TOWN OF SEVEN DEVILS
TOWN COUNCIL
MINUTES – REGULAR SESSION
June 8, 2009

The Town of Seven Devils Town Council met in regular session on Monday, June 8th, 2009 at Town Hall. Members present were Mayor Bob Dodson, Mayor Pro Tem Richard DeMott and Council Members Kay Ehlinger and Kathy Copley. Absent and excused was member Bill Wilkinson. Also in attendance were Town Manager Ed Evans and Town Attorney Rob Angle. Town Clerk Karen Daniels recorded the minutes.

CALL TO ORDER

Mayor Dodson called the meeting to order at 5:33 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 Copley seconded the motion. The members agreed unanimously.

APPROVE MINUTES

Mayor Pro Tem DeMott made a motion to approve the May 11, 2009 regular meeting; May 14, 2009 continuation meeting and June 1, 2009 special meeting minutes as submitted. Member Copley seconded the motion. The members agreed unanimously.

CITIZEN COMMENTS

Sarah Manning, Four Diamond Drive announced the Voter Information Group will be meeting this Thursday, June 11th at 9:30 a.m. at the Foscoe Community Center to begin working on the municipal elections in November.

ADMINISTRATIVE UPDATE

The Town Manager told the Council the lots 8 and 9 that Bob Haugh has proposed to purchase from the Town of Seven Devils did indeed perk and there is a tentative closing date scheduled for sometime prior to June 22, 2009.

Mayor Dodson asked the Town Manager if DENR had shown up this week. The Town Manager told the Council he had not seen them. He explained when he requested DENR remove the equipment to make space for SafetyFest, DENR said they may be able to come up with the funding to complete the drilling.

Mayor Dodson told the Council and Citizens that the Town Manager is building a new website for the Town of Seven Devils and the address is www.sevendevils.net. Mayor Dodson pulled the website up on the screen for the Council and Citizens to view the new site. The Town Manager pointed out the surplus police vehicles posted at Govedeals.com auction site and explained the remaining surplus items will be posted this week.

OLD BUSINESS

A. **Kessler request for water bill relief – Continued to July 15th Town Council meeting**. ***OPEN***

B. **Finalize FY 09-10 Annual Operating Budget** – The Town Manager explained the Town Council held a Public Hearing on Monday, June 1st, 2009 at 5:30 pm in the Town Hall to discuss the proposed Town Budget for 09-10. He complimented the Town Council Members and Finance Officer for their dedication and hard

work on the Budget. He told the Council the Finance Officer Debbie Powers did an outstanding job during the budget process. The Council reviewed the FY 09-10 Annual Operating Budget.

Mayor Dodson made a motion to give the Finance Officer Debbie Powers a one thousand dollar ($1,000) bonus for all her hard work and dedication during the budget process. Mayor Pro Tem DeMott seconded the motion. The members agreed unanimously.

Member Copley made a motion to adopt the FY 09-10 Annual Operating Budget as submitted. Member Ehlinger seconded the motion. The members agreed unanimously. ***CLOSED***

NEW BUSINESS

A. <u>Consider Adoption of Water Ordinance Modifications</u> – Mayor Dodson requested the Town Manager to give highlights of the major changes in the ordinance. The Town Manager pointed out the following changes in the Annual Operating Budget Ordinance FY 2010 that were proposed at the May 14, 2009 Town Council Continuation Meeting:

WATER ACCOUNT FEES:

- Reconnection fee after non-payment $50.00
- Request for Disconnection and Reconnection of Service (First Four Sets Free) N/C
- Request for Disconnection and Reconnection of Service (Each Set Thereafter) $20.00
- Short Notice Fee for Disconnection or Reconnection (less than 48 hours notice) $20.00 each
- Additional Meter readings, per homeowner request $10.00 each

WATER (per quarter)

- Minimum Bill (9,000 gallons) $90.00
- Additional gallons:
  - 9001 to 18,000 $.01/gal.
  - 18,001 to unlimited $.02/gal.

Water Bill for Well Users $45.00

Manager Evans told the Council the main changes were in the rate, the tier structure and what happens in the event of a leak. He explained previously in the event of a verifiable leak that had been repaired, the Policy gave the Town Manager the authority to forgive anything above one thousand dollars ($1,000) by fifty per cent (50%). He said now with a verified leak and verified repair the Town will reduce the rate to one cent ($.01) per gallon for all water used. He further explained that there will be no reference to water charges and fees in the Water Use Ordinance the Water Use Ordinance will state *(See Annual Operating Budget Ordinance for fees)*

After reviewing the Water Use Ordinance the Council agreed to make the following changes to the Ordinance:

- Add a final sentence to ***4.4 - 3) The adjustment will reflect the rate billed for first level usage.***

- In ***7.1.2 - 2)*** change the wording from ***water main to water line.***

- Change 9.2 to read: ***The Seven Devils Town Council shall hear and decide all water bill appeals, and requests for interpretations as expeditiously as possible, consistent with the need to follow regularly established agenda procedures, provide notice, and obtain necessary information to make sound decisions.***

  - Deletion or Clarification of ***5.2 – 4)***

Member Copley made a motion to adopt the Water Use Ordinance as presented with the above changes and deletion or clarification of ***5.2 – 4).*** Mayor Pro Tem DeMott seconded the motion. The members agreed unanimously. ***CLOSED***

B. <u>Approval of Debbie Powers as dual role of Finance Officer & Tax Collector (Local Government Commission "LGC" needs to approve annually)</u>

Mayor Dodson made a motion to approve Debbie Powers as dual role of Finance Officer & Tax Collector. Member Copley seconded the motion. The members agreed unanimously. ***CLOSED***

C. **<u>Credit Card Policy Draft</u>** –The Town Manager said the Town of Seven Devils currently has a credit card for Staples and one for Lowe's. He said he realized there is a provision in the Personnel Policy for advances on travel but it would be nice to have a card that would be more flexible especially with school registration and on-line purchases. The Town Manager told the Council he has discussed this with the Auditors and they feel it would be best to only have a couple of credit cards for myself and the finance officer. He explained the cards cannot be generic in the name of Seven Devils. Fifth-Third bank will only issue the cards to a specific name. The cards will be imprinted Town of Seven Devils – Debbie Powers and Town of Seven Devils – Ed Evans.

After discussion the Council agreed to defer any decision on the Credit Card Policy Draft to the July 13, 2009 regular Town Council meeting. ***OPEN***

D. **<u>Approve Budget Amendments for FY 09</u>** – The Town Manager/Budget Officer requested the Finance Officer Debbie Powers review the FY 2008-2009 Budget Amendments with the Town Council. The Town Council reviewed the FY 2008-2009 Budget Amendments and a brief discussion followed.

Mayor Pro Tem DeMott made a motion to accept the FY 2008-2009 Budget Amendments as submitted. Member Ehlinger seconded the motion. The members agreed unanimously. ***CLOSED***

E. <u>Reappoint ABC Board Alternate for 3-year term (expiring June 30, 2009)</u>

Mayor Dodson made a motion to reappoint Sarah Manning as ABC Alternate member for a three (3) year term. Mayor Pro Tem DeMott seconded the motion. The members agreed unanimously. ***CLOSED***

COMMITTEE REPORTS

A. <u>Planning Board</u> – Mayor Dodson requested an update from Bob Haugh regarding his research on trash can removal. Bob told the Council he had spoken with GDS and asked if they would return the trash cans to the residence in lieu of leaving them on the side of the road. He said GDS said this is not a service they provide. The service they provide is for the residents to bring the trash cans to the road and for the residents to retrieve their own cans. Mayor Dodson asked Bob Haugh when GDS picks up the garbage. Bob said some customers are on Monday and some are on Wednesday. He told the Council there is the option of chaining your garbage can to a post at the street location.

Mayor Dodson asked the Town Manager what the Ordinance says regarding trash. The Town Manager read from the ***Nuisance Ordinance Article 6 - 6.6 Adequate Waste Receptacles for Refuse Placed Outside for Pickup:*** Any waste other than brush placed outside a building (e.g., commercial building, residence, or accessory building) for pickup shall be placed in water tight waste receptacles that will ensure that the contents cannot be moved from the receptacles by wind, animals, or other causes. Owners shall ensure the timely removal of waste contained therein.

Discussion followed regarding requiring the removal of trash cans in a timely manner. The Zoning Administrator said he thinks this would be difficult to enforce. He told the Council if you are going to have trash pick up you either need to have a can on the side of the street or an enclosure to hold the can on the side of the street. He said another option would be to provide dumpsters. Bob Haugh told the Council he will continue to research a solution to this problem.

B. <u>Public Works</u> – There were no additional comments.

C. Public Safety – Member Ehlinger encouraged everyone to purchase their SafetyFest BBQ and raffle tickets. She told the Council there have been many donations for the raffle and silent auction.

D. ABC Board – There were no additional comments.

E. Financial Report – Mayor Dodson made a motion to accept the financial report as submitted. Member Ehlinger seconded the motion. The members agreed unanimously.

F. TDA – (No meeting held)

COUNCIL COMMENTS

Member Copley requested the Town Manager Ed Evans speak with Butch McLean regarding the necessity of submitting the Recreation Commission minutes for the next Town Council meeting.

Member Copley said she knows the Otter Falls property is once again for sale and she would like to see any avenues to obtain this property researched. The Town Manager stated he is researching this and has spoken with Kelly Coffey with the High Country Council of Government and will continue to pursue the options available.

ADJOURN

At 6:44 p.m. Mayor Dodson made a motion to adjourn. Member Ehlinger seconded the motion. The members agreed unanimously.

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Bob Dodson, Mayor Karen E. Daniels, Town Clerk