

TOWN OF SEVEN DEVILS

Regular Town Council Meeting
Tuesday, October 13, 2020 5:30pm

In order to maintain the safety of Town residents, Staff and Council Members, the Town Council Meeting will be conducted electronically

Public Comments can be emailed to:

townclerk@sevendeils.net by Noon on Tuesday, October 13th

To connect to the meeting, details are provided below:

Agenda

- 1) INVOCATION
- 2) PLEDGE OF ALLEGIANCE
- 3) CALL TO ORDER – Roll Call
- 4) ADOPT AGENDA
- 5) CONSENT AGENDA
Approve minutes of Town Council Meeting – September 8, 2020
- 6) OLD BUSINESS – None
- 7) NEW BUSINESS
 - A. Doug Matheson – NCLM – Presentation
 - B. Annexation Petition – Clevon Woods Associates, LLC – PIN#1878443864000 – 7.575 acre parcel
 - (i) Resolution #2020-04
 - C. Annexation Petition – Clevon Woods Associates, LLC – PIN#1878537991000 – .576 acre parcel
 - (i) Resolution #2020-05
 - D. Budget Amendment #1 – FY21
- 8) CITIZENS COMMENTS
- 9) ADMINISTRATIVE UPDATE
- 10) COMMITTEE REPORTS
 - A. Board of Adjustment – No meeting
 - B. Planning Board – No meeting
 - C. Public Works – No meeting
 - D. Public Safety Committee – No meeting
 - E. Parks & Recreation Committee – No meeting
 - F. TDA – September minutes
 - G. ABC Board – August minutes
 - H. Tree Committee – No meeting
 - I. Public Safety Department
 - (i) Police Report
 - (ii) Fire Report
 - J. Financial Reports
- 11) COUNCIL COMMENTS
- 12) ADJOURN

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/937302445>

You can also dial in using your phone.

United States: [+1 \(872\) 240-3212](tel:+18722403212)

Access Code: 937-302-445

**TOWN OF SEVEN DEVILS
REGULAR TOWN COUNCIL MEETING
TUESDAY, SEPTEMBER 8, 2020
5:30PM**

The Seven Devils Town Council met for a Regular Meeting and the format of this meeting was dual Electronic – Go To Meeting#606173221 and In-Person at Town Hall on Tuesday, September 8, 2020. Attendance In-Person included Mayor Larry Fontaine, Mayor Pro Tem Brad Lambert, & Member Wayne Bonomo. Members Leigh Sasse & Jeffrey Williams attended remotely with visible video display. A quorum was met. Also present In-Person – Town Manager Debbie Powers & Town Attorney Rob Angle. The minutes were recorded by Town Clerk Hillary Gropp.

CALL TO ORDER

Mayor Fontaine called the meeting to order at 5:30pm.

PRAYER/INVOCATION

Mayor Fontaine gave the Invocation for the Council meeting.

PLEDGE OF ALLEGIANCE

Council members and Citizens recited the Pledge of Allegiance.

ROLL CALL

Each Council member stated their name & announced their presence for the Roll Call.

ADOPT AGENDA

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

CONSENT AGENDA

Adopt minutes of Town Council Meeting – August 11, 2020

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

OLD BUSINESS - None

NEW BUSINESS

A. ABC AUDIT FY20 – Sara Brewer, High Country ABC Board

Sara Brewer, ABC Manager will be retiring on December 1, 2020. She introduced Bonnie Betz as her successor. Sara provided the ABC Audit Report to the Town of Seven Devils. The fiscal year ended 06/30/2020 with Gross Sales of \$4,061,584 and \$950,153 paid in taxes to the State. In 2020, the ABC Board distributed a total of \$420,000 with \$140,000 to each town of Banner Elk, Seven Devils & Sugar Mountain. Since the inception of the HC ABC Board in 1998, the total given is \$4,992,502.

7.54% of profits were expended for law enforcement and alcohol education in FY2020.

Sara Brewer stated that due to Covid19 & SOE, the store hours are 11am to 7pm and will be reevaluated and altered as needed. The frontline employees have been using extra cleaning & sanitation methods.

B. TOWN AUDIT REPORT FY20 – Sharon Gillespie CPA

The Town Audit Report FY20 was presented by Sharon Gillespie, CPA; hard copies of this audit were provided to the Town Council and a PDF version is available online at www.sevendevils.net.

The Town passed the audit with positive reviews and some of the highlights that Sharon pointed out were as follows:

Page 5 – Opinion paragraph

Page 8 – Management Discussion & Analysis

Sharon noted at the end of the current fiscal year, unreserved fund balance for the General Fund was \$965,211 or 54.44 % of total general fund expenditures for the fiscal year.

Page 18 - Net Position

Page 19- Statement of Activities

Page 20 – Governmental Funds aka Balance Sheet

Page 21 - Statement Activity of Revenues, Expenditures and Changes in Fund Balance(Profit/Loss)

Page 25 – Net Position – Proprietary Funds

Page 58 – Current Tax Levy

Sharon reports the tax collection rate is 99.30% which is commendable. Sharon noted the quality of records provided by staff; overall the Town is in excellent condition; Administration is organized and helps expedite the process.

No Action Taken ~CLOSED~

C. BOARD/COMMITTEE APPOINTMENTS

(ii) Applications

Joan Streightiff – Board of Adjustment – *Appointed to fill vacant seat – Term expires 1/1/2021*

Mark Williams – Public Works Committee – *Appointed to fill vacant seat – Term expires 1/1/2021*

Member Sasse made a motion to accept the above applications & appointments; Member Bonomo seconded the motion. The members agreed unanimously. **~CLOSED~**

CITIZENS COMMENTS - None

ADMINISTRATIVE COMMENTS

Town Manager Powers provided the following update:

- The Town's Audit Report FY20 and ABC Audit FY20 are both on the Town's website.
- The CPR course is scheduled for September 8th at OTH.
- Town wide debris pick up will begin on October 1st; deadline for placing at road is September 30th.
- COVID 19 updates for Avery & Watauga County; NC is now phase 2.5
- The Town's 2020 tax bills have been mailed with US Postal Service.
- OTH Remodel – Funding by TDA; Contractors are 4FortyFour & Mountain Heritage Systems; Access to OTH book exchange & exercise is via handicap ramp; Webcam & weather station currently unavailable.
- Public Works – Kevin, Brian & Bubba attended CEU class for Water Operator Certification.
- Potholes USA has completed hot patch repairs.
- Grant updates: Town has received a notice to proceed letter for RTP; Decision for PARTF on September 18th; Parks & Rec Tech – Jewel McKinney is contacting trail builders for formal bids.
- CARES ACT updates for Avery & Watauga County
- Census reminder of the importance for state/regional funds. 7D population as of 07/01/19 = 223

Tree Permits – 5

Complaints – 9

Real Estate Closings – 0

Projects – 2

Violation Letters – 0

Fence Permits – 0

Stop Work Orders – 0

COMMITTEE REPORTS

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

COUNCIL COMMENTS - None

ADJOURN

Member Sasse made a motion to adjourn; Mayor Pro Tem Lambert seconded the motion. All members agreed. The meeting adjourned at 6:15pm.

Larry Fontaine, Mayor

Hillary Gropp, Town Clerk



TOWN OF SEVEN DEVILS PETITION REQUESTING ANNEXATION

Date: September ¹⁴ 15, 2020 *CEW*

To: The Town Council of the Town of Seven Devils, North Carolina

1. The undersigned owner of the real property described in Paragraph 2 below respectfully requests that the area be annexed to the Town of Seven Devils.
2. The 7.575 acre area to be annexed (Tax PIN #1878443864000) is contiguous to the Town of Seven Devils, and boundaries of such territory are described in the deed to Clevon Woods Associates, LLC, recorded in Record Book 1381, Page 7, Watauga County Registry, a copy of which is attached hereto and incorporated herein by reference. Also attached is a plat/survey of the 7.575 acre parcel, along with copy of tax map.
3. I acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 must be declared and identified on this petition. I further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. Proof of any declared zoning rights are attached.

Name: Clevon Woods Associates, LLC
Address: c/o Charles E. Clement, Managing Member
756 W. King Street
P.O. Box 32
Boone, NC 28607
Telephone: 828-264-6411
Email: cclement@clementlawoffice.com

Declaration of vested rights: None

NOTE: I request that the 7.575 acre parcel to be annexed be placed in the General Business Zoning District of the Town of Seven Devils.

Signature: _____

Charles E. Clement
Charles E. Clement, Managing Member
Clevon Woods Associates, LLC
756 W. King Street
P.O. Box 32
Boone, NC 28607
828-264-6411
cclement@clementlawoffice.com

7.575 acre tract to be Annexed into Town of Seven Devils
Property of Clevon Woods Associates, LLC
conveyed by Deed from
Hugh G. Aldridge and wife, Linda C. Aldridge
Record Book 1381, Page 7, Watauga County Public Registry

Legal Description

BEING all that certain 7.575 acre tract or parcel of land located in Watauga Township, Watauga County, North Carolina, and more particularly described as follows:

BEGINNING on an iron stake in the line of (now or formerly) Everett Yarber, said iron stake located North 34 degrees 21 minutes East 135.84 feet from the "beginning" corner of a 19.362 acre tract; THENCE from the BEGINNING and with the line of (now or formerly) Everett Yarber North 34 degrees 21 minutes East 210 feet to a stake at a 10-inch Beech in the fence; THENCE North 39 degrees 23 minutes East 334.60 feet to an iron found in the old road; THENCE North 38 degrees 34 minutes East 165.24 feet to an iron found at a stump; THENCE South 35 degrees 09 minutes East 181.92 feet to an iron found; THENCE South 39 degrees 00 minutes East 394.96 feet to an iron found in the fence corner, the corner of now Clevon Woods Associates, LLC (formerly Charles Clement); thence with the line of Clevon Woods Associates, LLC the following courses and distances: South 39 degrees 16 minutes West 93.88 feet to a tack in a fence post; South 29 degrees 39 minutes West 49.69 feet to a 12-inch Ashe in the fence; South 37 degrees 57 minutes West 63.33 feet to a 12-inch Ashe in the fence; South 19 degrees 45 minutes West 96.15 feet to a tack in a fence post; South 01 degrees 24 minutes West 63.63 feet to a 12-inch Oak; and South 11 degrees 38 minutes West 62.65 feet to an iron found by a 24-inch Oak; THENCE with a new line North 65 degrees 56 minutes West 676.08 feet to the point and place of BEGINNING, and containing 7.575 acres as shown on Map or Plat No. B.S. 7929, entitled "Property of Suddie Mae Fox and Barbara F. Franklin," dated March 12, 1979, prepared by Burkett Surveyors, Inc., Walter H. Burkett, RLS No. L-1209.

FILED JoAnn Townsend
Register of Deeds, Watauga Co NC
Recording Fee \$20.00
NC Real Estate Tax \$334.00

20080613000067780 DEED
Bk:BR1381 Pg:7
08/13/2008 11:47:22 AM 1/3



WARRANTY DEED

Excise Tax: \$334.00

STATE OF NORTH CAROLINA

COUNTY OF WATAUGA

This Warranty Deed made this 11th day of June, 2008, by and between

HUGH G. ALDRIDGE and wife, LINDA C. ALDRIDGE
(hereinafter called "Grantors")

and

CLEVON WOODS ASSOCIATES, LLC
a North Carolina limited liability company
(hereinafter called "Grantee")

whose address is:

P.O. Box 32
Boone, NC 28607



WITNESSETH:

Grantors, for and in consideration of the sum of Ten Dollars and other good and valuable consideration in hand paid by Grantee, the receipt of which is hereby acknowledged, have given, granted, bargained, sold and conveyed and by these presents do give, grant, bargain, sell, convey and confirm unto Grantee, its successors and assigns, in fee simple, all that certain parcel or tract of land situated in Watauga Township, Watauga County, North Carolina, and more particularly described as follows:

See attached Exhibit "A"

The foregoing description was prepared from information contained in the Deed recorded in Deed Book 191, Page 702 Watauga County Registry. See also deeds recorded in the following books and pages: Deed Book 192, Page 279; Deed Book

✓



191, Page 944; Deed Book 191, Page 946; Deed Book 257, Page 579; and Record Book 1031, Page 447, Watauga County Registry.

TO HAVE AND TO HOLD the aforesaid parcel or tract of land and all privileges and appurtenances thereunto belonging, or in any wise appertaining, unto Grantee, its successors and assigns in fee simple forever.

Grantors covenant with Grantee that they are seized of the premises in fee simple and have the right to convey the same in fee simple; that title is marketable and free and clear of all encumbrances, other than those exceptions set forth below; and that Grantors will warrant and defend the title to the same against the lawful claims of all persons whomsoever, except as hereinafter stated.

Title to the property hereinabove described is subject to the exceptions as set forth in the attached Exhibit "A".

IN WITNESS WHEREOF, Grantors have hereunto set their hands and seals the day and year first above written.

Hugh G. Aldridge (SEAL)
HUGH G. ALDRIDGE
Linda C. Aldridge (SEAL)
LINDA C. ALDRIDGE

STATE OF NORTH CAROLINA

COUNTY OF WATAUGA

I certify that HUGH G. ALDRIDGE and wife, LINDA C. ALDRIDGE personally appeared before me this day and acknowledged to me that they voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated.

WITNESS my hand and official seal this 11th day of June, 2008.



Sharon L. Knipper
Notary Public Signature Above
Sharon L. Knipper
Notary's Printed or Typed Name Above

My Commission Expires: 3-17-2009

EXHIBIT "A"



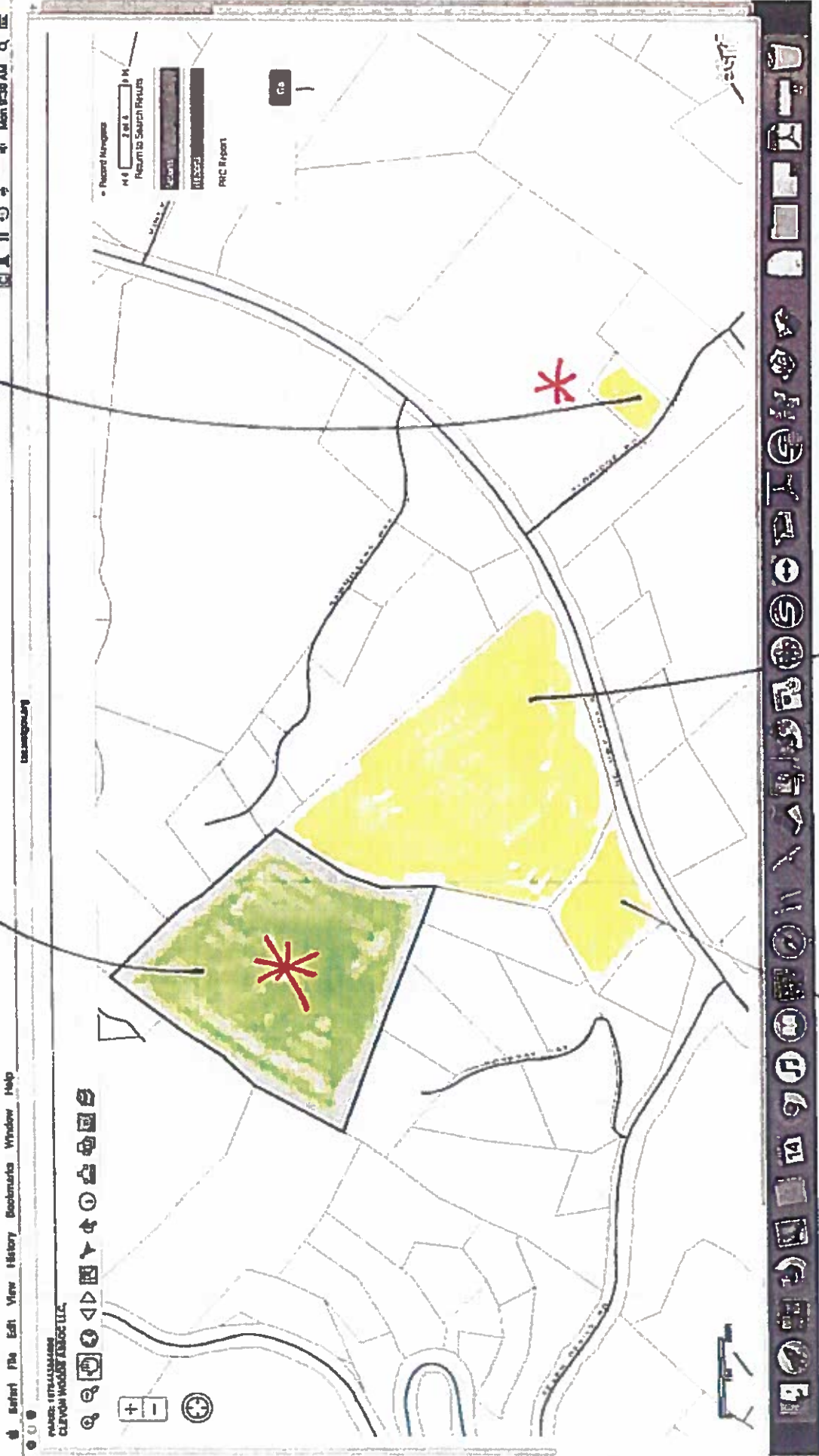
Legal Description

BEING all that certain 7.575 acre tract or parcel of land located in Watauga Township, Watauga County, North Carolina, and more particularly described as follows:

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Clevon Woods
Pin # 1878443864000

Clevon Woods
Pin # 1878537991
000



Clevon Woods
Pin # 1878434989000

Clevon Woods
Pin # 1878447318000



Resolution #2020-04

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION
RECEIVED UNDER G.S. 160A-31**

PIN# 1878443864000 7.575 ACRE PARCEL

WHEREAS, a petition requesting annexation of an area described in said petition was received on September 14, 2020 by Clewon Woods Associates, LLC.; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Seven Devils, North Carolina deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Seven Devils, North Carolina that the Town Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the Town Council of Seven Devils, North Carolina the result of her investigation.

This the 13th day of October, 2020.

Larry Fontaine, Mayor

ATTEST:

Hillary Gropp, Town Clerk



TOWN OF SEVEN DEVILS PETITION REQUESTING ANNEXATION

Date: September ¹⁴ 18, 2020 *c/c*

To: The Town Council of the Town of Seven Devils, North Carolina

1. The undersigned owner of the real property described in Paragraph 2 below respectfully requests that the area be annexed to the Town of Seven Devils.
2. The 0.576 acre area to be annexed (Tax PIN #1878537991000) is contiguous to the Town of Seven Devils, and boundaries of such territory are described in the deed to Clevon Woods Associates, LLC, recorded in Record Book 1960, Page 373, Watauga County Registry, a copy of which is attached hereto and incorporated herein by reference. Also attached is a plat/survey of the 0.576 acre parcel, along with copy of tax map.
3. I acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 must be declared and identified on this petition. I further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. Proof of any declared zoning rights are attached.

Name: Clevon Woods Associates, LLC
 Address: c/o Charles E. Clement, Managing Member
 756 W. King Street
 P.O. Box 32
 Boone, NC 28607
 Telephone: 828-264-6411
 Email: cclement@clementlawoffice.com

Declaration of vested rights: None

NOTE: I request that the 0.576 acre parcel to be annexed be placed in the General Business Zoning District of the Town of Seven Devils.

Signature: *Charles E. Clement*
 Charles E. Clement, Managing Member
 Clevon Woods Associates, LLC
 756 W. King Street
 P.O. Box 32
 Boone, NC 28607
 828-264-6411
 cclement@clementlawoffice.com

0.576 acre tract to be Annexed into Town of Seven Devils

Property of Clevon Woods Associates, LLC
Conveyed by Deed from
BBR Enterprises, LLC
Record Book 1960, Page 373, Watauga County Public Registry

Legal Description

BEING all that certain 0.576 acre parcel or tract of land located on the east side of Aldridge Road (N.C.S.R. 1184), and being a portion of the 9.1 acre, more or less, tract conveyed to Lee R. Propst and wife, Mary S. Propst by warranty deed dated May 23, 1967, and recorded in Deed Book 102, Page 48, Watauga County, North Carolina, Public Registry, and being more particularly described as follows:

BEGINNING at an existing iron pipe set in the eastern margin of Aldridge Road (N.C.S.R. 1184), being the southwest corner of a 1.011 acre tract owned by Vestpocket Investments, LLC (Record Book 1715, Page 304, Watauga County Registry); THENCE from the BEGINNING and with the eastern margin of Aldridge Road North 62 degrees 10 minutes 30 seconds West 41.88 feet to an existing iron pipe; THENCE continuing with the eastern margin of Aldridge Road North 46 degrees 51 minutes 00 seconds West 83.13 feet to an existing iron pipe set in the eastern margin of said road; THENCE leaving Aldridge Road and with a new line through the Propst land North 44 degrees 59 minutes 00 seconds East 200.00 feet to a calculated point; THENCE with another new line through the Propst land South 51 degrees 58 minutes 14 seconds East 124.02 feet to a point of intersection in the western line of the Vestpocket Investments, LLC 1.011 acre tract; THENCE with the western line of the Vestpocket Investments, LLC 1.011 acre tract South 44 degrees 59 minutes 00 seconds West 200 feet to existing iron pipe, the POINT AND PLACE OF BEGINNING, and containing 0.576 acres as shown and more particularly described on Map #015187, entitled "Boundary Survey Prepared For Vestpocket Investments, LLC," by Daughtry Land Surveying, Ralph E. Daughtry, PLS No. 4153, a copy of which is attached for illustrative purposes.

TOGETHER WITH a 10-foot wide sanitary sewer easement, the centerline of which is described as follows: BEGINNING at a point in the western line of the 0.576 acre tract described hereinabove, said beginning point being 12.05 feet north of the western line of the remaining Propst property (being also the eastern margin of Aldridge Road (N.C.S.R. 1184)); THENCE from the BEGINNING and continuing with the centerline of said 10-foot wide easement North 42 degrees 15 minutes 02 seconds West 147.90 feet, and then continuing North 36 degrees 42 minutes 06 seconds West 104.11 feet, to the terminus of the said easement, as shown and more particularly described on Map #D16106-C, entitled "Centerline of a 10' Sewer Easement," by Daughtry Land Surveying, Ralph E. Daughtry, PLS No. 4155, a partial copy of which is attached for illustrative purposes.



NON-WARRANTY DEED

Excise Tax: \$0

STATE OF NORTH CAROLINA

COUNTY OF WATAUGA

This Non-Warranty Deed made this 13th day of February, 2018, by and between

BBR ENTERPRISES, LLC,
a North Carolina limited liability company
(hereinafter called "Grantor")
whose address is:
P.O. Box 193
Boone, NC 28607

and

CLEVON WOODS ASSOCIATES, LLC,
a North Carolina limited liability company
(hereinafter called "Grantee")
whose address is:
P.O. Box 32
Boone, NC 28607

WITNESSETH:

Grantor hereby gives, grants, bargains, sells, conveys and confirms unto Grantee, its successors and assigns, all right, title and interest, if any, which they may have in and to that certain lot or parcel of land situated in Watauga Township, Watauga County, North Carolina, and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

Bk 1960 Pg 374
Doc No 666244 Kind DEED

The foregoing description was prepared from information contained in the deed recorded in Book of Records 1911, Page 893, Watauga County, North Carolina, Public Registry.

TO HAVE AND TO HOLD the aforesaid parcel or tract of land and all privileges and appurtenances thereunto belonging, or in any wise appertaining, unto Grantee, its successors and assigns forever.

Grantor makes no warranty, express or implied, as to title to the title to the property hereinabove described.

Pursuant to N.C.G.S. 105-317.2, Grantor represents that the property conveyed herein is not its primary residence.

IN WITNESS WHEREOF, Grantor has executed this Non-Warranty Deed, the day and year hereinafter set forth.

BBR ENTERPRISES, LLC, a North Carolina limited liability company

By: [Signature]
Name: Ronald Sayles
Title: mgr.

STATE OF NORTH CAROLINA

COUNTY OF Watauga

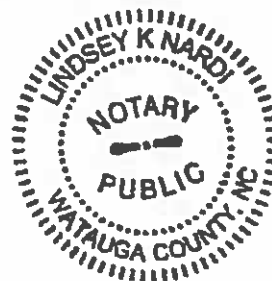
I certify that Ronald Sayles personally appeared before me this day and acknowledged to me that they voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated.

WITNESS my hand and official seal this 13 day of February, 2018.

[Signature]
Notary Public Signature Above

My Commission Expires: 9/20/2022

(Affix Notarial Seal)



Bk 1960 Pg 375

Doc No 666244 Kind DEED

Exhibit "A"

Legal Description

BEING all that certain 0.576 acre parcel tract of land located on the east side of Aldridge Road (N.C.S.R. 1184), and being a portion of the 9.1 acre, more or less, tract conveyed to Lee R. Propst and wife, Mary S. Propst by warranty deed dated May 23, 1967, and recorded in Deed Book 102, Page 48, Watauga County, North Carolina, Public Registry, and being more particularly described as follows:

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Bk 1960 Pg 376

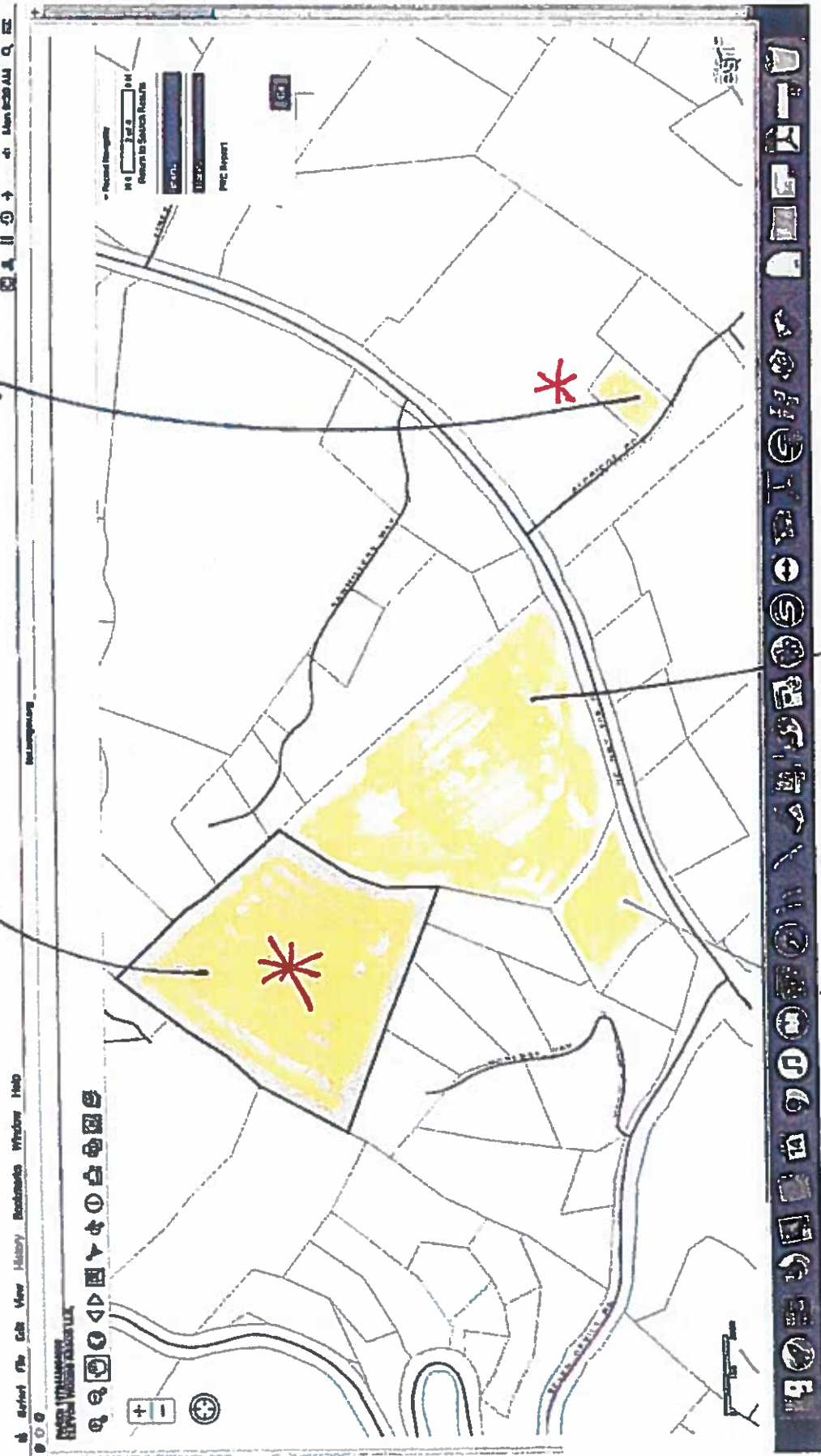
Doc No 666244 Kind DEED

Exceptions:

1. Watauga County ad valorem taxes.
2. Right of Way for NC Highway 105 and Aldridge Road (N.C.S.R. 1184).
3. Billboard Leases recorded Book of Records 62 at Page 578; Book of Records 347 at Page 365; Book of Records 119 at Page 416; Book of Records 1312 at Page 556, Watauga County Registry.
4. Easement to Blue Ridge Electric Membership Corporation recorded in Book of Records 1682 at Page 613, Watauga County Registry.
5. The Property is to be used only for development, construction, and operation of a wastewater treatment plant or other wastewater treatment function, including without limitation, septic.

Clewon Woods
Pin # 1878443864000

Clewon Woods
Pin # 1878537991
000



Clewon Woods
Pin # 1878434989000

Clewon Woods
Pin # 1878447318000



AGENDA ITEM 7)C.(i)

Resolution #2020-05

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION
RECEIVED UNDER G.S. 160A-31**

PIN# 1878537991000 .576 ACRE PARCEL

WHEREAS, a petition requesting annexation of an area described in said petition was received on September 14, 2020 by Clevon Woods Associates, LLC.; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Seven Devils, North Carolina deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Seven Devils, North Carolina that the Town Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the Town Council of Seven Devils, North Carolina the result of her investigation.

This the 13th day of October, 2020.

Larry Fontaine, Mayor

ATTEST:

Hillary Gropp, Town Clerk

Budget Amendment #1 – FY21

Purpose: To account for the NC PRO (Pandemic Recovery Office) CARES ACT funds, received from Watauga and Avery Counties.

Increase 10-348-12 (NCPRO-CARES ACT-AVERY) by \$14,002.54

Increase 10-420-57 (Administrative Miscellaneous) by \$14,002.54

Increase 10-348-13 (NCPRO-CARES ACT-WATAUGA) by \$113,703.53

Increase 10-510-57 (Police Miscellaneous) by \$113,703.53

Notes: The North Carolina Pandemic Recovery Office (NCPRO) was established under [Session Law 2020-4 of House Bill 1043](#) as a temporary office to oversee and coordinate funds made available under COVID-19 Recovery Legislation which includes Coronavirus Relief Funds (CRF).

As a response to the national pandemic of COVID-19 the Federal Government established the [Coronavirus Aid, Relief, and, Economic Security Act or CARES Act](#) which established the Coronavirus Relief Fund (the “Fund”) and appropriated \$150 billion to the Fund. Under the CARES Act, the Fund is to be used to make payments for specified uses to States and certain local governments.

The CARES Act provides that payments from the Fund may only be used to cover costs that:

1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19)
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020

Debbie Powers

Town Manager

TOWN COUNCIL MEETING

Administrative Update

October 13, 2020

September 2020 items:

1. COVID -19 update
2. CARES ACT Update
3. Powell Bill Allocation
4. OTH remodel Update
5. Grants update
 - a. RTP
 - b. PARTF – Sept. 18th - no award
6. Election reminder – November 3rd
7. New Construction – Fred Dorman – Lots 13-16, Blair Mtn.
 - Tree Permits – 3
 - Projects – 2
 - Fence Permits – 0
 - Complaints – 13
 - Violation letters – 0
 - STOP WORK ORDERS - 0
 - Real Estate Closings – 11 homes, 1 vacant lot

AGENDA ITEM 9) Complaints

<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-Sep	renters		988	CRT	bad behavior	renters throwing eggs and rocks from deck onto Alpine Drive	PD investigated; no cars at home; no response from interior DP notified rental agent
1-Sep	unknown			Devils Lk Grandview	gunshots	gunshots heard in area	PD investigated; probable initiation from County side
1-Sep	Public Safety Comm				street lights webcam	outage at Wildcat Rks and Thorncliff prefer a different viewing setting	outage discussed & notified BREMCO/repairs can be reset for add'l monthly change per Ray Russell weather
2-Sep	anonymous				webcam	webcam not working	correct- webcam down during OTH remodel project - read banner on website for notice
4-Sep	Gauspohl Jackie		145	Grande View Ct.	exercise class	"door locked; no one here" "mats and masks provided?"	Use back door as advised on signage. Masks provided; bring your own mat
8-Sep	Dombalis Tom		107	Buckeye	trees	neighbor at 125 Buckeye cutting trees on his property	DP and Kevin investigate 125 only cut trees on own property; informed of property lines - advised to review plat
9-Sep	Patrick Katie		986	Skyland	Otter Falls	boyfriend spotted topless female sunbathing at Otter Falls	Do not email later; call Police while in progress to resolve
10-Sep	Hankerd Sharon		Hwy 105	neighbor		133 Shelby St lets her turkey & duck loose onto her property	PD investigated; will keep her animals secured until harvest time
10-Sep	unknown				RV	"can I bring my RV onto Seven Devils? How about a van. Will I run off the side of the mountain?"	RVs are not allowed. If you have to ask.....
11-Sep	unknown				hats	"Do the guys wear red hats?"	NO.
17-Sep	Storie Steve	renter		HRV	water	water turned off due to non-payment "I've hired an attorney"	Referred him to owner of the condo unit to make payment

28-Sep Rose Richard 415 Cliffside neighbor package left at 420 Cliffside DP emailed owner (Mackin)

for several days; need to contact somebody

28-Sep unknown Skyland fireworks PD investigated; no findings

fireworks reported to PD somewhere on Skyland Dr

**Town of Seven Devils
Tourism Development Authority Meeting
September 22, 2020**

The Town of Seven Devils Tourism Development Authority met in regular session on Tuesday, September 22, 2020 at New Town Hall. Chair Anne Fontaine, Member Richard Blonshine, Town Manager Debbie Powers, Finance Officer Helga Sappington and Parks and Rec Tech Jewel McKinney were present. Member Leigh Sasse joined the meeting remotely through <https://global.gotomeeting.com/join/792390997> . Member Tom Gidley was absent.

Call to Order

Chair Anne Fontaine called the meeting to order at 9:05 am.

Adopt Agenda and Approve Minutes

Member Richard Blonshine made a motion to adopt the agenda and to approve the minutes from the July 28, 2020 meeting. Member Leigh Sasse seconded the motion. The motion passed unanimously.

Citizen Comments

Larry Fontaine, Brad Lambert and Wayne Bonomo were present.

Old Business

- Parks and Rec Tech Jewel McKinney updated the TDA members on the Old Townhall remodel with a picture slideshow. There was a discussion about additional funding that was approved through email.

New Business

- Member Richard Blonshine made a motion to fund Grandfather Mountain/ Andy Sicard for department needs as a thank you for continuing workshops held at Seven Devils (up to \$ 300.00) to promote tourism at Seven Devils. Member Leigh Sasse seconded the motion. The motion passed unanimously.
- Town Manager Debbie Powers presented a thank you note from the Boone Chamber to the TDA members.
- Town Manager Debbie Powers presented the audit report to the TDA members.
- Member Richard Blonshine made a motion to purchase TV's for the Old Townhall meeting room (up to \$ 1,500.00). The TV's will be used for slide show viewing in the book exchange to promote tourism in Seven Devils. Member Leigh Sasse seconded the motion. The motion passed unanimously.
- Town Manager Debbie Powers informed the TDA members that the fall banners and decorations will go on display in the next few weeks.

Email/Invoice Approvals: Additional funding to remodel Old Townhall (\$ 62,250.00 total)

Financial Statement

- Member Richard Blonshine made a motion to approve the financial statements. Member Leigh Sasse seconded the motion. The motion passed unanimously.

Board Comments

- none

Adjourn

At 9.35 am, Member Richard Blonshine made a motion to adjourn. Member leigh Sasse seconded the motion. The motion passed unanimously.

High Country ABC Board Meeting Minutes

August 20, 2020

The High Country ABC Board held its monthly meeting on Thursday, August 20 at 4:15 pm. Board chair Donna Dicks, board member Winston Ammann, board member Anne Fontaine, alternate board member Robin Dunn, alternate board member Leigh Sasse, alternate board member David Miller and general manager Sara Brewer were present.

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 matters coming to the board today?" Hearing none, the meeting continued.

Upon motion duly made by Winston Ammann, seconded by Anne Fontaine, it was voted to approve today's agenda. Upon motion duly made by Anne Fontaine, seconded by Winston Ammann, it was voted to approve last month's minutes.

General manager Sara Brewer reported that sales for July were up \$27,448 over July of last year. Total sales for the month were \$509,615. Retail sales had an increase and mixed beverage had a decrease. There were no financial reports because the CPAs were still working on the year-end audit.

Old business:

- The board discussed how to divide the \$100,000 (in budget amendment) into CD's with current rates.
Upon motion duly made by Anne Fontaine, seconded by Winston Ammann, it was voted and approved to divide the money as follows: \$30,000 in a 3-month CD at .05%; 30,000 in a 12-month CD at .07%; and \$40,000 in an 18-month CD at .08%.
- Sara Brewer reported to the board that the "bonus" checks, \$20,000 each for the three towns, had been distributed.
- Sara Brewer presented the policy on COVID-19 sick leave pay and the board approved. This policy will be attached to the minutes of this meeting. Ms. Brewer also updated the board on our employee's status who is currently waiting to be re-tested on Friday, August 21. The board feels it is very important that the employee have a negative test before returning to work.

New Business:

- Two grant requests have been received, one from Club12 and the other from Lees-McRae College. Club12 is requesting \$5,000 for a program that will combine onsite

attendees with online attendees in their meetings which will be vital during COVID-19. Upon motion duly made by Anne Fontaine, seconded by Winston Ammann, it was approved to give Club12 \$5,000. Lees-McRae's grant request was also for \$5,000. These funds are to be used for an in-presentation by Brian "Head" Welch and his daughter, Jenna. Mr. Welch was a founding member of the rock band KORN and his story tells of alcohol and drug addiction throughout his career and also being a single father. The board asked for more information about how this will be presented to the students at Lees-McRae due to COVID-19 restrictions. They also questioned the large budget and if is an ongoing program. Sara Brewer will get in touch with H.D. Stewart at LMC to ask these questions and get back with board members.

- Sara Brewer has activated direct deposit for payroll.
- Sara Brewer announced to the board that she will be retiring as of December 1, 2020. Ms. Brewer will have 39 years of service with the ABC system.

There were no citizens at the meeting.

The next scheduled meeting will be Thursday, September 17 at 4:15 pm.

Upon motion duly made by Winston Ammann, seconded by Anne Fontaine, the meeting was adjourned.

Donna Dicks, Board Chair

Winston Ammann, Board Member

Anne Fontaine, Board Member

Date approved

Activity Log Event Summary (Cumulative Totals)

SEVEN DEVILS PUBLIC SAFETY

(09/01/2020 - 09/30/2020)

<No Event Type Specified>	1	911 Hang-up call	1
Alcohol Compliance Check	1	Animal Complaint	1
Arrest	2	Assist Other Department	1
Business Check	605	Citation	1
Complaint	1	Disturbance	1
Extra Patrol	14	Fire Department	1
Fraud	1	Item(s) found	1
Medical	2	Motor Vehicle Accident	2
Open Door	2	Ordinance Violation	1
Patrol	139	Shots fired	1
Suspicious Person	1	Training	1
Vehicles illegally parked (Fire lane, Handicapped ,	1	Warning Citation	1
Welfare Check	1		

Total Number Of Events: 784

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

September 2020

Fire Call:	0
Medical Call:	4
Training sessions:	4
Total Man-hours:	127 Hrs.

We held a community wide CPR class for citizens who wanted to take CPR class. It was taught by Edward Barrier, Paramedic, Avery County Medics and Avery Rescue and me. We went over the basic CPR and how starting good quality compressions is the best way to save someone life in an event where CPR is needed. We also talked about Kids and infant's CPR and choking.

We also held our annual CPR-AED Refresher training for our firefighters and fires responders talking about the basics of CPR and AED use. We now have an AED in every town own vehicle and almost all our town employees are certified to use them. We also trained in Epi Shots for allergic reactions. All was great training and fellowship.

I went in front of the Avery County Fire Commission to ask for help matching our state fire grant this year. They had cut our budget amount for this match. I ask for \$10,000.00 and received it. This will go toward the match of our NC State fire grant.

1 Fire Call: 1 Fire Alarm
4 Medical Calls: 2 Falls, 1 Car Accident, 1 Possible Overdose

Thank You,

Bobby Powell

MONTHLY FINANCE REPORT
Sept 2020 - 25%

	Budget	Actual		%	
	Total	Previous	Sept		YTD
Section 1. General Fund					
Anticipated Revenues by Category					
Ad Valorem Taxes	806,000	56,033	89,575	145,608	18.07%
State Share Revenue	109,510	10,134	14,205	24,339	22.23%
ABC Distribution	100,000	50,500	0	50,500	50.50%
Powell Bill Allocation	22,500	0	13,082	13,082	58.14%
Permits and Fees	1,000	143	1,727	1,870	187.00%
Sales Tax	120,000	25,942	17,061	43,003	35.84%
Misc Revs, Govt Grants, Sale of Assets	136,800	16,785	129,774	146,559	107.13%
Capital Reserve Fund/FB	222,075	0	0	0	0.00%
Occupancy Tax	150,000	59,673	35,960	95,633	63.76%
Total	1,667,885	219,210	301,384	520,594	31.21%
Authorized Expenditures by Department					
Governing Board	16,250	3,027	1,011	4,038	24.85%
Administrative	491,534	150,061	20,481	170,542	34.70%
Public Safety	466,244	89,048	31,708	120,756	25.90%
Fire Protection	109,098	5,931	1,408	7,339	6.73%
Planning	1,500	11	0	11	0.73%
Parks & Rec	52,001	7,063	3,177	10,240	19.69%
Public Works	358,758	65,455	25,064	90,519	25.23%
Powell Bill	22,500	295	5,950	6,245	27.76%
Tourism Development Authority	150,000	59,673	35,960	95,633	63.76%
Total	1,667,885	380,564	124,759	505,323	30.30%

MONTHLY FINANCE REPORT
Sept 2020 - 25%

	Budget		Actual		%
	Total	Previous	Sept	YTD	
Section 2. Enterprise Fund					
Anticipated Revenues by Category					
Water Operating Revenues	221,500	46,278	21,656	67,934	30.67%
Water Taps and Connections	0	0	2,000	2,000	0.00%
Non Operating Revenues	754	30	553	583	77.32%
Capital Reserve for Capital Outlay	0	0	0	0	0.00%
Total	222,254	46,308	24,209	70,517	31.73%
Authorized Expenditures by Department					
Water-Operating	119,571	18,426	7,601	26,027	21.77%
Non Operating	102,683	5,246	2,622	7,868	7.66%
Capital Outlay	0	0	0	0	0.00%
Total	222,254	23,672	10,223	33,895	15.25%