

**TOWN OF SEVEN DEVILS
TOWN COUNCIL MINUTES – REGULAR MEETING MINUTES**

September 12, 2017

The Seven Devils Town Council met in regular session on Tuesday, September 12, 2017, at Town Hall. Present were Mayor Larry Fontaine, Mayor Pro Tem Brad Lambert, Council Members Kay Ehlinger, David Ehmig and David Hooper. Also present were Town Attorney Rob Angle and Town Manager Debbie Powers, the minutes were recorded by Hillary Gropp, Town Clerk.

CALL TO ORDER

Mayor Fontaine called the meeting to order at 5:32PM.

PLEDGE OF ALLEGIANCE

Council members and citizens recited the Pledge of Allegiance

ADOPT AGENDA

Member Hooper made a motion to adopt the agenda. Member Ehmig seconded the motion. The members agreed unanimously.

CONSENT AGENDA

ADOPT MINUTES OF TOWN COUNCIL MEETING – AUGUST 8, 2107

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

CITIZEN COMMENTS

Lisa Otter Rose – 268 Lillian Drive; Resident offered her positive comments about Otter Falls being a wonderful addition to the Town and likewise, her frequent use of the trail. On a negative side, because of limited parking available at the trailhead, she reports of parking issues for her road. Additionally, she reports of hikers/auto traffic entering Blair Mountain Estates asking for directions. She requests consideration of improved/additional signage for directions to Otter Falls trailhead.

Mayor Fontaine acknowledged the popularity of Otter Falls and the limited parking is a current issue the Town is reviewing.

Kay Lambert – 430 Wildcat Rocks Road; announced the “The Hawk” – 7K @ 7D is Saturday, September 16th. Many have offered to volunteer for this inaugural event and asked for residents to come and offer support by cheering the participants; she offered sincere a thank you to all, including Town Staff.

ADMINISTRATIVE UPDATE

Manager Powers provided the following update:

Walgreens has purchased the Rite Aid located in Tynecastle; The process of acquiring the ABC & ALE license and fire inspection have been initiated.

The next HCMA meeting will be October 19, 2017 at 6:00pm. The Village of Sugar Mountain is the host.

As of July 1, 2016, the "Certified Population Estimate" from the State OBM is 213 (30 in Avery, 183 in Watauga).

Paving work within the Town has been completed for the year.

The Red Cross Agreement has been updated; Tina Bailey is the Emergency Shelter Manager.

Spiller Consulting is conducting a Utility Audit for the Town for possible savings, by inspecting the Blue Ridge Electric & SkyBest billings.

The Annual Financial Onsite Audit is complete and waiting on LCG approval. Finance Officer, Helga Sappington has a tax collection rate of 99.13%.

Officer Johnathan Harris received a sincere "thank you" from a resident for resolving a nuisance animal problem.

The September utility billing will include an insert informing residents of the upcoming Municipal Candidate Forum on October 18, 2017 at Town Hall from 6:30-9:30pm. Questions can be submitted via email to the Town Clerk until October 2nd.

The High Country Council of Governments held their 43rd Annual Banquet on September 8, 2017. Mayor Pro-Tem, Brad Lambert was selected as the Outstanding Local Elected Official.

Property Tax bills were mailed on September 1, 2017; taxes are due on or before January 5, 2018.

A chart was displayed showing a 10+ year history of tax rates for Seven Devils; the chart includes other Townships, along with Watauga & Avery County. This reflects a steady rate for Seven Devils, while other have increased taxes in previous years.

"The Hawk", the Inaugural 7K @ 7D will be held on Saturday, September 16 at 8:00am. All are encouraged to come and cheer on the participants.

Manager Powers provided an update on: Tree Permits, Projects, Complaints, Real Estate Closings, Violations

OLD BUSINESS- NONE

NEW BUSINESS

8) A. EGGERS, EGGERS, EGGERS & EGGERS, PLLC-Discussion of Letter

Mayor Fontaine asked Mr. William Diercksen if he would like to speak about his reason for asking for the information as requested in this letter by Eggers, Eggers, Eggers & Eggers, PLLC.

Mr. Diercksen accepted and then expressed his intended goal is not against the trail, but felt if Skiview is the only access, then it should be widened. He asks the Town to seriously consider other access routes for the trail; one that is agreeable to Blue Ridge Conservancy. Mr. Diercksen's intention with hiring Eggers, Eggers, Eggers & Eggers, PLLC is to keep him and other residents informed. He does not want to make enemies.

Mayor Fontaine asked for council comments on this, NONE; Mayor Fontaine reports that Manager Powers has consulted with UNC SOG and said Manager Powers will comply with the request for records as outlined in the letter by Eggers, Eggers, Eggers & Eggers, PLLC. All records requested will be CC'd to Charlie Brady, Attorney for the BR Conservancy. This was requested via email to Manager Powers. No action taken. ~CLOSED~

B. GASB 73 REPORT

Mayor Fontaine turned this topic over to Manager Powers; this report is about the gap that can occur for a Law Enforcement Officer upon retirement and prior to eligibility for Medicare benefits. The separation allowance for Law Enforcement officers will be for those with 30 years of service until they reach the age of 62. By law, the Town will be required to provide a monthly payout (based on a formula). The Town liability has increased from an estimate of \$25,000 to \$61,000 for 4 officers, and this will be reflected in the audit for this year. This figure was based on a provided actuarial table. No action taken. ~CLOSED~

C. HC REGIONAL HAZARD MITIGATION PLAN 2017

This plan outlines the strategies involved and plans of actions in the times of natural hazards. No action taken. ~CLOSED~

This plan is featured on the Seven Devils website www.sevendevils.net

D. BUDGET AMENDMENT #1 FY18

Budget Amendment #1 - FY18

Purpose: Purchase of 75 Water Meters from HD Supply @ \$188 each - \$14,100.

In the CIP, in prior years, we have already set aside \$40,000 for water meters.

Public Works has used all the "inventory" and needs to replace faulty meters. This will replace all the faulty meters & reserve some for inventory. The faulty meters read "zero" and need to be manually read during the water reading monthly cycle.

From Capital Reserve...30-810-90.....\$14,100.

To Capital Outlay.....30-810-74.....\$14,100.

Debbie Powers

Member Ehmig made a motion to approve Budget Amendment #1FY18; Mayor Pro Tem Lambert seconded the motion; the members agreed unanimously. ~CLOSED~

E. NCDOT PEDESTRIAN PLAN GRANT

(i) A narrative of the NCDOT Pedestrian Plan Grant has been supplied by Manager Powers. Key highlights of this narrative include the following: The NCDOT Division of Bicycle and Pedestrian Transportation have opened the Call for Proposals for their 2018 cycle. This grant is to encourage municipalities to develop comprehensive pedestrian plans. The DOT has approved consultants that produce these plans for the municipalities. A plan for the size of Seven Devils would cost \$40,000. This is a 90/10 grant; the DOT portion will be \$36,000 and Seven Devils is responsible for \$4,000. David Graham, Transportation Planner for the Council of Governments will assist the Town of Seven Devils with this grant submission.

(ii) Resolution #2017-05 Mayor Fontaine read Resolution #2017-05



RESOLUTION
#2017-05

RESOLUTION AUTHORIZING THE FILING AND EXECUTION OF A PEDESTRIAN PLANNING GRANT FOR THE TOWN OF SEVEN DEVILS WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

WHEREAS, the Town of Seven Devils is hereby applying to the North Carolina Department of Transportation for grant funds to develop a Pedestrian Plan for the Town of Seven Devils; and

WHEREAS, if the North Carolina Department of Transportation approves funding of the project as described in the grant application, the NCDOT will prepare a Grant Agreement for execution by the Town Council; and

WHEREAS, the Grant is a 90% State Contribution with a 10% match from the Town of Seven Devils where the State's maximum contribution is \$36,000.00; and

WHEREAS, the Town's required 10% match of \$4,000.00 will be allocated during FY18-19 from the Governing Body Department budget; and

WHEREAS, the Grant Agreement will require the Town of Seven Devils to perform certain functions and obligations in order to carry out the work described in this grant application;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of Seven Devils assures the North Carolina Department of Transportation that it understands the functions and obligations to which the Town of Seven Devils is committing itself in order to carry out the work described in this grant application, and further agrees that the Town of Seven Devils will proceed with diligence to perform those functions and obligations to accomplish the work described in this grant application.

Adopted this the 12th day of September, 2017


Larry Fontaine, Mayor


Hillary Gropp, Town Clerk



Member Hooper made a motion to approve Resolution #2017-05; Mayor Pro Tem Lambert seconded the motion; the members agreed unanimously. ~CLOSED~

F. HIGH COUNTRY RPO REPORTS

These reports provide an update as of **August 16, 2017** for **Division 11 Projects Under Development and Division 11 Projects Under Construction.**

Mayor Fontaine inquired about the status of Highway 105 to Broadstone Road; he asked why this project is not reflecting on these reports. Member Ehmig pointed out the reports are titled Under Construction and Under Development and since the needed land has not been acquired for widening of Hwy 105, this is likely why it is not reflected on these reports; funding for this project is unknown; Manager Powers to follow up. No action taken. ~CLOSED~

COMMITTEE REPORTS

Planning Board—No August Meeting

Public Works—No August Meeting

Public Safety Committee—August Minutes

Recreation Commission – August Minutes

TDA – August Minutes

ABC Board – July Minutes

Tree Committee – No August Meeting

Public Safety Department

Police Report

Fire Report

Financial Report

COUNCIL COMMENTS

Mayor Pro Tem Lambert offered a sincere and humble “thank you” for being honored as the Outstanding Local Elected Official by the HC COG.


Mayor Fontaine inquired about the outcome of letter campaign that occurred during the summer months to have Verizon piggyback on the current Carolina West Cell Tower. Manager Powers reports that even with resident involvement and effort, the letter writing campaign failed to meet the desired results.

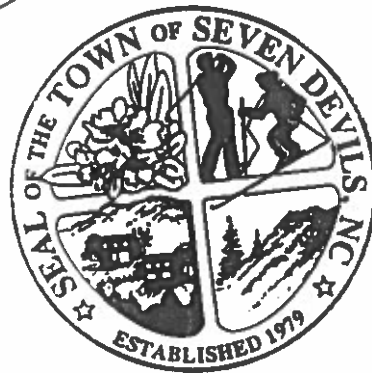
Mayor Fontaine asked about the status of the vacant Skyline building located on Seven Devils Road & Hwy 105; Manager Powers reports to date, no activity.

Mayor Fontaine asked for a review of the proposed restaurant on the parcel of land at Aldridge Road - Annexed land owned by VESTPOCKETS INVESTMENTS LLC. Manager Powers confirmed all previously issued permits are expired; the entire permitting process would need to be repeated in order to proceed; additionally, all property taxes will need to be paid in full prior to any permitting.

ADJOURN

Mayor Pro Tem Lambert made a motion to adjourn. Member Ehlinger seconded the motion. The members agreed unanimously. The meeting recessed at 6:30 PM.


Larry Fontaine, Mayor




Hillary Gropp
Town Clerk