

BURNSVILLE TOWN COUNCIL
Regular Meeting
Thursday, January 3, 2013

The Town Council, with members Mayor Danny McIntosh, Ruth Banks, Ron Powell, and Bill Wheeler present, held a regular meeting on Thursday, December 6, 2012, in the Town Hall. Councilor Judy Buchanan attended the meeting via electronic media. Also in attendance were town staff members Brian Buchanan, Leslie Crowder, Anthony Hensley, Niles Howell, Jeanne Martin, and George Nero; and visitors Lucy Doll, Dean Gates, Sharon Gillespie, Johnny Hensley, Jody Higgins, Ginger Johnson, and Wanda Proffitt. 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 January, 2013.

- Public Comment – No one asked to speak during the time set aside for public comment.
- Adoption of Agenda – It was noted that the agenda did not include consideration of the Ordinance to Control Cross Connections, and it was agreed that this issue would be added to the agenda in February. 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 regular meeting held on December 6, 2012. Ron Powell seconded the motion, which was unanimously approved.
- Presentation of FY 2011-2012 Audit – CPA Sharon Gillespie discussed the details of the town's audit for FY 2011-2012, which was available for review. The audit is attached to these minutes and by reference made a part hereof.

The Mayor expressed appreciation for Mrs. Gillespie's diligent work on behalf of the Town of Burnsville.

- Open Burning Regulations - Council was told that Dallas Miller asked for this issue to be placed on the agenda. Since Mr. Miller was not present at the meeting, the issue was not discussed.
- Planning Board Report
 - Planning Board Chairman Dean Gates pointed out that a vacancy exists on the Planning Board upon the resignation of member Schell McCall. He said an application had been received from Jana Bartleson, who has worked with the Health Department and the Healthy Yancey program, and has been a town resident for the past fourteen years. He recommended that Council appoint Ms. Bartleson to the vacant position.

Ron Powell made a motion to appoint Jana Bartleson to the vacant seat on the Planning Board for the duration of Schell McCall's unexpired term. Bill Wheeler seconded the motion, which was unanimously approved.

- Council members have been provided copies of the proposed sign ordinance that incorporates changes as recommended by Department of Commerce's Ron Hancock. Legal review is still necessary prior to final adoption.

Ron Powell made a motion to hold a public hearing on February 7, 2013 at 5:45 p.m. for consideration of this ordinance. Bill Wheeler seconded the motion, which was unanimously approved.

- **Resolution To Support the 2013 – 2015 Funding for Clean Water Management Trust Fund** – Council reviewed a Resolution indicating its support of the Clean Water Management Trust Fund for FY 2013 – 2015.

Ron Powell made a motion to adopt the aforesaid Resolution and authorize the Mayor to execute the document. The motion was seconded by Ruth Banks, and unanimously approved. The executed document will be forwarded to the Governor-elect.

- **Budget Amendments for Unexpected Sewer Infrastructure Failure** – Anthony Hensley advised that an aerial crossing at the Pine Swamp sewer plant has nearly collapsed, but has been temporarily shored up. McGill Associates has designed a replacement, which needs to be done immediately. The following amendments to the current budget were considered:

Decrease 30-810-7200 (Contribution to Capital Revenue) - \$55,000
Increase 30-815-7403 (Capital Outlay) - \$55,000

Ruth Banks made a motion to amend the budget as outlined above. Bill Wheeler seconded the motion, which was unanimously approved.

- **Status Updates:**

1. Small Town Main Street Advisory Board (NC Department of Commerce – Division of Community Assistance) / NC STEP (NC Rural Center) – George Nero advised that Harrison Tyner and Armin Wessel will be attending the Small Town Main Street conference/awards banquet in Salisbury later this month.

NC STEP has been involved an NEA grant to establish the Toe River Arts District.

The Burnsville Development Group (BDG) is working on the “Explore Burnsville” website, which will be populated with businesses over the next few months.

2. East Yancey Sewer District – Anthony Hensley reported that construction is ongoing; there are no significant changes.
3. Micaville Water Line Extension (GoldenLEAF) – Anthony Hensley reported that we are working with Golden LEAF to fulfill the grantee agreement. Golden LEAF requires evidence that all funds sufficient to complete the project are in place. Council was reminded that the project is expected to cost \$1.4 million, and Golden LEAF has awarded \$1.2. Kelly Coffey with the High Country Council of Governments will work with us to apply for ARC money for the \$200,000 shortfall, but Golden LEAF needs assurances now.

Ron Powell made a motion to adopt a Resolution reserving a \$200,000 match for the project. Bill Wheeler seconded the motion, which was unanimously approved.

As to the project status, the contractor is ready to begin installation of the water line at this time.

4. U.S. 19 E Utilities Relocation (NC D.O.T.) – The project is currently in the closeout process as paperwork is finalized.
5. I & I Remediation Projects (NC Clean Water Revolving Loan/McGill) – Work on these projects is underway, although weather has interfered. Monthly progress meetings are held with the contractor, engineers, and town staff.
6. Ordinance Codification (American Legal) – We have received the revised water/sewer ordinance back from American Legal. A public hearing will need to be scheduled soon.
7. 2012 Sidewalk Project (NC DOT) – Bad weather has interfered with this project, but no problems have developed thus far.
8. Broadband/Cable – Wanda Proffitt provided an update on this project.

▪ Department Updates:

Fire Department – Chief Niles Howell reported:

- Although the appraisal results were expected in December, 2012, no update is available.
- The Department has been busy .
- The issue of open burning was discussed at length. Chief Howell said the public lacks education about requirements for open burns, and produced a brochure on rules established by NC DENR, which he agreed to publicize.

Chief Howell said the town's local ordinance is in conflict with state laws, and commented that the town can be more but not less restrictive than the state. He and Anthony Hensley will work together on appropriate revisions to the local ordinance.

- The tanker pump has failed.

Police Department - Chief Brian Buchanan reported that there have been no major problems in his department.

Public Works Department – Public Works Director Anthony Hensley reported that repairs have been made to the fence at Altec and painting has been completed at the water plant. These repairs were done in response to recommendations made by DENR as part of their annual report.

GDS has been asked to provide a price on biweekly recycle pickup.

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

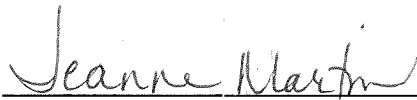
Council Members' Reports

- Bill Wheeler reported that ABC sales were \$100,000 in the past month.
- The Mayor reported that he has been approached by a water customer about the possibility of a refund for a \$100 reconnect fee. He explained the account was in the name of a deceased individual, and left to three sisters, one of whom asked for the water to be disconnected, which the town did. A second sister asked for reconnection, but by this time staff realized that a death had occurred and all three sisters needed to make the request. Reconnection would then be subject to a reconnect fee.

The Mayor made a motion to refund the reconnect fee, as he thought it would be fair and appropriate under the circumstances. The motion failed for lack of a second.

- Minutes from Non-Profits – Minutes from meetings held by the following non-profit agencies were available for review:
 - High Country Council of Governments
 - Parkway Playhouse
- Upcoming Town Council Meeting - The next regular Town Council meeting will be held on Thursday, February 7, 2013 at 6:00 p.m.

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



Jeanne Martin, Town Clerk



Danny McIntosh, Mayor