

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 1st 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 29th.

Lite Up The Nite was an enjoyable event on November 30th; 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 24th, 25th & 26th for Christmas and Tuesday, January 1st 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

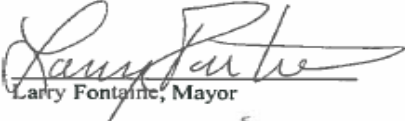

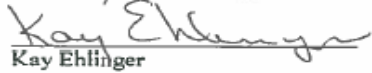
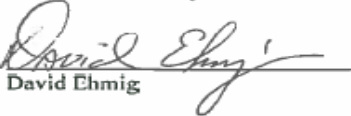

WHEREAS, we proclaim December 18, 2018 as “CHIEF CHUCK DAVIS DAY”; and

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 11th day of December 2018.

 <p>Larry Fontaine, Mayor</p>	 <p>Brad Lambert, Mayor Pro Tem</p>
 <p>Kay Ehlinger</p>	 <p>David Ehmig</p>
 <p>Tina Bailey</p>	

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 3rd 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
Debbie Powers, MSBA, CZO
TOWN FINANCE OFFICER
Halga Sappington
TOWN CLERK
Hillary Gropp



TOWN COUNCIL
MAYOR - *Larry Fontaine*
MAYOR PRO-TEM - *Brad Lambert*
Tina Bailey
Kay Ehlinger
David Ehmer

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 7th 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
Malga Sappington
TOWN CLERK
Hillary Gropp



TOWN OF SEVEN DEVILS

TOWN COUNCIL
MAYOR - *Larry Fontaine*
MAYOR PRO-TEM - *Brad Lambert*
Tina Bailey
Kay Ehlinger
David Ehwang

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 13th of December 2018 at 5:30pm.



Brad Lambert, Mayor Pro Tem

ATTEST:


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.

ADIURN

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

Larry Fontaine, Mayor

Hillary Gropp, Town Clerk

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