

**TOWN OF SEVEN DEVILS
PUBLIC HEARING & TOWN COUNCIL MEETING
April 10, 2018**

The Seven Devils Town Council met for a Public Hearing for the Kathe Annexation on Tuesday, April 10, 2018, at 4:45pm and in a Regular Meeting at 5:30pm at Town Hall. Present at the Public Hearing were Mayor Larry Fontaine, Mayor Pro Tem Brad Lambert and Council Members Tina Bailey, Kay Ehlinger, and David Ehmig. Manager Debbie Powers was present; Town Attorney Rob Angle joined at the Regular Meeting; the minutes were recorded by Hillary Gropp, Town Clerk.

CALL TO ORDER

Mayor Fontaine called the Public Hearing to Order at 4:48pm.

PLEDGE OF ALLEGIANCE

Council members and citizens recited the Pledge of Allegiance.

PUBLIC HEARING – KATHE ANNEXATION

Mayor Fontaine explained the purpose of the Public Hearing is for the Kathe Annexation – Lot 2, Grandview Estates. Mayor Fontaine allowed the Owner, Chris Kathe to give a presentation. The location of Lot 2, Grandview Estates on the Town Zoning Map was indicated as a reference. The owner circulated a copy of the site plan which includes a house plan for approximate 2400-2500 Sq. Ft. 2-story, single family residence with separate garage. Chris Kathe spoke of his long-time familiarity with the region and his personal plan of becoming a permanent resident of the Town of Seven Devils.

Mayor Fontaine explained if any citizens would like to comment at the Public Hearing, they will need to sign up and comments will be limited to three (3) minutes.

Member Ehlinger commented this Owner and resident will be an asset to the Town.

Mayor Pro Tem Lambert commented although the work was not performed by the current owner, Chris Kathe, this lot has been clear cut of trees, which is now a characteristic of the lot; he supports the Owners replacement of trees.

PUBLIC COMMENTS- NONE

CLOSE PUBLIC HEARING

With no citizen comments or questions, Member Ehmig made a motion to close the Public Hearing; Member Ehlinger seconded the motion. The members agreed unanimously.

RECESS

Mayor Fontaine asked for a motion to recess. Mayor Pro Tem Lambert made a motion to recess; Member Ehlinger seconded the motion. The members agreed unanimously. The Town Council went into recess at 4:55pm.

CALL TO ORDER FROM RECESS – 5:30PM

Mayor Pro Tem Lambert made a motion to come out of recess; Member Bailey seconded the motion. The members agreed unanimously.

Prior to further business, Mayor Fontaine asked for a moment of silence to remember Richard DeMott, who passed recently.

ADOPT AGENDA

Town Clerk Gropp commented the agenda is to be amended with Recess instead of Adjourn at the end of meeting.

Member Ehlinger made a motion to adopt the amended agenda with the noted change; Mayor Pro Tem Lambert seconded the motion. The members agreed unanimously.

CONSENT AGENDA

ADOPT MINUTES OF TOWN COUNCIL MEETING – March 13, 2018

ADOPT MINUTES OF TOWN COUNCIL RETREAT – March 22, 2018

Mayor Pro Tem Lambert made a motion to adopt the Consent Agenda. Member Ehmig seconded the motion. The members agreed unanimously.

CITIZENS COMMENTS

Kay Lambert – **430 Wildcat Rocks Road**, Kay thanks the Town for the seasonal banners and signs, she invites everyone to the Arbor Day celebration on Friday, April 27th, please RSVP to the Town Clerk. Additionally, there will be Operation Medicine Cabinet on Saturday, April 28th at Foscoe Fire Department.

ADMINISTRATIVE UPDATE

Manager Powers provided the following update:

The recreational needs survey has been mailed to the citizens of the Town and she requests they be completed and returned to Helga Sappington.

Explanation was provided about the difference/benefit of placing a call to the Seven Devils non-emergency phone line or calling 911; Dispatch can record and identify the caller of a 911 call, whereas a non-emergency caller can remain anonymous. In a court of law, the anonymous, non-emergency calls can cause a case to be dismissed.

The Town's maps/plats have been organized with labels & spreadsheet for easy search.

On March 8th, there was a special planning meeting for the 2018 7K @ 7D "The Hawk".

Manager Powers attended a Tree Board webinar on March 21st, as a step towards the Tree City USA designation.

HCMA meeting is Thursday, April 19th at Beech Mountain; Dinner at 6pm and meeting at 6:30pm; RSVP to Hillary Gropp.

Town Hall was closed for 2 snow days during March.

Town Council Annual Workshop was held on March 22nd.

The Planning Board will meet on April 17th at 1:00pm to continue the Re-Zoning Application review request, as well as other business items.

The Town was notified the grant request for the NCDOT Pedestrian Plan was denied.

A reminder of two upcoming events include: Arbor Day on Friday, April 27th at 11:30am and Operation Medicine Cabinet on Saturday, April 28th at Foscoe Fire Department.

Manager Powers provided updates on: Tree Permits, Projects, Fence Permits, Complaints, Real Estate Closings.

OLD BUSINESS – NONE

NEW BUSINESS

12) A. KATHE ANNEXATION

(ii) Ordinance – Annexation 2018-01



**ORDINANCE
KATHE ANNEXATION 2018-01**

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE TOWN OF SEVEN DEVILS, NORTH CAROLINA**

WHEREAS, the Town Council of Seven Devils, North Carolina has been petitioned under G.S. 160A-31 to annex the area described below; and

WHEREAS, the Town Council of Seven Devils, North Carolina has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at Town Hall at 4:45pm on Tuesday, April 10, 2018, after due notice by publication on Sunday, March 25, 2018 in the Watauga Democrat newspaper; and

WHEREAS, the Town Council of Seven Devils, North Carolina finds that the petition meets the requirements of G.S. 160A-31;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Seven Devils, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Seven Devils, North Carolina as of Tuesday, April 10, 2018:

Lot 2 of Grandview Estates Subdivision, recorded in Plat Book 10, Page 266 and Plat Book 15, Page 236 of Watauga County, North Carolina, more fully described as follows:

Beginning at a point from the an iron pipe along Grandview Drive; thence continue S 64 degrees 15' 00" W 73.69 feet to a found conduit at a marked chestnut oak; thence continue N 25 degrees 45' 50" W 9.19 feet; thence

continue along a chord of a curve S 67 degrees 03' 15" W with a chord distance of 31.89 feet; thence continue along a chord of a curve S 69 degrees 01' 00" W with a chord distance of 102.89 feet to a found conduit at the Point of Beginning; thence continue S 25 degrees 08' 11" E 99.73 feet to an iron rod; thence continue S 25 degrees 08' 11" E 14.00 feet to an iron rod; thence continue S 25 degrees 08' 11" E 53.00 feet to an iron rod; thence continue S 65 degrees 19' 50" W 136.24 feet to a found conduit; thence continue N 25 degrees 46' 15" W 39.95 feet to an iron rod; thence continue N 25 degrees 46' 15" W 130.40 feet to a found conduit; thence continue along a chord of a curve N 75 degrees 13' 15" E with a chord distance of 67.40 feet; thence continue N 58 degrees 59' 00" E 72.20 feet to the Point of Beginning and containing 0.51 acres of land, more or less.

Section 2. Upon and after Tuesday, April 10, 2018, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Seven Devils, North Carolina and shall be entitled to the same privileges and benefits as other parts of the Town of Seven Devils, North Carolina. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Seven Devils, North Carolina shall cause to be recorded in the office of the Register of Deeds of Watauga County, North Carolina, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Watauga County Board of Elections, as required by G.S. 163-288.1.




Larry Fontaine, Mayor

ATTEST:

APPROVED AS TO FORM:


Hillary Gropp, Town Clerk


Rob Angle, Town Attorney

Town Clerk Hillary Gropp read the above Ordinance- Kathe Annexation 2018-01; Mayor Pro Tem Lambert made a motion to approve Ordinance-Annexation 2018-01; Member Bailey seconded the motion. The members agreed unanimously.

~CLOSED~

(iii) Consistency Statement



CONSISTENCY STATEMENT

This Ordinance – Kathe Annexation 2018-01 has been reviewed by this Town Council to insure consistency with planning documents already adopted by this Board, such as The Comprehensive Land Use Plan, dated November 9, 2009 and the Unified Development Ordinance, dated February 14, 2017 and is consistent with the policies and goals of this Board.

It has been determined that this ordinance is reasonable, and in the best public interest.


Larry Fontaine, Mayor

ATTEST:


Hillary Gropp, Town Clerk



Mayor Fontaine read the above Consistency Statement as part of the annexation procedure.

Mayor Pro Tem Lambert made a motion to approve the Consistency Statement; Member Ehlinger seconded the motion; the members agreed unanimously. ~CLOSED~

12) B. PUBLIC WORKS RECOMMENDATION

Recommendation from Public Works Committee to the Town Council

At the March 20, 2018 meeting, we reviewed the Annual Blind Road Analysis, and after discussion, we recommend the following projects for the 2018-2019FY.

1. Paving Swiss – Beginning at Skiview – Ending at Dead End @ \$21,649
2. Paving Rocky Top Court – Beginning at Wayside – Ending at Rocky Top Trail @ \$15,774

Additional Projects Include:

\$10,000 for gravel

\$10,000 for hot patch repairs

Budget for Roads	\$57,423
Powell Bill Funding Estimate	\$30,000
<hr/> Net Expenditure	<hr/> \$27,423

Thank you for your consideration of this recommendation.

Public Works Committee

Member Ehmig made a motion to approve the Public Works Recommendation from the 2018 Blind Road Analysis; Mayor Pro Tem Lambert seconded the motion. The members agreed unanimously. ~CLOSED~

12) C. PRELIMINARY BUDGET FY19

The Town Council will meet for a Budget Workshop on April 18th, at 10am – Noon; this is rescheduled to an earlier date from the original date April 25th.

FY19 Budget Presentation Highlights:

- Revenues:

 Property Taxes – remains steady - **NO TAX INCREASE!**

 Sales tax – remains steady

 ABC Revenues increase

 Utility/Franchise Tax – remains steady

 Grant Revenues increase

 Water Sales – remains steady

 Powell Bill Allocation - remains steady

- Expenditures:

 Paving/gravel/hot patch from Blind Road Analysis - \$60,000

 Replace #2 of 7 Water PRV Valves @ \$36,500

 PW truck @ \$33,200

 Water Meter Readers @ \$12,000

 \$50,000 towards new Town Hall facility

 Personnel – 2% COLA and 2% merit

 \$20,000 towards "Connect 7D"

 Reduce Debt Load: \$100,667.

COMMITTEE REPORTS

- Board of Adjustment** – No March meeting
- Planning Board** – March minutes
- Public Works** – March minutes
- Recreation Commission** – No March meeting
- TDA** – March minutes
- Tree Committee** – No March meeting
- ABC Board** -February minutes
- Public Safety Department**
 - Police Report**
 - Fire Report**
 - Financial Report**


COUNCIL COMMENTS


Member Ehmig asked for clarification of the Re-Zoning application request in regard to the acreage and total units allowable.

Mayor Fontaine and Mayor Pro Tem Lambert spoke about the Community Leaders breakfast at ASU held on April 10th.

RECESS

Mayor Pro Tem Lambert made a motion to recess until the Budget Workshop on Wednesday, April 18, 2018 at 10:00am; Member Ehmig seconded the motion. The members agreed unanimously. The meeting recessed at 6:15pm.


Larry Fontaine, Mayor


Hillary Gropp, Town Clerk

