

**Minutes**  
**Spruce Pine Town Council**  
**Monday, January 23<sup>rd</sup>, 2023**

A meeting of the Town Council was held on January 23<sup>rd</sup>, 2023. Present were Mayor Darla Harding and Council Members James Acuff, Rocky Buchanan, Larry McKinney, and Jackie Rensink. Staff in attendance included Darlene Butler and Shelley Buchanan. Others attended, including Chad Donnahoo, Lori McIntyre, Phillip Hise, Richard Canipe, Amber Briggs, Michelle Pellersels, and Dori Settles.

**CALL TO ORDER**

Mayor Darla Harding called the regular meeting to order at 5:30 PM. Rocky Buchanan gave the invocation. James Acuff led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

James Acuff moved to approve the agenda as presented. Jackie Rensink seconded the motion, which carried unanimously.

**APPROVAL OF MINUTES**

Jackie Rensink moved to approve the minutes of the regular meeting of January 9<sup>th</sup>, 2023. Larry McKinney seconded the motion, which carried unanimously. James Acuff moved to approve the minutes of the Public Hearing held on January 9<sup>th</sup>, 2023. Rocky Buchanan seconded the motion, which carried unanimously.

**APPOINTMENTS**

Amber Briggs, Director of the AMY Regional Library System, updated the Council. She began by reminding the Council how the Regional Library was first organized and funded. The organization provides resources and opportunities to all people in Avery, Mitchell, and Yancey counties. Amber shared her concern about how state aid could be changing over the next few years. The Regional Library System has recently hired some new positions at the regional office. She emphasized the importance of securing funds from the local government municipalities and how much she appreciated the Council's support. She noted the Spruce Pine Public Library has bounced back very well after the Covid pandemic. More people than ever are using the facility. She mentioned they have started a youth chess club and have anywhere from 15-20 in attendance. SPPL has partnered with the Cooperative Extension and the Mitchell Giving Gardens to offer educational sessions. They now offer notary services to patrons. Amber thanked the Council again for their support of the Riverside Story Trail. She said it has been a great addition and has done extremely well. Amber mentioned the passing of long-time board member Wes Foy, and asked for suggestions on books they could purchase in his memory. She noted that Julia Kind has been appointed to the board. Amber recognized and thanked Rocky Buchanan for being so dedicated and willing to serve on the SPPL Board. The Regional Library System is hiring a consultant to perform a salary study. The library system received a nonrecurring state recovery fund increase of \$172,012. Amber requested the Council look into implementing a new way for staff and patrons to get good clean drinking water at the SPPL. She described the water from the fountain there as dirty and tasting bad. Darlene Butler also mentioned the door to the children's room is a hazard and needs to be replaced, as well as an exterior door. She asked the Council for their blessing to move forward with a quote of \$5,300.00 to get this work done. It was the consensus of the Council to move forward with the replacing of these doors.

**ACTION AGENDA**

Town attorney Chad Donnahoo discussed the factors the Council must consider when voting on the Jennifer Vance rezone request. The Public Hearing was held on January 9<sup>th</sup>, 2023. Rocky Buchanan stated he was in favor of granting this rezone request because the land could be used for recreation. James Acuff concurred with Rocky, and also mentioned this property has great access to the river. Mayor Harding added that Ms. Vance has worked hard cleaning up the property to be able to possibly sell it to be used as camping sites. Rocky Buchanan moved to approve the rezone request for Jennifer Vance, which will rezone her parcel on Road Rd from C-3 Commercial to R1- Residential. James Acuff seconded the motion, which carried unanimously.

Mayor Harding reminded the Council members they had discussed and agreed they wish to have someone serve on the ABC Board who works for the Town, specifically the town manager. Chad reminded them this would not be binding to subsequent Councils unless it is passed through legislation as a local bill. Darla asked that Chad continue researching the process of putting this local bill in place. James Acuff made a motion to appoint Darlene Butler to the ABC Board. Rocky Buchanan seconded the motion, which carried unanimously.

PUBLIC COMMENT- none

TOWN MANAGER

- ✓ Darlene and Billy Summerlin met with Sherry Sautner regarding the street closure she has requested for the Alien Festival.
- ✓ The Land Use Plan Committee held their monthly meeting on January 17<sup>th</sup>.
- ✓ The blocks are going up at Riverside Park for the new restrooms. That project is well underway.
- ✓ The Brad Ragan Park play ground equipment will be delivered Monday of next week. Mulch is also being delivered. Crystal, Darlene, and Michael will be meeting with the fence company for the dog park. Darlene explained to the Council it will be necessary to close and lock the gate at Brad Ragan Park while the new playground is constructed. This is for the safety of the public.
- ✓ Tommy Winchester requested the Council name the alleyway behind 208 Oak Ave. The current alleyways are all named after trees indigenous to this area. It was the consensus of the Council to name this alley Sassafras Lane.
- ✓ Chad gave an update on the condemnation of the property on South Dale St. He advised he is waiting on the Building Inspector's findings report before the Town can proceed.
- ✓ Darlene, Libby, and Darla visited Mosca Design in Hickory to tour their facility and get ideas for the upcoming purchase of Christmas decorations.

MAYOR/COUNCIL REQUESTS / COMMENTS

- Mayor Harding asked if the new sewer discharge ordinance is in place. Darlene advised that it is but the technology side of it is still in the works. They have a fence around the dumping station and the new rates are in effect. They are still working on the key card system.
- Rocky Buchanan advised that Trash Busters will be meeting at the Spruce Pine PD the first and last Thursday of each month. Each volunteer will be provided a vest and trash grabber.

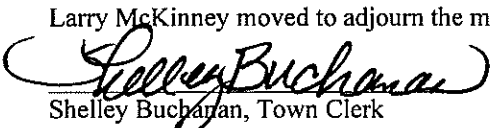
CLOSED SESSION

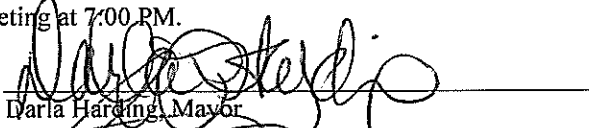
Mayor Harding asked for a motion to enter into closed session. Rocky Buchanan made a motion to enter into closed session citing NC G.S. 143.318.11a (3). Larry McKinney seconded the motion, which carried unanimously.

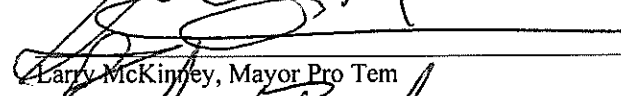
Upon return to open session Darla asked that they discuss live streaming the Council meetings at the next regular meeting.

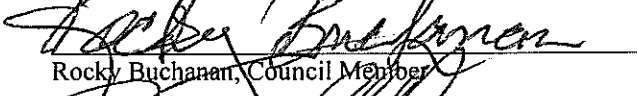
ADJOURNMENT

Larry McKinney moved to adjourn the meeting at 7:00 PM.

  
 Shelley Buchanan, Town Clerk

  
 Darla Harding, Mayor

  
 Larry McKinney, Mayor Pro Tem

  
 Rocky Buchanan, Council Member

  
 James Acuff, Council Member

  
 Jackie Rensink, Council Member

**REQUEST TO AMEND THE TOWN OF SPRUCE PINE'S ZONING MAP  
REGARDING THE REAL PROPERTY LOCATED AT DB 600  
P 123 MITCHELL COUNTY REGISTRY**

**NOW COMES** the Town of Spruce Pine ("Town"), at a duly called meeting of its Council on January 23, 2023, with a quorum established, hereby considers the Request to Amend the Town of Spruce Pine's Zoning Map regarding the real property located at DB 600 P 123, Mitchell County Registry, PIN #0880-16-84-3033 ("Property").

**WHEREAS**, the Property is owned by Jennifer Vance ("Owner"), and the Property is currently zoned as C-3 Commercial pursuant to the Town's Zoning Ordinance. The Owners desire that the Property be rezoned as R-1 Residential;

**WHEREAS**, pursuant to N.C.G.S. § 160D-604(b) and Article IV, Section 41 of the Town's Zoning Ordinance, the Town's Planning and Zoning Board ("Board") met on November 30, 2022 and reviewed and discussed the Owners' request. The Board voted unanimously to rezone the Property;

**WHEREAS**, pursuant to N.C.G.S. § 160D-601(a) and Article IV, Section 42 of the Town's Zoning Ordinance, on December 21, 2022 and December 28, 2022, the Town caused to be posted the notice of the legislative hearing concerning the Property's proposed rezoning in the Mitchell News-Journal.

**WHEREAS**, pursuant to N.C.G.S. § 160D-602(a), on December 15, 2022, the Town caused to be mailed a notice of the legislative hearing concerning the Property's proposed rezoning by first-class mail, said notice being mailed to the owners of the affected parcels of land and the owners of all parcels of land abutting the affected parcel.

**WHEREAS**, pursuant to N.C.G.S. § 160D-602(c), on December 15, 2022, the Town prominently posted a notice of the legislative hearing concerning the Property's proposed rezoning on the affected parcel or on an adjacent public street or highway right-of-way;

**WHEREAS**, pursuant to N.C.G.S. §§ 160A-81, -160D-601(a) and Article IV, Section 42 of the Town's Zoning Ordinance, on January 9, 2023, the Town held a legislative hearing with respect to the Property's proposed rezoning; and

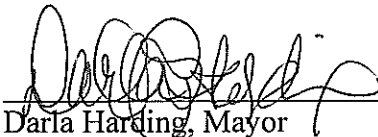
**NOW, THEREFORE**, at its regular meeting on January 23, 2023, the Council voted 5-0 to allow the Owner's rezoning request for the Property. Pursuant to N.C.G.S. § 160D-605, the Council considered the following:

1. Plan Consistency Statement. At the January 23, 2023 public meeting, the Council was informed that the Board had voted unanimously to grant the Owners' rezoning request for the Property from C-3 to R-1. The Council was presented with a copy of its Land Use Plan ("Plan") in advance of its meeting. Based on information and belief, there were no relevant provisions in the Plan specific or general to the Owner's request.

2. Statement of Reasonableness. In considering the Owner's request to rezone the Property, at its meeting on January 23, 2023, the Town's Attorney informed the Council of the factors listed in N.C.G.S. § 160D-605(b) and that the Council could consider any of those factors or any other relevant factors. During deliberations, the Council noted: that the Property was in a flood zone and that this zoning change would add more use for the area; given the location of the Property, it would need a septic tank; could be used for campsites, cabins and other residential uses.

THIS the 23<sup>rd</sup> day of January 2023.

**TOWN OF SPRUCE PINE**

  
\_\_\_\_\_  
Darla Harding, Mayor

Attest:   
Shelley Buchanan, Town Clerk