

**TOWN OF SEVEN DEVILS  
TOWN COUNCIL  
MINUTES – REGULAR SESSION  
February 9, 2009**

The Town of Seven Devils Town Council met in regular session on Monday, February 9<sup>th</sup>, 2009 at Town Hall. Members present were Mayor Bob Dodson; Mayor Pro Tem Richard DeMott; and Council Members; Bill Wilkinson, Kay Ehlinger and Kathy Copley. Also in attendance were Town Manager Brad Lambert, Town Attorney Rob Angle and Zoning Administrator Don Fulkerson. Town Clerk Karen E. Daniels recorded the minutes.

**CALL TO ORDER**

Mayor Dodson called the meeting to order at 5:31 p.m.

**PLEDGE OF ALLEGIANCE**

Council members and Citizens recited the Pledge of Allegiance.

**ADOPT AGENDA**

Mayor Pro Tem DeMott made a motion to adopt the agenda. Member Ehlinger seconded the motion. The members agreed unanimously.

**APPROVE MINUTES**

- January 12, 2009 Regular Meeting

Member Copley made a motion to approve the January 12, 2009 regular meeting minutes as amended. Mayor Pro Tem DeMott seconded the motion. The members agreed unanimously.

**CITIZEN COMMENTS**

None

**STAFF UPDATE**

The Town Manager told the Council that Administration had just purchased three new desk top and a new laptop computer. He told the Council that our Police Chief Chuck Davis had researched HP and Dell and found very good prices for the computers.

The Town Council requested a well update from the Town Manager. The Town Manager told the Council that he has a map that was made when the Town was incorporated that shows the two wells connected to the Town water system. He said the first step is to say it is not a new well or new connection it is a reconnection. He explained approval will still need to be obtained from the State. He told the Council he has obtained two estimates one from Braswell Well Drilling to put all the pumps and piping in for \$12-15,000 and one from Iron Mountain to run a four inch line between the two wells (approximately 500 feet) for \$17-20,000. He said they are still looking for someone to build a well house. He told the Council they may want to consider waiting till the first of July to do this out of next year's budget. The Town Manager told the Council the audit has been received from Martin Starnes and Associates but he has not had time to review it so he could address any questions they may have. He said the unreserved fund balance is 51 or 52 percent, there is \$25,000 in the Town Council's contingency fund and there was approximately \$50,000 set aside for legal fees which could potentially be used.

The Mayor told the Council he has requested the Finance Officer Debbie Powers attend the Budget workshop scheduled for Friday, March 20<sup>th</sup>, in Valle Crucis Conference Center and that she has agreed to attend and assist in the budget process.

The Mayor told the Citizens present that the Town of Seven Devils Town Manager Brad Lambert is retiring. He said Brad's last day of work will be March 6, 2009. Mayor Dodson said Brad will be greatly missed and wished him well in his retirement.

The Town Manager told the Council he has placed the opening on the List Server and there are already three or four applications for the position and he has had a couple of phone calls from individuals stating they will be applying. He also told the Council that the position will be placed in the next local papers. The Mayor told the Council the opening will be advertised in the next NCLM publications. Member Copley requested the Town Manager contact the appropriate people with ASU Geography and Planning to let them know about the opening.

Mayor Dodson told the Council as previously requested the Town Manager had contacted the State of North Carolina Department of Transportation requesting a traffic signal be placed at the intersection of NC 105 and Seven Devils Road. He said the State's letter says an engineering study must indicate that the installation of a traffic signal will improve the overall safety and/or operation of the intersection. The State's engineering traffic study concluded the traffic volume at the intersection of NC 105 and Seven Devils Road does not meet the minimum traffic signal warrants and showed no pattern of accidents that might have been eliminated by the installation of a traffic signal. He also said the study shows that installation of a traffic signal at this location would create a significant delay for motorist on NC 105 and they believe that a traffic signal has the potential to increase the accident rate at that location. Mayor Dodson told the Council the request for a traffic signal control was denied. He told the Council if they received any complaints from residents regarding this intersection they can relay the findings of the engineering study and tell the residents if they wish to see the letter from the State, they can contact Town Hall.

## OLD BUSINESS

- A. **Mr. Strickland Water Bill** – The Town Council reviewed the results obtained on Mr. Strickland's water meter which indicated the meter was in good working order.

The Town Council reviewed *The Water Use Ordinance – Section 4.4 Adjustments*

*A fifty percent (50%) reduction in the water charges above \$1000.00 provided the following conditions apply: (a) the leak must be verified by Public Works; and (b) the leak has been repaired by a qualified plumber. This provision applies only to large balances (over \$1000.00) resulting from private plumbing leaks in a single billing period, and does not apply to subsequent charges for water service after the leak has been repaired.*

After reviewing the Water Use Ordinance and based on the meter results the Council agreed to leave the water relief to the discretion of the Town Manager. **CLOSED**

## NEW BUSINESS

- A. **Mr. Altman's Request for Water Bill Relief** – Mr. Gert Altman told the Town Council he has owned the house at 230 Knob Hill Lane for thirty two (32) years. He thanked the Town Clerk for calling him when the water leak was detected. He told the Council upon this call he had contacted Miller Plumbing and that Mr. Miller had installed a shut off within one foot on his side of the water meter. He said the leak somewhere between the meter and his house has not yet been located due to the weather. He told the Council Mr. Miller is scheduled to repair this water leak as soon as the weather permits. Mr. Altman told the Council it is his understanding that the Town Manager can grant relief of 50% for any amount above \$1,000 but he was in hopes the Council would give consideration to additional relief of his bill in the amount of \$1,932.27.

After discussion, the Council agreed policy has to be followed and the Council granted relief of 50% for any amount above \$1,000 or 50% of \$932.27. Mayor Dodson told Mr. Altman the Town Manager will arrange a payment plan. Mr. Altman requested the balance due to be divided into four (4) payments. **CLOSED**

- B. **FY 10 Budget Calendar** – Mayor Dodson requested the Town to review the dates for the FY 10 Budget Calendar so the dates can be discussed and firmed up at the next Town Council meeting.

### COMMITTEE REPORTS

- A. **Planning Board** – *(No meeting held)*
- B. **Public Works** – *(No meeting held)*
- C. **Public Safety** – Mayor Dodson reviewed the Seven Devils December 2008 Fire Department report. He complimented all involved in the hard work put forth to obtain a new fire rating of six (6) for the Town of Seven Devils which will become effective May 1<sup>st</sup>, 2009. The Town Clerk was instructed to place the notification from the North Carolina Department of Insurance Office of State Fire Marshall in the next Echo and to send individual letters regarding the new fire rate to all Seven Devils residents encouraging them to contact their individual insurance companies and advise them of the new rate. The Council agreed these letters should go out in April.
- D. **ABC Board** – Mayor Dodson presented the Council with a copy of the ABC building addition plan.
- E. **Financial Report** – Mayor Dodson made a motion to accept the financial report as submitted. Mayor Pro Tem DeMott seconded the motion. The members agreed unanimously.
- F. **TDA** – There were no additional comments.

### COUNCIL COMMENTS

Mayor Dodson suggested the Board of Adjustment hold the regular scheduled meeting on March 23<sup>rd</sup> to fill the Board of Adjustment opening left by Loren Williams. He said he has talked with Carol Isquith and she is still interested in serving on the Board.

Mayor Pro Tem DeMott told the Council he will write a testimony in memory of Loren Williams to go into the next Echo.

### CLOSED SESSION

At 6:26 p.m. Mayor Dodson made a motion to go into closed session, pursuant to GS 143-318.11(a)(6), Personnel Matters. Mayor Pro Tem DeMott seconded the motion. The members agreed unanimously.

The new Town Manager position was discussed. No action was taken during closed session.

### OPEN SESSION

At 6:50 p.m. Mayor Dodson made a motion to come out of Closed Session. Mayor Pro Tem DeMott seconded the motion. The members agreed unanimously.

### RECESS

At 6:52 p.m. Member Copley made a motion to recess until 10:00 a.m. on Monday, March 2<sup>nd</sup>, at Town Hall. Mayor Dodson seconded the motion. The members agreed unanimously.

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### TOWN COUNCIL CONTINUATION MEETING Monday, March 2<sup>nd</sup>, 2009

Due to inclement weather, there was no continuation meeting.

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**TOWN COUNCIL CONTINUATION MEETING**  
**Thursday, March 5<sup>th</sup>, 2009**

The Seven Devils Town Council reconvened at 10:00 a.m. on Thursday, March 5, 2009 at Seven Devils Town Hall. Members of the Town Council present were Mayor Bob Dodson; Mayor Pro Tem Richard DeMott; and Council Members; Kay Ehlinger, Bill Wilkinson, and Kathy Copley.

At 9:55 am, Mayor Dodson made a motion to come out of recess. Member Ehlinger seconded the motion. The members agreed unanimously.

Mayor Dodson made a motion of the Town Council to approve a bonus of \$1,000.00 for the Town Manager Brad Lambert. Member Copley seconded the motion. The members agreed unanimously.

The Town Council interviewed Richard P. Lock from Winston Salem, North Carolina; Hiram J. Marziano from Asheboro, North Carolina; Byron W. Ellis from Germanton, North Carolina; and Jennifer Carter-Freeman from Boone, North Carolina for the Town of Seven Devils Town Manager Position.

At 5:30 pm Mayor Dodson made a motion for the Town Council to recess until 2:30 pm on Friday, March 6<sup>th</sup>, 2009 at Town Hall. Member Ehlinger seconded the motion. The members agreed unanimously.

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**TOWN COUNCIL CONTINUATION MEETING**  
**Friday, March 6<sup>th</sup>, 2009**

The Seven Devils Town Council reconvened at 2:30 pm. on Friday, March 6<sup>th</sup>, 2009 at Seven Devils Town Hall. Members of the Town Council present were Mayor Bob Dodson; Mayor Pro Tem Richard DeMott; and Council Members; Kay Ehlinger and Kathy Copley. Member Wilkinson was absent and excused.

At 2:30 pm Mayor Dodson made a motion to come out of recess. Member Ehlinger seconded the motion. The members agreed unanimously.

The Town Council interviewed Chris Peterson from Hickory, North Carolina and John W. Buchanan from Seven Devils, North Carolina for the Town of Seven Devils Town Manager Position.

At 6:00 pm Mayor Dodson made a motion for the Town Council to recess until 10:00 am on Monday, March 9<sup>th</sup>, 2009 at Seven Devils Town Hall. Member Ehlinger seconded the motion. The members agreed unanimously.

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**TOWN COUNCIL CONTINUATION MEETING**  
**Monday, March 9<sup>th</sup>, 2009**

The Seven Devils Town Council reconvened at 10:00 a.m. on Monday, March 9, 2009 at Seven Devils Town Hall. Members of the Town Council present were Mayor Bob Dodson; Mayor Pro Tem Richard DeMott; and Council Members; Kay Ehlinger and Kathy Copley. Member Wilkinson was absent and excused.

At 10:00 a.m. Mayor Dodson made a motion to come out of recess. Member Ehlinger seconded the motion. The members agreed unanimously.

The Town Council interviewed David C. Pugh, III from Charlotte, North Carolina; Paul E. Taylor, Jr. from West Jefferson, North Carolina; Samuel H. McDonald from Blowing Rock, North Carolina; and Steven R. Smith from Sugar Mountain, North Carolina for the Town of Seven Devils Town Manager Position.

### **ADJOURN**

At 4:15 pm. Mayor Dodson made a motion to adjourn. Member Ehlinger seconded the motion. The members agreed unanimously.

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Bob Dodson, Mayor

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Karen E. Daniels, Town Clerk