

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

June 9, 2015

The Seven Devils Town Council met in regular session on Tuesday, June 9, 2015, 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 Ed Evans. The minutes were recorded by Sara Miller, Town Clerk.

CALL TO ORDER

Mayor Fontaine called the meeting to order at 5:30 PM.

PLEDGE OF ALLEGIANCE

Council members and citizens recited the Pledge of Allegiance

ADOPT AGENDA

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

CONSENT AGENDA – MOTION FOR CONSIDERATION

Adopt minutes of Regular Town Council Meeting—May 12, 2015

Adopt minutes of Town Council Budget Workshop—May 27, 2015

Budget Amendments FY 2014-2015

Mayor Fontaine asked the Council if they had any changes to the Consent Agenda, and proceeded to ask Manager Evans to summarize the Budget Amendments for the Council. Manager Evans stated that it would be more appropriate to amend the Agenda and move the Budget Amendments FY 2014-2015 to New Business Item D.

Member Hooper made a motion to approve the amended Town Council Agenda. Member Ehmig seconded the motion. The members agreed unanimously.

Mayor Fontaine asked again if there were any additional changes to the Consent Agenda. None were given. Member Ehmig made a motion to adopt the amended Consent Agenda. Mayor Pro Tem Lambert seconded the motion. The members agreed unanimously.

CITIZEN COMMENTS

Mayor Pro Tem Lambert reminded everyone that SafetyFest is fast approaching, on Saturday, July 4, 2015. He urged everyone to come out and enjoy the festivities and to volunteer if possible.

ADMINISTRATIVE UPDATE & CALENDAR

Manager Evans stated that the filing period for the upcoming municipal elections in November begins July 6 at 8:00AM and ends on July 17 at 12:00PM. He also stated that Town Hall would be closed on Monday, July 6, 2015 in observance of Independence Day.

Manager Evans expressed special thanks to the Seven Devils TDA for funding the design and layout of our new Otter Falls map and brochure, and for the Grand Opening celebration brochure.

Manager Evans stated that the Town would be receiving two different grants. The first would help fund the purchase of a Kubota RTV1100 for emergency/fire department use, and was applied for by Fire Chief Bobby Powell. The second was a 100% grant to purchase body cameras and Tasers for the Police department, applied for by Sergeant Roy Vance. Manager Evans thanked both officers for their hard work in applying for these grants that would help the Town.

OLD BUSINESS—NONE

NEW BUSINESS

ADOPT FY 2015-2016 BUDGET ORDINANCE (TAX LEVY)—Manager Evans pointed out that there would be no proposed property tax increase, leaving the rate at 0.51 per \$100. Mayor Fontaine asked the Council if they had any further questions or comments. There were none. Mayor Pro Tem Lambert made a motion to adopt the FY 2015-2016 Budget Ordinance and Tax Levy. Member Hooper seconded the motion. The members agreed unanimously. ~CLOSED~

CONSIDER RECOMMENDATION FROM PLANNING BOARD—RE: UDO CHANGES—Manager Evans stated that there were two recommendations from the Planning Board regarding two different sections of the Seven Devils Unified Development Ordinance.

The first changes were revisions regarding Conditional Use Permits, and the voting structure for Board of Adjustment in Article XIV, 14.03 (f). The revisions were necessary due to Legislative changes, requiring a vote of four-fifths only to grant a variance, and no longer for a conditional use permit. After brief discussion, two changes to the new UDO language were proposed. The first change would revise the first sentence of the paragraph to “A minimum of four (4) voting members shall be required to **conduct a Board of Adjustment meeting** and to take any action....” The second change would revise the third sentence of the paragraph to “A majority of the members **present** shall be required to decide any other quasi-judicial matter or to determine an appeal made in the nature of certiorari....”

Member Ehmgig made a motion to approve the recommended revisions regarding Conditional Use Permits and the voting structure for Board of Adjustment in Article XIV, 14.03 (f), as amended. Member Hooper seconded the motion. The Members agreed unanimously.

Manager Evans briefly introduced the other recommendation from the Planning Board regarding additional language in the UDO for protection of Town infrastructure during subdivision development. After brief discussion, several changes were made to the additional language, which would then read as follows:

“...After the Preliminary Plat is approved and prior to commencing construction, all plans shall have been approved and all permits obtained from the Town of Seven Devils and any other entities as required. Additionally, the developer/owner shall meet with the Zoning Administrator, and/or the Public Works Director and Town Engineer for guidance and location of present infrastructure, and conditions of connection to Town infrastructure. The developer/owner shall sign an acknowledgement that he/she is responsible **for repairing any damage caused by the construction** to Town owned infrastructure, including, **but not limited to** roads and water systems....”

Member Hooper made a motion to approve the additional language as amended above. Member Ehmgig seconded the motion. The members agreed unanimously. **~CLOSED~**

ABC ALTERNATE APPLICATION—APPOINTMENT OF ALTERNATE—Member Ehlinger made a motion to approve Sarah Manning’s application for the ABC alternate member position. Member Hooper seconded the motion. The members agreed unanimously. **~CLOSED~**

BUDGET AMENDMENTS FY 2014-2015—Manager Evans briefly discussed the Budget Amendments for FY 2014-2015. Mayor Fontaine asked the Council if they had any further questions or issues with the Budget Amendments. None were presented. Member Hooper made a motion to approve the Budget Amendments for FY 2014-2015. Member Ehmgig seconded the motion. The members agreed unanimously. **~CLOSED~**

COMMITTEE REPORTS

Planning Board

Public Works-No quorum

Public Safety Committee

Recreation Commission

TDA

ABC Board—Sarah Manning stated that Avery County and Sugar Mountain were no longer supporting the Drug Enforcement officer position to visit all of the establishments and restaurants that exist in each municipality, as well as other responsibilities. She also stated that the ABC Board was having a meeting on Thursday, June 11, 2015, to discuss all of these changes.

Public Safety Department

Police Report

Fire Report

Financial Report

COUNCIL COMMENTS

Member Ehlinger thanked all of the great efforts of the Town Employees that made the Otter Falls Grand Opening event on June 5, 2015 a success. She also thanked Sue Ehmig and Barbara Tarlton for making the reception great as well. Thanks to all who helped!

ADJOURN

Member Ehlinger made a motion adjourn. Member Ehmig seconded the motion. The members agreed unanimously. The meeting was recessed at 6:29PM.

Larry Fontaine, Mayor

Sara Miller, Town Clerk