

BURNSVILLE TOWN COUNCIL
Thursday, February 2, 2012

The Town Council, with members Mayor Danny McIntosh, Ruth Banks, Judy Buchanan, Ron Powell, and Bill Wheeler present, held a regular meeting on Thursday, February 2, 2012, in the Town Hall. Also in attendance were town staff members Brian Buchanan, Leslie Crowder, Anthony Hensley, Niles Howell, Jeanne Martin, and George Nero; and visitors Bill Baker, Cass Beall, Jake and Cynthia Blood, Ellen Denker, Lucy Doll, Dean Gates, Jody Higgins, Wanda Proffitt, Raven Tata, Phil Trew, Barbara Webster, 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 February, 2012.

▪ Public Comment - The following individuals commented:

1. Raven Tata spoke about the NC STEP process in which the town has been involved for the past year and a half. She said the program provided a great opportunity for community interaction, but she was disappointed at the end of the process. As the originator of a technology strategy, she had hoped she would have been considered for participation in the Burnsville Development Group. She said she looked forward to further discussions with Council.
2. Barbara Webster updated Council on the recent Small Town Main Street awards ceremony that was held in Clayton. Ms. Webster and Bob Hampton collaborated on the *Stars on the Square* project that won the statewide competition for Burnsville. Ms. Webster said she was proud to represent the town and thanked Council for funding the Clayton trip.
3. Cass Beall spoke about his water bill for Mary Jane's Restaurant. He said the bill reflected a 49,000 gallon usage and a plumber told him there was no leak. He has paid the bill to avoid disconnection.

Public Works Director Anthony Hensley said if there was a leak he could adjust the bill. He explained that a 1/16" hole in a water pipe could result in a loss of 160,000 gallons of water per month; a 1/4" hole could contribute to a 500,000 gallon loss. He advised Mr. Beall to look for leaks under the building. He said that if a leak were on the town side of the meter, the meter wouldn't turn. He said he didn't know where the 49,000 gallons of water went, but he has to account for it. He told Mr. Beall that he is just following policies that have been established by Council, and reiterated that he could adjust the bill if Mr. Beall discovered a leak.

The mayor suggested the issue might be a matter for an attorney and agreed to look at water use records, with Mr. Beall's permission. Mr. Beall agreed to permit the mayor's review, and commented that at least it wouldn't feel like the town council was against business.

- Adoption of Agenda – Ron Powell made a motion to adopt the agenda, as presented. Ruth Banks seconded the motion, which was unanimously approved.
- Consideration of Minutes – Ruth Banks made a motion to approve minutes from the following meetings:

1. Public Hearing held December 1, 2012
2. Regular meeting held January 5, 2012
3. Closed session held January 5, 2012

Ron Powell seconded the motion, which was unanimously approved.

- Town Square Events – A list of reserved dates for events to be held on the square was circulated among council members. It is hoped that a complete 2012 events calendar will be available for the March meeting.

Eloise Koeck asked to speak about the *Cinco de Mayo* event scheduled for Saturday, May 5th. This festival, which is being planned by a group that is interested in being more involved in the community, has never been held on the square before. She said the Town Center was considered for the festival, but planners feel an outdoor setting will draw a larger crowd. Ms. Koeck was asked to work with the police chief on road closure issues. It was clarified that this is not a town-sponsored event.

- Planning Retreat – Phil Trew, with High Country Council of Governments, spoke to Council about planning retreats, mentioning that facilitating retreats is a service offered by the COG. The subject of a planning retreat was considered last year, but Mr. Trew reminded Council that at that time he recommended Council postpone the activity until projects involving ordinance codification, zoning repair, a capital improvement plan, asset management, and NC STEP, to name a few, were complete. He explained the process involved in developing a comprehensive plan, but suggested that when all the aforementioned activities are complete, only a land use plan may be needed, which would be a useful tool for the town to have.

Dean Gates, chairman of the town's planning board, said the town is not ready to work on a comprehensive plan because of the activities in which it is already involved.

- Local Government Participation Certification (Scattered Site Housing Program) – Phil Trew explained the purpose of the scattered site housing program and the need for the town to be involved in the process. He said the county appoints a review committee, and the town has been invited to participate. Currently, Danny McIntosh and Anthony Hensley sit on the committee.

Ron Powell made a motion to authorize the Mayor to sign *Local Government Participation Certification*. Bill Wheeler seconded the motion, which was unanimously approved.

- Unemployment Compensation Claim – Council was told that former employee Alicia Harrison has withdrawn her unemployment compensation claim.
- Discussion of Updated/New Fire Station – Ron Powell read a letter addressed to Fire Chief Niles Howell that asked for information on the Fire Department's plans to purchase property and

construct a new fire station. Ron Powell made a motion to forward this letter on behalf of council to the Fire Chief. Ruth Banks seconded the motion, which was unanimously approved.

- Discussion of Banking Options – Councilors reviewed a spreadsheet that summarized quotes from various banks that have indicated interest in serving the town’s banking needs. A copy of this spreadsheet is attached to these minutes and by reference made a part hereof. Ron Powell made a motion to select Bank “A” for town banking. Ruth Banks seconded the motion, which was unanimously approved.

- Status Updates:

1. Small Town Main Street Advisory Board – Jake Blood advised that the STMS board did not meet this month, but will be meeting in the future just prior to Planning Board meetings.

Dean Gates, Planning Board Chairman, gave a report on his trip to Clayton for the Small Town Main Street conference.

2. Main Street Solutions Fund (NC Department of Commerce) – Lisa England has been making progress in terms of research for the NuWray Inn cooking school. No money for upgrades to the building has been spent thus far. Quarterly reports have been submitted twice to the DOC. A contract between the town and the NuWray is being drafted by Attorney Todd Bailey.
3. NC STEP (NC Rural Center) – Ron Powell made a motion to appoint the following individuals to the NC STEP Leadership Team and the Burnsville Development Group board:

Dan Barron	Robert Branch
Judy Buchanan	Denise Cook
Leslie Crowder	Ginger Johnson
Jeanne Martin	Tres Magner
George Nero	Wanda Proffitt
Ron Powell	

Bill Wheeler seconded the motion, which was unanimously approved.

4. Water/Sewer Asset Management Plan (NC Rural Center) – Anthony Hensley reported there hasn’t been much change since last month.
5. Water/Sewer Capital Improvement Plan (NC Rural Center/McGill) – No change in the past month.
6. East Yancey Sewer District – Anthony Hensley reported that materials are being delivered to the site. Construction should begin soon.
7. U.S. 19 E Utilities Relocation (NC D.O.T.) – Anthony Hensley said the town, McGill, and the D.O.T. are pushing hard for completion, which is now expected March 14th.

8. I & I Remediation Projects (NC Clean Water Revolving Loan/McGill) – Anthony Hensley reported that these projects are still in the permitting process. Contracts need to be executed by July 2nd.
9. Ordinance Codification (American Legal) – The utility ordinance is currently being drafted for review.
10. Zoning Assistance (NC Department of Commerce) – Council members received Betsy Kane’s preliminary report in November. Council members were asked to be ready next month with feedback/comments.
11. Broadband/Cable – Raven Tata reported that according to Brian Hyder, paperwork is holding up progress; the technicalities are vast.
12. Other – Wanda Proffitt reported that she, Anthony Hensley, and George Nero have met to draft the Golden LEAF proposal. She said an application for a CDBG grant to support the Golden LEAF request is possible. Council members generally agreed to applications for Golden LEAF and CDBG funding for an East Yancey water line.

▪ Department Updates:

Fire Department – Niles Howell reported:

- The department has had another live burn training opportunity;
- The department has 3 new members

Police Department - Chief Brian Buchanan reported:

- The police department has a seized vehicle that needs to be sold; money would go to the school board. Ron Powell made a motion to sell the seized vehicle on GovDeals. Ruth Banks seconded the motion, which was unanimously approved.

Public Works Department – Public Works Director Anthony Hensley reported:

- There was a complaint about the lack of visibility on South Main coming off East Boulevard. The obstruction was a shrubbed area with a town sign in it. Public Works staff removed the sign and trimmed the shrubs. It is planned to relocate the sign in the planter on South Main on the town square side; the sign can be stored until sidewalk improvements are addressed.

Town Center – Facility Manager George Nero provided schedules and entertainment information for the upcoming month.

▪ Council Members’ Reports

- Ron Powell reported that he and Bill Wheeler will be attending training sessions the end of February.
- Public Art Design – no report this month.

- Parking on Land Owned by E. B. Investments Company, LLC – Ron Powell made a motion to enter closed session (after a short recess) pursuant to N.C.G.S. 143-318.11(a)(5). Judy Buchanan seconded the motion, which was unanimously approved.

In open session, Ron Powell made a motion to authorize Anthony Hensley to negotiate the purchase of the subject property with E. B. Investments as instructed by Council. Ruth Banks seconded the motion. Voting was as follows:

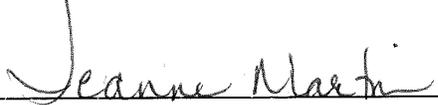
Ayes

Ruth Banks
Ron Powell
Bill Wheeler

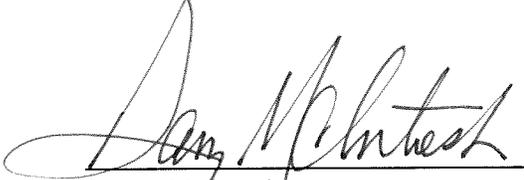
Noes

Judy Buchanan
Danny McIntosh

- Next Regular Town Council Meeting - The next regular Council meeting will be held March 1, 2012. There being no further business, Judy Buchanan made a motion to adjourn. Ruth Banks seconded the motion, which was unanimously approved.



Jeanne Martin, Town Clerk



Danny McIntosh, Mayor