

TOWN OF SEVEN DEVILS  
REGULAR TOWN COUNCIL MEETING  
December 8, 2020 - 5:30pm

*In order to maintain the safety of Town residents, Staff & Council members, the Town Council meeting will be conducted electronically.*

*Public comments can be emailed to:*

*[townclerk@sevendevids.net](mailto:townclerk@sevendevids.net) by Noon on Tuesday, December 8<sup>th</sup>*

*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
  - A. Approve minutes of Town Council meeting – November 10, 2020
- 6) CITIZENS COMMENTS
- 7) OLD BUSINESS
  - A. CLEVON WOODS ASSOCIATES – ANNEXATION
    - (i) Ordinance 2020-02 – 0.576 Acre – PIN#1878-53-7991-000
    - (ii) Ordinance 2020-03 – 7.575 Acre – PIN#1878-44-3864-000
- 8) NEW BUSINESS
  - A. Calendar for 2021
- 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 Commission – No meeting
  - E. Recreation Commission – No meeting
  - F. TDA – No meeting
  - G. ABC Board – October minutes
  - H. Tree Committee – No meeting
  - I. Public Safety Department
    - (i) Police Report
    - (ii) Fire Report
  - J. Financial Report
- 11) COUNCIL COMMENTS
- 12) ADJOURN

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

<https://global.gotomeeting.com/join/765316437>

You can also dial in using your phone.

United States: [+1 \(312\) 757-3121](tel:+13127573121)

Access Code: 765-316-437

TOWN OF SEVEN DEVILS  
REGULAR TOWN COUNCIL MEETING  
TUESDAY, NOVEMBER 10, 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#714065181 and In-Person at Town Hall on Tuesday, November 10, 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. Also present In-Person – Town Manager Debbie Powers & Town Attorney Rob Angle. The minutes were recorded by Town Clerk Hillary Gropp.

**INVOCATION**

Mayor Fontaine gave the Invocation for the Council meeting.

**PLEDGE OF ALLEGIANCE**

Council members and Citizens recited the Pledge of Allegiance.

**CALL TO ORDER**

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

**ROLL CALL**

Mayor Fontaine, Mayor Pro Tem Lambert, Members Bonomo, Sasse & Williams stated their name and announced their presence for the Roll Call.

**ADOPT AGENDA**

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

**CONSENT AGENDA**

**Adopt minutes of Town Council Meeting – October 13, 2020**

Member Bonomo made a motion to approve and adopt the minutes; Member Williams seconded the motion. All members agreed.

**OLD BUSINESS**

Town Clerk Gropp gave an update of the resources used to verify and issue the Certificates of Sufficiency for each Annexation petition. This included researching the recorded deed history with Watauga County, reviewing the Annual Reports recorded with the NC Secretary of State, and submitting all to Town Attorney Angle for his guidance & approval for this step of this Annexation process. Following the presentation of each Certificate of Sufficiency, Town Council will vote on two Resolution(s) setting the date of the Public Hearing.

**A. Certificate of Sufficiency – Clevon Woods Associates, LLC  
PIN# 1878537991000 - .576 acre parcel**



**Town of Seven Devils  
157 Seven Devils Road  
Seven Devils, NC 28604**

**CERTIFICATE OF SUFFICIENCY**

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

**I, Hillary Gropp, Town Clerk, do hereby certify that I have investigated the attached petition and hereby make the following findings:**

- a. The petition contains an adequate property description of the area proposed for annexation.
- b. The area described in the petition is contiguous to the Town of Seven Devils primary corporate limits, as defined by G.S. 160A-31.
- c. The petition is signed by and includes addresses of all owners of real property lying in the area described therein.

**Clevon Woods Associates, LLC  
Charles E. Clement, Managing Member  
756 W. King Street  
P.O. Box 32  
Boone, NC 28607**

**Watauga County PIN# 1878-53-7991-000  
0.576 Acre Parcel – Aldridge Road (N.C.S.R. 1184)**

d. Vested Rights Declaration - None

**In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Seven Devils, this 10th day of November, 2020.**



  
Hillary Gropp, Town Clerk

After the Certificate of Sufficiency was presented, and prior to the vote on the Resolution, Member Bonomo had some questions for the applicant, Charles Clement, as he was present at the meeting. Questions included: What are the chances of approval by the Corp of Engineers for the Wastewater Treatment Plant (WWTP) by the State of NC? Department of Environmental Quality? Construction permits? Mr. Clements has \$200,000+ invested, hired an engineer to work on this and assured the Town Council he is doing all steps necessary to gain 100% approval. The WWTP will be operated by a licensed Utility Company. Mr. Clement is available to answer any questions about this project at any time.

Member Bonomo asked "Is there a risk to the Town?"

Town Attorney Angle replied, he doesn't see any risk to the Town with the WWTP, if all guidelines are followed. The Town is immune from liability.

Member Bonomo asked the applicant, "What happens if the project is started, but not completed?"

Member Bonomo proposed the idea, due to changing real estate market conditions, if the anticipated development on the property at Hwy. 105 doesn't happen that this WWTP is to support, is the project halted. Mr. Clement answered that could occur.

Town Attorney Angle stated the parcel will have a value, in the future, if all WWTP permits are issued.

Mr. Bonomo asked, "What is the age of the WWTP equipment?"

He also asked, "The expected life/use of the equipment?"

Mr. Clement stated the used equipment was purchased in the Charlotte region, but he did not know the projected number of years it could be used in the future.

Without further discussion or questions, Mayor Fontaine asked for a motion and vote for Resolution #2020-06.

Member Bonomo made a motion to approve Resolution #2020-06. Mayor Pro Tem Lambert seconded the motion.

Roll Call – (4) Yeas – Bonomo, Fontaine, Lambert, Sasse, (1) Nay – Williams

Motion passed 4-1 ~CLOSED~



**RESOLUTION #2020-06**

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION  
PURSUANT TO G.S. 160A-31**

**WHEREAS**, a petition requesting annexation of the area described herein has been received; and  
**WHEREAS**, the Town Council of Seven Devils, NC has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and  
**WHEREAS**, certification by the Town Clerk as to the sufficiency of the petition has been made;  
**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of Seven Devils, NC that:

**Section 1.** A public hearing on the question of annexation of the area described herein will be held at Town Hall at 1:00pm on Monday, December 7, 2020.

**Section 2.** The area proposed for annexation is described as follows:

**Watauga County PIN#1878-53-7991-000  
0.576 Acre Parcel – Aldridge Road (N.C.S.R. 1184)**

**Exhibit "A"**

**Legal Description**

BEING all that certain 0.576 acre parcel extract 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 38 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 #013187, 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.


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.

Section 3. Notice of the public hearing shall be published in The Watauga Democrat, a newspaper having general circulation in the Town of Seven Devils, NC, at least ten (10) days prior to the date of the public hearing.

  
Larry Fontaine, Mayor

ATTEST:

  
Hillary Gropp, Town Clerk



**B. Certificate of Sufficiency – Clevon Woods Associates, LLC  
PIN# 1878443864000 – 7.575 acre parcel**



**Town of Seven Devils  
157 Seven Devils Road  
Seven Devils, NC 28604**

**CERTIFICATE OF SUFFICIENCY**

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

**I, Hillary Gropp, Town Clerk, do hereby certify that I have investigated the attached petition and hereby make the following findings:**

- a. The petition contains an adequate property description of the area proposed for annexation.
- b. The area described in the petition is contiguous to the Town of Seven Devils primary corporate limits, as defined by G.S. 160A-31.
- c. The petition is signed by and includes addresses of all owners of real property lying in the area described therein.

**Clevon Woods Associates, LLC  
Charles E. Clement, Managing Member  
756 W. King Street  
P.O. Box 32  
Boone, NC 28607**

**Watauga County PIN#1878-44-3864-000  
7.575 Acre Parcel**

d. Vested Rights Declaration - None

**In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Seven Devils, this 10th day of November, 2020.**



  
Hillary Gropp, Town Clerk



**RESOLUTION #2020-07**

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION  
PURSUANT TO G.S. 160A-31**

**WHEREAS**, a petition requesting annexation of the area described herein has been received; and

**WHEREAS**, the Town Council of Seven Devils, NC has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

**WHEREAS**, certification by the Town Clerk as to the sufficiency of the petition has been made;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of Seven Devils, NC that:

Section 1. A public hearing on the question of annexation of the area described herein will be held at Town Hall at 1:00pm on Monday, December 7, 2020.

Section 2. The area proposed for annexation is described as follows:

**Watauga County PIN#1878-44-3864-000  
7.575 Acre Parcel**

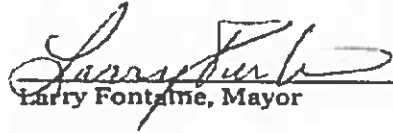
**Legal Description**

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.



Section 3. Notice of the public hearing shall be published in The Watauga Democrat, a newspaper having general circulation in the Town of Seven Devils, NC, at least ten (10) days prior to the date of the public hearing.

  
Larry Fontaine, Mayor

ATTEST:

  
Hillary Gropp, Town Clerk



R2020-07 Page 2 of 2

Mayor Fontaine asked for a motion and vote for Resolution #2020-07.

Mayor Pro Tem Lambert made a motion to approve Resolution #2020-07. Member Bonomo seconded the motion.

Roll Call - (4) Yeas - Bonomo, Fontaine, Lambert, Sasse, (1) Nay - Williams  
Motion passed 4-1 ~CLOSED~

**NEW BUSINESS - None**

**CITIZENS COMMENTS - None**

**ADMINISTRATIVE COMMENTS**

Town Manager Powers provided the following update:

- Cares Act update & current NC EO 176 & Covid19 case counts in Watauga/Avery counties.

- Town Hall is closed on November 11<sup>th</sup>, 26<sup>th</sup> & 27<sup>th</sup>
- OTH remodel update; final walk thru will be soon; Parks & Rec Tech Jewel McKinney is obtaining quotes for exercise equipment
- The traditional Lite the Nite has been altered to a Food Drive during the week of Nov 30<sup>th</sup> to Dec 4<sup>th</sup>; Food drop off & monetary donations will benefit "Feeding Avery Families".
- Woodwinds paving is complete; other roads to receive gravel per Public Works recommendation.
- Town Council will meet on Tuesday – Dec 1<sup>st</sup> @ 10am – noon for mid-year budget review FY21.

Tree Permits – 6  
 Complaints – 13  
 Stop Work Orders – 0

Projects – 0  
 Compliments - 2  
 Real Estate Closings – 8

Fence Permits – 0  
 Violation Letters – 0

### **COMMITTEE REPORTS**

**Board of Adjustment – No meeting**

**Planning Board – No meeting**

**Public Works – No meeting**

**Public Safety Committee – No meeting**

**Parks & Recreation Committee – October minutes**

**TDA – October minutes**

**ABC Board – September minutes**

**Tree Committee – No meeting**

**Public Safety Department**

**Police Report**

**Fire Report**

**Financial Report**

### **COUNCIL COMMENTS**

Member Sasse thanked the Public Works department for leaf clean up within the Town. She is also appreciative of the speed bumps on Alpine Drive that have been painted.

Mayor Fontaine also thanked the Public Works department for their successful repair of a water line break at new Town Hall.

Member Bonomo stated the Town Council should review the Annexation petitions thoroughly, and consider "What is best for the Town of Seven Devils?".

Member Bonomo asked specifically about the benefit of increase property taxes, equivalent in dollars to the Town. Town Attorney Angle stated that taxes for undeveloped property tax will be less then completed construction.

Mayor Fontaine stated he has written a letter about the Annexation petitions to be sent to the citizens on the Town, and posted on the website.

### **RECESS – Until December 1, 2020 at 10:00am**

Member Bonomo made a motion to recess; Member Williams seconded the motion. All members agreed. The meeting recessed at 6:35pm.

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Larry Fontaine, Mayor

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Hillary Gropp, Town Clerk



**ORDINANCE**

**ANNEXATION 2020-02**

**CLEVON WOODS ASSOCIATES, LLC.  
PIN#1878537991000 0.576 Acre Parcel**

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF  
THE TOWN OF SEVEN DEVILS, NORTH CAROLINA**

**WHEREAS**, the Town Council of Seven Devils, North Carolina has been petitioned under G.S. 160A-31 to annex the area described below; and

**WHEREAS**, the Town Council of Seven Devils, North Carolina has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

**WHEREAS**, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at Town Hall and Go To Meeting#321803381 at Town Hall on December 7, 2020 at 1:00pm, after due notice by Watauga Democrat newspaper on Wednesday, November 25, 2020; and

**WHEREAS**, the Town Council of Seven Devils, North Carolina finds that the petition meets the requirements of G.S. 160A-31;

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Seven Devils, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Seven Devils, North Carolina as of December 8, 2020:

Exhibit "A"

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:

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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.

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.

Section 2. Upon and after December 8, 2020, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Seven Devils, North Carolina and shall be entitled to the same privileges and benefits as other parts of the Town of Seven Devils, North Carolina. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Seven Devils, North Carolina shall cause to be recorded in the office of the Register of Deeds of Watauga County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Watauga County Board of Elections, as required by G.S. 163-288.1.

Adopted this 8th day of December, 2020.

\_\_\_\_\_  
Larry Fontaine, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

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

\_\_\_\_\_  
Rob Angle, Town Attorney



## ORDINANCE

### ANNEXATION 2020-03

**CLEVON WOODS ASSOCIATES, LLC.  
PIN#1878443864000 7.575 Acre Parcel**

#### **AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF SEVEN DEVILS, NORTH CAROLINA**

**WHEREAS**, the Town Council of Seven Devils, North Carolina has been petitioned under G.S. 160A-31 to annex the area described below; and

**WHEREAS**, the Town Council of Seven Devils, North Carolina has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

**WHEREAS**, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at Town Hall and Go To Meeting#321803381 at Town Hall on December 7, 2020 at 1:00pm, after due notice by Watauga Democrat newspaper on Wednesday, November 25, 2020; and

**WHEREAS**, the Town Council of Seven Devils, North Carolina finds that the petition meets the requirements of G.S. 160A-31;

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Seven Devils, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Seven Devils, North Carolina as of December 8, 2020:

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 (nor 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.

Section 2. Upon and after December 8, 2020, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Seven Devils, North Carolina and shall be entitled to the same privileges and benefits as other parts of the Town of Seven Devils, North Carolina. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Seven Devils, North Carolina shall cause to be recorded in the office of the Register of Deeds of Watauga County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Watauga County Board of Elections, as required by G.S. 163-288.1.

Adopted this 8th day of December, 2020.

\_\_\_\_\_  
Larry Fontaine, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

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

\_\_\_\_\_  
Rob Angle, Town Attorney

### Seven Devils Town Meetings 2021

Meetings held at Seven Devils Town Hall, unless otherwise noted.

157 Seven Devils Road, Seven Devils, NC 28604

#### Public Safety Committee

##### 1<sup>st</sup> Tuesday of Month @ 5:30pm

January 5, 2021	July 6, 2021
February 2, 2021	August 3, 2021
March 2, 2021	September 7, 2021
April 6, 2021	October 5, 2021
May 4, 2021	November 2, 2021
June 1, 2021	December 7, 2021

#### Town Council Regular Meeting

##### 2<sup>nd</sup> Tuesday of Month @ 5:30pm

January 12, 2021	July 13, 2021
February 9, 2021	August 10, 2021
March 9, 2021	September 14, 2021
April 13, 2021	October 12, 2021
May 11, 2021	November 9, 2021
June 8, 2021	December 14, 2021

#### Parks & Recreation Committee

##### Thursday AFTER Town Council @ 9:00am

January 14, 2021	July 15, 2021
February 11, 2021	August 12, 2021
March 11, 2021	September 16, 2021
April 15, 2021	October 14, 2021
May 13, 2021	November 11, 2021
June 10, 2021	December 16, 2021

#### Public Works Committee

##### 3<sup>rd</sup> Tuesday of Month @ 10:00am

January 19, 2021	July 20, 2021
February 16, 2021	August 17, 2021
March 16, 2021	September 21, 2021
April 20, 2021	October 19, 2021
May 18, 2021	November 16, 2021
June 15, 2021	December 21, 2021

#### Planning Board Committee

##### 3<sup>rd</sup> Tuesday of Month @ 5:30pm

January 19, 2021	July 20, 2021
February 16, 2021	August 17, 2021
March 16, 2021	September 21, 2021
April 20, 2021	October 19, 2021
May 18, 2021	November 16, 2021
June 15, 2021	December 21, 2021

#### Tourism Development Authority

##### 4<sup>th</sup> Tuesday of Month @ 9:00am

January 26, 2021	July 27, 2021
February 23, 2021	August 24, 2021
March 23, 2021	September 28, 2021
April 27, 2021	October 26, 2021
May 25, 2021	November 23, 2021
June 22, 2021	December 28, 2021

#### Board of Adjustment

##### 4<sup>th</sup> Tuesday of Month @ 5:30pm

January 26, 2021	July 27, 2021
February 23, 2021	August 24, 2021
March 23, 2021	September 28, 2021
April 27, 2021	October 26, 2021
May 25, 2021	November 23, 2021
June 22, 2021	December 28, 2021



# TOWN HOLIDAYS

NEW YEAR'S DAY

Friday, January 1, 2021



PRESIDENTS DAY

Monday, February 15, 2021



EASTER

Friday, April 2, 2021



MEMORIAL DAY

Monday, May 31, 2021



INDEPENDENCE DAY

Monday, July 5, 2021



LABOR DAY

Monday, September 6, 2021



VETERAN'S DAY

Thursday, November 11, 2021



THANKSGIVING

Thursday, November 25, 2021



Friday, November 26, 2021

CHRISTMAS

Friday, December 24, 2021

Monday, December 27, 2021



**TOWN COUNCIL MEETING**

**Administrative Update**

**December 8, 2020**

November 2020 items:

1. Town Hall Closed December 24<sup>th</sup>, 25<sup>th</sup>, and January 1
2. Food Drive recap – Feeding Avery Families – Nov.30-Dec.4
3. COVID-19 update
4. Mid-year Budget Review meeting recap
5. Property Taxes due January 5<sup>th</sup> – reminders being sent

- Tree Permits – 2
- Projects – 1
- Fence Permits – 1
- Complaints – 7+
- Violation letters – 0
- STOP WORK ORDERS - 0
- Real Estate Closings – 9

<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>
2-Nov	Rose	Richard	415	Cliffside	garbage containers	regulations?	No specific regulations on type of garbage receptacle Recommend critter-proof
2-Nov	Henkerd	Sharon		Hwy 105	neighbor @ 133 Shelby Street	animals, noise, threats	received 4 page handwritten letter, Johnathan responded Not 7D jurisdiction; call Watauga County Sheriff
9-Nov	Patrick	Katie	986	Skyland	trees	neighbor is cutting trees on her property	Neighbor Beck has valid tree permit - not cutting her trees - not on her property
10-Nov	Boone				water	had water turned off - still got bill for \$35 - why?	Reb Boone's son inherited property-did not understand water ordinance-was informed
15-Nov	unknown			Otter Falls		Trail is too crowded - Town should never have built it	Explained property was for sale for many years - they had opportunity to purchase; Many citizens and visitors have enjoyed the facility.
22-Nov	Moser	Darrell		unknown	visiting	"dear friend" is letting him use home in 7D over Thanksgiving holiday - can I drive my van, will I get stuck, will you pull me out of ditch; what is weather prediction?	Referred back to "dear friend"
25-Nov	various				weather conditions	what will weather be? Can I get to my rental cabin? Will you get my trash? Where is the party?	typical pre-holiday calls refer back to rental agents

## High Country ABC Board Meeting Minutes

October 15, 2020

The High Country ABC Board held its monthly meeting on Thursday, October 15, 2020 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, general manager Bonnie Betz and Sara Brewer were present.

Before the meeting, Board chair Donna Dicks 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 interest 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 Bonnie Betz stated that total sales for the month of September were \$425,048.00. This is up \$112,649.00 over September 2019 sales. Retails sales were up \$93,505.00. Mixed beverage sales were up the first time since COVID19 affected North Carolina at \$19,144.00.

### Old Business:

- Sara Brewer reported to the board that Doug Owen is working on a more detailed grant application that will include surveys

from campers, parents and staff. The board had suggested that he add this to his application.

- Bonnie reported to the board that the store hired a new full-time clerk, Kelsey Hayes. She will start on Monday, October 19, 2020 at an hourly wage of \$13.
- Due to the salary numbers being incorrect, the board asked Bonnie to call other area ABC Boards to get up-to-date salary amounts for general managers and asst. manager/financial officers. This information will be emailed to all board members and discussed at next month's meeting.
- Sara Brewer reported to the board that there was a balance of \$5942.00 from alcohol education for last fiscal year. To clear this amount out, Sara suggested the board use the \$5000.00 against the grant that was awarded to Club 12 and then the remainder of \$942.00 be used against the \$2500 grant given to Lees-McRae. Upon motion duly made by Anne Fontaine, seconded by Winston Ammann, it was voted and approved.

#### New Business:

Bonnie asked the board if it were permissible to hire another part-time employee. The other part-time employees either had health issues and/or other commitments or were not available. The new part-time employee would potentially have 12-15 hours a week to help with unloading the truck and stocking, busy weekend coverage to assist clerks, and coverage for sick and vacation.

There were no citizens in attendance.

The next scheduled meeting will be held on Thursday, November 19, 2020 at 4:15 pm.

Anne Fontaine made a motion to adjourn today's board meeting. It was seconded by Winston Ammann and approved by all.

Donna Dicks, Board Chair

Winston Ammann, Board Member

Anne Fontaine, Board Member

date approved

# Activity Log Event Summary (Cumulative Totals)

SEVEN DEVILS PUBLIC SAFETY

(11/01/2020 - 11/30/2020)

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Alarm Activation	4	Animal Complaint	2
Assist Avery Sheriffs Office	2	Assist Emergency Medical Services	1
Assist Other Department	6	Bank Deposit Escort	2
Breaking and Entering	1	Business Check	258
Damage to property	2	Extra Patrol	6
Fire Department	1	Fraud	1
Larceny	1	Medical	1
Patrol	85		

**Total Number Of Events: 373**

# 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

November 21 2020

Fire Call:	2
Medical Call:	0
Training sessions:	2
Total Man-hours:	43 Hrs.

All the AEDs (Automatic External Defibrillators) have been tested and all pasted. Bio Med services from Hudson NC. comes to the fire department once a year and services all AEDs and repaired if needed at one time. We have 10 AEDs, one AED in all our emergency vehicles and 1 in New Town Hall and 2 firefighters carry an AED with their medical bags.

The Resort club has there own AED and has worked closely with on CPR and First Aid Training.

Thank you to the TDA we now have a new cabinet and an AED installed in the front room of old Town Hall.

This all increases the access to AEDs to all our citizens in case of emergency.

1 Fire Call: 1 Fire Alarm and 1 Mutual Aid Foscoe VFD.

0 Medical Calls: 0 Falls.

Thank You,

**Bobby Powell**



**MONTHLY FINANCE REPORT**  
**Nov 2020 - 41.6%**

	Budget		Actual			%
	Total	Previous	Nov	YTD	100%	
<b>Section 1. General Fund</b>						
Anticipated Revenues by Category						
Ad Valorem Taxes	806,000	238,190	242,405	480,595		59.63%
State Share Revenue	109,510	40,303	5,583	45,886		41.90%
ABC Distribution	100,000	76,000	0	76,000		76.00%
Powell Bill Allocation	22,500	13,083	0	13,083		58.15%
Permits and Fees	1,000	2,100	20	2,120		212.00%
Sales Tax	120,000	59,585	14,247	73,832		61.53%
Misc Revs, Govt Grants, Sale of Assets	264,506	156,066	7,408	163,474		61.80%
Capital Reserve Fund/FB	222,075	0	0	0		0.00%
Occupancy Tax	150,000	125,962	37,788	163,750		109.17%
<b>Total</b>	<b>1,795,591</b>	<b>711,289</b>	<b>307,451</b>	<b>1,018,740</b>		<b>56.74%</b>
Authorized Expenditures by Department						
Governing Board	16,250	5,854	983	6,837		42.07%
Administrative	505,536	210,711	43,960	254,671		50.38%
Public Safety	579,948	164,346	34,063	198,409		34.21%
Fire Protection	109,098	17,838	5,646	23,484		21.53%
Planning	1,500	19	126	145		9.67%
Parks & Rec	52,001	13,898	3,171	17,069		32.82%
Public Works	358,758	126,624	22,913	149,537		41.68%
Powell Bill	22,500	7,616	16,675	24,291		107.96%
Tourism Development Authority	150,000	125,962	37,788	163,750		109.17%
<b>Total</b>	<b>1,795,591</b>	<b>672,868</b>	<b>165,325</b>	<b>838,193</b>		<b>46.68%</b>

**MONTHLY FINANCE REPORT**  
**Nov 2020 - 41.6%**

	Budget	Actual			%
	Total	Previous	Nov	YTD	
<b>Section 2. Enterprise Fund</b>					
<b>Anticipated Revenues by Category</b>					
Water Operating Revenues	221,500	90,642	23,407	114,049	51.49%
Water Taps and Connections	0	2,000	0	2,000	0.00%
Non Operating Revenues	754	583	0	583	77.32%
Capital Reserve for Capital Outlay	0	0	0	0	0.00%
<b>Total</b>	<b>222,254</b>	<b>93,225</b>	<b>23,407</b>	<b>116,632</b>	<b>52.48%</b>
<b>Authorized Expenditures by Department</b>					
Water-Operating	119,571	36,441	9,458	45,899	38.39%
Non Operating	102,683	10,491	2,622	13,113	12.77%
Capital Outlay	0	0	0	0	0.00%
<b>Total</b>	<b>222,254</b>	<b>46,932</b>	<b>12,080</b>	<b>59,012</b>	<b>26.55%</b>