

**TOWN OF SEVEN DEVILS**  
**TOWN COUNCIL ORGANIZATIONAL MEETING**  
December 10, 2019  
5:30pm

The Seven Devils Town Council met for the Organizational Meeting on Tuesday, December 10, 2019 at Town Hall. Present were Wayne Bonomo, Kay Ehlinger, David Ehmig, Larry Fontaine, Brad Lambert and Candidate Elect Jeffrey Williams. Also, present were Town Attorney Rob Angle, Town Manager Debbie Powers; the minutes were recorded by Town Clerk Hillary Gropp.

**PRAYER/INVOCATION**

Town Manager Powers gave the Invocation for tonight's meeting

**CALL TO ORDER**

Town Manager Powers called the meeting to order at 5:34pm.

**PLEDGE OF ALLEGIANCE**

Council members and citizens recited the Pledge of Allegiance.

**OATH OF OFFICE - TOWN COUNCIL**

Town Clerk Gropp administered the Oath of Office to Kay Ehlinger, Larry Fontaine & Jeffrey Williams.

**NOMINATIONS FOR MAYOR**

Manager Powers opened the floor for nominations for Mayor. Member Ehlinger nominated Larry Fontaine. Member Bonomo seconded the nomination. Manager Powers called for any additional nominations; there being none, Manager Powers closed the nominations. The votes for Larry Fontaine as Mayor:

In Favor - 4 - Wayne Bonomo, Kay Ehlinger, Brad Lambert, Jeffrey Williams

Opposed - 0

**OATH OF OFFICE - MAYOR**

Town Clerk Gropp administered the Oath of Office to Larry Fontaine.

The gavel was handed to Mayor Fontaine to complete the Organizational Meeting.

**NOMINATIONS FOR MAYOR PRO-TEM**

Mayor Fontaine opened the floor for nominations for Mayor Pro Tem. Member Ehlinger nominated Brad Lambert. Mayor Fontaine seconded the nomination. Mayor Fontaine called for any additional nominations; there being none, Mayor Fontaine closed the nominations. The votes for Brad Lambert as Mayor Pro Tem:

In Favor - 4 - Wayne Bonomo, Kay Ehlinger, Larry Fontaine, Jeffrey Williams

Opposed - 0

**OATH OF OFFICE - MAYOR PRO-TEM**

Town Clerk Gropp administered the Oath of Office to Brad Lambert.

**ADOPT AGENDA**

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

**CONSENT AGENDA**

**ADOPT MINUTES OF TOWN COUNCIL MEETING – November 12, 2019**

Mayor Pro Tem Lambert made a motion to adopt the Consent Agenda; Member Ehlinger seconded the motion. The members agreed unanimously.

**CITIZENS COMMENTS**

Kay Lambert, 430 Wildcat Rocks Road, thanked the Town Staff for decorations and set up for the Lite the Nite on December 6<sup>th</sup>; Citizens brought covered dish & TDA provided meat.

**ADMINISTRATIVE UPDATE**

Manager Powers provided the following update:

Open enrollment for employees on the State Health Plan – November 2<sup>nd</sup> – 19<sup>th</sup>

Judy Francis/PARTF Representative – Meeting on November 6<sup>th</sup>

NCDOT webinar for contracting requirements on November 7<sup>th</sup>

Finance Officer Helga Sappington attended a NCDOR workshop on November 13<sup>th</sup>

November 14<sup>th</sup> – Town had recap meeting about the PARTF Grant with BRC & HCCOG

NCLM Newsletter featured an article about Seven Devils New Town Hall

Public Works Department has been cutting the ROW for plowing & emergency vehicles

Town Hall will be closed Tuesday, Wednesday & Thursday, December 24<sup>th</sup>, 25<sup>th</sup> & 26<sup>th</sup> for Christmas and Wednesday, January 1<sup>st</sup> for the New Year holiday.

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

**OLD BUSINESS - None**

**NEW BUSINESS**

**12) A. RECOGNITION OF OUTGOING COUNCIL MEMBER – David Ehmig**

Mayor Fontaine spoke of the contributions and the years of service on the Town Council by David Ehmig. An award was presented to David Ehmig as a memento and a reception will follow tonight's meeting. ~CLOSED~

**B. ADOPT CODE OF ETHICS FOR TOWN COUNCIL OF SEVEN DEVILS**

Mayor Fontaine stated the Town Council should have already reviewed this document as signatures are required by each member. No further discussion. Mayor Pro-Tem Lambert made a motion to adopt the Code of Ethics for the Town Council. Member Ehlinger seconded the motion. The members agreed unanimously. ~CLOSED~

**C. ANNEXATION – CAIRNS – GRANDVIEW RESTAURANT**

**(i) Certificate of Sufficiency**

Town Clerk Gropp read the Certificate of Sufficiency for the Debra Cairns/Grandview Restaurant Annexation.



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;

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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 10<sup>th</sup> 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 0799 000

A 0.288 acre tract, being a portion of Twestale Railroad, Inc. property recorded in Deed Book... located on the south side of N. C. Highway 181, and being located South 42° 24' West 139.00 feet from an iron set at a marked locust tree... being owned by said highway, Twestale Railroad, Inc. property and the property of Hon. Pat. as shown on a map by Walter H. Burbett, a registered land surveyor, as shown on plat 21888 as described as follows:

BEGINNING at an iron set on the south side of N. C. Highway 181, said iron set being in the right-of-way line of Highway 181, and on the Mac Fox property line, and being located South 42° 24' West 139.00 feet from an iron set at a marked locust tree, the beginning corner of the Twestale Railroad, Inc. property thence from the beginning North 42° 24' West 25.25 feet to a point in the center of Highway 181 thence with the center of said Highway North 71° 43' East 139.00 feet to a point thence South 17° 34' East 25.25 feet thence with the center right-of-way line of Highway 181 thence South 42° 24' East 139.00 feet to a point in the Mac Fox line; thence with the Mac Fox line South 73° 43' West 139.00 feet to an iron set; thence North 42° 24' West 139.00 feet to the beginning, containing 0.288 of an acre, and being subject to the right-of-way easement for N. C. Highway 181 affecting 0.217 of an acre and being the appurtenant easement for the same as shown by David S. Stern, S.L.S., L. 1301 from information on plat 21888 prepared December 9, 1989 by Walter H. Burbett, S.L.S. No. L-1300.

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 1.12 acre 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 and said water line; right-of-way shall be located within the face of the western and southern boundaries of the above described property.

RECORDED

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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 10<sup>th</sup> day of December, 2019.

*Raymond...*  
Mayor

ATTEST:

*Hillary Gropp*  
Hillary Gropp, Town Clerk



Member Ehlinger made a motion to approve Resolution #2019-10; Member Bonomo seconded the motion. The members agreed unanimously. ~CLOSED~

**D. CALENDAR FOR 2020**-A schedule for Town meetings & holidays for the calendar year 2020 was provided to the Town Council. **No Action Taken ~CLOSED~**

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

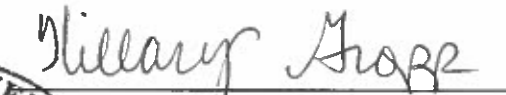
**COUNCIL COMMENTS**

Mayor Fontaine and Mayor Pro Tem Lambert attended the Chancellor's breakfast at ASU; Mayor Fontaine spoke about the topics that were presented during this event.

**ADJOURN**

Member Ehlinger made a motion to adjourn; Mayor Pro Tem Lambert seconded the motion. The members agreed unanimously. The meeting adjourned at 6:07pm.

  
Larry Fontaine, Mayor

  
Hillary Gropp, Town Clerk

