – *Regulating Solicitation of Charitable Contributions in, on, or near a Street or State Roadway within the Town of Burnsville*, a copy of which is attached to these minutes and by reference made a part hereof. Mr. Bailey suggested that an option is to not adopt this ordinance and police would simply cite individuals under G.S. 20-175(d) and (e).

- Closed Session – A motion was made by Judy Buchanan to recess for a short time and thereafter enter closed session as authorized by N.C.G.S. 143-318.11(a)(3). The motion was seconded by Ruth Banks and unanimously approved.

No action was taken as a result of closed session.

Next Regular Town Council Meeting - The next regular meeting will be held at the Town Hall on March 3, 2011 @ 6:00 p.m.

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



Jeanne Martin, Town Clerk



Danny McIntosh, Mayor