

TOWN OF SEVEN DEVILS
REGULAR TOWN COUNCIL MEETING
TUESDAY, SEPTEMBER 14, 2021
5:30PM

The Seven Devils Town Council met for a Regular Meeting on Tuesday, September 14, 2021. In-Person attendance included: Mayor Larry Fontaine, Mayor Pro Tem Brad Lambert, Members Wayne Bonomo, Leigh Sasse & Jeffrey Williams; Town Manager Debbie Powers, Police Chief Jonathan Harris & Town Attorney Rob Angle. The minutes were recorded by Town Clerk Hillary Gropp. Electronic format via Go To Meeting #906893453

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.

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 the Town Council Meeting – August 10, 2021

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. Audit FY21 Presentation – Sharon Gillespie, CPA

The Town Audit Report FY21 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 It was noted the Town did not suffer negative financial impacts during Covid19, but better than expected revenues when considering increased Occupancy Tax and ABC Sales.

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

Page 5 – Opinion paragraph

Page 8 – Management’s Discussion & Analysis – *It was noted, at the end of the current fiscal year, unreserved fund balance for the General Fund was 54% of total general fund expenditures for the fiscal year.*

Page 19 – Statement of Activities

Page 21- Statement of Revenues, Expenditures and Changes in Fund Balance

Page 58- Analysis of Current Tax Levy – *Noted is the tax collection rate of 99.79%*

Page 61 – Schedule of Findings and Questioned Costs – *An explanation of the budget violation was given.*

~NO ACTION TAKEN~

(i) – LEO Separation Allowance Report

Manager Powers explained this report and financial implications are included in the FY21 Audit Report. Using actuarial tables, the Separation Allowance Report outlines the future financial liabilities of the Town upon retirement of Law Enforcement Officers who meet the State requirements.

B. State of Emergency Declaration- Mayor Fontaine – August 19, 2021



TOWN OF SEVEN DEVILS CONSENT TO APPLICATION OF WATAUGA COUNTY STATE OF EMERGENCY DECLARATION

WHEREAS, the novel coronavirus (COVID-19) has mutated with the variants more virulent causing rapid rises in cases placing pressure on the local healthcare system; and

WHEREAS, Watauga County and the Town of Seven Devils previously issued State of Emergency Declarations in March 2020, on grounds that there is an imminent threat of, or existing conditions have caused or will cause, widespread or severe damage, injury, or loss of life or property, and public safety authorities will be unable to maintain public order or afford adequate protection for lives or property; and

WHEREAS, the foregoing State of Emergency orders were repealed on May 19, 2021, due to much improved transmission rates and trends existing at the time, and substantial success with respect to federal and state vaccination efforts, among other considerations; and

WHEREAS, the County of Watauga reinstated a declaration a state of emergency, effective August 18, 2021; and

WHEREAS, the Town of Seven Devils is located within the County.

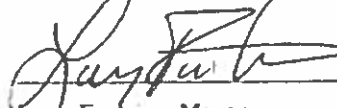
NOW, THEREFORE, pursuant to the authority vested in me as the Mayor of the Town of Seven Devils under Article 1A of Chapter 166A of the North Carolina General Statutes and the Town of Seven Devils Code of Ordinances:

Section 1. Pursuant to N.C.G.S. 166A-19.22(b)(2), the state of emergency declaration issued by Watauga County shall apply within the corporate limits of the Town of Seven Devils.

Section 2. Emergency restrictions and prohibitions imposed pursuant to the County's state of emergency declaration shall apply with the Town of Seven Devils unless otherwise declared by an authorized municipal official on behalf of the Town of Seven Devils.

Section 3. The application of the County's state of emergency declaration within the corporate limits of the Town of Seven Devils shall remain in effect until further notice.

DECLARED this the 19th day of August, 2021


Lorry Fontaine, Mayor



Attest:


Hillary Gropp, Town Clerk

~NO ACTION TAKEN~

CITIZENS COMMENTS

Bob Bridges – 147 Deepwood Court – Commented on the importance of a clean Town Audit and this is attributed to the dedicated work of the Town Manager and Finance Officer.

ADMINISTRATIVE COMMENTS

Town Manager Powers provided the following update:

- Reminder of expiring terms of Boards & Committees; Applications are being received and will be presented at November Town Council meeting
- Tom Bookstaver has been recognized for 20 years of service with the 7D Fire Department
- New hire for Public Works Department – Joseph Price
- Sales Tax Refund = \$17,628 – TDA portion = \$4,924
- Municipal Elections - November 2nd – Watauga voters at Seven Devils Town Hall; Avery voters at Banner Elk Town Hall
- End of Summer activities – Final book club meeting; Upcoming Spooky Trunk or Treat - Oct 29th
- 2020 Census Results – Official Seven Devils population is 327
- Town property tax history facts from 2016-2021 was presented as “fun facts”
- Miscellaneous updates include: completion of the pickleball/tennis courts resurfacing, front deck of the 7D Community Center needs replacement & currently closed; mini A/C unit has been installed in exercise room; land grading & sitework is near completion at Town Hall; biological assessment of Peak Mountain Trail is underway with expected results late autumn.

- Police Chief Harris provided an explanation of the Town's jurisdiction & options for Otter Falls parking and surrounding areas. NCDOT has installed a No Parking sign, however this is more of a deterrent, as enforceability is limited. Discussion among Town Council occurred as Otter Falls is a popular tourist destination, but concern is for liability to the Town should a pedestrian be injured. An option is the Town can write an Ordinance with an enforceable civil penalty. Police Chief Harris will continue to monitor the situation, and research law enforcement options.
- Tree permits - 10 Projects - 6 Fence Permits - 0
Complaints - 19 RE Closings - 7 Stop Work Order - 1

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** - August minutes
- ABC Board** - Letter
- Tree Committee** - No meeting
- Public Safety Department**
 - Police Report**
 - Fire Report**
- Financial Report**

COUNCIL COMMENTS

Member Bonomo asked about the display of other informational signs within the Town (Ex: Tennis Courts, Hawksnest) and why they are allowed on NCDOT ROW, when comparing to the limitations of signage at Otter Falls. *Manager Powers reported that these locations were grandfathered in.*

Member Sasse spoke about the revaluation of properties, with expected increases and inquired if the Seven Devil tax rate will be reduced in the future. *Several Council members stated it is too early to know the anticipated increase in tax values, and since revaluations are done in 8 year increments, any increases should be planned for budget needs over this span of time. Reducing the tax rate might not be financially prudent.*

Mayor Fontaine commented on the supply shortages for the ABC stores, and stated it seems to be only affecting NC locations, not other states. A letter was written to the NC State ABC Board for explanation.

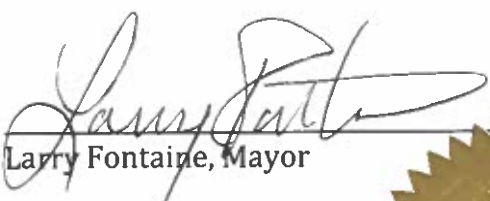
Member Bonomo inquired about status of the Town's Resolution #2021-04 requesting the reallocation of Occupancy Tax percentages for the TDA. *Manager Powers stated it has been given to Rep. Ray Pickett.*

Member Sasse praised the hard work of the Public Works Department on clean up and long hours worked during the recent storms, as well as the Police and Fire Departments.

Mayor Fontaine commented that Lenny Cottom has been surveying his property near Hanging Rock Villas. The Town has entered communication with him about acquiring a portion of land for future Peak Mountain parking. Dialogue is expected to continue for agreeable terms.

ADIURN

Mayor Pro Tem Lambert made a motion to adjourn; Member Williams seconded the motion. All members agreed. The meeting adjourned at 6:45pm.


Larry Fontaine, Mayor


Hillary Gropp, Town Clerk

