

BURNSVILLE TOWN COUNCIL
Regular Meeting
Thursday, October 1, 2015

On October 1, 2015, the Town Council, with members Mayor Theresa Coletta, Ruth Banks, Judy Buchanan, Ron Powell and Bill Wheeler present, held a regular meeting at the Burnsville Town Center. Also in attendance were staff members Brian Buchanan, Leslie Crowder, Chad Fox, Anthony Hensley, Niles Howell and Jeanne Martin; Town Attorney Heather Hockaday; and visitors Alan Benowitz, Lucy Doll, Dean Gates, Jerry Griffith, David Grindstaff (Yancey Common Times) Shannon Peterson, Wanda Proffitt, Jessica Webb, and others. The Mayor, who presided, stated that the purpose of the meeting was to conduct regular business for the month of October, 2015.

- Public Comment
 - a. Lucy Doll reported that this year's Literary Festival was the most successful ever. The group has rented space at the Cultural Resource Center.
 - b. Luetta Stamey told Council that she has discovered she is not connected to the sewer system, although she has paid for service ever since she moved into her house in 1997. Although billing on the account has stopped, Ms. Stamey asked Council to consider a refund dating back to 1997.
- Adoption of Agenda – The mayor suggested revisions to the agenda as follows:
 - a. Jessica Webb to present her comments during the Public Hearing later in the meeting;
 - b. The EDC report to follow TRAC under Advisory Boards and Non-Profits Updates;
 - c. Add closed session at end of agenda pursuant to NCGS 143-318.11(a)(1) and NCGS 143-318.11(a)(3).

Judy Buchanan moved to adopt the agenda with the aforesaid revisions. Bill Wheeler seconded the motion, which carried.

- Consideration of Minutes – Minutes from the following meetings were available for consideration:
 - a. Regular meeting held September 3, 2015
 - b. Special meeting held September 15, 2015
 - c. Closed session held September 15, 2015
 - d. Special meeting held September 21, 2015

Ron Powell moved to approve all of the aforesaid minutes. Motion carried.

- Planning Board Report – Planning Board Chair Dean Gates, reported:
 - a. Minutes from the Planning Board meetings held September 10, 2015 and September 24, 2015 were available for review.
 - b. Planning Chair Dean Gates explained the rationale in the recommendation for amendments to the zoning ordinance as outlined in the Planning Board's minutes from their meeting held September 24th. He asked why no one from Planning or Zoning was present at Council's September 15th work session when these amendments were first considered. The Mayor explained their presence wasn't appropriate at that time.

Ron Powell asked about the tall pole flags that read backwards that have appeared around town. Mr. Gates said they are called “blowing signs” and they are illegal. Mr. Powell also asked for the Planning Board to study ways to limit or control off-premise banners, such as those in front of CVS.

- Public Hearing on Proposed Amendments to the Zoning Ordinance for the Town of Burnsville – Available for review was a document with proposed amendments to the zoning ordinance, which had been drafted by Attorney Heather Hockaday pursuant to Council direction. Ron Powell indicated he wanted to discuss some changes to the documents, and Mrs. Hockaday said any changes to the proposed amendments would necessitate a revised draft. Judy Buchanan made a motion to open the public hearing on the aforesaid matter. Ron Powell seconded the motion, which carried. An opportunity was provided for public input. Jessica Webb, the sole proprietor of *To the Top* tattoo parlor, introduced her husband, a tattoo artist, and advised that their operation would have strict policies, including identification checks. It was noted that Lucy Doll had signed up for public comment at the hearing, but left the meeting early. No one else was present to speak either in favor of or against the proposed amendments. Bill Wheeler moved to close the hearing. Judy Buchanan seconded the motion, which carried. Judy Buchanan made a motion to return to the regular meeting agenda. Bill Wheeler seconded the motion, which carried.
- Consideration of Proposed Amendments to the Zoning Ordinance for the Town of Burnsville – Council entered discussion about the proposed amendments. Ron Powell commented that it appears there are quite a bit of restrictions overall on tattoo parlors, and we need to think about the community. There was general agreement in favor of the Planning Board’s recommendations, with the exception of Sunday closings. It was generally agreed that operation hours on Sunday should be from noon until 8 p.m. Heather Hockaday will redraft the amendments, prepare a plan consistency statement and bring the document back to Council for vote.
- Consideration of Proposed Ordinance for Road Closures – Police Chief Brian Buchanan told Council that an ordinance is necessary at this time to close the road for *Mt. Mitchell Toy Run*, an event that will be held this month. Ron Powell moved to adopt an ordinance to close the road for this event. Theresa Coletta seconded the motion, which carried.
- Department Updates:
 - a. Administration:
 - Personnel Policy update (Jeanne Martin/Judy Buchanan)
 - ✓ With a few exceptions, the job descriptions are complete. A final review of the entire policy is currently underway.
 - Unpaid Balance Report pursuant to G.S. 105-369(a) dated September 25, 2015, provided as an update of uncollected revenues, was available for review. Council was told that a variety of collection efforts are underway.
 - Available for review was a letter from Yancey County terminating the month-to-month lease agreement for space at the Town Center.
 - Finance Issues (Leslie Crowder)
 - ✓ Council reviewed the Budget vs. Actual dated September 25, 2015.

- b. Fire Department – Chief Niles Howell reported
 - Status of Property – Chief Howell asked attorney Heather Hockaday to look into legalities involved in declaring the barn on the property as surplus.
 - ✓ Fundraising efforts – The department has acquired an ATV for a grand prize raffle. Tickets are currently being printed. Mayor Theresa Coletta moved to approve spending over \$10,000 for the purchase of this vehicle. Judy Buchanan seconded the motion, which carried.
 - Operations
 - ✓ Council reviewed the monthly call summary.
 - ✓ The Department participated in an *Active Shooter* drill at Mountain Heritage High School.
 - ✓ The Department is currently involved in evacuation plan meetings with area nursing homes, assisted living facilities and schools.
 - c. Police Department – Chief Brian Buchanan reported:
 - The department participated in the *Active Shooter* exercise at the high school.
 - Since the Chamber’s Halloween event is currently not a town-sponsored event it would require the Chamber to apply to the D.O.T. for permission for the road closure, but there is insufficient time for the request to be considered. If the town would sponsor the event, an ordinance could be considered on October 20th at Council’s work session. Mayor Theresa Coletta moved to sponsor this popular event; Judy Buchanan seconded the motion, which carried.
 - Chief Buchanan advised that the officer he has had out on sick leave will be coming back to work on October 15th.
 - d. Public Works Department – Public Works Director Anthony Hensley reported:
 - Work on capital projects continues. There is a glitch with the meter program and until there is resolution, new meter installation will be suspended.
 - Sewer line videoing is being done from Cherry Lane to Burger King; soon all of Burnsville will be complete. Correcting the problem areas will be the next focus.
 - We are continuing to work with GoldenLeaf on the hosiery mill waterline project. McGill Associates is working on the engineering, after which we will go to bid.
 - The Department of Commerce is going to administer the ARC grant for the Micaville project, and signature authority is needed. Bill Wheeler moved to authorize the Mayor to assign signature authority to Anthony Hensley. The motion was seconded by Ron Powell and carried.
 - Solar panels have arrived for the speed signs.
 - e. Town Center – Chad Fox gave an update on Town Center events, mentioning that there will be the annual Farm Bureau dinner, Medicare enrollment sessions, and three concerts this month. October will be very busy.
- Council Members’ Reports
- a. Mayor Theresa Coletta:
 - The mayor discussed the joint meeting with the EDC, Chamber of Commerce, and Yancey County that was held on September 21st.
 - The mayor distributed packets of documents that will need review and discussion at a future meeting.
 - Councilors were reminded of the October 20, 2015 planning work session.

b. Councilor Ron Powell reported on a workshop he attended that was sponsored by the School of Government and presented by Greg Allison (SOG) and Sharon Edmondson (NC Department of State Treasurer). He said he has scheduled an appointment with Leslie Crowder to learn more about the town's finances.

▪ Updates from Advisory Boards and Non-Profits

a. Toe River Arts Council (minutes and financials available).

b. Yancey County Economic Development Commission – minutes were available.

- EDC Director Wanda Proffitt reported on the submission of two grant applications that will support local agricultural initiatives.
- Mrs. Proffitt commented on the observatory groundbreaking that was attended by the Mayor and Council members.
- Council learned that public artist Jack Mackie made a presentation to the Community Foundation; Mrs. Proffitt and Denise Cook will be making a presentation to the Mountain Air homeowners group for funding to support Burnsville beautification initiatives.
- HSM has been in Yancey County for 45 years now, and will be hosting an open house. HSM is excited about our sewer project, and had high speed internet connected this past week. They have spent \$3 million this year on equipment upgrades.

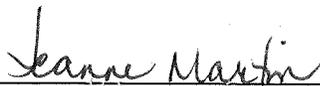
▪ Other – Judy Buchanan moved to recess and reconvene in closed session. Motion carried.

Pursuant to NCGS 143-318.11(a)(1) and NCGS 143-318.11(a)(3), Council reconvened in closed session.

No action was taken as a result of closed session.

▪ Next Regular Town Council Meeting – The next regular town council meeting will be held on Thursday, November 5, 2015 at 6:00 p.m., at the Burnsville Town Center to consider regular business for the month of November.

▪ There being no further business, Judy Buchanan moved to adjourn. Ron Powell seconded the motion, which carried.



Jeanne Martin, Town Clerk



Theresa Coletta, Mayor