

**BURNSVILLE TOWN COUNCIL**  
**Special Meeting (to conduct regular business for August, 2015)**  
**Thursday, August 13, 2015**

On August 13, 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, and Jeanne Martin; and visitors Lucy Doll, Dean Gates, Rhonda Higgins, Wanda Proffitt, and others. The Mayor, who presided, stated that the purpose of the meeting was to conduct regular business for the month of August, 2015.

- Public Comment – Lucy Doll expressed appreciation for the warm welcome that was extended to Shelby Stephenson, North Carolina’s poet laureate, during the Mt. Mitchell 100<sup>th</sup> Birthday Celebration.
- Adoption of Agenda – The Mayor asked that the agenda be amended to include consideration of a motion concerning the “order of business for the Burnsville Town Council.” Judy Buchanan made a motion to amend the agenda to include this item. Bill Wheeler seconded the motion. Voting was as follows:

Ayes

Ruth Banks  
Judy Buchanan  
Theresa Coletta  
Bill Wheeler

Noes

Ron Powell

The Mayor asked that the agenda be amended to move the discussion concerning the farmers’ market to the Planning Board report. Judy Buchanan made a motion to amend the agenda to accommodate this request. Ruth Banks seconded the motion, which carried.

- Consideration of Minutes – Minutes from the following meetings were available for consideration:
  - a. Public Hearing held June 25, 2015
  - b. Special meeting held June 25, 2015
  - c. Closed session held June 25, 2015
  - d. Emergency meeting held July 8, 2015
  - e. Closed session held July 8, 2015
  - f. Special meeting held July 20, 2015

In the interest of more fully informing the public, Ron Powell made a motion to amend the minutes of the special meeting held June 25, 2015, Page 2, from:

“During open discussion, Ron Powell shared with Council thoughts he’d had about water rates since earlier meetings and a newspaper article on the town budget. He distributed and explained information that illustrated his feelings about water/sewer rates and the proposed increase. Mr.

Powell advised that he is in favor of an increase greater than 1% and for that reason would be voting against the proposed budget. He said next year he would be promoting a larger increase, perhaps as much as 15%." to:

*"During open discussion Ron Powell shared with Council thoughts he'd had about water rates since earlier meetings and a newspaper article on the town budget. He distributed and explained information from past Town Council meeting minutes, an article from the June 10<sup>th</sup> Yancey Common Times Journal, the 2012 Council approved Water and Sewer Capital Improvements Plan, and the NC School of Government website: Water and Wastewater Rates Dashboard. Mr. Powell advised that he is in favor of an increase greater than 1% based on this information and for that reason he would be voting against the proposed budget. He said for the next budget year he would be promoting a larger increase, perhaps as much as 15%, based on the recommendations found in the Financial Analysis of the 2012 Water and Sewer Capital Improvements Plan."*

Mr. Powell also requested that the documents referred to in the amended paragraph be attached to the minutes and posted on the town's website. Bill Wheeler seconded Mr. Powell's motion, which carried.

Councilor Powell then made a motion to approve all listed minutes as revised. Theresa Coletta seconded the motion, which carried.

- Motion Concerning Order of Business for the Burnsville Town Council – Available for review and consideration was *"A Motion Concerning Order of Business for Burnsville Town Council,"* proposing that *"Any item for review and consideration by Town Board Members, as submitted by a fellow Town Board Member, if longer than one page (& one side only) must be submitted to fellow Town Board Members by e-mail 2 business days prior to a set town board meeting date in order to assure adequate reading time of such document. Any item not meeting these requirements will not be an acceptable agenda item for a set Town Board Meeting."* Judy Buchanan made a motion to adopt the proposal concerning the order of business for the Burnsville Town Council.

There was discussion among council members, after which time a vote was called. Voting went as follows:

<u>Ayes</u>	<u>Abstain (recorded "Aye")</u>	<u>Noes</u>
Judy Buchanan	Ruth Banks	Ron Powell
Theresa Coletta		(found the proposal too restrictive)
Bill Wheeler		

The motion carried.

- Planning Board Report – Planning Board Chair Dean Gates, reported:
  - a. Minutes from the Planning Board meeting held July 21, 2015 were available for review.
  - b. Planning Board minutes are now being reviewed for items needing incorporation into the zoning ordinances. Once incorporated, ordinances will be codified.
  - c. Mr. Gates has been asked to speak to Council on the question of whether Burnsville's ordinances are business-friendly. Mr. Gates said that while working on ordinance updates, the

Planning Board had excellent resources, including Betsy Kane (Department of Commerce), David Owens (School of Government), Ron Hancock (Department of Commerce) and others. He said he would be available to make a presentation at the October worksession, but asked Council to review the ordinances and formulate questions prior to that time.

- d. Mr. Gates spoke about his frustrations with recent legislation that abolished the business license program. Various options were considered, which were addressed by Heather Hockaday from a legal standpoint. This issue will be discussed at the next Planning Board meeting on August 20<sup>th</sup>.
- e. Recommendation on zoning of newly annexed parcel owned by Pizza Hut (.0751 acres) – The Planning Board unanimously recommended zoning this property in the C-2 district at its July 21<sup>st</sup> meeting.
- f. Recommendation on Article VI of the Zoning Ordinance, re: Board of Adjustment – At its July 21<sup>st</sup> meeting, the Planning Board unanimously recommended that members of the Town Council act as the Board of Adjustment. Ron Powell made a motion to hold a public hearing at 6 p.m. on September 3, at the Burnsville Town Center on the establishment of the Town Council as the Board of Adjustment as well as any other changes to the zoning ordinance necessary to insure consistency with the Council's designation as the Board of Adjustment. Ruth Banks seconded the motion, which carried.
- g. Farmers' Market Update – Available for review was information from the *Creating Prosperity* program recently held at the Burnsville Town Center, where the importance of the farmers' market to a community's prosperity was discussed. The Mayor said the farmers have since indicated an interest in relocating the market to the parking lot outside the old post office building in order to be closer to the town square, which would enhance their visibility and be more accessible to/from the downtown businesses. The group requested a permit to build a small shed in the parking area behind the old post office, which was denied by the town's zoning administrator, to the disappointment of the farmers. The farmers will be asked to bring their issue to the Planning Board.

- Public Hearing on Initial Zoning of Newly Annexed Parcel Owned by Pizza Hut (.0751 acres) – Judy Buchanan made a motion to open the public hearing on the aforesaid matter. Ron Powell seconded the motion, which carried. Zoning Administrator Anthony Hensley explained the need to zone this newly annexed parcel and the map amendments to the zoning ordinance that would result. An opportunity was provided for public input, at which time Wanda Proffitt commented that the annexation of this property was a positive move in order to maintain the decorative entrance to town. No one spoke either for or against the proposed amendments. Ron Powell moved to close the hearing. Ruth Banks seconded the motion, which carried.

Mayor Theresa Coletta made a motion to incorporate in the record all public notices, affidavits related to the advertising of this hearing, and certificates of mailing to abutting property owners. Judy Buchanan seconded the motion, which carried.

Council discussed concerns over the lighting at the Pizza Hut. Anthony Hensley has spoken with the regional representative in Asheville who has indicated he is not opposed to turning the lights downward, but asked if that project could wait until another lighting issue came up, which would justify the expense of having a lighting specialist come to Burnsville. There was no further discussion among council members.

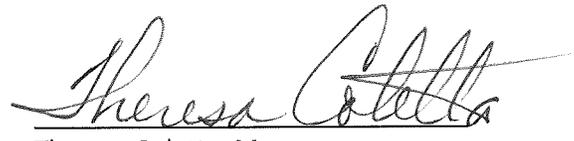
Planning Board Chair Dean Gates read the Plan Consistency Statement to Council, and recommended its adoption. Judy Buchanan moved to adopt the Plan Consistency Statement. Ruth Banks seconded the motion, which carried.

- Consideration of Initial Zoning on Property Owned by Pizza Hut (.0751 acres) – Ron Powell made a motion to zone the aforesaid property C-2 and amend the zoning map accordingly. Theresa Coletta seconded the motion, which carried.
- Contract for Consulting Services (Salary Study) – Robert Branch was not in attendance; Judy Buchanan moved to table this issue until September. Ron Powell seconded the motion, which carried.
- Order of Collection to Tax Collector – Bill Wheeler moved to order the Tax Collector to collect taxes for the current tax year. Ruth Banks seconded the motion, which carried.
- Burnsville – MHHS Connector Trail Concept Design Meeting August 17<sup>th</sup> at 5:30 p.m. – Councilors were reminded of this program scheduled at the Burnsville Town Center.
- 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 10, 2015, provided as an update of uncollected revenues, was available for review. Council was told that a variety of collection efforts are underway.
    - Final grant report to GoldenLEAF on Altec project – Council learned that Altec currently employs 450 full-time at an average salary of \$18/hour.
    - Finance Issues (Leslie Crowder)
      - ✓ Council reviewed the Budget vs. Actual dated August 6, 2015.
  - 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 – Brochures and cards have been made and donations have been received. No specific events have been planned, but ideas have been floating around.
    - Operations
      - ✓ Council reviewed the monthly call summary.
      - ✓ 2015 NC Fire Department Fund Grant – two new thermal imaging cameras and a turnout gear washer extractor with drying cabinet, RIT Pak III, and a SKA PAK have been received. The BVFD portion will be \$18,477.
      - ✓ The department has completed the NC rating response inspection for 5 insurance rating within 1000 feet of a fire hydrant. Results will take 60-90 days.

- ✓ Hose testing on all attack hose has been completed; supply hose will be tested in the near future.
  - ✓ Hydrant inspections and testing will be continued into fall along with additional pre-incident planning of all commercial and multi-residential properties.
- c. Police Department – Chief Brian Buchanan reported:
- A police officer had a medical issue last week and is doing well, but will be out of work a minimum of a month
  - The department was shorthanded for the Crafts Fair, but all went well
  - There was a discussion about the speed signs and various options/costs to keep them operational. It was generally agreed the Police Chief should decide on appropriate remedies to insure continuous operation.
- d. Public Works Department – Public Works Director Anthony Hensley reported:
- The sewer issue below Hardees has been addressed at a cost of \$68,000
  - ARC funds will be used to finish the waterline in Micaville. GoldenLEAF funds will be used to provide water service to the old hosiery mill on the west side.
  - North Main sidewalks are complete. Ron Powell asked if there was any way to repair the sidewalk at the NuWray Inn. Anthony Hensley agreed to look at possibilities for patching. The Mayor said she has spoken with Denise Cook about the possibility of that particular sidewalk being considered for an art project. Ron Powell asked for the subject to be discussed in the September worksession.
  - Small trash bag dispensers have been installed on the Square.
  - The water department has completed a survey. Other inspections include sewer pretreatment at Altec and a sewer collections inspection by DENR in the next week.
- e. Town Center – Chad Fox gave an update on Town Center events, mentioning the Yancey School Foundation fundraiser, two upcoming concerts and a “ton of events” in September. He reported that the quilt show held during the Crafts Fair was very well attended.
- Council Members’ Reports
- a. Mayor Theresa Coletta discussed highlights of the Crafts Fair, mentioning that craftsmen were very appreciative that the town square was shut down at 2 p.m. for set up. She visited many booths and heard that vendors appreciated the town crew members and the police.
  - b. The Mayor announced that she will be doing monthly reports on the radio stations; from time to time she will be inviting council members and staff to accompany her for these reports.
  - c. The Mayor discussed her recent absences at the High County Council of Governments meetings, which were due to health issues. She advised she is back on track.
  - d. The worksession planned for September 15<sup>th</sup> will include discussions about the fire department’s building project, sidewalks, and questions for Robert Branch.
  - e. The Mayor and the Public Works Director are currently working on the Capital Improvement Plan.
  - f. Councilor Powell told Council that the new version of *exploreburnsville.com* is complete and it is a beautiful and functional website. Wanda Proffitt said she would like to see the business section worked on. The Mayor commented that Chance Simpson and David Biddix have done an exceptional job.

- Updates from Advisory Boards and Non-Profits
  - a. Burnsville Public Art Design Board – minutes were available. Ron Powell advised that the Board’s regular meeting will be held the first Wednesday in September.
  - b. High Country Council of Governments – minutes were available.
  - c. Toe River Arts Council – minutes and financials were available.
  - d. Yancey County Economic Development Commission – minutes were available.
    - Wanda Proffitt presented a recommendation for EDC Board appointment to represent education: Cynthia Deyton (to replace Robert Branch) - Theresa Coletta made a motion to appoint Cynthia Deyton to represent education on the EDC Board. Bill Wheeler seconded the motion, which carried. Mrs. Proffitt announced that Yancey County is considering recommendations for other vacancies: Warren Bare, a private businessman, and Realtor Mary Blevins (replacing Jerri Storie, who has resigned).
    - A joint EDC/Yancey County/Town of Burnsville planning workshop will be conducted by Phil Trew (High Country COG) on September 21<sup>st</sup> from 10-12 at the Burnsville Town Center.
  
- Next Regular Town Council Meeting – The next town council meeting will be held on Thursday, September 3, 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. Ron Powell seconded the motion, which carried.

  
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Jeanne Martin, Town Clerk

  
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Theresa Coletta, Mayor