

TOWN OF SEVEN DEVILS
REGULAR TOWN COUNCIL MEETING
September 10, 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 August 13, 2019
- 6) CITIZENS COMMENTS
- 7) ADMINISTRATIVE UPDATE
- 8) OLD BUSINESS
 - A. New Town Hall Update - Approval of Closed Session Minutes - April 9, 2019
- 9) NEW BUSINESS
 - A. TDA Board Vacancy
 - (i) Resolution #2019-07
 - (ii) Applications - Richard Blonshine - *Appoint to fill vacant seat - Term Expires 1/1/2021*
Leigh Sasse - *Alternate Member - Term Expires 1/1/2022*
 - B. Purchase of Old Police Weapons - *Motion needed*
 - C. New Police Officer - Adam Renfro
 - D. Avery County MOA/Involuntary Commitments
 - E. Foreclosure Update
 - (i) Blair Mountain - Lots 6R & 8R
 - (ii) Hall - Lot 15 - .46 acre across from Resort Club
- 10) COMMITTEE REPORTS
 - A. Board of Adjustment - No meeting
 - B. Planning Board - No meeting
 - C. Public Works - No meeting
 - D. Public Safety Commission - August minutes
 - E. Parks & Recreation Committee - No meeting
 - F. TDA - August minutes
 - G. ABC Board - July 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
August 13, 2019
5:30pm

The Seven Devils Town Council met in regular session on Tuesday, August 13, 2019 at Town Hall. Present were Mayor Pro Tem Brad Lambert, Members Tina Bailey, and Kay Ehlinger. A quorum was met. Mayor Larry Fontaine, Member David Ehmg and Town Attorney Rob Angle were absent. Also present were Town Manager Debbie Powers; the minutes were recorded by Town Clerk Hillary Gropp.

INVOCATION

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

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Council members and citizens recited the Pledge of Allegiance.

ADOPT AGENDA

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

CONSENT AGENDA

AMEND & ADOPT MINUTES OF TOWN COUNCIL MEETING on July 9, 2019

Mayor Pro Tem Lambert requested to amend the "draft minutes of July 9, 2019" with additional language to clarify the reason the item was removed from Agenda.

Mayor Pro Tem Lambert requested to remove Item 5) CONSENT AGENDA C. ADDITION TO UDO – Table 5.1 Table of Permitted Uses, because item requires Notice and Public Hearing.

Member Bailey made a motion to approve and adopt the amended minutes; Member Ehlinger seconded the motion. The members agreed unanimously.

CITIZENS COMMENTS

Sarah Manning – 277 Four Diamond Drive – Spoke about the need to improve the fire rating in her area of Town. Fire Chief Powell has been in communication with the State.

Bert Valery – 160 Snowcloud Drive - Requested to be placed on the Town Council agenda to discuss details about a dog park in the Town; Mayor Pro Tem Lambert suggested he meet with the Parks & Rec Committee at the next scheduled meeting on September 12, 2019.

ADMINISTRATIVE UPDATE

Manager Powers provided the following update:

August 23rd – Seven Devils 40th Anniversary Celebration – 10am Ribbon Cutting -New Town Hall, 11:30am BBQ Lunch – Town Hall & Music by the Lake 4pm- Dixie Dawn & 6pm-Kruger Brothers

August 24th- Avery County will hold a Hazardous Waste Collection Day

September 17th & 18th – Moving dates to New Town Hall – Town Hall Closed

Municipal Elections – November 5th – 4 candidates filed for 3 open seats on Town Council;

Kay Ehlinger (I), Larry Fontaine (I), Wayne Bonomo, Jeffrey Williams

Candidate Forum on Wednesday, October 9th – 6:30pm; the Voter’s Information Group will be gathering topics/question for candidates. Candidate Forum Moderator – Phyllis Miller

TDA has a vacancy and is posted on the 7D website; two applications have been received.

Several terms will be expiring on Boards/Committees at the end of the year; Application available at Town Hall.

HCCOG Annual Banquet to be on Friday, September 6th – Need RSVP’s

A thank you to Officer Matt Millsaps for assisting a resident during their seasonal visit.

Bear Decorating Contest winners are posted to the 7D website; Judges sent a thank you note.

Town Hall will be closed on Monday, September 2nd – Labor Day holiday

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

Mayor Pro Tem Lambert asked the Town Council to reverse the order of Old Business with New Business as outlined on tonight’s Agenda, out of respect to the featured speakers. There was no disagreement; Items reversed.

NEW BUSINESS

A. SARA BREWER – High Country ABC Board – Updates

Sara Brewer provided an update on HB971 – Modern Licensure Model for Alcohol Control; Discussion on this bill occurred in the House ABC Committee, no comments were allowed.

Updates include - ABC stores can now place special order items more easily, Craft distilleries can mix drinks on property, Local boards can offer in-store tastings.

B. MANDY MELANSON – Parks & Rec Technician

Newly hired Parks & Rec Technician, Mandy Melanson presented the features on the Facebook page created specifically for Parks & Rec Activities. ~CLOSED~

OLD BUSINESS

A. NEW TOWN HALL UPDATE

The real estate closing on the New Town Hall/Skyline Building was completed on Monday, July 29th. Town Attorney Rob Angle handled the closing documents; Mayor Fontaine signed on behalf of the Town. A ribbon cutting ceremony will be on August 23rd and moving dates

to the new Town Hall will be September 17th & 18th. TDA has funded cosmetic updates such as fresh landscape, exterior paint/pressure wash, signage, etc. ~OPEN~

COMMITTEE REPORTS

- Board of Adjustment – No meeting**
- Planning Board – No meeting**
- Public Works – No meeting**
- Public Safety Committee – July minutes**
- Parks & Recreation Committee – No meeting**
- TDA – July minutes**
- ABC Board – June minutes**
- Tree Committee – No meeting**
- Public Safety Department**
 - Police Report**
 - Fire Report**
- Financial Report**

COUNCIL COMMENTS

Member Bailey inquired about the status of hiring a new police officer; Manager Powers stated a new officer should be on staff by the end of August.

ADJOURN

Member Ehlinger made a motion to adjourn; Member Bailey seconded the motion. The members agreed unanimously. The meeting adjourned at 6:07pm.

Larry Fontaine, Mayor

Hillary Gropp, Town Clerk

TOWN COUNCIL MEETING

Administrative Update

September 10, 2019

August 2019 items:

1. Sarah Manning – ABC Board Chair this year
2. Reminder! Town Hall closed Tuesday & Wednesday, Sept. 17 & 18
3. Parks & Rec Tech position vacancy
4. PARTF grant update
5. 40th Anniversary Recap
6. Hillary – Clerk School – week 3 of 4
7. September Water Bill insert – questions for Candidates
8. New & Improved ECHO newsletter
 - Tree Permits – 3
 - Projects – 2
 - Fence Permits – 1
 - Complaints – 7
 - Violation letters – 2
 - STOP WORK ORDERS - 2
 - Real Estate Closings – 7

IT'S MOVING DAY



TOWN HALL CLOSED

TUESDAY – SEPTEMBER 17TH

WEDNESDAY – SEPTEMBER 18TH

PLEASE BE PATIENT WHILE THE ADMIN OFFICE &

POLICE DEPARTMENT ARE BEING RELOCATED TO

NEW TOWN HALL

157 SEVEN DEVILS ROAD



AGENDA ITEM 7) 7.



Wednesday, October 9th @ 6:30pm—New Town Hall

You are invited to the Candidate Forum to learn about the candidates that have filed to be elected for 3 open seats on the Town Council.

Topics/Questions of concern are being gathered by the Voter Information Group.

Submittal deadline, September 30th

Email your Topic/Questions for the Candidates to: townclerk@sevendevis.net

Candidates for Municipal Election

Kay Ehlinger (I)

Wayne Bonomo

Larry Fontaine (I)

Jeffrey Williams

(I) denotes Incumbent candidate

The candidates receiving the largest # of votes, and 2nd largest # of votes will be elected for 4-year terms.

The candidate receiving the 3rd largest # of votes will be elected for a 2-year term.



Municipal Elections:

Tuesday, November 5th—Election Day

Avery County Voters cast a ballot at Banner Elk Town Hall

Watauga County Voters cast a ballot at Seven Devils New Town Hall

For all other questions, contact the Board of Elections

Avery County (828) 733-8282

Watauga County (828) 265-8061



<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-Aug	Patrick	Katie	986	Skyland	Town Hall	upset about new Town Hall does not want a tax increase taxes are already too high can't afford gas, rides bike to work to save money	No tax increase this fiscal year Public Hearing for Town Hall on April 30th - your chance to express opinion
2-Aug	Clark	Amy	279	Streamside	fish	upset that her renters cannot fish in big lake (Resort Ciub lake)	Private property - other lakes are available
2-Aug	Faroni	Steve	629	Skiview	water runoff	water runoff from uphill neighbor (Lucas/Lewis) and wants rip rap repositioned on his Bridle Path drainage area	(Repeat) contact your neighbor about your concerns; not a Town issue PW checked the rip rap on Bridle Path & all is OK on ROW; cannot reposition on his private property (repeat)
19-Aug	Byron	Carol	424	Alpine	Trapper Mike	unhappy with contractor found his card in our booklet	Town does not endorse any contractors Booklet is for convenience of homeowners
21-Aug	King/Irene	Judith	166	CliffDwellers	trees	Town should not endorse him wants Town to take away	Homeowners responsibility-not Town's
28-Aug	Starzec	Leo	457	Skiview	eyesore prop	debris left by tree contractors property at 317 Skiview has excessive vehicles, old tire,	dp writes 30-day letter to Carpenter property to rectify or face Violations
28-Aug	McBee	Chris	652	Grandview	road	mattress, other debris outside Grandview is too narrow; wants it widened	Kevin discusses with him; invites him to Public Works meeting



RESOLUTION #2019-07

UPDATE THE ADMINISTRATION OF THE
TOURISM DEVELOPMENT AUTHORITY

WHEREAS, The Town of Seven Devils was authorized to levy a room occupancy tax for the promotion of travel and tourism; and

WHEREAS, the 2002 NC General Assembly Session Laws grant the Town of Seven Devils the Authority to levy occupancy taxes, administered by a Council appointed Tourism Development Authority,

NOW, THEREFORE, BE IT RESOLVED:

The Seven Devils Town Council does hereby instruct the Tourism Development Authority to advertise and promote travel in the Town of Seven Devils.

The Authority shall consist of a minimum of three (3) members appointed to two-year terms by the Town Council and may appoint an alternate Member. The Tourism Development Authority will appoint a chairperson and a vice-chairperson from among the membership.

All Members and alternates must be individuals who are active in the promotion of travel and tourism in Seven Devils.

The Authority shall expend all occupancy taxes remitted to the Town, less three percent administrative charges, in the following manner: Two thirds of the funds remitted shall promote travel and tourism in Seven Devils and one third of the funds remitted shall finance tourist related capital projects in the Town.

The Authority shall determine its meeting dates and time and shall meet at least monthly. All Authority meetings are to be held in accordance with the Open Meetings Law. The Authority shall review monthly financials reports and shall submit annual reports of revenues and expenditures to the Town Council. The Seven Devils Finance Officer shall serve as an ex-officio Member of the Authority.

POWERS AND DUTIES

The Authority shall promote travel and tourism in the Town; sponsor tourist related events and activities in the Town, and finance tourist related capital projects in the Town.

The Authority shall advertise and market Seven Devils and local events and attractions, publish and distribute promotional materials, conduct market research and engage in other activities designed to attract tourists and travelers to the Town.

The Authority shall make tourism-related expenditures that are designed to increase the use of lodging facilities, recreational facilities and business establishments in the Town.

ADOPTED, this 10th day of September 2019.

ATTEST:

Larry Fontaine, Mayor

Hillary Gropp, Town Clerk

TOWN OF SEVEN DEVILS APPLICATION FOR APPOINTMENT
FOR: BOARD OR COMMITTEE

PLEASE NOTE: In accordance with North Carolina law, this application is a public record and will be disclosed upon request without notice. If there is any information you do not want released to the public, please do not include it.

FULL NAME: RICHARD D. "RICK" BLONSHINE

LOCAL ADDRESS: 197 GRANDFATHER CIRCLE, #222

EMAIL ADDRESS: RDBLONSHINE@YAHOO.COM TELEPHONE: (727) 742-2406

FULL-TIME RESIDENT of the Town of Seven Devils YES NO

If part-time, approximately how many months in a year do you live in Seven Devils? _____

HOW LONG HAVE YOU BEEN A RESIDENT OF SEVEN DEVILS? 8 mos

NAME OF BOARD OR COMMITTEE FOR WHICH APPOINTMENT IS SOUGHT:

- Board of Adjustment
- Public Works Committee
- TDA-Tourism Development Authority
- Planning Board
- Recreation Commission
- ABC Board

WHY DO YOU WANT TO SERVE ON THIS BOARD/COMMITTEE?

WE CHOSE SEVEN DEVILS AS OUR PERMANENT RESIDENCE BECAUSE OF THE QUALITY OF LIFE. I HOPE TO ADD TO THOSE ATTRIBUTES BY WORKING ON BEHALF OF THE COMMUNITY.

ARE YOU FAMILIAR WITH THE TOWN'S COMPREHENSIVE LAND USE PLAN AND THE VISION STATEMENT OF THE TOWN CONTAINED THEREIN? (It can be accessed at www.sevendevils.net)

YES

RATE YOUR SUPPORT FOR THE VISION STATEMENT AND COMPREHENSIVE LAND USE PLAN (with "1" signifying no support and "10" signifying great support): 10

WHAT SKILLS, EDUCATION, TRAINING, EXPERIENCE OR AREA(S) OF EXPERTISE WOULD YOU BRING TO THIS APPOINTMENT?

SEE ATTACHED

HAVE YOU TAKEN THE OPPORTUNITY TO ATTEND ANY PREVIOUS BOARD MEETINGS PRIOR TO THE NOTICE OF THIS VACANCY? YES NO

DESCRIBE EXTENT AND MEETINGS ATTENDED: _____

IF APPOINTED, DO YOU ANTICIPATE ANY CONFLICT OF INTEREST? YES NO

IF YES, PLEASE EXPLAIN: _____

PLEASE LIST ANY CURRENT OR PREVIOUS SERVICE TO THE COMMUNITY, CIVIC ORGANIZATIONS, ACTIVITIES AND ANY SPECIAL TALENTS:

BOARDS/CIVIC ORGANIZATIONS/TALENTS:	DATE FROM:	DATE TO:
<u>SEE ATTACHED</u>	_____	_____
_____	_____	_____
_____	_____	_____

ADDITIONAL COMMENTS WHY YOU SHOULD BE APPOINTED TO THIS BOARD/COMMITTEE:

I BELIEVE I HAVE SIGNIFICANT EXPERIENCE AND TALENT TO PROVIDE POSITIVE CONTRIBUTIONS TO OUR COMMUNITY.

I certify that the above information is correct. I understand that this is an application to be considered for appointment to a Town Board or Committee and that final appointment is made by the Town Council of Seven Devils. I also understand that any service, if appointed, would be without compensation. This application will remain on file for a period of 12 months form the date of application.

Signature: R. Blonshine Date: 8-26-19

Please fill out the form completely and return it to the Town Clerk at Town Hall.

If you have any questions, call 828-963-5343



Richard D. "Rick" Blonshine Summary of work and volunteer service

Married to Freddie Blonshine since 1965, three children
Graduated Florida State University
One course short of Masters in Education Leadership, Georgia
Southern University

1962 to 1984 United States Naval Reserve

Served in Naval Reserve and completed Officer Candidate School during college at Florida State University. Upon graduation from FSU was commissioned Ensign then attended Officers' Submarine School. After a period of active duty and qualification on several submarines I transferred from Active Duty and served in several Submarine Reserve Staff Support Units for sixteen years. Highlights of my Naval Reserve assignments included Command of Naval Reserve Submarine Division 6-1, Chief Staff Officer, Submarine Group 8 Mediterranean Fleet, Naples, Italy and Commanding Officer, Submarine Squadron Four, Detachment 408 supporting Squadron 4 in Charleston, SC. I retired at the rank of Commander in 1984.

Work History 1970 to 2006

From 1970 to 1984 I progressed through numerous management positions including Branch Manager, Director of Personnel, Merger Coordinator for 13 mergers finally achieving the position of Division Vice President of Florida Federal Savings and Loan, at \$3.5 Billion Dollars, the 20th largest S & L in the country. As Division Vice President I was responsible for 900+ employees at 84 Branch Offices, the

Blonshine – Page 2

Divisions of Marketing and Financial Services as well as Residential Lending.

From 1984 to 1994 I formed my own consulting company specializing in branching strategies and marketing for several small financial institutions. During the latter part of this time period I worked for several Commercial Banks in senior management positions specializing in oversight of Branch Operations.

From 1995 until retirement in 2006 I served as Executive Director of Pinellas Marine Institute and alternative school and behavior modification program for court appointed juvenile delinquents. In that capacity I was responsible for all aspects of the school and business. One of the most successful programs of its' kind in the country Pinellas Marine Institute and affiliated Associated Marine Institutes program achieved an 80% successful recidivism rate.

Highlights of volunteer service

As a banker I served on too many committees to remember however these stand out: Environmental Development Commission – City of St. Pete., Fl, Chamber of Commerce – Port Committee and Chair, Baseball Committee, Clutch Hitters – attract Major League Baseball to St. Pete., Director – Abilities Rehabilitation Service, Inc., Sales & Marketing Club of St. Pete., Leadership St. Pete.

TOWN OF SEVEN DEVILS APPLICATION FOR APPOINTMENT
FOR: BOARD OR COMMITTEE

PLEASE NOTE: In accordance with North Carolina law, this application is a public record and will be disclosed upon request without notice. If there is any information you do not want released to the public, please do not include it.

FULL NAME: Leigh Sasse

LOCAL ADDRESS: 245 Chestnut Ridge Trl., Seven Devils, NC 28604

EMAIL ADDRESS: leighsasse@gmail.com TELEPHONE: 828-963-2806

FULL-TIME RESIDENT of the Town of Seven Devils YES NO

If part-time, approximately how many months in a year do you live in Seven Devils? ~~8/12~~

HOW LONG HAVE YOU BEEN A RESIDENT OF SEVEN DEVILS? 8 yrs.

NAME OF BOARD OR COMMITTEE FOR WHICH APPOINTMENT IS SOUGHT:

Board of Adjustment

Public Works Committee

TDA-Tourism Development Authority 7/16/19

Planning Board

Recreation Commission

ABC Board

WHY DO YOU WANT TO SERVE ON THIS BOARD/COMMITTEE?

To serve the community

ARE YOU FAMILIAR WITH THE TOWN'S COMPREHENSIVE LAND USE PLAN AND THE VISION STATEMENT OF THE TOWN CONTAINED THEREIN? (It can be accessed at www.sevendevils.net)

yes

RATE YOUR SUPPORT FOR THE VISION STATEMENT AND COMPREHENSIVE LAND USE PLAN (with "1" signifying no support and "10" signifying great support): 10

WHAT SKILLS, EDUCATION, TRAINING, EXPERIENCE OR AREA(S) OF EXPERTISE WOULD YOU BRING TO THIS APPOINTMENT?

Knowledge of the area, licensed real estate agent, have been on several committees in the town

HAVE YOU TAKEN THE OPPORTUNITY TO ATTEND ANY PREVIOUS BOARD MEETINGS PRIOR TO THE NOTICE OF THIS VACANCY? YES NO

DESCRIBE EXTENT AND MEETINGS ATTENDED: on ABC Board mtg

IF APPOINTED, DO YOU ANTICIPATE ANY CONFLICT OF INTEREST? YES NO

IF YES, PLEASE EXPLAIN: _____

PLEASE LIST ANY CURRENT OR PREVIOUS SERVICE TO THE COMMUNITY, CIVIC ORGANIZATIONS, ACTIVITIES AND ANY SPECIAL TALENTS:

BOARDS/CIVIC ORGANIZATIONS/TALENTS:	DATE FROM:	DATE TO:
<u>Recreation Commission</u>	<u>2011</u>	<u>2017</u>
<u>Public Safety Committee</u>	<u>2011</u>	<u>2015</u>

ADDITIONAL COMMENTS WHY YOU SHOULD BE APPOINTED TO THIS BOARD/COMMITTEE:

I certify that the above information is correct. I understand that this is an application to be considered for appointment to a Town Board or Committee and that final appointment is made by the Town Council of Seven Devils. I also understand that any service, if appointed, would be without compensation. This application will remain on file for a period of 12 months form the date of application.

Signature: *Lori J. Gess* Date: 4/5/19

*Please fill out the form completely and return it to the Town Clerk at Town Hall.
If you have any questions, call 828-963-5343*



TOWN MANAGER
Debbie Powers, MSBA, CZO

TOWN FINANCE OFFICER
Helga Sappington

TOWN CLERK
Hillary Gropp



AGENDA ITEM 9)B, TOWN COUNCIL

MAYOR - *Larry Fontaine*
MAYOR PRO-TEM - *Brad Lambert*
Kay Ehlinger
David Ehmig
Tina Bailey

TOWN OF SEVEN DEVILS

September 10, 2019

Members of the Council,

It has come time for us to replace the firearms that we are carrying. Most manufacturers recommend that police firearms be replaced or rebuilt every 5 years. We have been able to extend the serviceable life of our existing firearms to 12 years by performing regular routine maintenance and replacing parts that were broken or no longer functioning properly.

Thanks to Captain/Fire Chief Bobby Powell securing a grant from the North Carolina Governor's Crime Commission, we have been able to purchase new firearms for all our full-time officers. The grant allowed us to purchase the weapons, ammunition, holsters, flashlights, and other necessary gear at no cost to the Town.

I would ask that the weapons that we are currently carrying be taken out of service and that the Town would surplus them so Officers or Town employees may purchase them. Officers become attached to the weapons that they have carried for work and would appreciate the opportunity to retain their service weapon.

Johnathan Harris
Seven Devils Police Chief

NORTH CAROLINA

AVERY COUNTY

**MEMORANDUM OF TRANSPORTATION AGREEMENT
FOR INVOLUNTARY COMMITMENTS**

THIS MEMORANDUM OF TRANSPORTATION AGREEMENT (“Transportation Agreement”) is made and entered effective as of 1 October, 2019 (“Effective Date”), among the law enforcement agencies listed below and the Avery County Sheriff’s Office (“Sheriff’s Office”) (collectively, “the Parties”, individually “Party”).

WHEREAS, North Carolina General Statutes (N.C.G.S.) §122C-251, Custody and Transportation for Involuntary Commitments, was amended and is effective October 1, 2019; and

WHEREAS, N.C.G.S. §122-251(g) requires the governing body of a city or county adopt a plan known as an “involuntary commitment transportation agreement” or “transportation agreement” for the custody and transportation of respondents in involuntary commitment proceedings; and

WHEREAS, once adopted, the Transportation Agreement must be submitted to: The Magistrates in Avery County; the Avery County Clerk of Court; the Division of Mental Health Development Disabilities, and Substance Abuses Services; and the Local Management Entity-Managed Care Organization (“LME/MCO”) that serves Avery County municipalities.

NOW THEREFORE, for and in consideration of mutual promises to each other as herein after set forth, the Parties mutually agree as follows;

1. After an Avery County Magistrate issues an involuntary commitment order (“IVC Order”) and the Magistrate contacts the local law enforcement agency in the jurisdiction where the respondent resides or is physically located, an officer or deputy with the jurisdiction shall retrieve the IVC Order from the Magistrate.
 - a. If the respondent is a resident of the municipality or is physically taken into custody in the municipal limits, the municipality is responsible for transportation of the respondent including admission and discharge.

- b. If the respondent is a resident of the county outside any municipal limit or is physically taken into custody outside municipal limits, the county is responsible for transportation of the respondent including admission and discharge.
2. The officer or deputy shall attempt to locate the respondent at the address provided on the IVC Order or where the magistrate believes the subject is physically located.
3. Upon location, the officer or deputy shall take respondent into custody and transport respondent to Cannon Memorial Hospital or other approved facility. After the facility has completed its examination of respondent, and if further care is required, the facility will locate a facility for respondent's future care.
4. The Sheriff's Office shall respond as needed to the initial facility to transport the respondent to any facility, identified by the initial facility, where respondent has been placed by the initial facility.
5. Upon completion of the initial evaluation, if the facility determines respondent is not in need of further treatment, an officer or deputy with the agency that took respondent into custody shall return respondent to the address in the IVC Order or allow for other transportation arrangements of respondent be made.
6. Each party to this Transportation Agreement agrees it is responsible for its own acts and/or omissions and those of its officials, employees, representative and agents in carrying out the terms of this Transportation Agreement and the results thereof to the extent authorization by law and shall not be responsible for the acts and/or omissions of any other Party and the results thereof.
7. It is understood and agreed that each Party's liability may be limited by the provisions or other immunity law applicable to each law enforcement agency. Parties understand and agree that each Party has not waived its rights, immunities and protections provided by law. Nothing contained in this Transportation Agreement shall waive or amend, nor shall be construed to waive or amend any defense or immunity that either Party, their respective officials and employees, has or may have.
8. This Transportation agreement is not intended to and will not constitute, create, give rise to, or otherwise recognize a joint venture, partnership, corporation or other formal business association or organization of any kind among the Parties. Moreover, the rights and the obligations of the Parties under this Transportation Agreement will be only those expressly set forth in this Transportation Agreement.

9. This Agreement may be amended by written Agreement of the Parties.
10. Each term, condition, or covenant herein is subject to and shall be construed in accordance with the North Carolina law and any applicable federal law.
11. This Agreement may be executed in two (2) or more counterparts each of which will be deemed to be an original.

IN WITNESS WHEREOF, the law enforcement agencies and the Sheriff's Office, acting under authority of their respective governing bodies, have caused this Memorandum of Transportation Agreement to be duly executed as set forth below.

Avery County

By: _____
Name: Martha J Hicks
Title: Chair of the Avery County Board of Commissioners

(SEAL)

ATTEST: _____
Name: _____
Title: County Clerk

AVERY COUNTY SHERIFF'S DEPARTMENT

By: _____
Kevin Frye, Sheriff

TOWN OF BANNER ELK

By: _____
Mayor

(SEAL)

ATTEST: _____
Name: _____
Title: Town of Banner Elk Clerk

TOWN OF BANNER ELK POLICE CHIEF

By: _____
Chief of Police

TOWN OF BEECH MOUNTAIN

By: _____
Mayor

(SEAL)

ATTEST: _____
Name: _____
Title: Town of Beech Mountain

TOWN OF BEECH MOUNTAIN POLICE

By: _____
Chief of Police

TOWN OF ELK PARK

By: _____
Mayor

(SEAL)

ATTEST: _____
Name: _____
Title: Town of Elk Park

TOWN OF ELK PARK POLICE CHIEF

By: _____
Chief of Police

TOWN OF NEWLAND

By: _____
Mayor

(SEAL)

ATTEST: _____
Name: _____
Title: Town of Newland

TOWN OF NEWLAND POLICE CHIEF

By: _____
Chief of Police

VILLAGE OF SUGAR MOUNTAIN

By: _____
Mayor

(SEAL)

ATTEST: _____
Name: _____
Title: Village of Sugar Mountain

**VILLAGE OF SUGAR MOUNTAIN POLICE
CHIEF**

By: _____

TOWN OF SEVEN DEVILS



By: _____
Mayor

(SEAL)

ATTEST: _____
Name: _____
Title: Town of Seven Devils

**TOWN OF SEVEN DEVILS POLICE
CHIEF**

By: _____

Seven Devils Public Safety Committee
Tuesday August 6, 2019

MINUTES

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

Others Present: Kevin Aldridge (Public Works Director)

Old Business

2019 SafetyFest Wrap-Up

- * Approximately \$15,000 raised - have yet to receive funds from two sponsors, a few placemat ads and a silent auction bid
- * Wish Lists from Fire, Police, Public Works Departments and Town Hall safety needs should be submitted to George Ehlinger and Brad Lambert for their review and ensuing grants made.
- * \$100 donation made to Blowing Rock Fire Department (bounce house use) and Avery Ladder Truck Company.
- * It was moved, seconded and voted not to have a Volunteer Appreciation Lunch next year. Few attended, and even fewer RSVPed so time for set-up and money for food can be put to better use.
- * Thank yous and certificates have gone out.

New Business

- * 2020 Seven Devils SafetyFest - Saturday June 27, 2020
- * George Ehlinger, Chairman, has requested for tree limbs and shrubbery to be cut back along the roads before winter weather for better visibility and safer passage.
- * Seven Devils Public Safety Committee will not meet until March 3, 2020 unless a special meeting is called by George Ehlinger, Chairman. Communication among Committee members may also be via telephone or email.
- * Great job everyone - see you in 2020!

**Town of Seven Devils
Tourism Development Authority Meeting
August 27, 2019**

The Town of Seven Devils Tourism Development Authority met in regular session on Tuesday, August 27, 2019 at Town Hall. Chair Anne Fontaine, Member Tom Gidley, 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 Tom Gidley made a motion to adopt the agenda and to approve the minutes from the June 25, 2019 meeting. Chair Anne Fontaine seconded the motion. The motion passed unanimously.

Citizen Comments

Brad Lambert was present.

Old Business

- Chair Anne Fontaine complimented the staff on the outcome for the 40th birthday celebration. Town Manager Debbie Powers thanked the TDA members for sponsoring the event. She also thanked Member Tom Gidley for providing history items that were displayed during the celebration.
- The TDA members agreed to distribute the remaining promotional bags that were given out during the 40th birthday celebration to Seven Devils board members and to new residents.
- The TDA members agreed to cover the cost for painting (\$14,800.00) and landscaping the new Townhall to promote tourism in Seven Devils.

New Business

- Town Manager Debbie Powers informed the TDA members that the position for a new Parks & Rec Program Tech will be posted.
- Town Manager Debbie Powers will get an estimate for the repair on the Tennis Courts. The TDA members will revisit the resurfacing of the Tennis Court in spring 2020.
- Town Manager Debbie Powers presented a quote for the parking lot repair of the new Townhall. The new Townhall will serve as a welcome center to promote tourism. A decision on funding will be made after a discussion with the auditors.
- There was a discussion about the applications for the open member position. The TDA members would like to take on a 4th member as an alternate. TDA members will recommend the idea to the Town Council.
- Town Manager Debbie Powers will get an estimate for signage at the new Townhall and the current Townhall.

- Town Manager Debbie Powers will get an estimate to replace/repair the existing webcam.

Email/Invoice Approvals:

- Member Tom Gidley made a motion to approve the Blue Ridge Parkway yearly membership dues (\$ 375.00). Chair Anne Fontaine seconded the motion and it was agreed upon unanimously.

Financial Statement

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

Board Comments

- The TDA members suggested a time capsule for the new Townhall.

- **Adjourn**

At 9.30 am, Chair Anne Fontaine made a motion to adjourn. Member Tom Gidley seconded the motion and it was agreed upon unanimously.

High Country ABC Meeting Minutes

July 18, 2019

The High Country ABC Board held its monthly meeting on Thursday, July 18 at 4:15 pm. Board chair Sarah Manning, board member Donna Dicks, board member Winston Ammann, alternate board member Robin Dunn, alternate board member Leigh Sasse, alternate board member David Miller and general manager Sara Brewer were present. Zack Green, director of Mountain Alliance, was a guest at the 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 Donna Dicks, seconded by Winston Ammann, it was voted to approve today's agenda. Upon motion duly made by Winston Ammann, seconded by Donna Dicks, it was voted to approve last month's minutes.

Zack Green spoke to the board about the programs Mountain Alliance is offering to students at Avery County High School. They currently have an after school program called School's Out which is held Monday through Thursday until 6 pm. This program is staffed with tutors, college prep access, snacks,

games, etc. The atmosphere lets students come on their own and manage their own time but with supervision. A second program is designed to provide Avery high students with an alternative spring break in which students provide hurricane relief, community service projects, etc., as well as educational opportunities. This program will last from 7-9 days under adult supervision and extensive planning and coordination. The purpose of Mountain Alliance is to be inclusive, non-competitive and to provide help for at-risk students. The board asked that Mr. Green submit grant applications for consideration, which he did.

General manager Sara Brewer discussed sales from June which were down \$7010 from last year. Total sales for the month were \$363,260. Revenues were approximately \$230,000 overall. The board discussed final year budget amendment and a motion was made by Donna Dicks, seconded by Winston Ammann, to amend as follows: Each of the three Towns will receive a one-time bonus of \$20,000; bonuses for employees included \$1,500 for full-time, \$1,000 for two part-time and \$500 for ABC Officer; \$10,033 to be deposited in a CD; \$4,000 distributed to Western Youth Network for alcohol education. The motion was voted on and approved by the board.

Old business: general manager Sara Brewer and assistant manager Bonnie Betz discussed employee evaluations and recommended cost of living plus merit increases. Raises will

range from .50 cents per hour up to \$3.00 per hour. The raises are compatible with the approved personnel budget.

Donna Dicks shared the results of the Alcohol Purchase Survey conducted recently by Western Youth Network. Nineteen out of 20 stores surveyed asked for identification, as required by law. This was a much better outcome than previous surveys. Donna and David will be meeting with YMCA program staff in August to discuss after school teen programs.

New business: none

There were no citizens in attendance.

The next scheduled meeting will be Thursday, August 15th at 4:15 pm. First item on the agenda will be evaluation of general manager.

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

Sarah Manning, Board Chair

Donna Dicks, Board Member

Winston Ammann, Board Member

date approved

Activity Log Event Summary (Cumulative Totals)

SEVEN DEVILS PUBLIC SAFETY

(08/01/2019 - 08/31/2019)

911 Hang-up call	1	Alarm Activation	3
Animal Complaint	1	Assist Other Department	3
Assist Resident	1	Business Check	185
Court Duty	1	Extra Patrol	6
Larceny	1	Motor Vehicle Accident	1
Other	2	Patrol	45
Training	1	Vandalism	1
Warning Citation	1	Welfare Check	1

Total Number Of Events: 254

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

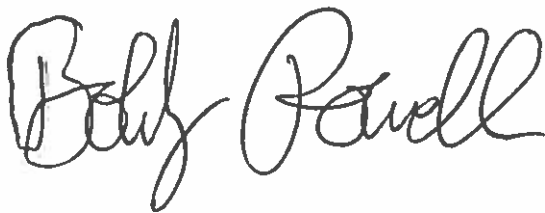
August 2019

Fire Calls: 1
Medical Calls: 3
Training sessions: 3
Total Man-hours: 102 Hrs.

We held the Avery County Fire Association meeting at our department on August 1ST. The annual elections were held. The offices periods for the different positions have changed this year with help from the bylaw committee. All positions will now have a 2-year term.

1 Fire Call: Fire Alarm
3 Medical Calls: 1 Death, 1 fall, 1 Sick Person.

Thank You.



MONTHLY FINANCE REPORT
August 2019 - 16.67%

	Budget	Actual		%	
	Total	Previous	Aug		YTD
Section 1. General Fund					
Anticipated Revenues by Category					
Ad Valorem Taxes	806,000	1,828	20,680	22,508	2.79%
State Share Revenue	120,510	16,754	3,988	20,742	17.21%
ABC Distribution	100,000	20,000	0	20,000	20.00%
Powell Bill Allocation	30,000	0	0	0	0.00%
Permits and Fees	4,000	44	51	95	2.38%
Sales Tax	175,000	14,492	15,314	29,806	17.03%
Misc Revs, Govt Grants, Sale of Assets	203,930	30,824	15,346	46,170	22.64%
Capital Reserve Fund/FB	351,272	0	0	0	0.00%
Occupancy Tax	150,000	12,822	20,862	33,684	22.46%
Total	1,940,712	96,764	76,241	173,005	8.91%
Authorized Expenditures by Department					
Governing Board	100,050	1,148	948	2,096	2.09%
Administrative	485,856	46,877	51,103	97,980	20.17%
Public Safety	550,043	43,145	46,370	89,515	16.27%
Fire Protection	140,491	2,049	3,487	5,536	3.94%
Planning	1,500	0	0	0	0.00%
Public Works	482,772	55,326	30,185	85,511	17.71%
Powell Bill	30,000	30,000	0	30,000	100.00%
Tourism Development Authority	150,000	12,822	20,862	33,684	22.46%
Total	1,940,712	191,367	152,955	344,322	17.74%

MONTHLY FINANCE REPORT
August 2019 - 16.67%

	Budget	Actual		%
	Total	Previous	Aug	
Section 2. Enterprise Fund				
Anticipated Revenues by Category				
Water Operating Revenues	244,500	20,425	22,685	43,110
Water Taps and Connections	2,000	0	0	0
Non Operating Revenues	1,296	0	10	10
Capital Reserve for Capital Outlay	64,867	0	0	0
Total	312,663	20,425	22,695	43,120
				13.79%
Authorized Expenditures by Department				
Water-Operating	117,914	10,849	8,433	19,282
Non Operating	142,249	2,294	2,622	4,916
Capital Outlay	52,500	0	0	0
Total	312,663	13,143	11,055	24,198
				7.74%