

TOWN OF SEVEN DEVILS
REGULAR TOWN COUNCIL MEETING
TUESDAY, JULY 13, 2021
5:30PM

The Seven Devils Town Council met for a Regular Meeting and the format of this meeting was dual Electronic – Go To Meeting#936384957 and In-Person at Town Hall on Tuesday, July 13, 2021. Attendance In-Person Mayor Larry Fontaine, Mayor Pro Tem Brad Lambert, Members Wayne Bonomo, Leigh Sasse & Jeffrey Williams. 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.

ADOPT AGENDA

Member Williams made a motion to adopt the agenda; Member Sasse seconded the motion. All members agreed.

CONSENT AGENDA

Adopt minutes of the Town Council Meeting – June 8, 2021


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

OLD BUSINESS -

A. ARP Funding – The total estimated grant amount is \$68,838.65, to be provided in 2 disbursements. The 1st disbursement for 2021 will be in the amount of \$34,419.33. The 2nd disbursement for 2022 will be released no sooner than one year after the 1st disbursement, and may vary slightly depending on funds returned and other factors. **No Action Taken ~OPEN~**

NEW BUSINESS

A. Ordinance 2021-01 – Disposal of NC GS 160A-266 (c)



**AN ORDINANCE PRESCRIBING PROCEDURES FOR DISPOSING OF PERSONAL
PROPERTY VALUED AT LESS THAN \$30,000**
ORDINANCE 2021-01

BE IT ORDAINED by the Town Council of the Town of Seven Devils of North Carolina:

Section 1. The Town Manager is hereby authorized to dispose of any surplus personal property owned by the Town of Seven Devils, whenever he/she determines, in his/her discretion that:

- (a) the item or group of items has a fair market value of less than thirty thousand dollars (\$30,000);
- (b) the property is no longer necessary for the conduct of public business; and,
- (c) sound property management principles and financial considerations indicate that the interests of the Town of Seven Devils would best be served by disposing of the property.
- (d) Town Manager will present any and all proposed sales of surplus property to the Town Council at their regularly scheduled meetings prior to the sale for notification purposes.

Section 2. The Town Manager may dispose of any such surplus personal property by any means which he/she judges reasonably calculated to yield the highest attainable sale price in money or other consideration, including but not limited to the methods of sale provided in Article 12 of N.C.G.S. 160A. Such sale may be public or private, and with or without notice and minimum waiting period.

Section 3. The surplus property shall be sold to the party who tenders the highest offer, or exchanged for any property or services useful to the Town of Seven Devils if greater value may be obtained in that manner, and the Town Manager is hereby authorized to execute and deliver any applicable title documents. If no offers are received within a reasonable time, the Town Manager may retain the property, obtain any reasonably available salvage value, or cause it to be discarded. No surplus property may be donated to any individual or organization except by resolution of the Town Council of the Town of Seven Devils.

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Section 4. The Town Manager shall keep a record of all property sold under authority of this Ordinance and that record shall generally describe the property sold or exchanged, to whom it was sold or with whom exchanged, and the amount of money or other consideration received for each sale or exchange.

Section 5. This Ordinance is enacted pursuant to the provisions of N.C.G.S. 160A-266(c).

Section 6. This Ordinance shall become effective upon adoption.

Adopted this 13th day of July, 2021.


Larry Fontaine, Mayor

ATTEST:


Hillary Gropp, Town Clerk



Approved as to Form:


Rob Angle, Town Attorney

Member Bonomo made a motion to adopt Ordinance 2021-01; Member Williams seconded the motion. All members agreed. ~CLOSED~

B. Bid Packages for New Town Hall - Grading Project

Proposal of \$61,250.00 by Eggers Construction of Banner Elk to complete the work outlined in the West Consultants Erosion & Sediment Plane dated 2-21.

Member Bonomo made a motion to approve the proposed bid; Member Williams seconded the motion. All members agreed. ~CLOSED~

C. Preliminary Cost Estimate of New Town Hall Property Development

Town Council discussed the Items & Cost Estimates of \$182,500 as provided by Town Engineer Poore. To date, the TDA has committed funding of \$160,000. Dialogue occurred about the scope of work, labor & supply costs that are projected to exceed the total estimate provided, and funds committed. Additional NTH Park Advisors committee planning with Town Engineer & Landscaper is needed to better ascertain a final estimate. Town Council approved as Phase I, the Eggers Construction proposal for grading (see above - Item B.) All other proposals for needed activities, work orders, change orders are to be presented to the Town Council for approval in phases. At this time, Town Council does consider the Preliminary Construction Cost Estimate acceptable for motion of approval.

No Action Taken ~ITEM TABLED~

CITIZENS COMMENTS

Bill Diercksen - 265 Tangle Lane - Complimented the Council on the positive improvement within the Town, creating a good quality of life, with added value to the citizens. He also commented the US flag & NC flag are in need of replacement, and asked for this to be done.

Staff & Town Council replied the flags are changed several times a year, using high wind rated flags.

Wayne Bonomo - 299 Highcliff Circle - Clarified he was speaking as a citizen, and not as a Council member. With the recent Board of Adjustment approval for a Special Use Permit for WWTP, he requested the Town to be good stewards of the Watauga River.

Mayor Fontaine stated the WWTP permit is issued and monitored by the State of NC, not the Town. The annexation in the Town allows for stricter zoning with fencing and building for the WWTP.

ADMINISTRATIVE COMMENTS

Town Manager Powers provided the following update:

- The Town's agreement to provide water connection as discussed at the Council meeting in January 2021 was not needed by Bill Greene, his water issue has been resolved.
- Municipal candidate filing opened on July 2nd at noon and closes July 16th at noon.
- The biological assessment as required for the RTP grant is being done. TDA is paying the cost of \$15,000.

- The Board of Adjustment final decisions were provided on all recent proceedings.
- The Town's summer activities are half over, and August 13th will feature a Community Day to celebrate Arbor Day, complimentary BBQ lunch, swag bags and Music on the Lawn.
- ABC bonus for FY21 is \$65,000, Town receives quarterly payments totaling \$100,000.
- Town wide debris pick up occurred on June 23rd with the new chipper.
- Initial meeting of NTH Park Advisors met on June 17th.
- Part time Zoning position for the Town will be posted as employment opportunity.

COMMITTEE REPORTS

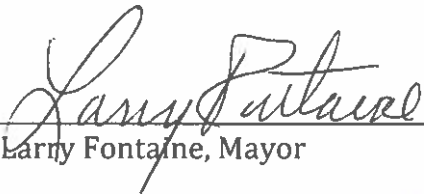
- Board of Adjustment** – June minutes
- Planning Board** – No meeting
- Public Works** – No meeting
- Public Safety Committee** – No meeting
- Parks & Recreation Committee** – June minutes
- TDA** – June minutes
- ABC Board** – May & June minutes
- Tree Committee** – June minutes
- Public Safety Department**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

COUNCIL COMMENTS

Mayor Pro Tem Lambert, upon further review of the submitted Financial Report, noticed percentage errors, and requested they be corrected.

ADJOURN

Mayor Pro Tem Lambert made a motion to adjourn; Member Williams seconded the motion. All members agreed. The meeting adjourned at 6:20pm.



 Larry Fontaine, Mayor



 Hillary Gropp, Town Clerk

