

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

December 11, 2012

The Seven Devils Town Council met in regular session on Tuesday, December 11, 2012, at Town Hall. Present were Mayor Larry Fontaine, Mayor Pro Tem Brad Lambert, Council Members Kay Ehlinger, David Ehmig, and David Hooper. Also present were Town Manager Ed Evans and Attorney Rob Angle. 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

Mayor Fontaine proposed to move Consent Agenda item IV.A.iii –Request to Approve High Country ABC Travel Policy to New Business. Member Ehmig seconded the motion. The members agreed unanimously. Member Ehmig made a motion to adopt the amended agenda. Member Hooper seconded the motion. The members agreed unanimously.

CONSENT AGENDA – ADOPTION OF MINUTES

Motion for Consideration – Adopt minutes of Regular Meeting November 13, 2012

Motion for Consideration—Adopt minutes of Recessed Town Council Workshop December 5, 2012

Travel Request—Town Manager request to attend Advocacy Goals Conference in Raleigh on January 24, 2013 and appointment of Town Manager as voting delegate at the Conference.

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

CITIZEN COMMENTS—

Kay Lambert, 430 Wildcat Rocks Rd, thanked everyone that helped make Town Hall look festive for the holidays and everyone that helped make the 2nd Annual *Light up the Night* celebration special. She stated it was a fun night with great turn out.

ADMINISTRATIVE UPDATE & CALENDAR—Town Manager Evans reminded everyone that Town Hall will be closed on **Monday**, December 24, Tuesday, December 25, and Wednesday, December 26 in observance of the Christmas holiday, and January 1, 2012 for New Year's Day. He also reminded everyone that the ABC Board will be meeting on Thursday, December 13, 2012 at 4PM at the ABC Store.

OLD BUSINESS—None

NEW BUSINESS

Adopt Resolution—High Country Hazard Mitigation Plan—Mayor Fontaine stated that by adopting the Hazard Mitigation Plan, it would allow for the Town to qualify for FEMA funds in an emergency. Mayor Fontaine pointed out two typos in the Resolution, one in the first paragraph, second line, “and” changed to “that pose threats to lives and cause damage”. The second on page two, number 2, “and” changed to “that are specific to the Town of Seven Devils”. Member Hooper made a motion to adopt the Resolution as amended. Member Ehlinger seconded the motion. The members agreed unanimously. ~CLOSED~



RESOLUTION ADOPTING THE HIGH COUNTRY REGIONAL HAZARD MITIGATION PLAN

WHEREAS, the citizens and property within the Town of Seven Devils are subject to the effects of natural hazards that pose threats to lives and cause damage to property, and with the knowledge and experience and certain areas i.e., flood hazard areas, are particularly vulnerable to flood hazard events; and

WHEREAS, the Town desires to seek ways to mitigate the impact of identified hazard risks; and

WHEREAS, the Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Parts 3, 5, and 8 of Article 19 of Chapter 160A; and Article 8 of Chapter 160A of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Legislature of the State of North Carolina has in Section 1 Part 166A of the North Carolina General Statutes (adopted in Session Law 2001-214---Senate Bill 300 effective July 1, 2001), states therein in Item (a) (2) "For a state of disaster proclaimed pursuant to G.S. 166A-6(a) after August 1, 2002, the eligible entity shall have a hazard mitigation plan approved pursuant to the Stafford Act"; and

WHEREAS, Section 322 of the Federal Disaster Mitigation Act of 2000 states that local governments must develop an All-Hazards Mitigation Plan in order to be eligible to receive future Hazard Mitigation Grant Program Funds and other disaster-related assistance funding and that said Plan must be updated and adopted within a five year cycle; and

WHEREAS, the Watauga County Emergency Management Office and Seven Devils staff have performed a comprehensive review and evaluation of each section of the previously approved Hazard Mitigation Plan and has updated said plan as required under regulations of 44e CFR Part 201 and according to guidance issued by the Federal Emergency Management Agency and the North Carolina Division of Emergency Management; and

WHEREAS, it is the intent of the Town Council of the Town of Seven Devils to fulfill this obligation in order that the Town will be eligible for federal and state assistance in the event that a state of disaster is declared for a hazard event affecting the Town; and

WHEREAS, the Town of Seven Devils actively participated in the planning process of the High Country Regional Hazard Mitigation plan and has fulfilled all the requirements pertaining to jurisdictions participating in a multi-jurisdictional planning as established by FEMA;

NOW, therefore, be it resolved that the Town Council of the Town of Seven Devils hereby;

1. Adopts the High Country Regional Hazard Mitigation Plan; and
2. Separately adopts the sections of the plan that are specific to the Town of Seven Devils;
3. Vests the Town Manager with the responsibility, authority, and the means to:
 - (a) Inform all concerned parties of this action;
 - (b) Develop an addendum or annex to the High Country Regional Hazard Mitigation Plan as warranted by the unique situation of the Town;
 - (c) Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map and identify floodplain and other hazard areas, and cooperate with neighboring communities with respect to management of adjoining floodplain and other hazard areas in order to prevent exacerbation of existing hazard impacts.
4. Appoints the Town Manager to assure that the Hazard Mitigation Plan is reviewed annually and every five years as specified in the Plan to assure that the Plan is in compliance with all state and federal regulations and that any needed revisions or amendments to the Plan are developed and presented to the Town of Seven Devils Town Council for consideration.
5. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the Hazard Mitigation Plan and the addendum and/or annex of the Town of Seven Devils to said Plan.

Adopted on this the 11th day of December 2012.


Larry Fontaine, Mayor


Sara Miller, Town Clerk



Emergency Procedures Policy—Mayor Pro Tem Lambert introduced this topic as something he heard about at the NC League of Municipalities meeting he, Manager Evans, and Mayor Fontaine attended in October. The topic stated that each county and municipality should have a defined policy for emergency procedures. He proposed that the Council consider this as a future possibility. Mayor Fontaine made a motion to table this until Mayor Pro Tem Lambert received a response from the School of Government and more information could be gathered. Member Hooper seconded the motion. The members agreed unanimously. **~OPEN~**

Consider Approval of request for Bat study—antenna placement—Town Manager Evans stated that this study would have no direct impact on the Town other than antennas being erected on or near a Town water tower. It would not cost the Town anything, nor would the Town be responsible for upkeep. Member Hooper made a motion to approve the request for a Bat study antenna placement, and gave Town Manager Evans and Fire Chief Powell the authority to make decisions dealing with antenna placement for the study. Mayor Pro Tem Lambert seconded the motion. The members agreed unanimously. **~CLOSED~**

Appointments and Reappointments—Boards, Committees, Commission—

Board of Adjustment—three terms expiring—Bill Wilkinson, Richard DeMott, and Lois Dodson all had a term expiring on 1/1/2013. All applied for reappointment to the Board.

Planning Board—four terms expiring—Butch McLean, Mike Tarlton, Barry Isquith, and Frank Sell all had a term expiring on 1/1/2013. Board Member Tarlton wished to resign from his position. Butch McLean, Frank Sell, and Barry Isquith applied for reappointment to the Board. Brady Sasse applied for appointment to fill the vacancy created by Mike Tarlton's resignation.

TDA—two terms expiring—Bill Wilkinson and Anne Fontaine both had a term expiring on 1/1/2013. Both members applied for reappointment to the TDA.

Public Works—one term expiring—Ken Smock had a term expiring on 1/1/2013. He applied for reappointment to the Committee.

Recreation Committee—two terms expiring—Martha Stearns and Kay Lambert both had a term expiring on 1/1/2013. Committee Member Lou McLean wished to resign from her position, which will not expire until 1/1/2014. Lou McLean would not be replaced at this time. Both Martha Stearns and Kay Lambert applied for reappointment.

Member Ehlinger made a motion to approve the application for appointment to the Planning Board from Brady Sasse and all applications for reappointment. Member Hooper seconded the motion. The members agreed unanimously. **~CLOSED~**

Request to Approve High Country ABC travel policy—Member Hooper made a motion to table this issue until a future meeting and after further information is provided. Member Ehmig seconded the motion. The members agreed unanimously. **~CLOSED~**

COMMITTEE REPORTS

Planning Board—No Meeting

Public Works—No Meeting

Public Safety Committee—No meeting

Recreation—No meeting

ABC Board

TDA

Public Safety Department

Police Report

Fire Report

Financial Report

COUNCIL COMMENTS

Member Hooper stated that is has been a good year and that it was a pleasure to work with the Council.

Mayor Fontaine thanked all for their time and commitment to working towards a better Seven Devils. He also thanked the Council Members for their time while attending the Employee Handbook workshop.

ADJOURN

Mayor Pro Tem Lambert made a motion to adjourn. Member Ehlinger seconded the motion. The members agreed unanimously. The meeting was adjourned at 6:02 P.M.

Larry Fontaine, Mayor

Sara Miller, Town Clerk