

**BURNSVILLE TOWN COUNCIL**  
**Special Meeting**  
**Thursday, January 9, 2014**

The Town Council, with members Mayor Theresa Coletta, Ruth Banks, Judy Buchanan, Ron Powell, and Bill Wheeler present, held a regular meeting on Thursday, January 9, 2014, at the Town Hall. Also in attendance were town attorney Heather Hockaday, town staff members Brian Buchanan, Leslie Crowder, Anthony Hensley, Niles Howell, Jeanne Martin and George Nero; and visitors Doyle Blevins, Chris Carter, Lucy Doll, Sharon Gillespie, Nancy Griffith, Jody Higgins, Justin Layell, Jeff Mertz, Wanda Proffitt, and others. The Mayor, who presided, called the meeting to order, stating that the purpose of the meeting was to consider regular business for the month of January, 2014. She advised that Attorney Heather Hockaday will act as parliamentarian and Anthony Hensley will provide a summary of action taken at the end of meetings. In the future, cutoff time for agenda items will be at 12 noon on the Monday prior to the meeting.

- Public Comment – No one asked to speak during the period set aside for public comment.
- Adoption of Agenda and Consent Agenda – Ron Powell stated that Item 5 on the agenda should become Item 7 e. so as to keep Attorney Heather Hockaday’s reports together. Mr. Powell then made a motion to adopt the agenda and consent agenda, as revised. Ruth Banks seconded the motion, which was unanimously approved.
- Consideration of Consent Agenda
  1. Consideration of Minutes
    - a. Organizational meeting held December 2, 2013
    - b. Special meeting held December 5, 2013

**Council action requested: Approve aforesaid minutes**

2. Status Updates:
  - a. Administration
    - 1) Budget Amendment – to recognize increased revenues as a result of claim payment by NC League of Municipalities for storm damage from July, 2013 flooding:

Increase 30-397-0000 (Miscellaneous Revenues) ~ \$22,800.78  
Increase 30-810-7403 (Capital Outlay) ~ \$22,800.78
    - 2) Taxes - Unpaid Balance Report by Receipt Number

**Council action requested: Approve aforesaid budget amendment**

b. Police Department

- 1) We have a current opening in the Police Department due to Officer Pate taking a position with another department. I have posted the position on the directory at town hall and have advertised the position. We have received a few applications and I hope to fill the position soon.
- 2) Anthony and I met with the representatives from the History Association about their upcoming events and I believe we worked out the majority of the concerns that we had surrounding their event. They took an event packet to fill out and we will try to iron out any details after they turn the packet back in to Ronnie.

c. Public Works

- 1) East Yancey Sewer District (Yancey County) – The treatment plant is getting very close to completion. Some of the training is scheduled for the 9<sup>th</sup> and 10<sup>th</sup> of January. The line work is still on hold but will be re-bid as soon as the required permits are issued from the NC Fish and Wildlife.
- 2) Micaville Water Line Extension (Golden LEAF) – No change. The contractor is installing water line as the road construction progresses. We have received the first reimbursement from Golden LEAF that covers the engineering fees. The town submitted an application to ARC and the Rural Center for the remainder of the funds needed to complete the project. In a recent letter, ARC stated that the Town of Burnsville's project was not selected for funding. Kelly Coffey from HC COG said that even though the town's project was not selected it was still possible for it to be funded if there were additional funds left over from other projects. At this time we do not know the status of the Rural Center request.
- 3) I & I Remediation Projects (NC Infrastructure Finance Section / McGill) – This project is in the close-out phase.
- 4) Lincoln Park Pump Station (McGill) – The foundation for the pump station is complete and the pump is scheduled to ship on January 17<sup>th</sup>.

d. Other

- 1) Small Town Main Street – Our meeting was held on December 16<sup>th</sup>. Main Street design information and the monthly newsletter were distributed. It was decided to send Dean Gates to attend the annual meeting in New Bern. The next meeting will be on Monday, January 20<sup>th</sup>.
- 2) NC STEP/BDG – The video of the youth engagement portion has been put on YouTube to be viewed by all. Work on the video portion directed toward economic development needs is ongoing. An ongoing commitment by the Gear Up folks at the schools for 2014 was discussed. It was agreed to help the town purchase a four wheeler with a two for one match to use for downtown enhancement. The next quarterly meeting will be held on the third Monday in March.

Ron Powell made a motion to approve aforesaid minutes. Judy Buchanan seconded the motion, which was unanimously approved. Ron Powell moved to adopt the aforesaid Budget Amendment. Ruth Banks seconded the motion, which was unanimously approved.

- FY 2012-2013 Audit Review - CPA Sharon Gillespie discussed the details of the town's audit for FY 2012-2013, which was available for review. The audit, which the town "passed," is attached to these minutes and by reference made a part hereof. Reference was made to the management letter, which pointed out deficiencies in segregation of duties, unavoidable for a small unit. While the auditors found nothing of concern, they had to book year-end accruals, which is necessary to report. Additionally, a necessary capital project fund was established but not accounted for, requiring auditor assistance.

The Mayor remarked that she felt strongly about the town's finances, and expects Council to work as a team to address the needs of each department. She expressed concern that long range planning is not evident except in the Public Works Department, where a plan has been developed by McGill Associates. As to the town's liabilities, she inquired about the police department's agreement with NC Regional Housing Authority. Police Chief Brian Buchanan said the agreement has expired and was not renewed due to budgetary constraints.

- Planning Board Report

1. Minutes from the Planning Board's meeting held December 16, 2013 were available for review. It was mentioned that there will not be a Planning Board meeting in January. The Planning Board has changed their regular meeting time to the third Tuesday of each month.

The Planning Board has been discussing the crosswalk and its functionality at Academy Street and the possibility of creating a one-way direction at Academy Street. Anthony Hensley advised he would be meeting with DOT's Hannah Henderson in the near future to discuss this issue as well as radar signs on West Main Street. According to Ms. Henderson, DOT will allow installation of the signs through an encroachment agreement with the understanding we would purchase and maintain the signs. Brian Buchanan will begin looking at electronic radar speed sign designs.

2. Ordinance for tattoo parlors – Councilor Ron Powell updated Council on the status of the tattoo parlor ordinance. A public hearing will be necessary to adopt an amendment to the town's zoning ordinance that will formally incorporate design guidelines and provisions for tattoo parlors, and establish a design review committee. Judy Buchanan made a motion to schedule a public hearing for this purpose during the town's regular meeting in February. Ruth Banks seconded the motion, which was unanimously approved.
3. Councilor Ron Powell reminded Council that there is a vacancy on the Planning Board and appointments will need to be made to the Design Review Committee, once it is formally established.

4. There was some discussion about voluntary annexation requests that have accompanied water and sewer applications. Attorney Heather Hockaday agreed to research; existing applications will be held until such research is complete.

- Request from High Five Hospitality Holding, LLC for Annexation – Information was not available at meeting time; the issue remained on the agenda as it continues to be “open.”
- Appointment to Economic Development Commission – Council was reminded that EDC bylaws provide for either the mayor or a town council member to be appointed to its board. While the Mayor and Councilor Judy Buchanan had previously indicated an interest in sharing the appointment, EDC Director Wanda Proffitt said it was the mayor who historically held the position, although Councilor Buchanan was welcome to attend meetings.
- Consideration of Yancey History Association’s Request for Resolution – Bill Wheeler moved to adopt a resolution to “Proclaim April 25, 26 and 27, 2014 the Sesquicentennial Commemoration Weekend of the Battle of Burnsville,” which was unanimously approved.
- Budget amendment – cost overrun for sidewalk project on West Main and Town Square  
Increase 10-399-0000 (Fund Balance) ~ \$50,129.44  
Increase 10-560-7401 (Capital Sidewalk Project) ~ \$50,129.44

Anthony Hensley explained that this multi-year project was approved for funding over several years. On June 7, 2012 Council authorized a \$50,000 amendment for DOT enhancements, which incorporated improvements to the square sidewalks. The project came in over-budget, bringing the total to \$92,129.44. Construction moved forward and DOT had leftover brick to use on the square sidewalks. At that time Council approved an additional \$8000, but no firm numbers were in the contract so there was no formal budget amendment.

Ruth Banks moved to adopt the requested budget amendment, which was unanimously approved.

- Department Updates:
  - Fire Department – Fire Chief Niles Howell advised that the Forest Service has submitted a \$480,000 appraisal on its building located on the bypass. Although there is a 30 day turnaround in the contract, there is no deadline for response. After a meeting with fire department officers, it was decided to postpone a decision because of access issues related to the new road. Additionally, officers have decided to study a counter-offer. Heather Hockaday will review the Forest Service’s packet prior to moving forward.

Chief Howell told Council that he met the deadline on the state grant application and has identified items for the proposal. This is a 50/50 grant.

The Mayor told Chief Howell that fire department needs will be a topic of discussion at Council’s work session on January 18<sup>th</sup>. Bill Wheeler and Ron Powell said they plan to attend the next business meeting at the Fire Department.

- Public Works Department:

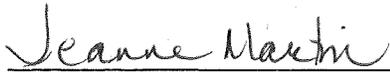
2013 Square Events – a schedule will be available for approval in February.

During last week's winter storm, many water/sewer situations cropped up, including main breaks at the courthouse, on North Main Street, and at the front of Town Hall. Most breaks resulted in leaks of 100-150 gallons per minute, resulting in icy streets. Town crews worked in concert with the police department and the DOT. Several crew members pulled a 40 hour shift with no breaks. Mr. Hensley wanted Council and the public to know that the situations were handled well, and crew members were to be commended.

- Town Center – George Nero provided an update on upcoming events. He told Council that the annual agreement with the Abundant Life Church had terminated, as they are moving back to Mitchell County.
- Council Members' Reports
  - Councilor Bill Wheeler reported that he attended the January Fire Department meeting; at the meeting members listed items for the 50/50 grant.
  - Mr. Wheeler advised that the ABC store sold \$106,000 in the past month.
  - Ron Powell advised that TRAC is working on a Smart grant from the NC Arts Council and is currently working on an RFQ for public art gateway designs for the Town of Burnsville.
  - Judy Buchanan and Bill Wheeler reported they had attended the last RTAC meeting in Boone.
- Minutes/Reports from Advisory Boards and Non-Profits
  - High Country Council of Governments – minutes available.
  - Parkway Playhouse – minutes available.
  - Public Art Design Board - minutes available.
  - Yancey County EDC - minutes available. Wanda Proffitt reported that she is working with Denise Cook (TRAC) on the Smart Initiative, and through this program, funds were provided to the School of Government for assistance to consult with a downtown developer. EDC is currently looking for investors interested in tax credits that could apply to the former post office property.
    1. Council heard an update on the status of the broadband project. It was noted that Country Cable is still awaiting signoff from Rural Utility Service to hook up. The roof at the old library is being worked on to make it secure from water leaks prior to housing the technology center in the building.
- Upcoming Dates:
  - Town Council workshop at Town Center on January 18, 2014, from 10:00 a.m. until 2:00 p.m.
  - *Human Capital Matters* – a new webinar on succession planning from UNC School of Government
- Office Hours for Mayor Coletta – it was announced that the mayor will hold regular office hours in the Pete Coletta Board Room each week on Mondays from 2:00 p.m. until 5:30 p.m. and by appointment. Martha Peterson will continue using this room the 2<sup>nd</sup> and 4<sup>th</sup> Thursdays each month.

- Anthony Hensley provided a recap of action taken during the meeting.
- Other – Visitor Jody Higgins told Council that a sprinkler line flooded the upstairs meeting room at the new library. The ceiling fell into the children’s’ reading area. Restoration service began the next morning, books are being moved, and the library will be closed indefinitely.
- Upcoming Town Council Meeting – A regular Town Council meeting will be held on Thursday, February 6, 2014 at 6:00 p.m. to conduct regular business for the month of February, 2014.

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

  
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Jeanne Martin, Town Clerk

  
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Theresa Coletta, Mayor