

TOWN OF SEVEN DEVILS  
Regular Town Council Meeting  
Tuesday – March 12, 2024  
5:30pm  
AGENDA

- 1) Invocation
- 2) Pledge of Allegiance
- 3) Call to Order
- 4) Mayor Fontaine – Vacant Town Council Seat Nominations *Motion*
  - A. Email – Larry Fontaine
  - B. Qualification letters from Council Candidates
    - (i) Brian Davies
    - (ii) Alejandra Fernandez
    - (iii) John Wells
    - (iv) James West
- 5) Oath of Office administered by Town Clerk
- 6) Adopt Agenda
- 7) Consent Agenda *Motion*
  - A. Approve Minutes
    - (i) Public Hearing – Town Council Meeting – February 13, 2024
- 8) Citizens Comments
- 9) Old Business - None
- 10) New Business
  - A. FY25 Budget Calendar *Motion*
- 11) Administrative Update
- 12) Committee Reports
  - A. Board of Adjustment – No meeting
  - B. Planning Board – February draft minutes
  - C. Public Works Committee – No meeting
  - D. Public Safety Committee – No meeting
  - E. Parks & Recreation Committee – No meeting
  - F. TDA – February minutes
  - G. ABC Board
  - H. Police Report
  - I. Fire Report
  - J. Financial Report
- 13) Council Comments
- 14) Adjourn

Meeting Live Stream  
[www.SevenDevilsNC.gov](http://www.SevenDevilsNC.gov)  
Calendar -> YouTube

**From:** Larry Fontaine <larryfontaine127@gmail.com>  
**Sent:** Friday, February 2, 2024 12:07 PM  
**To:** Leigh Sasse; Brad Lambert; Wayne Bonomo; Larry Fontaine; Johnathan Harris; Eddie Barnes; Hillary Gropp  
**Subject:** Town Council appointment

Greetings everyone,

After a tough week trying to grasp the impact of Bob's death we are faced with appointing a replacement for his seat. All discussion of this issue is required to happen in open meetings of the Council. Hillary has the legal language for appointing someone to fill this position concerning this and if she hasn't already, ask her to send this to you. I feel what is best for the Town should consider at least three criteria. One, someone who has stepped up to serve on various committees and boards currently or in the past. Two, someone who has run for appointment to the various boards or committees but was not chosen by the Chairperson or the Town Council. Three, someone who actually ran for Town Council in the past but failed to win. Hopefully our selection will include a person who satisfies more than one of these criteria.

Other considerations should include the present state of the Town in regard to divisiveness, financial responsibility to its citizens, agreement with Town ordinances, zoning, Comprehensive Land Use Plan, and Vision Statement. General understanding of the Rules and Procedures particularly for the Planning Board, Board of Adjustment, and Town Council, along with some familiarity with the Town Budget Ordinance are very important.

Some questions I ask myself are: What do we want for the future of Seven Devils? How do we get more productive, positive citizen input? How do we reach an acceptable growth rate while being true to our Vision Statement? How do we improve communication and transparency? How can we develop more full time owner occupied homes? How do we fight the rising inflation and maintain our workforce and services we offer?

I'm sure we will arrive at a consensus because I know all of you share my commitment to select the right person for the job.

Larry

## **AGENDA ITEM 4) B. (i)**

**Brian F. Davies**

briandaviesinc@gmail.com

(c) 513-800-9060

**Dear Mayor Fontaine, Council Members Bonomo, Lambert, Sasse, and Manager Harris,**

Throughout my life, I have found purpose in serving neighbors, clients, and constituents and welcome new purpose and reward in serving our Town of Seven Devils under your mentorship. I intentionally pursued public service in 1999 and have been investing in the future of my communities for 25 years. Three things inform my service leadership: my upbringing as a Lutheran, my training as a designer and professional experience in architecture, and my experience in education and administration.

As a Lutheran, I am committed to Leviticus 19:18...*love your neighbor as yourself*. At the core of being a designer is having vision and helping others imagine possibilities and getting their visions built. That's how I will operate as a fellow town council member, contributing my time and talent alongside yours in partnership with residents to realize our community's best visions.

As a department chair at App State, I have demonstrated expertise in planning, budgeting, and prioritizing resources. My administrative experience was developed within larger governing frameworks – including the NC legislature. I operate in a system with layers of oversight and accountability above and below. My department is similar in population to Seven Devils with 500 students and two dozen employees whose wellbeing I am responsible for. I manage an annual budget of \$2.3M, supervise physical resources, administer endowments, write grants and raise funds. I look forward to bringing these experiences and skills to serving alongside you.

Over the past 18 years, I have been awarded a total of \$1.5M in grants. \$175K of those funds were awarded to the Design for Extreme Environments Project [DEEP] that I founded in 2008 to design for disaster preparedness and recovery. I respectfully offer that experience in any way may complement the Councils', Manager Harris's, and Fire Chief Millsaps's extensive experience in such efforts as reviewing the Comprehensive Land Use Plan and staying prepared for emergency responses and potential future natural and weather events.

Manager Harris graciously spent time reviewing the responsibilities and commitments of this honorable position, and I am committed and available to fulfill them. Mayor Fontaine indicated there is increased workload when seasonal residents return at which time I have increased availability given the academic calendar.

My family and I made the decision to change jobs, neighbors, and schools in 2016 based as much on the home and surroundings we found in Seven Devils as my job offer from App State. We fell in love with the beauty of this special town and it would be a great honor to co-steward its specialness. I am committed to earning your trust in making future decisions for Seven Devils collectively. Following the November 7<sup>th</sup> election, I bring support from voting residents as well as the confidence of many part-time residents that were ineligible to vote. It would be my pleasure to co-host town forums with you engaging and informing these constituents together.

Please let me know if I can provide further qualifications, elaborate on my passion and commitment, and/or address any reservations.

Thank you for your consideration,  
Brian

Alejandra Fernandez  
791 Skiview Road  
Seven Devils, NC 28604  
(954) 224-0209

**AGENDA ITEM** 4) B. (ii)

February 21, 2024

Mr. Larry Fontaine  
Mayor  
Town of Seven Devils, NC  
Electronic Mail: larryfontaine127@gmail.com

RE: Town Council Membership

Dear Mr. Mayor:

I would like to be considered for Town Council Membership. I have been a part time resident of Seven Devils since 2011 and have been a full-time resident since February 2021. My husband Marino and I are enthusiastic participants in all Town activities and already serve in several capacities. I serve on the Tourist Development Agency Committee, while Marino serves as a volunteer in the Fire Department and is Chair of the Parks and Recreation Committee. I am eager to continue to serve the Town and help it preserve its atmosphere and sense of place while contributing to improve its services and amenities to residents and tourists. I believe it is important to have a balanced approach to growth and development in the Town, so we preserve the beauty and tranquility we all love, while allowing for access and enjoyment of the environment for all who come here.

Below is a summary of my education, professional and philanthropic activities:

Education: B.Sc. Biology, Universidad del Valle de Guatemala, Guatemala, 1984  
M.A. Biology and Living Resources, Rosenstiel School of Marine and Atmospheric Sciences, University of Miami, Florida, 1988

Professional: President, International Analytical Group, Inc. -an environmental consulting firm serving Latin America and the Caribbean, 2015-present

Philanthropic: Founder, Memorial Regional Hospital, 2013  
Board Member, Memorial Healthcare Foundation, South Florida, 2014-2020  
Board Member, Avery County Habitat for Humanity, 2023-present

In closing, I believe my experience as a small business owner and project manager of environmental projects gives me a unique perspective in understanding the challenges and opportunities the Town has.

I thank you, and the rest of the Council, for your consideration.

Sincerely,

Alejandra Fernandez  
C: Town Council

Dear Members of the Seven Devils Town Council,

I hope this message finds you well. I am reaching out to express my interest in the vacant seat on the Seven Devils Town Council.

The opportunity to serve our community at a council level represents more than a role; it is a chance to directly influence the preservation and enhancement of our town's unique character and natural beauty. My decision to seek appointment stems from a deep-seated belief in public service and an unwavering commitment to the principles outlined in the Seven Devils Vision Statement. Protecting our town from over-commercialization and ensuring it remains a haven for owner-occupied, single-family homes is more than a mission... it's a passion.

In my professional journey, notably as the Chief Information Officer for HAECO Americas and subsequently for Empire Auto Parts, I've developed a broad skill set in strategic planning, team leadership, and operational efficiency and helped drive HAECO to \$300 million and Empire Auto Parts to \$200 million in revenue. My tenure in these roles underscores my ability to drive positive change... a quality that is directly translatable to the responsibilities of a Town Council member.

I have been active on town boards since I purchased property here in 2019, and after becoming a full-time resident in 2022, my engagement with our community has deepened. Serving on the Planning Board, Board of Adjustment, and Public Works Committee has provided me with invaluable insight into our town's operations, challenges, and the aspirations of its residents. This experience has equipped me with a nuanced understanding of local governance and the importance of community-led decision-making.

My vision for Seven Devils is one of sustainable growth, environmental stewardship, and enhanced community well-being. I am committed to:

- Preserving the natural beauty and serenity that define our town.
- Advocating for infrastructure improvements that respect our environmental resources and community needs.
- Fostering open, transparent communication between the Town Council and residents, ensuring that all voices are heard and considered in the decision-making process

I am eager to bring my background, skills, and passion for Seven Devils to the Town Council. In seeking this appointment, I am not just offering my services but also my unwavering dedication to our community's future. I respectfully ask for your support and the opportunity to serve our beloved town in this new capacity.

Thank you for considering my application. I am looking forward to the possibility of working together to make Seven Devils an even better place to live, work, and play.

Warmest regards,

John Wells

James West  
386 Grandview Dr  
Seven Devils, NC 28604  
262-325-2410

## **Summary of Qualifications for Town Council Seat**

I have been a resident of Seven Devils for 6 years, a US Citizen, a registered voter, and a home owner.

I have had the pleasure of traveling and living in many different places that were career related and enjoyed them all but when my wife and I came to Seven Devils, we felt like we belonged.

As Director of Technologies and Plant Manager of several facilities with full responsibility for multi-million-dollar budgets in both plant operations and project management, I bring experience as a leader with strong problem solving, decision making and communication skills. I was charged with real life practices in both my career and community as well as being a small business owner for years.

I have a strong belief in community service and have always become immersed in the area we lived, i.e. senior policy analyst, provided technical assistance to local at-risk youths, support for the Care and Share program of Maryland, North Carolina Safety award and other community programs and boards.

I am now currently serving on the Seven Devils Board of Adjustments, Public Works and an active member of the Fire Department. My core value is firm, fair and consistent.

I believe that it is vital to build trust in creating an equitable and inclusive process to make sure everyone has a voice and is heard. Residents need to know that the town council is working hard on their behalf and that their input is valuable.

When I decided to become more involved in Seven Devils, I was very excited about being a part of the community. I look forward to working with the local government for continued success in our area and excited to be a part of a caring community that is integrity based.

All I want is to help the town maintain the balance between controlled growth and protect the beauty of the area. The two do not have to be mutually exclusive.

We are the stewards of the land.



## OATH OF OFFICE

I, \_\_\_\_\_, do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina, not inconsistent therewith, and that I will faithfully discharge the duties of my office as a **Member of the Town Council**, so help me God.

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Hillary Gropp, Town Clerk

\_\_\_\_\_  
Date

**TOWN OF SEVEN DEVILS  
TUESDAY, FEBRUARY 13, 2024  
PUBLIC HEARING – 5:00PM  
REGULAR COUNCIL MEETING – 5:30PM**

The Seven Devils Town Council met for a Public Hearing for UDO & Nuisance Ordinance edits on Tuesday, February 13, 2024 at 5:00pm and followed by a Regular Town Council meeting at Town Hall.

Attendance included: Mayor Larry Fontaine, Mayor Pro Tem Lambert, Council Members – Wayne Bonomo and Leigh Sasse.

*One (1) vacant seat on Town Council, effective January 26, 2024.*

Staff included: Town Manager Johnathan Harris, Zoning Administrator Eddie Barnes, Town Attorney Jonathan Green; the minutes were recorded by Town Clerk Hillary Gropp.

**INVOCATION**

Mayor Fontaine gave the Invocation for the Public Hearing and Town Council meeting, with words honoring recently deceased Town Council member Bob Bridges.

**PLEDGE OF ALLEGIANCE**

Council members and citizens recited the Pledge of Allegiance.

**CALL TO ORDER**

Mayor Fontaine called the Public Hearing to order at 5:03pm. Mayor Fontaine explained the purpose of the Public Hearing is to receive public comment for UDO & Nuisance Ordinance edits as recommended by the Planning Board. No other business will be presented or considered at this hearing. Mayor Fontaine outlined the following guidelines:

- Citizens who want to speak during the public comment must sign up.
- Speakers will be limited to three (3) minutes each. The clerk controls the timer.
- Speakers must make presentations from the podium.

**OPEN PUBLIC HEARING**

Mayor Fontaine asked for a motion to Open the Public Hearing. Member Bonomo made a motion to open the Public Hearing; Member Sasse seconded the motion. All members agreed.

**Presentation – Eddie Barnes, Zoning Administrator**

- On November 21, 2023 the Planning Board recommended text amendments to the UDO and the Nuisance Ordinance and forwarded it to the Town Council to set a public hearing.
- A public hearing was set for February 13, 2024 and legal notice was published in the Watauga Democrat on January 31, 2024.
- Unified Development Ordinance (UDO) Article 10, Section 2(b) construction time frame be changed from completion of exterior from 18 months to 24 months, Certificate of Occupancy be changed from 24 months to 30 months before penalties are imposed.



- Nuisance Ordinance – Article 10 – Fire Pits and Recreational Fires – a new provision numbered 10.2(1) requires all owners of non-gas firepits to submit an application to the Fire Chief or their designee showing compliance with the requirements of 10.2(2-11). Permits are free.
- Section 10.3 – add a \$500 fine for any outside fires during a state or town initiated Fire Ban.
- Article 6, Section 6.6 of the Nuisance Ordinance – increase the clean-up fee incurred by the town from \$100 to \$500.

#### **Public Comments - None**

#### **CLOSE PUBLIC HEARING**

Mayor Pro Tem Lambert made a motion to Close the Public Hearing; Member Bonomo seconded the motion. All members agreed.

#### **RECESS**

Mayor Pro Tem Lambert made a motion to Recess; Member Bonomo seconded. All members agreed. The Town Council recessed at 5:05pm.

#### **CALL TO ORDER- End Recess**

Mayor Pro Tem Lambert made a motion to End Recess and call the meeting to order at 5:30pm; Member Sasse seconded the motion. All members agreed.

#### **ADOPT AGENDA**

Member Bonomo made a motion to adopt the Agenda; Mayor Pro Tem Lambert seconded the motion. All members agreed.

#### **CONSENT AGENDA**

##### **Adopt minutes of Town Council meeting – January 11, 2024**

Member Bonomo made a motion to approve and adopt the minutes; Mayor Pro Tem Lambert seconded the motion. All members agreed.

#### **CITIZEN COMMENTS - None**

#### **OLD BUSINESS**

##### **A. Resolution #2024-02 – Water Shortage Response Plan**

Mayor Fontaine stated the Water Shortage Response Plan needs to be approved every five years. Member Sasse asked if the Town has ever had to follow the Water Shortage Response Plan. Mayor Fontaine replied, No.

Mayor Pro Tem Lambert made a motion to adopt Resolution #2024-02; Member Sasse seconded the motion. All members agreed. ~CLOSED~



Town of Seven Devils, NC  
Resolution 2024-02  
Approval of Water Shortage Response Plan

WHEREAS, North Carolina General Statute 143-355(l) requires that each local government that provides public water service and each large community water system shall develop and implement water conservation measures to respond to drought or other water shortage conditions as set out in a Water Shortage Response Plan and submitted to the Department for review and approval; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Water Shortage Response Plan for the Town of Seven Devils, NC, has been developed and submitted to the Town Council of Seven Devils for approval; and

WHEREAS, the Town Council of Seven Devils finds that the Water Shortage Response Plan is in accordance with the provisions of North Carolina General Statute 143-355(l) and that it will provide appropriate guidance for the future management of water supplies for the Town of Seven Devils, NC, as well as useful information to the Department of Environment and Natural Resources for the development of a state water supply plan as required by statute;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of Seven Devils of the Town of Seven Devils, NC that the Water Shortage Response Plan entitled, Town of Seven Devils, North Carolina, dated June 26, 2023 is hereby approved, and shall be submitted to the Department of Environment and Natural Resources, Division of Water Resources; and

BE IT FURTHER RESOLVED that the Town Council of Seven Devils intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

This the 13<sup>th</sup> day of February, 2024.

  
Larry Fontaine, Mayor

ATTEST:

  
Hillary Gropp, Town Clerk



R2024-02

## **NEW BUSINESS**

### **A. Approval of UDO & Nuisance Ordinance Amendments**

Mayor Pro Tem Lambert made a motion to approve the recommended amendments to the UDO and Nuisance Ordinance as presented during the public hearing; Member Sasse seconded the motion. All members agreed. ~CLOSED~

### **B. FY24 Audit Engagement Letter/Contract – Misty Watson, CPA**

Discussion occurred with Town Attorney Green about review of this contract; Town Attorney Green confirmed that it is acceptable.

Mayor Pro Tem Lambert made a motion to approve the FY24 Audit Engagement Letter/Contract; Member Bonomo seconded the motion. All members agreed. ~CLOSED~

### **C. Past Due Property Taxes 2023**

A list of Past Due Property Taxes for 2023 is provided by Finance Officer Sappington.

### **D. Authorization Property Tax Lien – NC GS 105-369**

Member Bonomo made a motion to Authorize the Property Tax Lien process; Mayor Pro Tem Lambert seconded the motion. All members agreed. ~CLOSED~

### **E. Town Council Vacant Seat**

Mayor Fontaine stated an appointment will be made to fill the vacant seat on the Town Council at a future meeting. The term will expire in December 2025. Citizens who are interested and meet the requirements will be considered. Citizens should follow up with Town Manager Harris for details.

## **ADMINISTRATIVE UPDATE**

Town Manager Harris provided the administrative update:

- The Town is recognized again as a Tree City USA for 2023.
- All state & federal tax reporting has been completed and submitted.
- TR2 property tax state reporting has been completed.
- The 2<sup>nd</sup> reminder for unpaid property taxes has been mailed out.
- The electronic sign has been removed from the Community Center.
- Thank you to the Public Works department for their hard work with keeping the roads clear during the winter weather.
- Summer events are being booked and a rack card will be available soon.
- An extra police officer will be on duty during the weekends through February; sponsored by TDA.
- Subscribe to the Town's website for text/email notifications.
- The Planning Board meeting will be held on February 20<sup>th</sup> at 5:30pm.
- TDA meeting is scheduled on February 27<sup>th</sup> at 9:00am.
- Town Hall will be closed on Monday, February 19<sup>th</sup> for Presidents Day.
- Voting locations for Primary elections on March 5<sup>th</sup> – Banner Elk Town Hall – Avery County & Foscoe Christian Church – Watauga County.
- Zoning Administrator Barnes reported updates – currently, 8 new construction, 2 pending permits for homes and several remodel jobs.

## **COMMITTEE REPORTS**

**Board of Adjustment** – Draft minutes

**Planning Board** – No meeting

**Public Works Committee** -No meeting

**Public Safety Committee** – No meeting

**Parks & Recreation Committee** – January minutes

**TDA** – January minutes

**ABC Board** – December minutes

**Tree Committee** – No meeting

**Police Report**

**Fire Report**

**Financial Report**

## **COUNCIL COMMENTS**

Member Sasse thanked the Public Works staff & Fire Department for their hard work during recent winter weather and snowfall.

## **ADJOURN**

Mayor Pro Tem Lambert made a motion to adjourn the meeting; Member Bonomo seconded the motion. All members agreed. The meeting was adjourned at 5:52pm.

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Larry Fontaine, Mayor

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Hillary Gropp, Town Clerk

**Town of Seven Devils  
Proposed Budget Calendar FY25**

March 15, 2024	Manager Meeting with Department Heads	
April 17, 2024	Town Council Annual Workshop	10:00am – 2:00pm
April 24, 2024	Manager Meeting with Department Heads - FINAL	
May 1, 2024	Town Council Budget Workshop	10:00am – Noon
May 14, 2024	Preliminary Budget to Town Council at Regular Meeting	
May 22, 2024	Town Council Budget Workshop	10:00am – Noon (If needed)
June 5, 2024	Town Council Budget Workshop	10:00am – Noon (If needed)
June 11, 2024	Public Hearing FY25 Budget	5:00pm
	Adopt FY25 Budget Ordinance	5:30pm
June 12, 2024	Publish FY25 Budget Ordinance Notice	
December 4, 2024	FY25 Mid-year Budget Review	10:00am – 2:00pm

**NOTE**

**Workshop dates and times may vary to accommodate the Town Council, so they have sufficient time to finalize the budget.**

**The Budget Calendar Schedule will be posted on the Town's website when adopted.**

## ADMIN UPDATE for February 2024

- Construction on the Chestnut Ridge Waterline Replacement project is scheduled to begin this week.
- Notices of Advertisement of tax liens were mailed out in February.
- The Town of had their first History Lecture on February 29<sup>th</sup>. 18 people were in attendance. The Parks and Recreation Committee hopes to have more events in the future.
- I attended the Essentials for Local Government Managers training in Winston-Salem.
- Each newly elected and appointed member of the Town Council will need to attend the Ethics Course.
- The Fire Department has 3 members that will finish their EMT training this month.
- To stay up to date on Town news and weather, subscribe to email and text notifications on the Town website.
- Parks and Recreation meeting scheduled for March 21<sup>st</sup> at 9:00 am.
- TDA meeting scheduled for March 26<sup>th</sup> at 9:00 am.
- Save the Date:
  - Annual Arbor Day Celebration scheduled for April 26<sup>th</sup> from 11:30am-1:00PM
  - Debris pick-up dates have been scheduled for:
    - April 21<sup>st</sup>
    - June 16<sup>th</sup>
    - October 6<sup>th</sup>

Town of Seven Devils  
Planning Board Minutes  
February 20, 2024

AGENDA ITEM 12) B.

The Seven Devils Planning Board met on Tuesday, February 20, 2024, at 5:30pm at Town Hall.  
Planning Board members in attendance included: Richard Blonshine, Jim Jones, Cindy Miller, Stuart Ryan, and John Wells IV.  
Members absent: Walt Hogan & Joan Streightiff  
Staff attendance: Eddie Barnes, Zoning Administrator; the minutes were recorded by Hillary Gropp, Town Clerk.

**Call to Order**

Zoning Administrator Barnes called the meeting to order at 5:30pm.

**Oath of Office**

Town Clerk Gropp administered the oath to Planning Board members – Cindy Miller & John Wells IV.

**Election of Chairperson**

Zoning Administrator opened the floor for nominations of Chairperson.  
Member Ryan nominated Member Wells for Chairperson.  
Member Blonshine nominated Member Jones for Chairperson.  
Member Miller made a motion to close the nominations; Member Wells seconded the motion.

Roll Call vote for Member Wells as Chairperson – 2 Yeas – 3 Nays

Cindy Miller – Nay  
Stuart Ryan – Yea  
Jim Jones – Nay  
Richard Blonshine – Nay  
John Wells IV – Yea

**Roll Call vote for Member Jones as Chairperson – 3 Yeas – 2 Nays**

Cindy Miller – Yea  
Stuart Ryan – Nay  
Jim Jones – Yea  
Richard Blonshine – Yea  
John Wells IV – Nay

Member Jones was elected as Planning Board Chairperson; the gavel was turned over to Chair Jones for the continuation of the meeting.

**Election of Vice Chairperson**

Chair Jones opened the floor for nominations of Vice Chairperson.  
Member Ryan nominated Member Wells for Vice Chairperson.

Member Blonshine made a motion to close the floor for nominations; Member Wells seconded the motion.

Planning Board members voted unanimously 5 -0 for John Wells IV as Vice Chairperson.

### **Amend Agenda**

Member Ryan requests the agenda be amended to add New Business Item) B. Short Term Rentals  
Chair Jones made a motion to amend the agenda; Member Wells seconded the motion.

### **Approval of Planning Board Minutes – November 21, 2023**

Member Wells made a motion to approve the Planning Board Minutes of November 21, 2023; Member Blonshine seconded the motion. All members agreed.

### **New Business**

#### **A. Application of UDO Amendment – Zoning Text – Max Smith, Applicant**

Zoning Administrator Barnes provided background information.

- On January 10, 2024, Max Smith submitted an application for request to add Zoning Text in Recreational Business (RB) to allow park model homes/RV/Tiny Home as permitted use.
- Currently, RVs are prohibited in the Town and no zoning district allows RV; General Business (GB) allows for manufactured homes.
- Applicant Smith owns approximately twenty six (26) acres commonly known as the Stables property. The Town's zoning map indicates the following designations on several parcels, including Recreational Business (RB), High Density Residential (HDR) and Low Density Residential (LDR).
- Tiny homes, if they are site built and modular homes are already permitted in the Town's residential districts. These proposed Tiny homes are on a chassis.
- The request is to add a new definition for Park Model Homes/Tiny Homes/RV.
- Add to the table of permitted uses in RB district with a required Special Use Permit (SUP).
- Or the Planning Board to consider a separate overlay district such as Recreation-Residential.
- The Planning Board will need to create standards and regulations in the RB district or overlay district for Recreation-Residential use including Lot size, Max number of units per acre, Utilities, Site Plan & Infrastructure.

Applicant Smith – provided background on his history, he is a resident at 350 Skyland Drive since 2019 and purchased this Stables Property with the goal of appropriately growing the Seven Devils community. Recently, there have been improvements to the barn, with 8 stables, new fencing, paddocks and boarding and future professional landscaping. This is an investment and intended to be profitable.

The presentation had examples of Tiny homes, less than 400 sq. ft., and even though categorized as RV, these would be permanent, not moved, with Short Term Rental (STR) potential for those who are horse enthusiasts, the community will be equine focused. The occupancy per Tiny home is 6 persons maximum.

Discussion & questions occurred with Planning Board members and Applicant Smith.

Topics included:

Type of foundation is cinder block & under pinned; Stables feature limited rent & ride; Horse trailers with power amp hookup accommodations; Low density = 1 per acre; Visibility not expected to be seen from Skyland Drive or Seven Devils Road, probable entrance at both; Located below Hawkspeak South Condo;



Option B for other plans if application request is not approved, N/A; Current NC GS 160D removes requirements of minimum square footage; Cost are less with Tiny home vs Site built; Town of Seven Devils zoning allows for SFR site built homes, not RV; No current plans to build on LDR & HDR zoning; Tiny Homes will be STR, if larger site built home is required, then will most likely be sold, not STR. Discussion occurred that if RV approval is allowed on RB zoning, this would be allowed on other RB zoning parcels in Town; Procedural steps involved to approve the Applicant's request include – Planning Board and Zoning text amendment, Public Hearing, Town Council action/approval, Board of Adjustment – Special Use Permit. Development of the adjoining parcel of LDR will require UDO Subdivision guidelines.

Chair Jones stated more information is needed; Applicant to follow up with Zoning Administrator Barnes. Applicant Smith concluded the presentation with the Planning Board.

**No Action Taken ~OPEN~**

### **B. Short Term Rentals – Stuart Ryan, Planning Board Member**

Member Ryan added this agenda item to open discussion about Short Term Rentals.

- 1.) History – Town has increasing inventory of STR, instead of owner's vacation homes.
- 2.) Advantages of STR include – Revenue for Town – Occupancy Tax/TDA, Owner's generate income, Markets the Town of Seven Devils and tourism dollars are spent in the local economy.
- 3.) Disadvantages of STR include – Noise, trash, traffic, tourists/strangers, and parking issues.
- 4.) Solutions – HOA have stricter control over STR, require permits, limit days and limit cars at STR.

Member Ryan understands the Town's Nuisance Ordinance addresses some issues such as noise, trash and requires the action of the Town Council to adopt/update. Member Ryan suggested consideration the noise ordinance to begin at 9:00pm, instead of 10:00pm and limit the number of cars parked at STR to 1 car per bedroom.

Zoning Administrator Barnes advised that NC SB667 prohibits regulations applied to STR's only, any regulations are to be applied to all owners equally, such as parking limits.

Zoning Administrator Barnes reports that other towns, including Boone and Blowing Rock have drafted ordinances for STR's and to allow the time to see what legal challenges might come from this action.

Other discussion among Planning Board members included: What is the identity of the Town – Resort Town or Residential; should parking at each STR be limited then where will the extra cars be allowed to park – Town owned property; Homeowner's Associations (HOA) have the ability to regulate STR's; what additional ways can the Town ordinances be communicated to tourists, including fines for violations. Zoning Administrator Barnes to follow up on ordinance language of other towns.

**No Action Taken ~OPEN~**

### **Old Business**

#### **A. CLUP Review/Discussion**

Chair Jones stated the Comprehensive Land Use Plan (CLUP) is required to be updated every five years. In reviewing the language of the CLUP, the updates will include the total number of homes and population statistics. Survey questions have not been drafted or sent to citizens. The CLUP is a guiding document for the Town, but not an enforceable document.

**No Action Taken ~OPEN~**

### **Citizen Comments**

Leigh Sasse – 245 Chestnut Ridge Trail- commented thoughtful consideration should be given to limiting the number of cars parked at STR residential location, as it could cause conflict with year round citizens whose household includes more drivers/cars than the number of bedrooms.

Tom Bookstaver – 231 Snowcloud Drive – reported after a recent mix up on a fire call, Bookstaver asked about changing the name of a road in Town, to avoid confusion with another similar named road.

Brian Davies – 299 Cliffside Lane- commented about the topic of STR and Owner occupied residents/citizens is the language in the Town's UDO. Davies also commented about Tiny Home and the Table of Permitted Use for RB allows for Lodge vs Tiny Home and suggested this is better for the Town.

### **Planning Board Comments**

Member Wells inquired how the Town's website could better inform tourists and occupants of STR of the Towns' Nuisance Ordinances.

Member Ryan inquired about the recent Planning Board recommendation to extend the construction timeline and if this contributed to the cancellation of a Board of Adjustment meeting, as well as possible lost revenue due to fines not being imposed.

### **Adjourn**

Member Blonshine made a motion to adjourn the meeting; Member Ryan seconded the motion. All members agreed. The meeting was adjourned at 7:15pm.

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Jim Jones, Chairperson

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Hillary Gropp, Town Clerk

**Town of Seven Devils  
Tourism Development Authority Meeting  
February 27, 2024**

The Town of Seven Devils Tourism Development Authority met in regular session on Tuesday, February 27, 2024, at Town Hall. Chair Anne Fontaine, Member Alejandra Fernandez, and Member Rick Blonshine attended in person. Member Leigh Sasse was absent. Town Manager Johnathan Harris, Finance Officer Helga Sappington, and Parks & Recreation Director Jewel McKinney were present.

**Call to Order**

Chair Anne Fontaine called the meeting to order at 9:00 am.

**Adopt Agenda and Approve Minutes**

Member Rick Blonshine made a motion to adopt the agenda; motion was seconded by Member Alejandra Fernandez; the motion passed.

A motion to approve the minutes from the January 23, 2024, meeting was made by Member Rick Blonshine and seconded by Member Alejandra Fernandez; all approved. The motion passed unanimously.

**Old Business**

- Town Manager Johnathan Harris & Recreation Director Jewel McKinney updated the TDA members on the installation process for the additional Town Webcam.
- Town Manager Johnathan Harris and Parks & Recreation Director Jewel McKinney updated the TDA Members on the PARTF Grant for the Park at Seven Devils. Bid packages are being prepared by the Town engineer. The Playground and Dog Park construction will start when the weather permits, as they do not need bids.
- Member Rick Blonshine made a motion to approve additional funding (\$5,000.00) for off-duty Police Officer's during the winter holiday season. Motion was seconded by Member Alejandra Fernandez; the motion passed.
- Funding for the 2024 Lite the Nite will be revisited at the next TDA meeting.
- Parks & Recreation Director Jewel McKinney presented some ideas for the artwork for an artist to do a rendering of Seven Devils Town Hall for prints. Parks & Recreation Director Jewel McKinney will reach out to local artists to get an estimate.
- Parks & Recreation Director Jewel McKinney is waiting for Town of Seven Devils T-Shirt samples.

**New Business**

- Member Rick Blonshine made a motion to approve the 2023/2024 audit contract (\$3,300.00). Motion was seconded by Member Alejandra Fernandez; the motion passed.
- Member Alejandra Fernandez made a motion to approve funding for Arbor Day Celebration on 4.26.2024 to promote tourism in the Town of Seven Devils. (\$2,500.00). Motion was seconded by Member Rick Blonshine; the motion passed.
- Parks & Recreation Director Jewel McKinney presented the events that are scheduled to date for the Summer 2024 events to the TDA members.

**Email Approvals**

- None

**Financial Statement**

Member Rick Blonshine made a motion to approve the financial statements; Member Alejandra Fernandez; all approved. Motion carried.

**Citizen Comments**

Larry Fontaine suggested for mature trees to be raffled during the Arbor Day celebration. Tom Bookstaver thanked the TDA Members for sponsoring events in the Town of Seven Devils. He suggested for the TDA to sponsor a first aid training.

**Board Comments**

There was a discussion on how the TDA can help the Town to support tourism safety during peak hours throughout the winter holiday season. Tourism has spiked in the past few years in the Town of Seven Devils. The Public Works Director addressed the need for a second dump truck that can be used for snow removal. Town Manager Johnathan Harris will check with the auditor for guidance on this purchase.

**Adjourn**

At 9:40 am, Member Rick Blonshine made a motion to adjourn; Member Alejandra Fernandez seconded; all approved. Motion carried.

**Activity Log Event Summary (Totals)**  
**SEVEN DEVILS PUBLIC SAFETY**  
**(02/01/2024 - 02/29/2024)**

<No Event Type Specified>	1	911 Hang-up call	1
Assist Highway Patrol	1	Assist Motorist	1
Assist Other Department	6	Bank Deposit Escort	3
Breaking and Entering	1	Business Check	364
Escort Subject	1	Fire Department	5
Medical	1	Patrol	89
Residence Check	13	Unwanted Person	1
Vehicle Stop	4		

**Total Number Of Events: 492**



**AGENDA ITEM** 12) I.

## **SEVEN DEVILS FIRE DEPARTMENT**

**1356 SEVEN DEVILS RD  
SEVEN DEVILS, NC 28604  
FIRE CHIEF MATTHEW MILLSAPS**

February 2024

For the month of February, we had twenty-three members combined for two hundred and sixty-seven hours of training. We also responded to nine calls. The calls included three medical calls, one motor vehicle accident, one mutual aid call, and four fire related calls.

If you have any questions or concerns, please feel free to contact me at  
[matthew.millsaps@sevendevilsnc.gov](mailto:matthew.millsaps@sevendevilsnc.gov)

Fire Chief

Matthew Millsaps

**MONTHLY FINANCE REPORT  
FEBRUARY 2024 - 66.6%**

	Budget		Actual		%
	Total	February	YTD	100%	
<b>Section 1. General Fund</b>					
Anticipated Revenues by Category					
Ad Valorem Taxes	1,127,412.00	9,364.34	1,113,180.27		99%
State Share Revenue	163,783.00	8,336.91	97,014.49		59%
ABC Distribution	180,000.00	-	97,000.00		54%
Powell Bill Allocation	33,000.00	-	36,204.80		110%
Permits and Fees	7,000.00	750.00	7,266.00		104%
Sales Tax	215,000.00	25,172.24	150,115.18		70%
Misc Revs, Govt Grants, Sale of Assets	164,020.00	18,745.12	131,002.66		80%
Capital Reserve Fund/FB	338,548.00	-	-		0%
Occupancy Tax	395,000.00	45,593.06	286,741.69		73%
<b>Total</b>	<b>2,623,763.00</b>	<b>107,961.67</b>	<b>1,918,525.09</b>		<b>73%</b>
<b>Authorized Expenditures by Department</b>					
Governing Board	43,160.00	1,264.12	33,608.54		78%
Administrative	403,995.00	29,375.91	308,272.50		76%
Public Safety	821,215.00	50,893.89	493,367.71		60%
Fire Protection	76,013.00	5,006.42	38,353.55		50%
Zoning	30,540.00	2,419.87	19,218.37		63%
Parks & Rec	201,658.00	5,427.59	48,214.76		24%
Public Works	637,182.00	37,316.70	294,741.27		46%
Powell Bill	15,000.00	-	5,295.00		35%
Tourism Development Authority Transfer	395,000.00	45,593.06	286,741.69		73%
<b>Total</b>	<b>2,623,763.00</b>	<b>177,297.56</b>	<b>1,527,813.39</b>		<b>58%</b>

**MONTHLY FINANCE REPORT**  
**FEBRUARY 2024 - 66.6%**

	Budget		Actual		%
	Total	February	YTD	100%	
<b>Section 2. Enterprise Fund</b>					
Anticipated Revenues by Category					
Water Operating Revenues	276,000.00	37,349.04	216,894.93		79%
Water Taps and Connections	6,000.00	-	6,000.00		100%
Non Operating Revenues	100.00	-	150.00		150%
Capital Reserve for Capital Outlay	-		-		
Grant Project Ordinance (ARP)	700,000.00		-		0%
<b>Total</b>	<b>982,100.00</b>	<b>37,349.04</b>	<b>223,044.93</b>		<b>23%</b>
<b>Authorized Expenditures by Department</b>					
Water-Operating	236,705.00	16,578.43	146,920.39		62%
Non Operating	32,483.00	2,622.63	20,981.04		65%
Capital Outlay	-	-	-		
Capitap Reserve	12,912.00	-	-		0%
Grant Project Ordinance (ARP)	700,000.00	-	-		0%
<b>Total</b>	<b>982,100.00</b>	<b>19,201.06</b>	<b>167,901.43</b>		<b>17%</b>