

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

August 13, 2012

The Seven Devils Town Council met for regular session on Monday, August 13, 2012, 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 5:34 PM.

PLEDGE OF ALLEGIANCE

Council members and citizens recited the Pledge of Allegiance.

ADOPT AGENDA

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

CONSENT AGENDA – ADOPTION OF MINUTES

- **Motion for Consideration—Adoption of minutes of Regular Town Council Meeting—July 9, 2012**

- **Approval of Resolution—In support of Watauga County Solid Waste Plan**

TOWN OF SEVEN DEVILS

**RESOLUTION ACCEPTING AND ENDORSING THE SOLID WASTE
MANAGEMENT PLAN OF 2012 FOR WATAUGA COUNTY**

WHEREAS, it is a priority of this community to protect human health and the environment through safe and effective management of municipal solid waste;

WHEREAS, the reduction of the amount and toxicity of the local waste stream is a goal of this community;

WHEREAS, equitable and efficient delivery of solid waste management services is an essential characteristic of the local solid waste management system;

WHEREAS, it is a goal of the community to maintain and improve its physical appearance and to reduce the adverse effects of illegal disposal and littering;

WHEREAS, the Town of Seven Devils recognizes its role in the encouragement of recycling markets by purchasing recycled products;

WHEREAS, involvement and education of the citizenry is critical to the establishment of an effective local solid waste program;

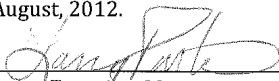
WHEREAS, the State of North Carolina has placed planning responsibility on local government for the management of solid waste;

WHEREAS, NC General Statute 130A-309.09A(b) requires each unit of local government, either individually or in cooperation with other units of local government, to update the Ten Year Comprehensive Solid Waste Management Plan at least every three years;

WHEREAS, the Watauga County Solid Waste Management Department has undertaken and completed a long-range planning effort to evaluate the appropriate technologies and strategies available to manage solid waste effectively;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE TOWN OF SEVEN DEVILS:

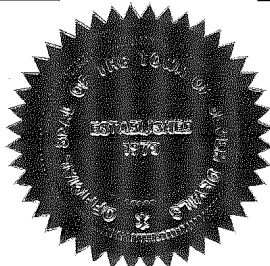
That Watauga County's 2012 Ten Year Comprehensive Solid Waste Management Plan is accepted and endorsed and placed on file with Clerk to the Board on this 13th day of August, 2012.



Larry Fontaine, Mayor



Sara Miller, Town Clerk



- **Motion for Consideration—Request to surplus property—vehicle and other items**
- **Motion for Consideration—Request to schedule Public Hearing on Unified Development Ordinance for September 10, 2012**

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

CITIZEN COMMENTS

Janice Williams, 200 Rock Cove Court, expressed an interest in having a public dumpster within the town limits of Seven Devils. The closest public convenience center is closed 3 days a week, so having one on the mountain would be preferable.

ADMINISTRATIVE UPDATE & CALENDAR

OLD BUSINESS—NONE

NEW BUSINESS

Recommendation regarding road resurfacing (Public Works)—Mayor Fontaine asked Mayor Pro Tem Lambert to explain the Blind Road Analysis method, which the Town has used to make its assessment regarding which roads to resurface. Town Engineer David Poore and Public Works Director Kevin Aldridge, along with the other members of the Public Works committee give the following recommendation:

After considering all available inputs to the assessment of roads and limited budget, the committee voted to recommend the paving of Four Diamond from Windy Knob to Tangle Lane (\$27,750), Greencove from Thorncliff to the top of the hill (\$8,355), and Wildwood from Chalet to the end (\$15,100) to the Town Council for this year's road projects.

Member Ehmig made a motion to approve the recommendation regarding road resurfacing from Public Works. Member Ehlinger seconded the motion. The Council agreed unanimously. **~CLOSED~**

Recommendation regarding water infrastructure in Snow Cloud (Public Works)—Mayor Fontaine asked Mayor Pro Tem Lambert to elaborate on this issue. Mayor Pro Tem Lambert states that the main goals of restructuring this area would be to move the water meters to the road, like other homes and to update/replace the piping. The recommendation presented was as follows:

David Poore presented a concept to complete the Snowcloud Drive Waterline Project in 6 incremental sections (five sections of waterline and one repaving of the entire project). The committee voted to recommend to the Town Council that the Snowcloud Drive Waterline Project be completed as presented. The committee recognizes that the budget is tight in the upcoming years, but feels that the critically of the waterline project dictate that the funds must be found, or created, as soon as possible.

A motion to accept the recommendation regarding the Snowcloud water infrastructure upgrade concept was made by Mayor Fontaine and Member Ehlinger. Member Hooper seconded the motion. The Council agreed unanimously. **~CLOSED~**

Request for funding—Town Hall repairs (\$13,000 approximately)—Mayor Fontaine stated that Town Manager Evans has been supervising this project. The repairs to Town Hall included phases A through E as follows: A) initial repair—siding and caulk; B) required repair by building inspector; C) replace siding and remove dormer windows; D) repair siding, caulk; E) paint entire exterior of building. Mayor Pro Tem Lambert made a motion to approve the request for funding. Member Ehmig seconded the motion. The Council agreed unanimously. **~CLOSED~**

Meeting schedules—Mayor Fontaine directed discussion to Town Manager Evans to elaborate on the scheduling issue. The proposal is to move regular Monday meetings to Tuesday, including the Town Council, Planning Board, Board of Adjustment, and Recreation Commission. After some discussion, Mayor Pro Tem Lambert initiated a motion to approve, but withdrew the motion, tabling the issue until Town Manager Evans can approach members of each board with the proposed move. The results of this will be presented at the next regular Town Council meeting. **~OPEN~**

Trash—Nuisance Ordinance revisions—Mayor Fontaine expressed concern for the problem of bears getting into residents trash when it is left outside and not in proper containers. He pointed out that the issue is addressed in the Nuisance Ordinance, but we have a problem with enforcement and response time. He proposed a 6 hour time limit to clean up the mess and then a fining process. Town Attorney Angle says that the real issue is in the enforcement of these Ordinances. Member Ehmig expressed a concern with the safety of residents from bears being so close to homes, rather than where or how the trash is disposed. Mayor Fontaine requested that Town Manager Evans work with Town Attorney

Angle on a proposal of a solution to this issue, and for it to be presented at the Public Hearing on September 10, 2012. No action was taken. ~OPEN~

Approval of tennis court location as park with recreation equipment—Mayor Fontaine explained that the town of Seven Devils has had a proposed playground property since 2010. The TDA has given monies to the Recreation Commission for the purpose of purchasing playground equipment. Public Works along with Town Manager Evans and the Recreation Commission have selected appropriate equipment, which will be delivered on or about September 6, 2012 for installation. Mayor Pro Tem Lambert brought up the issue of who decided where the playground equipment is going, and Mayor Fontaine says it will need to come from a Town Council decision. Member Hooper made a motion to approve the tennis court location as a park with recreation equipment. Mayor Pro Tem Lambert seconded the motion. The Council agreed unanimously. ~CLOSED~

Request for Travel—Town Manager to NCLM Annual Conference (Charlotte, Oct 22-23)/ Travel for Town Council Members (added by Mayor Pro Tem Lambert)—The Council agreed that the Town Manager would benefit from attending the Conference in Charlotte, after some discussion. Mayor Fontaine and Mayor Pro Tem Lambert expressed a desire to attend as well. Other Council members will decide later if they wish to go. Mayor Fontaine made a motion to approve the travel request of Town Manager. Member Ehmig seconded the motion. The Council agreed unanimously. ~CLOSED~

COMMITTEE REPORTS

Planning Board—No July meeting
 Public Works
 Public Safety Committee
 Recreation Commission—No July meeting
 ABC Board
 TDA
 Public Safety Department
 Police Report
 Fire Report
 Financial Report

COUNCIL COMMENTS

Mayor Pro Tem Lambert reminded residents that the September Town Council meeting will be a public hearing on the UDO.

Mayor Pro Tem Lambert congratulated Fire Chief Bobby Powell on being appointed the Vice President of the Avery County Fire Association.

Member Hooper expressed a concern regarding the UDO, requesting that Town Attorney Angle review the UDO before the public hearing. Town Manager Evans suggested that Town Attorney Angle review the UDO after the Town Council workshop on the UDO that will occur on August 24, 2012 at 9AM. The Council agreed on this.

ADJOURN

Mayor Pro Tem Lambert made a motion to adjourn. Member Ehmig seconded the motion. The members agreed unanimously. The meeting was adjourned at 7:13 PM.

Larry Fontaine, Mayor

Sara Miller, Town Clerk