

**Minutes**  
**Spruce Pine Town Council**  
**Monday, February 27<sup>th</sup>, 2023**

A meeting of the Town Council was held on February 27<sup>th</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, Lynn Holler, Josh Boone, Bill Hoag, Brenda Sparks, Peter Franklin, Chad Ledford, Jim Settles, Randy McClellan, and Dori Settles.

**CALL TO ORDER**

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

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

Rocky Buchanan moved to approve the minutes of the regular meeting of February 13<sup>th</sup>, 2023. James Acuff seconded the motion, which carried unanimously.

**PUBLIC COMMENT**

Lynn Holler shared her concerns on the revision of the Chapter 12 Ordinances. She requested all ordinances be taken care of now and be available for public inspection. She mentioned she felt appalled and threatened by the comments made by a member of the community at the last Council meeting during the public comment period.

Dori Settles shared her concerns on the Revision of the Chapter 12 Ordinances especially the ones that exist in state statute already. She feels that some of the Town's ordinances are less restrictive than state statute.

Peter Franklin cited an Ordinance from Section 15-6 concerning cursing in Town meetings. He felt this Ordinance was not adhered to in the last meeting by Commissioner Jeff Harding and he wants it enforced from now on. He then thanked Lori McIntyre for recording the Council meetings and said the Council should have been live streaming the meetings before now. He then shared his concerns with the Chapter 12 Ordinances. Lastly, he presented the Council with a Cease and Desist letter pertaining to the Police Department issuing him parking tickets for parking on a public sidewalk.

**APPOINTMENTS**

Bill Hoag, Spruce Pine Volunteer Fire Department Assistant Chief, addressed the Council with an update on the fire department. He said that in accessing their strengths and weaknesses they wanted to be more communicative with the Town's elected officials. He stated they had responded to 599 calls last year consisting of 260 fire emergencies and 240 EMS calls. He noted their largest area of concern is in recruitment and retention as most volunteer agencies have struggled over the last few years. He advised the department has purchased a new 2,000 gallon tanker and have started the process to purchase a smaller pumper tanker truck. He noted the fire department now has a website up and running with a lot of good community information, such as registration for monthly CPR classes. Fire Chief Josh Boone also spoke. He complimented Mr. Hoag for his leadership and role in the fire department and went on to say his knowledge and years of experience he brought to the area from Florida is a huge asset to the department and the community. Josh gave the Council a copy of the most recent SPFD audit. James Acuff asked if anyone could join the fire department. Josh answered that age was not issue as there is always something a volunteer can do to help. But they must live inside the department's district or an adjoining district to be considered for membership.

**ACTION AGENDA**

James Acuff moved to provide water at outside rates with no annexation to Parkway Fire and Rescue. Larry McKinney seconded the motion, which carried unanimously.

Larry McKinney moved to provide water at outside rates with no annexation to Seth McCool at 178 Rocky Ridge Rd. James Acuff seconded the motion, which carried unanimously.

Darlene advised the Council that although she recalled the discussion and the decision she was unable to find in the minutes two new appointments made to two of the Town's advisory boards. James Acuff made a motion to re-appoint Cassandra Horton to the Planning and Zoning Board. Rocky Buchanan seconded the motion, which carried unanimously. James Acuff made a motion to re-appoint Holt Whitson to the Zoning Board of Adjustment. Larry McKinney seconded the motion, which carried unanimously.

Rocky Buchanan moved to approve the Special Event Permit Application for Downtown Worship. James Acuff seconded the motion, which carried unanimously.

Town attorney Chad Donnahoo spoke concerning the Chapter 12 Ordinance revisions. He addressed some of the public comments regarding this revision and some changes he has made. He noted that the revision is intended to make remedies to the Chapter 12 Ordinances to allow officers to issue citations within the Town limits as needed. He read several ordinances that can be stricken due to already being addressed by a state statute. He emphasized this request was initiated by the Spruce Pine Police Department. He noted that all of the Town's ordinances need to be reviewed and revised and that several of them are regulated by state statute. He made it clear that the ordinances are currently enforceable and effective with civil penalties. Darla thanked Chad for his work on this. It was the consensus of the Council to move forward with a vote. Larry McKinney made a motion to adopt the Ordinance to Revise Multiple Sections Within Chapter 12 of the Code to Address Remedies for Violations. James Acuff seconded the motion, which carried unanimously.

#### TOWN MANAGER

- ✓ Darlene advised the Town was awarded a \$300,000 grant for storm water assessment and planning.
- ✓ The playground equipment has been installed at Brad Ragan and looks fantastic. We are just waiting on drier weather to be to put down underlayer and mulch.
- ✓ Work is still progressing on the new restrooms at Riverside Park and is going well.
- ✓ The Memorandum of Understanding between the Town and the Board of Education has been executed for the batting cage at Riverside Park.
- ✓ Mitchell County Chamber of Commerce has withdrawn their request for funding of the visitor center.
- ✓ Darlene advised that we are planning a retirement lunch for Dale Robinson in the coming weeks and would like for the Council to attend.
- ✓ A Special Event Permit Application has been approved for Grassy Creek Baptist Church to portray a drama called "Three Days that Changed the World" at Riverside Park on April 22<sup>nd</sup> and 23<sup>rd</sup>.

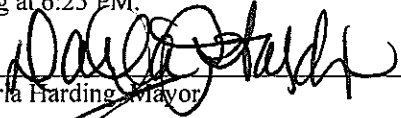
#### MAYOR/COUNCIL REQUESTS / COMMENTS

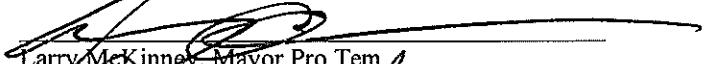
- Rocky Buchanan asked when Brad Ragan park would be back open to the public. Darlene advised as soon as the safety material has been installed at the new playgrounds. She hopes this will only be a couple more weeks, depending on dry weather.
- Mayor Harding said she was happy Darlene was back to work and feeling better after an illness the last week.
- Jackie Rensink mentioned she had been asked if the new restrooms at Riverside Park were in a flood plain. Darlene answered that the property was deemed acceptable by the county due to elevation and that there would be flow throughs built into the foundation of the structure.

ADJOURNMENT

Larry McKinney moved to adjourn the meeting at 6:25 PM.

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Shelley Buchanan, Town Clerk

  
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Darla Harding, Mayor

  
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Larry McKinney, Mayor Pro Tem

  
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Rocky Buchanan, Council Member

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James Acuff, Council Member

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Jackie Rensink, Council Member

