

**TOWN OF SEVEN DEVILS
REGULAR TOWN COUNCIL MEETING
TUESDAY, AUGUST 10, 2021
5:30PM**

The Seven Devils Town Council met for a Regular Meeting on Tuesday, August 10, 2021. In-Person attendance included: Mayor Larry Fontaine, Mayor Pro Tem Brad Lambert, Members Wayne Bonomo, Leigh Sasse & Jeffrey Williams; Town Manager Debbie Powers & Town Attorney Rob Angle. The minutes were recorded by Town Clerk Hillary Gropp. Electronic format via Go To Meeting #240787069.

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 - July 13, 2021

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

OLD BUSINESS - None

NEW BUSINESS

A. Avery County Board of Elections Contract

Member Sasse made a motion to approve the Avery County BOE contract; Member Williams seconded the motion. All members agreed. **~CLOSED~**

B. Resolution #2021-04 – Joint Resolution with Town Council & TDA



**JOINT RESOLUTION #2021-04
TOURISM DEVELOPMENT AUTHORITY & TOWN COUNCIL
REALLOCATION OF TDA EXPENDITURES**

WHEREAS, the 2002 NC General Assembly Session Laws granted the Town of Seven Devils the Authority to levy occupancy taxes, administered by a Council appointed Tourism Development Authority; and

WHEREAS, The Town of Seven Devils was authorized to levy a room occupancy tax for the promotion of travel and tourism; and

WHEREAS, The Town of Seven Devils adopted Resolution #2005-06 creating a Tourism Development Authority and Resolution #2019-07 updates the Administration of the Tourism Development Authority; and

WHEREAS, The Seven Devils Town Council does hereby instruct the Tourism Development Authority to advertise and promote travel in the Town of Seven Devils; and

WHEREAS, The Tourism Development Authority has approved tourism-related expenditures that successfully increased the use of lodging facilities, recreational facilities and business establishments in the Town; and

WHEREAS, the Parks and Recreation Committee through citizen's surveys have identified future infrastructure needs to include additional parks, trails, parking and bathroom facilities;


NOW, THEREFORE, BE IT RESOLVED:

Jointly, the Tourism Development Authority and Town Council of Seven Devils requests the allocation percentages of Occupancy Tax be refigured as:

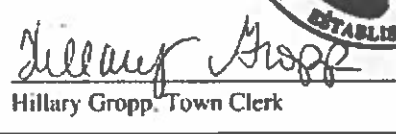
The Tourism Development Authority shall expend all occupancy taxes remitted to the Town, less three percent administrative charges, in the following manner. Two thirds (2/3) of the funds remitted shall finance tourist related capital projects in the Town and One third (1/3) of the funds remitted shall promote travel and tourism in Seven Devils.

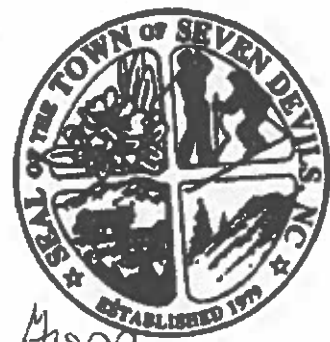
ADOPTED, this 10th day of August 2021.


Anne Fontaine, TDA Chair


Larry Fontaine, Mayor

ATTEST:


Hillary Gropp, Town Clerk



Member Bonomo made a motion to adopt Resolution #2021-04; Member Sasse seconded the motion. All members agreed. ~CLOSED~

C. Budget Amendment #1 FY22 – Receipt of ARP Funds - \$34,419.33

Budget Amendment #1 – FY22

Purpose: to account for the American Rescue Plan (ARP) funds.

Increase: Revenue Account #30-810-62 – American Rescue Plan Funds by \$34,419.33

Increase: Expenditure Account #30-810-74 – Capital Improvement Outlay by \$34,419.33

NOTES:

The American Rescue Plan funds are also known as the Coronavirus State and Local Fiscal Recovery Funds, and are distributed by the US Department of the Treasury. These funds were authorized by Sections 602(b) and 603(b) of the Social Security Act, as added by section 9901 of the American Rescue Plan Act, Publication L, No. 117-2 on March 11, 2021.

The Coronavirus Local Fiscal Recovery Funds are to provide a singular opportunity to address community recovery needs and to make significant investments for the future. The funds will be distributed in two allocations; the second allocation will be sent in approximately one year from the first. The funds must be used or encumbered by December 31, 2024, and any work must be completed by December 31, 2026. Reporting for these funds is required; the first report is due by October 31, 2021, even though the UST has yet to provide directions on how to prepare and submit this report. Allowable categories for use of these funds include investments in water, sewer, and broadband. Any funds not obligated or expended for eligible uses by the above deadlines must be returned to the Treasury.

Debbie Powers
Town Manager

Member Sasse made a motion to approve Budget Amendment #1 FY22; Member Williams seconded the motion. All members agreed. ~CLOSED~

CITIZENS COMMENTS

Sarah Manning – 277 Four Diamond Drive – Stated she is happy the TDA will be contracting with a landscape company for maintenance in the Town. She also request the Planning Board review the current sign ordinance for the commercial district.

Following the comments, Mayor Fontaine, due to safety issues with vehicular/pedestrian traffic at Otter Falls, stated he would like dialogue to occur with NCDOT about signage. He stated the Town could fund & install the improved signage, if approved by NCDOT. Mayor Pro Tem Lambert recommends written communication with NCDOT, as the request/reply will be documented should there be a future liability to the Town, due to lack of signs. Town Manager Powers suggested electronic meeting and will follow up.

Stuart Ryan – 184 West Rocky Top Trail – Stated he and his family relocated as full time residents and he thanked the Town staff for the help and support. He also stated that he enjoys the summer concerts in the Town and hope they continue to be held at the Seven Devils Community Center in the future.

ADMINISTRATIVE COMMENTS

Town Manager Powers provided the following update:

- Current Town Council members filed as candidates for the Municipal election – Nov. 2nd
- NC DEMLR visited Town Hall site about soil & erosion permit on July 21st
- Eggers Construction to begin grading on/about Sept. 1st
- HCCOG Dinner – RSVP due by August 27th; the Town will pay for Council members only.
- NC EO #224 – Covid Update – *Town Council discussed current circumstances and will follow the lead of Watauga County for any changes with a SOE for the town.*

- CPR Lunch & Learn recap of attendance
- Upcoming Ranger workshop on August 12th at 1:30pm at Town Hall
- Hazardous Waste Collection dates for Avery County 8/28 & Watauga County 8/14
- Announcement of Seven Devils Community Celebration day events and times

COMMITTEE REPORTS

Board of Adjustment – No meeting

Planning Board – No meeting

Public Works – No meeting

Public Safety Committee – No meeting

Parks & Recreation Committee – July minutes – *Bob Bridges was present at the Council meeting and stated the location of the future music venue will be an agenda item on upcoming Parks & Recreation Committee meeting.*

TDA – July minutes

ABC Board – June minutes

Tree Committee – No meeting

Public Safety Department

Police Report

Fire Report

Financial Report

COUNCIL COMMENTS


Mayor Fontaine stated the Planning Board should review the current sign ordinance at a future meeting.

Member Sasse inquired about the Trash Ordinance for the Speedway Gas station, if a fine can be imposed for litter as they are in the Town limits. Manager Powers explained the difficulty with fines to a large corporation. Mayor Fontaine offered to write a letter to the management of Speedway.

Member Bonomo stated that he is in favor of everyone being vaccinated for Covid.

ADJOURN

Mayor Pro Tem Lambert made a motion to adjourn; Member Sasse seconded the motion. All members agreed. The meeting adjourned at 6:36pm.



 Larry Fontaine, Mayor



 Hillary Gropp, Town Clerk

