

TOWN OF SEVEN DEVILS
Town Council Organization Meeting
December 10, 2019 - 5:30pm

- 1) Invocation/Prayer
- 2) Call To Order
- 3) Pledge of Allegiance
- 4) Oath of Office
 - A. Re-Elected/New Elected Council Members
- 5) Nominations for Mayor
 - A. Oath of Office – Mayor
- 6) Nominations for Mayor Pro Tem
 - A. Oath of Office – Mayor Pro Tem
- 7) Adopt Agenda
- 8) Consent Agenda
 - A. Motion for Consideration
 - (i) Adopt minutes of Town Council Meeting on November 12, 2019
- 9) Citizens Comments
- 10) Administrative Update
- 11) Old Business - None
- 12) New Business
 - A. Recognition of David Ehmgig – Outgoing Town Council member
 - B. Adopt Code of Ethics for New Town Council – *Motion needed*
 - C. Annexation – Cairns – Grandview Restaurant
 - (i) Certificate of Sufficiency
 - (ii) Resolution #2019-10 – *Motion needed*
 - D. Calendar for 2020
 - (i) Town Meeting Schedule
 - (ii) Town Holidays
- 13) 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 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 – *No report*
 - J. Financial Report
- 14) Council Comments
- 15) Adjourn



OATH OF OFFICE

I, **Kay Ehlinger**, do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina, not inconsistent therewith, and that I will faithfully discharge the duties of my office as a **Member of the Town Council**, so help me God.

Kay Ehlinger, Council Member

Hillary Gropp, Town Clerk

Date



OATH OF OFFICE

I, **Larry Fontaine**, do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina, not inconsistent therewith, and that I will faithfully discharge the duties of my office as a **Member of the Town Council**, so help me God.

Larry Fontaine, Council Member

Hillary Gropp, Town Clerk

Date



OATH OF OFFICE

I, **Jeffrey C. Williams**, do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina, not inconsistent therewith, and that I will faithfully discharge the duties of my office as a **Member of the Town Council**, so help me God.

Jeffrey C. Williams, Council Member

Hillary Gropp, Town Clerk

Date



OATH OF OFFICE

I, _____, do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina, not inconsistent therewith, and that I will faithfully discharge the duties of my office as **Mayor of the Seven Devils Town Council**, so help me God.

Signature

_____, Mayor

Hillary Gropp, Town Clerk

Date



OATH OF OFFICE

I, _____, do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina, not inconsistent therewith, and that I will faithfully discharge the duties of my office as **Mayor Pro Tem of the Seven Devils Town Council**, so help me God.

Signature

_____, Mayor Pro Tem

Hillary Gropp, Town Clerk

Date

**TOWN OF SEVEN DEVILS
TOWN COUNCIL MEETING
November 12, 2019
5:30pm**

The Seven Devils Town Council met in regular session on Tuesday, November 12, 2019 at Town Hall. Present were Mayor Larry Fontaine, Mayor Pro Tem Brad Lambert, Members Kay Ehlinger and David Ehmig; A quorum was met. Also, present were Town Attorney Rob Angle, Town Manager Debbie Powers; the minutes were recorded by Town Clerk Hillary Gropp.

PRAYER/INVOCATION

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

CALL TO ORDER

Mayor Fontaine called the meeting to order at 5:31pm.

PLEDGE OF ALLEGIANCE

Council members and citizens recited the Pledge of Allegiance.

ADOPT AGENDA

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

ABC AUDIT REPORT – Sara Brewer, High Country ABC Board

Sara Brewer, ABC Manager provided the ABC Audit Report to the Town of Seven Devils. The fiscal year ended 06/30/2019 with Gross Sales of \$3,649,579 and \$861,849 paid in taxes to the State. In 2019, the ABC Board distributed a total of \$300,000 with \$100,000 to each town of Banner Elk, Seven Devils & Sugar Mountain. Since the inception of the HC ABC Board in 1998, the total given is \$4,572,502.

12.74% of profits were expended for law enforcement and alcohol education in FY2019. Sara Brewer spoke of new ordering for special items and it's been a positive, allowing a case to be sold in parts to the requestor and on shelf in the store.

TOWN COUNCIL VACANT SEAT

Member Bailey relocated out of Town limits and submitted her resignation to the Town Council, effective October 25, 2019.

Mayor Fontaine discussed and recommended appointing Wayne Bonomo to the vacant seat to complete the remainder of the term until elections in 2021.

Mayor Pro Tem Lambert made the motion to appoint Wayne Bonomo; Member Ehlinger seconded the motion. The members agreed unanimously.

The Oath of Office was given to Wayne Bonomo; he took his seat on the dais.

CONSENT AGENDA

ADOPT MINUTES OF TOWN COUNCIL MEETING – October 8, 2019

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


OLD BUSINESS - None

NEW BUSINESS

9) A. ANNEXATION – CAIRNS – Grandview Restaurant

(i) Petition for Annexation - Received by Debra B. Cairns, 10575 Hwy. 105 South, Banner Elk, NC

(ii) Resolution #2019-09



Resolution #2019-09

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER G.S. 160A-58.1**


WHEREAS, a petition requesting annexation of an area described in said petition was received on October 17, 2019 by Debra B. Cairns; and

WHEREAS, G.S. 160A-58.2 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 12th day of November, 2019.


Larry Fontaine, Mayor

ATTEST:


Hillary Gropp, Town Clerk



Member Ehlinger made a motion to approve Resolution #2019-09; Member Ehmig seconded the motion. The members agreed unanimously. ~CLOSED~

B. APPROVE BOARD/COMMITTEE APPOINTMENTS

The following is a list of Board & Committee Appointments for 2020 with term details.

RECAP of Board Terms & Submitted Board Applications. Effective 1/1/2020

Board of Adjustment has three (3) expiring terms & two (2) vacant seats
3-year term

Jack Byrnes – Reappointment - 1/1/2023

Frank Sell – Reappointment – 1/1/2023

Faye Brock – New Appointment – *Vacant* 1/1/2022

Bert Valery – New Appointment – *Alternate* 1/1/2023

John Wells IV – New Appointment - *Vacant* - *Alternate* 1/1/2022

Planning Board has two (2) expiring terms & one (1) vacant seat
2-year term

George Ehlinger – Reappointment 1/1/2022

Bert Valery – New Appointment – 1/1/2022

John Wells IV – New Appointment – *Vacant* – 1/1/2022

Parks & Recreation Committee has one (1) expiring term
3-year term

Anne Fontaine – Reappointment – 1/1/2023

Tourism Development Authority has one (1) expiring term
2-year term

Tom Gidley – Reappointment – 1/1/2022

Member Ehlinger made a motion to approve all Board & Committee Appointments;
Member Ehmig seconded the motion. The members agreed unanimously. **~CLOSED~**

C. CHRISTMAS BONUS REQUEST

Manager Powers requests the Town Council grant a Christmas bonus to all employees;
\$400.00 for ongoing employees and \$100.00 for employees with less than 1-year
employment. The total is \$5,100.00 and included in the budget.

Mayor Pro Tem Lambert made a motion to approve the Christmas Bonus Request; Member
Ehlinger seconded the motion. The members agreed unanimously. **~CLOSED~**

D. WATAUGA COUNTY EMERGENCY NOTIFICATION – HYPER REACH

Watauga County has changed the emergency notification provider to Hyper Reach, from
Code Red Alert. A press release will be posted to the Town's website and the Echo
newsletter. Residents can have alerts sent to a cellphone upon registering. All landlines are
automatically converted. **~CLOSED~**

CITIZENS COMMENTS

Leigh Sasse spoke on behalf of her brother, Gregg Jones, **389 Moonlight Trail**, stated the lower fire rating at his location caused an increase with insurance costs. This new fire rating has affected the upper portion of the Town. She inquired if the Town is trying to solve this issue.

Town Council replied that Fire Chief Powell continues to work with the State Fire Marshal to resolve this. The Town, Public Works and Fire Department have researched the installation of fire hydrants, however the infrastructure needed is cost prohibitive.

Kay Lambert, **430 Wildcat Rocks Road** reported the recent Operation Medicine Cabinet was held on October 26th. The take back was much lower, due to lack of notification in the media and the availability of Lazarus boxes year-round. She thanked the Police volunteers who participated in the event at Foscoe Fire Department.

Anne Fontaine, **127 West Rocky Top**, announced the Lite Up The Nite to be held on Friday, December 6th; bring a covered dish and can food item for donation. Send RSVP to the Town Clerk. She also announced a survey will be sent to citizens for feedback on ideas of how to repurpose the Old Town Hall building.

ADMINISTRATIVE UPDATE

Manager Powers provided the following update:

Watauga County will display a custom quilt at the new Community Rec Center; the Town's logo will be included on the quilt.

Avery County DOT had a meeting on October 2nd about treating roads in the winter.

Election recap: The candidate forum was held on October 9th; the election results will be certified by November 15th. The unofficial results are as follows: Larry Fontaine – 76, Kay Ehlinger – 59, Jeff Williams – 40, Wayne Bonomo – 39, Write-In – 10

Jewel McKinney was introduced, as she has been hired as the Parks & Rec Program Technician

Fire Chief Powell obtained a grant to install new fire alarm systems at new Town Hall and OTH.

Town Clerk Gropp completed week#4 of the Clerk's Institute at UNC SOG.

A committee is being formed to work on the repurposing of OTH. A survey will be distributed.

The Hogan's, 747 Thorncliff Drive, gifted the Town a plaque to commemorate the ribbon cutting of new Town Hall and to be displayed at the entry. TDA also contributed to the cost.

Town Hall will be closed on Thursday & Friday, November 28th & 29th for Thanksgiving.

The Christmas luncheon for staff is Wednesday, December 4th at 11:30am at Makoto's.

Lite Up The Nite will take place on Friday, December 6th at 6:00pm at OTH. The Town will provide turkey & ham. Attendees will bring a covered dish & canned good donations will be accepted.

Updates for: Tree Permits, Projects, Fence Permits, Complaints, Violations, Stop Work Orders & Real Estate Closings.

COMMITTEE REPORTS

Board of Adjustment – No meeting

Planning Board – No meeting

Public Works – No meeting

Public Safety Committee – No meeting

Parks & Recreation Committee – No meeting

TDA – October minutes

ABC Board – September minutes

Tree Committee – No meeting

Public Safety Department

Police Report

Fire Report

Financial Report

COUNCIL COMMENTS

ADIURN

Member Ehlinger made a motion to adjourn; Mayor Pro Tem Lambert seconded the motion. The members agreed unanimously. The meeting adjourned at 6:37pm.

Larry Fontaine, Mayor

Hillary Gropp, Town Clerk

Administrative Update

December 10, 2019

November Items:

- Open enrollment for employees on State Health Plan – November 2nd-19th
- Judy Francis/PARTF Representative – Meeting on November 6th
- NC DOT webinar for contracting requirements on November 7th
- NC DOR workshop – Helga – November 13th
- November 14th – Kelly & Phil/HCCOG meeting to recap PARTF grant
- Article in NCLM newsletter about New Town Hall
- Public Works project – cutting ROW for plowing & emergency vehicles
- Town Hall Closed on Tuesday, Wednesday, Thursday – December 24th, 25th & 26th
And Wednesday, January 1st

- Tree Permits – 2
- Projects – 1
- Fence Permits – 0
- Complaints – 8
- Violation Letters – 1
- Real Estate Closings – 6 (YTD=61)



Local Stories

Seven Devils Finds New Home, New Role

SEVEN DEVILS, NC

SHARE    



With a bigger and better Town Hall, Seven Devils' officials have become a key resource for the community.

SEVEN DEVILS, NC – Nov. 2019

Seven Devils' population, during peak season, swells about 800 percent—from 220 to 1,700. They are visitors and short-term residents, who come for the beautiful Western North Carolina scenery and

TOWN HALL CLOSED

Tuesday – December 24th

Wednesday – December 25th

Thursday – December 26th



TOWN HALL CLOSED

Wednesday
January 1, 2020



<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>
4-Nov	Robinson	Rosella	103	Alpine	election	needs refrigeration space, needs additional trash can	granted
4-Nov	Michaud	Cindy	2B	Villas	LED sign	wants time & temp back on sign	sign is being programmed
4-Nov	Michaud	Cindy	2B	Villas	LED sign	sign is too bright	sign is being programmed
12-Nov	Osella	Wayne	Lot 12	WW	webcam	is broken; needs to see road conditions	webcam is operational; can no longer take control
13-Nov	Williams	Hank	526	Buckeye	roads	scared of road conditions; have guests coming	conditions on all Town roads are good with no issues
14-Nov	Osella	Wayne	Lot 12	WW	webcam	STILL broken	webcam is operational
15-Nov	Bookstaver	Tom	231	Snowcloud	LED sign	dangerous/blinding	turned it off/ being re-programmed
27-Nov	Workman	Linda	152	Streamside	webcam	webcam inoperable, also Banner Elk webcam inoperable, need to see roads	webcam is operational we do not own/control BE webcam
27-Nov	Patrick	Katie	986	Skyland	water billing	concern that her water bill will exceed \$35 because she filled her hot tub "seems unethical" that we don't bill exactly every 30 days	each month has different # of days reading meters depends on weather conditions and other

**Code of Ethics for the Town Council of the
Town of Seven Devils, North Carolina**

PREAMBLE

WHEREAS, the Constitution of North Carolina, Article I, Section 35, reminds us that a “frequent recurrence to fundamental principles is absolutely necessary to preserve the blessings of liberty,” and

WHEREAS, a spirit of honesty and forthrightness is reflected in North Carolina’s state motto, *Esse quam videri*, “To be rather than to seem,” and

WHEREAS, Section 160A-86 of the North Carolina General Statutes requires local governing boards to adopt a code of ethics, and

WHEREAS, as public officials we are charged with upholding the trust of the citizens of Seven Devils, and with obeying the law,

NOW THEREFORE, in recognition of our blessings and obligations as citizens of the State of North Carolina and as public officials representing the citizens of the Town of Seven Devils, and acting pursuant to the requirements of Section 160A-86 of the North Carolina General Statutes, we the Town Council do hereby adopt the following General Principles and Code of Ethics to guide the Town Council in its lawful decision-making.

GENERAL PRINCIPLES UNDERLYING THE CODE OF ETHICS

- The stability and proper operation of democratic representative government depend upon public confidence in the integrity of the government and upon responsible exercise of the trust conferred by the people upon their elected officials.
- Governmental decisions and policy must be made and implemented through proper channels and processes of the governmental structure.
- Board members must be able to act in a manner that maintains their integrity and independence, yet is responsive to the interests and needs of those they represent.
- Board members must always remain aware that at various times they play different roles:
 - As advocates, who strive to advance the legitimate needs of their citizens
 - As legislators, who balance the public interest and private rights in considering and enacting ordinances, orders, and resolutions
 - As decision-makers, who arrive at fair and impartial quasi-judicial and administrative determinations.
- Board members must know how to distinguish among these roles, to determine when each role is appropriate, and to act accordingly.
- Board members must be aware of their obligation to conform their behavior to standards of ethical conduct that warrant the trust of their constituents. Each official must find within his or her own conscience the touchstone by which to determine what conduct is appropriate.

CODE OF ETHICS

The purpose of this Code of Ethics is to establish guidelines for ethical standards of conduct for the Town Council and to help determine what conduct is appropriate in particular cases. It should not be considered a substitute for the law or for a board member's best judgment.

Section 1. Board members should obey all laws applicable to their official actions as members of the board. Board members should be guided by the spirit as well as the letter of the law in whatever they do.

At the same time, board members should feel free to assert policy positions and opinions without fear of reprisal from fellow board members or citizens. To declare that a board member is behaving unethically because one disagrees with that board member on a question of policy (and not because of the board member's behavior) is unfair, dishonest, irresponsible, and itself unethical.

Board members should endeavor to keep up to date, through the board's attorney and other sources, about new or ongoing legal or ethical issues they may face in their official positions. This educational function is in addition to the day-to-day legal advice the board may receive concerning specific situations that arise.

Board members should endeavor to keep up to date, through the board's attorney and other sources, about the most pertinent constitutional, statutory, and other legal requirements with which they must be familiar to meet their legal responsibilities.

Section 2. Board members should act with integrity and independence from improper influence as they exercise the duties of their offices. Characteristics and behaviors consistent with this standard include the following:

- Adhering firmly to a code of sound values
- Behaving consistently and with respect toward everyone with whom they interact
- Exhibiting trustworthiness
- Living as if they are on duty as elected officials regardless of where they are or what they are doing
- Using their best independent judgment to pursue the common good as they see it, presenting their opinions to all in a reasonable, forthright, consistent manner
- Remaining incorruptible, self-governing, and unaffected by improper influence while at the same time being able to consider the opinions and ideas of others
- Disclosing contacts and information about issues that they receive outside of public meetings and refraining from seeking or receiving information about quasi-judicial matters outside of the quasi-judicial proceedings themselves
- Treating other board members and the public with respect and honoring the opinions of others even when the board members disagree with those opinions

- Not reaching conclusions on issues until all sides have been heard
- Showing respect for their offices and not behaving in ways that reflect badly on those offices
- Recognizing that they are part of a larger group and acting accordingly
- Recognizing that individual board members are not generally allowed to act on behalf of the board but may only do so if the board specifically authorizes it, and that the board must take official action as a body

Section 3.a. Board members should avoid impropriety in the exercise of their official duties. Their official actions should be above reproach. Although opinions may vary about what behavior is inappropriate, this board will consider impropriety in terms of whether a reasonable person who is aware of all of the relevant facts and circumstances surrounding the board member's action would conclude that the action was inappropriate.

Section 3.b. If a board member believes that his or her actions, while legal and ethical, may be misunderstood, the member should seek the advice of the board's attorney and should consider publicly disclosing the facts of the situation and the steps taken to resolve it (such as consulting with the attorney).

Section 4. Board members should faithfully perform the duties of their offices. They should act as the especially responsible citizens whom others can trust and respect. They should set a good example for others in the community, keeping in mind that trust and respect must continually be earned.

Board members should faithfully attend and prepare for meetings. They should carefully analyze all credible information properly submitted to them, mindful of the need not to engage in communications outside the meeting in quasi-judicial matters. They should demand full accountability from those over whom the board has authority.

Board members should be willing to bear their fair share of the board's workload. To the extent appropriate, they should be willing to put the board's interests ahead of their own.

Section 5. Board members should conduct the affairs of the board in an open and public manner. They should comply with all applicable laws governing open meetings and public records, recognizing that doing so is an important way to be worthy of the public's trust. They should remember when they meet that they are conducting the public's business. They should also remember that local government records belong to the public and not to board members or their employees. In order to ensure strict compliance with the laws concerning openness, board members should make clear that an environment of transparency and candor is to be maintained at all times in the governmental unit. They should prohibit unjustified delay in fulfilling public records requests. They should take deliberate steps to make certain that any closed sessions held by the board are lawfully conducted and that such sessions do not stray from the purposes for which they are called.

Censure Procedures. If a majority of the board has reason to believe that one of its members has violated a provision of this Code of Ethics, it may open an investigation into the matter to determine whether probable cause exists to initiate censure proceedings against the member. All information compiled, including the grounds for any finding of probable cause, shall be shared with the member when it is received. All information pertaining to the case shall be open to public inspection and copying pursuant to the North Carolina public records statutes. If upon investigation the board concludes that a violation of a criminal law may have occurred, it shall refer the matter to the local district attorney.

Should the board determine by a two-thirds majority that it wishes to proceed further with censure proceedings, it shall call for a quasi-judicial hearing, to be held at a regular meeting or at a special meeting convened for that purpose. Notice of the hearing stating its time, place, and purpose shall be given once a week for two successive calendar weeks in a newspaper having general circulation in the jurisdiction. The notice shall be published the first time not less than 10 days nor more than 25 days before the date fixed for the hearing. In computing such period, the day of publication is not to be included but the day of the hearing shall be included. Alternatively, the hearing shall be advertised on the jurisdiction's website for the same period of time, up to and including the date of the hearing. The notice shall state that a detailed list of the allegations against the member is available for public inspection and copying in the office of the clerk or secretary to the board.

The hearing shall be convened at the time and place specified. The hearing and any deliberations shall be conducted in open session in accordance with the North Carolina open meetings statutes.

The accused board member shall have the right to have counsel present, to present and cross-examine expert and other witnesses, and to offer evidence, including evidence of the bias of any other board member or the presiding officer. An audio recording of the proceedings shall be prepared. Any and all votes during the hearing shall be taken by the ayes and noes and recorded in the board's minutes.

Once the hearing is concluded, it shall be closed by vote of the board. The presiding officer shall next entertain a motion to adopt a nonbinding resolution censuring the member based on specified violations of the code of ethics. Any motion made must be an affirmative one in favor of adopting a nonbinding resolution of censure. If the motion or resolution does not state particular grounds for censure under the code of ethics, the presiding officer shall rule it out of order.

If a motion to adopt a nonbinding resolution of censure stating particular grounds under the code of ethics has been made, the board shall debate the motion. The accused board member and any other board members who have been removed from participation because of bias or self-interest may remain present, but shall not be allowed to participate in the debate or vote on the motion to adopt the resolution.

At the conclusion of the debate, the board shall vote on the resolution. If the motion to adopt the nonbinding resolution of censure is approved by a two-thirds vote of those present and voting, a quorum being present, the motion passes and the nonbinding resolution of censure is adopted.

The text of the nonbinding resolution of censure shall be made a part of the minutes of the board. Any recording of the board's proceedings shall be approved by the board as a permanent part of the minutes. The proceedings shall then be considered concluded, the board having done all it legally can with respect to the matter in question.

Wayne Bonomo

Kay Ehlinger

Larry Fontaine

Brad Lambert

Jeffrey Williams

ATTEST:

Hillary Gropp, Town Clerk

Date



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

CERTIFICATE OF SUFFICIENCY

To the **Town Council of the Town 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.

I further find that the area meets the standards for a noncontiguous area as specified in G.S. 160A-58.1(b), in that:

1. The petition includes a metes and bounds description of the area proposed for annexation and has attached a map showing the proposed satellite area in relation to the primary corporate limits.

2. The petition includes the names and addresses of all owners of real property lying in the area described therein:

**Debra B. Cairns
10575 Hwy 105 South
Banner Elk, NC 28604**

**Grandview Restaurant, Grandview Rental House & Parking Lot
Watauga County, NC PIN# 1878-43-8799-000**

3. The petition includes the signatures of all owners of real property lying in the areas described therein, except those not required to sign by G.S. 160A-58.1(a).

4. The nearest point on the proposed satellite corporate limits is no more than three (3) miles from the primary corporate limits of the Town of Seven Devils, NC.;

5. No point on the proposed satellite corporate limits is closer to the primary corporate limits of any municipality other than the Town of Seven Devils, NC.;

6. The satellite area is so situated that the Town of Seven Devils, NC, will be able to provide the same services as are provided within its primary corporate limits;

7. To the extent that the proposed satellite area contains any portion of a subdivision, the entire subdivision is included;

8. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits of the Town of Seven Devils, NC, does not exceed ten percent (10%) of the area within the primary corporate limits of the Town of Seven Devils, NC.

9. Vested Rights Declaration - The satellite area will be zoned as GB/General Business; whereas, an existing apartment/residential unit will be grandfathered into this annexation document. If, at any time, the apartment/residential unit ceases to exist, the entire property will be regulated as to Permitted Uses under GB/General Business, as dictated in the Town of Seven Devils UDO/Unified Development Ordinance.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Seven Devils, NC this 10th day of December, 2019.

Hillary Gropp, Town Clerk



RESOLUTION #2019-10

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-58.2

WHEREAS, a petition requesting annexation of the non-contiguous 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 the Town of Seven Devils, NC, that:

Section 1. A public hearing on the question of annexation of the non-contiguous area described herein will be held at **Town Hall - 157 Seven Devils Road, Seven Devils, NC, at 5:00pm on Tuesday, January 14, 2020.**

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

**Watauga County, NC
PIN# 1878 43 8799 000**

A 0.806 acre tract, being a portion of Tweetsie Railroad, Inc. property recorded in Deed Book _____, Page _____, located on the south side of N. C. Highway 105 approximately 550 feet west of the intersection of said highway with N.C.S.R. 1594, being bound by said highway, Tweetsie Railroad, Inc. property and the property of Mae Fox, as shown on a map by Walter H. Burkett, a registered land surveyor, as taken from plat #68059 & described as follows:

BEGINNING at an iron set on the south side of N. C. Highway 105, said iron set being in the right-of-way line of Highway 105, and on the Mae Fox property line, and being located South 53° 24' West 453.55 feet from an iron set at a marked locust tree, the beginning corner of the Tweetsie Railroad, Inc. property; thence from the beginning North 42° 24' West 55.22 feet to a point in the center of Highway 105; thence with the center of said Highway North 72° 43' East 189.00 feet to a point; thence South 42° 24' East 55.22 feet to a point on the southern right-of-way line of Highway 105; thence South 42° 24' East 150.00 feet to a point in the Mae Fox line; thence with the Mae Fox line South 72° 43' West 189.00 feet to an iron set; thence North 42° 24' West 150.00 feet to the beginning, containing 0.806 of an acre, and being subject to the right-of-way easement for N. C. Highway 105 affecting 0.217 of an acre and being the same as computations #75335 made October 8, 1975 by David K. Storn, RLS No. L-1301 from information on plat #68059 prepared December 5, 1968 by Walter H. Burkett, RLS No. L-1209.

This conveyance is made subject to the following reservation: Grantor reserves for itself, its successors and assigns the right to obtain and use water from a certain well located on the tract herein conveyed, together with the right to construct and maintain a water pipeline from said well on the tract conveyed to the 1.25 acres tract owned by the Grantor which lies to the East of and adjoins the tract conveyed, and for that purpose Grantor shall have the right of ingress and egress from its property to said well, said water line right-of-way shall be located within ten feet of the western and southern boundary lines of the above described property.



Section 3. Notice of the public hearing shall be published once 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.

This the 10th day of December, 2020.

Mayor

ATTEST:

Hillary Gropp, Town Clerk

Seven Devils Town Meetings 2020

Meetings held at Seven Devils Town Hall – 157 Seven Devils Road, Seven Devils, NC 28604

Public Safety Committee

1st Tuesday of Month @ 5:30pm

January 7, 2020	July 7, 2020
February 4, 2020	August 4, 2020
March 3, 2020	September 1, 2020
April 7, 2020	October 6, 2020
May 5, 2020	November 3, 2020
June 2, 2020	December 1, 2020

Town Council Regular Meeting

2nd Tuesday of Month @ 5:30pm

January 14, 2020	July 14, 2020
February 11, 2020	August 11, 2020
March 10, 2020	September 8, 2020
April 14, 2020	October 13, 2020
May 12, 2020	November 10, 2020
June 9, 2020	December 8, 2020

Parks & Recreation Committee

Thursday AFTER Town Council @ 9:00am

January 9, 2020**	July 16, 2020
February 13, 2020	August 13, 2020
March 12, 2020	September 10, 2020
April 16, 2020	October 15, 2020
May 14, 2020	November 12, 2020
June 11, 2020	December 10, 2020

***Please note the change of this meeting only to 2nd Thursday of month*

Public Works Committee

3rd Tuesday of Month @ 10:00am

January 21, 2020	July 21, 2020
February 18, 2020	August 18, 2020
March 17, 2020	September 15, 2020
April 21, 2020	October 20, 2020
May 19, 2020	November 17, 2020
June 16, 2020	December 15, 2020

Planning Board Committee

3rd Tuesday of Month @ 5:30pm

January 21, 2020	July 21, 2020
February 18, 2020	August 18, 2020
March 17, 2020	September 15, 2020
April 21, 2020	October 20, 2020
May 19, 2020	November 17, 2020
June 16, 2020	December 15, 2020

Tourism Development Authority

4th Tuesday of Month @ 9:00am

January 28, 2020	July 28, 2020
February 25, 2020	August 25, 2020
March 24, 2020	September 22, 2020
April 28, 2020	October 27, 2020
May 26, 2020	November 24, 2020
June 23, 2020	December 22, 2020

Board of Adjustment

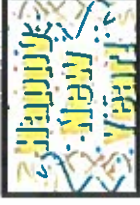
4th Tuesday of Month @5:30pm

January 28, 2020	July 28, 2020
February 25, 2020	August 25, 2020
March 24, 2020	September 22, 2020
April 28, 2020	October 27, 2020
May 26, 2020	November 24, 2020
June 23, 2020	December 22, 2020

TOWN HOLIDAYS

NEW YEAR'S DAY

Wednesday, January 1, 2020



PRESIDENTS DAY

Monday, February 17, 2020



EASTER

Friday, April 10, 2020



MEMORIAL DAY

Monday, May 25, 2020



INDEPENDENCE DAY

Monday, July 6, 2020



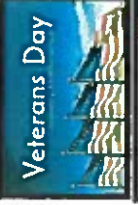
LABOR DAY

Monday, September 7, 2020



VETERAN'S DAY

Wednesday, November 11, 2020



THANKSGIVING

Thursday, November 26, 2020



CHRISTMAS

Thursday, December 24, 2020

Friday, December 25, 2020



High Country ABC Board Meeting Minutes

October 17, 2019

The High Country ABC Board held its monthly meeting on Thursday, October 17, 2019 at 4:19 p.m. Board chair Sara Manning, board member Donna Dicks, board member Winston Ammann, alternate board member Robin Dunn, alternate board member Leigh Sasse, general manager Sara Brewer, assistant manager Bonnie Betz and Combs & Tenant representatives Brady Combs and Emily Reynolds 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 any matters coming to the board today?" Hearing none, the meeting continued.

Upon motion duly made by Donna Dicks, and 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.

Brady Combs reported the High Country ABC Store's audit had a clean and correct report. The store sales were up \$223,000 over last year's total sales. The store has provided an additional \$15,000 to each of the three towns.

September sales: Sales were up \$18,012 over last year. Total sales for the month were \$312,399.00.

Old Business: Discussion on YMCA & Mountain Alliance; Donna spoke with Dennis Betz and Jen who is the director of programs for children and youth. At this time there has been no request for money but they were in the process of trying to pinpoint specific programs for alcohol

education. Jen will follow up with the Board about the programs and see which programs the Board may be willing to support.

The Mountain Alliance Coordinator at Avery High School said that the Board is welcome to drop by and see what they are doing with their funding. Sarah Manning has been to see Mary Howell's program and was not impressed with Mary's presentation and wants to re-evaluate her funding.

New Business: Donna Dicks has agreed to change the application for grants to include the amount of money needed and supply one reference for funding. Upon motion duly made by Winston Ammann, seconded by Donna Dicks, it was voted to change the application.

Donna Dicks requested a further discussion on board members' attendance at monthly board meetings and how many consecutive meetings can be missed.

Town Council meetings are Banner Elk on Monday, November 11th; Seven Devil's on Tuesday, November 12th and Sugar Mountain on Tuesday November 19th. Sara Brewer will attend all three meetings to present the ABC store's audit.

Sara Brewer stated she has been cleared by her physician to return to work but cannot lift anything until her next doctor's appointment on Thursday, November 14.

There were no citizens present.

The next scheduled meeting will be held on Thursday, November 21st at 4:15 pm.

Motion was made by Donna Dicks, seconded by Winston Ammann, to adjourn today's meeting. All voted to approve.

Sarah Manning, Board Chair

Donna Dicks, Board Member

Winston Ammann, Board Member

date approved

Activity Log Event Summary (Cumulative Totals)

SEVEN DEVILS PUBLIC SAFETY

(11/01/2019 - 11/30/2019)

<No Event Type Specified>	1	Alarm Activation	2
Arrest	1	Assist Avery Sheriffs Office	1
Assist Other Department	1	Business Check	422
Citation	2	Deliver a message	1
Disturbance	1	Escort Subject	1
Extra Patrol	9	Fire Department	2
Medical	1	Motor Vehicle Accident	1
Noise Complaint	2	Open Door	1
Other	1	Patrol	57
Property Retrieval	1	Residence Check	3
Training	1	Warning Citation	5
Water Complaint	1		

Total Number Of Events: 518

MONTHLY FINANCE REPORT
November 2019 - 41.67%

	Budget		Actual		%
	Total	Previous	Nov	YTD	
Section 1. General Fund					
Anticipated Revenues by Category					
Ad Valorem Taxes	806,000	248,199	215,567	463,766	57.54%
State Share Revenue	120,510	27,327	3,654	30,981	25.71%
ABC Distribution	100,000	72,000	0	72,000	72.00%
Powell Bill Allocation	30,000	14,378	0	14,378	47.93%
Permits and Fees	4,000	153	5	158	3.95%
Sales Tax	175,000	61,085	31,113	92,198	52.68%
Misc Revs, Govt Grants, Sale of Assets	203,930	69,163	3,607	72,770	35.68%
Capital Reserve Fund/FB	351,272	0	0	0	0.00%
Occupancy Tax	150,000	68,629	18,706	87,335	58.22%
Total	1,940,712	560,934	272,652	833,586	42.95%
Authorized Expenditures by Department					
Governing Board	100,050	4,224	1,066	5,290	5.29%
Administrative	485,856	176,648	38,180	214,828	44.22%
Public Safety	550,043	166,268	42,488	208,756	37.95%
Fire Protection	140,491	104,810	12,722	117,532	83.66%
Planning	1,500	388	0	388	25.87%
Public Works	482,772	209,600	32,738	242,338	50.20%
Powell Bill	30,000	30,000	0	30,000	100.00%
Tourism Development Authority	150,000	68,629	18,706	87,335	58.22%
Total	1,940,712	760,567	145,900	906,467	46.71%

MONTHLY FINANCE REPORT
November 2019 - 41.67%

	Budget Total	Actual		YTD	%
		Previous	Nov		
Section 2. Enterprise Fund					
Anticipated Revenues by Category					
Water Operating Revenues	244,500	84,741	21,109	105,850	43.29%
Water Taps and Connections	2,000	0	0	0	0.00%
Non Operating Revenues	1,296	20	20	40	3.09%
Capital Reserve for Capital Outlay	64,867	0	0	0	0.00%
Total	312,663	84,761	21,129	105,890	33.87%
Authorized Expenditures by Department					
Water-Operating	117,914	35,403	13,211	48,614	41.23%
Non Operating	142,249	10,491	2,622	13,113	9.22%
Capital Outlay	52,500	0	0	0	0.00%
Total	312,663	45,894	15,833	61,727	19.74%