

**TOWN OF SEVEN DEVILS
TOWN COUNCIL
MINUTES – REGULAR MEETING**

December 9, 2014

The Seven Devils Town Council met in regular session on Tuesday, December 9, 2014, at Town Hall. Present were Mayor Larry Fontaine, Mayor Pro Tem Brad Lambert, Council Members Kay Ehlinger, David Hooper, and David Ehmig. Also present were Town Attorney Rob Angle and Town Manager Ed Evans. The minutes were recorded by Sara Miller, Town Clerk.

CALL TO ORDER

Mayor Fontaine called the meeting to order at 5:30 PM.

PLEDGE OF ALLEGIANCE

Council members and citizens recited the Pledge of Allegiance

ADOPT AGENDA

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

CONSENT AGENDA – MOTION FOR CONSIDERATION

Adopt minutes of Regular Town Council Meeting—November 12, 2014

Authorize—Town Manager to be voting delegate at the Advocacy Goals Conference, December 11, 2014, in Raleigh

Resolution to Amend Section 125, Flexible Spending Account (FSA) Claim Grace Period for Employee FSAs

Board and Committee Appointments



**RESOLUTION
To Amend the Internal Revenue Section 125 –
Flexible Spending Arrangement Plan**

WHEREAS, the Town of Seven Devils Town Council adopted a Resolution allowing employees to participate in a Cafeteria Plan, also known as Internal Revenue Section 125 – Flexible Spending Arrangement Plan, on July 13th, 2009; and

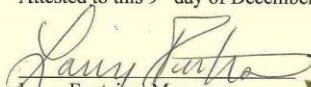
WHEREAS, the IRS announced that employers may elect to modify the cafeteria plan “use it or lose it” rule to allow for a two and one half (2 ½) month grace period; and

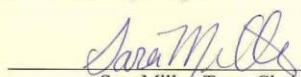
WHEREAS, amendment of the cafeteria plan will allow participants with a balance remaining at the end of the plan year to use the balance for qualifying expenses with a two and one half (2 ½) month grace period (No later than March 15th) following the end of the plan year.

NOW THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Seven Devils does hereby amend the original Resolution establishing the Cafeteria Plan – Internal Revenue Section 125 Flexible Spending Arrangement Plan, hereinafter referred to as the “Plan” for the sole benefit of their employees and dependents, to allow for this IRS permitted two and one half (2 1/2) month extension for qualifying expenses. This Plan shall be within the purview of Sections 3121 (a)(5)(G) and 3306(b)(5)(G) of the IRS Code and shall become effective on December 9, 2014. It shall continue in effect until terminated by a similar resolution of this Town.

This Plan and amendment shall be administered in a non-discriminatory fashion and shall be subject to amendment or termination at any time by the Town, provided that such amendment or termination shall not affect a participating employee’s right to reimbursement for expenses incurred prior to the amendment or termination. All decisions by this Town regarding this Plan shall be binding and conclusive for all employees.

Attested to this 9th day of December 2014, the foregoing resolution is hereby accepted.


Larry Fontaine, Mayor


Sara Miller, Town Clerk

R2014-9



Member Ehmig made a motion to adopt the Consent Agenda. Member Hooper seconded the motion. The members agreed unanimously.

CITIZEN COMMENTS

Anne Fontaine, 127 W. Rocky Top, reminded everyone that the Light-Up the Night celebration will be on Friday, December 12, 2014 at 5:30PM at Town Hall. Everyone please come to enjoy!

ADMINISTRATIVE UPDATE & CALENDAR

Manager Evans stated that Town Hall would be closed on December 24, 25, and 26 for the Christmas holiday and January 1, 2015 for New Year's Day. He also announced that the ABC Board would not meet until January, 2015.

OLD BUSINESS—NONE

NEW BUSINESS—NONE

COMMITTEE REPORTS

Planning Board

Public Works—No meeting

Public Safety Committee—No meeting

Recreation Commission

TDA—No meeting

ABC Board

Public Safety Department

Police Report

Fire Report

Financial Report

COUNCIL COMMENTS

Member Hooper stated that Ray Stripling of Seven Devils had passed away the previous week, and he would be dearly missed.

ADJOURN

Mayor Pro Tem Lambert made a motion to adjourn. Member Ehmig seconded the motion. The members agreed unanimously. The meeting was adjourned at 5:40 PM.

Larry Fontaine, Mayor

Sara Miller, Town Clerk