

BURNSVILLE TOWN COUNCIL
Regular Meeting – Thursday, February 6, 2020

On Thursday, February 6, 2020, the Burnsville Town Council, with members Mayor Theresa Coletta, Judy Buchanan, Denise Collier, Russell Fox and Bunnie McIntosh present, held a special meeting at the Burnsville Town Hall. 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 Jody Higgins, Mike Hoskins, Danny McIntosh, Jamie McMahan, Harrison Tyner, Joyce Watts, and others. The Mayor, who presided, stated that the purpose of the meeting was to conduct regular business for the month of February, 2020.

- **Public Comment** – The following individuals spoke during the period set aside for public comment:
 - ✓ Former Mayor Danny McIntosh – discussed the town’s tremendous responsibility for its water and sewer system.
 - ✓ Mike Hoskins – discussed the barn that is partly demolished at the west side of town. He encouraged Council to do something to correct the situation.
- **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 January 8, 2020
 - b. Special meeting held January 16, 2020
 - c. Closed session held January 16, 2020
 - d. Special meeting held January 27, 2020
 - e. Closed session held January 27, 2020

Judy Buchanan moved to approve minutes from the aforesaid meetings. Bunnie McIntosh seconded the motion, which carried.

- **Public Works Update** (Public Works Director Dillon Lundy)
 - a. Wastewater Treatment Plant – Council was given a status report on the equipment failure experienced at the wastewater treatment plant in the past few weeks. We are working with McGill Associates for both short and long-term solutions, as well as the High Country Council of Governments in search of funding opportunities. Tim Heim (Regional Environmental Engineer) and Landon Davidson (Regional Supervisor) with the NC Department of Environmental Quality praised Mr. Lundy for his positive, energetic and efficient approach in addressing this issue, which is a significant situation in that the plant has lost about 40% of its capacity and may not be able to meet its permits.

Gary Peebles, Deputy Field Office Supervisor with U.S. Fish and Wildlife Service, explained the impact the situation could have on the river’s fish. Although Fish and Wildlife is not a source of funding, he pledged letters of support and assistance from their biologists.
 - b. Sanitation – Bunnie McIntosh commented that the cost of residential garbage pickup has increased from \$6.50 to \$7.50, the same as the Republic Services quote. Heather Hockaday said Republic would have probably adjusted their price also once we discontinued the commercial pickup, but there wasn’t enough time to renegotiate due to Republic’s contractual deadline.
- **Luthier Festival** – Chee Amen asked Council about the possibility of closing South Main Street on Memorial Day weekend (May 22-23) during their festival between 5:00 p.m. Friday and 5 p.m. Saturday. The Amish store would be affected to some extent, but people could still access their

parking lot. Bunnie McIntosh moved to close South Main for the Luthier Festival, as described. Theresa Coletta seconded the motion, which carried.

- **Toe River Arts Council** – Council reviewed a written status report forwarded to them by Nealy Andrews.
- **Planning Board Report**
 - a. Comprehensive Land Use Plan - there will be a Joint Council/Planning Board meeting on February 11, 2020 with Heather Hockaday and Phil Trew.
 - b. A *Proclamation of Appreciation for Harrison Tyner* was read and presented by the Mayor, who pointed out that Mr. Tyner served the Town in this capacity since the inception of the Planning Board.
- **Potential Zoning Ordinance Amendments** – Heather Hockaday advised that proposed amendments to the zoning ordinance should be forwarded to the Planning Board for review and recommendations, particularly with regard to modular homes. Theresa Coletta moved to send these proposed amendments to the Planning Board, as suggested. Judy Buchanan seconded the motion, which carried.
- **Town Square Event Schedule** – Chad Fox presented a calendar listing tentatively scheduled events on the Town Square this year. A new event in the planning stages is *Relay for Life*, and a road closure is being requested for the entire square on the day of the event from 1:00 p.m. until 10:00 p.m. There was discussion about the effect a closure would have on the downtown businesses. Theresa Coletta moved to ask the group to find another location. Judy Buchanan seconded the motion, which carried.
- **Legal Settlement / Elevator Project** – The Town is in receipt of a check for \$106,000+ in settlement of the Republic Services over-billing issue. Council discussed using these funds for a proposed elevator project, which would make the Town Hall ADA compliant. The Mayor and Dillon Lundy will revisit the Reeves Foundation grant for partial funding. Judy Buchanan made a motion to pursue this project. Denise Collier seconded the motion. Voting was as follows:

Ayes

Judy Buchanan
Theresa Coletta
Denise Collier
Bunnie McIntosh

Noes

Russell Fox

- **Other**
 - 1. Administration (Jeanne Martin)
 - a. Tax Report:
 - Pursuant to GS 105-369(a), *Tax Delinquent Report* dated February 4, 2020 was provided as an update of uncollected revenues. A variety of collection efforts are underway, with every delinquent account receiving attention.
 - Council considered Tax Account #2361 (Loomis Armored US LLC) in the amount of \$10.90. It was reported that the company was not in business at the time it was taxed. Russell Fox moved to release this tax bill. Judy Buchanan seconded the motion, which carried.
 - b. *Order to Advertise Taxes* –It was noted that it is appropriate at this time to advertise delinquent taxes. Bunnie McIntosh moved to order the Tax Collector to advertise tax liens in accordance with NCGS 206-369(a). Russell Fox seconded the motion and motion carried.
 - c. Finance Report – The monthly finance report was furnished to Council prior to the meeting.

Council heard that the Meadow Road project is beginning and it is best practice to move an ample amount of money (\$400,000) into the project's account rather than have multiple transfers to cover ongoing expenditures.

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) Project review by LGC Board – The application to the Local Government Commission has been approved. During the application process two representatives from the LGC visited to review our policies and procedures. The site visit resulted in a recommendation that the Finance Officer be named a Department Head, with supervisory authority over employees who conduct financial transactions. Under the current organization, the Finance Officer has no control over those handling money. Theresa Coletta made a motion to review the Finance Officer's job description and the town's current organizational structure so they reflect the position's authority and responsibilities as currently practiced. Bunnie McIntosh seconded the motion, which carried.

3. Police Department (Chief Brian Buchanan)

- a. An activity log for the month of January, 2020 was available for review.
- b. The department is back to a full staff.

4. Town Center – Chad Fox

- a. Councilors heard an overview of activities planned during the month of February at the Town Center, including a concert with Doyle Lawson and Third Time Out, as well as the wedding expo.
- b. Consideration of sublease – Second Home (formerly Homeplace) intends to continue leasing at Area C, with an entirely new concept as a bistro-style restaurant and bar. There is a possibility Second Home could partner with Malaprop Books, but the current lease does not provide for a sublease. Judy Buchanan moved to approve inclusion of subleases subject to Council approval. Theresa Coletta seconded the motion, which carried, although Denise Collier indicated some reservation depending on circumstances.
- c. Outdoor seating – John Silver (Second Home) is hoping Council will consider permitting outdoor seating on the bypass side of Area C. No alcohol will be permitted outside and outdoor tables will be put inside at night. Because the sidewalks are too narrow, Theresa Coletta moved to decline the request. Judy Buchanan seconded the motion, which carried.

▪ **Council Members' Reports**

1. Mayor Theresa Coletta

- a. Business Breakfast – these informal meetings are held the 3rd Tuesday of each month at the Town Center. Networking begins at 7:30 a.m., and the Town is hosting the breakfast this month.
- b. The *Ardell and Remelle Sink Day* is February 20, 2020. A celebration will be held at the Town Center that evening.

2. Other Council Members – Denise Collier reported on activities planned for the 3rd year of the Downtown Valentine Stroll. She discussed the idea of developing a plan to organize volunteers to work on a parking lot clean-up project on the Briggs property. She hopes to collect donations for the project, but would need some public works staff to be involved. Theresa Coletta made a motion to allow Ms. Collier to move forward with the development of the plan and bring back to Council. Judy Buchanan seconded the motion, which carried.

▪ **Updates from Advisory Boards and Non-Profits**

1. Economic Development Commission – Director Jamie McMahan reported:

- a. The EDC pledges its support in the Town's wastewater issue. He suggested that it might be a good time to approach DEQ about directing some of the flow to the East Yancey Plant by increasing the allocation and issuing a permit to collect.
- b. On February 10th the High Country COG will lead a joint meeting of the Town, the EDC and Yancey County concerning the Strategic Economic Development Plan.. Phil Trew and Corey Osborne will be in attendance at this meeting, and it is hoped the full group will formally adopt the plan.
- c. Occupancy Tax – Mr. McMahan advised that there would be more money for travel and tourism through an increase in the occupancy tax. He asked Council to consider a vote in favor of a letter endorsing an increase in the occupancy tax rate from 3% to 6%, which is comparable to other neighboring counties. Theresa Coletta moved to endorse such an increase. The motion was seconded by Russell Fox and carried.
- d. Mr. McMahan thanked Council for considering the Malaprop popup at the Town Center, mentioning that it is great to be able to draw from their energy and capital.

- **Closed Session** – Councilor Judy Buchanan moved to enter closed session pursuant to NCGS 143-318.11(a)(6) to discuss a personnel matter. Russell Fox seconded the motion, which carried.


Reconvening in open session, it was reported that Heather Hockaday will be hired by the Town as Administrator/Attorney beginning February 10, 2020.

- **Next Town Council Meeting** – The next regular Town Council meeting will be held at the Town Hall on March 6, 2020, at 6:00 p.m., to conduct regular business for the month of March.

There being no further business, the meeting adjourned.



Jeanne Martin, Town Clerk



Theresa Coletta, Mayor