

BURNSVILLE TOWN COUNCIL
Thursday, September 1, 2011

The Town Council, with members Mayor Danny McIntosh, Ruth Banks, Judy Buchanan, Doyce McClure, and Ron Powell present, held a regular meeting on Tuesday, September 1, 2011, in the Town Hall. Also in attendance were town staff members Brian Buchanan, Leslie Crowder, Anthony Hensley, Jeanne Martin, and George Nero, as well as visitors Jake Blood, Dottie Buker, Lucy Doll, Harrison Tyner, and others. Mayor McIntosh, who presided, called the meeting to order, stating that the purpose of the meeting was to consider regular business for the month of September, 2011.

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

- Adoption of Agenda – Prior to the adoption of the agenda, Ron Powell made a motion to conduct the meeting only until 7 p.m. this evening and recess until 7 a.m. Friday, September 2, 2011 to consider any unfinished business. Ruth Banks seconded the motion, which was unanimously approved. Judy Buchanan made a motion to adopt the agenda as presented. Ron Powell seconded the motion, which was unanimously approved.

- Consideration of Minutes – The minutes from a special meeting held August 2, 2011 were considered. Ron Powell made a motion to approve the minutes from the aforesaid meeting. Judy Buchanan seconded the motion, which was unanimously approved.

- East Yancey Sewer District – Council considered the draft of a letter proposed for delivery to Don Evans (DENR), a copy of which is attached to these minutes and by reference made a part hereof. The intent of the letter, which had been prepared by Harry Buckner (McGill Associates), was to communicate the town’s intent to reallocate funding for this project to the East Yancey Water Sewer District. Anthony Hensley told Council that Attorney Todd Bailey has recommended the town postpone signing the letter until an operations agreement between the town and the EYWSD has been reached.

Ron Powell made a motion to not sign the letter. Doyce McClure seconded the motion. The Mayor said he was concerned that the administration of the DENR grant would expose the town to more liability. Ron Powell said the town’s finance staff is capable of administering the grant and if the funds are reallocated the town would lose \$3 million worth of infrastructure. Ruth Banks and Judy Buchanan both agreed that more information is necessary before a decision on this issue is made.

Voting results were as follows:

Ayes

Ruth Banks
Judy Buchanan
Doyce McClure
Ron Powell

Noes

Danny McIntosh

- Consideration of Ordinance to Create a Planning Board Pursuant to N.C.G.S. 160A-361 – Available for consideration was proposed ordinance No. 2011.9.1-1, *Ordinance to Establish a Planning Board for the Town of Burnsville, North Carolina*, a copy of which is attached to these minutes and by reference made a part hereof. There was a discussion about the need to include text requiring that board members be resident homeowners of the town; Todd Bailey will be asked to revise the ordinance to include that text in Section 3-21 (b) A.

Judy Buchanan made a motion to adopt the ordinance with the aforesaid revision. Ruth Banks seconded the motion, which was unanimously approved.

- Appointments to Planning Board – Council considered applications from town citizens who had expressed an interest in serving on the town’s planning board. After discussion, voting by ballot, and tossing a coin to break a tie, the following appointments were made:

Chuck Aldridge (three year term)
Randy Banks (two year term)
Thomas Dean Gates (one year term)
Jayme Fox Maier (two year term)
Harrison Tyner (three year term)

Appointees will be notified by mail. It was agreed that Ronnie Tipton will be the Planning Board’s contact.

- Speed Bumps – On behalf of the Baptist Hill Property Owners Association, Dean Gates spoke to Council about the issue of speed bumps. He said there are six speed bumps installed within a two block area in his neighborhood, and there are concerns with their existence being a hazard for public safety and other vehicles. He said town ordinances don’t address their installation, and suggested the town consider an ordinance that would resemble state law.

Ron Powell made a motion to remove all speed bumps until the issue can be considered by the newly appointed Planning Board. Judy Buchanan seconded the motion, which was unanimously approved.

- Order of Collection to Tax Collector for Fiscal Year 2011 – 2012 – Ron Powell made a motion to order the Tax Collector to collect taxes for FY 2011 – 2012. Doyce McClure seconded the motion, which was unanimously approved.

- Status Updates:

1. Small Town Main Street Advisory Board – No changes to report.
2. Main Street Solutions Fund (NC Department of Commerce) – No changes to report.
3. NC STEP (NC Rural Center) – No changes to report.

4. Water/Sewer Asset Management Plan (NC Rural Center) – Anthony Hensley reported that Crystal McNeely with GHD visited on August 23rd to gather more information and look at the town’s assets. Ms. McNeely shared the drafted plan and explained its future maintenance. She is currently working on the final report.
5. Water/Sewer Capital Improvement Plan (NC Rural Center/McGill) – The contract with McGill Associates has been received and is currently being reviewed. A progress update is due by October 15th.
6. East Yancey Sewer District – Anthony Hensley reported that the county-revised contract is currently under review.
7. U.S. 19 E Utilities Relocation (NC D.O.T.) – Council learned that the project is going well, and McGill Associates continues full-time inspections.
8. I & I Remediation Projects (NC Clean Water Revolving Loan/McGill) – Anthony Hensley reported that a contract with McGill Associates is currently under review.
9. Annexation Study (High Country Council of Governments) – Anthony Hensley said that Kelly Coffey has provided information on legislative changes and is currently working on defining boundaries that should be considered.
10. Ordinance Codification (American Legal) – Department Heads have completed their editorial review of the draft, and the edited document has been returned to American Legal.
11. Zoning Assistance (NC Department of Commerce) – The town is waiting on Betsy Kane’s report in October.
12. Broadband/Cable – Council learned that 90% of fiber has been installed in town.

▪ Department Updates:

Fire Department – No one was available for a report.

Police Department - Chief Brian Buchanan reported:

- The position for a full time officer has been filled by Rick Turner.

Public Works Department – Public Works Director Anthony Hensley reported:

- Staff has been busy this month with repair of broken water and sewer lines;
- The town has a backhoe that has been in use since the 70’s that needs to be declared surplus. Judy Buchanan made a motion to declare the equipment surplus; Ron Powell seconded the motion, which was unanimously approved.

- Copies of contracts with McGill Associates for the Inflow and Infiltration and Capital Improvement Plan projects were available for review and will be considered at the October Council meeting.

Town Center – Facility Manager George Nero provided schedules and entertainment information for the upcoming month. He reported that the Institute of Government recently held a City-County legislative update; representatives from 21 towns, 9 counties and 7 agencies were in attendance.

Mr. Nero asked Council for direction as to the appropriate entity to bill for the Golden Leaf meetings that are being held at the town center. The Mayor suggested the County be considered for the responsibility.

▪ Council Members' Reports

- The Mayor said that he has met with Wanda Proffitt and the D.O.T. concerning the intersection at CVS.
- Judy Buchanan reported on a recent RTAC meeting. Our highway project is proceeding on schedule, and the RTAC budget was ratified.
- Ron Powell reported that the Public Art Design Board meeting will be held next week. Armin Wessel has replaced Martin Webster as a board member.

- Next Regular Town Council Meeting - The next regular Council meeting will be held October 6, 2011. There being no further business, Ron Powell made a motion to adjourn and thanked Council for the orderly progression of the meeting. Doyce McClure seconded the motion, which was unanimously approved.



Jeanne Martin, Town Clerk



Danny McIntosh, Mayor