

**TOWN COUNCIL CONTINUATION MEETING**  
**Monday, August 23, 2010**

The Seven Devils Town Council reconvened at 10:00 a.m. on Monday, August 23, 2010 at Seven Devils Town Hall. Members present were Mayor Bob Dodson, Mayor Pro Tem Kathy Copley, and Council Members Richard DeMott, Kay Ehlinger, and David Ehmig. Town Manager Ed Evans was present and recorded the minutes.

At 10:02 a.m., Mayor Dodson asked for a motion to come out of recess. Member Ehlinger made such a motion and Member DeMott seconded the motion. The members agreed unanimously.

**OPEN SESSION**

As the first order of business, Mayor Dodson asked Manager Evans about a letter sent to the Council from Mr. George Knopp asking for relief on Mr. Knopp's water bill. Evans described the situation and told the Council that he had communicated to Mr. Knopp that the next step in the process regarding the high water usage bill would be to test the meter for accuracy. The Council agreed that based on the facts stated by Evans, testing the meter was indeed the next step and nothing further can be done based on the provisions of the Water Use Ordinance until all Ordinance provisions had been met. **CLOSED**

The next order of business dealt with the **proposed Ethics Policy for the Town Council**. Manager Evans discussed the origination of the proposed Ethics Policy draft and explained that it was taken directly from the book, *A Model Code of Ethics for North Carolina Local Elected Officials*, authored by A. Fleming Bell, II at the UNC School of Government. The Council examined the proposed Ethics Policy and discussed the contents of the proposed policy section-by-section and sentence-by-sentence, beginning with the Preamble. The Council discussed the areas where decisions must be made about statements in the draft where words such as "may" or "shall" need to be determined and made the required decisions. They discussed issues such as determining a "majority" and electronic recordings of meetings and established policy for Seven Devils Council Members. Additionally, a discussion ensued about a hypothetically accused Council Member's participation in any discussion and decision about potential censure of the accused member for an ethics violation. A consensus was reached regarding handling of such a situation. Several changes to the model policy were discussed and consensus was reached regarding all changes. Manager Evans read all of the changes noted, discussed, and adopted in this session.

Mayor Dodson stated that he would entertain a vote regarding adoption of the Ethics Policy. Member Ehlinger made a motion to approve the proposed Ethics Policy for the Town Council with the amendments noted in this session. Member DeMott seconded the motion and the members agreed unanimously. The Council Members requested the completed document be sent to each Council Member and placed on file in Town Hall. Manager Evans stated he would see to it that the Council Members received a complete copy and that the document would be filed. **CLOSED**

The next order of business dealt with discussion of a **proposed Mission and Structure Policy for the Public Works Committee**. Members reviewed a model Mission Statement prepared by Public Works Committee Member Brad Lambert. Several issues were discussed, but the primary discussion revolved around the number of Town Council Members that could serve on the Public Works Committee. It was noted that some citizens and Council members believed that three Town Council Members serving on the Committee made any meeting of the Public Works Committee a Town Council Meeting. Mayor Pro Tem Copley noted that a potential member structure to solve the problem might be inclusion of all Town Council Members serving on the Committee, consistent with their terms on the Council. Member Ehlinger expressed concern that more than two Town Council Members serving on the Committee may be perceived by the public as an attempt by the Town Council to run and control everything that happens in Town. A discussion regarding this issue ensued and members expressed their views. Mayor Dodson noted that all of the Town Council Members serving on the Public Works Committee would enhance each member's knowledge of very important issues in Town and thus, made each member a better Town Council Member. Member Copley noted that all Town Council Members serving on the Committee would better serve the Town and Committee rather than fewer Town Council Members serving. Member Ehlinger stated that it would be better to have only two Council Members on the Public Works Committee and help to alleviate public perception problems. Member Ehmig stated that maybe one of the Town Council members could serve as an ex-officio member who would not vote. Mayor Dodson stated that if the consensus were that the Council only wants two Town Council Members to serve, he would volunteer to drop off the Public Works Committee. Member's DeMott and Copley also stated they would be willing to drop off the Public Works Committee in that event. Following thorough discussion on this issue, Member Copley made a motion that the Public Works

Committee be made up of all Council Members and up to four additional members of the community wishing to serve. Mayor Dodson seconded the motion and asked if there was additional discussion. Being none, the vote was as follows:

VOTE:            AYE – 3 (Dodson, Copley, DeMott)  
                      NAY – 2 (Ehlinger, Ehmig)

Discussion then followed regarding the Mission Statement. Members agreed that the Mission Statement is consistent with the mission of the committee and is acceptable. The Council then addressed member structure and decided that the Public Works Committee be made up of the five Council members and four citizens as previously decided, and two of these four citizens can be part-time residents. Members also discussed the date of the future meetings and decided that the date structure should be consistent with other Town policy regarding meetings. Additionally, attendance policy should be consistent with other committees.

Following thorough discussion, Member DeMott made a motion that the Mission and Structure policy for the Public Works Committee be adopted as amended in this session. Member Ehlinger seconded the motion. There was no further discussion. The members voted unanimously to adopt the policy.

***CLOSED***

The Council next considered a similar **Mission and Structure Policy for the Public Safety Committee**, prepared by Committee member Brad Lambert. There was a short discussion regarding the number of members to serve on the Committee. The proposal stated the Committee be comprised of five members and it was decided that five members is sufficient. Members agreed with other portions of the proposal and Mayor Pro Tem Copley made a motion to adopt the policy as presented. Member DeMott seconded the motion. Mayor Dodson asked if there was any additional discussion. Members noted that we should follow the same areas of consistency we were abiding by for other committees in make up dates for meetings if the meeting date should fall on a holiday. Member Copley amended her motion to adopt the policy as amended. Member DeMott seconded the motion. The members agreed unanimously. ***CLOSED***

Town Council members next discussed the **Recreation Commission's** belief that they do not have "direction" and "funding." A general discussion about the Recreation Commission followed and it was noted that when the Recreation Commission began, it was with the understanding that the Council would not financially support the Commission. Rather, it was noted that the Council planned for the Commission to be "user fee" or "grant" funded. Member Ehlinger stated that she had talked with Recreation Commission Member Ann Fontaine and suggested that Member Fontaine might be instrumental in looking for and applying for grant funding or finding fund raising opportunities. Manager Evans told the Council that an idea the Recreation Commission had been discussing was a desire to find a site to build a playground. The Council discussed searching through properties the Town already owns to determine if any might be a good location for a playground. Possibilities were discussed with no final recommendations other than encouraging the Recreation Commission to move forward with their own initiative to consider options and present recommendations. ***CLOSED***

A last item of discussion was addressed by Member Ehlinger regarding training for volunteers for a potential Red Cross Shelter at the Seven Devils Town Hall. During this discussion, a question arose regarding who would be authorized to declare an emergency. It was decided that the Mayor would likely be the person to declare an emergency and the Town Manager would communicate the Council and/or Mayor's decision. Mayor Dodson asked Manager Evans to verify the procedure for declaration of an emergency and who could declare an emergency and Evans stated he would check the procedure.

***OPEN***

**ADJOURN**

At 12:10 p.m., Member Ehlinger made a motion to adjourn. Member Ehmig seconded the motion. The members agreed unanimously.

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Bob Dodson, Mayor

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Ed Evans, Town Manager