

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

**February 12, 2013**

The Seven Devils Town Council met in regular session on Tuesday, February 12, 2013, 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 Manager Ed Evans and Attorney Rob Angle. 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 proposed to move New Business item “A. Presentation of Resolution of Appreciation—Buzzy Wolf” in the order of business to before the Public Hearing. Member Ehmig made a motion to adopt the agenda as amended. Member Hooper seconded the motion. The members agreed unanimously.

**CONSENT AGENDA – ADOPTION OF MINUTES**

**Motion for Consideration – Adopt minutes of Regular Meeting—January 8, 2013**

**Travel Request—Town Manager—Town Hall Day—Raleigh—March 27, 2013**

**Resolution of Appreciation—In Memory of Buzzy Wolf**

**Motion for Consideration—Recommendation from Public Safety Committee—Add new members Leigh and Brady Sasse**

Member Hooper made a motion to adopt the consent agenda. Mayor Pro Tem Lambert seconded the motion. The members agreed unanimously.

## PRESENTATION OF RESOLUTION OF APPRECIATION—BUZZY WOLF

Mayor Fontaine presented a framed copy of the Resolution of Appreciation in honor of Harold “Buzzy” Wolf to Laurel Wolf by reading it aloud. Mayor Fontaine expressed how the Town will truly miss Buzzy and that he greatly contributed to the Town of Seven Devils in numerous ways. Laurel Wolf thanked the Town and the Council for remembering Buzzy. ~CLOSED~



### A RESOLUTION OF APPRECIATION HONORING THE SERVICE OF HAROLD (BUZZY) WOLF TO THE TOWN OF SEVEN DEVILS

*WHEREAS*, Harold Buzzy Wolf served the town of Seven Devils as a Town Council member and Mayor Pro Tempore from December 2, 1985, to November 15, 1989; and as Town Council member and Mayor from December 17, 1991 to December 28, 1999; and

*WHEREAS*, Buzzy had great concern about the public safety of the citizens of Seven Devils and was instrumental in founding the Seven Devils Fire Department in 1989 and served as a volunteer fireman; and

*WHEREAS*, Buzzy spearheaded efforts and, at its inception, even personally financed the High Country ABC store, bringing in significant revenues to the Town; and

*WHEREAS*, Buzzy worked tirelessly for a better Town including increasing its land area and commercial district and resulting tax base through annexations; and

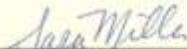
*WHEREAS*, Buzzy's determination, belief in fair process, belief in a participatory democratic system, and dedication to the people of Seven Devils will be missed; and

*WHEREAS*, Buzzy passed away on Tuesday, January 22, 2013 and will be greatly missed by all;

*NOW, THEREFORE, BE IT RESOLVED* by the Council of the Town of Seven Devils that the Council and citizens hereby express their sincere appreciation to the family of **Harold Buzzy Wolf** for the dedication and love that this public servant demonstrated throughout his outstanding service to the people of Seven Devils in Watauga and Avery Counties and his loving dedication to the betterment of the Town of Seven Devils, North Carolina.

This the 12<sup>th</sup> day of February 2013.

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Larry Fontaine, Mayor

  
\_\_\_\_\_  
Sara Miller, Town Clerk

R2013-6



## PUBLIC HEARING—SUBDIVISION—NETTLES KNOB PHASE II

Mayor Fontaine requested a motion to open the Public Hearing. Member Hooper made a motion, Member Ehlinger seconded the motion. All members agreed unanimously. Mayor Fontaine, after a brief introduction to the proposed Nettle's Knob Phase II Subdivision, turned to Manager Evans to give an in-depth description of the project.

On December 14, 2012, Bob Haugh brought a plat of Nettle's Knob, Phase II to the Town for informational purposes and to seek input from the Town regarding the proposed subdivision. Manager Evans, also Zoning Administrator, reviewed the plat noting changes that would be necessary to meet the minimum requirements of the Unified Development Ordinance. An

appointment with Watauga Planning and Inspections Director Joe Furman and Sub-division Planner, Jimmy Warren was made. The plat was discussed at length and additional changes that would make the plat better were noted. The plat was also forwarded to David Poore, our Town Engineer for input. In every case shortcomings that reviewers noted were revealed to Mr. Haugh.

On December 28, 2012, Mr. Haugh submitted a "Preliminary Plat" for Nettles Knob, Phase II, accompanied by the Subdivision Plat Review fee of \$250 as required by the UDO and Budget Ordinance. Evans pointed out that the Planning Board, at their January 15, 2013 meeting, had conditionally approved the plat and recommended approval to the Town Council. The conditions were discussed with Mr. Haugh, who agreed to the changes. A new plat was submitted and included in the Town Council packet. It incorporates the required changes.

**PUBLIC COMMENT**—Mayor Fontaine entertained comments from the following residents:

**Barbara Pariseau, 132 Meadowview Court**, expressed support for Bob Haugh, and stated that the houses he built in the past neighboring her house were nice, and that she is sure whatever else Bob decides to develop will follow suit.

**Sarah Manning, 277 Four Diamond Drive**, was concerned that in the future the Town would be asked to take over the responsibility for the roads within this new subdivision, similar to The Lakes Community. She also commented that if the possibility arises, could the roads be designed now to make that kind of transition easier. Both Manager Evans and Bob Haugh commented, stating that these are not roads, but private drives, which would be regulated by Private Road Maintenance agreements, or something similar.

Mayor Pro Tem Lambert made a motion to close the Public Hearing. Member Hooper seconded the motion. The members agreed unanimously.

### **CITIZEN COMMENTS**

**Leigh Sasse, 245 Chestnut Ridge Tr.**, inquired about the progress with the new trash and bear regulations that were defined within the new Nuisance Ordinance. One of her neighbors continues to have issues with meeting the regulations. Manager Evans responded in telling her that letters have been sent out and that enforcement measures will be taken in the near future if the situation does not improve. He also stated that several of the residents who had bear issues in the past have successfully complied with the new regulations.

**Barbara Tarlton, 236 Edgecliff Lane**, wanted to thank the Public Works department for doing a great job at clearing and making the roads in Seven Devils safe during bad weather.

**ADMINISTRATIVE UPDATE & CALENDAR**—Town Manager Evans reminded everyone that the ABC Board will be meeting on Thursday, February 14, 2013 at 4PM at the ABC Store. He also announced that the official date for the next SafetyFest was set for Saturday, July 6, 2013.

## OLD BUSINESS

**Employee Handbook**—Mayor Fontaine opened up discussion regarding the Tobacco Use Section (Sect. 12, page III-6) of the Employee Handbook. After discussion, Mayor Pro Tem Lambert suggested using an edited version of Mayor Fontaine’s proposed newly worded section. It would state the following:

### **Section 12: Tobacco Use**

Tobacco Products: The use of smoking (e.g., cigarettes, cigars, pipes) and smokeless tobacco residue (from spitting into open containers, waste baskets, or on the ground) presents an unsanitary condition. The use of these products is strongly discouraged.

The use of smoking tobacco is strictly prohibited inside all Town buildings and facilities, inside Town vehicles, and within twenty (20) feet of any public access entry point of any Town building.

The use of smokeless tobacco is permitted, providing that tobacco expectorant and residue shall be held in containers with sealing lids to prevent odor and accidental spills and shall be disposed of in sanitary manner that prevents public exposure.

Member Ehmig made a motion to accept the amended Section 12: Tobacco Use of the Employee Handbook. Member Hooper seconded the motion. The members agreed unanimously.

The Council then proposed to change Section 2: Overtime and Call-Back Pay, page III-2, to allow a minimum of three (3) hours compensation under the policy. Manager Evans speaking on behalf of the Public Works department, the employees most affected by this policy, said that the Public Works Department would prefer to keep the policy similar to what it is in the current Employee Handbook, and modify it slightly. The change would be that the employees called back into work would receive two hours driving time plus the time actually worked. The Council agreed to this change.

Member Hooper stated that in Section 6: Military Leave, page V-5, second paragraph down, “(as defined above in Section 8, a.) should be removed. The members agreed unanimously.

Member Hooper also stated that in Section 6: Definitions, page I-3, there was a discrepancy in the definition of Full-time employee, in that a temporary employee was defined, but a permanent employee was not. Mayor Fontaine suggested a revision for #7, to read as “Permanent employee: an employee in a position authorized...” replacing what was currently listed. The members agreed unanimously.

Mayor Pro Tem stated that #5 of Section 3. Political Activity, page III-2 should be removed completely. Also, he pointed to a revision to the statement just above #1 of the Section, “no employee shall:” to instead state “no employee, except for volunteer fireman, shall:” The members agreed unanimously.

Mayor Pro Tem also stated that in Section 1: Travel Policy, part (d), sub-sections 2 & 3, page X-2, the words “duty station” should be removed from the bulleted items. He also stated to change bullet #4 in sub-section 3 to read “the employee’s home or regularly assigned duty station”.

Member Hooper made a motion to approve the Employee Handbook as amended. Mayor Pro Tem Lambert seconded the motion. The members agreed unanimously. **~CLOSED~**

**Emergency Procedures Policy**—No new information. **~OPEN~**

## **NEW BUSINESS**

**ABC Travel Policy**—After discussion, Member Ehmig made a motion to revise the ABC Travel Policy with amended #3, Reimbursement of meals while traveling, to a tiered \$10 for breakfast, \$15 for lunch, and \$25 for dinner requirement. Mayor Fontaine seconded the motion. The members voted, 3 Ayes, 2 Nays. The motion carried. **~CLOSED~**

**Request to Approve Nettles Knob Phase II Subdivision**—After discussion, Mayor Pro Tem Lambert made a motion to approve the Preliminary Nettle's Knob Phase II Subdivision plat, provided that #24 in the Notes regarding the sleeved water lines be removed and not required. Member Ehmig seconded the motion. The members agreed unanimously. **~CLOSED~**

**Proposed Budget Calendar—FY 2013-14**—Mayor Fontaine stated that the Council and Manager Evans would simply make changes to dates as they went along. Mayor Pro Tem Lambert made a motion to adopt the proposed Budget Calendar FY 2013-14. Member Hooper seconded the motion. The members agreed unanimously. **~CLOSED~**

## **COMMITTEE REPORTS**

**Planning Board**

**Public Works—No Meeting**

**Public Safety Committee**

**Recreation**

**ABC Board**

**TDA**

**Public Safety Department**

**Police Report**

**Fire Report**

**Financial Report**

## **COUNCIL COMMENTS**

Mayor Pro Tem Lambert expressed his gratitude and thanks to the Seven Devils Public Works department for doing such a great job during the bad winter months. He stated that he appreciated how much they go out of their way to help those who need it in the Town. Member Hooper and Ehlinger, as well as the other Council members agreed, wishing to express their thanks.

## **ADJOURN**

Member Ehlinger made a motion to adjourn. Mayor Pro Tem Lambert seconded the motion. The members agreed unanimously. The meeting was adjourned at 8:02 PM.

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Larry Fontaine, Mayor

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Sara Miller, Town Clerk