

**TOWN OF SEVEN DEVILS  
TOWN COUNCIL  
MINUTES – REGULAR SESSION  
September 12, 2011**

The Seven Devils Town Council met in regular session on Monday, September 12, 2011, at Town Hall. Present were Mayor Bob Dodson and Council Members Richard DeMott, Kay Ehlinger and David Ehmig. Mayor Pro Tem Copley was absent and excused. Also present were Town Manager Ed Evans and Town Attorney Rob Angle. The minutes were recorded by Beth Taylor, Town Clerk.

**CALL TO ORDER**

Mayor Dodson called the meeting to order at 5:31p.m. Member DeMott gave a brief statement regarding 9/11 and led the members in a moment of silence.

**PLEDGE OF ALLEGIANCE**

Council members and citizens recited the Pledge of Allegiance.

**ADOPT AGENDA**

Mayor Dodson made a recommendation to add the surplus of three police shot guns as well as a Ford truck to agenda item ***G. Surplus property sale request.***

Member DeMott made a motion to adopt the agenda as amended. Member Ehlinger seconded the motion. The members agreed unanimously.

**APPROVAL OF MINUTES OF REGULAR MEETING AUGUST 8, 2011 AND CONTINUATION MEETING AUGUST 29, 2011**

Mayor Dodson pointed out that there needed to be a period at the end of the word 'promotion' instead of an 'x' on page three, last paragraph, sixth line up.

Member DeMott made a motion to adopt the minutes as amended. Member Ehmig seconded the motion. The members agreed unanimously.

**CITIZEN COMMENTS**

Kay Lambert of 430 Wildcat Rocks Road, stated that the Operation Medicine Cabinet (OMC) will be held on Saturday, October 8, 2011 at the Foscoe Fire Department from 10am-2pm. If you are unable to bring medications and/or pet medications at that time, the Seven Devils Public Safety Officers will hold your medications at Town Hall and will take them to the OMC drop off on 10/8.

**ADMINISTRATIVE UPDATE & CALENDAR**

N/A

**OLD BUSINESS**

**TDA Member Recommendation**

Member DeMott made a motion to accept the TDA recommendation to appoint Anne Fontaine as a member of the TDA. Member Ehlinger seconded the motion. The members agreed unanimously.

**NEW BUSINESS**

**ABC Audit presentation – Sara Brewer**

Sara Brewer presented the members with the audit summary for them to read over. She briefly highlighted the sales for the year as well as pointed out that the economy has not affected their sales the way the other business have been affected.

**Resolution – Proclamation for 2011 Lyme Disease Awareness Month**

Mayor Dodson made a motion to adopt the Proclamation for 2011 Lyme Disease Awareness Month Resolution. Member DeMott seconded the motion. The members agreed unanimously.



## TOWN OF SEVEN DEVILS

### Proclamation for 2011 Lyme Disease Awareness Month

**Whereas**, infected ticks carrying the bacteria, *Borrelia burgdorferi* which causes Lyme disease, continue to spread throughout North Carolina; and

**Whereas**, the total numbers of both suspected and confirmed Lyme disease cases reported to our state health department, continues to rise each year with over nearly 900 case events reported in 2010. Additionally, the Center for Disease Control estimates that Lyme disease may be under-reported by a factor 10 to 1 over actual cases; and

**Whereas**, the North Carolina Division of Public Health now encourages physicians and health care professionals to consider the diagnosis of Lyme disease in patients who present the symptoms of infection, even if the patient has no travel history outside of North Carolina; and

**Whereas**, Lyme disease is difficult to diagnose because it imitates other conditions and no reliable laboratory test can prove who is either infected or bacterial-free, which often leads to under-diagnosis or misdiagnosis; and

**Whereas**, early indicators of infection include flu-like symptoms, characterized by chills, headache, fatigue, muscle and joint aches and swollen lymph nodes; and

**Whereas**, weeks or months later, patients with untreated or under-treated Lyme disease can suffer from permanent and sometimes life-threatening damage to the brain, joints, heart, eyes, liver, spleen blood vessels and kidneys. For this reason it is imperative that all who may be exposed to Lyme disease receive immediate treatment; and

**Whereas**, the best solution to reduce the risk of contracting Lyme disease is awareness and education about the seriousness of the illness and the need for residents, especially children, to practice personal preventive techniques when engaging in outdoor activities - such as frequent tick checks, use of tick repellent and proper tick removal; and

**Whereas**, the warm summer months are considered the most active time for ticks and when the majority of residents are exposed to ticks during outdoor activities.

Adopted by the Seven Devils Town Council during regular session on this 12<sup>th</sup> day of September, 2011.

\_\_\_\_\_  
Bob Dodson, Mayor

\_\_\_\_\_  
Beth Taylor, Town Clerk

### **Request from Judy and Ken Smock – Water issues**

Manager Evans briefed the members on the on-going water issue experienced by Mr. & Mrs. Ken Smock, 1028 Chestnut Ridge Trail. In the Smock's letter to the members, it was stated that they feel their water bills are inaccurate due to air being present in their water lines. Mr. Smock stated that he has spoken to Neptune, the manufacturer of the meters and meter reading equipment, to see if it is possible air in the lines could cause a meter to spin, resulting in a high bill. Mr. Smock was informed that it is highly unlikely that air present would cause a meter to spin; however, the Neptune representative could not say it isn't possible. The members discussed possible causes, as well as solutions, to the Smock's water issue. It was decided that our Public Works department would check the water pressure of the Smock's home, install a radio meter that will tell you hour by hour how much water is being used, and pull the existing meter to have it tested to see if it is faulty at no charge to the Smocks. The members further agreed to waive any \$5 late charge assessed to the Smock's water bills each month, given that they pay the minimum \$35 due, until this problem has been resolved.

Following this issue, resident Mike Tarlton, 236 Edgecliff Lane, stated that he had experienced problems with his water bill as well. While not noticing any air in his water, he stated that his bill was unusually high two months in a row, using the exact same amount of water both months. The members agreed to have the Public Works department install a radio meter at Mr. Tarlton's as well to see if we can determine the cause. The members further agreed to waive any \$5 late charge assessed to the Tarlton's water bills each month, given that they pay the minimum \$35 due, until this problem has been resolved.

### **School Request – Marketing and Attraction in Your Town – Charlotte – Town Manager – September 15 & 16**

Member DeMott made a motion to approve the school request for the Town Manager. Member Ehmig seconded the motion. The members agreed unanimously.

### **Travel Request – NCLM 2011 Annual Conference – Raleigh – Town Manager – October 24 & 25**

Member DeMott made a motion to approve the travel request for the Town Manager. Member Ehlinger seconded the motion. The members agreed unanimously.

**Annexation request – Hwy 105 property – Appalachian Realty, Inc. & Blue Ridge Peddler, Inc.**

After a brief discussion on how this annexation would affect the Town, Member Ehlinger made a motion to adopt the Resolution to Set a Date for the Public Hearing Regarding the Annexation Request. Member DeMott seconded the motion. The Members agreed unanimously.



**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF VOLUNTARY ANNEXATION PURSUANT TO G.S. 160A-31**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the Town Council of the Town of Seven Devils has directed the Town Clerk to investigate the sufficiency of the petition; and Clerk has investigated the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Seven Devils, North Carolina, that:

Section 1. A public hearing on the question of annexation of the area described herein will be held at the Seven Devils Town Hall at 1356 Seven Devils Road at 5:30 P.M. on October 10, 2011.

Section 2. The area proposed for annexation is described as follows:

BEGINNING, at an iron found in the Right of Way of N.C. Highway 105, said point of beginning being a common corner of Gary Fox and herein described; thence with the property line of Gary Fox North 59 degrees 38 minutes West 345.94 feet to a point; thence leaving the line of Gary Fox and running with the line of Tract 5, property of Orelia Fox, North 62 degrees 02 minutes West 183.91 feet to a point; thence with the line of Tract 6 North 59 degrees 59 minutes West 273.02 feet to a point; thence running with the property line of Tract 7, North 59 degrees 59 minutes West 347.02 feet to a point in the center of Tweedie Railroad Bed; thence leaving the line of Tract 7 and running with the line of Tract 8, North 59 degrees 59 minutes West 27.68 feet to an iron found at poplar in fence; thence North 59 degrees 59 minutes West 1024.54 feet to an iron found at chestnut among; thence leaving the line of Tract 8 and property of Orelia Fox and running with the property line of Turner Nunnance North 58 degrees 05 minutes West 75.29 feet to a point, top of ridge; thence with the line of J.S. Comer, Jr., et al North 42 degrees 04 minutes East 122.05 feet to a point, top of ridge; thence North 60 degrees 04 minutes East 53.99 feet to a point, top of ridge; thence leaving the line of J.S. Comer, Jr., et al and running with the property line of Robert Fletcher South 65 degrees 02 minutes East 989.28 feet to a point; thence South 67 degrees 01 minute East 424.82 feet to a point; thence with the line of Valley Creek, J. Hotel Johnson property and with Lot 7, South 67 degrees 02 minutes East 86.85 feet to a point; thence with Lot 8 South 66 degrees 59 minutes East 129.45 feet to a point; thence with Lot 9 South 67 degrees 02 minutes East 145.32 feet to a point; thence with the line of Lot 10 South 67 degrees 01 minute East 129.61 feet to a point; thence leaving Valley Creek, J. Hotel Johnson property and running with the property line of Rooka, Aldridge South 66 degrees 25 minutes East 212.68 feet to a point, said point being located North 12 degrees 16 minutes West 63.07 feet to a barn; thence with the line of George Cobb, South 27 degrees 27 minutes East 197.89 feet to a point in the eastern edge of private road and right of way; thence South 21 degrees 13 minutes East 72.15 feet to a point in the eastern edge of private road and right of way; thence South 66 degrees 59 minutes East 87.76 feet to a point in the margin of N.C. Highway 105; thence running South 66 degrees 59 minutes East 16.23 feet to a point in the center of N.C. Highway 105; thence along and with the center of N.C. Highway 105, the following course and distances: South 63 degrees 22 minutes West 189.41 feet; South 56 degrees 40 minutes West 131.47 feet to a point; thence leaving the center of N.C. Highway 105 and running North 59 degrees 32 minutes West 25.43 feet to the point of beginning. Containing 21.50 acres as surveyed and plotted by Robert E. Grandauf, R.L.S. L-1294 and dated October 26, 1988. Map #1088236.

Section 3. Notice of the public hearing shall be published in The Watauga Democrat newspaper having general circulation in the Town of Seven Devils, at least 10 days prior to the date of the public hearing.

Adopted this the 12<sup>th</sup> day of September, 2011.

\_\_\_\_\_  
Bob Dodson, Mayor

ATTEST: \_\_\_\_\_  
Beth Taylor, Town Clerk

**Surplus property sale request - 2005 Ford Expedition police vehicle, 3 police pump action 12ga shot guns, 2001 Ford truck**

The members addressed their concerns regarding to whom guns would be sold. Manager Evans assured them that all the necessary precautions would be taken by Police Chief Davis before they were sold.

Member Ehmig made a motion to surplus all three items (the two vehicles and shot guns). Member DeMott seconded the motion. The members agreed unanimously.

**COMMITTEE REPORTS**

- A. Planning Board
- B. Public Works
- C. Public Safety Committee
- D. Recreation Commission
- E. ABC Board
- F. TDA
- G. Public Safety Department
  - i. Police Report

**ii. Fire Report**  
**H. Financial Report**

Member DeMott made a motion to accept the financial report. Member Ehmig seconded the motion. The Members agreed unanimously.

**COUNCIL COMMENTS**

N/A

**ADJOURN**

Mayor Dodson made a motion to adjourn. Member Ehlinger seconded the motion. The members agreed unanimously. The meeting was adjourned at 6:56 pm.

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Bob Dodson, Mayor

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Beth Taylor, Town Clerk