

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

June 13, 2011

The Seven Devils Town Council met in regular session on Monday, June 13, 2011, at Town Hall. Present were Mayor Bob Dodson, Mayor Pro Tem Kathy Copley, Council Members Richard DeMott, Kay Ehlinger and David Ehmig. Also present were Town Manager Ed Evans and Town Attorney Rob Angle. The minutes were recorded by Beth Taylor, Town Clerk.

CALL TO ORDER

Mayor Dodson called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE

Council members and citizens recited the Pledge of Allegiance.

ADOPT AGENDA

Mayor Dodson made a recommendation to delay agenda item *VIII New Business E. Proposed Health Reimbursement Account Resolution* until next month and replace it on tonight's agenda with the Request for Consideration by the Recreation Commission.

Member Ehlinger made a motion to adopt the agenda as amended. Mayor Dodson seconded the motion. The members agreed unanimously.

CONSENT AGENDA

ADOPTION OF MINUTES

- (i) **Motion for Consideration – Adopt minutes of Regular Meeting May 9, 2011**
- (ii) **Motion for Consideration – Adopt minutes of Continuation meeting May 12**
- (iii) **Motion for Consideration – Continuation meeting June 2, 2011**
- (iv) **Motion for Consideration – Special Meeting – Public Hearing June 6, 2011**

The following amendments were made to the minutes:

Under the May 9, 2011 Regular Meeting, page 3, under Committee Reports, TDA, the third sentence down starting with "...should be..." change the sentence from "...should be the one collecting..." to "...should be the one **identifying who the Occupancy Taxes are due from.**"

Under the May 9, 2011 Regular Meeting, page 3, under Recess, the first sentence should read "Mayor Dodson made a motion to recess the meeting until **next...**" instead of "Mayor Dodson made a motion to recess the meeting until **nest...**"

Under the June 2, 2011 Continuation Meeting, first page, third paragraph down, fourth sentence down, beginning with "...toward the garage doors..." change the word "**department**" to "**bays**"

Under the June 2, 2011 Continuation Meeting, first page, fourth paragraph, fourth sentence down, beginning with "...discussed this ordeal..." remove the word "**ordeal**"

Under the June 2, 2011 Continuation Meeting, second page, second paragraph, the sentence beginning with "Evans next discussed..." remove the words "**went on to discuss...**"

Mayor Pro Tem Copley made a motion to adopt the consent agenda with the changes to each set of minutes as mentioned and amended. Member Ehlinger seconded the motion. The members agreed unanimously.

CITIZEN COMMENTS

-None-

ADMINISTRATIVE UPDATE & CALENDAR

Mayor Pro Tem Copley wanted to know if the road centerline mapping was complete and if so, where would it be posted. Manager Evans replied it is complete and will be made available in Town Hall for citizens to view. Mayor Pro Tem Copley also wanted to know if the mapping would show sewer lines. Manager Evans stated that they would be added if we were able to get the information that showed where they all were.

Mayor Dodson wanted to thank the TDA for having the parking lot at Town Hall paved.

OLD BUSINESS

-None-

NEW BUSINESS

A. Adoption of the Fiscal Year 2011-2012 Budget Ordinance

Member DeMott made a motion to pass the Fiscal Year 2011-2012 Budget Ordinance. Mayor Dodson seconded the motion. The members agreed unanimously.

B. Proposed Resolution to adopt Internal Financial Controls FY11-12

Manager Evans explained this resolution was prepared by our Finance Officer Debbie Powers at the request of our auditors. This is something that the LGC wants to see the Town adopt. Member DeMott made a motion to adopt the Internal Financial Controls FY11-12 resolution. Member Ehmig seconded the motion. The members agreed unanimously.

C. Collecting process for unpaid taxes (Attachment and Garnishment)

Manager Evans explained that while Debbie Powers has done an excellent job in collecting back taxes, there are some cases where there are year's worth of back taxes that we cannot collect. With this Attachment and Garnishment implemented, the Town will be able to collect unpaid taxes (for residents in the state of North Carolina only) by allowing the Tax Collector to seize funds from those residents after sufficient notice has been given. After discussion ensued, Mayor Pro Tem Copley made a motion to grant the Budget/Finance Officer the authority to explore and use all legal means to collect past due taxes in Seven Devils including the use of Attachment and Garnishment. Member Ehmig seconded the motion. The members agreed unanimously.

D. Budget Amendments

Manager Evans gave an overview of the Budget Amendments from the handout provided for the Council. Mayor Dodson wanted to know what happened to the State Shared Revenues. Manager Evans replied that the Hold Harmless has been delayed and the Utility & Franchise tax is down. Vehicle taxes are also down. Evans pointed out that our Investments are actually better than they appear on paper since the interest earned on the accounts offsets the fees charged by the bank. Mayor Pro Tem Copley wanted to know if we were still using the funds allotted for the Fire Protection & Public Works or will they carry over to the next fiscal year. Evans replied that we simply did not use as much money as we thought we would. There are still things to be done with the fire truck, but these funds will not carry over to next year. Member DeMott made a motion to approve the Budget Amendments. Mayor Dodson seconded the motion. The members agreed unanimously.

E. Recreation Commission request to repaint walking trail arrows

After some discussion on the whether these arrows would cause confusion to drivers or provide a liability to the Town in the event a pedestrian was hit while walking on the trails, Town Attorney Rob Angle stated that as long as the Seven Devils Police Department were aware of where the arrows were going and had no concerns over them, he felt it was fine for the Council to approve. Member Ehmig made a motion to approve the Recreation Commission request. Mayor Dodson seconded the motion. The members agreed unanimously.

F. Correction to the April 11 Town Council Minutes

Member DeMott made a motion to approve the corrections made to the April 11 Council Minutes. Member Ehlinger seconded the motion. The members agreed unanimously.

G. ABC Board appointment for Seven Devils

Mayor Pro Tem Copley made a motion to re-appoint Lois Dodson to the ABC Board for another 3 year term. Member DeMott seconded the motion. The members agreed unanimously.

H. Recreation Committee candidate recommendation

Member DeMott made a motion to accept the recommendation of appointing Lou McClean to the Recreation Committee. Member Ehmig seconded the motion. The members agreed unanimously.

I. Committee and board ethics policies

Mayor Pro Tem Copley stated that according to the School of Government, that Boards, Commissions, etc. need an ethics policy. The one that we have for the Council isn't entirely appropriate for our Boards and Commissions. Therefore, Mayor Pro Tem Copley made a motion that Manager Evans research and develop an ethics policy that will be suitable to use with the Seven Devils Boards & Commissions. Member DeMott seconded the motion. The members agreed unanimously.

COMMITTEE REPORTS

A. Planning Board

B. Public Works

C. Public Safety Committee

D. Recreation Commission

E. ABC Board

F. TDA

G. Public Safety Department

i. Police Report

ii. Fire Report

H. Financial Report

Mayor Pro Tem Copley stated that the public might be happy to know that our revenues nicely exceed our expenditures.

Member Ehlinger made a motion to accept the financial report. Member Ehmig seconded the motion. The Members agreed unanimously.

COUNCIL COMMENTS

Mayor Dodson made a motion to give Manager Evans a 2% merit, based on the strength of his performance review this year, beginning July 1 or whenever the pay period starts. Member DeMott seconded the motion. The members agreed unanimously.

Mayor Pro Tem Copley wanted to thank the Operation Medicine Cabinet volunteers.

After briefly discussing the paving projects and the possibility that Devils Lake Drive will not be able to be paved as originally thought, Mayor Pro Tem Copley suggested using the \$5,000 set aside for paving the entrance to Woodwinds as a way to help fund the Devils Lake Drive paving. Mayor Pro Tem Copley made a motion to defer paving the portion of Woodwinds Drive until we can finish paving Devils Lake Drive. Member Ehmig seconded the motion. The members agreed unanimously.

ADJOURN

Mayor Dodson made a motion to adjourn. Member DeMott seconded the motion. The members agreed unanimously. The meeting was adjourned at 6:27 pm.

Bob Dodson, Mayor

Beth Taylor, Town Clerk