

**TOWN OF SEVEN DEVILS  
TOWN COUNCIL MEETING**

November 13, 2018

5:30pm

The Seven Devils Town Council met in regular session on Tuesday, November 13, 2018 at Town Hall. Present were Mayor Larry Fontaine, Mayor Pro Tem Brad Lambert, Members Tina Bailey, 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.

**CALL TO ORDER**

Mayor Fontaine called the meeting to order at 5:34pm.

**PRAYER/INVOCATION**

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

**PLEDGE OF ALLEGIANCE**

Council members and citizens recited the Pledge of Allegiance.

**ADOPT AGENDA**

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

**CONSENT AGENDA**

**ADOPT MINUTES OF TOWN COUNCIL MEETING – October 9, 2018**

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

**CITIZENS COMMENTS**

Kay Lambert, 430 Wildcat Rocks Road announced the Lite Up The Nite event to be on Friday, November 30<sup>th</sup> at 6:00pm. This is a covered dish dinner and meat will be provided by the Town; please bring a canned good as a donation.

**ADMINISTRATIVE UPDATE**

Manager Powers provided the following update:

Blue Ridge Electric has replaced 18 streetlight bulbs in the Town; a credit of \$422 is refunded towards the billing.

NC DOT Pedestrian Plan Grant application was submitted on October 31<sup>st</sup>.

Foreclosure is completed on former Joseph Powell property to enlarge the Otter Falls property to 10.25 acres. Thank you to TDA and Town Attorney Rob Angle.

The new Ford F350 truck has been delivered to the Public Works department.

The Otter Falls parking expansion is progressing; new gravel will be spread in the spring.

Step by Step driving instructions for Town roads have been updated; after verification this will be distributed as an alternative to GPS for 1<sup>st</sup> responders.

The Police Department had re-qualification on November 5<sup>th</sup>; 4 of 6 officers requalified.

Town Hall will be closed on Thursday & Friday, November 22<sup>nd</sup> & 23<sup>rd</sup> for Thanksgiving.

Lite Up The Nite will take place on Friday, November 30<sup>th</sup> at 6:00pm. A covered dish dinner will be in Town Hall with turkey & ham provided. Canned good donations will be accepted.

The Christmas luncheon for staff is Wednesday, December 5<sup>th</sup> at 11:30am at Makoto's.

Updates for: Tree Permits, Projects, Fence Permits, Complaints & Real Estate Closings.

### **OLD BUSINESS**

#### **8) A. OFFER TO PURCHASE - Heidenreich**

James Heidenreich is "under contract" for purchase of vacant lot PIN#1878-25-6467-000, approximately 2.3 acres, located at the end of Eaves Court. The adjoining vacant lot PIN#1878-2532-41-000, approximately 1.4 acres is owned by the Town of Seven Devils. Mr. Heidenreich would like to build a new residence on the "under contract" vacant land but has discovered that in order to accommodate a conventional septic system, as opposed to a drip septic system, additional land will be needed. Mr. Heidenreich has made an offer of \$5,000 to purchase an approximate 40' x 100' strip of land on the lot owned by the Town.

Discussion ensued among Town Council, Town Attorney and Mr. Heidenreich regarding the consequences for the Town of retaining ownership of a vacant parcel that has a septic system for a neighboring property. Is this in the best interest of the Town? What will be the value of this land, should this be allowed?

Conversation occurred about the Town's vacant parcel being landlocked with limited value. Unknown is the measurement of land needed to be acquired by Mr. Heidenreich to accommodate a septic system; additional perc tests will be needed.

Town Attorney Rob Angle will further research the accessibility of the Town's vacant parcel.

At the conclusion of this discussion, Mayor Fontaine instructed Town Manager Powers to communicate with the Town Attorney and Mr. Heidenreich to facilitate the process in a timely manner.

**Item tabled to a future date.**

**NEW BUSINESS**

**9) A. PARKS & RECREATION COMMITTEE**

To be consistent with the Town's Master Parks and Recreation Plan, as well as future grant applications it is recommended to change the name of the Recreation Commission to the Parks & Recreation Committee. Member Bailey made a motion to change the name; Member Ehlinger seconded the motion. The members agreed unanimously. ~CLOSED~

**B. RESOLUTION #2018-08**



**RESOLUTION  
#2018-08**

**RESOLUTION FOR APPROVING LOCAL WATER SUPPLY PLAN**

**WHEREAS**, North Carolina General Statute 143-355 (I) requires that each unit of local government that provides public water service or that plans to provide public water service and each large community water system shall, either individually or together with other units of local government and large community water systems, prepare and submit a Local Water Supply Plan; and

**WHEREAS**, as required by the statute and in the interests of sound local planning, a Local Water Supply Plan for the Town of Seven Devils, has been developed and submitted to the Town Council for approval; and

**WHEREAS**, the Town Council finds that the Local Water Supply Plan is in accordance with the provisions of North Carolina General Statute 143-355 (I) and that it will provide appropriate guidance for the future management of water supplies for the Town of Seven Devils, as well as useful information to the Department of Environmental Quality for the development of a state water supply plan as required by statute;

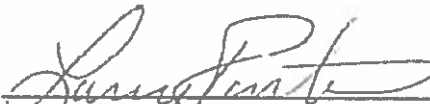
**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Seven Devils that the Local Water Supply Plan entitled PWSID: 01-95-118, dated 2017, is hereby approved and shall be submitted to the Department of Environmental Quality, Division of Water Resources; and

**BE IT FURTHER RESOLVED** that the Town Council intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

**This the 13<sup>th</sup> day of November 2018.**

ATTEST:



  
Larry Fontaine, Mayor

  
Hillary Gropp, Town Clerk

Mayor Pro Tem Lambert made a motion to approve Resolution #2018-08; Member Ehlinger seconded the motion. The members agreed unanimously. ~CLOSED~

**C. APPROVE BOARD/COMMITTEE APPOINTMENTS**

The following is a list of Board & Committee Appointments for 2019 with term details.

**RECAP of Board expiring terms & submitted Board Applications  
Terms, Effective 1/1/2019**

**Board of Adjustment** has two (2) expiring terms:  
**3-year term**

John Duncan – Reappointment                      Mark Bailey – New Appointment-Alternate

**Planning Board** has five (5) expiring terms:  
**2-year term**

Jack Byrnes – Reappointment                      Walt Hogan – New Appointment  
Frank Sell – Reappointment                      Jim Jones – New Appointment  
   Jeffrey Williams – New Appointment

**Public Works Committee** has four (4) expiring terms: (No cap on # of members)  
**3-year term**

Jack Byrnes – Reappointment                      Mark Bailey – New Appointment  
Larry Fontaine – Reappointment                      Barrie Winn – New Appointment  
Brad Lambert – Reappointment

**Parks & Recreation Committee** has four (4) expiring terms:  
**3-year term**

Ed Beck – Reappointment                      Lee Metzger – New Appointment  
Kay Lambert – Reappointment  
Martha Stearns – Reappointment

**Tourism Development Authority** has two (2) expiring terms:  
**2-year term**

John Duncan – Reappointment  
Anne Fontaine – Reappointment

Mayor Pro Tem Lambert made a motion to approve all Board & Committee Appointments; Member Bailey seconded the motion. The members agreed unanimously. **~CLOSED~**

**D. 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 \$5,300.00 and included in the budget.

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

**E. COYOTE COMPLAINTS**

Mayor Fontaine spoke of recent complaints of coyote noise and concerns over wildlife that inhabit the Town. Information is available through the North Carolina Wildlife Resource Commission about **Preventing Conflicts with Coyotes** and **Coexist with Coyotes**; this will be posted on the 7D website. In January, Public Works Director Kevin Aldridge will meet with a NC Wildlife Resource Officer to review the Town’s habitat. Additionally, a presentation will be made in the future to educate the citizens of the Town.

**COMMITTEE REPORTS**


- Board of Adjustment – No meeting**
- Planning Board – No meeting**
- Public Works – No meeting**
- Public Safety Commission – No meeting**
- Recreation Commission – October minutes**
- TDA – No meeting**
- ABC Board – September minutes**
- Tree Committee – No meeting**
- Public Safety Department**
  - Police Report**
  - Fire Report**
- Financial Report**


**COUNCIL COMMENTS**

Mayor Pro Tem inquired about the Tax Collection rate; Manager Powers reports it is approximately 32% through the month of October.

**ADJOURN**

Member Ehlinger made a motion to adjourn; Member Bailey seconded the motion. The members agreed unanimously. The meeting adjourned at 6:25pm.

  
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 Larry Fontaine, Mayor

  
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 Hillary Gropp, Town Clerk

