

**Minutes of the 12 September 2016  
Regular Meeting of the Yancey County Board of Commissioners  
Held at 6:00 o'clock p.m. in the Yancey County Courtroom  
Yancey County Courthouse, Burnsville, North Carolina**

Present at the 12 September 2016 meeting of the Yancey County Board of Commissioners were: Chairman Johnny Riddle, Commissioner Jill Austin, Commissioner Byrl Ballew, Commissioner Randy Ollis, Commissioner Jeff Whitson, County Manager Nathan Bennett, Clerk to the Board Jason Robinson, County Planner Jamie McMahan, County Attorney Donny Laws, members of the media, and members of the general public.

**Call to Order and Approval of Agenda**

Chairman Riddle called the meeting to order. Chairman Riddle then asked Commissioner Whitson to deliver the invocation. After the invocation, Commissioner Ballew led the Pledge of Allegiance. Commissioner Ollis then asked for the agenda to be amended to include a resolution of welcome for his father's naval mates and their families. Chairman Riddle then asked for a motion to approve the amended agenda. Commissioner Ollis made a motion to approve the agenda and it was seconded by Commissioner Ballew. The vote to approve was unanimous (Attachment A).

**Artwork Presentations**

The Board next heard from County Manager Nathan Bennett concerning artwork that had been commissioned by the County for two significant anniversaries. The first of these was the centennial anniversary of Mount Mitchell and the North Carolina State Park system. Mr. Bennett stated that Mr. Rolf Holmquist was chosen to produce the artwork for the Mount Mitchell Centennial. Mr. Holmquist presented the Board with the artwork and commented that it was an honor to be chosen for this project. The second significant event was the 50<sup>th</sup> anniversary of the Yancey County Courthouse. Mr. Bennett stated that Mrs. Sandra Gates was chosen to produce the artwork for the golden anniversary of the courthouse. Mrs. Gates presented the Board with the artwork and stated that she had a lot of fun with this project.

**Public Comment**

The first person to speak before the Board was Starli McDowell who spoke about river access for the South Toe River. The next person to speak before the Board was Tom Robinson who spoke about illegal aliens stealing from American citizens. The next person to speak before the Board was Amy Trobaugh who spoke about funds for the Yancey County School System. The next person to speak before the Board was Lois Herb who thanked the commissioners for paving at the Egypt recycling center and would like to thank the Sheriff's Department. She also spoke about animal control.

**Consent Agenda**

The Board next moved to the consent agenda portion of the agenda. On the consent agenda for September was the approval of the August 8<sup>th</sup> regular meeting minutes, the August 8<sup>th</sup> special meeting minutes, and the 2016-17 fiscal year budget work session minutes. In addition, the consent agenda contained Board appointments to the firemen's relief fund (Attachment B). The next item on the consent agenda was a Board appointment to the High Country Workforce Development Board. This appointment is for Mrs. Christy Wilson of the NuWray Inn for a private sector appointment (Attachment C). The final item on the consent agenda was the tax collection report for August which was for informational purposes only (Attachment D). Upon hearing the items on the consent agenda, Commissioner Ollis made a motion to approve the consent agenda and it was seconded by Commissioner Ballew. The vote to approve was unanimous.

**Otway Pavilion**

The Board next heard from County Planner Jamie McMahan. Mr. McMahan informed the Board that he and Town of Burnsville Public Works Director Ronnie Tipton have completed a preliminary report concerning the proposed permanent stage on the Town Square. Mr. McMahan stated that he was so pleased that a civic minded individual had offered to pay for this stage. Mr. McMahan did point out a number of problems with the project though including the cost to maintain the structure, controlling access to the stage, and the fact that the stage does not comply with the Town of Burnsville's design guidelines. Mr. McMahan stated that if the Board saw fit to carry on with the project that public input should be sought as a number of people have expressed their opinions on the subject. Chairman Riddle stated that he appreciated Mr.

McMahan and Mr. Tipton conducting this study. No action was taken by the Board at this time (Attachment E).

**County Manager Report**

The Board next heard from County Manager Nathan Bennett. Mr. Bennett gave the Board an update on the concession stand at Cane River Park, the East Yancey Sewer, events that occurred over the last month, and stated that the vines had been removed from the former library building on the Town Square.

**County Attorney Business**

County Attorney Donny Laws stated that he had nothing for the Board at this time.

**Commissioner Business**

Commissioner Ollis stated that he was hosting his late father's, John Ollis, naval unit. This is an annual reunion of the members of LST 672 that takes place in different parts of the country. Commissioner Ollis asked if there could be a resolution of welcome for the crew members and family of LST 672. Commissioner Ollis then made a motion to approve the resolution and it was seconded by Chairman Riddle. The vote to approve was unanimous (Attachment F). Chairman Riddle stated that he had attended two great events over the last month. First, was the 100<sup>th</sup> anniversary celebration of Mount Mitchell and second the TRACTOR dinner on the Town Square. Both of these were wonderful events that were shined a bright spotlight on Yancey County.

**Closed Session**

Chairman Riddle then entertained a motion to go into closed session pursuant to NCGS 143-318.11(a)(6) for a personnel matter.

Upon returning to open session the Board took no action.

**Adjournment**

Having no further business Commissioner Ballew made a motion to adjourn and it was seconded by Commissioner Ollis. The vote to adjourn was unanimous.

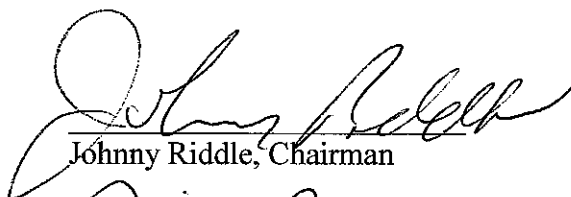
Approved and authenticated on this the \_\_\_\_\_ 10<sup>th</sup> \_\_\_\_\_ day of October 2016.

Attest:

  
J. Jason Robinson  
Clerk to the Board

(county seal)

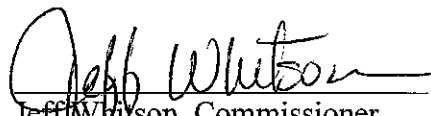


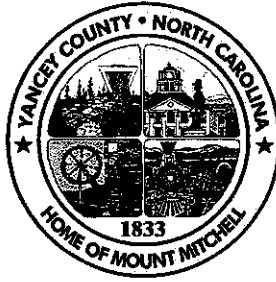
  
Johnny Riddle, Chairman

  
Jill Austin, Vice-Chairman

  
Byrl Ballew, Commissioner

  
Randy Ollis, Commissioner

  
Jeff Whitson, Commissioner



**AGENDA**  
**YANCEY COUNTY BOARD OF COMMISSIONERS**  
**REGULAR BUSINESS MEETING**  
**September 12, 2016**  
**6:00 P.M.**

- I. Call to Order – Chairman Johnny Riddle
- II. Invocation and Pledge of Allegiance to the Flag
- III. Approval of the Agenda
- IV. Artwork Presentations
  - a. Rolf Holmquist – Mount Mitchell Centennial
  - b. Sandra Gates – Yancey County Courthouse 50<sup>th</sup> Anniversary
- V. Public Comment
- VI. Consent Agenda
  - a. Approval of the Minutes- August 8<sup>th</sup> regular meeting minutes and August 8<sup>th</sup> special meeting minutes; 2016-17 Budget Work sessions minutes
  - b. Firemen’s Relief Fund – Board Appointments
  - c. Workforce Development Board – Christy Wilson, NuWray Inn – Private Sector Appointment
  - d. August Tax Collection Report – Informational
- VII. Otway Pavilion (Proposed) – Report – Jamie McMahan, County Planner
- VIII. County Manager Report – Nathan Bennett, County Manager
  - a. General Update
- IX. County Attorney Report – Donny Laws, County Attorney
- X. County Commissioners Report
- XI. Closed Session Pursuant to NCGS 143-318.11(a)(6) — Personnel Matter
- XII. Adjourn

# Attachment B

## YANCEY COUNTY FIREMEN'S RELIEF FUND PROPOSED BOARD MEMBERS

Newdale Volunteer Fire Department  
Roger Huskins

Double Island Volunteer Fire Department  
Thomas Basnight

Pensacola Volunteer Fire Department  
Gary Ledford

South Toe Volunteer Fire Department  
Josh Blevins

West Yancey Volunteer Fire Department  
Doug Angel

Egypt-Ramseytown Volunteer Fire Department  
David Adkins

Clearmont Volunteer Fire Department  
Rodney Deyton



**Membership Appointment Form**

Please refer to the attached letter for all membership requirements and current vacancies/term expirations. The Director has confirmed/reviewed with the appointee his/her willingness to serve, the individual's ability to attend daytime board meetings in Boone, and seat requirements.

County: Yancey

Please Return Form By as soon as possible

Term Start: now Term End: 6/30/2017

Type of Seat: Private Sector Appointment

Appointee Name: Christy Wilson

Seat Designation (Public and At-Large Seats Only): \_\_\_\_\_

Business / Organization Represented: NuWray Inn & Restaurant

Appointee's Position/Title: Owner/Manager

**Appointee's Mailing Address**

Mailing Address (Street / PO Box): 102 Town Square

Address Line 2: \_\_\_\_\_

City: Burnsville State: NC Zip: 28714

**Appointee's Phone and Email**

Home Phone (with Area Code): \_\_\_\_\_ Fax (with Area Code): \_\_\_\_\_

Work Phone (with Area Code): (828) 775-4026 Extension: \_\_\_\_\_

Preferred Email: nuwrayvenue@yahoo.com

**Member Performance (only applicable for members being reappointed)**

Meeting Attendance % for previous term: n/a

Director's Comments:

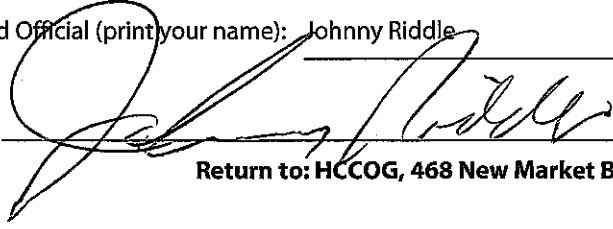
**Committees served on during most recent membership term:**

- Executive Committee
- Youth Council
- One-Stop Services

Ad Hoc Committees:

**Please sign to reflect this is your official appointment to the board.**

Chief Elected Official (print your name): Johnny Riddle

Signature: 

Date: 9-12-16

Return to: HCCOG, 468 New Market Blvd., Boone, NC 28607

Attachment 0  
YANCEY COUNTY TAX ADMINISTRATION

alpha/  
Vehicles

End of Month Breakout  
View Posted Payments in Date Range 08/01/2016 to 08/31/2016 for Both

Description	Amount
Vehicle Payments	
County Vehicle Tax Payments 2016	\$157.30
County Vehicle Tax Payments 2015	\$78.00
County Vehicle Tax Payments 2014	\$5.30
County Vehicle Tax Payments 2013	\$35.64
County Vehicle Tax Payments 2012	\$11.61
County Vehicle Tax Payments 2011	
County Vehicle Tax Payments 2010	
County Vehicle Tax Payments 2009	
County Vehicle Tax Payments 2008	
County Vehicle Tax Payments 2007	
County Vehicle Tax Payments 2006	
County Vehicle Interest	\$16.52
County Vehicle Total Payments	\$304.37
Burnsville VFD Vehicle Tax	
South Toe VFD Vehicle Tax	\$0.67
Newdale VFD Vehicle Tax	\$21.18
West Yancey VFD Vehicle Tax	\$5.52
Egypt/Ramseytown VFD Vehicle Tax	\$1.94
Clearmont VFD Vehicle Tax	\$2.39
Double Island VFD Vehicle Tax	
Pensacola VFD Vehicle Tax	
VFD Vehicle Interest	\$1.36
VFD Vehicle Total Payments	\$33.06
Town of Burnsville Vehicle Tax	
Town of Burnsville Vehicle Interest	
Town of Burnsville Vehicle Total Payment	
State Vehicle Interest	\$4.32
Vehicle Total Payments	\$341.75

09/01/2016

YANCEY COUNTY TAX ADMINISTRATION

*Alpha  
Vehicles*

End of Month Breakout

Outstanding Balances through 08/31/2016

Description	2016	2015	2014	2013	2012	2011	2010	2009	2008	2007	Total 2006
Balances											
Balances											
County Vehicle Tax											\$67,310.10
	\$1,260.66	\$7,382.94	\$1,216.20	\$27,850.71	\$29,599.59						
TOWN OF BURNSVILLE Vehicle Tax											\$4,939.04
	\$16.57	\$32.78		\$2,130.53	\$2,759.16						
BURNSVILLE FIRE DISTRICT Vehicle Tax											\$1,420.36
	\$20.76	\$131.41	\$7.53	\$566.78	\$693.88						
CANE RIVER FIRE DISTRICT Vehicle Tax											\$551.79
	\$4.80	\$123.35	\$3.69	\$179.07	\$240.88						
EGYPT FIRE DISTRICT Vehicle Tax											\$187.64
	\$0.85	\$2.59	\$0.46	\$105.27	\$78.47						
RAMSEYTOWN FIRE DISTRICT Vehicle Tax											\$228.59
	\$0.43	\$4.53	\$0.53	\$124.30	\$98.80						
GREEN MOUNTAIN FIRE DISTRICT Vehicle Tax											\$221.33
	\$4.63	\$8.77	\$6.67	\$87.13	\$114.13						
JACKS CREEK FIRE DISTRICT Vehicle Tax											\$801.90
	\$24.73	\$64.05	\$7.31	\$359.93	\$345.88						
BRUSH CREEK FIRE DISTRICT Vehicle Tax											\$256.79
	\$1.87	\$3.66	\$0.36	\$116.70	\$134.20						
CRABTREE FIRE DISTRICT Vehicle Tax											\$1,836.84
	\$38.92	\$74.71	\$70.81	\$771.04	\$881.36						
SOUTH TOE FIRE DISTRICT Vehicle Tax											\$959.61
	\$4.19	\$107.99	\$11.53	\$442.77	\$393.13						

PENSACOLA FIRE DISTRICT Vehicle Tax					\$307.81
	\$3.97	\$102.56	\$1.11	\$89.51	\$110.66
PRICES CREEK FIRE DISTRICT Vehicle Tax					\$565.36
	\$15.61	\$125.83	\$21.36	\$201.09	\$201.47
County Vehicle Interest					\$16,709.00
	\$363.57	\$181.46	\$6,830.38	\$9,333.59	
TOWN OF BURNSVILLE Vehicle Interest					\$1,395.52
	\$2.61		\$526.57	\$866.34	
BURNSVILLE FIRE DISTRICT Vehicle Interes					\$365.06
	\$5.15	\$0.85	\$139.63	\$219.43	
CANE RIVER FIRE DISTRICT Vehicle Interes					\$120.33
	\$3.41	\$0.33	\$43.26	\$73.33	
EGYPT FIRE DISTIRCT Vehicle Interest					\$49.84
	\$0.09	\$0.01	\$25.13	\$24.61	
RAMSEYTOWN FIRE DISTRICT Vehicle Interes					\$61.14
	\$0.21	\$0.01	\$30.51	\$30.41	
GREEN MOUNTAIN FIRE DISTRICT Vehicle Int					\$56.88
	\$0.44	\$0.99	\$20.98	\$34.47	
JACKS CREEK FIRE DISTRICT Vehicle Intere					\$204.96
	\$3.38	\$1.10	\$88.73	\$111.75	
BRUSH CREEK FIRE DISTRICT Vehicle Intere					\$69.71
	\$0.11		\$28.74	\$40.86	
CRABTREE FIRE DISTRICT Vehicle Interest					\$483.28
	\$3.14	\$10.80	\$189.79	\$279.55	
SOUTH TOE FIRE DISTRICT Vehicle Interest					\$238.89
	\$6.57	\$1.33	\$107.33	\$123.66	
PENSACOLA FIRE DISTRICT Vehicle Interest					\$60.62
	\$5.26	\$0.20	\$21.42	\$33.74	
PRICES CREEK FIRE DISTRICT Vehicle Inter					\$122.88
	\$7.76	\$2.68	\$50.00	\$62.44	
DMV Vehicle Interest					\$2,347.60
	\$244.82	\$40.42	\$994.16	\$1,068.20	



Totals

\$1,397.99    \$8,811.69    \$1,587.74    \$42,121.46    \$47,953.99

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\$101,872.87

Billed to Date

% Collected

County Vehicle Tax 2016

\$782.26

-61.16%

09/01/2016

BIS

**Posting Report**  
08-01-2016 to 08-31-2016

09-01-2016  
8:19 AM

**I. Tax Collections + Releases**

Year	General Fund	Burnsville	West Yancey	Egypt/Ramseytown	Clearmont	Double Island	Newdale	South Toe	Pensacola	
2003	\$398.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$51.76	\$0.00	
2004	\$99.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$12.94	\$0.00	
2005	\$146.08	\$0.00	\$-48.15	\$0.00	\$0.00	\$0.00	\$0.00	\$12.94	\$0.00	
2006	\$99.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$12.94	\$0.00	
2007	\$99.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$12.94	\$0.00	
2008	\$134.55	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$19.44	\$0.00	
2009	\$149.49	\$0.00	\$0.00	\$0.00	\$4.90	\$0.00	\$0.00	\$19.44	\$0.00	
2010	\$413.90	\$36.30	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
2011	\$880.32	\$36.30	\$0.00	\$12.50	\$0.00	\$0.00	\$0.00	\$19.44	\$3.00	
2012	\$1,143.19	\$36.30	\$54.00	\$0.00	\$0.00	\$0.00	\$0.00	\$27.70	\$2.73	\$1
2013	\$4,092.54	\$36.30	\$54.00	\$12.50	\$131.84	\$0.00	\$-12.46	\$27.70	\$2.22	\$4
2014	\$10,619.70	\$38.15	\$76.28	\$50.00	\$129.00	\$14.40	\$101.33	\$105.02	\$2.40	\$11
2015	\$24,185.74	\$137.13	\$59.06	\$37.50	\$214.60	\$0.00	\$214.82	\$341.47	\$229.82	\$25
2016	\$6,869,598.24	\$84,211.68	\$131,965.53	\$57,147.38	\$52,898.41	\$21,467.46	\$76,798.06	\$104,671.81	\$33,475.65	\$7,432
<b>TOTAL</b>	<b>\$6,912,060.25</b>	<b>\$84,532.16</b>	<b>\$132,160.72</b>	<b>\$57,259.88</b>	<b>\$53,378.75</b>	<b>\$21,481.86</b>	<b>\$77,101.75</b>	<b>\$105,335.54</b>	<b>\$33,715.82</b>	<b>\$7,477</b>

**II. Releases**

	Current Year	Prior Year	TOTAL
General Fund	\$155,196.00	\$328.68	\$155,524.68
Burnsville	\$2,018.12	\$0.00	\$2,018.12
West Yancey	\$2,882.02	\$-1.02	\$2,881.00
Egypt/Ramseytown	\$1,312.07	\$0.00	\$1,312.07
Clearmont	\$1,178.50	\$0.00	\$1,178.50
Double Island	\$530.33	\$0.00	\$530.33
Newdale	\$1,651.48	\$38.49	\$1,689.97
South Toe	\$2,279.49	\$0.14	\$2,279.63
Pensacola	\$768.75	\$0.00	\$768.75

TOTAL			\$167,816.76		\$366.29		\$168,183.05
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### III. Net Tax Collections

Year	General Fund	Burnsville	West Yancey	Egypt/Ramseytown	Clearmont Double Island	Newdale	South Toe	Pensacola		
TOTAL	\$6,756,535.57	\$82,514.04	\$129,279.72	\$55,947.81	\$52,200.25	\$20,951.53	\$75,411.78	\$103,055.91	\$32,947.07	\$7,308

# Transaction Type Report

08-01-2016 to 08-31-2016

Year	General	Fire	Late	Waste	Additional Fees	Principal	Interest	Advertising Cost	Legal Cost	Total
2003	\$398.00	\$51.76	\$0.00	\$0.00	\$0.00	\$449.76	\$553.23	\$15.50	\$0.00	\$1,018.49
2004	\$99.50	\$12.94	\$0.00	\$0.00	\$0.00	\$112.44	\$122.67	\$3.50	\$0.00	\$238.61
2005	\$99.50	\$12.94	\$0.00	\$0.00	\$0.00	\$112.44	\$110.91	\$3.50	\$0.00	\$226.85
2006	\$99.50	\$12.94	\$0.00	\$0.00	\$0.00	\$112.44	\$101.67	\$3.50	\$0.00	\$217.61
2007	\$99.50	\$12.94	\$0.00	\$0.00	\$0.00	\$112.44	\$89.91	\$3.50	\$0.00	\$205.85
2008	\$134.55	\$19.44	\$0.00	\$0.00	\$0.00	\$153.99	\$110.34	\$4.00	\$0.00	\$268.33
2009	\$149.49	\$24.34	\$0.00	\$0.00	\$0.00	\$173.83	\$126.42	\$4.00	\$0.00	\$304.25
2010	\$413.90	\$36.30	\$0.00	\$0.00	\$0.00	\$450.20	\$234.91	\$8.00	\$0.00	\$693.11
2011	\$880.32	\$71.24	\$0.00	\$0.00	\$0.00	\$951.56	\$363.28	\$12.00	\$0.00	\$1,326.84
2012	\$1,143.19	\$120.73	\$0.00	\$0.00	\$0.00	\$1,263.92	\$667.95	\$16.00	\$100.00	\$2,047.87
2013	\$3,948.69	\$264.74	\$0.00	\$0.00	\$0.00	\$4,213.43	\$823.34	\$36.00	\$0.00	\$5,072.77
2014	\$10,436.71	\$474.01	\$2.24	\$0.00	\$0.00	\$10,912.96	\$920.78	\$40.00	\$272.29	\$12,146.03
2015	\$23,563.25	\$1,272.68	\$14.46	\$0.00	\$0.00	\$24,850.39	\$1,275.69	\$112.00	\$6,105.45	\$32,343.53
2016	\$6,411,092.11	\$523,882.74	\$786.64	\$0.00	\$0.00	\$6,935,761.49	\$306.30	\$0.00	\$0.00	\$6,936,067.79
<b>TOTAL</b>	<b>\$6,452,558.21</b>	<b>\$526,269.74</b>	<b>\$803.34</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$6,979,631.29</b>	<b>\$5,807.40</b>	<b>\$261.50</b>	<b>\$6,477.74</b>	<b>\$6,992,177.93</b>

# Adjustment / Release Report

08-01-2016 to 08-31-2016

Year	General	Late	Waste	Additional Fees	Principal	Interest	Advertising Cost	Legal Cost	Fire	Amount Due	County Net
2005	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$-74.21	\$0.00	\$0.00	\$-1.57	\$-75.78	\$-74.21
2011	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$-17.90	\$0.00	\$-17.90	\$-17.90
2012	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$130.95	\$0.00	\$1,457.58	\$0.00	\$1,588.53	\$1,588.53
2013	\$117.15	\$0.00	\$0.00	\$0.00	\$117.15	\$33.00	\$0.00	\$0.00	\$14.06	\$164.21	\$150.15
2014	\$107.68	\$11.94	\$0.00	\$0.00	\$119.62	\$21.46	\$0.00	\$-314.65	\$12.93	\$-160.64	\$-173.57
2015	\$103.85	\$0.00	\$0.00	\$0.00	\$103.85	\$26.26	\$4.00	\$-2,074.80	\$12.19	\$-1,928.50	\$-1,940.69
2016	\$155,196.00	\$18.10	\$0.00	\$0.00	\$155,214.10	\$0.00	\$0.00	\$0.00	\$12,620.76	\$167,834.86	\$155,214.10
<b>TOTAL</b>	\$155,524.68	\$30.04	\$0.00	\$0.00	\$155,554.72	\$137.46	\$4.00	\$-949.77	\$12,658.37	\$167,404.78	\$154,746.41

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# Collections Receipts Report

08-01-2016 to 08-31-2016

Total general tax	\$6,756,535.57
Total fire tax	\$552,308.11
Total late tax	\$804.74
Total Waste Fees	\$0.00
Total Additional Fees	\$0.00
<hr/>	
Total principal	\$7,309,648.42
Total interest	\$5,813.28
Total cost of advertising	\$257.50
Total legal	\$6,477.74
Total check overpayments	\$3,624.01
Total Prepaid Payments	\$150.00
Total Prepaid Applied	\$-560.21
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Total misc	\$15,762.32
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Grand total receipts	\$7,325,410.74

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# District Payment Report

08-01-2016 to 08-31-2016

Year	District Code	District Name	Amount
2003	009	SOUTH TOE FIRE DISTRICT	\$51.76
2004	009	SOUTH TOE FIRE DISTRICT	\$12.94
2005	009	SOUTH TOE FIRE DISTRICT	\$12.94
2006	009	SOUTH TOE FIRE DISTRICT	\$12.94
2007	009	SOUTH TOE FIRE DISTRICT	\$12.94
2008	009	SOUTH TOE FIRE DISTRICT	\$19.44
2009	005	GREEN MOUNTAIN FIRE DISTRICT	\$4.90
2009	009	SOUTH TOE FIRE DISTRICT	\$19.44
2010	001	BURNSVILLE FIRE DISTRICT	\$36.30
2010	003	EGYPT FIRE DISTRICT	\$0.00
2010	009	SOUTH TOE FIRE DISTRICT	\$0.00
2011	001	BURNSVILLE FIRE DISTRICT	\$36.30
2011	003	EGYPT FIRE DISTRICT	\$12.50
2011	005	GREEN MOUNTAIN FIRE DISTRICT	\$0.00
2011	009	SOUTH TOE FIRE DISTRICT	\$19.44
2011	010	PENSACOLA FIRE DISTRICT	\$3.00
2012	001	BURNSVILLE FIRE DISTRICT	\$36.30
2012	002	CANE RIVER FIRE DISTRICT	\$54.00
2012	003	EGYPT FIRE DISTRICT	\$0.00
2012	009	SOUTH TOE FIRE DISTRICT	\$27.70
2012	010	PENSACOLA FIRE DISTRICT	\$2.73
2013	001	BURNSVILLE FIRE DISTRICT	\$36.30
2013	002	CANE RIVER FIRE DISTRICT	\$54.00
2013	003	EGYPT FIRE DISTRICT	\$12.50
2013	005	GREEN MOUNTAIN FIRE DISTRICT	\$131.84
2013	008	CRABTREE FIRE DISTRICT	\$0.00
2013	009	SOUTH TOE FIRE DISTRICT	\$27.70
2013	010	PENSACOLA FIRE DISTRICT	\$2.40
2014	001	BURNSVILLE FIRE DISTRICT	\$38.15
2014	002	CANE RIVER FIRE DISTRICT	\$76.28
2014	003	EGYPT FIRE DISTRICT	\$12.50
2014	004	RAMSEYTOWN FIRE DISTRICT	\$37.50
2014	005	GREEN MOUNTAIN FIRE DISTRICT	\$129.00
2014	006	JACKS CREEK FIRE DISTRICT	\$0.00
2014	007	BRUSH CREEK FIRE DISTRICT	\$14.40
2014	008	CRABTREE FIRE DISTRICT	\$58.90
2014	009	SOUTH TOE FIRE DISTRICT	\$104.88
2014	010	PENSACOLA FIRE DISTRICT	\$2.40
2014	011	PRICES CREEK FIRE DISTRICT	\$0.00
2015	001	BURNSVILLE FIRE DISTRICT	\$137.13
2015	002	CANE RIVER FIRE DISTRICT	\$108.98
2015	003	EGYPT FIRE DISTRICT	\$0.00
2015	004	RAMSEYTOWN FIRE DISTRICT	\$37.50
2015	005	GREEN MOUNTAIN FIRE DISTRICT	\$159.15
2015	006	JACKS CREEK FIRE DISTRICT	\$55.45
2015	007	BRUSH CREEK FIRE DISTRICT	\$0.00
2015	008	CRABTREE FIRE DISTRICT	\$203.18
2015	009	SOUTH TOE FIRE DISTRICT	\$341.47

2015	010	PENSACOLA FIRE DISTRICT	\$229.82
2015	011	PRICES CREEK FIRE DISTRICT	\$0.00
2016	001	BURNSVILLE FIRE DISTRICT	\$77,835.22
2016	002	CANE RIVER FIRE DISTRICT	\$38,827.38
2016	003	EGYPT FIRE DISTRICT	\$41,963.80
2016	004	RAMSEYTOWN FIRE DISTRICT	\$11,716.03
2016	005	GREEN MOUNTAIN FIRE DISTRICT	\$14,088.68
2016	006	JACKS CREEK FIRE DISTRICT	\$35,223.98
2016	007	BRUSH CREEK FIRE DISTRICT	\$20,241.20
2016	008	CRABTREE FIRE DISTRICT	\$72,018.66
2016	009	SOUTH TOE FIRE DISTRICT	\$97,427.13
2016	010	PENSACOLA FIRE DISTRICT	\$32,163.91
2016	011	PRICES CREEK FIRE DISTRICT	\$82,376.75
<b>TOTAL</b>			<b>\$526,269.74</b>

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# Outstanding Balances Report

As of 08-31-2016

Year	Amount	County	District	Interest	Advertising	Penalties	Waste	Additional Fees
2005	\$13,542.27	\$5,972.29	\$542.73	\$6,637.36	\$77.00	\$312.89	\$0.00	\$0.00
2006	\$16,368.78	\$7,638.64	\$720.49	\$7,629.54	\$94.50	\$285.61	\$0.00	\$0.00
2007	\$13,297.76	\$6,360.97	\$591.01	\$5,859.94	\$91.00	\$394.84	\$0.00	\$0.00
2008	\$17,287.36	\$9,048.45	\$855.44	\$7,098.07	\$112.00	\$173.40	\$0.00	\$0.00
2009	\$16,428.29	\$9,488.49	\$808.34	\$6,003.46	\$128.00	\$0.00	\$0.00	\$0.00
2010	\$25,071.49	\$14,903.70	\$1,615.00	\$8,372.79	\$180.00	\$0.00	\$0.00	\$0.00
2011	\$35,626.81	\$20,124.90	\$1,998.64	\$10,090.37	\$192.00	\$17.85	\$0.00	\$0.00
2012	\$50,070.37	\$27,018.29	\$2,917.97	\$12,270.90	\$272.00	\$285.09	\$0.00	\$0.00
2013	\$66,204.74	\$46,502.27	\$4,374.59	\$12,895.09	\$522.00	\$0.00	\$0.00	\$0.00
2014	\$112,161.15	\$78,392.40	\$7,085.15	\$13,900.36	\$656.00	\$838.05	\$0.00	\$0.00
2015	\$229,376.01	\$195,583.42	\$14,051.15	\$11,438.04	\$1,548.00	\$1,688.11	\$0.00	\$0.00
2016	\$6,103,813.03	\$5,640,637.90	\$461,147.93	\$105.91	\$0.00	\$1,921.29	\$0.00	\$0.00
<b>Total</b>	<b>\$6,699,248.06</b>	<b>\$6,061,671.72</b>	<b>\$496,708.44</b>	<b>\$102,301.83</b>	<b>\$3,872.50</b>	<b>\$5,917.13</b>	<b>\$0.00</b>	<b>\$0.00</b>

**Yancey County Tax Office**  
 County/District Collection Percentage Report  
 As of: 08-31-2016

Run Date: 09-01-2016

**2016  
 County**

<b>Net Levy \$</b>	<b>Collections \$</b>	<b>Collections %</b>
12,470,310.01	6,829,672.11	54.77

**Districts**

<b>Name</b>	<b>Net Levy \$</b>	<b>Collections \$</b>	<b>Collections %</b>
001 - BURNSVILLE FIRE DISTRICT	151,295.50	84,240.62	55.68
002 - CANE RIVER FIRE DISTRICT	65,007.28	41,693.36	64.14
003 - EGYPT FIRE DISTRICT	72,516.92	44,194.10	60.95
004 - RAMSEYTOWN FIRE DISTRICT	24,824.10	12,181.21	49.08
005 - GREEN MOUNTAIN FIRE DISTRICT	27,059.97	14,758.73	54.55
006 - JACKS CREEK FIRE DISTRICT	65,021.37	37,794.01	58.13
007 - BRUSH CREEK FIRE DISTRICT	40,070.54	21,277.07	53.10
008 - CRABTREE FIRE DISTRICT	145,961.88	76,018.10	52.09
009 - SOUTH TOE FIRE DISTRICT	193,179.48	103,740.53	53.71
010 - PENSACOLA FIRE DISTRICT	76,286.97	33,353.81	43.73
011 - PRICES CREEK FIRE DISTRICT	159,295.70	90,120.24	56.58

**District Totals**

<b>Net Levy \$</b>	<b>Collections \$</b>	<b>Collections %</b>
1,020,519.71	559,371.78	54.81



**REPORT OF THE JOINT COMMITTEE OF THE  
TOWN OF BURNSVILLE & YANCEY COUNTY:**

**ON THE STUDY OF A PROPOSED PERMANENT  
STAGE/PERFORMANCE PAVILION TO BE  
LOCATED ON THE  
BURNSVILLE TOWN SQUARE**



28 August 2016

To: The Honorable County Commissioners of Yancey County, North Carolina

The Honorable Town Council for the Town of Burnsville, North Carolina

Commissioners & Councilors:

At their respective regular monthly business meetings for the month of August 2016 the Burnsville Town Council and the Yancey County Board of County Commissioners authorized the undersigned committee to conduct a study of the feasibility and advisability of the construction of a permanent performance stage proposed to be located in the northeast quadrant of the Burnsville Town Square. Proposals made to the Council and Commission detailed the proposed project which, if authorized, would be paid for by privately donated funds designated for the construction of the pavilion. The proposals which were given outlined the potential benefit to musical and performing arts groups who could make use of a permanent stage, and its potential to add to downtown revitalization efforts and spur economic development in the central business district of the county seat. An initial proposed design is shown on the attached diagram showing the possible future elevation of the building. After discussions with all impacted county and town agencies and consultation with legal counsel, and an evaluation of the planning and public policy ramifications resulting from the project as proposed, the undersigned committee would make the following report.

History of the Burnsville Town Square – Current Ownership and Use Policy

In 1834 John “Yellow Jacket” Bailey gave land to the State of North Carolina upon which to constitute the county seat of the newly established Yancey County, upon which was situated Yancey County’s first courthouse. Subsequently that property, held by Yancey County, is now the site of a public square, officially known as the “Bailey Square”, but better known colloquially simply as the “Town Square”. Featuring a prominent place in the heart of the municipality of Burnsville, the square is composed of four quadrants divided by bisecting sidewalks which lead from the statute of the town’s namesake, Otway Burns, in each direction of the compass, which in turn lead directly to the town’s North, South, East and West Main Streets. As such it has pride of place among all of the public squares, parks, and public spaces in Yancey County.

The Town Square is considered a public open space, and congregation on it by the citizens of the town and county is not restricted nor prohibited. Special events, however, which require the use of a larger stage for performances, are controlled by the Town of Burnsville through an application process by which groups who wish to hold larger events on the square may rent the use of a moveable stage, which can be located at any spot on or around the square. It is important to note that this present arrangement of control of uses and events on the square ties in very specifically with the current stage arrangement. By virtue of controlling who may have the use of the portable stage, its own personal property, the Town of Burnsville exercises a measure of control in who may use the square, at what times, and for what events. This also goes hand in hand with arrangements which must be made with the town government for closure of town streets for larger events such as the Mt. Mitchell Crafts Fair.

Having outlined the current status of the ownership and use of the Town Square we now evaluate the impacts of the proposed new stage.

### Impact of Proposed Permanent Stage/Pavilion

#### I - Public Use & Policing

One of the inherent concerns of any unit of government, including local governments and municipalities, is to ensure its citizens safety and their peaceable enjoyment of public spaces and venues. As mentioned above it is important to note that the Town Square is an open public space, upon which people may gather freely and unimpeded. In that respect it is a venue open to public gathering and events by which citizens may engage in their right to free speech and expression. We would point out very clearly, that no regulation exists, nor would it be permissible without strict constitutional examination, which prohibits expressive speech or performance, or, for that matter, commerce which is related to speech or expression (i.e. selling campaign bumper stickers or shirts, etc.) As such the square is truly a public forum. The town does, however, have some discretion in an effort to control larger gatherings and uses of the square in that it may chose to whom it decides to rent its own personal property, specifically the presently used mobile stage. In this way the town may decide whom to rent the stage to, and for what events. As such, the town can exercise a manner of indirect control as to who may be gathering on the square on any given day or weekend and thereby ensure a more orderly use of the space.

If a permanent stage or pavilion were erected, the dynamic by which the town manages events which occur on the town square would be materially changed. The new stage would be a piece of infrastructure located on the square, and would be available for use under the present operation of the square as an open public space just like the park benches and water fountain. Any person or group could use the stage at any time. In order to manage the time and manner in which the stage could be used, the owner of the property, Yancey County, would have to restrict its use and establish a method by which the square could be used as a performing arts space and not an open public square. In the opinion of the committee, this would be counter to the historic use and enjoyment of the square as a dedicated public space. This is a concern in which the Chief of Police for the Town of Burnsville and the Yancey County Manager joins the members of the committee expressly.

## II - Planning, Practical Use & Maintenance

It is suggested that a permanent performing arts stage or pavilion would perhaps increase the number of performing arts events held downtown on the town square. However, it is worth noting that a permanent structure is exactly that; an un-alterable, unmovable structure. At present, the moveable stage which is used to stage events on the town square offers mobility, which is an asset. The construction of a permanent facility as proposed would locate the building in the middle of the northeastern quadrant of the square. This would confine all events to being oriented in a similar fashion, as opposed to the flexibility offered by the portable stage which may be set up in any area of the square or, in the case of events which require street closures, even in the public street around the square.

The Project for Public Spaces, an international association of planners and designers who assist with the planning, design and construction of public places, has formulated a list of ten successful design components to guide planners and public works officials in planning and designing public squares. One of these core components is flexible design. Specifically in regard to smaller municipalities the core recommendation is as follows: "The use of a square changes during the course of the day, week and year. To respond to these natural fluctuations, flexibility needs to be built in. Instead of a permanent stage, for example, a retractable or temporary stage can be used." The use of the present portable stage in lieu of a permanent structure would be considered an asset in this respect, and in addition to flexibility, also promotes the ability to use more of the area of the Town Square for different types of uses and events. Indeed the American Planning Association highly recommends multi-use, multi-function spaces in their criteria for designing smaller public squares and city parks.

Furthermore, in the opinion of the committee, there is no public use, (i.e. public performance or event) that could be accommodated by the newly proposed permanent stage which is not already presently allowed by the movable stage system. The committee does acknowledge that the proposed stage design does include a storage room for equipment, etc. In our opinion this is more of a liability than an asset in that whatever equipment might be stored in the storage room would be more exposed to theft and/or vandalism in a higher traffic area, such as the town square, than if it were to be stored in a more secure, off-site location.

The committee would agree that the design as proposed is relatively low maintenance. However, we do not feel that it, nor any other structure to be located permanently on the town square, could be said to be maintenance-free. Certainly, one concern and expense would be the necessity of repairing and cleaning the structure from time to time, particularly from the effects of vandalism. Both county and town public works officials would tell you immediately that vandalism is a very real concern and is a constant drain on public funds and resources. With the present arrangement, a fee is charged to rent the stage. This provides a revenue stream to cover the cost of maintenance and/or replacement of the current stage if need be. There would be no such revenue stream in place with the addition of a new public stage/pavilion. Therefore, the cost of the maintenance and repair would have to be born out of the general funds of the local governments.

### III – Compliance with Zoning and Design Guidelines

Perhaps the most notable reservation that the committee has in evaluating the feasibility of the permanent stage/pavilion as proposed is that it does not begin to comply with the design guidelines adopted by the Town of Burnsville for the regulation of land use and development in the C-1 Central Business District of the town, for the following reasons:

- 1) Non-Permitted Use: In accordance with Section 801 of the Zoning Ordinance of the Town of Burnsville the construction of a performing arts stage or open pavilion as a permanent structure is not an expressly permitted use within the C-1 District, neither could it be argued that the structure could be implicitly permitted by being substantially similar in nature to any other permitted use within the restricted zone.
- 2) Building Orientation: In accordance with Article IX, “Design Guidelines”; Section 902, any building to be constructed within the C-1 District must be oriented to face the adjacent street. The proposed stage faces the interior of the parcel being built upon, and therefore would not comply.
- 3) Building Frontage: In accordance with Article IX, “Design Guidelines”; Section 903, any new construction must occupy a minimum of 75% of the street frontage of the parcel being improved. The proposed stage would not even occupy at least 50% percent of the area being improved.
- 4) Building Rooflines: In accordance with Article IX, “Design Guidelines”; Section 907, the appearance of a flat roof on any new structure must be disguised. The initial proposed design would not meet this architectural design requirement.

### IV – Public Input Process

In a recent article published on 12 August 2016 the Project for Public Spaces made the following observation about designing new public spaces in rural small towns across America: “Many Main Streets are home to monuments and buildings with deeply embedded histories that are integral to the identity of that place. While ensuring that existing places and infrastructure can thrive, rural placemaking efforts must also focus on creating new, quality places by engaging all members of the community. In all placemaking the process of consultation, mobilization and engagement, are just as important as the final outcomes.” In the limited amount of time in which the committee has had to meet and discuss the potential aspects of this proposed project, we have had occasion to speak with various individuals regarding the project. To be quite direct and honest, we have heard from many who are very firmly not in favor of a new permanent structure to be constructed on the Burnsville Town Square, most of whom are not opposed to the construction of a permanent performing arts stage or pavilion, but who do oppose the construction of such a facility on the Town Square. To say the least, opinions have been so divisive and firmly held that before the committee could in good conscience recommend moving

forward with this project, we would recommend that, should our respective Boards be inclined to move forward, that public input be broadly and inclusively solicited, as is mentioned in the article quoted above. The Town Square is too central and defining a location, indeed, a public monument, to the citizens of Yancey County and the Town of Burnsville that to recommend moving forward and altering its appearance in a material and permanent fashion would be ill-advised without as full a conversation with the community as can be had.

### Conclusion

In closing, the undersigned would first like to thank the Council and Commission for the opportunity to study this project. Furthermore, we would like to thank those persons involved with proposing the project, and most particularly would like to express our thanks to those who have chosen to underwrite its expense. Our community is made better by the personal volunteerism which we are fortunate to have in abundance, and by those who are willing to give of their resources as well as their time to our county and our town.

The Burnsville Town Square is a unique and special place, and it is our charge as public servants of Yancey County and the Town of Burnsville to see that, no matter how the town may grow and change, our culture and heritage and our historic monuments, places and architecture are maintained, preserved, and endure. It is these features which define any community's sense of place, and our town and county are no different. Yancey County and the Town of Burnsville were honored in 2014 to have the Burnsville Town Square selected as the People's Choice Award Winner for Great Public Place by the North Carolina Chapter of the American Planning Association. Our square is certainly the crowning jewel and defining space of our downtown area.

The idea of a public performing arts stage and/or pavilion is not a suggestion that the committee would dismiss as not necessary or useful. Indeed there are many places, such as the Cane River Park, or other locations in the vicinity of downtown Burnsville, where the location of such a stage would be more suitable since those areas, though public parks, are already restricted in their usage. If this project were proposed for any of those locations, we would be inclined to move forward with it without reservation. The Town Square, however, being an open public space, largely unrestricted and unregulated in its use as a public gathering place and forum, and strictly regulated with regard to requirements for construction, we respectfully submit, would not be the ideal place upon which to locate such a structure.

Secondly, if the Commission and Council, having considered the points raised in this report, were still to desire to move forward with this project the committee would urge both bodies to seek thorough and meaningful public input with regard to the wishes of the citizens of the town and county before moving forward. If after such a public input process the County and Town felt it appropriate to move forward with the construction of a permanent performing arts stage or pavilion to be located upon the Town Square, the design of such a structure must be entirely overhauled to comport with the requirements of the zoning and design guidelines adopted by the Town of Burnsville, or else, in our opinion, a variance would have to be granted in order to allow the structure as presently proposed to be built. Furthermore, we would instruct all parties to bear in mind that while this project is to be financed by private funding, the

requirements imposed on public construction projects with regard to solicitation of design and bidding and procurement of public construction contracts, must be strictly adhered to. While private funds may be granted for construction of public facilities, the actual construction must adhere to the requirements of the North Carolina General Statutes imposed upon units of local government for construction of public buildings.

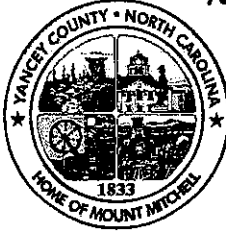
Should there be any questions from either the Town Council or the County Commission, we are happy to address those in writing, or in person at the pleasure of the Boards at a formal meeting as your schedules will allow.

Respectfully submitted,

Jamie L. McMahan, Yancey County Planner

Ronnie Tipton, Director of Public Works  
Town of Burnsville





**Board of Commissioners**

Johnny Riddle, Chair  
Jill Austin, Vice-Chair  
Byrl Ballew  
Randy Ollis  
Jeff Whitson

Nathan R. Bennett  
County Manager

Donny J. Laws  
County Attorney

J. Jason Robinson  
Clerk to the Board

110 Town Square  
Courthouse Room 11  
Burnsville, NC 28714  
828-682-3971  
828-682-4301 Fax

**RESOLUTION**  
**GREETINGS TO THE CREW AND FAMILIES OF LST 672**

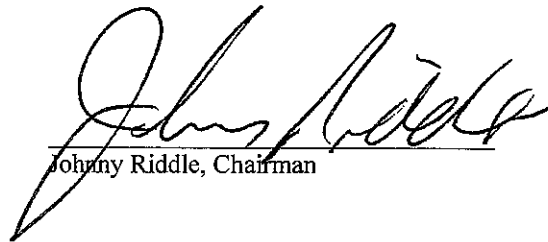
*WHEREAS*, Yancey County wishes to welcome crew members and families of the LST 672 who have chosen to hold their reunion in the hometown of their fellow shipmate, the late John Ollis, on October 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup>, 2016; and

*WHEREAS*, our freedoms and liberties are preserved by those servicemen with courage and through sacrifice, to secure this nation as one of independence and peace; and

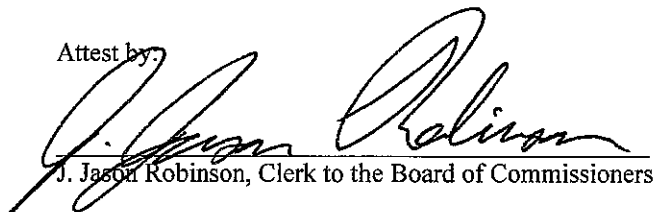
*WHEREAS*, the heroism of our Armed Forces should always be celebrated and honored.

*NOW THEREFORE BE IT RESOLVED*, that the Yancey County Board of County Commissioners hereby welcomes the crew members and families of LST 672 to our community. Thank you to the crew of LST 672 for their unselfish service to our nation during World War II.

*ADOPTED* this the 12<sup>th</sup> day of September, 2016.

  
Johnny Riddle, Chairman

Attest by:

  
J. Jason Robinson, Clerk to the Board of Commissioners

(County Seal)

