

BURNSVILLE TOWN COUNCIL
Special Meeting – Tuesday, August 8, 2017
(To conduct regular business for the month of August, 2017)

On August 8, 2017, the Burnsville Town Council, with members Mayor Theresa Coletta, Ruth Banks, Judy Buchanan, and Ron Powell present, held a regular meeting at the Burnsville Town Center. Absent from the meeting was Council member Shannon Peterson. Also in attendance were town staff members Brian Buchanan, Leslie Crowder, Jon England, Chad Fox, Niles Howell, Jeanne Martin and Ronnie Tipton; and visitors Michelle Ball, Danny Bridges, Ben Cathey, David Grindstaff, Ginger Johnson, Phil Trew, and others. The Mayor, who presided, stated that the purpose of the meeting was to conduct regular business for the month of August, 2017.

- **Public Comment** – No one spoke during the period set aside for public comment.
- **Adoption of Agenda** – Judy Buchanan moved to adopt the agenda as presented. Ruth Banks seconded the motion, which carried.
- **Consideration of Minutes** – Available for review were minutes from the following meetings:
 - a. Special meeting held June 26, 2017
 - b. Special meeting held July 19, 2017

Judy Buchanan moved to adopt the minutes of the aforesaid meetings. Ruth Banks seconded the motion, which carried.

- **Planning Board Report** – Harrison Tyner, Chair, of the Planning Board, was not available to report.
- **Peterson Trailer Park ~ CDBG Project #16-I-2715 (\$900,000)** – Michelle Ball (High Country Council of Governments) was present to explain requirements for CDBG compliance. The following documents were available for Council review:
 - a. ADA Grievance Procedure
 - b. Procurement Standards
 - c. Residential Anti-displacement and Relocation Assistance Plan
 - d. Project Ordinance
 - e. Equal Employment Plan
 - f. Language Access Plan (LAP)
 - g. Citizen Participation Plan
 - h. Local Economic Benefit for Low and Very Low Income Persons Plan (Section 3 Plan)
 - i. Excessive Force Plan
 - j. Fair Housing Complaint Procedure

After review and explanation, Judy Buchanan moved to adopt the aforesaid plans, procedures, ordinance and standards. Ron Powell seconded the motion, which carried.

- **Agreement between the High Country Council of Governments and the Town of Burnsville for the Provision of Grant Management Assistance** – Highlights of the aforesaid contract, which was available for review, were explained to Council. Ron Powell moved to approve the contract for grant assistance. Ruth Banks seconded the motion, which carried. Phil Trew (High Country Council

of Governments) expressed appreciation for the relationship the High Country COG has with the Town of Burnsville.

- **Agreement between McGill and Associates and the Town of Burnsville for Engineering Services** – Highlights of the aforesaid agreement, which was available for review, were explained to Council. It was noted that the agreement will include assistance with the administration of construction. Ron Powell moved to approve the contract for engineering services. Ruth Banks seconded the motion, which carried.
- **Resolution Authorizing Signatories on Requisitions for Funds** – Council reviewed the aforesaid Resolution, which names Leslie Crowder, Jeanne Martin, Theresa Coletta and Judy Buchanan as authorized signatories for CDBG Infrastructure Project 16-I-2715. After discussion, Ron Powell moved to adopt the Resolution, which will be certified by Councilor Ruth Banks. Judy Buchanan seconded the motion, which carried.
- **Indian Trail/Meadow Road CDBG Project** – Council was given background on this project by Phil Trew (High Country Council of Governments) and learned that this funding is coming from the same program as the Peterson Trailer Park project.
 - a. Public Hearing on Application for FY 2016 CDBG funding under Title I of the Housing and Community Development CT \$1,100,000 No Match Grant - The Town Council for the Town of Burnsville held a public hearing on August 8, 2017 for providing explanation and description of the 2017 North Carolina Department of Environmental Quality (DEQ) Community Development Block – Infrastructure Grant (CDBG-I). Members present were Mayor Theresa Coletta and Councilors Ruth Banks, Judy Buchanan, and Ron Powell.

Michelle Ball of High Country Council of Governments was present to discuss the purpose of the public hearing for the Town of Burnsville's CDBG-I funding application. Michelle stated that the purpose of the public hearing was to obtain citizen's views and to respond to funding proposals and answer any questions posed by citizens. Michelle also stated that the public hearing must cover the Town's community development needs, development of the proposed activities, and a review of program compliance before the submission of the Town's CDBG-I funding application to the state of the North Carolina.

The Town proposes requesting funding from NCDEQ'S CDBG-I program for the Indian Trail/Meadow Road Sewer Line Rehabilitation Project. The purpose of the CDBG-I grant program are:

To improve the quality of life for low to moderate income people by providing a safe, clean environment and clean drinking water through water and sewer infrastructure improvements and extensions of service.

- To benefit a residential area where at least 51% of the beneficiaries are low to moderate income as defined by the United States Department of Housing and Urban Development.
- To perform eligible activities.
- To minimize displacement, and
- Provide displacement assistance as necessary.

For the fiscal year of the CDBG-I funding available is expected to be \$21,750,000. The maximum available grant is \$2.0 million over a 3 year period. Applications for funding will be received September 29, 2017.

The CDBG program is able to fund a wide variety of community development activities. The State of North Carolina has chosen to fund two activities: water and sewer infrastructure, and economic development projects that lead to job creation or retention. The infrastructure program, or CDBG-I program can fund a range of water and sewer infrastructure activities, including, but not limited to the, following:

Water:

- Projects that resolve water loss in distribution systems.
- Projects that extend public water to areas with contaminated wells.
- Projects that extend water lines to areas with dry wells.
- Projects that assist with low water pressure in public water systems.
- Projects that regionalize two or more water systems.
- Project that rehabilitate or replace a water treatment plant.

Wastewater:

- Projects that resolve inflow and infiltration to collection systems and surcharges from pumps stations and manholes.
- Projects that extent public sewer to areas with failed septic tanks.
- Projects that rehabilitate a wastewater treatment plant to allow for greater efficiency/compliance with regulations.

The Town is seeking an amount in CDBG-I funds not to exceed \$1,100,000.00 for the Indian Trail/Meadow Road Sewer Line Rehabilitation Project. The purpose of the Town's request is to Replace existing approximately 6,000 linear feet of undersized 4- and 6-inch sewer lines with new 8-inch line, install 30 new manholes, 60 service taps, and approximately 1,000 feet of new 4-inch service line. Sewer lines will be replaced on Indian Trail, Meadow Road, Boone Street, Galley Street, Celo Street, Nichols Street, Jones Street, and a portion of Woodlawn Ave. to reconnect to the existing sewer line and serve approximately 100 existing residential customers. The project proposed by the Town of Burnsville was identified in an Asset Management Plan in September of 2016. Informal community meetings were held in the project area to inform citizens of the potential project, and get feedback from the residents.

A total of 100% of the CDBG- I funding will be used to benefit Low to Moderate Income (LMI) people. Door to door income surveys are being conducted in the project area in the and Town of Burnsville is estimating that the project area has an LMI percentage of 60%. Surveys are expected to be complete by the end of August. The project area includes Approximately 100 homes within the Indian Trail, Meadow Rd., Boone St., Celo St., Galley St., Nichols St., Jones St., and a portion of and Woodlawn Ave.

The range of activities covered by the CDBG-I funds for the Indian Trail/Meadow Road Sewer Line Rehabilitation Project includes:

Construction
Environmental Review
Engineering Design
Construction Administration and observation.
Legal activities.
Surveying.
Grant Administration.

If the Town of Burnsville is awarded a CDBG-I grant, the town is required to adhere to federal procurement requirements and other federal regulations which include:

- American with Disabilities Act/Section 504 Survey
- Davis-Bacon & Related Labor Acts
- Adoption/Submittal of a Citizen's Participation Plan
- Adoption/Submittal of an Equal Opportunity Plan
- Adoption/Submittal of a Fair Housing Plan
- Adoption/Submittal of a Language Access Plan
- Adoption/Submittal of a Relocation Assistance Plan
- Adoption/Submittal of a Section 3 Plan
- Excess Force Provision

The State of North Carolina requires that if the Town of Burnsville receives CDBG grant funding that the town will certify that they will comply with the requirements of the general displacement and relocation policy for CDBG grant funding. This policy assists low to moderate income people with costs associated with relocation or displacement, should such relocation become necessary due to the project activities. CDBG funds can be used for those costs, if necessary. If no displacement and relocation will occur as a result of the proposed CDBG grant activity, then the Town of Burnsville confirms that during this public hearing.

In the past, the Town has applied for and received for the following completed CDBG project:

- Altec Industries – Waterline & Sewer Line Extension Project
9300 lf of water line installed and 8800 feet of sewer line installed to the new Altec building. As of June 2015 450 jobs were created through this project.
- Peterson Trailer Park Sewer Line Rehabilitation Project
3,900 lf of sewer line replaced at the Peterson Trailer Park off Love Fox Rd. Funds have been awarded and work shall be under contract within the next 12 months. 45 homes will be served with this project.

The Town will submit its CDBG-I application for the Indian Trail/Meadow Road Sewer Line Rehabilitation Project on September 29, 2017. The CDBG-I application will be available for review during normal business hours at the Burnsville Town Hall, 2 Town Square, Burnsville, NC 28714 Additional information is available from Ronnie Tipton, Burnsville Public Works Director. Should you have any complaints or grievances regarding the subject public hearing, they should be addressed to the addressee mentioned above within 10 business days or by August 21, 2017 and a written response to the written complaints and/or grievances will be sent by the Town within 10 business days, where practicable.

Motion was made by Judy Buchanan to close the public hearing. The motion was seconded by Ruth Banks and carried.

- b. Resolution for the *Town of Burnsville Application for Community Development Block Grant Funding for Infrastructure Improvements* – The aforesaid Resolution was available for consideration. Ron Powell moved to adopt the Resolution; the motion was seconded by Judy Buchanan and carried.
- c. Consideration of *Resolution Approving Water and Sewer Asset Management and Capital Improvement Plan Amendment* – Danny Bridges (McGill and Associates) explained that nothing in the Capital Improvements Plan has changed except prioritization of the projects. Ron Powell moved to adopt the aforesaid Resolution. Judy Buchanan seconded motion, which carried.

▪ **Mayor's Administrative Report**

- a. Update on Beautification of Gateways – The Mayor advised that we will be hearing more about design details soon.
- b. Elevator report – The Mayor advised that the Reeves Foundation grant was denied. This project will be discussed at the September Council meeting.
- c. Council work session – To accommodate summer vacations, no work session is planned for the month of August.

▪ **Department Updates:**

- a. Administration – Jeanne Martin, Town Clerk/Tax Collector
 - 1. Pursuant to GS 105-369(a), *Tax Delinquent Report* dated August 3, 2017 was provided as an update of uncollected revenues. A variety of collection efforts are underway. A number of files have been turned over to Heather Hockaday for collection, and some those files that present conflicts will be turned over to Michelle Poore in Avery County for foreclosure action. Ms. Poore, who has experience in a large number of government foreclosures, has agreed to handle these cases, with her fee to be collected at the time of the sale of the various properties.
 - 2. Certificate of Sufficiency Regarding Petition for Voluntary Annexation (Winter Star Co.) – The Town Clerk certified that the Winter Star Company's Petition for Voluntary Annexation is sufficient. Council agreed to hold a public hearing on this petition for annexation during its September 5, 2017 meeting.
 - 3. Finance Issues:
 - a) The Budget vs. Actual dated August 3, 2017 was furnished to Council, along with an overtime report.
- b. Fire Department – Chief Niles Howell
 - 1. Status of Property – Niles Howell reported on the building status, noting that the architect is still not under contract, and his fee has increased. Ron Powell moved to approve the fee increase and hire the architect. Theresa Coletta seconded the motion, which carried.

Council heard information Chief Howell has gathered from loaning institutions. He said it seems like USDA funding will be the most attractive financing option. Ron Powell moved to authorize the Mayor to execute all forms relating to USDA funding for the Fire Department. Judy Buchanan seconded the motion, which carried.

2. Operations:
 - a) Council reviewed the Fire Department's Monthly Update.

c. Police Department - Chief Brian Buchanan reported:

1. Council reviewed the department's activity log.
2. There were no police issues during the crafts fair.
3. The Department just completed a second Personnel Audit today and received a good report, although a few things need to be fixed.
4. Jake brakes (engine-assisted braking) – Jon England advised that signs prohibiting unmuffled engine brakes from 9 p.m. until 6 a.m. have been ordered. There will be coordination with the D.O.T. as to the installation of the signs.

d. Public Works Department – Public Works Director Ronnie Tipton reported:

1. An activity log was available for review.
2. Stillwell Enterprises has completed ¾ of the Micaville water line project.
3. Micaville Elementary School has made connection to the Micaville sewer plant.
4. Mr. Tipton expressed gratitude to the High Country Council of Governments and McGill Associates for working with us on the CDBG grants. He also thanked Mayor Coletta for her hard work on these projects, and the Town Council as a group for seeking funding and caring for the Town's infrastructure.

e. Town Center - Facility Manager Chad Fox provided a brief update of events scheduled for the upcoming month, mentioning that tomorrow is the beginning of 11 days in a row of rentals, which keeps people in town longer. He advised that the town center now can claim 9 large annual events which we can depend on to fill out the calendar. Councilors learned that the town center can now be followed on *Instagram*.

▪ **Council Members' Reports**

a. Mayor Theresa Coletta

1. Economic Development Project Update – Leslie Crowder read a proposed Resolution that would be needed by French Broad Electric Corporation for possible REDLG funding of this project. Ron Powell moved to adopt the aforesaid Resolution. Ruth Banks seconded the motion, which carried.

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

a. Yancey County Economic Development Commission – minutes were available for review.

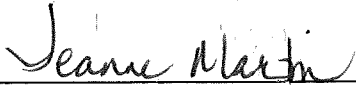
1. The Mayor advised that the EDC is seeking a full time director, which she supports. She also advised that she has spoken with the County Manager and the County Planner as a follow up to the letter to the Yancey County Commissioners regarding the Town's contributions to economic development. She pointed out to them that county residents pay \$3.78/per person for economic development, but town residents are paying \$15.52/person. She suggested to them that the county meet our challenge to equal the town taxpayer's contribution.

b. High Country Council of Governments – minutes and financials were available for review.


c. Parkway Playhouse – minutes and financials were available for review.

- **Next Regular Town Council Meeting** – The next Town Council meeting will be held on Tuesday, September 5, 2017 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 meeting. Ruth Banks seconded the motion, which carried.



Jeanne Martin, Town Clerk



Theresa Coletta, Mayor