

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

October 8, 2013

The Seven Devils Town Council met in regular session on Tuesday, October 8, 2013, at Town Hall. Present were Mayor Larry Fontaine, Mayor Pro Tem Brad Lambert, Council Members Kay Ehlinger, David Hooper, and David Ehmig. 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 5:35 PM.

PLEDGE OF ALLEGIANCE

Council members and citizens recited the Pledge of Allegiance

ADOPT AGENDA

Mayor Fontaine stated that the Resolution to Use Real Property as Collateral for Loan Secured through the Conservation Fund needed to be added as New Business Item E. Mayor Pro Tem Lambert stated that the Town and High Country ABC Audit Presentations should be moved to accommodate those who were making the presentations. Manager Evans stated that they could be moved to just after the public hearing. Mayor Pro Tem Lambert made a motion to move the presentation up and adopt the amended agenda. Member Hooper seconded the motion. The members agreed unanimously.

CONSENT AGENDA – MOTION FOR CONSIDERATION

Adopt minutes of Regular Town Council Meeting—September 10, 2013

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

PUBLIC HEARING—ON SALE OF TOWN OWNED PROPERTY—4.79 acres (pursuant to NC General Statute §160A-266(a)(3))

Member David Ehmig made a motion to open the public hearing regarding the Sale of Town Owned property. Member Hooper seconded the motion, and the members agreed unanimously. After a brief introduction, Mayor Fontaine opened the floor for public comment. After no public comment was given, Member Hooper made a motion to close the public hearing. Member Ehlinger seconded the motion, and the members agreed unanimously.

~CLOSED~

NEW BUSINESS—PRESENTATION OF TOWN AUDIT—SHARON GILLESPIE—

Sharon Gillespie, of Young, Miller, & Gillespie gave an overview of the Financial Audit report. Copies of the report were given to each Council Member, and a copy was placed in Town Hall for citizens to review. She commented that the Town passed the Audit, and they were able to give a clean opinion of the Town's financial status. Ms. Gillespie thanked the Town for the opportunity to perform the audit and expressed appreciation for the good working relationship with the Finance Officer, Debbie Powers. Manager Evans stated that the Town wanted to thank Sharon, Nancy and Debbie for their hard work during the audit process. ~CLOSED~

PRESENTATION OF HIGH COUNTRY ABC AUDIT—SARA BREWER—

Sara Brewer presented the members with the audit summary for the High Country ABC to review. She briefly highlighted the sales for the year as well as pointed out that the gross sales for the year was approximately \$2,557,000.00. She also stated that the distribution amount given to each municipality would change from \$80,000.00 to \$85,000.00. The Council thanked Ms. Brewer for her presentation

~CLOSED~

CITIZEN COMMENTS

Bob Bridges, 147 Deepwood Ct., suggested that in the drive for Otter Falls money, that the Town investigate the option of stock gifting as a form of donation for citizens. Mayor Fontaine stated that it was a good idea and asked Manager Evans to research the option further.

Kay Lambert, 430 Wildcat Rocks Rd., thanked Public Works and the TDA for the festive Fall banners and the wonderful Fall display. She also reminded everyone that Operation Medicine Cabinet is scheduled for October 19, 2013, from 10:00AM until 2:00PM at the Foscoe Fire Department, as well as Watauga County Hazardous Waste Day, from 9:00AM until 2:00PM.

Anne Fontaine, 127 West Rocky Top, thanked everyone that participated in the Seven Devils Walking Challenge. A total of 40 people participated and 5,855 miles were walked before the deadline. She stated that 11 people came to the at the Walking Wrap-up celebration, Bill McClean was the winner, having walked 980 miles. Two other top scorers were Bob Bridges at 750 miles and Phyllis Miller at 455 miles.

ADMINISTRATIVE UPDATE & CALENDAR—Town Manager Evans stated that the ABC Board will meet on Thursday, October 10 at 4:00PM. He stated that The Lakes Community POA would meet on Saturday, October 19, 2013 at 10:00AM.

OLD BUSINESS

DISCUSSION—MINI-PARKS (ROW)—Town Manager Evans stated that there was nothing new to report on this matter. No action was taken. **~OPEN~**

OTTER FALLS—DUE DILIGENCE ISSUES—Town Manager Evans stated a Phase I Environmental from the Town was the only thing left to be completed, if necessary, and that he had someone ready to do so if needed. Mayor Fontaine asked when the closing would occur and Manager Evans stated that it would be within 10 days approximately. Attorney Angle stated that the closing would occur at his office. Manager Evans stated that the Council should consider making a motion to authorize one member to sign the closing documents on behalf of all of the members. Mayor Pro Tem Lambert made a motion to authorize Mayor Fontaine to sign any documents necessary for the Otter Falls property closing. David Ehmig seconded the motion and the members agreed unanimously. Manager Evans then stated that perhaps a second alternative signor be appointed in case of the sudden absence of Mayor Fontaine. Mayor Pro Tem Lambert rescinded the previous motion and a motion was made to authorize Mayor Fontaine and Member David Ehmig as an alternate signor for any documents necessary in the Otter Falls property closing. Member Hooper seconded the motion and the members agreed unanimously. **~OPEN~**

ABC BOARD TRAVEL POLICY—After discussion, Mayor Fontaine stated that no action was necessary, as the Policy had already been approved by the State. He also requested that Sarah Brewer of the ABC Board notify the Town of Seven Devils with ample preparation time next year before this policy was discussed and approved. **~CLOSED~**

INTERGOVERNMENTAL RETREAT DELEGATES—After discussion, Member Hooper made a motion to have Mayor Fontaine and Member Ehmig represent the Seven Devils Town Council at the Intergovernmental Retreat when scheduled. Mayor Pro Tem Lambert seconded the motion. The members agreed unanimously. **~CLOSED~**

NEW BUSINESS

PRESENTATION OF TOWN AUDIT-SHARON GILLESPIE—Moved to after the Public Hearing.

PRESENTATION OF HIGH COUNTRY ABC AUDIT-SARAH BREWER—Moved to after the Public Hearing.

ALTERNATIVE ENERGY ORDINANCE—RECOMMENDATION TO ADOPT FROM PLANNING BOARD—After discussion, Mayor Fontaine stated that the Council was not prepared to adopt the draft Ordinance, that the Council should meet and discuss the proposed draft. He then stated that the Council would wait to meet regarding the Alternative Energy Ordinance until the Flood Plane Ordinance draft was ready, requiring only one special meeting. No action was taken. **~OPEN~**

RESOLUTION AUTHORIZING THE SALE OF TOWN OWNED PROPERTY—4.79 ACRES, IDENTIFIED AT BOOK OF RECORDS 603 PAGE 528 AT THE WATAUGA COUNTY REGISTER OF DEEDS—After brief discussion, Mayor Pro Tem Lambert made a motion to adopt the Resolution Authorizing the Sale of Town Owned Property. Member Ehlinger seconded the motion. The members agreed unanimously. ~CLOSED~



RESOLUTION TO USE REAL PROPERTY AS COLLATERAL FOR LOAN SECURED THROUGH THE CONSERVATION FUND—After brief discussion, Mayor Pro Tem Lambert made a motion to adopt the Resolution to Use Real Property as Collateral. Member Hooper seconded the motion. The members agreed unanimously. ~CLOSED~



COMMITTEE REPORTS**Planning Board—No meeting****Public Works—No meeting****Public Safety Committee****Recreation****TDA**

ABC Board—Mayor Fontaine stated that the Federal Audit of the High Country ABC Board was stalled due to the Federal Government shut down. A date should be established once that shut down is resolved.

Public Safety Department**Police Report****Fire Report****Financial Report****COUNCIL COMMENTS**

Mayor Pro Tem Lambert stated that he wished to award monetary thanks to Finance Officer Debbie Powers for her hard work during the Town Audit. After discussion, the members decided to award \$1,000 to Ms. Powers. Member David Ehmig made a motion to grant this award. Member Hooper seconded the motion. The members agreed unanimously.

Mayor Fontaine thanked the Council for helping him in putting together the Otter Falls fundraising letter that was sent out to a large number of property owners in Seven Devils.

ADJOURN

Member Ehmig made a motion to adjourn. Mayor Pro Tem Lambert seconded the motion. The members agreed unanimously. The meeting was adjourned at 7:00 PM.

Larry Fontaine, Mayor

Sara Miller, Town Clerk