

**TOWN OF SEVEN DEVILS  
TOWN COUNCIL MINUTES – PUBLIC HEARING & REGULAR MEETING**

**September 13, 2016**

The Seven Devils Town Council met in special session for a Public Hearing on the Parks and Recreation Ordinance on Tuesday, September 13, 2016, at 5:00PM, and in regular session at 5:30PM at Town Hall. Present were Mayor Larry Fontaine, Mayor Pro Tem Brad Lambert, Council Members Kay Ehlinger, David Hooper, and David Ehmig. Also present was Town Manager Debbie Powers and guest auditors from Young, Miller & Gillespie. The minutes were recorded by Emma Wynn, interim Town Clerk.

**CALL TO ORDER**

Mayor Fontaine called the meeting to order at 5:00PM.

**PLEDGE OF ALLEGIANCE**

Council members and citizens recited the Pledge of Allegiance.

**ADOPT AGENDA**

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

**OPEN PUBLIC HEARING FOR PARKS AND RECREATION ORDINANCE**

Member Ehlinger made a motion to open the Public Hearing for the Parks & Recreation Ordinance. Member Ehmig seconded the motion. The members agreed unanimously.

**PUBLIC COMMENTS**

**Bob Bridges, 147 Deepwood Court**, stated that these are more observations than comments. On Page 3, Article 4, Rules & Regulations, #11 “Motorized vehicles shall be operated and parked only in designated areas. Motor vehicles operated or parked elsewhere on walkways or on grass without prior approval of the Town Council shall be in violation of this Ordinance, and shall be towed at the owner’s sole expense.” Mr. Bridges expressed concern that undue restrictions should not be placed on our visitors to Otter Falls.

On Page 4, Article 5, Preservation of Parks, #5 “No person shall, in streams, lakes, or other water features of Town Parks, bathe dogs or other animals, wash vehicles, wash clothing, or throw, cast, lay, drop, or discharge into or leave in the streams, lakes, or other water features of the Town Parks, any substance, matter, or thing, liquid or solid, which may or may not result in pollution of the waters. Fishing is permitted in accordance with the laws and rules administered by the North Carolina Wildlife Resources Commission.” Mr. Bridges felt the lack of the definition of “swim” might cause some confusion.

Mr. Bridges questioned whether a provision should be added to prohibit harassment of wildlife in the parks.

**Sara Manning, 277 Four Diamonds Drive**, commented on Page 3, Article 4, #11, 12 & 13 regarding the use of motorized and non-motorized vehicles. Ms. Manning felt that non-motorized vehicles such as skate boards should not be on our Town roads.

Mayor Fontaine addressed Mr. Bridges concern regarding the lack of designated parking at Otter Falls noting that there is not adequate flat space to expand the parking; any expansion would be extremely expensive. Chief Davis has been contacted about parking on the right side before Chalet. He stated that it would not be a problem as long as cars do not block Skyland. Other options will be considered.

Regarding Article 5, #5; Mayor Fontaine stated that the way it is written, you cannot swim but you can wade.

Mayor Fontaine questioned whether there is a “No Hunting” ordinance that would address the concern expressed regarding preventing harassment of wildlife.

Regarding Ms. Manning’s comments about skateboards on Town roads, Mayor Fontaine noted they are aware of resident concerns. Currently, there is no statute for non-motorized vehicles. Manager Powers commented that she will talk with Chief Davis regarding non-motorized vehicles on state roads. Mayor Pro Tem Lambert stated that this has been looked into previously and nothing can be done at this time.

Mayor Fontaine suggested adding the skateboard concern to the agenda for discussion at the next HCMA meeting.

### **CLOSE PUBLIC HEARING FOR PARKS AND RECREATION ORDINANCE**

Mayor Pro Tem Lambert made a motion to close the Public Hearing for the Parks & Recreation Ordinance. Member Hooper seconded the motion. The members agreed unanimously.

### **RECESS**

A recess was taken at 5:15pm.

### **CALL TO ORDER FROM RECESS - 5:30PM**

Mayor Fontaine made a motion to come back from recess. Member Hooper seconded the motion. The members agreed unanimously.

### **CONSENT AGENDA**

#### **ADOPT MINUTES OF REGULAR TOWN COUNCIL MEETING—August 9, 2016**

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

### **TOWN AUDIT REPORT PRESENTATION**

Sharon Gillespie, of Young, Miller, & Gillespie gave an overview of the Financial Audit report. Copies of the report were given to each Council Member, and a copy was placed in Town Hall for citizens to review. She commented that the Town passed the Audit, and they were able to give a clean opinion of the Town’s financial status. Ms. Gillespie thanked the Town for the opportunity to perform the audit and commended the town Finance Officer Helga Sappington for her hard work and cooperation on the audit. Mayor Fontaine and Town Manager Powers thanked Sharon, Nancy and Helga for their hard work during the audit process.

### **CITIZEN COMMENTS**

**Kay Lambert, 430 Wildcat Rocks Road**, stated that Operation Medicine Cabinet will be held on Saturday October 8<sup>th</sup> from 10:00am until 2:00pm at the Foscoe Fire Department. Medicines can also be dropped off at the Seven Devils Police Department.

**Sara Manning, 277 Four Diamonds Drive**, commended the TDA and Recreation Committee stating that they make the town worth living in.

### **ADMINISTRATIVE UPDATE**

Manager Powers gave a summary of the administrative update.

### **OLD BUSINESS**

**UDO Change – Driveway Construction**—After brief discussion, Mayor Fontaine stated that the changes would put more work and time into the initial meeting with a builder and more care when approving the Site Plan. Manager Powers stated that the fee for including

the Town Engineer would be broken down in next year’s budget ordinance. Mayor Fontaine asked for a motion to be made to approve the UDO change to the Driveway Construction section. Member Hooper made the motion, Member Ehmig seconded the motion. The members agreed unanimously. **~CLOSED~**

**Parks and Recreation Draft Ordinance**—Mayor Fontaine asked if there were any further changes, and if the Council was ready to approve as the Ordinance was presented. He also stated that as with any ordinance, changes will come in the future. Member Ehmig made a motion to approve the Parks and Recreation Ordinance. Member Hooper seconded the motion. The members agreed unanimously. **~CLOSED~**

**NEW BUSINESS**

**ABC Travel Policy - Review**—Mayor Fontaine stated that the Travel Policy was the same as previous years. Mayor Fontaine asked for a motion to approve the presented Travel Policy. Member Hooper made the motion to approve. As no second was given, the Policy was not passed by the Seven Devils Town Council. **~CLOSED~**

**COMMITTEE REPORTS**

- Planning Board**—No Meeting
- Public Works**—No Meeting
- Public Safety Committee**—No Meeting
- Recreation Commission**
- TDA**
- ABC Board**
- Public Safety Department**
  - Police Report**
  - Fire Report**
- Financial Report**

**COUNCIL COMMENTS**

Member Hooper stated that he was still working on the Town WiFi project.

**ADJOURN**

Member Ehlinger made a motion to adjourn. Mayor Pro Tem Lambert seconded the motion. The members agreed unanimously. The meeting adjourned at 6:15pm.

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Larry Fontaine, Mayor

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Emma Wynn, Interim Town Clerk