

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

On March 3, 2016, the 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 staff members Brian Buchanan, Leslie Crowder, Chad Fox, Niles Howell, Jeanne Martin and Ronnie Tipton; and visitors Harry Buckner, Kelly Coffey, Marvin Davis, Lucy Doll, former mayor David Grindstaff, David Grindstaff, (Yancey Common Times), Ginger Johnson, Wanda Proffitt, Woody Ryan, Phil Trew, Harrison Tyner, and others. The Mayor, who presided, stated that the purpose of the meeting was to conduct regular business for the month of March, 2016.

- Public Comment - Lucy Doll spoke again on the subject of downtown neighborhoods in Burnsville, asking Council for some action on previous comments/requests.
- Adoption of Agenda – Councilor Ron Powell asked that an item be added to the agenda, an update/discussion on the allocation of \$24,470 to Winter Star Corporation to partially fund a fire suppression water line installation to the Burnsville Development Park. Judy Buchanan moved to adopt the agenda, with the addition requested. The motion was seconded by Ron Powell and carried.
- Consideration of Minutes – Minutes from the following meetings were available for consideration:
  - a. Regular meeting held February 4, 2016
  - b. Special meeting held February 10, 2016
  - c. Special meeting held February 16, 2016
  - d. Special meeting held February 24, 2016
  - e. Closed session held February 24, 2016

Ron Powell moved to approve the aforesaid minutes as written. Ruth Banks seconded the motion, which carried.

- High Country Council of Governments – Phil Trew and Kelly Coffey presented information on infrastructure grant programs for water/sewer projects. Also in attendance and contributing to the discussion were Harry Buckner (McGill Associates) and Marvin Davis (Wooten Company). Council learned that a CDBG infrastructure grant would be the best fit for the town, and Linda Wiggs with DENR has recommended a focus on sewer projects at David Peterson’s trailer park and the east and west main interceptor lines. Application deadline is September 30 of each year. The town’s Asset Management Plan and Capital Improvements Plan will need to be updated; 10 points are given for each updated plan, and our existing plans are over two years old. Phil Trew said the updated plans are a critical component and state funding is available to update.

A survey will need to be conducted to establish the Peterson Trailer Park as CDBG-appropriate due to income level. The east-west main interceptor project qualifies because 51.5% of the town is low to moderate income; however there are floodway issues that will not qualify for CDBG funding.

The utility line history at the Peterson Trailer Park was explained to Council. Harry Buckner said the town's current CIP includes a water project at this site that the town could elect to undertake at the same time.

In support of proactively pursuing these infrastructure projects, the Mayor distributed a pie chart that illustrated money spent on repairs that would have been far less expensive if they had been replacement projects.

Ron Powell made a motion to pursue the CDBGI grant and update the town's Asset Management Plan and Capital Improvement Plan; and further to not pursue the Asset Inventory grant. Ruth Banks seconded the motion, which carried.

The High Country Council of Governments will help with the application and an RFQ for engineering to update the town's CIP and Asset Management Plan.

- USA Cycling National Collegiate Championship – Police Chief Brian Buchanan updated Council on this event, mentioning that Greg Yusick is receptive to the use of his property for some components of the event, and a local gentleman has volunteered to help with race logistics.
- Planning Board Report – Available for review were minutes from a Planning Board meeting held February 18, 2016.

Harrison Tyner, reporting on behalf of Planning Board Chair Dean Gates, said that Planning has reviewed the application for rezoning on the Ken Autrey property, the first property to the left of Pensacola Road. Planning recommends that Council set a date for a public hearing in April. Ron Powell moved to hold a public hearing to consider rezoning of the property at the next regular Council meeting in April. Judy Buchanan seconded the motion, which carried.

Mr. Tyner spoke about changes that the Planning Board needs to revisit with regard to conditional zoning permits in the C-1 district. He said that Planning will be studying the issue and will bring recommendations to Council. He said the zoning document is a living, breathing document and will change. We will need to address issues as they come along.

Mr. Tyner told Council that two new members of the Planning Board need to be appointed, since three members have been on the board since its inception. Dean Gates is to provide a sample ad for the newspaper.

- Farmers' Market Update – Mayor Theresa Coletta explained that the farmers have a plan this spring to move to the Briggs Estate parking lot, which will go a long way to help revitalize the downtown area, at least on Saturdays. They will use the box truck that was recently declared surplus by the Fire Department for storage for their equipment; the sides of the truck will be the market sign. Money left over from the sale of the Mt. Mitchell jugs will be used to paint the truck and affix the farmers' market logo. Ginger Johnson, who has been working on this project also, mentioned that steps will be needed from the gravel parking lot to the Briggs parking lot.

Ron Powell asked if the plan had been approved by the Briggs Estate, which it had. He said he liked the plan and the use of the surplus vehicle as a temporary solution, but offered a more permanent

option to locate on the grassy area below the town's maintenance shed. He said he would like for Council to consider this in the future and for the farmers to look for grants to help this come to fruition. They Mayor said it would be good for Mr. Powell, in coordination with Ginger Johnson, to talk with the farmers and share ideas. She has concerns about the proposed location being visible to the downtown area, however.

- Petition for Voluntary Annexation – True North Equities, LLC – Update  
Attorney Heather Hockaday reported that she and Ronnie Tipton have met with the developer to discuss their concerns about infrastructure, details of which Council heard. Heather Hockaday said the developer was encouraged to get surveyed and signed easements, which we are aware he has taken care of. Utilities should not present an issue if Council decides to move forward with annexation. Ms. Hockaday described the process involved in moving forward with annexation.. Judy Buchanan moved to direct the clerk to certify the sufficiency of the petition. Shannon Peterson seconded the motion, which carried.
  
- Department Updates:
  - a. Administration:
    - Personnel Policy update (Jeanne Martin/Judy Buchanan)
      - ✓ Now that the salary/efficiency study has been completed, we will be setting a date in the next week or so for a wrap up on this project.
    - Unpaid Balance Report pursuant to G.S. 105-369(a) dated February 25, 2016, provided as an update of uncollected revenues, was available for review. Council was told that a variety of collection efforts are underway.
    - Tax Releases – Pursuant to the request of the Tax Collector, Judy Buchanan moved to release the taxes on *Little Blackberry Creek* (an out of town property) and *Families Together, Inc.* (out of operation). Ruth Banks seconded the motion, which carried.
    - *Resolution for Disposition of Minimal Property Tax* – Issue tabled pending legal review.
    - State Health Plan Update – Letters protesting proposed changes to coverage were signed by all Council members and have been mailed to state legislators.
    - Finance Issues
      - ✓ The Budget vs. Actual dated February 29, 2016 was previously provided to Council for review.
    - Mayor's Administrative Report
      - ✓ Salary Study – This issue will not be discussed at the March 22<sup>nd</sup> work session as originally planned, but will be tabled until a future work session.
  - b. Fire Department – Chief Niles Howell reported:
    - Status of Property
      - ✓ Fundraising efforts – While the *Battle of the Blues* event was a good opportunity, it didn't raise a great deal of money.
      - ✓ Chief Howell has been working with Attorney Heather Hockaday on an RFQ for architectural services, which was available for review.
    - Operations
      - ✓ Council reviewed the Fire Department's Monthly Update.
  - c. Police Department – Chief Brian Buchanan reported that ordinances are required for street closures as follows:
    - Fit Families 5(k)
    - Color Run

- USA Cycling National Collegiate Championship

Ron Powell moved to adopt all three aforesaid ordinances. Ruth Banks seconded the motion, which carried.

d. Public Works Department – Ronnie Tipton reported:

- Available for review was the *Toe River Regional Hazard Mitigation Plan*. Mr. Tipton explained that the Plan must be approved in order for the Town to qualify for FEMA funds in disaster situations. Judy Buchanan moved to approve the *Toe River Regional Hazard Mitigation Plan* and authorize the Mayor's signature. Shannon Peterson seconded the motion, which carried.
- We have advertised and are now accepting applications for three vacant crew positions
- A preconstruction meeting was held with Stillwell Enterprises for the Burnsville Hosiery Mill water line upgrade. The Notice to Proceed has been issued and the contractor is to begin the project on Monday, March 7<sup>th</sup>, weather permitting. The final completion date is set for May 6<sup>th</sup>.
- Micaville Water Line Extension – Due to permitting issues, an extension request was submitted to GoldenLeaf; the request has been granted. GoldenLeaf has asked for someone to be the primary contact and signator. Theresa Coletta moved to name Ronnie Tipton as primary contact and signator for documents related to the aforesaid project. Ron Powell seconded the motion, which carried.

Ron Powell asked if staff was prepared for the new sewer operation. Mr. Tipton advised that town administration has already coordinated with its billing office for internal controls, and appropriate representatives from the town and the East Yancey Sewer District will meet soon to coordinate their joint efforts.

- e. Town Center – Manager Chad Fox said the wedding expo in February was a huge success, and reported on upcoming events, including a Spring Craft show. He has begun booking concerts for the summer/fall season.

▪ Council Members' Reports

a. Mayor Theresa Coletta:

- The Mayor reminded Council of a work session with Heather Hockaday on the town's zoning ordinance that is scheduled for March 22<sup>nd</sup> at 3 p.m. at the Town Center.
- Todd Bailey has resigned from the ABC Board, and has asked Council to name either Bill Wheeler or Eddie Bodford as Chairman. Theresa Coletta moved to appoint Bill Wheeler as the ABC Chair. Ron Powell seconded the motion, which carried.

The mayor said that in the past R. L. McIntosh has asked Council to consider him for appointment to the ABC Board in the event of vacancy, which now exists. Judy Buchanan moved to appoint R. L. McIntosh to the ABC Board. Ron Powell seconded the motion, which carried.

- The Mayor announced she will be attending a High Country grant workshop in the next month, and distributed information on the workshop.

- Update/discussion on the allocation of \$24,470 to Winter Star Corporation to partially fund a fire suppression water line installation to the Burnsville Development Park – Ron Powell distributed information related to a Coates' Cannons Blog by Kara Millonzi on utility rate discounts and asked

Council to read the blog and suggested that attorney Heather Hockaday investigate further. Ms. Hockaday said the statute says you can use any funds that are not restricted by law. She looked for legal restrictions on using capital improvement funds, and found nothing in the statutes that said you can't. She said she is satisfied that water/sewer money is not restricted. Theresa Coletta moved to fund the Burnsville Development Park project as approved twice by Council, without any further investigation. Judy Buchanan seconded the motion.

Voting was as follows:

Ayes

Ruth Banks  
Judy Buchanan  
Theresa Coletta  
Shannon Peterson

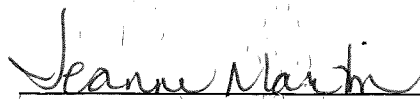
Noes


Ron Powell

- Updates from Advisory Boards and Non-Profits
  - a. High Country Council of Governments – minutes and financials available
  - b. Toe River Arts Council – minutes and financials available
  - c. Yancey County Economic Development Commission – Wanda Profitt thanked Council for their support of economic development. She said that expansions at the HSN plant in Micaville were not announced until they saw the county and town initiatives to expand the water/sewer system. This initiative is making a difference not only at HSN, but also at the newly-announced plant locating at Taylor Togs that wants to connect to our system.

She reported that she had gone to an EDC event in Madison County that was attended by Connie Mullan (USA Cycling National Collegiate Championship) and heard from her what a great reception she experienced in Burnsville.

- Next Regular Town Council Meeting – The next regular town council meeting will be held on Thursday, April 7, 2016 at 6:00 p.m., at the Burnsville Town Center to consider regular business for the month of April.
- There being no further business, Ron Powell moved to adjourn. Shannon Peterson seconded the motion, which carried.

  
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Jeanne Martin, Town Clerk

  
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Theresa Coletta, Mayor