

**BURNSVILLE TOWN COUNCIL**  
**Regular Meeting**  
**Thursday, February 5, 2015**

On February 5, 2015, the Town Council, with members Mayor Theresa Coletta, Ruth Banks, Judy Buchanan, Ron Powell and Bill Wheeler present, held a special meeting at the Burnsville Town Center. Also in attendance were staff members Brian Buchanan, Leslie Crowder, Chad Fox, Anthony Hensley, Randy Proffitt, Jeanne Martin, and George Nero; town attorney Heather Hockaday; and visitors Denise Cook, Lucy Doll, Dean Gates, Ginger Johnson, Rachel Lewis, Wanda Proffitt, Kelly Roth, and others. The Mayor, who presided, stated that the purpose of the meeting was to conduct regular business for the month of February.

- Public Comment
  - a. Kelly Roth spoke to Council about a proposed event, *Yancey County Health Fair*, that she is planning for August 22<sup>nd</sup> on the Town Square. She explained this will be a multi-agency community outreach project, and asked Council to support and sponsor the event.
  - b. Lucy Doll spoke about this year's literary festival and some of the authors who have agreed to appear.
- Adoption of Agenda – Mayor Coletta advised there is an additional item for discussion since the agenda was prepared, which is consideration of an HRA Resolution. Bill Wheeler made a motion to amend the agenda to include this item, and adopt the agenda as amended. Ron Powell seconded the motion, which was unanimously approved.
- Consideration of Minutes – The minutes of the following meetings were available for review:
  - Special meeting held January 8, 2015
  - Special meeting held January 24, 2015

Judy Buchanan made a motion to approve the minutes from the aforesaid meetings. Ron Powell seconded the motion, which was unanimously approved.

- Public Hearing on Amendment to the *Ordinance Establishing a Planning Board for the Town of Burnsville adopted September 1, 2011* – The mayor announced that the public hearing on this matter will need to be postponed due to a publication error for the hearing that was planned for this evening. Ruth Banks made a motion to hold a public hearing on March 5, 2015 at 6:00 p.m. at the Burnsville Town Center to consider an amendment to the *Ordinance Establishing a Planning Board for the Town of Burnsville*. Judy Buchanan seconded the motion, which was unanimously approved.
- Planning Board Report
  - a. Minutes from Planning Board meeting held January 20, 2015 and from the Design Review Committee held January 20, 2015 were available for review.
  - b. Planning Board Chair Dean Gates led Council in a discussion about public art, noting that the Planning Board and the Public Art Design Board both are unanimously recommending a 2% private and public contribution for art projects. Anthony Hensley advised that the town has no statutory authority to require private contributions, but there are voluntary options to be

considered, such as a requirement for private investors to meet with the art board, etc. As to public funds, the authority comes from taxation, and there could be a standard ordinance for a specific amount of tax being designated for art projects. He commented that the water/sewer fund has dire needs with a \$14,000,000 master plan needing funding at \$700,000 annually but actually receiving less than \$500,000 in the past two years. On the general fund side, some of the projects in which the town is involved that support the arts include the public art fund, Christmas decorations, the Robert Johnson artwork at the Town Center, donations to TRAC, the Playhouse, etc. The town also donates time and equipment to install and maintain art pieces.

The town, with assistance from the Public Art Design Board, should develop guidelines and fund projects each year depending on available funds. Ron Powell said the Public Art Design Board will meet on March 5, before the next Council meeting, and will address this issue at that time.

It was noted that there is an upcoming joint Planning and Public Art meeting scheduled for February 17<sup>th</sup> at 6:15 p.m.

- c. The animal control ordinance will be brought for consideration at the March Town Council meeting.
- d. The annual Main Street Conference will be held March 18-19-20 in Morganton, and Dean Gates said he'd like to see as many participants from Burnsville as possible, carpooling as available. The cost is \$140 per person; Mr. Gates asked for Council to indicate the amount of support that will be available.

- Certificate of Sufficiency regarding Petition for Voluntary Annexation (Pizza Hut of Burnsville, Inc.) – Town Clerk Jeanne Martin reported that there has been insufficient time to certify Pizza Hut's Petition for Annexation.

- Town Administrator/Public Works Report – Town Administrator/Public Works Director Anthony Hensley reported:

- a. Health Insurance Update – at the worksession held on January 24, there was interest in researching the accessibility of the state healthcare plan. A Resolution was available for Council consideration, a copy of which is attached to these minutes and by reference made a part hereof. Judy Buchanan made a motion to adopt the aforesaid Resolution. Bill Wheeler seconded the motion, which was unanimously approved.

Anthony Hensley said staff will be looking at additional options to gain control of rising healthcare costs, and said healthcare will be a focus at the first budget worksession in the spring. He proposed that Council consider repealing lifetime post-retirement benefits for new hires. Ruth Banks made a motion to add this issue and recommendations to the March Council agenda. Ron Powell seconded the motion, which was unanimously approved.

- b. A Resolution for participation in a Health Reimbursement Account (HRA) was available for review. The HRA is a companion to the healthcare plan we have adopted, which is compatible with the Affordable Care Act, and enables our grandfathered status. Ron Powell made a motion to adopt the aforesaid Resolution and authorize the Town Clerk's signature. Judy Buchanan seconded the motion, which was unanimously approved.

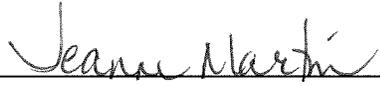
- c. Mr. Hensley said discussion about lighting issues will be pursued with Pizza Hut now that their construction is complete.
  - d. Attorney Heather Hockaday is addressing the difficulties encountered with Yancey County in collecting motor vehicle taxes.
  - e. A schedule of events planned for the Town Square in 2015 was available for review, to which the Yancey County Health Fair on August 22<sup>nd</sup> was added. Ron Powell made a motion to approve the proposed calendar, continue existing sponsorships, and sponsor the Yancey County Health Fair. Bill Wheeler seconded the motion, which was unanimously approved.
  - f. Yancey County has requested extension of the water/sewer line to the Yancey County Senior Center as well as a waiver of the required request for annexation. Ron Powell made a motion to waive annexation for the new Yancey County Senior Center. Bill Wheeler seconded the motion, which was unanimously approved.
  - g. Operations: The crew has been busy with the repair of water line breaks. 150 new meters are now in the ground, and 300 are ready for installation.
- Department Updates:
    - a. Administration:
      - Personnel Policy update:
        - ✓ New work undertaken: benefits
        - ✓ Final review of work completed to date is underway
        - ✓ The next Personnel Policy committee meeting date has been set for February 12<sup>th</sup> at 10:00 a.m. at Ruth Banks' house.
      - Unpaid Balance Report pursuant to G.S. 105-369(a) dated January 28, 2015 was available for review. Council was told that a variety of collection efforts are underway.
      - Refund of tax – Councilors reviewed a printout of payments received from Financial Pacific Leasing that indicated an overpayment for tax bill 20140148. Judy Buchanan made a motion to refund the overpayment in the amount of \$99.59. Ruth Banks seconded the motion, which was unanimously approved.
      - Council reviewed the Budget vs. Actual dated 01/28/15.
    - b. Fire Department – Randy Proffitt provided the Burnsville Volunteers Fire Department's Monthly update dated February 5, 2015.
      - Mr. Proffitt reported the department will be seeking a \$36,954 grant from the North Carolina Fire Department Fund for two new thermal imaging cameras and a turnout gear washer extractor with drying cabinet. The BVFD portion will be \$18,477, which may necessitate a budget amendment to fund the match if the grant is awarded.
      - Status of building and property – A survey on the proposed fire department property is complete. Anthony Hensley reported that the sellers have copies of the executed contract and money has been deposited in escrow with Roberts and Stevens. Copies of the survey are available for review at the town hall. Roberts and Stevens are working on the title search and McGill Associates is doing the environmental study. Both should be complete very soon.
      - The American Heart Association recertification in CPR is complete.
      - Budget work for the upcoming fiscal year is underway.
      - An annual SCBA (Self-contained Breathing Apparatus) inspection is scheduled for next month.

- c. Police Department – Chief Brian Buchanan reported that several officers are scheduled for mandatory and voluntary training through the Justice Academy.
  - d. Town Center – An update on upcoming events was provided by Manager Chad Fox. Public events in February include a Darren Nicholson concert on February 20<sup>th</sup>. Ingle’s is kicking off their concert tour to support local food relief at the Town Center on March 14<sup>th</sup> with Joel Asher, Jr.
- Council Members’ Reports
    - a. The mayor reported on a meeting she and Bill Wheeler attended in Asheville on Public Policy.
    - b. The mayor provided copies of a flyer on an upcoming event at the Town Center, *Creating Local Prosperity Now*. She and Ginger Johnson (Chamber of Commerce) will firm up the program and publicize. The Town Center is being reserved for March 26<sup>th</sup> pending Council approval. Ruth Banks made a motion to approve cosponsoring the event and waive the Town Center fees. Ron Powell seconded the motion, which was unanimously approved.
- Updates from Advisory Boards and Non-Profits
    - a. Yancey County EDC - Wanda Proffitt said the GoldenLEAF project for the old Burnsville Hosiery Mill will be worked on this month.

Mrs. Proffitt said there is an existing industry on Depot Street that needs fire hydrant enhancements due to insurance issues. She asked Council for permission to research funding for this purpose, which only municipalities can leverage. Bill Wheeler made a motion to direct Wanda Proffitt and Anthony Hensley to seek funding for this project. Judy Buchanan seconded the motion, which was unanimously approved.
    - b. Available for review were updates from the Small Town Main Street (STMS) and Burnsville Development Group (BDG) activities. George Nero advised that Small Town Main Street membership fees are proposed to increase to \$250/year. He told Council that the Yancey County marketing group will be using the exploreburnsville.com tagline. Mr. Nero also advised that the BDG group has approved a \$600 expenditure for advertising on the back cover of the Playhouse’s playbill for the upcoming season. In response to a question from the Mayor as to who would fill the chairman’s position on each of these groups once Mr. Nero has completed his work, Mr. Nero advised the positions could be filled by individuals already participating in the groups. He told Council he will be on vacation beginning next week and will take calls and check emails during the vacation period.

Dean Gates thanked George Nero for always being willing to set aside time for valuable consultation.
- Available for review was a Resolution in appreciation for Jody Higgins and naming February 22<sup>nd</sup> as *Jody Higgins Day*. Ron Powell made a motion to adopt the aforesaid Resolution and authorize the Mayor’s signature to the document. Ruth Banks seconded the motion, which was unanimously approved.
  - Anthony Hensley provided a recap of action taken during the meeting.

- Next Regular Town Council Meeting – The next town council meeting will be held on March 5, 2015 at 6:00 p.m., at the Burnsville Town Center to consider regular business for the month of January. There being no further business, Judy Buchanan made a motion to adjourn. Bill Wheeler seconded the motion, which was unanimously approved.



Jeanne Martin, Town Clerk



Theresa Coletta, Mayor