

**TOWN OF SEVEN DEVILS  
TOWN COUNCIL MEETING  
January 8, 2019  
5:30pm**

- 1) CALL TO ORDER
- 2) PRAYER/INVOCATION
- 3) PLEDGE OF ALLEGIANCE
- 4) ADOPT AGENDA
- 5) CONSENT AGENDA
  - A. Motion for Consideration
    - (i) Adopt minutes of Town Council meeting – December 13, 2018
- 6) CITIZENS COMMENTS
- 7) ADMINISTRATIVE UPDATE
  
- 8) OLD BUSINESS – None
  
- 9) NEW BUSINESS
  - A. Chief of Police Oath
  - B. Reappointment Application
    - (i) Current Board/Committee members
  - C. Grant Opportunities 2019
  
- 10) COMMITTEE REPORTS
  - A. Board of Adjustment – No meeting
  - B. Planning Board – No meeting
  - C. Public Works – No meeting
  - D. Public Safety Committee – No meeting
  - E. Parks & Recreation Committee – No meeting
  - F. TDA – No meeting
  - G. ABC Board- November minutes
  - H. Tree Committee
  - I. Public Safety Department
    - (i) Police Report
    - (ii) Fire Report
  - J. Financial Report
  
- 11) COUNCIL COMMENTS
- 12) ADJOURN

**TOWN OF SEVEN DEVILS  
TOWN COUNCIL MEETING  
December 13, 2018  
5:30pm**

The Seven Devils Town Council met in regular session on Thursday, December 13, 2018 at Town Hall. Present were Mayor Larry Fontaine, Mayor Pro Tem Brad Lambert, Members Tina Bailey, Kay Ehlinger and David Ehmig; A quorum was met. Also, present were Town Attorney Rob Angle, Town Manager Debbie Powers; the minutes were recorded by Town Clerk Hillary Gropp.

**CALL TO ORDER**

Mayor Fontaine called the meeting to order at 5:35pm.

**PRAYER/INVOCATION**

Mayor Fontaine gave the Prayer/Invocation for tonight's meeting.

**PLEDGE OF ALLEGIANCE**

Council members and citizens recited the Pledge of Allegiance.

**ADOPT AGENDA**

Member Ehlinger made a motion to amend the agenda:

**Add 9) NEW BUSINESS G. Termination of State of Emergency-Winter Storm Diego**

Member Ehmig seconded the motion. The members agreed unanimously.

**CONSENT AGENDA**

**ADOPT MINUTES OF TOWN COUNCIL MEETING – November 13, 2018**

Member Bailey made a motion to adopt the Consent Agenda; Member Ehlinger seconded the motion. The members agreed unanimously.

**CITIZENS COMMENTS**

Kay Lambert, 430 Wildcat Rocks Road, thank you to the Public Works Department for all their help with Lite Up The Nite, Town Decorations, as well as the snowplowing during the Winter Storm Diego. Kay announced 92lbs of food and \$35.00 was donated to the Hunger & Health Coalition as a result of donations from Lite Up The Nite. The \$35.00 was met with matching funds, therefore resulting in a \$70.00 donation to the H&HC. A receipt was provided to the Town.

Tom Bookstaver, 231 Snowcloud Drive, clarified that he is not the only 1<sup>st</sup> Responder to arrive on calls, as is noted in the current complaints provided to the Town Council.

## **ADMINISTRATIVE UPDATE**

Manager Powers provided the following update:

A State of Emergency for Winter Storm Diego was issued for the Town by Mayor Pro Tem Lambert on December 7, 2018; the Termination for the State of Emergency will occur at tonight's meeting.

The winter Echo newsletter is now available in Town Hall or on the 7D website.

A reminder to the citizens of the Town to wear light or reflective clothing during the hours of dusk to dawn while out on the roads. This is featured on the Announcements of the 7D website.

The 2011 Ford Truck for Public Works was sold for \$14,000 on November 29<sup>th</sup>.

Lite Up The Nite was an enjoyable event on November 30<sup>th</sup>; there were 57 attendees.

Town Hall will be undergoing a remodel project; this was approved & funded by the TDA. The scope of work will include: Board Room, Police Department, Fire Bay stairwell, Handicap Ramp to Police.

Town Hall will be closed for the following dates: Monday, Tuesday & Wednesday, December 24<sup>th</sup>, 25<sup>th</sup> & 26<sup>th</sup> for Christmas and Tuesday, January 1<sup>st</sup> for New Year's Day.

Updates for: Tree Permits, Projects, Fence Permits, Complaints & Real Estate Closings.

## **OLD BUSINESS**

### **8) A. OFFER TO PURCHASE – TOWN LOT - HEIDENREICH**

**(i) Contract-** Town Attorney Angle reviewed the contract for purchase on Vacant Lot PIN#1878-25-3241-000 and finds it to be acceptable and valid. Member Ehlinger made a motion to approve the Contract of Offer to Purchase from Heidenreich; Member Bailey seconded the motion. The members agreed unanimously. ~CLOSED~

**(ii) Amendment-**Town Attorney Angle reviewed and is acceptable with the Agreement to Amend Contract for sections of: Due Diligence Period, Settlement Date. Member Ehmig made a motion to approve the Amendment to Contract; Member Bailey seconded the motion. The members agreed unanimously. ~CLOSED~

**(iii) Approval of Mayor/Mayor to execute documents-** After discussion among Town Council and Town Attorney Angle, it was determined that Town Attorney Angle will execute the documents on behalf of the Town. **No Action Taken ~CLOSED~**

## **NEW BUSINESS**

9)

**A. CHIEF CHUCK DAVIS RETIREMENT LETTER-** A letter of resignation by Chief Chuck Davis, dated November 30, 2018 was submitted to the Town Council. In brief, his retirement will be effective January 30, 2019; his day to day operations will cease on December 18, 2018. **No Action Taken ~CLOSED~**

**B. REQUEST TO PURCHASE FIREARM BY CHIEF CHUCK DAVIS** – Chief Chuck Davis has submitted a request to the Town for the purchase of his service weapon. Mayor Pro Tem Lambert made a motion to approve the Purchase of Service Weapon to Chief Chuck Davis; Member Ehlinger seconded the motion. The members agreed unanimously. ~CLOSED~

**C. RESOLUTION#2018-09**

The following Resolution of Appreciation was presented to Chief Chuck Davis by Mayor Fontaine and Mayor Pro Tem Lambert.



**RESOLUTION  
#2018-09**

**RESOLUTION OF APPRECIATION AND GRATITUDE FOR SERVICE  
TO CHIEF CHUCK DAVIS**

**WHEREAS**, Chief Chuck Davis has served the citizens of Seven Devils as a Public Safety Officer from 1989 to 2007; and Chief of Police from 2007 to the present.

**WHEREAS**, throughout his years of public service, he has been a public servant of integrity and has done his job with excellence, supporting the Seven Devils citizens and staff in every endeavor; and

**WHEREAS**, he has served as the Assistant Fire Chief and has served the Seven Devils Fire Department with excellence; and

**WHEREAS**, Chief Chuck Davis has shown dedication in supervising his men in their daily work, and has always volunteered in Operation Medicine Cabinet and SafetyFest; and

**WHEREAS**, we proclaim December 18, 2018 as "CHIEF CHUCK DAVIS DAY"; and

**WHEREAS**, citizens have benefited from Chief Chuck Davis's dedication to Seven Devils, and his dedication will benefit this community in the future;

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Council of the Town of Seven Devils, North Carolina, that it expresses to you, Chief Chuck Davis, on behalf of itself and other citizens and officials, appreciation for your dedication and contributions rendered as Chief of Police, and urges all citizens to join in extending appreciation for your service to the people of Seven Devils; and

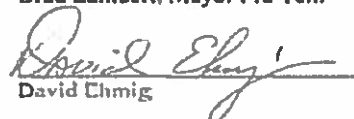
**BE IT FURTHER RESOLVED**, that we offer you our very best wishes for happiness and good health in your future retirement.

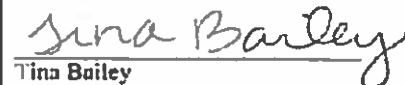
Approved this the 11<sup>th</sup> day of December 2018.

  
Larry Fontaine, Mayor

  
Brad Lambert, Mayor Pro Tem

  
Kay Ehlinger

  
David Ehlig

  
Tina Bailey

**No Action Taken ~CLOSED~**

**D. ANNOUNCEMENT OF NEW POLICE CHIEF** – Sergeant Johnathan C. Harris has been named as the New Police Chief of Seven Devils, effective February 1, 2019; he has served on the Seven Devils Police Department since 2007. His resume & qualifications were presented to the Town Council. **No Action Taken ~CLOSED~**

**E. CALENDAR FOR 2019**-A schedule for Town meetings & holidays for the calendar year 2019 was provided to the Town Council. **No Action Taken ~CLOSED~**

**F. NEW TOWN HALL-** Discussion among Town Council occurred about a new Town Hall facility. After an exploratory & continued dialogue since December 2016 with Skyline Telephone about their vacated building at Seven Devils Road & Highway 105, it is concluded this will not be an option for the Town’s future needs.

As the Town enters the 3<sup>rd</sup> year of the planning process for a future Town Hall facility, with funds being set aside each Fiscal Year towards this goal, it is time to begin the next step of surveying Town owned land and initiating conversations with a Design/Build/Architect. After the satisfaction of a current loan in December 2020, the Town will actively move the process forward to a groundbreaking date for FY2021, meanwhile the Town will enter a due diligence phase to facilitate all steps needed until the commencement of new construction.

Mayor Pro Tem Lambert made a motion the Town will begin the steps of due diligence to build a new Town Hall in FY2021; Member Ehlinger seconded the motion. The members agreed unanimously. **~CLOSED~**

**G. TERMINATION OF STATE OF EMERGENCY**

Mayor Pro Tem Lambert signed a Termination of State of Emergency, dated December 13, 2018. **No Action Taken ~CLOSED~**

*\*\*Town Clerk Notation\*\* The Declaration of State of Emergency & Termination of State of Emergency for Winter Storm Diego are shown below.*

TOWN MANAGER  
Dustin Powers, NCSSA C70  
TOWN FINANCE OFFICER  
Haley Sawinghaus  
TOWN CLERK  
Hillary Gropp



TOWN COUNCIL  
MAYOR - Larry Florkin  
MAYOR PRO-TEM - Brad Lambert  
Tina Davis  
Ken Edinger  
David Elmer

## TOWN OF SEVEN DEVILS

### DECLARATION OF A STATE OF EMERGENCY

WHEREAS, Winter Storm Diego; and

WHEREAS, as a result of the above-described disaster, I have determined that there is an imminent threat of, or existing conditions have caused or will cause, widespread or severe damage, injury, or loss of life or property, and public safety authorities will be unable to maintain public order or afford adequate protection for lives or property; and

WHEREAS, declaring a State of Emergency and imposing the restrictions and prohibitions ordered herein is necessary to maintain order and protect public health, safety, and welfare, and to secure property.

NOW, THEREFORE, pursuant to the authority vested in me as the Mayor Pro Tem of the Town of Seven Devils, under Article 1A of Chapter 166A of the North Carolina General Statutes and Code of Ordinances:

Section 1. A State of Emergency is hereby declared within the jurisdiction of the Town of Seven Devils.

Section 2. The emergency area covered by this state of emergency shall be Town Limits, as defined by the Zoning Map dated April 10, 2018.

A. Evacuation: Voluntary, unless deemed mandatory by the Watauga County Emergency Manager, excluding essential personnel, such as Public Safety Officers and Public Works personnel.

B. Curfew: Dates to be determined by the Police Chief, and times to include dusk to dawn, excluding essential personnel.

C. Restricted Access: Areas to be determined by the Police Chief.

D. Business Operations: Business limitations to be determined by the Police Chief, such as hours of operation.

E. Alcohol: N/A

F. Dangerous Weapons & Gasoline: Except for lawfully possessed firearms (handgun, rifle, or shotgun) and ammunition; restrictions to be determined by the Police Chief. Gasoline may be transported in acceptable storage containers.

G. Other: Emergency Shelter may be declared to be opened by the Mayor, Mayor Pro Tem, Town Manager, or Police Chief, in accordance with the Shelter Manager for the Red Cross.

Section 4. I hereby order all Town law enforcement officers and employees and all other emergency management personnel subject to our control to cooperate in the enforcement and implementation of the provisions of this Declaration, all applicable local ordinances, state and federal laws, and the Town of Seven Devils and Watauga County Emergency Operations Plan.

Section 5. I hereby order this declaration: (a) to be distributed to the news media and other organizations calculated to bring its contents to the attention of the general public; (b) to be filed with Clerk to the Town of Seven Devils and (c) to be distributed to others as necessary to ensure proper implementation of this declaration.

Section 6. This declaration shall take effect on December 7, 2018 at 10:00am and shall remain in effect until modified or rescinded.

DECLARED this the 7<sup>th</sup> day of December 2018 at 10:00am.

  
Brad Lambert, Mayor Pro Tem

ATTEST:

  
Hillary Gropp, Town Clerk



TOWN MANAGER  
*Debbie Powers MSBA, CZO*

TOWN FINANCE OFFICER  
*Heidi Surologian*

TOWN CLERK  
*Hillary Gropp*



## TOWN OF SEVEN DEVILS

TOWN COUNCIL

MAYOR - *Larry Fontaine*  
MAYOR PRO-TEM - *Brad Lambert*  
*Tom Bailey*  
*Kau Ehringer*  
*David Ebbage*

### TERMINATION OF STATE OF EMERGENCY

WHEREAS, on December 7, 2018 at 10:00am, as Mayor Pro Tem of the Town of Seven Devils, I determined and declared that a State of Emergency existed within the Town limits of the Town of Seven Devils.

WHEREAS, I have determined that the conditions constituting a State of Emergency no longer exists in the Town limits of the Town of Seven Devils.

NOW, THEREFORE, I hereby terminate the above referenced declaration of a State of Emergency and all the restrictions and orders contained therein.

This declaration is effective on Thursday, December 13, 2018.

DECLARED this the 13<sup>th</sup> of December 2018 at 5:30pm.

*Brad Lambert*  
Brad Lambert, Mayor Pro Tem

ATTEST:

*Hillary Gropp*  
Hillary Gropp, Town Clerk



### COMMITTEE REPORTS

**Board of Adjustment** - No meeting

**Planning Board** - No meeting

**Public Works** - No meeting

**Public Safety Commission** - No meeting

**Recreation Commission** - No meeting

**TDA** - No meeting

**ABC Board** - October minutes

**Tree Committee** - No meeting

**Public Safety Department**

**Police Report**

**Fire Report** - Mayor Fontaine congratulated Tom Bookstaver on being honored as the "Firefighter of the Year" for Avery County. He is also a founding member of the Seven Devils Volunteer Fire Department.

**Financial Report**

**COUNCIL COMMENTS**

Mayor Pro Tem Lambert talked about the commendable effort of the Public Works Department during Winter Storm Diego. This winter storm delivered 15+ inches of snowfall within a 24-hour period.

**ADJOURN**

Member Ehlinger made a motion to adjourn; Member Ehmig seconded the motion. The members agreed unanimously. The meeting adjourned at 6:19pm.

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Larry Fontaine, Mayor

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Hillary Gropp, Town Clerk

DRAFT



**TOWN COUNCIL MEETING**  
**Administrative Update**  
**January 8, 2018**

**AGENDA ITEM** 7)

1. Chief Chuck Davis Day – December 18, 2018 – Recap & Pictures
2. Upcoming - State Fire Marshall Rating & Inspection visit on March 4<sup>th</sup> & 5<sup>th</sup>.
3. Closed on Town property purchased by Heidenreich on December 20<sup>th</sup>.
4. New Construction – Cederberg – 4 lots in Blair Mtn. Estates
5. Compliment email from Haynes @ 119 Grande View Ct.

**December 2018 items:**

- Tree Permits – 0
- Projects – 2
- Fence Permit - 0
- Complaints – 14
- Real Estate Closings – 4

**Seven Devils Fire Inspection – 2019**

We have been notified of our next State Fire Inspection, scheduled for March 4, 2019. This inspection is required to be performed every 5 years; our last inspection was completed in 2009 (the State is far behind in inspections). This inspection will include testing of approximately 5-10% of our fire hydrants, Firefighting equipment, pump and flow test records on our fire trucks, hydrant coverage of properties in Seven Devils, data records on our water supply and distribution system, fire department personnel and training records and data responses to fire calls. Our point person conducting the inspection is James Fore.

At the conclusion of the inspection, Seven Devils will receive a fire rating; the rating system ranges from a 1 (the highest) to a 10 (lowest), with most rural departments falling into a 9S category. You may remember that in 2009, Seven Devils received a rating of 6, an increase from the previous rating of 9S. The rating plays a part in each Seven Devils homeowner's insurance rates, so this is very important.

Chief Powell has been working hard to make sure all the equipment and records are in order and has been working with Mr. Fore beforehand to insure a swift and productive inspection. As soon as we are notified of the new rating, we will post it on our website for all to view.

Attached is the letter from the Department of Insurance, and the letter we received back in 2009, announcing our rating. Any further questions about this process can be addressed to Chief Powell at [firechief@sevendevils.net](mailto:firechief@sevendevils.net)

*Debbie Powers*

Town Manager



## RATINGS AND INSPECTIONS

Tel 919.647.0000 Fax 919.715.0063

MIKE CAUSEY, INSURANCE COMMISSIONER & STATE FIRE MARSHAL  
BRIAN TAYLOR, CHIEF STATE FIRE MARSHAL

October 3, 2018

Robert B.Lambert  
Town Manager  
1356 Seven Devils Road  
Banner Elk, NC 28604

Dear Robert B.Lambert:

The Seven Devils Fire Department has been scheduled for a protection survey to be conducted by the NC Department of Insurance/Office of State Fire Marshal we would like to schedule a visit on 03/04/2019. The anticipated fieldwork required for the survey should take approximately one to two (1-2) days to complete.

To facilitate data collection for the survey, James Fore has been assigned to assist your department. Please complete the survey forms prior to the inspector arrival by visiting our website at: [http://www.ncdoi.com/OSFM/Ratings\\_and\\_Inspections/Default.aspx?field1=Forms](http://www.ncdoi.com/OSFM/Ratings_and_Inspections/Default.aspx?field1=Forms)

The purpose of the site visit is to gather information needed to determine a fire insurance classification for use in the calculation of property insurance premiums. Please note that the information gathered is not for property loss prevention or life safety purposes and no life safety or property loss prevention recommendations will be made.

The public protection classification determined by the OSFM survey is only one of several factors used in the calculation of property insurance premiums. Individual insurance premium calculations also depend upon specific property construction, occupancy, private protection and exposure from adjacent buildings.

Our inspector will be collecting data from various sources to complete our overall evaluation of the Seven Devils Fire Department. Data will be collected concerning; (1) your water supply and distribution system, and/or water shuttle operations, including actual hydrant flow tests, (2) your fire department including manning, equipment and training, and (3) your means of receiving/handling of fire alarms.

James Fore will contact you prior to 03/04/2019 to establish a definite date for our visit. In the meantime, review materials via OSFM's website and call our office if you have questions concerning the forms and call our office if you have questions concerning survey visit. Your cooperation and timely completion of the requested materials will be greatly appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Davie W Summey".

Davie Summey  
Supervisor of Inspections

DS/sl

Cc: Bobby Powell, Fire Chief

Wayne Goodwin  
Commissioner of Insurance  
State Fire Marshal



TRAINING & INSPECTIONS

For Immediate Release

Contact: Kristin Milam  
(919)733-5238

January 23, 2009

## Seven Devils Fire District Receives New Rating After Inspection

### State Officials Award District a 6 Rating

RALEIGH - North Carolina Insurance Commissioner and State Fire Marshal Wayne Goodwin announced today that the Seven Devils Fire District completed its routine inspection and received a 6 rating, effective Friday, May 1, 2009. The inspection, conducted by officials with the Department of Insurance Office of State Fire Marshal (OSFM), is required on a regular basis as part of the North Carolina Response Rating System (NCRRS). Among other things, the routine inspections look for proper staffing levels, sufficient equipment, proper maintenance of equipment, communications capabilities and availability of a water source.

The 6 rating is an improvement over the previous rating of 9S. The NCRRS rating system ranges from one (highest) to 10 (not recognized as a certified fire department by the state), with most rural departments falling into the 9S category. While lower ratings do not necessarily indicate poor service, a higher rating does suggest that a department is overall better equipped to respond to fires in its district. Higher ratings can also significantly lower homeowners insurance rates in that fire district.

"I'd like to congratulate Chief Powell for his department's performance and for the hard work of all the department members," said Commissioner Goodwin. "The citizens in the Town of Seven Devils should rest easy knowing they have a fine group of firefighters protecting them and their property in case of an emergency."

State law requires OSFM officials to inspect departments serving districts of 100,000 people or less, which makes up all but six of the state's fire districts.

-NCDOI-



**Debbie Powers**

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**From:** Cathy Haynes <kellydon1981@icloud.com>  
**Sent:** Friday, December 28, 2018 11:21 AM  
**To:** Debbie Powers  
**Subject:** Staff Appreciation

Don and Kelly Haynes  
119 Grande View Court  
SevenDevils, NC 28604

A big thank you to Kevin from Public Works for getting a street sign installed for Grande View Court. Kevin called the county for us to have a street sign put up even though it was not the town's responsibility.

I also want to thank the police officer that helped me get my car turned around after the big snowstorm. My driveway was plowed but I was having difficulty getting my car turned around. I had an important doctor's appointment.

Hillary at City Hall has also been very pleasing and helpful by answering all our many questions.

We are very impressed with the town of Seven Devils and so glad we chose Seven Devils as our second home. Everyone is so helpful and professional.

Sincerely,  
Don and Kelly Haynes

<u>Date</u>	<u>Last Name</u>	<u>First Name</u>	<u>St #</u>	<u>Street Name</u>	<u>Complaint Topic</u>	<u>Complaint Specifics</u>	<u>Resolution</u>
3-Dec	Copley	Kathy	166	WW	trees	unhappy with method used by PW to trim trees by street for emerg vehicle safe passage	PW are not arborists; we already discussed this several times
4-Dec	visitor			HRV	snow	"my deck is already covered; can I get to 105 safely?"	if you have to ask.....
5-Dec	various				snow	"why aren't you scraping the roads?" "I need to talk to Public Works"	roads are being treated; refer to handout "Snowplowing 101" available on website
7-Dec	various				snow	upcoming weekend storm "will you guarantee that I won't lose power?" "Will we be able to get out?"	get supplies/stay put BE PREPARED
11-Dec	various				snow	PW has piled up snow on my driveway entrance-when will they remove it?	driveway is owner's responsibility hire a contractor to remove
12-Dec	Rawlinson	Lee		lots	sign permits	permit system does not accommodate summer residents (Jan - Dec)	system is ideal for realtors, which is 99.5% of sign permittees
12-Dec	Hurlbrink	Bobbie		Greenview	snow	"f****g PW guys keep pushing snow on my driveway; don't share these treats with them"	Option to NOT have snow pushed on road; operations continue as normal
13-Dec	Bisigniano		114	Bear Cave	snow	extremely disappointed at staff indifference to residents about road conditions	DP apologized; sent PW to plow; called back - all happy now
13-Dec	Hearne	Damon	127	Denali	snow	snow berm	Denali is private road, no Town plowing available
14-Dec	Lail	Matt	140	Longview	snow	lost a rental due to snow; just plow to other side of road	PW cannot switch blade from side to side to accommodate individual homeowners
14-Dec	resident		509	7 Devils Rd	snow	do not like the way "they" plowed	NOT in Town limits - call DOT
17-Dec	Rizzo		206	HawksLake	deer	neighbor has salt lick in his yard 30 deer eating shrubbery and pooping in his yard - illegal?	NOT illegal to have salt lick; deer not attracted to salt lick in winter season
20-Dec	Heller		219	Wildcat	issues	"Town Hall is always locked" "Banged on door - no police" "Too many rules - not like Myrtle Beach - quirky little town"	Locked after hours Police out on patrol Tree permit is incomplete

21-Dec Fleri Corwin FoscoeRent	965 Devils Lake 1015 Devils Lake	renters	"waive online fees" noisy renters at 1:30am	No relief for fees ongoing drama - call PD, do not wait to email the next day Continuous ongoing problem
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OATH OF CHIEF OF POLICE

STATE OF NORTH CAROLINA  
COUNTY OF WATAUGA

"I, Johnathan Harris, DO SOLEMNLY SWEAR THAT I WILL SUPPORT AND MAINTAIN THE CONSTITUTION AND LAWS OF THE UNITED STATES, AND THE CONSTITUTION AND LAWS OF NORTH CAROLINA NOT INCONSISTENT THEREWITH, AND THAT I WILL FAITHFULLY DISCHARGE THE DUTIES OF MY OFFICE AS CHIEF OF POLICE OF THE TOWN OF SEVEN DEVILS, SO HELP ME GOD."

"I, Johnathan Harris, DO SOLEMNLY SWEAR THAT I WILL BE ALERT AND VIGILANT TO ENFORCE THE CRIMINAL LAWS OF THIS STATE; THAT I WILL NOT BE INFLUENCED IN ANY MATTER ON ACCOUNT OF PERSONAL BIAS OR PREJUDICE; THAT I WILL FAITHFULLY AND IMPARTIALLY EXECUTE THE DUTIES OF MY OFFICE AS CHIEF OF POLICE ACCORDING TO THE BEST OF MY SKILLS, ABILITIES, AND JUDGEMENT; SO HELP ME, GOD."

THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signature of Chief of Police

Sworn and Subscribed before me this \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public Signature

\_\_\_\_\_  
Notary Printed Name

NOTARY SEAL

My commission expires: \_\_\_\_\_

TOWN OF SEVEN DEVILS APPLICATION FOR APPOINTMENT  
FOR: BOARD OR COMMITTEE

PLEASE NOTE: In accordance with North Carolina law, this application is a public record and will be disclosed upon request without notice. If there is any information you do not want released to the public, please do not include it.

FULL NAME: BUTCH MCLEAN

LOCAL ADDRESS: 146 DEEPWOOD CT

EMAIL ADDRESS: WPG814@NETSCAPE.NET TELEPHONE: 963-9560

FULL-TIME RESIDENT of the Town of Seven Devils X YES \_\_\_\_\_ NO  
If part-time, approximately how many months in a year do you live in Seven Devils? \_\_\_\_\_

HOW LONG HAVE YOU BEEN A RESIDENT OF SEVEN DEVILS? 15 YEARS

NAME OF BOARD OR COMMITTEE FOR WHICH APPOINTMENT IS SOUGHT:

- Board of Adjustment
- Public Works Committee
- TDA-Tourism Development Authority
- Planning Board
- Recreation Commission

WHY DO YOU WANT TO SERVE ON THIS BOARD/COMMITTEE?

AID THE GROWTH OF SEVEN DEVILS

ARE YOU FAMILIAR WITH THE TOWN'S COMPREHENSIVE LAND USE PLAN AND THE VISION STATEMENT OF THE TOWN CONTAINED THEREIN? (It can be accessed at [www.sevendevils.net](http://www.sevendevils.net))

YES

RATE YOUR SUPPORT FOR THE VISION STATEMENT AND COMPREHENSIVE LAND USE PLAN (with "1" signifying no support and "10" signifying great support): 10

WHAT SKILLS, EDUCATION, TRAINING, EXPERIENCE OR AREA(S) OF EXPERTISE WOULD YOU BRING TO THIS APPOINTMENT?

PAST CO-OWNER NORTHWEST SOLAR HEAT INC  
BOONE NC

HAVE YOU TAKEN THE OPPORTUNITY TO ATTEND ANY PREVIOUS BOARD MEETINGS PRIOR TO THE NOTICE OF THIS VACANCY? X YES \_\_\_\_\_ NO

DESCRIBE EXTENT AND MEETINGS ATTENDED: CHAIR SEVEN DEVILS  
PLANNING BOARD

IF APPOINTED, DO YOU ANTICIPATE ANY CONFLICT OF INTEREST? \_\_\_\_\_ YES X NO

IF YES, PLEASE EXPLAIN: \_\_\_\_\_

PLEASE LIST ANY CURRENT OR PREVIOUS SERVICE TO THE COMMUNITY, CIVIC ORGANIZATIONS, ACTIVITIES AND ANY SPECIAL TALENTS:

BOARDS/CIVIC ORGANIZATIONS/TALENTS:	DATE FROM:	DATE TO:
<u>SEVEN DEVILS</u>	<u>2009</u>	<u>2018</u>
<u>PLANNING BOARD</u>	_____	_____
_____	_____	_____

ADDITIONAL COMMENTS WHY YOU SHOULD BE APPOINTED TO THIS BOARD/COMMITTEE:

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***I certify that the above information is correct. I understand that this is an application to be considered for appointment to a Town Board or Committee and that final appointment is made by the Town Council of Seven Devils. I also understand that any service, if appointed, would be without compensation. This application will remain on file for a period of 12 months form the date of application.***

Signature: Butch McLean Date: 3 JAN 2019

*Please fill out the form completely and return it to the Town Clerk at Town Hall.*

*If you have any questions, call 828-963-5343*



Updated December 2018

**Town Council (Top 2 ballot winners – 4-year term & least ballots 2 year term)**

Larry Fontaine - Mayor	Term expires 1/1/2020
Brad Lambert – Mayor Pro-Tem	Term expires 1/1/2022
Tina Bailey	Term expires 1/1/2022
Kay Ehlinger	Term expires 1/1/2020
David Ehmg	Term expires 1/1/2020

\*Include Rob Angle-Town Attorney on email communications

**Board of Adjustment (3-year term)**

Sarah Manning	Term expires 1/1/2020
Jack Byrnes	Term expires 1/1/2020
George Ehlinger	Term expires 1/1/2021
Barbara Hurlbrink	Term expires 1/1/2021
John E. Duncan	Term expires 1/1/2022
Butch McLean-Alternate	Term expires 1/1/2020
Mark Bailey – Alternate	Term expires 1/1/2022

**Planning Board (2-year term)**

Bob Haugh	Term expires 1/1/2020
George Ehlinger	Term expires 1/1/2020
Frank Sell	Term expires 1/1/2021
Jack Byrnes	Term expires 1/1/2021
Walt Hogan	Term expires 1/1/2021
Jim Jones	Term expires 1/1/2021
Jeffrey Williams	Term expires 1/1/2021

**Public Works Committee (3-year term)**

George Ehlinger	Term expires 1/1/2021
Brad Lambert	Term expires 1/1/2022
Larry Fontaine	Term expires 1/1/2022
Mark Bailey	Term expires 1/1/2022
Barrie Winn	Term expires 1/1/2022
Jack Byrnes	Term expires 1/1/2022

\*Include Kevin Aldridge – Public Works Director on communications

\*Include David Poore-Town Engineer on email communications

### **Parks & Recreation Committee (3-year term)**

Anne Fontaine	Term expires 1/1/2020
Bob Bridges	Term expires 1/1/2021
Martha Stearns	Term expires 1/1/2022
Kay Lambert	Term expires 1/1/2022
Ed Beck	Term expires 1/1/2022
Lee Metzger	Term expires 1/1/2022

### **Tourism Development Authority (2-year term)**

Tom Gidley	Term expires 1/1/2020
Anne Fontaine	Term expires 1/1/2021
John E. (Jack) Duncan	Term expires 1/1/2021

\*Include Helga Sappington-Finance Officer on email communications

### **Public Safety Committee – PBSO – 501 (C) 3 Non-Profit**

George Ehlinger – Chair

Tom Bookstaver

Kay Ehlinger

David Hooper

Brad Lambert

Kay Lambert

Phyllis Miller

Dick Nelson

Tina Bailey

Jack Byrnes

### **High Country ABC Board (3-year term) – Approved during calendar year by ABC Board**

Mike Tarlton	Effective dates	May 2017 – May 2020
Sarah Manning	Effective dates	May 2018 – May 2021

High Country ABC Board Meeting Minutes  
November 6, 2018

The High Country ABC Board held its monthly meeting on Tuesday, November 6 at 4:15 pm. Board chair Donna Dicks, board member Mike Tarlton, board member Winston Ammann, alternate board member Robin Dunn, alternate David Miller and general manager Sara Brewer were present for the meeting. Alternate board member Sarah Manning was excused from this meeting. Seven Devils Town Manager Debbie Powers also attended the meeting.

Before the meeting, general manager Sara Brewer, read the following conflict of interest statement; "In accordance with 18B-201, it is the duty of every board to avoid both conflicts of interests and appearances of conflicts. Does any board member have any conflicts of interests or appearances of conflicts with any matters coming to the board today?" Hearing none, the meeting continued.

Upon motion duly made by Winston Ammann, seconded by Mike Tarlton, it was voted to approve today's agenda. Upon motion duly made by Mike Tarlton, seconded by Winston Ammann, it was voted to approve last month's minutes.

General manager Sara Brewer reported to the board that sales for October were up \$20,503 for total sales of \$311,012.00. Checking account balance is \$169,000.

Old Business:

- Orrie Smith's contract has been updated, renewed and signed as of November 1, 2018.
- The web address for the ABC store is [high.ncabcboards.com](http://high.ncabcboards.com). Sara and Bonnie will start "personalizing" the site.

New Business:

- The ABC store will be closed for Thanksgiving Day only. This is a mandatory shut down day.
- RASP Training, held on Beech Mtn. on November 6, had 43 participants representing 6 to 8 restaurants.

Debbie Powers, Town Manager of Seven Devils, expressed her thanks for the bonus check that was given to all three towns.

The next scheduled meeting will be on Thursday, December 13 at 4:15pm.

Upon motion duly made by Mike Tarlton, seconded by Winston Ammann, it was voted to adjourn today's meeting.

Donna Dicks, Board Chair

Winston Ammann, Board Member

Mike Tarlton, Board Member

date approved

# Activity Log Event Summary (Cumulative Totals)

SEVEN DEVILS PUBLIC SAFETY

(12/01/2018 - 01/01/2019)

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Business Check	288	Complaint	1
Damage to property	1	Extra Patrol	14
Fire Department	1	Medical	1
Patrol	60		

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Total Number Of Events: 366



# SEVEN DEVILS FIRE DEPARTMENT

1356 Seven Devils Road, Seven Devils, N.C. 28604

( 828 ) 963-5343 ( 828 ) 963-6760

Fax ( 828 ) 963-1129

Fire Chief Bobby Powell

December 2018

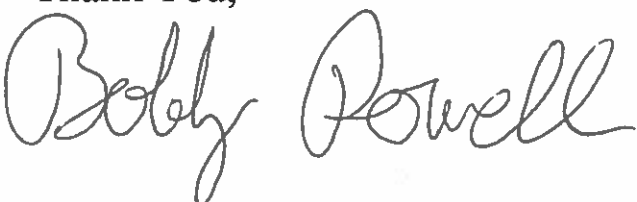
Fire Calls: 1  
Medical Calls: 1  
Training sessions: 3  
Total Man-hours: 59 Hrs.

We are working on a plan to teach several firefighting classes over the next couple of months. We will also have our annual CPR /AED class for first responders. We will continue teaching the remaining fire classes for our North Carolina firefighter certifications. We are also continuing to be working toward having all state / federal required classes for certification of our firefighters. We are also working to expand CPR/AED training to our community.

This month I took a mandatory firefighter instructor update class in Asheville NC. This covers all the basic firefighter classes we offer at our department. The major change is the instructor who taught the class can not test the class on the written test. The teaching instructor can still test the hand-on skills. The state updates teaching standards every 5 years.

1 Fire Call: Fire alarm.  
1 Medical call: Fall with injuries.

Thank You,



**MONTHLY FINANCE REPORT**  
December 2018 - 50%

	Budget	Actual		%	
	Total	Previous	Dec		YTD
<b>Section 1. General Fund</b>					
Anticipated Revenues by Category					
Ad Valorem Taxes	803,500	440,539	191,954	632,493	78.72%
State Share Revenue	120,510	39,513	7,094	46,607	38.67%
ABC Distribution	100,000	58,000	0	58,000	58.00%
Powell Bill Allocation	30,000	14,453	0	14,453	48.18%
Permits and Fees	4,000	(39)	1,665	1,626	40.65%
Sales Tax	175,000	71,339	14,994	86,333	49.33%
Misc Revs, Govt Grants, Sale of Assets	233,105	45,831	8,348	54,179	23.24%
Capital Reserve Fund/FB	43,217	0	0	0	0.00%
Occupancy Tax	120,000	73,972	13,858	87,830	73.19%
<b>Total</b>	<b>1,629,332</b>	<b>743,608</b>	<b>237,913</b>	<b>981,521</b>	<b>60.24%</b>
Authorized Expenditures by Department					
Governing Board	85,125	8,530	942	9,472	11.13%
Administrative	332,872	133,769	25,448	159,217	47.83%
Public Safety	474,171	199,472	35,762	235,234	49.61%
Fire Protection	173,196	61,274	2,580	63,854	36.87%
Planning	1,500	408	0	408	27.20%
Public Works	412,468	173,303	24,973	198,276	48.07%
Powell Bill	30,000	30,000	0	30,000	100.00%
Tourism Development Authority	120,000	73,972	13,858	87,830	73.19%
<b>Total</b>	<b>1,629,332</b>	<b>680,728</b>	<b>103,563</b>	<b>784,291</b>	<b>48.14%</b>

**MONTHLY FINANCE REPORT**  
December 2018 - 50%

	Budget Total	Actual		%
		Previous	Dec	
<b>Section 2. Enterprise Fund</b>				
Anticipated Revenues by Category				
Water Operating Revenues	244,500	106,857	20,338	127,195
Water Taps and Connections	4,000	0	2,000	2,000
Non Operating Revenues	2,750	140	0	140
Capital Reserve for Capital Outlay	97,778	0	0	0
<b>Total</b>	<b>349,028</b>	<b>106,997</b>	<b>22,338</b>	<b>129,335</b>
				<b>37.06%</b>
Authorized Expenditures by Department				
Water-Operating	119,908	41,465	8,676	50,141
Non Operating	144,620	42,487	2,622	45,109
Capital Outlay	84,500	37,818	1,888	39,706
<b>Total</b>	<b>349,028</b>	<b>121,770</b>	<b>13,186</b>	<b>134,956</b>
				<b>38.67%</b>