

BURNSVILLE TOWN COUNCIL
Special Meeting
Thursday, August 9, 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, August 9, 2012, in the Town Hall. Also in attendance were town staff members Brian Buchanan, Leslie Crowder, Anthony Hensley, Jeanne Martin, and George Nero, and visitors Lucy Doll, Dean Gates, Jody Higgins, Helga Wyman, 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 August, 2012.

- Public Comment – The following people commented:
 - Lucy Doll provided an update on plans for this year’s Literary Festival.
 - Helga Wyman spoke on a variety of concerns. She provided a written list of her concerns, which is attached to these minutes and by reference made a part hereof.

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

- Consideration of Minutes – Ron Powell made a motion to approve minutes from the following meetings:
 - Special meeting held May 10, 2012
 - Special meeting held May 17, 2012
 - Special meeting held May 29, 2012
 - Special meeting held June 18-19, 2012
 - Closed session held June 18, 2012
 - Closed session held June 19, 2012
 - Public hearing held June 28, 2012
 - Special meeting held June 28, 2012 (for regular July business)
 - Closed session held June 28, 2012
 - Special meeting held July 5, 2012

Bill Wheeler seconded the motion, which was unanimously approved.

- Internet Sweepstakes – This issue was not discussed due to the absence of Attorney Todd Bailey.

- Resolution to Declare Certain Property Surplus – Judy Buchanan made a motion to adopt *Resolution to Declare Certain Property Surplus*, a copy of which is attached to these minutes and by reference made a part hereof. Ruth Banks seconded the motion, which was unanimously approved.

- Planning Board Report – Dean Gates reported on the public forum that was held by the Planning Board on July 16th. There was a good turnout and valuable citizen feedback was received.

Mr. Gates said that 13 bids for design assistance have been received in response to the Planning Board's RFQ. Three of the firms will be interviewed on September 20th.

The Planning Board will bring a draft of the sign ordinance and definitions to Council in September. It is hoped Council will consider them for adoption in October.

- Status Updates:

1. Small Town Main Street Advisory Board (NC Department of Commerce – Division of Community Assistance) / NC STEP (NC Rural Center) – George Nero distributed "Small Town Development News," in which the Town of Burnsville was mentioned.

As to the Burnsville Development Group (BDG), Mr. Nero reported that the mailouts are being printed. The BDG has approved funding for the printed materials needed by the EDC for prospective businesses.

Ron Powell mentioned that the School of Government is offering a program on financing tools on September 19-20, and a scholarship is available for an elected official. Wanda Proffitt said she plans to attend, so carpooling is a possibility. Bill Wheeler expressed an interest in the program.

2. Water/Sewer Asset Management Plan (NC Rural Center) – Anthony Hensley reported that this project is wrapping up.
3. Water/Sewer Capital Improvement Plan (NC Rural Center/McGill) – Anthony Hensley distributed copies of the Capital Improvement Plan for Council review. Mr. Hensley asked Council to set a date for a meeting with McGill Associates so the plan can be presented. The plan is not cookie cutter; every project has been researched and prioritized.

Ron Powell made a motion to hold a meeting at 2:00 p.m. on September 5, 2012 for an update on the Capital Improvement Plan. Bill Wheeler seconded the motion, which was unanimously approved.

4. East Yancey Sewer District – Anthony Hensley reported that pipe is currently being installed in the vicinity of Cane Branch and Plum Branch. Concrete is being installed at the sewer plant. Permitting issues are on hold.

As to the GoldenLEAF application, town staff met recently with D.O.T. about coordinating the water line project and D.O.T.'s road contract into a supplemental agreement, which would provide efficiencies for the town. The D.O.T. is not ready at this time to lay water lines, so Golden LEAF has agreed to work with us on extensions of deadlines.

5. U.S. 19 E Utilities Relocation (NC D.O.T.) – More issues have been identified at Cherry Lane. Once they are addressed, tie-ins at Westover, Pine Swamp and the water box at Ingles can be done.
6. I & I Remediation Projects (NC Clean Water Revolving Loan/McGill) – All documents have been submitted to the state and are currently under review. Council will be asked to officially award the project once state review is complete.
7. Ordinance Codification (American Legal) – Council was asked to be prepared in September to approve the water/sewer ordinance for submission to American Legal. After legal review is complete, Council will be asked to adopt the entire code of ordinances at one time.

The mayor mentioned that new laws on annexation need to be considered as they relate to the requirement for an annexation application with an application for utility service outside town limits.

8. Zoning Assistance (NC Department of Commerce) – Betsy Kane has asked for Council to schedule a joint meeting with the Planning Board in late September or early October so she can present her report. Additionally, she has asked for a roundtable breakfast afterward for businesses to discuss the report. Planning Board Chairman Dean Gates reminded Council that DOC's Ron Hancock and the design group that will be selected by Council in September should be in attendance at the meeting as well.

Judy Buchanan made a motion to schedule a meeting with the Planning Board at 6 p.m. on October 3, 2012 to hear Betsy Kane's report. Ruth Banks seconded the motion, which was unanimously approved.

Ruth Banks made a motion to schedule a breakfast meeting with the business community at 7:30 a.m. at the Town Center on October 4, 2012. Judy Buchanan seconded the motion, which was unanimously approved.

9. Broadband/Cable – Wanda Proffitt provided a brief update on this project, mentioning that core drillings were done in the past week.

▪ Department Updates:

Fire Department – No one from the Fire Department was available to report.

Police Department - Chief Brian Buchanan reported:

- The department just finished the last day of mandatory inservice training.
- Halloween plans include more advertising to draw a larger crowd; road closures the same as last year; and involvement of civic groups to distribute candy.
- The American Sundial Society will be in town on August 17th to see the sundial at the Yancey Common Times building.

Public Works Department – Anthony Hensley reported:

- As to the sidewalk project on West Main and the Square, he has met with Chris Deyton and reviewed plans. Many storm drain issues on West Main will be addressed. This will be one total

project, which will probably be awarded in October. Wanda Proffitt said funds have been approved.

- Mr. Hensley has spoken with D.O.T.'s Rick Tipton about the crosswalk at Cherry Lane; he has agreed to look into the request.
- Four town staff members are currently in training to keep certifications up to date.
- The water treatment plant has received an award from DENR. Because of the great job being done by staff, Council can be confident in the town's drinking water.
- Altec has requested the performing stage for this upcoming weekend. Although they have used the stage in the past, the issue needs to be considered by Council since other out-of-town requests have recently been declined.

Ron Powell reminded Council that it costs the town to put the stage up and down, and depreciation is an ongoing concern. It was bought for the purpose of having a portable stage on the Square. He said he'd like Council to consider a policy providing for Square use only to save wear and tear on the equipment. A proposed policy will be presented at the October meeting.

Town Center – Facility Manager George Nero provided schedules and entertainment information for the upcoming month. He summarized plans for the glass gala planned for September 22nd.

- Council Members' Reports – No reports were available.
- Closed Session pursuant to N.C.G.S. 143-318.11(a)(1), N.C.G.S. 143-318.11(a)(5) and N.C.G.S. 143-318.11(a)(6) –Ron Powell made a motion to enter closed session pursuant to N.C.G.S. 143-318.11(a)(1), N.C.G.S. 143-318.11(a)(5) and N.C.G.S. 143-318.11(a)(6). Ruth Banks seconded the motion, which was unanimously approved.

Ron Powell made a motion to end the closed session. Judy Buchanan seconded the motion, which was unanimously approved.

As a result of discussion in closed session, the following action was taken:

- Judy Buchanan made a motion to authorize Fire Chief Niles Howell to fill the vacancy at the Fire Department with a full-time firefighter. Ruth Banks seconded the motion, which was unanimously approved.
- Ruth Banks made a motion to designate Niles Howell as Interim Safety Officer. Judy Buchanan seconded the motion, which was unanimously approved.

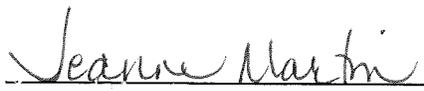
Other action taken:

- After hearing Anthony Hensley summarize a project for a pump station at Lincoln Park, Judy Buchanan made a motion to authorize Anthony Hensley to execute a contract with McGill for engineering services on the project. Ruth Banks seconded the motion, which was unanimously approved. Mr. Hensley said the project is already provided for in this fiscal year's budget.

- Ron Powell made a motion to authorize Anthony Hensley to execute contract with McGill for engineering services on the Golden LEAF water line project for \$88,000. Judy Buchanan seconded the motion, which was unanimously approved.

- Upcoming Town Council Meeting - The next regular Town Council meeting will be held on Thursday, September 6, 2012, at 6:00 p.m.

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



Jeanne Martin, Town Clerk



Danny McIntosh, Mayor