

BURNSVILLE TOWN COUNCIL
Regular Meeting
Thursday, September 1, 2016

On September 1, 2016, the Burnsville Town Council, with members Mayor Theresa Coletta, Ruth Banks, Judy Buchanan, Shannon Peterson, and Ron Powell present, held a special meeting at the Burnsville Town Center. Also in attendance were town staff members Brian Buchanan, Leslie Crowder, Jon England, Chad Fox, Jeanne Martin, and Ronnie Tipton; attorney Danny Hockaday; and visitors Denise Cook, Lucy Doll, Robin Ellis, Laura Floyd, Dean Gates, David Grindstaff (Yancey Common Times), Mike Hoskins, Ginger Johnson, Jamie McMahan, Ben and Brywn Philips, Wanda Proffitt, Wanda Woodby, and others.

- **Public Comment** – The following individuals signed up to speak during the period set aside for public comment:
 - a. Laura Floyd spoke to Council about the *International Day of Natural Disaster Reduction* that will be observed on October 12th. Elected officials were asked to demonstrate support for our forests.
- **Adoption of Agenda** – Councilors considered a request to change the order of the agenda, moving the NAACP request concerning Chester Henson’s housing issue to an earlier spot. Judy Buchanan made a motion 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. Special meeting held August 11, 2016
 - b. Closed session held August 11, 2016
 - c. Special meeting held August 16, 2016

Judy Buchanan moved to adopt the aforesaid minutes as written. Ron Powell seconded the motion, which carried.

- **Resolution Approving Water and Sewer Asset Management and Capital Improvements Plan** – Available for review was a Resolution *Approving Water and Sewer Asset Management and Capital Improvements Plan*, which the mayor explained is the last item needed for our grant application.

Judy Buchanan moved to adopt the aforesaid Resolution. Ron Powell seconded the motion, which carried.

- **NAACP Request Concerning Chester Henson’s Housing Issue (Harding Property)** – Wanda Woodby, the President of Yancey-Mitchell NAACP, spoke to Council on this matter. She said she was offended at the disrespectful manner in which Mr. Henson was treated. She asked if Mr. Henson was denied due process because of infighting or if he had been discriminated against because of age, race or class. She said the fact that the Town Council is not bound by Planning Board recommendations indicates the Council has discretion, and asked what criteria is referred to when a decision is considered. Ms. Woodby asked for another vote on the issue.

Robin Ellis, also with the NAACP, shared similar comments. Ms. Woodby asked for copies of the minutes from the last Planning Board and Town Council meetings, as well as a copy of the town's zoning ordinance.

- **Petition for Voluntary Annexation - True North Equities, LLC** – Judy Buchanan moved for Council to enter closed session pursuant to NCGS 143-318.11(a)(4) to discuss matters relating to the location or expansion of business in the area served by the Town of Burnsville. Shannon Peterson seconded the motion, which carried.

Council reconvened in open session. Judy Buchanan moved to accept sewer easement from one piece of private property to another piece of private property west of the town limits. Shannon Peterson seconded the motion, which carried.

Ron Powell moved to hold a hearing on annexation at the next regular Council meeting, October 6, 2016 at 6:00 p.m. at the Burnsville Town Center. Judy Buchanan seconded the motion, which carried.

Ron Powell moved to refer initial zoning on the proposed annexation to the Planning Board. Shannon Peterson seconded the motion, which carried.

- **Planning Board Report** - Dean Gates, Planning Board Chair, reported:
 - a. Minutes from the Planning Board meeting held August 18, 2016 were available for review.
 - b. Mr. Gates told Councilors he was in his fifth year as the Planning Board Chair, and this would be the last meeting for him to report as chairman. A new chairman will be elected at the Planning Board meeting later this month. He said he is leaving the town with a great ordinance, but cautioned it will always be a work in progress. Mr. Gates said it was both a privilege and pleasure to serve the Town of Burnsville.

Mayor Coletta told Mr. Gates that his years of service were sincerely appreciated by her and other Council members.

- **Mayor's Administrative Report**
 - a. Water/Sewer Grant Update (Asset Management Plan) – The Mayor commented that she was delighted to have the Resolution that was approved earlier in the meeting on its way to Raleigh.
 - b. Farmers' Market Update – Councilors learned that the latest communication from the farmers reported vendors at full capacity and complete satisfaction with the move to the parking lot near the town hall.
 - c. Council Work Session September 20, 2016 – This meeting will be held at the Burnsville Town Center at 6:00 p.m. Agenda items will include:
 - 1) Trailer park update
 - 2) Personnel policy review
 - 3) Sidewalk cafes. Ron Powell moved to direct Ronnie Tipton to work with the town attorney and forward an ordinance for sidewalk cafes to the Planning Board for review. Ruth Banks seconded the motion, which carried.

- **Discussion Concerning Town Manager Form of Government** – Council members shared their opinions of changing the town’s form of government from Mayor-Council to Council-Manager:
 1. Mayor Coletta addressed Councilor Ron Powell’s request for Council to consider a Council-Manager form of government. The Mayor gave numerous examples of Ron Powell’s attempts to control Council and stated that she feels his request now for a Council-Manager form of government is another one of these attempts. However, the Mayor went on to state that a far more compelling reason for her to not pursue this management style of government at this time is that this will be one more management person with a large salary when these funds are desperately needed to be invested in the town’s sidewalks and aging water and sewer infrastructure.
 2. Judy Buchanan said her main objection to a Council-Manager form of government would be budgetary in that a small town budget can’t handle a truly qualified manager. She commented that the Mayor keeps Council members informed and “in the loop,” and decisions are made at Council level. She said she doesn’t feel the current system is broken.
 3. Shannon Peterson said he appreciates the Mayor’s work and the time she puts in. He said he would have to research the matter further to decide if there is a need for a change in management style.
 4. Ruth Banks said she would like to see an improvement in Council’s decorum.
 5. Ron Powell commented that the concept of Council-Manager form of government was a recommendation from the Sanford Holzhauser report in 2005. He said he appreciated Council’s consideration of the issue.

- **Department Updates:**
 1. Administration
 - a. Personnel Policy Update – Copies of the rewritten Personnel Policy were distributed for review and will be considered at the September 20th work session. Judy Buchanan thanked committee members Ruth Banks, Brian Buchanan and Jeanne Martin for their work, and the Mayor for having the foresight to begin this project and furnish us with start-up documents and other resources.
 - b. Pursuant to GS 105-369(a), *Tax Delinquent Report* dated August 26, 2016 was provided as an update of uncollected revenues. A variety of collection efforts are underway.
 - c. Council considered a tax refund pursuant to NCGS 105-381 that is due to Cristel Wiker on Property ID 082011754896000. Judy Buchanan moved to refund the taxpayer as requested. Ron Powell seconded the motion, which carried.
 - d. Shannon Peterson moved to approve *Order of Collection* for 2016 taxes. Judy Buchanan seconded the motion, which carried.
 - e. Changes to State Health Plan – In response to a State Health Plan directive that mandates all local units to mirror the coverage contributions required of state employees, Finance officer Leslie Crowder proposed an employee deduction coupled with a balancing stipend to keep the Town of Burnsville in compliance. Ruth Banks moved to direct the deduction/stipend. Shannon Peterson seconded the motion, which carried.
 - f. Finance Issues – the *Budget vs. Actual* dated August 26, 2016 was furnished to Council. Ron Powell asked Leslie Crowder to review overtime lines and the operation manager’s line, and report to Council via email.
 2. Fire Department - Chief Niles Howell reported:
 - a. Status of Property – ADW Architects in Charlotte have been appointed for the fire department project. The architect will visit the property on Tuesday to review the scope and tour the present facility. A fee proposal will be submitted after the visit. The mayor

said that while serving on the interview committee she checked many references and heard nothing negative about the firm that was selected. She told council that because this firm had done so many fire departments they were able to suggest many options for savings. Council was told that the architect may bring suggestions for incorporation of art in the project, even though there isn't much money to dedicate to art.

Niles Howell said they have talked about numerous ways to dispose of the barn that exists on the property. The best option appears to be to run an ad for people interested in demolition, and then hold a drawing. Requirements would include removal of every piece of the demolished structure and adequate insurance. Heather Hockaday will be consulted about the legalities.

- b. Operations – Council reviewed the Fire Department's Monthly Update
3. Police Department - Chief Brian Buchanan reported:
 - a. Council reviewed the department's activity log;
 - b. An evidence scanner was installed this week;
 - c. Councilors were asked to consider an Ordinance for Street Closure for the *Farm to Fork* event. Theresa Coletta moved to adopt the ordinance for street closure as requested. Shannon Peterson seconded the motion, which carried.
 - d. Councilors discussed the need for a memorandum of understanding between the Town and the EMS for the use of NARCAN, including training, which is a life-saving spray used in drug overdoses. Ron Powell moved to adopt the Resolution containing the understanding between the parties. Theresa Coletta seconded the motion, which carried.
4. Public Works Department - Public Works Director Ronnie Tipton reported:
 - a. Jackie Hensley is helping to develop an activity log of service calls that can be provided for Council review in the future.
 - b. Pavilion – The joint committee of the Town and Yancey County have met to review the placement of a stage on the square. The committee is currently working on a draft proposal to submit to the County Commissioners and Town Council. Commissioners will receive the report at their monthly meeting and it will be presented to Council at the September work session.
 - c. Micaville Water Line Extension – The project is still in the state clearinghouse awaiting approval.
 - d. East Yancey Sewer Plant – We are waiting on the last permits to be issued through DEQ.
 - e. An employee has left our crew. The position will be posted and applications will be accepted.
 - f. Shannon Peterson inquired about buildings that are in disrepair and was told that one will be used as a training tool for burning. Others are being addressed via town ordinances. Occupied structures are complicated, but are being addressed. Mowing can be done at the owner's cost.
5. Town Center - Facility Manager Chad Fox provided an update of events scheduled in the upcoming month. It is noteworthy that the Town Center hosted Governor McCrory in the past week.

- **Council Members Reports** – There were no council member reports this month.
- **Updates from Advisory Boards and Non-Profits**
 1. High Country Council of Governments (minutes and financials were available).

2. Yancey County Economic Development Commission – EDC Director Wanda Proffitt reported:
 - a. Videography done on the broadband project brought a lot of attention throughout the state, and the USDA did an interview about the project;
 - b. The Mt. Mitchell celebration was a big success, and 2244 acres are being added to Mt. Mitchell Park.
3. Toe River Arts Council – Denise Cook gave an update on the Smart Initiative project. Jack Mackie will be visiting September 19-23, glass blowing again at Penland. She advised that the NEA grant application was turned down, but is being reworked. Ms. Cook asked if the town will partner on the grant again, and help with landscaping and assistance with advice. Ron Powell moved to cosponsor on this grant as before. Theresa Coletta seconded the motion, which carried.

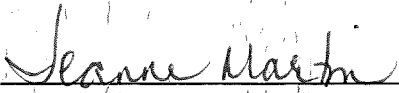
Ms. Cook reported that Jack Lackey will start working on contracts for plants for the gateways soon. Issues related to drainage, grading, seeding, etc. will be worked on the the winter. Her best guess on landscaping is 12 to 14 months.

TRAC has been involved in a branding/wayfinding project, which she hopes will be complete by this time next year. Website development is underway.

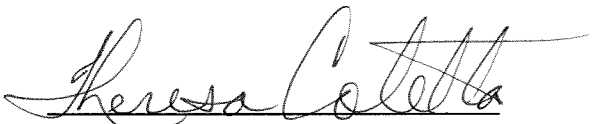
Councilors received flyers on this years' *Music in the Mountains* event that will honor Bob Lominac.

- **Next Regular Town Council Meeting** – The next Town Council meeting will be held on Thursday, October 6, 2016 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. The motion was seconded by Ron Powell and carried.



Jeanne Martin, Town Clerk



Theresa Coletta, Mayor