

**TOWN OF SEVEN DEVILS**  
**Regular Town Council Meeting**  
**Tuesday – May 9, 2023**  
**5:30pm**

**AGENDA**

- 1) Invocation
- 2) Pledge of Allegiance
- 3) Call to Order
- 4) Adopt Agenda
- 5) Consent Agenda
  - A. Approve Minutes – Town Council Meeting – April 11, 2023  
Town Council Annual Workshop – April 16, 2023
- 6) Citizens Comments
- 7) Old Business - None
- 8) New Business
  - A. 2023 Municipal Elections Site
  - B. EMR Recognition
- 9) Citizens Comments
- 10) Administrative Update
- 11) Committee Reports
  - A. Board of Adjustment – April draft minutes
  - B. Planning Board – April draft minutes
  - C. Public Works Committee – April minutes
  - D. Public Safety Committee –
  - E. Parks & Recreation Committee – April minutes
  - F. TDA – May 4, 2023 minutes
  - G. ABC Board
  - H. Tree Committee
  - I. Police Report
  - J. Fire Report
  - K. Financial Report
- 12) Council Comments
- 13) Adjourn

**TOWN OF SEVEN DEVILS  
TUESDAY, APRIL 11, 2023  
REGULAR COUNCIL MEETING – 5:30pm**

The Seven Devils Town Council met for a regular meeting on Tuesday, April 11, 2023 at 5:30pm. Attendance included: Mayor Pro Tem Brad Lambert, Council Members – Wayne Bonomo, Leigh Sasse and Jeffrey Williams; Mayor Larry Fontaine was absent. Staff included: Town Manager Johnathan Harris, Town Attorney Rob Angle; the minutes were recorded by Town Clerk Hillary Gropp.

**INVOCATION**

Mayor Pro Tem Lambert gave the Invocation for the Town Council meeting.

**PLEDGE OF ALLEGIANCE**

Council members and citizens recited the Pledge of Allegiance.

**CALL TO ORDER**

Mayor Pro Tem Lambert called the meeting to order at 5:30pm.

**AMEND AGENDA**

Mayor Pro Tem Lambert requested the agenda be amended, moving Citizens Comments to occur prior to the 6) Old Business.

Member Williams made a motion to amend the agenda; Member Bonomo seconded the motion. All members agreed.

**ADOPT AMENDED MINUTES**

Member Sasse noted Scrivener's errors and requested corrections in the minutes of March 14, 2023.

Member Williams made a motion to approve the amended minutes; Member Sasse seconded the motion. All members agreed.

**CITIZENS COMMENTS**

Kay Lambert – **430 Wildcat Rocks Road** – Provided a reminder of the upcoming Arbor Day Celebration on Friday, April 28<sup>th</sup> and requested citizen's RSVP for the lunch.

Tiffany Williams – **268 E. Rocky Top Trail** – Thanked the Town Council for their support of the proclamation for Resilient & Thriving Communities Week 2023; she provided details of her background with Western Youth Network, as well as the various activities the Town of Seven Devils is already offering for a Resilient & Thriving Community.

## **OLD BUSINESS**

### **A. Proclamation - Resilient & Thriving Communities Week 2023**

Member Bonomo inquired with Town Attorney Angle if this proclamation is legally binding; Town Attorney Angle replied, it does not. A brief discussion occurred about the language in the final draft of the Town's version of the proclamation.

Member Bonomo made a motion to adopt the proclamation; Member Williams seconded the motion. All members agreed. ~CLOSED~

**Resilient & Thriving Communities Week 2023  
Proclamation  
Town of Seven Devils, NC**

WHEREAS, resilient and thriving communities are vital to our county's future health, success, and prosperity to ensure a strong foundation for everyone at all ages and stages of life; and

WHEREAS, the science is clear that resilience is built, and that communities and systems play a key role in promoting safe, secure, nurturing environments for all; and

WHEREAS, adverse childhood and life experiences, adverse community environments, and adverse climate events impact overall quality of life and well-being of an entire community; and

WHEREAS, it is our collective responsibility to promote positive experiences, secure relationships, and supportive environments to buffer stress and adversity; and

WHEREAS, investing in policies, programs, and strategies that address adversity and strengthen community resilience is essential to the health of our county; and

WHEREAS, the Town of Seven Devils encourages all agencies, schools, faith-based organizations, healthcare systems, elected leaders, businesses, and individuals to collaborate to strengthen our communities; and

NOW, THEREFORE, we, the Town Council of Seven Devils, do hereby proclaim April 29<sup>th</sup> through May 6<sup>th</sup> as "Resilient & Thriving Communities Week" in our community, and commend its observance to all citizens.

This the 11<sup>th</sup> day of April, 2023.

Brad Lambert  
Brad Lambert, Mayor Pro Tem

Hillary Gropp  
Hillary Gropp, Town Clerk



## **NEW BUSINESS**

### **A. Master Plan for The Park at Seven Devils 2023-2033**

The Master Plan for The Park at Seven Devils 2023-2033 was reviewed by Town Council to be included with the PARTF grant application process.

### **B. Resolution #2023-01 – 2023-2033 Master Plan for The Park at Seven Devils**

Member Sasse made a motion to adopt Resolution #2023-01; Member Williams seconded the motion. All members agreed. ~CLOSED~



#### **RESOLUTION #2023-01**

##### **TO ADOPT THE 2023-2033 MASTER PLAN FOR THE PARK AT SEVEN DEVILS**

**WHEREAS**, the Town of Seven Devils recognizes the need to produce 2023-2033 Master Plan for The Park at Seven Devils. This Plan will provide goals, needs, assessments, and strategies for implementation over a 10-year period in an effort to provide for and continually improve The Park at Seven Devils; and

**WHEREAS**, in order to address recreational needs in the future, Seven Devils has sought citizen input through committee meetings and public meetings, which has been incorporated in the 2023-2033 Master Plan for The Park at Seven Devils; and

**WHEREAS**, The Town of Seven Devils is enabled to acquire land, build facilities, and provide recreational outlets for the general public through the State of North Carolina's Recreation Enabling Law N.C. G.S. 160A, Article 18; and

**NOW, THEREFORE, BE IT RESOLVED**, the Town Council of the Town of Seven Devils firmly resolves to accept and support the 2023-2033 Master Plan for The Park at Seven Devils.

**ADOPTED** this 11 day of April, 2023.

**ATTEST:**

  
Brad Lambert, Mayor Pro Tem

  
Hillary Gropp, Town Clerk



R2023 01

## **ADMINISTRATIVE UPDATE**

Town Manager Harris provided the administrative update:

- To date, 76 letters of support have been received for the PARTF grant.
- Skyline has removed an old telephone line and Blue Ridge Energy will bury electrical lines at The Park at Seven Devils. This will allow for a landing zone for medical.
- Town Manager Harris attended the Governmental Accounting & Financial Reporting course at the UNC SOG.
- Exercise equipment at 7DCC has been repaired and quarterly maintenance done.
- Hawks Mountain has completed the landscaping and tree planting at The Park at Seven Devils and Town Hall.
- Summer activities are being finalized; a rack card will be sent in the next H2O billing.
- The Board of Elections is considering the Town Hall as a future location for elections.

Important Dates: Arbor Day Celebration – Friday, April 28<sup>th</sup>

Public Works Debris Pick-up Deadline – April 23<sup>rd</sup>

## **COMMITTEE REPORTS**

**Board of Adjustment** – No meeting

**Planning Board** – No meeting

**Public Works Committee** – March minutes

**Public Safety Committee** – April minutes

**Parks & Recreation Committee** – March minutes

**TDA** – March minutes

**ABC Board** - March minutes

**Tree Committee** - March minutes

**Police Report**

**Fire Report**

**Financial Report**

## **COUNCIL COMMENTS** - None

## **ADJOURN**

Member Sasse made a motion to adjourn; Member Williams seconded the motion.

All members agreed. The meeting was adjourned at 5:57pm.

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Larry Fontaine, Mayor

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Hillary Gropp, Town Clerk

**Town of Seven Devils  
Town Council Annual Workshop  
Wednesday – April 16, 2023**

The Town Council of Seven Devils met for the Annual Workshop at 10:00am on Wednesday, April 16, 2023, at Town Hall. In attendance – Mayor Larry Fontaine, Mayor Pro Tem Lambert, Council Members – Wayne Bonomo, Leigh Sasse & Jeffrey Williams. Staff included – Town Manager Johnathan Harris; the minutes were recorded by Town Clerk Hillary Gropp.

**Prayer/Invocation**

Mayor Fontaine gave the Invocation for the Annual Workshop.

**Call to Order**

Mayor Fontaine called the Annual Workshop to order at 10:05am.

**Pledge of Allegiance**

Council members and staff recited the Pledge of Allegiance.

**Amend Agenda**

Council Member Bonomo requested to add Citizen's Comments following Item 7) Present Budget FY24.

Council Member Williams made a motion to amend the agenda. Mayor Pro Tem Lambert seconded the motion. All members agreed.

**Review Accomplishments – FY23**

Mayor Fontaine reviewed the following accomplishments with the Town Council.

- Progress on The Park at Seven Devils with recent completion of landscaping, power line removal and plans for a helipad.
- PARTF Grant has been submitted and the awards will be announced in August.
- Paving is completed on Town roads; NCDOT still need to paint lines on Seven Devils Road. Public Works Director Aldridge to follow up with status.
- Meter change outs completed and software update – total installation = 302 meters.
- Town Manager selection process – New Town Manager – Johnathan Harris.
- New Fire Chief promoted – Matt Millsaps – Volunteer Fire Department has increased membership roll; members are participating in EMR class for certifications.
- Police vehicles have been purchased for all; the department is fully staffed with 6 full-time; no OT has been incurred due to full staffing.
- New Town website: Town Clerk is working with Civic Plus on design and other updates, domain name, etc. Estimated launch date – September 2023.

## **Council Discussion & Goals FY24**

Town Council and staff reviewed the following:

- Possible PARTF Grant award; depending on outcome, then funding & progress on The Park at Seven Devils.
- Chestnut Ridge water line project & paving to meet deadlines for SLFRF funds.
- Review of the annual \$44,000 fine for SS penalty; payments through FY25.
- Snowcloud loan payoff – payments through FY24 and 2 payments in FY25.
- Town Hall payments review; Discussion of future loans for infrastructure needs.
- The new website launch will occur in late summer.
- Municipal elections in November 2023.
- FY24 Mid-year budget review in December 2023.

## **Preliminary FY24 Budget**

Town Manager Harris reported the Town is in great shape with over a 50% fund balance. Town Manager Harris provided a preliminary FY24 Budget based on the current .47 tax rate with projected tax revenues of \$1,149,708.09. Harris explained for any projected increase/decrease of .01 for the tax rate is equal to \$24,461.87.

Town Manager Harris reported that during the past 4 fiscal years, the budgets have been presented to the Town Council with the intent of Capital Improvement Projects (CIP) reflected as an expense. However, upon further review with Finance Officer Sappington, the funding is not allotted within a CIP account, but rather the funds are transferred out of the fund balance as needed. The result is the fund balance is decreasing and is unsustainable financially for the Town. It creates a deficit that needs to be dealt with now.

Town Manager Harris would like to create transparency with a CIP account line item reflecting an actual dollar figure, while simultaneously rebuilding the fund balance.

The preliminary FY24 Budget is based on the current tax rate with all Town needs accounted for, including a 5% COLA. However, he advised to accomplish his goal as stated, the Town Council needs to reduce the expenses by approximately \$179,000 to maintain or upwards of \$300,000 should they want to reduce the tax rate for FY24.

The Town Council reviewed the preliminary FY24 Budget with suggestions by Town Manager Harris for reductions totaling approximately \$179,000.00.

Town Manager Harris will present a revised FY24 Budget to the Town Council at the budget workshop on May 10, 2023, for review.

Additionally, the Budget Ordinance fee schedule will be presented for review. Town Manager Harris reported Zoning Administrator Barnes has identified discrepancies within forms/applications and language within the Town's UDO. The Planning Board has met to

review the suggested edits and a public hearing will need to be held for the UDO updates. The public hearing should occur before passing the FY24 Budget Ordinance.

The Town Council unanimously agreed to hold a public hearing at 10:00am on Wednesday, May 24, 2023, prior to the scheduled FY24 budget workshop.

**Citizens Comments - None**

**Manager Items**

Town Manager Harris provided updates on the following:

- Current Property Tax Valuations
- Cash Position
- Sales Tax Spreadsheet

**Council Comments - None**

**Adjourn**

Mayor Pro Tem Lambert made a motion to adjourn the Annual Workshop; Member Bonomo seconded the motion. All members agreed. The Annual Workshop adjourned at 2:50pm.

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Larry Fontaine, Mayor

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Hillary Gropp, Town Clerk



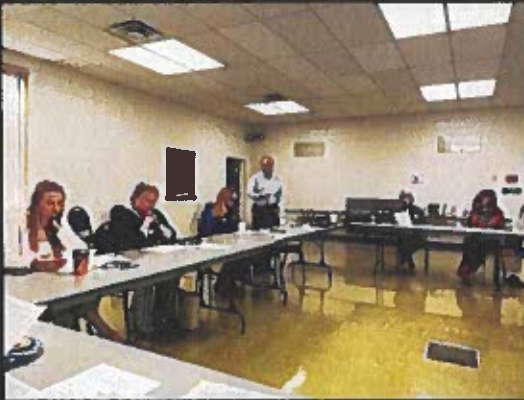
**ADMIN UPDATE for April 2023**

1. The PARTF Grant has been submitted.
2. The electrical lines in the park have been buried, allowing for a helipad.
3. Exercise equipment has been repaired.
4. The landscaping at The Park at Seven Devils has been completed.
5. Hillary attended the Second Annual High Country Clerks gathering at the Wilkesboro Civic Center.
6. Members of the Police Department attended the new Certification Workshop to learn about the changes to the Law Enforcement certification process.
7. We welcomed 2 new members to the Volunteer Fire Department.
8. All the Volunteer Fire Department members that attended EMR training have now passed and are State certified.
9. We had a record turnout for our Arbor Day Celebration. 82 people joined in this years celebration.

# Announcements

Notable Items

AGENDA ITEM 10) 5.



## High Country Clerks Gathering

On Wednesday, May 3, 2023, twelve Clerks from the High Country region met for the Second Annual High Country Clerks Gathering at the Wilkesboro Civic Center. HCCOG Communications Manager, Victoria Oxentine, Town of Seven Devils Clerk, Hillary Gropp, and Town of Wilkesboro Clerk, Jim Byrd planned the event to celebrate the 54th Annual Professional Municipal Clerks Week and Clerks to the Boards of County Commissioners' Week. Hillary Gropp serves as the District 10 Director for the North Carolina Association of Municipal Clerks. The High Country Clerks Gathering was a fun meet and greet event for all county and town clerks in the High Country COG region.

Mike Inscore, Mayor of Wilkesboro and HCCOG Executive Board Member read a **proclamation** to commemorate May 3, 2023 as High Country COG Clerks Day.

# Proclamation

HIGH COUNTRY COG CLERKS DAY  
May 3, 2023



*Whereas, The Office of the Professional Municipal or County Clerk, a time honored and vital part of local government exists throughout the world, and*

*Whereas, The Office of the Professional Clerk is the oldest among public servants, and*

*Whereas, The Office of the Professional Clerk provides the professional link between the citizens, the local governing bodies, and agencies of government at other levels, and*

*Whereas, Professional Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.*

*Whereas, The Professional Clerk serves as the information center on functions of local government and community.*

*Whereas, Professional Clerks continually strive to improve the administration of the affairs of the Office of the Professional Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations.*

*Whereas, It is most appropriate that we recognize the accomplishments of the Office of the Professional Clerks in the High Country COG region.*

*Now, Therefore, I, Mike Inscore, Mayor of the Town of Wilkesboro, do recognize the day of May 3, 2023, as High Country COG Clerks Day, and further extend appreciation to our Professional Clerks in the region and to all Professional Clerks for the vital services they perform and their exemplary dedication to the communities they represent.*

*Dated this 3rd day of May, 2023*



Mayor

*Mike Inscore*

Attest:

*JKB*



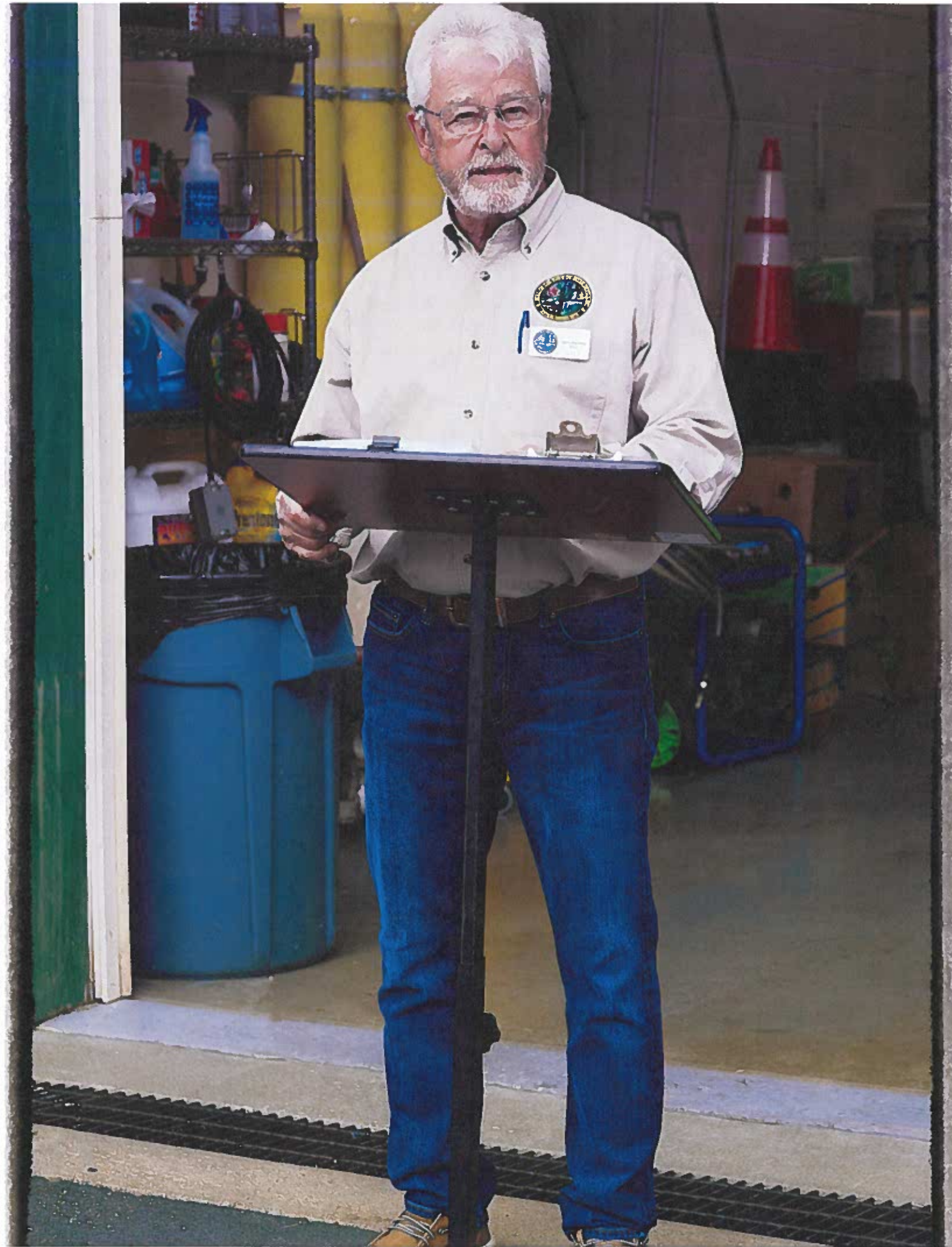
# Your tree needs TLC!

- 2" of mulch around base
- cage to protect from deer
- water as needed first 6 months
- sun for maple, sun/part sun for dogwood
- dig hole 2' as big as pot

watch planting depth







**Town of Seven Devils  
Board of Adjustment Meeting  
Tuesday, April 25, 2023  
5:30pm**

The Seven Devils Board of Adjustment met on Tuesday, April 25, 2023, at Town Hall.

In-person attendance included Members - Bob Bridges, Faye Brock, Bobbye Hurlbrink and Quinn Morris – Alternate.

Members absent: Stu Ryan, John Wells IV, and Richard Blonshine – Alternate.

Staff in attendance included Zoning Administrator Eddie Barnes and Town Manager Johnathan Harris; the minutes were recorded by Town Clerk Hillary Gropp.

Also in attendance, Lenny Cottom, Applicant.

**CALL TO ORDER**

Chairperson Bridges called the meeting to order at 5:30pm.

**ROLL CALL**

Board of Adjustment members Quinn Morris, Faye Brock, Bob Bridges and Bobbye Hurlbrink stated their name and announced their presence for Roll Call. A quorum was met.

**ADOPT AGENDA**

Member Brock made a motion to adopt the agenda; Member Morris seconded the motion. All members agreed.

**OLD BUSINESS**

**A. Approve minutes – Board of Adjustment meeting – January 24, 2023**

Member Brock made a motion to approve the minutes; Member Hurlbrink seconded the motion. All members agreed.

## NEW BUSINESS

### A. Application for Special Use Permit – Hawksnest Snowtubing Lenny Cottom, Owner

#### Figure 14.1-Application for Special Use Permit

##### Application for a Special Use Permit for Property in the Town of Seven Devils

Town of Seven Devils  
157 Seven Devils Road  
Seven Devils, NC 28604  
Phone: (828) 963-5343

##### To the Board of Adjustment for the Town of Seven Devils:

I hereby petition the Board of Adjustment for a Special Use Permit as authorized by Article 14 of the Unified Development Ordinance for the Town of Seven Devils. I understand that the requirements set forth in the Town of Seven Devils Unified Development Ordinance will apply to all plans submitted.

##### Description of Property

Physical Location of Property (including street address): 2058 Skyland Drive

Size of Property 36.09 acres County Avery PIN# 186819512673

Current Zoning District Recreational - Business

General Use of Property: old ski slopes

##### Applicant Information

Name: Lenny Cottom  
Title: Owner  
Address: 138 Trout Lilly Lane  
Boone

Phone# (s): 828-773-5450

E-mail: lenny@hawksnesttubing.com

##### Property Owner

Name: Hawksnest Snowtubing, Inc.  
Title: \_\_\_\_\_  
Address: 2058 Skyland Dr  
Seven Devils

Phone# (s): 828-963-6561

E-mail: lenny@hawksnesttubing.com

In order for this application to be complete, the applicant must submit the following:

- Two (2) copies of this completed form, typed, or filled out in black ink.
  - Eight (8) copies of current zoning map with location of property indicated.
  - A surveyed plat of the property in question.
  - Statements from the applicant describing how the proposed Special Use would meet the criteria for approval of such a permit as described in Article 14 of the Unified Development Ordinance.
  - Personal or Certified Check in the amount of \$500 for the application fee. Application fee shall be paid to the Town of Seven Devils, NC for each application for a Special Use Permit in order to cover the necessary administrative costs.
- I certify that all of the information presented by me in this application is accurate to the best of my knowledge.

Signature of Applicant



Date

3/25/2023

Amount Paid: \_\_\_\_\_

Received by: Eddie Barnes

Date

3-27-23

## Open Evidentiary Hearing

Member Morris made a motion to open the evidentiary hearing; Member Brock seconded the motion. All members agreed.

## **Opening Statement**

### **Chair Bridges read the following opening statement:**

*"This hearing is a quasi-judicial evidentiary hearing. That means it is like a court hearing. State law sets specific procedures and rules concerning how this board must make its decision. These rules are different from other types of land use decisions like rezoning cases."*

*"The board's discretion is limited. The board must base its decision upon competent, relevant, and substantial evidence in the record. A quasi-judicial decision is not a popularity contest. It is a decision constrained by the standards in the ordinance and based on the facts presented. If you will be speaking as a witness, please focus on the facts and standards, not personal preference, or opinion."*

*"Participation is limited. This meeting is open to the public. Everyone is welcome to watch. Parties with standing have rights to participate fully. Parties may present evidence, call witnesses, and make legal arguments. Parties are limited to the applicant, the local government, and individuals who can show they will suffer special damages. Other individuals may serve as witnesses when called by the board. General witness testimony is limited to facts, not opinions. For certain topics, this board needs to hear opinion testimony from expert witnesses. These topics include projections about impacts on property values and projections about impacts of increased traffic. Individuals providing expert opinion must be qualified as experts and provide the factual evidence upon which they base their expert opinion."*

*"Witnesses must swear or affirm their testimony."*

### **Determination of Witnesses**

- **Parties with Standing**  
Lenny Cottom, Applicant
- **Expert Witnesses – None**
- **General Witnesses**  
Eddie Barnes, Zoning Administrator  
Johnathan Harris, Town Manager & Police Chief

## **Witness Oath**

Town Clerk Gropp administered the Witness Oath to all individuals who will provide testimony.

## **Disclosures**

### **Chair Bridges stated the following:**

*"The parties to this case are entitled to an impartial board. A board member may not participate in this hearing if she or he has a fixed opinion about the matter, a financial interest in the outcome of the matter, or a close relationship with an affected person. Does any board member have any partiality to disclose and recusal to offer?"*

**No board member replied.**



**Ex Parte Communication**

**Chair Bridges stated the following:** *"The parties to this case have rights for any ex parte communication to be disclosed. Ex parte communication is any communication about the case outside of the hearing. That may include site visits as well as conversations with parties, staff, or the general public. Does any board member have any site visits to disclose?"*

**No board member replied.**

**Chair Bridges asked the following:** *"Does any board member have any conversations or other communications to disclose?"*

**No board member replied.**

**Chair Bridges asked the following:** *"Based on the disclosures we've heard from the board concerning partiality and ex parte communications, does any member of the board or any party to this matter have an objection to a board member's participation in this hearing?"*

**No board member, nor party with standing replied.**

**Presentations of Findings of Fact – Eddie Barnes, Zoning Administrator**

The Special Use Application was filed on March 27, 2023 by Hawksnest Snowtubing Inc., agent Lenny Cottom for consideration of an Alpine Coaster in the Recreation-Business (RB) zoning district. This request is consistent with the permitted uses for RB district as referenced in the Table of Permitted Uses of the Unified Development Ordinance (UDO). The Applicant paid the \$500 Special Use application fee at the time of submittal.

Staff reviewed the application and found all requirements for the application are met and set April 25, 2023 at 5:30pm at Town Hall as time and place. The Board of Adjustment members were forwarded the application and supporting documents via email on April 3, 2023 or at tonight's meeting.

Notices in accordance with the UDO and NCGS 160D were mailed to all property owners as "parties with standing" as defined by the UDO as those within 100 feet of the project.

Eleven (11) notices were mailed via 1<sup>st</sup> class mail on April 11, 2023 with sign posted on the property the same day.

The Zoning Administrator has received an inquiry from one (1) noticed property, Mr. John Wiley. Fire Chief Matt Millsaps has submitted a letter regarding structures and passing the annual fire inspections. The letter also includes road conditions for access, egress, and a secondary route.

### **Presentation of Application – Lenny Cottom, Owner**

Lenny Cottom, Applicant spoke to the Board of Adjustment and provided the following details:

1. The purpose of applying for a Special Use Permit is to install a mountain coaster on the former ski area. This special use will appeal to the same users of the snowtubing and zipline activities.
2. It will be designed and installed to federal guidelines for these types of coasters, so not to cause danger or harm to the guests. It will be inspected by the Department of Labor.
3. The use will have little to no impact on the surrounding property owners as the noise from the coaster is limited to laughter and thrills that already exist with the zipline and snowtubing. The coaster is designed to be built not far off the ground, approximately 1ft – 3ft and should not be seen from the surrounding areas. Lighting will be less than in the ski area and will be close to the track/ground for the coaster.
4. The use will have minimum impact on town utilities or properties. There might be an increase in water use for the bathroom, but typically the business does not use more than the minimum water use each month.
5. Since the impact is very low for the surrounding areas and will be within the current Recreational Business (RB) zoning, it does not affect the value of surrounding properties.
6. It will enhance the recreational fun of the existing zipline and snowtubing with estimates of 100 rides per hour.
7. The application is not for a zoning change, and this will comply with the UDO and Vision of the Town.

Cottom explained there will be approximately 20 carts with a need for decking/cover porch with a small work type building for maintenance and storage of the carts. This will serve as the start and end of the ride too. The total ride time is approximately 10 minutes, and the hours of operation will be the same as the existing snowtubing and zipline operations. Typically, 10am to 6pm, but until 8pm on weekends/holidays, but it will be a year round business operation.

Cottom stated he currently has adequate parking to accommodate, however the parking area might need to be expanded in the future as the activities grow in popularity. He explained tickets are sold for specific times and he expects participants will arrive at their expected time slot, therefore keeping the parking area from being overly full. He anticipates about 100 rides per hour at max capacity.

Cottom stated the parcel the coaster will be located on already has infrastructure from the ski slopes that will be used with the overall layout for design and function.

Cottom provided a video of a mountain coaster to provide an example of the experience, visual and sound impact that is similar to what can be expected on his parcel.

Cottom also provided other support documents including visuals of a sample coaster, maps, and layouts of the expected location on his parcel, as well as details of projected plans indicating GPS coordinates of the start/finish, total length, elevation drop and track elements.

Member Hurlbrink asked, “when will the coaster be open?” Cottom replied, normal business hours, depending on the season of summer or winter.

Member Brock asked, "how long is the construction process?" Cottom stated preliminary groundwork will occur this summer and he estimated the coaster to open in Spring 2024.

Member Morris asked about grading on the property. Cottom stated grading should be minimal, as the coaster is designed to contour with the land.

Chairperson Bridges confirmed the coaster rail footprint will go through trees and the lift will go up on the same line as the existing ski lift. Cottom agreed.

Chairperson Bridges asked, "what about the impact of traffic and noise?"

Cottom stated the expectation is 4-5 riders at a time and the ride is approximately 45 seconds per rider. The start of each ride is controlled by a digital timer to allow ample spacing between riders. Chairperson Bridges surmised the trees will provide buffering for noise.

Town Manager/Police Chief Johnathan Harris provided details on statistics gathered from traffic radar on Skyland Drive. On July 4, 2022, the busiest hour had a total of 80 vehicles traveled; December 28, 2022 the busiest hour had a total of 102 vehicles. These figures are for all vehicles, whether citizens, tourists, commercial etc. He stated Skyland Drive is a NCDOT road.

Several Board of Adjustment members reviewed submitted plats, adjoining properties, distances, and setbacks with Zoning Administrator Barnes and he identified the "parties with standing" parcels, noting 3 lots are owned by the Town of Seven Devils.

Discussion occurred about setbacks distances and Member Brock asked for details.

Zoning Administrator Barnes stated Residential lots have a 10ft setback and Recreation Business has a 15 ft setback, therefore totaling 25ft.

Member Morris asked Zoning Administrator Barnes for clarification with front/road access setback. Zoning Administrator Barnes replied front/road set back equals 30ft, but side is 15ft.

Chairperson Bridges asked, "if the sled rail is 1ft – 2ft off the ground, how high is the lighting from the ground?" Cottom replied, "approximately 10ft -12ft."

Member Morris inquired if there is a comparison with increase for vehicle traffic for the winter vs summer months. Cottom replied, "he estimates there to be maybe 150+ more in the summer." Cottom expects riders who enjoy one of the existing activities to now enjoy this extra activity. Cottom plans to increase his business and wants it to be successful.

Chairperson Bridges asked for final thoughts from the Board of Adjustment, as deliberations will conclude with one of three decisions: Approve as presented, Approve with Conditions, or Deny.

Member Brock suggested the surrounding properties would be affected negatively, suggesting more restrictive setbacks should be considered.

Member Morris stated he is considering Approval or Approval with Conditions with more restrictive setbacks.

Cottom questioned, "why, what is the purpose of being more restrictive?" he stated he pays taxes on his entire parcel, the setbacks are already established, and he has equipment currently on his property that is within existing setback regulations, and although the equipment is not being used, it could be operational again. The features on his RB parcels have been established publicly without harm to others. Cottom estimates there to be approximately 50ft-60ft distance but does not want a restrictive setback. Cottom also made a point the "parties with standing" have been notified, and nobody has opposed this, and one "party with standing" had contacted Zoning Administrator Barnes without any objection. Chairperson Bridges duly noted for consideration.

Chairperson Bridges acknowledged that ownership could change on adjoining parcels, but the zoning is established.

Several Board members once again reviewed submitted plats and adjoining properties, distances, and setbacks with Zoning Administrator Barnes and Applicant Cottom.

### **Board of Adjustment Deliberations**

#### **Chair Bridges read the following statement:**

*"We will now begin the deliberation of this request. As a reminder this board is tasked with deciding if, based on the evidence presented, this proposal meets the applicable standards. This decision cannot be based on the personal preference of board members. Rather it is based on standards and evidence.*

*"Board members are encouraged to reference the applicable standards and specific evidence in their deliberation.*

*"For this particular case, the board is asked to decide: Does the record include competent, relevant, and substantial evidence (relating to the required standards) is true; The board shall issue the Special Use Permit unless it concludes, based on the information submitted that one (1) or more of the following is true.*

- 1. The application is incomplete.**
- 2. The proposed use will be located, designed, and/or operated in a way that will endanger the public health, safety, or general welfare.**
- 3. The proposed use will seriously interfere with existing uses on adjacent properties, with the character of the area, or with the purpose of the zone in which it is proposed.**
- 4. The proposed use will impose and undue burden on any public improvements, facilities, utilities, or services available to the area.**
- 5. The proposed use will substantially injure the value of adjoining or abutting property.**
- 6. The proposed use will not be in general conformity with the Vision Statement, Comprehensive Land Use Plan or other plan officially adopted by the Town Council.**

## **Decision – Findings of Fact**

Chairperson Bridges stated the following:

- 1) The application is incomplete – **FALSE**.  
It is complete based on evidence and testimony.
- 2) This endangers the public health, safety, or general welfare – **FALSE**.  
The coaster is designed and installed under Federal guidelines; periodic inspections by the State; located in an area already designed for activities similar to the proposed activity; and expected incremental increase in traffic can be handled by existing infrastructure.
- 3) This will seriously interfere with existing uses on adjacent properties – **FALSE**.  
The parcel is currently zoned for Amusement and Recreation; no direct impact on access/egress to adjoining properties; incremental noise abated by tree lines and absorbed by noise from existing recreational activities; visual impact mitigated by low height structure and low height lighting, with tree line absorbing some of the site line impact to adjoining properties; and hours of operation coincide with existing recreational activities, so only incremental noise/visual/traffic impact.
- 4) This will impose undue burden on public improvements, facilities, utilities, or services – **FALSE**.  
Incremental increase in traffic can be absorbed by existing infrastructure; activity time segments will be scheduled to spread out incremental traffic impact; incremental increase in water (existing bathroom facilities) can be absorbed by existing water supply based on applicant's current usage.
- 5) This will substantially injure the value of adjoining properties – **FALSE**.  
No evidence provided by Parties with Standing objecting to the project based on substantial injury to property values; and applicant has attempted to minimize impact on adjoining properties by the size, scope, and location of the project.
- 6) This is not in general conformity with the Town's Vision Statement, Comprehensive Land Use Plan, and other adopted plans – **FALSE**.  
Coincides with current zoning restrictions; coincides with commercial development compatible with our residential and recreational community; provides for minimal tree impact vs. the size/scope of the project, so that tree preservation is a priority.

Chair Bridges asked for a motion.

**Member Brock made a motion to approve the Special Use Permit application as submitted.**

**Member Hurlbrink seconded the motion. Motion passed 4 yeas - 0 nay**

**Roll Call**

**Quinn Morris, Alternate–Yea Faye Brock–Yea Bob Bridges–Yea Bobbye Hurlbrink–Yea**

## **Close Evidentiary Hearing**

Member Hurlbrink made a motion to close the evidentiary hearing; Member Brock seconded the motion. All members agreed.

## **ADJOURN**

Member Brock made a motion to adjourn the meeting; Member Hurlbrink seconded the motion. All members agreed. The meeting was adjourned at 6:35pm.

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Robert D. Bridges, Chairperson

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Hillary Gropp, Town Clerk

*\*Clerk's note - Support documents/evidence to be attached with the minutes.*

Town of Seven Devils  
Planning Board Minutes  
April 18, 2023

The Seven Devils Planning Board met on Tuesday, April 18, 2023, at 5:30pm at Town Hall. Planning Board members in attendance included: Richard Blonshine, Jim Jones, Stu Ryan & Joan Streightiff. A quorum was met.

Absent Members – Walt Hogan, John Wells IV & Mark Williams.

Staff in attendance included: Eddie Barnes – Zoning Administrator, Johnathan Harris – Town Manager.

The minutes were recorded by Hillary Gropp – Town Clerk.

Denise Cottom – Applicant was also in attendance.

**Call to Order**

Chairperson Jones called the meeting to order at 5:30pm.

**Approve Minutes – January 17, 2023**

Member Blonshine made a motion to approve the Planning Board minutes of January 17, 2023; Member Ryan seconded the motion. All members agreed.

**Old Business**

**A. Rezoning Request – Skyland Drive - Cottom**

Chairperson Jones gave a brief recap of the timeline of this Old Business item.

The Planning Board reviewed three (3) applications at the September 20, 2022, meeting with recommendations to the Town Council.

The Town Council held a public hearing in December 2022 on the original applications as submitted by the applicant, and what was initially presented to the Planning Board, however, at the public hearing Applicant Cottom verbally agreed to recommendations of the Planning Board as detailed below:

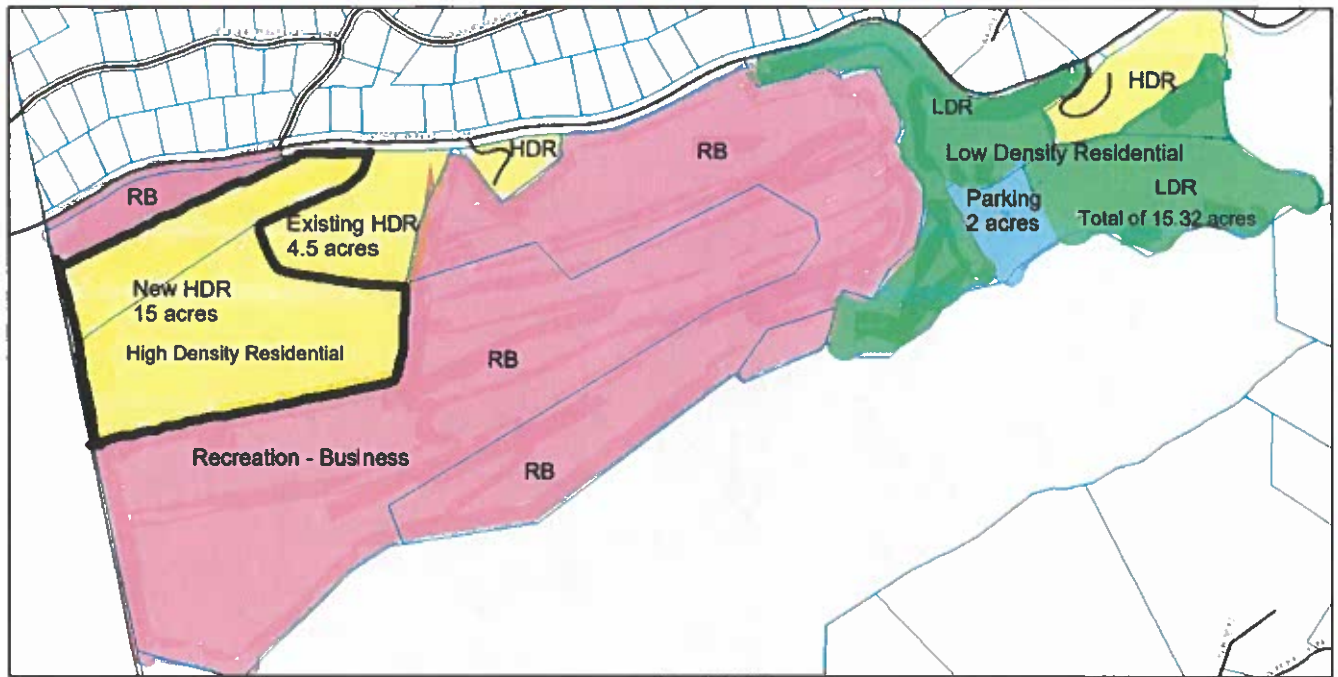
- (1) HDR to LDR – 17.32 acres, less the 2-acre parcel.
- (2) RB to MDR – 25.5 acres – Applicant has withdrawn this request.
- (3) RB to HDR – 21.23 acres reduced to PB Alpha of 15 acres abuts current zoning of HDR 4.5 acres with total of 19.50 acres.

The Town Council tabled the items until January 2023.

At the Town Council meeting on January 10, 2023, a revised map for the proposed rezoning was presented to the Town Council. The Town Council made a motion to send the rezoning requests with the map to the Planning Board for review.

At the Planning Board on January 17, 2023, discussion occurred about the rezoning requests and the map. The Planning Board made a motion to table this item until the next Planning Board meeting to obtain further site information.

Chairperson Jones stated a decision needs to be made on this Old Business item.



Member Blonshine stated that he, along with Member Streightiff met at the property with Zoning Administrator Barnes. The applicant has shifted the rezoning parcel boundary down for application #3, but the acreage remains the same. Member Blonshine stated the revised map reflects the recommendation of the Planning Board in September 2022. Member Streightiff agreed.

Zoning Administrator Barnes reported to the Planning Board that prior to tonight's meeting, Denise Cottom – Applicant stated the agreement is to be an equal acre to acre swap. (3) RB to HDR will increase with (2) additional acres to 17 acres and therefore an increase with 12 dwellings.

Chairperson Jones stated this is not in agreement with the Planning Board recommendations. Planning Board members asked for clarification on what their approval was for (3) at the September meeting. Zoning Administrator stated the PB Alpha motion was for 15 acres.

Member Blonshine made a motion to approve the map in accordance with the approvals of the Planning Board in September 2022. Blonshine continued that if the Town Council wants the Planning Board to look at the zoning again, then it is a new issue. Chairperson Jones clarified that the motion is to approve the revised map with the Planning Board recommendations from September 2022 and forward it to the Town Council. Member Blonshine agreed, and other members nodded in the affirmative.

Prior to a second of the motion, Chairperson Jones asked if there was any more discussion.

Denise Cottom – Applicant asked to speak to the Planning Board.

Applicant Denise Cottom stated that she wanted the Planning Board to understand with what she and Lenny Cottom thought to be the agreement that is an acre for acre swap.

Application (1) HDR to LDR is originally for 17.32 acres with a 2-acre donation, but it is for 17.32 acres. The approval by Planning Board for Application (3) RB to HDR should have been for 17 acres, not 15 acres when considering the total, minus the 2-acre donation.

Denise Cottom emphasized the 2-acre donation would occur after the rezoning changes are secured and stated it will not increase density, but only what should be allowed on 17 acres with the zoning.



Chairperson Jones stated this is not how it was approved by the Planning Board in September. Applicant Denise Cottom restated it should be an acre for acre swap with rezoning and then the 2-acre donation will occur. It is a misunderstanding of what the Applicant is agreeable to for the Town. Member Blonshine countered Applicant Lenny Cottom was at the December Public Hearing and agreed to the Planning Board recommendations and has reviewed the revised map reflecting rezoning requests.

Council Member Sasse attended tonight's meeting and asked to be recognized by the Planning Board. Chairperson Jones agreed.

Council Member Sasse stated it is her understanding and new application should be submitted, as this has all changed from the original application. Sasse has consulted with Phil Trew, Director of Planning & Development at the High Country Council of Government. Since everything has changed from the original applications, it is advised new applications should be submitted and a public hearing should be held. Chairperson Jones agreed, but also questioned if they would be approving again what already has been approved. Member Blonshine suggested approving the revised map based on the prior recommendations of the Planning Board. Then if the Town Council wants new applications submitted they can request that, but this Planning Board item should not be tabled.

Chairperson Jones agreed, as the revised map being reviewed at tonight's meeting is the current map presented. He acknowledged that it would be best if everything started over with what is intended and agreed upon for clarity. Chairperson Jones asked Zoning Administrator Barnes for feedback, and he agreed. Member Blonshine inquired who initiates the process? The Planning Board or Town Council? Chairperson Jones surmised that it could be a recommendation of the Planning Board.

Discussion occurred about how to word a motion by the Planning Board.

Member Blonshine recommended approval of the revised map. Member Streightiff suggested the applications be revised due to a discrepancy of agreement between the Applicants and Planning Board recommendation.

Member Blonshine made a motion to approve the revised map reflecting the Planning Board recommendations of September 20, 2022, and forwarded it to the Town Council. Due to a discrepancy with the Applicant, it is recommended that a revised application be submitted to correlate with a corrected map and be included to reflect rezoning requests. Town Attorney can advise the Town Council on necessary legal procedures. Member Ryan seconded the motion. All members agreed.

## **B. Town Ordinances – Review**

### **(i) Nuisance Ordinance – Article 13**

Chairperson Jones stated Article 13 – Recreational Vehicles Prohibited is very involved with definitions and exceptions, and he suggested a work session on language edits should occur.

Member Ryan stated that the language might not need to be altered at all, as it is about interpretation. Member Ryan has discussed this with Zoning Administrator Barnes, as his interpretation might differ from the previous Town Manager/Zoning Administrator.

Member Ryan thinks it is imperative to understand how the police would interpret this ordinance. Town Manager Harris stated the police will follow the ordinance; however final interpretation should not be placed on the police department. The language should be specific.

Bob Bridges asked to speak to the Planning Board. Chairperson Jones agreed.

*\*Clerk's note – Bob Bridges is the Board of Adjustment Chairperson*

Bridges stated that he has issues with the proposed language and questioned how definitions of words will be interpreted. His examples included: small, indefinitely, disrepair.

Removing redundancies within the existing ordinance weakens the ordinance and he questioned if a problem exists with this ordinance or will revising it create problems.

Town Manager Harris stated regarding a vehicle in "disrepair" the Town has other ordinances to address this situation.

Discussion occurred among Planning Board members to review the details and language in the future.

Member Ryan made a motion to table the item. Member Blonshine seconded the motion. All agreed.

Zoning Administrator Barnes to follow up.

## **(ii) Alternate Energy Ordinance**

Zoning Administrator Barnes explained this Alternate Energy Ordinance requires statutory language edits to be consistent with NC GS 160D. Additionally, the suggested changes will exclude rooftop solar from Special Use Permit process, but instead by the Zoning Administrator's office with permitting.

Member Streightiff made a motion to approve the suggested edits and forward it to the Town Council;

Member Ryan seconded the motion. All members agreed.

## **New Business**

### **A. Wireless Communication Ordinance**

Zoning Administrator Barnes explained the current Wireless Communication Ordinance requires a Special Use Permit and presents a conflict for an emergency communication antenna installation.

The proposed language will make an exemption for government use.

Member Streightiff made a motion to approve the additional language and forward it to the Town Council;

Member Blonshine seconded the motion. All members agreed.

### **B. Unified Development Ordinance – Discussion**

Zoning Administrator Barnes reviewed several necessary edits to the Unified Development Ordinance to be consistent with NC GS 160D, as well as other inconsistencies with zoning procedures.

Member Ryan made a motion to approve the edits and forward it to the Town Council; Member Blonshine seconded the motion. All members agreed.

## **Citizens Comments – None**

## **Planning Board Comments - None**

## **Adjourn**

Member Streightiff made a motion to adjourn the meeting; Member Blonshine seconded the motion. All members agreed. The meeting was adjourned at 6:20pm.

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Jim Jones, Chairperson

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Hillary Gropp, Town Clerk

**Town of Seven Devils  
Public Works Committee Meeting  
April 18, 2023  
10:00am**

**AGENDA ITEM**

11)C.

The Seven Devils Public Works Committee met on Tuesday, April 18, 2023, at 10:00am at Town Hall. In-person attendance included: Brad Lambert, Larry Fontaine & Robert Michaud. Also in attendance: Public Works Director Kevin Aldridge, Town Manager Johnathan Harris, Town Engineer Benjie Thomas. The minutes were recorded by Town Clerk Hillary Gropp.

Members absent: John Wells IV & Mark Williams

**CALL TO ORDER**

Chair Brad Lambert called the meeting to order at 10:00am.

**APPROVE MINUTES – March 21, 2023**

Larry Fontaine made a motion to approve the minutes; Robert Michaud seconded the motion. All members agreed.

**CITIZENS COMMENTS – None**

**OLD BUSINESS**

**A. ARP Funds - \$68,838.66**

Public Works Director Aldridge reported that Iron Mountain will begin work on April 24<sup>th</sup> for the 2 PRV replacements.

**B. SLFRF Funds - \$700,000**

Town Manager Harris reported Cory Osborne with HCCOG will be meeting with him & Finance Officer Sappington for reporting deadlines & submittal. These funds are a federal grant and reimbursed to the town after expenditure.

Discussion occurred about pricing estimates, timeline, and scope of work to occur within designated fiscal years, as the Town will be obligated for the funding until reimbursement.

Town Engineer Thomas will prepare a bid package for the Chestnut Ridge Trail waterline project and should be ready in May 2023.

**NEW BUSINESS**

**A. State of Public Works in Seven Devils**

Public Works Director Aldridge reported the following:

- Clean-up of roads and ditches has begun within the town.
- Skyline has removed an old telephone line & Blue Ridge Energy will bury an old power line in The Park at Seven Devils.
- Details are being finalized for a helipad landing zone at The Park of Seven Devils.
- Less chat was used, as the winter was mild.

- Powell Bill funds will be used for future road maintenance.
- The Public Works Committee should also focus on future projects that will be needed, not just the waterline replacement project.
- The Rural Water Loss rating of 23%, which is a positive rating for mountain water supply systems. Brad Lambert inquired about the condition of the main well pumps, as well as funding for replacements. Public Works Director Aldridge reported they are in good shape. Town Manager Harris stated funding is in the budget should they need to be replaced unexpectedly.
- Debris Pick Up Dates – April 24<sup>th</sup>, June 26<sup>th</sup>, and October 2<sup>nd</sup>.
- No major road work/gravel projects are planned in the Town. The Powell Bill funds will accumulate in the budget and be used to complete the Chestnut Ridge Trail waterline project and subsequent paving needs.

### **B. Comments & Recommendations for Public Works Projects**

Larry Fontaine recommended flashing lights should be installed on all Public Works vehicles & equipment for the safety of the crew.

Discussion also occurred among Committee members about the overall condition of the Public Works building, and is repair or replacement needed. The roof is in good condition; however, the kitchen is not.

Larry Fontaine made a motion to request the Town Council review & approve \$20,000 at the May 9, 2023 meeting for improvements to the Public Works kitchen. Robert Michaud seconded the motion. All members agreed.

Public Works Director to follow up on these items.

### **COMMITTEE COMMENTS**

Larry Fontaine discussed due to the increase in properties being used as short term rentals, the resulting issues are trash violations and fire pits. He requests the current fire pit ordinance be reviewed and would like more enforcement due to the risk of fire damage on the mountain due to violations. He also would like the Planning Board to review, and possibly rewrite the trash ordinance due to the numerous violations caused by short term rentals.

### **ADJOURN**

Larry Fontaine made a motion to adjourn; Robert Michaud seconded the motion. The meeting adjourned at 11:07am.

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Brad Lambert, Chairperson

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Hillary Gropp, Town Clerk

**TOWN OF SEVEN DEVILS  
PARKS AND RECREATION COMMITTEE  
MINUTES - REGULAR SESSION  
APRIL 13, 2023**

**AGENDA ITEM** 11) E.

The Town of Seven Devils Parks and Recreation Committee met at 9:00 AM in Town Hall on April 13, 2023

Chairman Bob Bridges called the meeting to order. Members present were Kay Lambert, Faye Brock, Freddie Blonshine, Bob Bridges, Marino Fernandez and Ed Beck. Joe Alfonso, Rebecca Ryan and Mark Williams were absent. Johnathan Harris, Town Manager, and Jewel McKinney, Parks and Recreation Program Tech, also attended.

Faye Brock moved to approve the Agenda, and Marino Fernandez seconded. The motion was approved.

Marino Fernandez moved to approve the minutes of the March 16, 2023 meeting and Kay Lambert seconded. The motion was approved.

**OLD BUSINESS**

- A. The Park at Seven Devils** - Jewel McKinney reported that all landscaping is complete, including the Memorial Gardens. Public Works will be in charge of water for the landscaping. The PARTF Grant submission is due May 1. Jewel has received 76 letters of support. A Helipad has been approved at a site in the Park.
- B. Summer 2023 Update** - Jewel McKinney presented an updated draft of the Rack Card. In addition to the events listed, there is also discussion for a pottery class, a charcuterie class, and Gentle Yoga. Details are being finalized for Yard of the Month, Bear Decorating Contest, and Tai Chi/Fall Prevention. There will be a CPR class for first time participants and an additional class for repeat students.

**NEW BUSINESS**

- A. New Ideas** - Faye Brock suggested a Cookie Contest to be held in conjunction with Lite the Night. Ed Beck suggested that we become a member of the Farmers Market Passport Program, where attendees get their passport stamped and become eligible for rewards. There was discussion regarding receptacles for the plastic bags of dog waste at Otter Falls. Bob Bridges made the motion to ask the TDA for funding for several dog receptacle stations at Otter Falls with signs asking the public to use them properly. Kay Lambert seconded, and the motion was approved.

There was extensive discussion about the need for street trash removal in the community. This would be a citizen responsibility and have no connection to the Town of Seven Devils. It was decided that it would start on a small scale. Ed Beck and Marino Fernandez will be recruiting volunteers for the first Saturday morning of each month. Everyone will meet at the Community Center to receive assignments.

While it was acknowledged that the 2023 summer activities are "in the books", the Committee decided that it was important to continue to meet monthly during the summer to update activities, make changes (where necessary) and to provide ongoing support to Jewel.

Faye Brock made a motion to adjourn the meeting and Ed Beck seconded. The meeting was adjourned at 9:55 AM.

Submitted by:

Freddie Blonshine  
Parks and Recreation Committee Secretary

**Town of Seven Devils  
Tourism Development Authority Meeting  
May 04, 2023**

The Town of Seven Devils Tourism Development Authority met in regular session on Thursday, May 04, 2023, at Town Hall. This meeting was originally scheduled for April 25, 2023, but was postponed to May 4, 2023. Chair Anne Fontaine, Member Leigh Sasse, Member Alejandra Fernandez and Member Rick Blonshine attended in person. Town Manager Johnathan Harris, Finance Officer Helga Sappington and Parks & Recreation Program Tech Jewel McKinney were present.

**Call to Order**

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

**Adopt Agenda and Approve Minutes**

Special Olympics Sponsorship and Contribution to the Town for the Parks and Rec and Public Works department were added to the agenda. Member Rick Blonshine made a motion to adopt the agenda; motion was seconded by Member Leigh Sasse; the motion passed.

A motion to approve the minutes from the March 28, 2023, meeting was made by Member Rick Blonshine and seconded by Member Leigh Sasse; all approved. The motion passed unanimously.

**Old Business**

- Parks & Recreation Program Tech Jewel McKinney updated the TDA Members on the process of the PARTF Grant and the landscaping for the Park at Seven Devils.
- Parks & Recreation Program Tech Jewel McKinney presented the Rack Card for the 2023 Summer Events to the TDA Members. The Rack Card will be mailed out with the May 2023 water bill.
- Town Manager Johnathan Harris updated the TDA members on the completed work of Blue Ridge Energy to bury overhead electric lines underground at the Park at Seven Devils. He also updated the TDA members on landscaping maintenance by Hawk Mountain Garden Center for the Park at Seven Devils.

**New Business**

- Member Rick Blonshine made a motion to approve funding for dead tree removal at the Park at Seven Devils (\$1,000.00) to promote tourism in the Town of Seven Devils; motion was seconded by Member Alejandra Fernandez; the motion passed.
- There was a discussion about the need for trash cans at Otter Falls, Black Bear Family Park and The Park at Seven Devils. Member Leigh Sasse made a motion to approve funding for four trash cans (\$4,000.00); motion was seconded by Member Alejandra Fernandez; the motion passed.
- Member Leigh Sasse made a motion to approve the May 2023 Seven Devils Photography Invoice (\$350.00); motion was seconded by Member Alejandra Fernandez; the motion passed.
- Member Rick Blonshine made a motion to approve an Invoice for BPI Enterprises, Inc for gravel at The Park at Seven Devils (\$415.40); motion was seconded by Member Alejandra Fernandez; the motion passed.
- Member Alejandra Fernandez made a motion to sponsor the Special Olympics for the Police Department (\$1,000.00); motion was seconded by Member Rick Blonshine; the motion passed.

**Financial Statement**

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

**Citizen Comments**

Larry Fontaine voiced concerns about TDA funds covered by FDIC.

**Board Comments**

The TDA Members went into closed session to discuss contributions to the Town for the Parks and Rec and Public Works department.

**Adjourn**

At 9:50 am, Member Rick Blonshine made a motion to adjourn; Member Leigh Sasse seconded; all approved. Motion carried.

**Activity Log Event Summary (Totals)****SEVEN DEVILS PUBLIC SAFETY****(04/01/2023 - 04/30/2023)**

<No Event Type Specified>	2	Alarm Activation	4
Animal Complaint	2	Assist Other Department	1
Assist Resident	1	Bank Deposit Escort	3
Business Check	337	Complaint	1
Damage to property	1	Fire Department	1
Fraud	1	Information	1
Open Door	1	Other	2
Patrol	71	Residence Check	2
Unlock car	1	Vehicle Stop	1

**Total Number Of Events: 433**



**SEVEN DEVILS FIRE DEPARTMENT**

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

April 2023

It's been a wonderful April here on the Mountain. We had twenty-one members participate in over seventy hours of training. We responded to three calls, one mutual aid fire call with Foscoe Fire, and two citizen assistance calls.

I am pleased to report that our sixth first responder passed his state exam, and we now have six state certified Emergency Medical Responders.

The Public Safety Committee showed interest in getting a sign that showed levels of fire danger. The sign is in and will be placed at the bottom of the mountain so people can see as they enter the mountain if there's a fire danger.

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

Fire Chief

Matthew Millsaps

**MONTHLY FINANCE REPORT**  
**April 2023 - 83.3%**

	Budget Total	Actual			%
		Previous	April	YTD	
<b>Section 2. Enterprise Fund</b>					
Anticipated Revenues by Category					
Water Operating Revenues	256,500	202,581	23,152	225,733	88.00%
Water Taps and Connections	6,000	6,000	0	6,000	100.00%
Non Operating Revenues	450	210	25	235	52.22%
Capital Reserve for Capital Outlay	46,671	0	46,671	46,671	100.00%
Grant Project Ordinance (ARP)	68,838	34,419	0	34,419	50.00%
<b>Total</b>	<b>378,459</b>	<b>243,211</b>	<b>69,848</b>	<b>313,058</b>	<b>82.72%</b>
Authorized Expenditures by Department					
Water-Operating	197,935	180,937	16,300	197,237	99.65%
Non Operating	31,471	23,604	2,623	26,226	83.33%
Capital Outlay	42,000	79,250	0	79,250	188.69%
Capitap Reserve	38,215	0	0	0	0.00%
Grant Project Ordinance (ARP)	68,838	24,160	0	24,160	35.10%
<b>Total</b>	<b>378,459</b>	<b>307,951</b>	<b>18,922</b>	<b>326,873</b>	<b>86.37%</b>

**MONTHLY FINANCE REPORT**  
**April 2023 -83.3%**

	Budget	Actual			%
	Total	Previous	April	YTD	
<b>Section 1. General Fund</b>					
Anticipated Revenues by Category					
Ad Valorem Taxes	1,122,231	1,112,672	3,814	1,116,485	99.49%
State Share Revenue	134,360	106,279	6,740	113,019	84.12%
ABC Distribution	200,000	146,500	0	146,500	73.25%
Powell Bill Allocation	93,000	32,736	0	32,736	35.20%
Permits and Fees	9,500	8,869	12	8,881	93.48%
Sales Tax	215,000	157,620	20,294	177,914	82.75%
Misc Revs, Govt Grants, Sale of Assets	209,670	106,977	9,671	116,648	55.63%
Capital Reserve Fund/FB	252,836	0	0	0	0.00%
Occupancy Tax	395,000	312,998	18,467	331,465	83.92%
<b>Total</b>	<b>2,631,597</b>	<b>1,984,651</b>	<b>58,997</b>	<b>2,043,649</b>	<b>77.66%</b>
Authorized Expenditures by Department					
Governing Board	19,960	15,214	1,028	16,242	81.38%
Administrative	506,590	411,680	18,041	429,721	84.83%
Public Safety	700,988	578,307	41,794	620,101	88.46%
Fire Protection	98,728	90,823	1,534	92,357	93.55%
Zoning	32,544	21,649	2,239	23,888	73.40%
Parks & Rec	194,862	111,788	25,807	137,596	70.61%
Public Works	619,925	453,782	28,699	482,482	77.83%
Powell Bill	63,000	64,950	0	64,950	103.10%
Tourism Development Authority	395,000	312,998	18,467	331,465	83.92%
<b>Total</b>	<b>2,631,597</b>	<b>2,061,192</b>	<b>137,609</b>	<b>2,198,801</b>	<b>83.55%</b>