

BURNSVILLE TOWN COUNCIL
Regular Meeting – Thursday, November 7, 2019

On Thursday, November 7, 2019, the Burnsville Town Council, with members Mayor Theresa Coletta, Judy Buchanan, Isaac McCurry (arriving at 6:18 p.m.) and Bunnie McIntosh present, held a regular meeting at the Burnsville Town Hall. Councilor Russell Fox was absent from the meeting. Also in attendance were town staff members Brian Buchanan, Leslie Crowder, Chad Fox, Niles Howell, Dillon Lundy, and Jeanne Martin; Town Attorney Heather Hockaday; and visitors Lucy Doll, Jody Higgins, Ralph Hammonds, Rhonda Higgins, Ginger Johnson, former Mayor Danny McIntosh, Jamie McMahan, Kathleen Soui, and others. The Mayor, who presided, stated that the purpose of the meeting was to conduct regular business for the month of November, 2019.

- **Public Comment** – The following individuals spoke during the period set aside for public comment:
 - a. Kathleen Soui – There is slimy standing water on the North Main Street sidewalk between the pool and the town’s maintenance shed, and she asked if the drainage can be corrected. Dillon Lundy responded that there is a running spring in the area which is difficult to locate, but the crew plans to dig a trench so the water runs on the opposite sidewalk. It is hoped to have the work complete prior to freezing weather.
 - b. Former Mayor Danny McIntosh congratulated Council and the Fire Chief on successfully negotiating a fire tax increase. He also read a statement concerning his views on the recent municipal election in which he was a candidate for town councilor. A copy of the written statement is attached to these minutes and by reference made a part hereof.
- **Adoption of Agenda** – Bunnie McIntosh moved to adopt the agenda, as presented. Judy Buchanan seconded the motion, which carried.
- **Consideration of Minutes** – Available for review were minutes from the following meetings:
 - a. Regular meeting held August 22, 2019
 - b. Closed session held August 22, 2019
 - c. Special meeting held October 3, 2019
 - d. Closed session held October 3, 2019
 - e. Special meeting and Public Hearing held October 21, 2019
 - f. Closed session held October 21, 2019

Judy Buchanan moved to approve minutes from the aforesaid meetings listed as Items a, c, and e above. Bunnie McIntosh seconded the motion, which carried. Judy Buchanan moved to approve minutes from the aforesaid meetings listed as Items b, d, and f above. Isaac McCurry seconded the motion, which carried.

Building Complaint Due to Water – Business owner Ralph Hammonds told Council that several months ago he noticed water seeping into the basement of his building located on West Main Street and asked if the town crew could dig a trench to determine if a spring is causing the seepage. Dillon Lundy advised that the water was tested 4-5 times, and it is not town water. At this point Councilor Isaac McCurry joined the meeting.

The crew also dug two holes above the building to see if there was damage to either pipes or the meter box. Mr. Lundy said a basement expert may be able to make recommendations for sealing the basement wall itself, and Mr. Hammonds agreed to share in the cost of getting a professional opinion.

- **New Land Use Legislation** – Attorney Heather Hockaday explained that new legislation requires that all land use ordinances, including zoning, etc., will need to be merged and adopted into one comprehensive land use document by January 1, 2022. She suggested beginning work on this project with the assistance of Phil Trew (High Country COG). By consensus, Council agreed to direct Ms. Hockaday to move forward with her suggestion in order to achieve compliance by 2022.
- **Other**
 1. Administration (Jeanne Martin)
 - a. Pursuant to GS 105-369(a), *Tax Delinquent Report* dated October 1, 2019 was provided as an update of uncollected revenues. A variety of collection efforts are underway, with every delinquent account receiving attention.
 - b. *Resolution Adopting Standard NC Local Government Contractual Terms and Conditions Rider for the Town of Burnsville, NC* – Heather Hockaday advised that there is a need for written policy on the standardization of the town’s contracts. She explained there are statutory provisions that apply to municipal contracts, such as e-verify, Iran divestment certification, and pre-auditing, and presented a Resolution to adopt standards that comply with these statutes. The Resolution could be attached to future contracts. Judy Buchanan moved to adopt the aforesaid Resolution. Bunnie McIntosh seconded the motion, which carried.
 - c. Finance Report – The monthly finance report was furnished to Council prior to the meeting.

Councilors were told that the town recently received the first payment from ABC profits, and a budget amendment is necessary to recognize this new source of revenue. Judy Buchanan moved to adopt a budget amendment that increases revenues in the General Fund by \$10,898.76. Isaac McCurry seconded the motion, which carried.

Councilors learned of the need to close two checking accounts: an HRA account that was once used for retiree insurance, and the account used for the Peterson Trailer Park project. Judy Buchanan moved to close the HRA account. Isaac McCurry seconded the motion, which carried. Judy Buchanan moved to close the Peterson account when the project is complete. Bunnie McIntosh seconded the motion, which carried.

2. Fire Department (Chief Niles Howell)
 - a. Operations:
 - 1) A report of Fire Department activities was available for review, and is attached to these minutes and by reference made a part hereof.
 - 2) The Mayor reported that she, together with Niles Howell, Leslie Crowder, and Judy Buchanan, attended a County Commission meeting in the past month to petition for an increase in the fire tax, which was granted. There will be a conversation with the LGC soon to clarify that all requirements have been met for the loan to be presented to the State Treasurer for approval. Judy Buchanan thanked Russell Fox and Niles Howell for their work on the project.

3. Police Department (Chief Brian Buchanan)
 - a. Report on demolition activity at barn on West Main Street - Council was told that the property owner was advised that there is a lot of material left from demolition that needs to be removed or put away. The property owner plans to have the entire building down and hauled off in the next couple of months

4. Public Works – (Dillon Lundy, Public Works Director) reported the following:
 - a. Consideration of contract with Water Quality (Jadd Brewer) – Available for review was a proposed contract with Water Quality Lab and Operations, Inc. for Waste Water Treatment/ORC and Water Treatment Plant testing services. Judy Buchanan moved to authorize Dillon Lundy to present the aforesaid contract to Jadd Brewer and sign on behalf of the town. Bunnie McIntosh seconded the motion, which carried.
 - b. Work on Reservoir Road is complete.
 - c. Theresa Bryant-Brown is involved in a renovation project at 1 Town Square and has brought an issue forward concerning the slope of the sidewalk on the East side of the building. Her contractor has agreed to form and pour concrete to cure the sloping of the sidewalk toward the building, and she is asking the town to consider helping with the cost, which is expected to be less than \$100. By consensus, Council agreed to the expense.

5. Town Center – There was an update on events planned for the month of November, including a conference with local homesteaders and craft shows. It was noted that web traffic this month surpassed all of last year.

▪ **Council Members' Reports**

1. Mayor Theresa Coletta

- a. Authorization to advertise for Town Administrator position – Bunnie McIntosh moved to authorize the advertising of the Town Administrator position. Theresa Coletta seconded the motion. Voting was as follows:

<u>For</u>	<u>Against</u>
Theresa Coletta	Judy Buchanan
Isaac McCurry	
Bunnie McIntosh	


- b. Worksession – A worksession will be held on Tuesday, November 19, 2019 at 3:00 p.m. at the Town Hall.
 - c. The town's Christmas Dinner will be held on Tuesday, December 17th at 6:00 p.m. at Pig & Grits.
 - d. Christmas Caroling – Scheduled for December 13th from 5:30 p.m. to 7:00 p.m.
 - e. Holidays for Staff – It was acknowledged that the town adheres to a holiday schedule on Christmas Eve and Christmas Day, but office staff has asked to add a vacation day on December 26th. Theresa Coletta moved for Town Hall to be closed December 24 – 26. Bunnie McIntosh seconded the motion, which carried.
 - f. The Organizational/Regular meeting for December will be held on December 5, 2019 at 6:00 p.m. at the Town Hall.
2. Other Council Members – Bunnie McIntosh discussed the need to provide a means for disposal of animal waste on the Town Square. Dillon Lundy agreed to install receptacles that could be picked up twice a week. The availability of receptacles will be advertised on Facebook and on the Town website.

- **Updates from Advisory Boards and Non-Profits** – No reports were available.
- **Closed Session** – Isaac McCurry moved to enter closed session pursuant to N.C.G.S. 143-318.11(a)(3) to consult with the town attorney. Theresa Coletta seconded the motion, which carried.

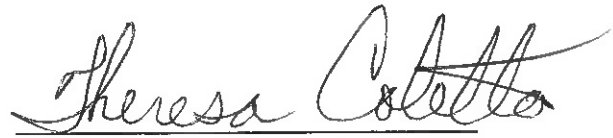
No action was taken as a result of closed session.

- **Next Town Council Meeting** – The next regular Town Council meeting will be held on December 5, 2019, at 6:00 p.m., to conduct regular business for the month of November.

Judy Buchanan moved to adjourn. The motion was seconded by Isaac McCurry and approved by all members.



Jeanne Martin
Jeanne Martin, Town Clerk



Theresa Coletta
Theresa Coletta, Mayor

My statement on Tuesday's election is no reflection on Judy and Denise. They are both good people and I am sure they will serve well on the council.

I have been made aware that a person or persons implemented an election day phone strategy to damage my character by promoting a false narrative that should I be elected to the Burnsville Town Council that I was prepared to damage and destroy lawfully established and legally operating businesses within the town. Those of you that know me know that I respect the rule of law and that I believe in fairness. I am saddened that townspeople have been introduced to this type of behavior. I am saddened that business owners would doubt that I would not have their best interest in mind. I have always encouraged open discussion about any subject concerning the operation of the town and I do so now. If anyone believes that there is credible evidence that I have ever indicated any intent to harm anyone please bring it forward.