

TOWN OF SEVEN DEVILS
REGULAR TOWN COUNCIL MEETING
May 14, 2019
5:30pm

- 1) INVOCATION/PRAYER
- 2) CALL TO ORDER – 5:30pm
- 3) PLEDGE OF ALLEGIANCE
- 4) ADOPT AGENDA
- 5) CONSENT AGENDA
 - A. MOTION FOR CONSIDERATION
 - (i) Adopt minutes of Town Council Meeting on April 9, 2019
 - (ii) Adopt minutes of Town Council Budget Workshop on May 1, 2019
- 6) CITIZENS COMMENTS
- 7) ADMINISTRATIVE UPDATE
- 8) OLD BUSINESS
 - A. Skyline Building Purchase Update
- 9) NEW BUSINESS
 - A. Public Works Recommendation for 2019
 - B. Resolution #2019-06 in Support of Current ABC System
- 10) COMMITTEE REPORTS
 - A. Board of Adjustment – April minutes
 - B. Planning Board – No meeting
 - C. Public Works – April minutes
 - D. Public Safety Commission – April minutes
 - E. Parks & Recreation Committee – April minutes
 - F. TDA – April minutes
 - G. ABC Board – March minutes
 - H. Tree Committee – No meeting
 - I. Public Safety Department
 - (i) Police Report
 - (ii) Fire Report
 - J. Financial Reports
- 11) COUNCIL COMMENTS
- 12) ADJOURN

TOWN OF SEVEN DEVILS
TOWN COUNCIL MEETING
April 9, 2019
5:30pm

The Seven Devils Town Council met in regular session on Tuesday, April 9, 2019 at Town Hall. Present were Mayor Larry Fontaine, Mayor Pro Tem Brad Lambert, Members Tina Bailey, Kay Ehlinger and David Ehmig. A quorum was met. Also, present were Town Attorney Rob Angle, Town Manager Debbie Powers; the minutes were recorded by Town Clerk Hillary Gropp.

INVOCATION

Mayor Pro Tem Lambert gave Invocation for tonight's meeting.

CALL TO ORDER

Mayor Fontaine called the meeting to order at 5:33pm.

PLEDGE OF ALLEGIANCE

Council members and citizens recited the Pledge of Allegiance.

AMEND AGENDA

Mayor Fontaine requested Item 8) OLD BUSINESS A. Skyline Building Purchase Steering Committee be moved to follow 11) COUNCIL COMMENTS. Member Ehlinger made a motion to amend the agenda as requested; Member Ehmig seconded the motion. The members agreed unanimously.

CONSENT AGENDA

ADOPT MINUTES OF TOWN COUNCIL MEETING on March 12, 2019

ADOPT MINUTES OF TOWN ANNUAL WORKSHOP on March 27, 2019

Member Ehlinger made a motion to adopt the Consent Agenda; Member Bailey seconded the motion. The members agreed unanimously.

CITIZENS COMMENTS

Kay Lambert – 430 Wildcat Rocks Road, thanked the Public Works Department for changing the seasonal Town banners; And a reminder for Arbor Day, Friday-April 26 and RSVP by April 18th.

ADMINISTRATIVE UPDATE

Manager Powers provided the following update:
Town Clerk Gropp was awarded a \$400 scholarship by the IIMC towards the Clerk's Institute.

Thank you note received by Barbara Tarlton for flowers sent Mike's funeral.

Made Council aware of SB367, that will eliminate Tree Ordinances in North Carolina.

Received a Certificate of Appreciation as certified Red Cross Shelter at Town Hall.

Important Dates- HCMA Meeting April 11th, Town Hall Closed April 19th, Arbor Day April 26th.

State Fire Inspection for Town was on March 4th; Report to arrive soon.

March 13th - DEQ Sanitary Survey Inspection of groundwater system; very minor updates needed.
March 13th - Debbie attend NCLM insurance update in Hickory.

Interview for ASU internship with Town on March 18th; Applicant accepted another position.

March 19th - Public Works Meeting; next meeting on April 16th.
March 19th - Meeting and walk through of Skyline building.

March 20th - Don Inverson met to discuss and submit a BOA variance request.

March 26th - ASU Chancellor's breakfast - attended by Mayor Fontaine & Mayor Pro Tem Lambert.

March 27th - Town Council Annual Workshop took place at GFCC - 10am - 2pm

Updates for: Tree Permits, Projects, Fence Permits, Complaints & Real Estate Closings.

NEW BUSINESS

A. AUDIT CONTRACT FY19

Member Ehmig made a motion to approve the Audit Contract FY19 with Young, Miller & Gillespie, P.A.-Certified Public Accountants. Member Ehlinger seconded the motion. The members agreed unanimously. ~CLOSED~

B. ABC BOARD VACANCY APPOINTMENTS

Sarah Manning submitted an application for the ABC Board to fill the Regular seat (Term ends 6/30/2020), due to a vacancy with the passing of member, Mike Tarlton.

Leigh Sasse submitted an application for the ABC Board to fill the Alternate seat (Term ends 6/30/2021) on the ABC Board; this seat was held by Sarah Manning.

Member Bailey made a motion to approve these two appointments for the ABC Board;
Member Ehmig seconded the motion. The members agreed unanimously. ~CLOSED~

C. BOARD OF ADJUSTMENT VACANCY APPOINTMENT

Frank Sell submitted an application for the Board of Adjustment-Alternate to fill a vacated seat (Term ends 12/31/2019).

Member Ehmig made a motion to approve the appointment for the Board of Adjustment;
Member Bailey seconded the motion. The members agreed unanimously. ~CLOSED~

D. RESOLUTION #2019-03



**RESOLUTION #2019-03
OPPOSING HB 91 – SINGLE COUNTY ABC BOARDS**

WHEREAS, the citizens of the Town of Seven Devils voted to permit the sale of liquor through the establishment of an ABC Board, which is a part of the North Carolina's control system for the sale of spirituous liquors; and

WHEREAS, the Town of Seven Devils, together with the Town of Banner Elk and the Village of Sugar Mountain, operates the High-Country Municipal ABC Board; and

WHEREAS, these three Towns span two counties due to the mountainous geography in this part of the State, such that a single County-wide Board is not appropriate for this area and would conflict with the operation of the Town of Boone's ABC Board, which is geographically distinct from this region; and

WHEREAS, North Carolina is unique as it allows communities to vote to establish local ABC boards for the sale of liquor in their communities, with liquor profits distributed back to those communities, thereby reducing the need to increase local property taxes; and

WHEREAS, the citizens of the Town of Seven Devils, in voting to permit the operation of the High-Country Municipal ABC Store, did so for the benefit and consideration of their citizens, and not for the benefit of county government; and

WHEREAS, local revenue from ABC stores operations is an important funding source for the Village of Sugar Mountain, the Town of Banner Elk, and the Town of Seven Devils;

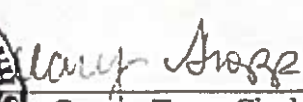
NOW THEREFORE, BE IT RESOLVED that the Town of Seven Devils opposes any resolution which would force the High-Country Municipal ABC Board to be altered into a single County Board, as such arrangement would be inconsistent with the geographical interests of those affected.

Signed this the 9th day of April, 2019.

Attest:


Lairy Fontaine, Mayor




Tilly Gropp, Town Clerk

Member Ehlinger made a motion to approve Resolution #2019-03; Member Ehmig seconded the motion. The members agreed unanimously. ~CLOSED~

E. GENERAL RECORDS RETENTION & DISPOSITION SCHEDULE 2019



**2019 Local Government Agencies
General Records Retention & Disposition Schedule
and**

Seven Devils Internal Policy of Reference Value Ends

The records retention and disposition schedule and retention periods governing the records series listed herein are hereby approved. In accordance with the provisions of Chapters 121 and 132 of the *General Statutes of North Carolina*, it is agreed that the records do not and will not have further use or value for official business, research, or reference purposes after the respective retention periods specified herein and are authorized to be destroyed or otherwise disposed of by the agency or official having custody of them without further reference to or approval of either party to this agreement. The local government agency agrees to comply with 07 NCAC 04M.0510 when deciding on a method of destruction. Confidential records will be destroyed in such a manner that the records cannot be practicably read or reconstructed. However, records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule. Public records, including electronic records, not listed in this schedule are not authorized to be destroyed.

All local government agencies and the Department of Natural and Cultural Resources agree that certain records series possess only brief administrative, fiscal, legal, research, and reference value. These records series have been designated by retention periods that allow these records to be destroyed when "reference value ends." All local government agencies hereby agree that they will establish and enforce internal policies setting minimum retention periods for the records that Natural and Cultural Resources has scheduled with the disposition instruction "destroy when reference value ends." If a local government agency does not establish internal policies and retention periods, the local government agency is not complying with the provisions of this retention schedule and is not authorized by the Department of Natural and Cultural Resources to destroy the records with the disposition instruction "destroy when reference value ends."

All local government agencies and the Department of Natural and Cultural Resources concur that the long-term and/or permanent preservation of electronic records requires additional commitment and active management by the agency. Agencies agree to comply with all policies, standards, and best practices published by the Department of Natural and Cultural Resources regarding the creation and management of electronic records.


It is further agreed that these records may not be destroyed prior to the time periods stated; however, for sufficient reason they may be retained for longer periods. This schedule supersedes the general standards in all previous local government retention and disposition schedules and is to remain in effect from the date of approval until it is reviewed and updated.


The Town of Seven Devils has established the internal policy to be enforced for determining "destroy when reference value ends" to be to be not less than 30 days or when deemed necessary, upon approval by the Town Manager.

Approved this 9th day of April, 2019

APPROVAL RECOMMENDED


Hillary Gropp, Town Clerk


Debbie Powers, Town Manager


Sarah E. Koonts, Director
Division of Archives & Records

APPROVED


Larry Fontaine, Mayor


Susi H. Hamilton, Secretary
Department of Natural & Cultural
Resources



Municipality: Town of Seven Devils, NC

Mayor Pro Tem Lambert made a motion to approve the General Records Retention & Disposition Schedule 2019; Member Ehlinger seconded the motion. The members agreed unanimously. ~CLOSED~

COMMITTEE REPORTS

Board of Adjustment – No meeting

Planning Board – No meeting

Public Works – March minutes

Public Safety Committee – March minutes

Parks & Recreation Committee – No meeting

TDA – March minutes

ABC Board – February minutes – Sarah Manning reported additional NC House Bills have been written about distilleries changes and could affect the ABC Board; she will keep the Town updated.

Tree Committee – No meeting

Public Safety Department

Police Report

Fire Report

Financial Report

COUNCIL COMMENTS

Mayor Fontaine reported a Public Records Request has been made to the Town; the Town will comply.

OLD BUSINESS

A. SKYLINE BUILDING PURCHASE STEERING COMMITTEE

Mayor Pro Tem Lambert made a motion to enter into Closed Session at 6:12pm, pursuant to G.S. 143-318.11(5) to discuss the Skyline Building Purchase. Member Ehlinger seconded the motion. The members agreed unanimously.

General Account:

All Town Council members were present with a quorum being met. Town Attorney Angle, Town Manager Powers and Town Clerk Gropp were present.

The Town Council discussed options for purchase/financing and requirements of the NC Local Government Commission. The Town Council took action for 5 motions; with unanimous agreement 5-0 by all Town Council members.

Special Call Meeting & Public Hearing for Town Council will be held on April 30, 2019 at Town Hall beginning at 5:30pm, pursuant to G.S. 160A-20(a)(g).

Mayor Fontaine made a motion to end Closed Session at 7:45pm; Member Ehlinger seconded the motion. The members agreed unanimously. ~OPEN~

ADJOURN

Member Ehlinger made a motion to adjourn; Member Ehmig seconded the motion. The members agreed unanimously. The meeting adjourned at 7:46pm.

Larry Fontaine, Mayor

Hillary Gropp, Town Clerk

TOWN OF SEVEN DEVILS
BUDGET WORKSHOP
Wednesday, May 1, 2019
10:00am

The Town Council of Seven Devils met for a Budget Workshop on Wednesday, May 1, 2019 at 10:00am in the Town Hall Boardroom. Present were Mayor Larry Fontaine, Mayor Pro Tem Brad Lambert, Members Tina Bailey, Kay Ehlinger and David Ehmig. Also present were Town Manager Debbie Powers and the minutes were recorded by Town Clerk Hillary Gropp.

CALL TO ORDER

Mayor Fontaine called the Budget Workshop to order at 10:17am.

PLEDGE OF ALLEGIANCE

Council members and staff recited the Pledge of Allegiance.

ADOPT AGENDA

Member Ehmig made a motion to adopt the Agenda; Member Bailey seconded the motion. The members agreed unanimously.

NEW BUSINESS

A. Adopt minutes of Town Council Special Meeting – Public Hearing of April 30, 2019
Member Ehlinger made a motion to adopt the minutes; Member Bailey seconded the motion. The members agreed unanimously. ~CLOSED~

B. Preliminary Budget Discussion:

Manager Powers explained how she puts together the Budget FY20 packet provided to the Town Council that includes: Personnel, CIP, Expenditures, Revenues, Executive Summary.

The Preliminary Budget FY20 was initially provided to the Town Council Annual Workshop on March 27, 2019.

Manager Powers states the Revenue and Expenditures FY20 include all grants that have been applied for or will be applied for, therefore these figures are adjusted from FY19.

Manager Powers reviewed the budget highlights and discussion among the Town Council occurred regarding the following:

Personnel (Confidential) – Additional PT Parks & Rec Position FY20 – No action taken.

CIP – Budget Items acceptable – No action taken.

Expenditures – Estimated payoff of current loans – BAB 1 1/2 years; Snowcloud -5 years; Additional debt FY20 for new Town Hall - No action taken.








Revenues – To date, 99.8% tax collection rate - No action taken.

Executive Summary – To be provided to the Public via Public Hearing & Regular Council meeting in June 2019.











Next Town Council Budget Workshop scheduled for Wednesday, May 29, 2019 – 10:00am- Noon – If Needed.

FY20 Budget Presentation Highlights:

- Revenues:

-  Property Taxes – remains steady - **NO TAX INCREASE!**
-  Sales tax – remains steady
-  ABC Revenues – remain steady
-  Utility/Franchise Tax – remains steady
-  Grant Revenues – remain steady
-  Water Sales – remains steady
-  Powell Bill Allocation - remains steady

- Expenditures:

-  Paving/gravel/hot patch from Blind Road Analysis - \$62,000
-  Replace #3 of 7 Water PRV Valves @ \$36,500
-  Police vehicle (replace 2013 Explorer) @ \$35,000
-  PW utility truck @ \$30,000
-  Water Meter Readers @ \$16,000
-  \$50,000 towards new Town Hall facility
-  Personnel – 2% COLA and 2% merit
-  \$20,000 towards "Connect 7D"
-  Increase Debt Load: \$1,125,000  Decrease Debt Load \$101,311

COUNCIL COMMENTS

Town Council discussed possibilities of increasing Budget Ordinance Items, i.e., Water Fees and Rezoning Application Fees.

A Public Hearing for the Budget will be set for Tuesday, June 11, 2019 at 5:00pm. The Town Council Budget Workshops that have been previously scheduled for Wednesday, May 29th and Wednesday, June 5th are pending.

ADJOURN

Member Ehmig made a motion to adjourn; Member Ehlinger seconded the motion. The members agreed unanimously. The Budget Workshop adjourned at 12:43pm.

Larry Fontaine, Mayor

Hillary Gropp, Town Clerk

DRAFT

TOWN COUNCIL MEETING

Administrative Update

May 14, 2019

April 2019 items:

1. April 4 – Conference call with LGC regarding application procedure/deadlines
 2. April 5 - Debbie & Helga attended LGERS webinar
 3. April 5 – Tina and Debbie met with Karen/Red Cross Manager for renewal
 4. April 11 – Debbie met with Don Iverson to discuss variance procedure for BOA
 5. April 11 – HCMA meeting held at Banner Elk Town Hall
 6. April 15 – RTP grant approval for initial Form; invited to apply for Form B
 7. April 23 – BOA meets; elects Officers & Don Iverson makes presentation
 8. April 26 – Arbor Day Celebration – Town becomes Tree City USA – 43 attendees
 9. April 30 – Public Hearing for Skyline Building purchase & financing
 10. April 30 – PARTF grant application submitted
 11. Closed on Monday, May 27th for Memorial Day Holiday
- Tree Permits – 4
 - Projects – 4
 - Fence Permits – 0
 - Complaints – 12
 - Real Estate Closings - 6

<u>Date</u>	<u>Last Name</u>	<u>First Name</u>	<u>St #</u>	<u>Street Name</u>	<u>Complaint Topic</u>	<u>Complaint Specifics</u>	<u>Resolution</u>
1-Apr	Goins	Mitzi	316	Chinkapin	no permit	chimney construction with no permit	informed PD - no active work at this time
3-Apr	Williams	Yardy	149	Four Diamond	garbage	neighbor at 251 Osogwin dumping garbage on his property	neighbor notified & removed debris
5-Apr	Gauspohl	Jackie	145	GrandeView	tree	tree fell on driveway neighbor's tree fell on her property	Town tree - Town removed contact your neighbor
10-Apr	Cepulo	Ron	988	CRT	drainage	silt fence at new construct is faulty - affecting his drainage	owner contacted; contractor to correct
11-Apr	misc	4 calls			traffic on 105	backed up traffic on 105 what's going on?	no knowledge - call DOT
11-Apr	misc	3 calls		WW	motorcycle	overturned motorcycle	PD called tow truck/removed
15-Apr	Byrnes	Bernice	276	Wildcat Rocks	dogs	dogs @ 635 CRT chased her	Final warning to Robinson June 1 deadline to install fence or pay \$500 fine
17-Apr	Asbill	Diane	528	Telemark	tree contractor	concerns about damage to private road	encouraged both parties to talk & work out solution
18-Apr	Byrnes	Bernice	276	Wildcat Rocks	dogs	wants to know why Robinson rec'd extension wants copies of PD report	encouraged both parties to call PD when incident is occurring, not email later
25-Apr	Byrnes	Bernice	276	Wildcat Rocks	7 emails	complaining about Robinson, PD, Mgr.	Clear response to call PD when incident is occurring; cannot issue violation because she said so
26-Apr	Byrnes	Bernice	276	Wildcat Rocks	4 emails	same as above	same as above

Public Works Committee Recommendation to Town Council
May 14, 2019

The Public Works Committee met at their regularly scheduled March 2019 and April 2019 meetings to review and discuss the Blind Road Analysis. In view of the overall good conditions of Town roads, the following is the Committee Recommendation:

1. Widen and Wedge Devils Lake Drive near the intersection of Grandview and pave. Moretz Paving estimate is \$42,360
2. Hot patch areas on Alpine Drive. Potholes USA estimate \$10,000
3. Rip Rap areas on Thorncliff and Little Boulder Lane. Estimate \$5,000
4. Gravel as needed. Estimate \$4,000

Total to be included in FY20 budget: \$61,360.

5. Continue PRV replacement in the CIP @ \$36,500
6. Currently there is no Ordinance regarding damage to roads (only language and Performance Bonds for new construction). Planning Board should review and make recommendation to Town Council.

Respectfully Submitted,

Brad Lambert

Public Works Committee Chair



RESOLUTION #2019-06
IN SUPPORT OF THE CURRENT ABC CONTROL SYSTEM FOR THE SALE OF LIQUOR

WHEREAS, the citizens of the Town of Seven Devils voted to permit the sale of liquor through the establishment of an ABC Board, which is a part of the North Carolina's control system for the sale of spirituous liquors;

WHEREAS, House Bill 971 (Modern Licensure Model for Alcohol Control) was filed on April 25, 2019 and this bill privatizes the retail sale and wholesale distribution of liquor, allows a minimum of 1,500 permits to be issued to any business that sells food (grocery stores, convenience stores, pharmacies, variety stores, etc.) or to any "retail business", with additional numbers of permits available for issuance based on population growth, with retail liquor sales authorized between the hours of 7 a.m. and 2 a.m., and with those businesses allowed to ship liquor directly to individuals in or out of the State;

WHEREAS, North Carolina's local ABC boards operate about 423 retail stores, balancing access to liquor and generating local revenue while maintaining control;

WHEREAS, NC's Department of Health and Human Services' website notes that *excessive alcohol use cost NC more than \$7 Billion* in 2010, that excessive alcohol use is the third leading preventable cause of death in NC, and that according to [Centers for Disease Control's Community Guide on Excessive Alcohol Use](#) strategies to reduce excessive drinking include maintaining state control of alcohol sales and continuing to limit the number of outlets selling and distributing alcohol;

WHEREAS, the General Assembly's nonpartisan Program Evaluation Division (PED) was directed to examine whether other systems for alcohol beverage control, including privatized systems, are appropriate for North Carolina, specially to include the State of Washington, which recently changed its beverage control system from state government control of wholesale and retail control of spirituous liquor to a licensure model;

WHEREAS, The PED Report, "Changing How North Carolina Controls Liquor Sales Has Operational, Regulatory, and Financial Ramifications", released on February 11, 2019: (1) did not recommend privatization, (2) found that among the southeastern states, NC collects the most revenue per gallon, has the lowest outlet density and has the second lowest per capita consumption; and (3) the PED expects retail liquor consumption to increase by 20% with privatization based on 1,000 expected outlets.

WHEREAS, for fiscal year ending 2018, local ABC boards distributed \$430,635,861: County-City Distributions \$80 million; State General Fund \$323 million; Local Alcohol

Education/Treatment \$13 million; Local Law Enforcement \$8.8 million; and Rehabilitation Services \$5 million; and local ABC boards also paid \$17.7 million for the operation of the ABC Commission/Warehouse.

WHEREAS, North Carolina is unique as it allows communities to vote to establish local ABC boards for the sale of liquor in their communities, with liquor profits distributed back to those communities, thereby reducing the need to increase local property taxes.

WHEREAS, the citizens of the Town of Seven Devils, in voting to permit the operation of ABC stores, did not vote to allow spirits to be sold in private retail liquor stores and did not vote to allow spirits to be sold retail outlets where beer and wine are sold;

WHEREAS, No State funds are spent to distribute or sell liquor as the state and local operation of the ABC system is receipt supported;

WHEREAS, Of the 50 states, North Carolina ranks 44th lowest in consumption per capita and 7th highest in revenue per capita and NC's ABC system accomplishes both revenue and public health, welfare and safety objectives;

WHEREAS, privatization will result in a marked increase in the number of outlets, longer hours of sale, greater advertising and more promotion, significantly more consumption, and increased societal costs;

WHEREAS, local revenue from ABC stores operations is important;

WHEREAS, local control over the sale of liquor is an important function.

NOW THEREFORE, BE IT RESOLVED:

That the Town of Seven Devils desires to retain North Carolina's current control system for the sale of liquor and believes that privatization of liquor will lead to many adverse effects.

Larry Fontaine, Mayor

_____ Date: _____
Hillary Gropp, Town Clerk

Oppose Privatization of the ABC System for Liquor

The NC Association of ABC Boards opposes privatization of the ABC system for liquor. Many other organizations “support keeping the control system for the sale of liquor in place and believe that privatization of liquor will lead to many adverse effects” (see list on reverse side).

House Bill 971 (Modern Licensure Model for Alcohol Control) was filed on April 25, 2019 and this bill privatizes the retail sale and wholesale distribution of liquor, allows a minimum of 1,500 permits to be issued to any business that sells food (grocery stores, convenience stores, pharmacies, variety stores, etc.) or to any “retail business”, with additional numbers of permits available for issuance based on population growth, with retail liquor sales authorized between the hours of 7 a.m. and 2 a.m., and with those businesses allowed to ship liquor directly to individuals in or out of the State.

The 168 local ABC boards operate 433 stores statewide and employ over 2,870 people. NC is unique among other control states in that ABC boards are established by local elections and liquor profits are distributed to local government units, thereby reducing the need to increase local property taxes. The State does not own any liquor. Privatization would not result in any downsizing of State government. **No State funds are spent to distribute or sell liquor.** ABC boards are local independent subdivisions of this State. ABC boards either own or lease all ABC store locations.

PED Report: The Program Evaluation Division (PED) released its report on ABC on February 11, 2019. The PED did not recommend privatization. PED found that among the southeastern states, NC collects the most revenue per gallon, has the lowest outlet density and has the second lowest per capita consumption; this finding validates the current system if the objective is **public health, safety and welfare**. PED analyzed several types of ABC systems: agency store, private retail privatization, and licensure (retail and wholesale privatization). PED expects retail liquor **consumption to increase by 20%** with privatization. PED notes that retail prices would increase 15.7% under licensure. PED conducted two polls on public support for closing ABC stores: 52% (Elon Univ.); 47% (High Point Univ.).

PED 2008 Report: In 2008, PED examined privatization, but it did not recommend privatization, noting that control states receive more revenue than license or open states. **PED compared NC's system to 12 license or open states** that limit sales of spirits to privately owned package stores and found that NC had the fewest retail outlets (except for Delaware), received the most public revenue per gallon sold, and had the lowest per capita consumption.

For FYE 2018, **local ABC boards distributed \$430,635,861:** County-City Distributions \$80 million; State General Fund \$323 million; Local Alcohol Education/Treatment \$13 million; Local Law Enforcement \$8.8 million; Rehabilitation Services \$5 million; Operation of ABC Commission/Warehouse \$17.7 million.

Of the 50 states, North Carolina ranks 44th lowest in consumption per capita and 7th highest in revenue per capita. By comparison, South Carolina, a license state, ranks 27th in consumption and 38th in revenue. Our system accomplishes both revenue and public health objectives. Private sellers of liquor want decreased taxation on their products and more consumption, all of which is contrary to the public's health, safety and welfare.

----- SEE REVERSE SIDE -----

Privatization will result in a marked increase in the number of outlets, longer hours of sale, greater advertising and more promotion and significantly more consumption. A Centers for Disease Control task force concluded the control model protects public health and that privatization results in increased consumption, a well-established proxy for excessive consumption. ***Privatization would benefit heavy drinkers the most.***

DHHS' website notes that ***excessive alcohol use costs NC more than \$7 Billion*** in 2010, that excessive alcohol use is the third leading preventable cause of death in NC, and that according to CDC's Community Guide on Excessive Alcohol Use strategies to reduce excessive drinking include maintaining state control of alcohol sales and continuing to limit the number of outlets selling and distributing alcohol.

It is a core function of government to protect the public's health, safety and welfare. Given the unique nature of liquor, as well as its potential to do harm, state and local governments are in the best position to balance access and convenience with control. Almost half of the states have at least some form of law that regulates liquor off-premises more strictly than other forms of alcohol.

The last three states that have implemented privatization (Washington in 2011, Iowa in 1987 and West Virginia in 1991) have all seen ***higher consumer prices, less choice, and less revenue*** for government. In Washington State, the number of retail outlets increased from 328 to over 1400 and hours of sale/week increased from 73 to 140 hours. Washington State received only \$30.75 million from auctioning off the rights to apply for retail spirits permits at 167 stores

In 2012, Professor Nicolas Didow (Kenan-Flagler Business School at UNC-CH) conducted a customer service survey of ABC store customers. The customers gave higher grades to the ABC stores where they shop than they gave to their local drug store, discount store, bank or grocery store.

While Chairman of the ABC Commission, ***former NC Lieutenant Governor Jim Gardner*** wrote a letter to the editor (Fayetteville Observer, July 7, 2015) in which he stated: "***Privatization does not make fiscal sense, nor does it make public health sense. In the end, it comes down to a philosophical question: Should the government be in the business of selling liquor? There is no stauncher Republican than I am. There is no one more pro-business than myself. And there is no one more convinced than myself that continuing the Alcohol Beverage Control system in North Carolina is the right thing for this state and particularly for the children of this state.***"

Privatization does not make sense from a public health, public safety or economic standpoint. If the State privatizes either its wholesale or its retail function, in whole or in part, ***there is no going back.***

The following organizations "support keeping the control system for the sale of liquor in place and believe that privatization of liquor will lead to many adverse effects" --- Christian Action League; NC Family Policy Council; NC Association of Chiefs of Police; NC Police Benevolent Association; North Carolina State Lodge, Fraternal Order of Police; Mothers Against Drunk Driving (MADD); NC Association of Local Health Directors; NC Public Health Association; National Association of Social Workers North Carolina Chapter; NC Society for Clinical Social Work; North Carolina Association of Campus Law Enforcement Administrators; NC Substance Abuse Prevention Providers Association; NC Substance Use Disorder Federation; Addiction Professionals of NC; NC Alcohol Policy Alliance; Alcohol/Drug Council of NC; Recovery Communities of North Carolina; NC Association of ABC Boards and NC ABC Law Enforcement Officers Association.

Jon Carr, lobbyist, NC Association of ABC Boards; jcarr@jordanprice.com; 919-831-4473

Summary of HB 971 (Modern Licensure Model for Alcohol Control)

Privatizes both retail liquor sales and wholesale distributions, effective January 1, 2020, eliminating local ABC boards and stores and allowing 1500 "base" liquor permits/outlets and more permits based on population increases and also on local liquor store elections, to be issued to grocery stores, convenience stores, variety stores, drugstores and to any retail "business" for the retail sale of liquor between the hours of 7 a.m. and 2 a.m. A distillery permittee would be allowed to sell liquor it manufactures at up to three locations, providing for about 156 additional outlets.

1,500 retail liquor locations would place North Carolina 3rd highest of the 12 Southeast states in the number of outlets after Louisiana (5,356) and Florida (2,135)(Florida's population is 16.7 million). There are about 423 ABC stores operated by local ABC Boards.

Based on 1,000 outlets in a "licensure" model, NC's Program Evaluation Division (PED) recently estimated that liquor consumption would increase by 20%; PED also estimated that retail prices would increase by 15.7% under licensure.

Requires ABC Commission each year beginning January 1, 2021 to make available in a county or municipality one off-premises liquor permit for each additional 7,500 person increase over the 2010 population of that county or municipality.

By example, Wake and Mecklenburg Counties would respectively have at least 25 and 23 more outlets, based on population increases, in addition to their allocation of the "base" 1,500 permits; these counties each now have about 24 ABC stores. For all counties, and based on population increases, there could be about 100 additional outlets made available in 2021.

A retail liquor outlet would be able to ship liquor to individual purchasers both inside and outside of the state. Cities and counties could allow the sale of liquor on Sundays beginning at 10 am. Provides that any county or municipality that has authorized the establishment and operation of an ABC store as January 1, 2020 is deemed to have authorized the off-premises sale liquor.

Changes State excise tax on liquor from 30% (based on price) to a flat \$28.00 per gallon. Distributes 25% of the amount of the State excise tax collected to cities and counties in which the retail sale of liquor is authorized and requires those funds to be used by local government as follows: 4% for treatment of alcoholism/substance abuse, 15% for research/education on alcohol/substance abuse and 11% for local alcohol law enforcement costs.

By January 1, 2020, requires local ABC boards to liquidate all assets by public sale, with all proceeds going to local school capital expenses. The bill makes no provision for the payment of debts and liabilities of a local ABC board.

No fiscal note is publicly available. The bill's impacts on revenue and prices of the product are unknown. NC's PED recently estimated that under "licensure" privatization State excise would have to be increased from 30% to 33.6% and a new 12% local excise tax imposed for government revenues to remain the same.

Prepared by Jon Carr, lobbyist, NC Association of ABC Boards (4/28/19); jcarr@jordanprice.com

2019-2020 House ABC Committee Members:

Rep. James L. Boles, Jr.

Moore County ABC Board

Rep. Chuck McGrady

Hendersonville ABC Board

Fletcher ABC Board

Laurel Park ABC Board

Rep. Susan C. Fisher

Asheville ABC Board

Rep. Jon Hardister

Gibsonville ABC Board

Rep. Kelly M. Alexander, Jr.

Mecklenburg ABC Board

Rep. John R. Bell, IV

Greene County ABC Board

Wayne County ABC Board

Johnston County ABC Board

Rep. Allison A. Dahle

Wake County ABC Board

Rep. Josh Dobson

High Country ABC Board

Marion ABC Board

Spruce Pine ABC Board

Rep. Yvonne Lewis Holley

Wake County ABC Board

Rep. Pat B. Hurley

Asheboro ABC Board

Randleman ABC Board

Rep. Linda P. Johnson

Concord ABC Board

Mount Pleasant ABC Board

Rep. Marvin W. Lucas

Cumberland County ABC Board

Rep. Graig R. Meyer

Caswell County ABC Board

Orange County ABC Board

Rep. Jason Saine

Lincoln County ABC Board

Lincolnton ABC Board

Rep. Brian Turner

Asheville ABC Board

Black Mountain ABC Board

Woodfin ABC Board

Weaverville ABC Board

Rep. Shelly Willingham

Edgecombe County ABC Board

Martin County ABC Board

Rep. Larry Yarborough

Granville County ABC Board

Person County ABC Board

Rep. Lee Zachary

Triad Municipal ABC Board

2019 Ex-Officio/voting members of House ABC Committee:

Rep. Sarah Stevens, Speaker Pro Tempore

Sparta ABC Board

Dobson ABC Board

Pilot Mountain ABC Board

Yadkin Valley ABC Board

North Wilkesboro ABC Board

Wilkesboro ABC Board

Rep. David Lewis, Chairman, House Rules Committee

Angier ABC Board

Dunn ABC Board

Lillington ABC Board

Rep. Brenden Jones, Deputy House Majority Leader

Brunswick ABC Board

Lake Waccamaw ABC Board

Lumberton ABC Board

Tabor City ABC Board

West Columbus ABC Board

Whiteville ABC Board

**TOWN OF SEVEN DEVILS
BOARD OF ADJUSTMENT**

Variance Application – Don Iverson, for RCS Properties,
Parcel 1 – North of Shoppes of Tynecastle
Regular/Organization Meeting – 5:30pm
April 23, 2019

The Seven Devils Board of Adjustment met for a Variance Application from Don Iverson on Tuesday, April 23, 2019 at 5:30pm in a Regular/Organizational Meeting at Town Hall. Present at the Public Hearing were members John Duncan, George Ehlinger, Barbara Hurlbrink, Jack Byrnes, Sarah Manning, Frank Sell-Alternate. and Mark Bailey-Alternate. A quorum was met. Also, in attendance was Debbie Powers, Town Manager. The minutes were recorded by Emma Wynn, Interim Town Clerk.

CALL TO ORDER

Manager Powers called the Regular/Organizational Meeting of the Board of Adjustment to Order at 5:30pm.

ROLL CALL – Town Manager Powers initiated Roll Call for the board, with John Duncan, Sarah Manning, George Ehlinger, Jack Byrnes, Barbara Hurlbrink, Mark Bailey-Alternate and Frank Sell-Alternate being present. A quorum was met.

ELECT CHAIR AND VICE CHAIR

Town Manager Powers opened the floor for nominations of Chair of the Board of Adjustment. Member Ehlinger nominated John Duncan as Chair; Member Hurlbrink seconded the nomination. There were no other nominations.

Member Ehlinger made the motion to elect John Duncan as Chair; Member Hurlbrink seconded the motion. The members agreed unanimously.

The meeting procedures were handed to Chair Duncan from Town Manager Powers. Chair Duncan asked for nominations for Vice Chair. Member Hurlbrink nominated Jack Byrnes as Vice Chair; Member Ehlinger seconded the nomination. There were no other nominations.

Member Hurlbrink made the motion to elect Jack Byrnes as Vice Chair; Member Ehlinger seconded the motion. The members agreed unanimously.

OATH OF OFFICE

Town Manager Powers administered the Oath of Office to: John Duncan, Sarah Manning, George Ehlinger, Barbara Hurlbrink, Jack Byrnes, Frank Sell-Alternate and Mark Bailey-Alternate.

ADOPT AGENDA

Chair Duncan asked for a motion to Adopt the Agenda. Member Manning made a motion. Member Byrnes seconded the motion. The members agreed unanimously.

APPROVAL OF MINUTES – OCTOBER 24, 2017

Member Ehlinger made a motion to approve the minutes dated October 24, 2017. Member Hurlbrink seconded the motion. The members agreed unanimously.

OLD BUSINESS – None

NEW BUSINESS

A. Application for Variance – Don Iverson, for RCS Properties, Parcel 1, North of Shoppes of Tynecastle

Chair Duncan stated that detailed information has been distributed to the members prior to the meeting. He clarified that the purpose of today's meeting is to review the application and hear from Mr. Iverson. The Public Hearing portion has been scheduled for May 28th at 5:00pm.

OATH OF TESTIMONY

Town Manager Powers introduced Don Iverson to the members. She administered the Oath to Mr. Iverson.

CASE PRESENTATION – Mr. Iverson

Mr. Iverson introduced his wife, Kathy who distributed a packet of information to the members. He thanked the Board of Adjustment for allowing him to present his variance application. He complimented Town Manager Powers for the great job she does. He stated that she was very helpful and thorough in explaining the process.

Mr. Iverson stated that he and his wife have lived in Avery County for thirty-one (31) years; from east Tennessee originally. They run a retail business in Avery County. He and his wife are involved in many community activities. Mr. Iverson has been a member of the Avery Chamber of Commerce for more than 30 years, previously serving as the treasurer at the Chamber in addition to being on the Woolly Worm Committee. He began the Banner Elk Art Festival which has now been turned over to the Chamber of Commerce.

Mr. Iverson reviewed the packet of information distributed to the members stating that the request is to refurbish the existing sign in a way that will benefit the local community organizations and businesses. He stated that his request is a cooperative effort between himself and the Avery Chamber of Commerce. He has been working with Melynda Martin Pepple, Executive Director of the

Avery County Chamber of Commerce, noting her letter of support is included in the packet. Mr. Iverson will be responsible for refurbishing, marketing and maintaining the sign/billboard. RCS Properties retains the ownership of the billboard as stated in the following letter. Mr. Iverson will handle its maintenance.

RCS Properties, Inc.

4501 Tynecastle Hwy.
Banner Elk, NC 28604

March 19, 2019

RE: Lease of "Shoppes of Tynecastle" Sign

TO WHOM IT MAY CONCERN:

RCS Properties, the owner of the "Shoppes of Tynecastle" sign on Highway 105, located just south of the "Peddlin' Pig," has entered into a lease agreement with Don Iverson.

Various permits and permissions will need to be obtained by Iverson in order to perform the extensive renovations at this sign location. It is with our knowledge that he will seek his permits from Seven Devils, Avery County and the North Carolina Department of Transportation.

Regards,

Samantha Wotell
RCS Properties, Inc.

The left panel of the sign will contain permanent Avery County Chamber of Commerce directional ("ahead on right") information to their office.

In Ms. Pepple's letter of support, she states that an important reason to have this type of billboard for the region is for emergency purposes, listing "Amber Alerts", road closures/congestion, etc.

There were additional letters of support in the packet from Phillip Barrier, Avery County Manager; Brenda Lyerly, Mayor of Banner Elk; Kate Gavenus, Organization Consultant for the Town of Beech Mountain, Kevin Hodges, Chief of Police for the Banner Elk Police Department and Michelle Scott, Director of Resource Development for Williams YMCA of Avery County. These letters of support are attached to and made a part of the Board of Adjustment original minutes.

Most of the digital portion of the billboard will be used for service organizations; however, advertising space will be sold. He reviewed the cost of the billboard. Space will be sold to Chamber members but not exclusively. Benefits and discounts will be offered to chamber members in hopes of increasing membership. Non-Chamber members are also allowed to purchase space. Profits will help offset the cost of the billboard.

Mr. Iverson noted that the size of the billboard will be decreased slightly. The existing skeletal system of the structure will be used. The digital portion of the billboard is changeable. The State of NC requires nine (9) second intervals. He showed examples of various community information such as the Seven Devils SafetyFest, Woolly Worm Festival, and in emergencies when there is an amber alert issued or road closures. These examples will be attached to and made a part of the Board of Adjustment original minutes.

Mr. Iverson stated they are seeking approval from the Board of Adjustment for refurbishment and classification as an off-premise sign/billboard with the intent of upgrading the structure professionally in a way that will improve and be in accordance with the beautification and appearance guidelines established by the Town of Seven Devils.

Mr. Iverson stated that the billboard location is off Hwy 105 between the Peddlin' Pig and the Shoppes of Tynecastle. The "before" and "after" pictures of the billboard are attached to the end of these minutes.

BOARD DISCUSSION

Member Hurlbrink requested clarification of the nine (9) second intervals. Mr. Iverson explained that the State wants information to be visible for at least nine (9) seconds. She also questioned how many signs can rotate through. Mr. Iverson stated that the expectation/norm is eight (8) signs; however, during times of heavy tourism the number can be increased.

Member Manning questioned whether it can be longer than nine (9) seconds in order to read it? Mr. Iverson stated that it could, if needed. He noted that the message length is determined by what can be read/seen in four (4) to five (5) seconds.

Mr. Iverson stated that he met with the NC DOT representative at the site last week with verbal approval. The state representative will contact Town Manager Powers to verify the variance has been approved.

Chair Duncan questioned the protocol for civic organizations to post announcements on the billboard. Mr. Iverson stated they will try to accommodate everyone they can and will add additional slots or set up a type of rotation by dividing up the time shown during the week.

Member Hurlbrink questioned if there is a certain geographical area that is being targeted. Mr. Iverson stated it is not limited to a certain area. In addition, he stated that RCS Properties have guidelines spelled out stating there will not be any controversial signs posted or any advertisement for alcohol, etc. There may be an advertisement for a tavern but nothing about "happy hour", etc.

Chair Duncan stated that the Board of Adjustment will consider Mr. Iverson's application for variance. He thanked Mr. Iverson for his presentation and information provided.

PUBLIC HEARING DATE

The Public Hearing will be held on Tuesday, May 28, 2019 at 5:00pm with the regular/organizational Board of Adjustment meeting following at 5:30pm.

As required by law, all property owners within 100 feet of proposed variance should be notified via US first class mail of this Public Hearing.

Staff to publish in the paper, on Town's website, and post signage on the property.

Immediately after the Public Hearing, the Board of Adjustment will call for Disclosures (Ex Parte Communications and Conflicts of Interest), then Deliberate & Discuss.

Decision will be made to: Approve, Approve with Conditions, or Deny; need 4 out of 5 votes to approve.

ADJOURN

Member Ehlinger made the motion to adjourn the meeting; Member Manning seconded the motion; All members agreed unanimously. The meeting adjourned at 6:00pm.

John Duncan
Chairperson

Emma Wynn
Interim Clerk to the Board of Adjustment

**Public Works Committee
Minutes – Regular Meeting
April 16, 2019 10:00am**

The Seven Devils Public Works Committee met on Tuesday, April 16, 2019 at Town Hall. Present were Mark Bailey, Jack Byrnes, George Ehlinger, Larry Fontaine, Brad Lambert & Barrie Winn. Also present were Public Works Director Kevin Aldridge, Town Engineer David Poore and Town Manager Debbie Powers. The minutes were recorded by Town Clerk Hillary Gropp.

CALL TO ORDER

Chair Lambert called the Public Works meeting to order at 10:01am.

ADOPT AGENDA

Member Fontaine made a motion to adopt the agenda; Member Byrnes seconded. All members agreed.

APPROVE MINUTES – March 19, 2019

Member Fontaine made a motion to approve the minutes; Member Bailey seconded. All members agreed.

CITIZENS COMMENTS - None

OLD BUSINESS

2019 BLIND ROAD ANALYSIS & RECOMMENDATIONS

Overall, the Town roads are in good condition and instead of using all \$90,000 currently proposed in FY20 budget, some of the funds will be held back and combined with FY21 for future projects.

Total to be included in FY20 budget = \$61,360

The recommendations by the Public Works Committee are as follows:

1. Widen and wedge Devils Lake Drive near the intersection of Grandview and pave.
Moretz Paving Estimate is \$42,360
2. Hot patch areas on Alpine Drive. Potholes USA estimate is \$10,000
3. Rip Rap areas on Thorncliff Drive and Little Boulder Lane - Estimate is \$5,000
4. Gravel as needed – Estimate \$4,000

WATER LINE ANALYSIS & RECOMMENDATIONS

3rd PRV Replacement - \$36,500 in FY20 budget

COMMENTS & RECOMMENDATIONS FOR 2019/2020 PUBLIC WORKS PROJECTS

Currently, there is not an Ordinance/Fine for Visitors/Renters that cause vehicular damage to Town roads, other than language written for New Construction & Performance Bonds. This item will need to be reviewed at a future Planning Board Meeting with any recommendations to the Town Council.

NEW BUSINESS - None

COMMITTEE COMMENTS - None

The Public Works Committee will not meet until Spring 2020, unless there is a need to meet before.

ADJOURN

Member Fontaine made a motion to adjourn; Member Byrnes seconded. All agreed. The meeting adjourned at 10:51am.

Brad Lambert, Chairman

Hillary Gropp, Town Clerk

Seven Devils Public Safety Committee
Tuesday April 2, 2019

MINUTES

Members Present: George Ehlinger, Jack Byrnes, Brad Lambert, David Hooper,
Tina Bailey, Kay Lambert

Others Present: Debbie Powers (Town Manager), Bobby Powell (Fire Chief),
Kay Ehlinger, Bob Garland

The meeting was called to order at 5:38pm by George Ehlinger, Chairman.

Jack Byrnes moved to accept the Agenda. David Hooper seconded. All agreed.

Jack Byrnes moved to approve the March 5, 2019 Minutes. Brad Lambert seconded.
All agreed.

Seven Devils SafetyFest - Saturday July 6, 2019

- * Sponsors and Placemat Ad Sponsors have been contacted. George Ehlinger, Brad and Kay Lambert will follow-up.
- * Tents, tables, chairs are being inventoried.
- * Canvassing packets for raffle/silent auction items were handed out to George Ehlinger, Tina Bailey, Brad and Kay Lambert. A packet was left for Leo Starzec at Town Hall and one was taken to Dick Nelson. David Hooper's packet had an inventory of items available for sale in the Public Safety Committee Booth. Jack Byrnes's packet had "volunteer" info.
- * BBQ and Raffle Ticket packets will be handed out to Committee members at the next meeting. Tina Bailey suggested that tickets be available for sale at the Arbor Day Celebration on April 26th. Tickets will be available at Town Hall.
- * Craft Booths - letters have been sent to past vendors. Posters are at Town Hall, Banner Elk PO, Linville PO and the laundramat near Food Lion.
- * Food/Drinks/Paper Products - George and Kay Ehlinger, Brad and Kay Lambert
- * Things are falling into place - thank you one and all!

The next regularly scheduled meeting will be Tuesday May 7, 2019 at 5:30pm.

The meeting was adjourned at 6:10pm.

**Town of Seven Devils
Parks and Recreation Committee
Minutes—Regular Session
April 11, 2019**

The Town of Seven Devils Recreation Commission met at 9:00 a.m. in Town Hall on April 11, 2019. Members present were Ed Beck, Bob Bridges (by telephone), Anne Fontaine, Kay Lambert, and Martha Stearns. Faye Brock and Lee Metzger were absent. Debbie Powers and Larry Fontaine were also present.

Ed Beck made a motion to accept the agenda for today's meeting and the minutes from the February 14, 2019, meeting. Kay Lambert seconded the motion, and the agenda and the minutes were approved.

We decided to have a bear decorating contest starting June 1, with judging taking place on July 10. The theme will be "Summer in the Mountains." Participants may decorate a bear they own or may purchase plywood cutouts (an adult bear and a cub) from the town for \$20.00. Hardware to attach the bears to the ground will be provided. All participants must register, and the town will provide a "View the Bears" tour guide map. First, second, and third place ribbons will be awarded to be displayed on the winning bears. Winners may also be given a picture of a Seven Devils scene. Winners will be announced at Music by the Lake on July 12. Larry Fontaine will make the cutouts, possibly with helpers. Bears entered in the contest must be visible from the road, and a turnaround for cars is required. Bears and items attached to the bears must be firmly anchored. Bob Bridges suggested that Jim and/or Marsha Jones should be on the judging panel.

Members of the Parks and Recreation Commission are responsible for hosting summer activities. Bob Bridges and Anne are mainly responsible for Music by the Lake concerts but will be helped by others. Anne Fontaine and Debbie Powers will handle promotions. The Seven Devils Resort Club will be responsible for limiting access to the resort club. Ed Beck will help Bob move equipment and chairs before and after the concerts. Larry Fontaine will help with electricity and lighting. There will be police presence at every concert.

Ed and Beth Beck will host the three ranger workshops. Two are at Otter Falls, and the last one is at Town Hall. Anne Fontaine and Martha Stearns will be in charge of the Parks and Recreation Commission children's booth at SafetyFest. Bob Bridges will organize and host four hikes. Lee Metzger will be in charge of pickle ball. Martha Stearns, Anne Fontaine, and Faye Brock will host Dance Aerobics. Martha Stearns will host landscape talks. Kay Lambert will purchase water for all the activities.

We decided to add to our sponsored activities a Virginia Creeper Trail bike ride on Tuesday, August 6. Anne Fontaine will organize it, and Bob Bridges will host it.

The Arbor Day celebration will be held on Friday, April 26. If weather permits, five tents, each with two tables, will be set up outside, which will provide seating for sixty people. Fifty dogwood trees have been purchased to give to participants. Anne Fontaine will purchase three to six plants for door prizes. We will meet at 9:00 on that morning to prepare for the celebration and lunch.

Kay Lambert made a motion to adjourn. Ed Beck seconded the motion, and the meeting was adjourned.

Submitted by

Martha Stearns, Secretary

**Town of Seven Devils
Tourism Development Authority Meeting
April 23, 2019**

The Town of Seven Devils Tourism Development Authority met in regular session on Tuesday, April 23, 2019 at Town Hall. Chair Anne Fontaine, Member Tom Gidley, Member Jack Duncan, Town Manager Debbie Powers and Finance Officer Helga Sappington were present.

Call to Order

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

Adopt Agenda and Approve Minutes

Member Jack Duncan made a motion to adopt the agenda and to approve the minutes from the March 26, 2019 meeting. Member Tom Gidley seconded the motion. The motion passed unanimously.

Citizen Comments

Kay Lambert was present. Kay Lambert reminded the TDA of the Arbor Day celebration on Friday.

Old Business

- Town Manager Debbie Powers updated the TDA members on the Otter Falls parking lot extension.
- Town Manager Debbie Powers updated the TDA members on the Tennis and Pickle Ball court maintenance.

New Business

- Town Manager Debbie Powers informed the TDA members about the compliments received on the new banners.
- There was a discussion about the Arbor Day/ Tree City USA celebration scheduled for Friday, April 26, 2019.
- Town Manager Debbie Powers presented the 2019 Avery County Chamber Rack Cards to the TDA members.
- Town Manager Debbie Powers updated the TDA members on the RTP and PARTF grant.
- Town Manager Debbie Powers updated the TDA members on the Public Hearing on Tuesday, April 30th at 5:30pm at Town Hall for the purchase and financing of the Skyline building for new Town Hall.

Email Approvals:

- Tree Removal at Otter Falls (\$ 900.00)
- Foscoe Grandfather Community Center placemat add (\$100.00)

Financial Statement

- Member Tom Gidley made a motion to approve the financial statements. Member Jack Duncan seconded the motion and it was agreed upon unanimously.

Board Comments

- none
- **Adjourn**
At 9.40 am, Member Jack Duncan made a motion to adjourn. Member Tom Gidley seconded the motion and it was agreed upon unanimously.

High Country ABC Board Meeting Minutes

March 21, 2019

The High Country ABC Board held its monthly meeting on Thursday, March 21 at 4:15 pm. Board chair Donna Dicks, board member Winston Ammann, alternate board member Sarah Manning, alternate board member David Miller, alternate board member Robin Dunn and general manager Sara Brewer were present. Sarah Manning will apply to the Seven Devils Town Council to be appointed as principal board member to complete Mike Tarlton's term. Debbie Powers, Seven Devils Town Manager, and Leigh Sasse, Seven Devils resident also attended the meeting. Ms. Sasse will apply to Seven Devils Town Council to be appointed as alternate board member for Seven Devils. These appointments will occur at the April Town Council meeting.

Before the meeting, general manager Sara Brewer, read the following conflict of interest statement; "In accordance with 18B-201, it is the duty of every board member to avoid both conflicts of interests and appearances of conflicts. Does any board member have any conflicts of interests or appearances of conflicts with any matters coming to the board today?" Hearing none, the meeting continued.

Upon motion duly made by Sarah Manning, seconded by Winston Ammann, it was voted to approve today's agenda with the amendment of New Business to come after Finances. Upon motion duly made by Winston Ammann, seconded by Sarah Manning it was voted to approve last month's minutes.

General manager Sara Brewer reported to the board that sales for February were up \$29,829 over February of last year. Total sales were \$249,362. Checking account balance is approximately \$215,000. The

board members were given financial statements for the first eight months of the fiscal year.

New business: General Manager Sara Brewer discussed with the board the latest bill that has been brought before legislators. This bill relates to the North Carolina distilleries and basically allows distilleries to sell their products directly to restaurants, general public and out-of-state where allowed. After discussion, the board asked Donna Dicks to write letters to Representatives and Senators for Avery and Watauga Counties to express our opposition of this bill and HB91. The Town Councils were asked to send resolutions and/or letters in opposition to HB91.

In other new business, Sara Brewer requested the board approve her travel to the NABCA meeting to be held in Marco Island, Florida in May. This meeting is for all controlled states and Sara has found excellent speakers to use for the General Manager's meeting and the Annual Conference for NC Association of ABC Boards at these meetings. Upon motion duly made by Winston Ammann, seconded by Sarah Manning, it was voted to approve the travel for Sara Brewer.

Old business:

- Donna Dicks spoke with Bryan Miller who will be in charge of the new teen center at the YMCA. He asked who this board thought might "head up" a teen alcohol education program. Donna will keep the board updated.
- Sara Brewer and Donna Dicks presented information on HB91 and other ABC-related bills with each of the three town councils at their monthly meetings in March. The presentation was well received and each town council will be taking action (letters or resolutions) opposing these bills.

Debbie Powers expressed her thanks to Donna Dicks and Sara Brewer for coming to the Seven Devils Town Council meeting to share information and try to explain the House bills pertaining to mergers, Sunday sales, etc.

The next scheduled meeting will be Thursday, April 18 at 4:15 pm.

Upon motion duly made by Sarah Manning, seconded by Winston Ammann, it was voted to adjourn the meeting.

Donna Dicks, Chair

Winston Ammann, Board Member

Sarah Manning, Board Member

date approved

Activity Log Event Summary (Cumulative Totals)

SEVEN DEVILS PUBLIC SAFETY

(04/01/2019 - 04/30/2019)

Alarm Activation	1	Animal Complaint	3
Assist Avery Sheriffs Office	1	Assist Other Department	1
Business Check	242	Citation	2
Complaint	1	Extra Patrol	12
Information	1	Larceny	1
Medical	2	Motor Vehicle Accident	1
Open Door	2	Patrol	51

Total Number Of Events: 321

SEVEN DEVILS FIRE DEPARTMENT

1356 Seven Devils Road, Seven Devils, N.C. 28604

(828) 963-5343 (828) 963-6760

Fax (828) 963-1129

Fire Chief Bobby Powell

April 2019

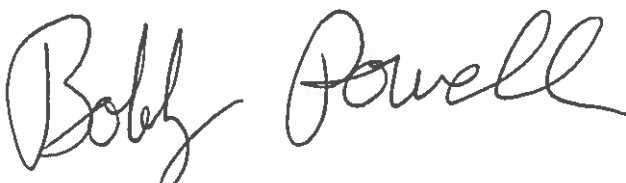
Fire Call: 1
Medical Call: 2
Training sessions: 5
Total Man-hours: 130 Hrs.

We have tested the supply hoses on the fire trucks. We test as a group in Avery county. We meet at Crossnore VFD and help each other unload and repack their fire hose while we test ours. We also use the NC Bridge crews. These are youthful offenders who do public service projects in communities. They are also trained to help fight wildland fire. Over a 3-day period they tested 16 fire trucks.

We have started planning more hands on training for this summer to include using rescue and self-rescue training props, fire truck operations and pump training, supplying water to locations without hydrants, removing victims entrapped in a vehicle, medical training and mutual aid training with the other fire departments around us.

1 Fire Call: Fire Alarm
2 Medical calls: Spinal Injury, Possible Stroke

Thank You,



MONTHLY FINANCE REPORT
April 2019 - 83.3%

	Budget	Actual		%	
	Total	Previous	April		YTD
Section 1. General Fund					
Anticipated Revenues by Category					
Ad Valorem Taxes	803,500	803,189	3,063	806,252	100.34%
State Share Revenue	120,510	94,915	5,244	100,159	83.11%
ABC Distribution	100,000	79,500	0	79,500	79.50%
Powell Bill Allocation	30,000	28,906	0	28,906	96.35%
Permits and Fees	4,000	(250)	400	150	3.75%
Sales Tax	175,000	130,531	11,455	141,986	81.13%
Misc Revs, Govt Grants, Sale of Assets	233,105	94,744	1,784	96,528	41.41%
Capital Reserve Fund/FB	43,217	0	0	0	0.00%
Occupancy Tax	120,000	138,592	9,219	147,811	123.18%
Total	1,629,332	1,370,127	31,165	1,401,292	86.00%
Authorized Expenditures by Department					
Governing Board	85,125	14,248	1,340	15,588	18.31%
Administrative	332,872	219,809	94,586	314,395	94.45%
Public Safety	474,171	350,735	29,303	380,038	80.15%
Fire Protection	173,196	77,025	1,361	78,386	45.26%
Planning	1,500	1,061	0	1,061	70.73%
Public Works	412,468	282,294	21,294	303,588	73.60%
Powell Bill	30,000	30,000	0	30,000	100.00%
Tourism Development Authority	120,000	138,592	9,219	147,811	123.18%
Total	1,629,332	1,113,764	157,103	1,270,867	78.00%

MONTHLY FINANCE REPORT
April 2019 - 83.3%

	Budget		Actual		%
	Total	Previous	April	YTD	
Section 2. Enterprise Fund					
Anticipated Revenues by Category					
Water Operating Revenues	244,500	190,366	20,443	210,809	86.22%
Water Taps and Connections	4,000	0	0	0	0.00%
Non Operating Revenues	2,750	1,387	20	1,407	51.16%
Capital Reserve for Capital Outlay	97,778	0	0	0	0.00%
Total	349,028	191,753	20,463	212,216	60.80%
Authorized Expenditures by Department					
Water-Operating	119,908	82,103	7,493	89,596	74.72%
Non Operating	144,620	46,026	2,280	48,306	33.40%
Capital Outlay	84,500	39,706	0	39,706	46.99%
Total	349,028	167,835	9,773	177,608	50.89%