

**BURNSVILLE TOWN COUNCIL**  
**Regular Meeting**  
**Thursday, November 3, 2016**

On November 3, 2016, the Burnsville Town Council, with members Mayor Theresa Coletta, Ruth Banks, Judy Buchanan, Shannon Peterson, and Ron Powell present, held a regular meeting at the Burnsville Town Center. Also in attendance were town staff members Brian Buchanan, Leslie Crowder, Chad Fox, Jeanne Martin, and Ronnie Tipton; town attorney Heather Hockaday; and visitors Lucy Doll, Rhonda Higgins, Mike Hoskins, Jamie McMahan, Wanda Proffitt, and others.

- **Public Comment** – The following individuals signed up to speak during the period set aside for public comment:
  - a. Lucy Doll advised that the Carolina Literary Festival is officially a 501c(3) and can now accept tax deductible donations.
  
- **Adoption of Agenda** – Judy Buchanan moved to adopt the agenda as revised. Shannon Peterson seconded the motion, which carried.
  
- **Consideration of Minutes** – Available for review were minutes from the following meetings:
  - a. Closed session held September 1, 2016
  - b. Regular meeting held October 6, 2016
  - c. Special meeting held October 18, 2016

Ruth Banks moved to adopt the other minutes as written. Ron Powell seconded the motion, which carried.
  
- **Planning Board Report** – Harrison Tyner, Planning Board Chair, was unavailable to report.
  - a. Minutes from the Planning Board meeting held October 25, 2016, were available for review.
  
- **Acceptance of Sewer Easement and Dedication of Line Servicing True North Equities, LLC** – Attorney Heather Hockaday advised that the sewer easement issues have been resolved. Judy Buchanan moved to accept the sewer easement and dedication of the line servicing True North Equities, LLC. Shannon Peterson seconded the motion, which carried.
  
- **Action on Annexation and Zoning of Property Owned by True North Equities, Inc.**
  - a. **Annexation** - Judy Buchanan moved to annex property owned by True North Equities, Inc. (Parcel ID #081004646207000). Ron Powell seconded the motion, which carried.
  - b. **Plan Consistency Statement** – The Plan Consistency Statement presented by the Planning Board was read into the record by Heather Hockaday. Judy Buchanan moved to adopt the Plan Consistency Statement. Shannon Peterson seconded the motion, which carried.
  - c. **Initial Zoning** – Pursuant to the recommendation of the Planning Board, Judy Buchanan moved to apply C-2 zoning to the newly annexed property owned by True North Equities, Inc. (Parcel ID #081004646207000). Ron Powell seconded the motion, which carried.

- **Charity House Letter of Support** – No one was available at the meeting to represent the Charity House, so this issue was not discussed.
- **Discussion on Sidewalk Dining Ordinance** – Heather Hockaday reminded Council of a previous meeting where an ordinance for sidewalk dining was discussed and there was conversation about including sidewalk merchandising in the ordinance. Subsequent to the meeting, she researched and discussed the issue with Ronnie Tipton. Council reviewed conditions already in the sidewalk dining ordinance, and Heather Hockaday discussed various options for the regulation of sidewalk merchandising, asking Council for direction. It was generally agreed there should be a permitting process for sidewalk merchandising that would not carry a fee.

As to sidewalk dining, Judy Buchanan expressed concerns she has over alcohol being served on sidewalks, which is permitted, with stipulations, in the proposed ordinance. A revised ordinance for sidewalk dining/merchandising will be forwarded to Planning, after which it will return to Council with recommendations. Ron Powell moved to forward the proposed revised ordinance to the Planning Board. Shannon Peterson seconded the motion, which carried.

- **Mayor's Administrative Report**
  - a. Small Town Main Street – The Mayor gave an update on the Small Town Main Street program, telling Council that new members will join a “Main Street Community” (downtown community association) program rather than the Small Town Main Street program. She explained the admission process, and said she and Wanda Proffitt will attend a workshop in the spring.
  - b. Council Work Session November 17, 2016 – This meeting will be held at the Burnsville Town Center at 6:00 p.m. Agenda items will include:
    - 1) Business plan for the Burnsville Town Center
    - 2) Contract for the removal of barn on Fire Department property
    - 3) Consideration of town's personnel policy.
  - c. The Mayor reported that in the past month she, Judy Buchanan and Ron Powell attended a School of Government workshop on managing high emotion and contention in public hearings.
- **Department Updates:**
  - 1. Administration
    - a. Pursuant to GS 105-369(a), *Tax Delinquent Report* dated October 28, 2016 was provided as an update of uncollected revenues. A variety of collection efforts are underway.
    - b. Council reviewed a Late Elderly/Disabled exemption pursuant to G.S. 105-281.1 that was received from Yancey County.
    - c. Finance Issues –
      - 1) The *Budget vs. Actual* dated October 28, 2016 was furnished to Council. During a discussion about sales tax revenues, Leslie Crowder said she was uncertain to what degree sales tax will be affected now that the road is coming to completion.
      - 2) Project ordinance for East Yancey Water Line – Council learned of our auditor's requirement to update the older ordinances for this project. After considering the proposed project ordinance, Ruth Banks moved to approve the update. Ron Powell seconded the motion, which carried.
      - 3) Budget amendment – Councilors considered a budget amendment for line item transfers in both funds that were explained by Leslie Crowder. Ruth Banks moved to approve the budget amendment as presented. Ron Powell seconded the motion, which carried.

2. Fire Department - Chief Niles Howell reported:
  - a. Status of Property
    - 1) Heather Hockaday is working on a contract for removal of the barn on the FD property. The contract should be ready for the November worksession.
    - 2) We have received a proposed contract from ADW Architects for the fire department building which has been reviewed by Heather Hockaday. We will be resubmitting to ADW with minor corrections and deletions. Ron Powell moved to authorize the mayor's signature to the revised contract with ADW Architects, upon the recommendation of Niles Howell. The motion was seconded by Judy Buchanan and carried. The LCG will be consulted before proceeding. Council was assured that architects will advertise locally for construction bids.
    - 3) A USDA representative will assist with our loan application. The process will begin with a construction loan, which will be paid off by USDA.
  - b. Fundraising Efforts – None were reported.
  - c. Operations – Council reviewed the Fire Department's Monthly Update.
  - d. Computer aided dispatch is expected to be live next week.
  - e. Charlie Hensley is retiring/resigning his position effective January 1<sup>st</sup>. The Mayor remarked that the town is most appreciative of his years of dedicated service.
3. Police Department - Chief Brian Buchanan reported:
  - a. Council reviewed the department's activity log;
  - b. All vehicles that were recently declared surplus have been sold and paid for;
  - c. Crosswalks – The D.O.T.'s rumble strip on South Main is a raised paint used to alert traffic. The state will not apply them for crosswalks because pedestrians may become confused and cross where it is inappropriate. As to signage in the middle of the road, the D.O.T. will do that on West Main if we eliminate parking because the road is not wide enough. The Mayor inquired about flashing lights on the crosswalks and advised she would meet with Brian Buchanan later in the month to discuss other possible options regarding crosswalks on West Main.
  - d. Halloween was a success, with an estimated 2500-3000 people attending.
4. Public Works Department - Public Works Director Ronnie Tipton reported:
  - a. There has been a change in crew foreman but operations are running smoothly.
  - b. Micaville water line extension – Permits have been approved and we should be able to put this project out for bid very shortly.
  - c. Sidewalk project – This project has been awarded to Quality Masonry, who submitted a bid 15% cheaper than the next low bid. Will start next week on demolition and replacement.
  - d. Burnsville has been categorized Tier 2, "moderate drought," by NC DEQ, signifying that we are not in crisis at this time, but could be within a few months if there is no rainfall. Mr. Tipton recommended that we issue a voluntary conservation notice and advertise in the newspaper and on the water bills. Theresa Coletta moved to accept the recommendation and issue the voluntary conservation notice. Judy Buchanan seconded the motion, which carried.
5. Town Center - Facility Manager Chad Fox provided an update of events scheduled for the upcoming month, commenting that November and December are always busy months.

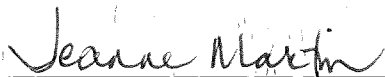
▪ **Council Members' Reports**

1. Mayor Theresa Coletta
  - a. The Mayor reported that the farmers had the best market ever this season. She said there is something brewing with regard to permanent space, and she will report as soon as the information becomes available. She thanked Town Center manager Chad Fox for working with them over the years.
  - b. Council was reminded of the Christmas parade on December 3<sup>rd</sup>. We will furnish information to Council members as it becomes available.
  - c. Christmas caroling (cosponsored with Yancey Common Times) will be December 9<sup>th</sup> from 5:30 p.m. until 7:00 p.m.
  - d. The town Christmas dinner will be Thursday, December 15<sup>th</sup>, at 6:00 p.m. at the Town Center.
2. Ron Powell
  - a. Councilor Powell brought up the subject of reporting expectations for the ABC Board. After discussion, it was generally agreed that a quarterly management report should be requested from the ABC Board.

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

1. Yancey County Economic Development Commission – no minutes were available.
    - a. EDC Director Wanda Proffitt reported:
      - 1) Council learned that the EDC Director's efforts in working with the D.O.T. to close the "road to nowhere" at Glen Raven have been successful. She advised that the plant is transitioning over to custom fabrics (Sunbrella) and is adding staff and equipment.
      - 2) Initial contacts have been made with Sanford Holshouser regarding the update of our strategic plan.
      - 3) Work on a farming grant is ongoing.
  2. High Country Council of Governments (minutes and financials available).
  3. Yancey County Public Library (minutes available).
- **Next Regular Town Council Meeting** – The next Town Council meeting will be held on Thursday, December 1, 2016 at 6:00 p.m., at the Burnsville Town Center to consider regular business for the month of December.

There being no further business, Judy Buchanan moved to adjourn. The motion was seconded by Ruth Banks and carried.



Jeanne Martin, Town Clerk



Theresa Coletta, Mayor