

BURNSVILLE TOWN COUNCIL
Regular Meeting
Thursday, September 3, 2015

On September 3, 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, and Jeanne Martin; Town Attorney Heather Hockaday; and visitors Alan Benowitz, Robert Branch, Denise Cook, Lucy Doll, Dean Gates, former Mayor David Grindstaff, Jody Higgins, Rhonda Higgins, Shannon Peterson, Wanda Proffitt, Woody Ryan, and others. The Mayor, who presided, stated that the purpose of the meeting was to conduct regular business for the month of September, 2015.

- Public Comment – Lucy Doll expressed appreciation for the yield sign that is to be installed on Summit Street. Ms. Doll promoted the Literary Festival scheduled for this weekend at the Town Center and commented that building manager Chad Fox has proven to be a huge asset.

Visitor Alan Benowitz, who has lived at Chestnut Hill since 2006, expressed concerns over the curb appeal of the town, merchants who are closed half a day on Saturday and all day Sunday, and the empty storefronts in the downtown district.

- Adoption of Agenda – Judy Buchanan made a motion to adopt the agenda before Council. Ron Powell seconded the motion, which carried.
- Consideration of Minutes – Minutes from the following meeting were available for consideration:
 - a. Special meeting held August 13, 2015 – Judy Buchanan moved to adopt the minutes as written. Theresa Coletta seconded the motion, which carried.
- Planning Board Report – Planning Board Chair Dean Gates, reported:
 - a. Minutes from the Planning Board meeting held August 20, 2015 were available for review.
 - b. Planning Chair Dean Gates thanked Council members for their service. He said he was concerned that ordinance enforcement was more difficult now because with recent legislation we have lost a mechanism (business license program) to track businesses. He told Council that the Planning Board will be having a Special Meeting to pursue a recommendation that will allow the town to put a business ordinance into effect. Unless and until there is a process in place that would allow the town to work with businesses, there would be no reason for the Planning Board to continue meeting. Businesses deserve consideration and they need to know their investment will be protected and ordinances will be enforced. He asked Heather Hockaday and Anthony Hensley to meet with him to explore available options.
- Contract for Consulting Services (Salary Study) – Robert Branch presented a proposal for a personalized salary study for employees of the town, at a cost of \$7000 maximum. He gave background on his career and similar studies that he has conducted in the past, and said there may be cost savings due to his efficiencies and expertise. The mayor said she would like the results of the salary study in advance of the January work session so it can be a resource for decision-making.

Councilor Ron Powell said that once he got a copy of the proposal, he corresponded with Mr. Branch to clear up some questions, and then called the NC League of Municipalities and the High Country Council of Governments to explore their services and costs for a similar study. Although High Country did not respond in a timely manner, the League did.

Mr. Powell said he feels the salary study is premature since job descriptions have not been officially revised. He proposed that the job descriptions be revised and reviewed by the League, who works through a company that specializes in this type work, including writing personnel policies, job descriptions, etc. The cost would be commensurate with Mr. Branch's, except for travel.

Mr. Branch said he would need a roster of all employees and descriptions for each. His research would include a comparison of our job descriptions to those developed by the Department of Labor.

Mr. Powell said Council hasn't yet seen any work done to date by the Personnel Policy Committee, although he admitted that at the beginning of the project he said he didn't want to see piecemeal work.

Councilor Judy Buchanan said that revisions to the personnel policy have nothing to do with a salary study, although job descriptions do. She and Brian Buchanan explained the process being followed to rewrite the job descriptions.

Mr. Powell said he appreciated all the work that has been done by the committee, but he was ready to see the results for discussion before the policy is sent off for review by an HR professional. He said he was not comfortable approving a salary study and was not advocating for the League to do the study either, but was making the point that after talking with the League and Robert Branch he feels the policy and job descriptions need to be in place and approved by Council before the study is done.

The mayor suggested that the issue be tabled until the work session on the 15th, at which time Council would have had an opportunity to review material provided by Mr. Powell.

- Public Hearing on Proposed Amendments to the Zoning Ordinance for the Town of Burnsville – Judy Buchanan made a motion to open the public hearing on the aforesaid matter. Theresa Coletta seconded the motion, which carried. Zoning Administrator Anthony Hensley said the purpose of the Hearing was to repeal and replace Article 6, Section 600 and amend Article 12 and Section 13 of the Zoning Ordinance of the Town of Burnsville initially adopted April 4, 1985; and amended February 6, 2014 and with subsequent amendments thereafter; amendments to Article 6; Article 12, and Section 1300 of the Zoning Ordinance. A copy of the aforesaid ordinance is attached to these minutes and by reference made a part hereof. Heather Hockaday explained that the ordinance would establish the Town Council as the Board of Adjustment, correct a typographical error, require a hearing whenever there is a proposed change to the zoning map, clarify enforcement provisions for zoning ordinances and include procedural/technical provisions. An opportunity was provided for public input, but no one spoke either for or against the proposed amendments. Ron Powell moved to close the hearing. Theresa Coletta seconded the motion, which carried.

Planning Board Chair Dean Gates read the Plan Consistency Statement to Council, and recommended its adoption. Ron Powell moved to adopt the Plan Consistency Statement. Bill Wheeler seconded the motion, which carried.

- Consideration of Proposed Amendments to the Zoning Ordinance for the Town of Burnsville – Ron Powell made a motion to adopt the aforesaid amendments to the Zoning Ordinance. Ruth Banks seconded the motion, which carried.
- Consideration of Proposed Ordinance for Road Closures – Police Chief Brian Buchanan and Heather Hockaday explained recent changes in the road closure process that have been enacted by the Department of Transportation, which necessitate an ordinance for every road closure needed to accommodate special events. An ordinance is necessary at this time to close the road for *Old Timey Days*, an event that will be held this month. Judy Buchanan moved to adopt an ordinance to close the road for *Old Timey Days*. Ron Powell seconded the motion, which carried.
- Public Art Design Board Report – Denise Cook spoke to Council about Public Art Design Board activities. She gave a brief update on the sidewalk art projects that followed the adoption of the Public Art Plan, explaining the process and challenges that were met along the way.

Ms. Cook discussed an NEA “*Our Town*” grant for the implementation of gateway designs. She asked Council to consider designating the Town of Burnsville as a co-applicant in the grant. A letter of support would be necessary that would clarify that the Town would be responsible for maintenance and landscaping of the gateways; the Public Art Design Board would study the aesthetics, etc. Ron Powell made a motion for the Town to be the co-applicant for the NEA “*Our Town*” grant. Theresa Coletta seconded the motion, which carried.

Council heard a proposal for additional members on the Public Art Design Board, one of whom would be from the Planning Board. Ms. Cook said Woody Ryan and two artists, Norman Rabek and Carl Peverall have accepted the positions if additional members are approved. Theresa Coletta moved to approve the addition of members and the recommendation of Woody Ryan, Norman Rabek and Carl Peverall as appointments to the Public Art Design Board. Judy Buchanan seconded the motion, which carried.

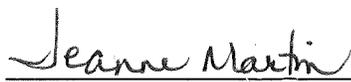
- Department Updates:
 - a. Administration:
 - Personnel Policy update (Jeanne Martin/Judy Buchanan)
 - ✓ Currently working on job descriptions.
 - Unpaid Balance Report pursuant to G.S. 105-369(a) dated August 28, 2015, provided as an update of uncollected revenues, was available for review. Council was told that a variety of collection efforts are underway.
 - Finance Issues (Leslie Crowder)
 - ✓ Council reviewed the Budget vs. Actual dated August 28, 2015.
 - Mayor’s Administrative Report – The mayor reported that she has been spending time with Anthony Hensley and Ronnie Tipton. She told Councilors that she sat in on a meeting with Linda Wiggs (DENR) and learned that when we are faced with a fine we

can ask for a settlement/compliance agreement. The agreement would stipulate that in lieu of just writing DENR a check to cover imposed fines, we use the fine money to conduct repairs at the direction of DENR. The mayor finds DENR to be a workable agency.

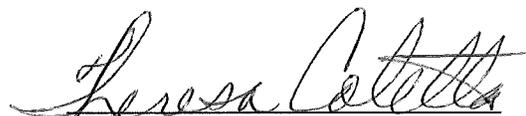
The mayor also reported that she has met with Harry Buckner (McGill Associates) to discuss low interest loans for water/sewer projects, which Mr. Buckner agreed to research so we can pursue larger projects.

- b. Fire Department – Chief Niles Howell reported
 - Status of Property – it will be important to know if the town will be doing an architect-build or design-build project. He indicated that the simplest approach would be the architect-build; design-build is more costly because of the speed of the project. Options about the existing barn structure are being explored. Ron Powell asked if the new fire department could be discussed at the September worksession.
 - ✓ Fundraising efforts – \$3,475 in private donations have been received thus far.
 - Operations
 - ✓ Council reviewed the monthly call summary.
 - ✓ The Department was awarded a 5 rating after the recent inspection.
 - ✓ The Department’s contract with Yancey County expired on July 1st, and a new contract has been drawn, incorporating minor changes. Ron Powell authorized the mayor to execute the aforesaid contract with Yancey County. Bill Wheeler seconded the motion, which carried.
- c. Police Department – Chief Brian Buchanan reported:
 - Working towards resolution of speed sign issue is in progress. French Broad Electric is currently considering a proposal to place the signs on poles. Once they have approved the plan, we will place an order.
 - The Police and Fire Departments will be participating in a disaster drill at Mountain Heritage High School on September 28th. Also participating will be the high school, the Sheriff’s office, EMS, Rescue, etc.
- d. Public Works Department – Public Works Director Anthony Hensley reported:
 - The department has been concentrating on installations of water meters. There are 200 in-ground and 1300 remaining for installation. Using in-house staff to install the meters is saving money.
 - Filming and cleaning will be done next week from Cherry Lane to Pine Swamp. This is a capital project budgeted for the current fiscal year.
 - We are working with GoldenLeaf on the hosiery mill waterline project.
 - The Department of Commerce is going to administer the ARC grant for the Micaville project. There is a need for the town to issue a commitment letter of \$130,000, which is a portion of the original \$200,000 commitment that was approved at the time by Resolution. Ron Powell moved to authorize the Mayor to sign the commitment letter. The motion was seconded by Theresa Coletta and carried.
 - It is hoped that ordinances will be sent to American Legal soon for codification.
- e. Town Center – Chad Fox gave an update on Town Center events, mentioning an upcoming *Hot Duck Soup* concert, the Literary Festival, the Folk Festival, home schooling and a variety of meetings.

- Council Members' Reports
 - a. Mayor Theresa Coletta discussed the tentative agenda for Council's upcoming planning work session which will be held on Tuesday, September 15th.
 - b. Councilors were reminded of the joint meeting with the EDC, Chamber of Commerce, and Yancey County on September 21st.
- Updates from Advisory Boards and Non-Profits
 - a. Yancey County Economic Development Commission – minutes were available.
 - Wanda Proffitt said that the Burnsville Development Park closing will be next week. There are two potential tenants; 10,000 square feet remain to be leased.
- Next Regular Town Council Meeting – The next town council meeting will be held on Thursday, October 1, 2015 at 6:00 p.m., at the Burnsville Town Center to consider regular business for the month of September.
- There being no further business, Judy Buchanan moved to adjourn, which carried.



Jeanne Martin, Town Clerk



Theresa Coletta, Mayor