

**TOWN OF SEVEL DEVILS
TOWN COUNCIL
MINUTES – REGULAR SESSION
April 12, 2010**

The Town of Seven Devils Town Council met in regular session on Monday, April 12, 2010, at Town Hall. Present were Mayor Bob Dodson, Mayor Pro Tem Kathy Copley, and Council Members Richard DeMott, David Ehmgig and Kay Ehlinger. Also in attendance were Town Manager Ed Evans, Town Attorney Rob Angle, and Lois Evans, who recorded the minutes in the Town Clerk's absence.

CALL TO ORDER

Mayor Dodson called the meeting to order at 5:33 p.m.

PLEDGE OF ALLEGIANCE

Council members and citizens recited the Pledge of Allegiance.

ADOPT AGENDA

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

APPROVE MINUTES

A change in the March 8, 2010 minutes was recommended as follows:

On page 3, D., change wording in sentence five to “for the Town to donate” instead of “that the Town donates.” A motion to approve the minutes as corrected was made by Member Ehlinger, seconded by Member Ehmgig and approved unanimously.

In the March 18, 2010, minutes, wording will be added to indicate that the meeting recessed at 7:10 p.m. A motion to approve the minutes as amended was made by Member DeMott, seconded by Mayor Pro Tem Copley and approved unanimously.

CITIZEN COMMENTS

Barbara Tarlton expressed appreciation to Town Manager Evans and the Public Works Department for their hard work this winter. She also expressed thanks to the Town Council members. She inquired as to how non-fulltime residents can obtain information about the Town budget and asked about the Town's long-range plan. Mayor Pro Tem Copley indicated that the budget calendar is online and anyone is welcome to attend the meetings. The next meeting is April 15 at 9:00 a.m. She stated that citizens may pick up budget information at Town Hall but stressed that the budget is in draft form only at this time. The budget will be finalized following a public hearing on June 1. Mayor Dodson noted that the Town's budget routinely includes a five-year plan. Mike Tarlton asked how the income portion of the budget pertaining to building permits is determined. Mayor Dodson stated that it is based on history for previous years and is a best guess.

Larry Fontaine inquired as to the Council's consideration of the Planning Board's five- and ten-year plans. The Mayor stated that these plans are to be considered by Public Works and not the Town

Council. Mayor Pro Tem Copley said that she will be sending a packet of information to the Planning Board regarding plans for water, roads, etc.

ADMINISTRATIVE UPDATE

Town Manager Evans reported that Bobby Powell recently prepared a grant application for equipment through the N.C. Department of Crime Control and Public Safety. In addition, the Town Manager submitted a grant application to the Urban and Community Forest Grant Program. He recognized Chief of Police Chuck Davis, who introduced the Town's new police officer, Travis Ward.

Mayor Dodson asked that the Council consider the first two items under New Business before Old Business.

A. RECOGNITION OF OFFICER JONATHAN HARRIS

Chief of Police Davis recognized Officer Jonathan Harris for his bravery during an event on December 18 in which a vehicle was on fire and Officer Harris assisted in removing an unconscious man from the scene shortly before the car exploded. Mayor Dodson presented Officer Harris with a Medal of Valor, and the officer received a standing ovation.

B. PRIVATIZATION OF ABC

Mayor Dodson recognized Bob Austin, ABC chairman, and Sarah Brewer, local ABC store manager, who spoke about the issue of ABC privatization. Mr. Austin said that the current system is not broken but there have been some abuses. Local municipalities stand to lose funding if privatization occurs. He said that privatization would also loosen control of underage drinking and that the State already receives \$750 million per year in excise taxes from the 163 ABC boards. Citizens are urged to contact their legislators to express their opposition to privatization.

OLD BUSINESS

A. Update on ice storm debris removal – FEMA. The Town Manager reported that the Town has spent \$82,600 for debris removal. Bids have gone out for the remaining work. Reimbursement from FEMA has not been finalized, but it will not be 100% as originally anticipated. Another meeting with FEMA is scheduled for April 13.

NEW BUSINESS

C. Recommendation from Planning Board to appoint a new Board member. Two names were submitted. Mayor Dodson nominated Barry Isquith. The motion was seconded by Member DeMott. Member Ehlinger nominated Brad Lambert. There was not a second. The vote to approve Barry Isquith carried by majority vote with four Ayes and one Nay.

D. Water bill – request for relief from Regina Portela-Hall. Town Manager Evans summarized the situation involving a water leak that resulted in a water bill of over \$27,000 for said property owner. The bill was reduced by half, but Ms. Portela-Hall indicated that she is unable to pay this amount due to financial hardship. Mayor Dodson noted that lowering her bill to less than half the original amount would set a new precedent for the Town. Following discussion, Mayor Pro Tem Copley made a motion that the Town authorize the Town Manager to negotiate payment from Ms. Portela-Hall at no interest for a period up to seven years for her water bill. The motion was

seconded by Member DeMott and approved unanimously. There was discussion about how to prevent this type of disaster from occurring and how to get seasonal residents to turn off their water when they are gone. The topic will be added to the Public Works agenda to generate ideas.

E. Report from intergovernmental retreat and report on Boone Area Outdoor Recreation Summit. Mayor Pro Tem Copley reported on two meetings that she recently attended. The Intergovernmental Retreat included discussions about Appalachian State University's master plan, the Town of Boone 2030 Land Use Plan, and the Citizens' Plan for Watauga. Information concerning the Outdoor Recreation Summit is located at www.BooneAreaOutdoors.com.

Mayor Pro Tem Copley made a motion that the Seven Devils TDA consider working with the Watauga County TDA and also consider making the Seven Devils Recreation Committee an ad hoc committee of the TDA." The motion was seconded by Member DeMott and approved unanimously."

COMMITTEE REPORTS

- A. Planning Board**
- B. Public Works**
- C. Public Safety**
- D. Recreation Commission**
- E. ABC Board**
- F. TDA**
- G. Financial Report**

A motion was made by Member DeMott to accept the Financial Report. The motion was seconded by Member Ehlinger and approved unanimously.

TOWN COUNCIL COMMENTS

Member DeMott reminded everyone of Operation Medicine Cabinet on May 22 from 10-2 at the Foscoe Fire Department. Mayor Pro Tem Copley asked that the minutes reflect that all members of the Town Council attended ethics training on March 25, 2010. She inquired about the possibility of the Town purchasing the property on which the stable is located.

RECESS

At 7:17 p.m. Mayor Dodson made a motion to recess until April 15 at 9:00 a.m. The motion was seconded by Member Ehlinger and approved unanimously.

TOWN COUNCIL – CONTINUATION MEETING APRIL 15, 2010

The Seven Devils Town Council reconvened at 9:00 a.m. on Thursday, April 15, 2010 at Town Hall. Members of the Town Council present were Mayor Bob Dodson, Mayor Pro Tem Kathy Copley,

and Council Members Richard DeMott, Kay Ehlinger, and David Ehmig. Town Manager Ed Evans was also present.

At 9:10 a.m., Mayor Dodson made a motion to come out of recess. Mayor Pro Tem Kathy Copley seconded the motion. The members agreed unanimously. The Council and Manager Evans discussed the FY-11 Capital Improvement Plan and Annual Spending Plan estimates for revenue and expenditures in the workshop.

RECESS

At 12:08 p.m. Member Ehmig made a motion to recess until April 22, 2010 at 9:00 a.m. Member DeMott seconded the motion. The members agreed unanimously.

TOWN COUNCIL – CONTINUATION MEETING APRIL 22, 2010

The Seven Devils Town Council reconvened at 9:00 a.m. on Thursday, April 22, 2010 at Town Hall. Members of the Town Council present were Mayor Bob Dodson, Mayor Pro Tem Kathy Copley, and Council Members Richard DeMott, Kay Ehlinger, and David Ehmig. Town Manager Ed Evans was also present.

At 9:05 a.m., Mayor Dodson made a motion to come out of recess. Mayor Pro Tem Kathy Copley seconded the motion. The members agreed unanimously. The Council and Manager Evans discussed the FY-11 Capital Improvement Plan and Annual Spending Plan estimates for revenue and expenditures in the workshop.

Additionally, the Council discussed the problem of large water bills resulting from leaks at a citizen's residence. The Council discussed options for handling the large bills such as the one received recently by Ms. Regina Hall. After discussion, Member DeMott made a motion to place a \$5,000 cap on water bills resulting from leaks where there is a verified leak and a verified repair. Mayor Pro Tem Copley seconded the motion. The members agreed unanimously.

RECESS

At 12:50 p.m. Mayor Dodson made a motion to recess until April 29 at 9:00 a.m. Member Ehmig seconded the motion. The members agreed unanimously.

TOWN COUNCIL – CONTINUATION MEETING APRIL 29, 2010

The Seven Devils Town Council reconvened at 9:00 a.m. on Thursday, April 29, 2010 at Town Hall. Members of the Town Council present were Mayor Bob Dodson, Mayor Pro Tem Kathy Copley, and Council Members Richard DeMott, Kay Ehlinger, and David Ehmig. Town Manager Ed Evans was also present.

At 9:02 a.m., Mayor Dodson made a motion to come out of recess. Member Mayor Pro Tem Copley seconded the motion. The members agreed unanimously.

The Council and Manager Evans discussed the FY-11 Capital Improvement Plan and Annual Spending Plan estimates for revenue and expenditures in the workshop.

The Council discussed the Snowcloud water main extension/hydrant proposed project previously addressed by the Public Works Committee. David Poore, our Town engineer submitted the project to Public Water Supply Section of the Division of Environmental Health - NC Department of Environment and the project is approved, referenced as Project Name – Snowcloud Drive in Seven Devils - and identified as Serial Number - 10-00266. Member DeMott made a motion to proceed with this project after July 1, 2010. Member Ehlinger seconded the motion. The members agreed unanimously.

The Council discussed Grandview Drive waterline replacement project. It was noted that the Town has been waiting to do this project and repave the road until they find funding. Noting that the road is deteriorating and that the Town does not want to repave the road until after the water lines are replaced, the Council sought solutions. Mayor Dodson made a motion to have Manager Evans seek a loan or loans to fund this project and other projects that are currently being considered. Member Ehlinger seconded the motion. The members agreed unanimously.

The Council continued to discuss the need to find funding for water projects around town that are currently being discussed such as Grandview Loop, Snowcloud, and Four Diamond and projects that will arise in the future. Member Ehmig noted that one way to start funding such projects is by letting water users in town pay for the projects through the water-use fee structure. Following discussion, Member Ehmig made a motion to increase the monthly water fee by \$5 per month. The increase is to be used only for water projects that are approved in the Town's budget. Member DeMott seconded the motion. The motion carried by majority vote with four Ayes and one Nay.

Manager and Budget Officer Evans discussed a proposed Budget Amendment for FY10, referenced as Amendment #1, dealing with water expense and the 2009 Christmas Storm expense. A discussion followed and Mayor Dodson made a motion to accept the FY10 Budget Amendment #1 as submitted. Member Ehlinger seconded the motion. The members agreed unanimously.

RECESS

At 1:30 p.m., Mayor Dodson made a motion to recess until May 6, 2010 at 9:00 a.m. Member Ehlinger seconded the motion. The members agreed unanimously.

TOWN COUNCIL – CONTINUATION MEETING MAY 6, 2010

The Seven Devils Town Council reconvened at 9:00 a.m. on Thursday, May 6, 2010 at Town Hall. Members of the Town Council present were Mayor Bob Dodson, Mayor Pro Tem Kathy Copley, and Council Members Richard DeMott and Kay Ehlinger. Member Ehmig was not present. Town Manager Ed Evans was also present.

At 9:03 a.m., Mayor Dodson made a motion to come out of recess. Member DeMott seconded the motion, and the members agreed unanimously. The Council and Manager Evans discussed the FY-11 Capital Improvement Plan and Annual Spending Plan estimates for revenue and expenditures in the workshop.

ADJOURN

At 10:13 a.m. Mayor Dodson made a motion to adjourn. Member DeMott seconded the motion. The members agreed unanimously.

Bob Dodson, Mayor

Lois Evans, representing Town Clerk