

## AGENDA

### Regular Meeting of the Sawmills Town Council Sawmills Town Hall

Tuesday, April 16, 2013  
6:00 P.M.

1. Call To Order Mayor Bob Gibbs
2. Invocation Pastor David Woods
3. Pledge of Allegiance Mayor Bob Gibbs
4. Adopt Agenda Mayor Bob Gibbs
5. Approve March 19<sup>th</sup> Regular Meeting Minutes Mayor Bob Gibbs  
Approve April 4<sup>th</sup> Special Budget Workshop Minutes Mayor Bob Gibbs
6. Public Comment Mayor Bob Gibbs
7. Recognitions::  
A. Recycle Rewards Winner Administrator Seth Eckard  
B. Yard of the Month Winners Mayor Bob Gibbs
8. Financial Matters:  
A. Request for a Donation to Caldwell County Special Olympics Mayor Bob Gibbs  
B. Request for a Donation to Caldwell County Fire Marshal's Office Mayor Bob Gibbs  
C. Water/Sewer and Sanitation Bad Debt Write Off Administrator Seth Eckard
9. Planning Matters:  
A. Proposed Amendment to the Code of Ordinances Planner Johnny Wear  
B. Appointment to serve on the Board of Adjustment Planner Johnny Wear
10. Discussion:  
Doe Run Subdivision Landscaping Administrator Seth Eckard
11. Public Comment
12. Updates:  
A. Code Enforcement Monthly Report Administrator Seth Eckard  
B. Administrator's Report Administrator Seth Eckard  
C. Council Comment
13. Adjourn Mayor Bob Gibbs

**TUESDAY, MARCH 19, 2013  
TOWN OF SAWMILLS REGULAR COUNCIL MEETING  
6:00 PM**

**COUNCIL PRESENT**

Bob Gibbs  
Donnie Potter  
Trena McRary Kirby  
Joe Wesson  
Jeff Wilson  
Johnny Wilson

**STAFF PRESENT**

Seth Eckard  
Susan Nagle  
Terry Taylor

**CALL TO ORDER:** Mayor Bob Gibbs called the meeting to order.

**INVOCATION:** Mayor Bob Gibbs gave the invocation.

**PLEDGE OF ALLEGIANCE:** Mayor Bob Gibbs led the Pledge of Allegiance.

**ADOPT AGENDA:** Mayor Gibbs asked for a motion to adopt the agenda.

Donnie Potter made a motion, and Joe Wesson seconded, to adopt the agenda. All were in favor.

**APPROVE FEBRUARY 19, 2013 REGULAR MEETING MINUTES:** Mayor Gibbs asked for a motion to approve the February 19, 2013 regular meeting minutes.

Johnny Wilson made a motion, and Donnie Potter seconded, to approve the minutes. All were in favor.

**APPROVE MARCH 7, 2013 SPECIAL BUDGET WORKSHOP MINUTES:** Mayor Gibbs asked for a motion to approve the March 7, 2013 Special Budget Retreat Minutes.

Jeff Wilson made a motion, and Joe Wesson seconded, to approve the minutes. All were in favor.

**PUBLIC COMMENT:** Mayor Gibbs asked if anyone wished to speak during public comment.

No one wished to speak.

**RECOGNITIONS:**

**RECYCLE REWARDS WINNER:** Town Administrator Seth Eckard announced Richard and Connie Lasher as the March Recycle Rewards winners. A credit of twenty-eight dollars (\$28.00) will be added to Mr. and Mrs. Lasher's sanitation bill and their certificate will be available at the Town Hall for pick up.

No Council action was required.

**DISCUSSION:**

**ADOPT RESOLUTION TO AMEND SECTION 31.03 OF THE SAWMILLS CODE OF ORDINANCES:** Mayor Gibbs stated the enclosed resolution to amend Section 31.03 of the Sawmills Code of Ordinances changes the duties of the Town Administrator.

Joe Wesson made a motion, and Johnny Wilson seconded, to amend Section 31.03 of the Sawmills Code of Ordinances. Those in favor were Trena McRary Kirby, Joe Wesson, Donnie Potter and Johnny Wilson. Those opposed were Jeff Wilson. The motion carried by a 4-1 vote.

**SAWMILLS 25-YEAR ANNIVERSARY CELEBRATION:** Administrator Eckard stated the Town's 25<sup>th</sup> anniversary is July 1, 2013. The Festival Committee discussed having an anniversary celebration in July or during the Fall Festival in September. The Town would like to honor all those past and present who have contributed to the Town's success. Honorees would include: current and past Council, staff, Fire Department Board members and Officers as well as past Sanitary District Commissioners.

After some discussion, it was the consensus of the Council to combine the 25-Year Anniversary Celebration and the Annual Fall Festival on Saturday, September 21, 2013.

**PUBLIC COMMENT:** Mayor Gibbs asked if anyone wished to speak during public comment.

Mike Harris expressed his gratitude to Council for holding concerned citizen group meetings.

**UPDATES:**

**CODE ENFORCEMENT MONTHLY REPORT:** Administrator Eckard stated the enclosed Code Enforcement report was for March.

No Council action was required.

**ADMINISTRATOR'S REPORT:** Town Administrator Seth Eckard made the following announcements:

- The Annual Easter Egg Hunt will be Saturday, March 23<sup>rd</sup> from 10:30 am to 12:30 pm at the Veterans Memorial Park.
- The Sawmills Farmers Market will hold a vendor's meeting Thursday, March 21<sup>st</sup> at 6:30 pm at Mt. Zion Baptist Church and encourages all interested vendors to attend.
- The grand opening for the Disc Golf course will be Saturday, April 6<sup>th</sup> at 10:00 am at the Veterans Memorial Park.
- The next budget workshop will be Thursday, April 4<sup>th</sup> at 5:00 pm, and is open to the public.
- The Town Hall will be closed on Friday, March 29<sup>th</sup>, in observance of Good Friday.
- The Yard of the Month program resumes in April.
- The Town Beautification Committee will meet Friday, March 22<sup>nd</sup> at 9:00 am.
- The Town would like to thank the citizens for all the donations to the Coats for Kids collection. This was a success and there were 155 coats collected.
- The Mayor and I will be attending Town Hall Day in Raleigh March 26<sup>th</sup> and 27<sup>th</sup>.

**COUNCIL COMMENT:** Mayor Gibbs asked if anyone on the Council wished to speak.

Councilwoman Trena McRary Kirby stated she has received great feedback from the Concerned Citizens Group meetings and would like the date of the next meeting to be in the newsletter.

Mayor Pro-Tem Johnny Wilson thought the Concerned Citizens Group meeting was good because the meetings make Council aware of the citizens' concerns and it is the job of the Council to take care of the citizens and the needs in Sawmills.

Councilman Joe Wesson would like to thank everyone for their concern and support during his recent surgery and while he recovers.

Mayor Gibbs stated he is working with Legislators on getting a historical marker put at the river for the Conley Cove. The Mayor has been working with the Caldwell County Historical Society on the history of Conley Cove and asked anyone who has any information on the Cove or the Conley's to please contact him by the end of April as the Legislators will be voting on this issue in May.

**ADJOURN:** Mayor Gibbs asked for a motion to adjourn.

Jeff Wilson made a motion, and Donnie Potter seconded, to adjourn the meeting. All were in favor.

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Susan Nagle, Town Clerk

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Bob Gibbs, Mayor

**TUESDAY, APRIL 4, 2013  
TOWN OF SAWMILLS SPECIAL  
COUNCIL BUDGET WORKSHOP  
5:00 PM**

**COUNCIL PRESENT**

Bob Gibbs, Mayor  
Donnie Potter  
Joe Wesson  
Johnny Wilson  
Jeff Wilson  
Trena McRary Kirby

**STAFF PRESENT**

Seth Eckard  
Karen Clontz  
Ronnie Coffey

**CALL TO ORDER:** Mayor Bob Gibbs called the meeting to order.

**INVOCATION:** Mayor Gibbs gave the invocation.

**PLEDGE OF ALLEGIANCE:** Mayor Gibbs led the Pledge of Allegiance.

**ADOPT AGENDA:** Mayor Gibbs asked for a motion to adopt the agenda.

Donnie Potter made a motion, and Joe Wesson seconded, to adopt the agenda. All were in favor.

**ITEMS FOR DISCUSSION:**

The following items were discussed:

Possible Construction of Elmore Drive  
Restrooms at the Veterans Memorial Park  
Contract with Caldwell County Sheriff's Department

**Budget Needs by Department:**

Public Works  
Sanitation  
Streets (Powell Bill)  
Parks & Recreation  
Water Department  
Sewer Department  
Governing Board  
Administration  
Finance  
Planning/Community Development

**ADJOURN:** Mayor Gibbs asked for a motion to adjourn.

Donnie Potter made a motion, and Trena McRary Kirby seconded, to adjourn the meeting. All were in favor.

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Susan Nagle, Town Clerk

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Bob Gibbs, Mayor

**AGENDA ITEM 7A**

**MEMO**

**DATE:**

April 11, 2013

**SUBJECT:**

Recognition:  
Recycle Rewards  
Winner

**Discussion:**

Michael and Cindy Austin are the Recycle Rewards winners for April. Town Administrator Seth Eckard will present them with a certificate of appreciation and a twenty-eight dollar (\$28.00) credit will be added to their current sanitation bill.

**Recommendation:**

No Council action required.

**AGENDA ITEM 7B**

**MEMO**

**DATE:**

April 11, 2013

**SUBJECT:**

Recognition:  
Yard of the Month  
Winners

**Discussion:**

Sawmills Volunteer Fire & Rescue Department, from the 28630 zip code, and Ted and Peggy Laxton, from the 28638 zip code, are the Yard of the Month winners for April. Mayor Bob Gibbs will present them with a certificate of appreciation.

**Recommendation:**

No Council action required.



**AGENDA ITEM 8A**

**MEMO**

**DATE:**

April 11, 2013

**SUBJECT:**

Financial Matters:  
Request for a Donation to  
Caldwell County Special  
Olympics

**Discussion:**

The Caldwell County Special Olympics is requesting a donation in the amount of \$150.00 to help cover the cost of t-shirts and lunch for participating athletes.

There are sufficient funds in the budget for this request.

**Recommendation:**

Staff recommends Council discuss this matter and decide how they wish to proceed.

**AGENDA ITEM 8B**

**MEMO**

**DATE:**

April 11, 2013

**SUBJECT:**

Financial Matters:  
Request for a Donation to  
Caldwell County Fire  
Marshal's Office

**Discussion:**

The Caldwell County Fire Marshal's Office is requesting a donation to help cover the cost of training and maintenance of an accelerant detection canine.

There are sufficient funds in the budget for this request.

**Recommendation:**

Staff recommends Council discuss this matter and decide how they wish to proceed.

**AGENDA ITEM 8C**

**MEMO**

**DATE:**

April 11, 2013

**SUBJECT:**

Financial Matters:  
Water/Sewer and  
Sanitation Bad Debt  
Write Off

**Discussion:**

Attached is a list of accounts which have gone unpaid for Utility and Sanitation services during the calendar year 2009. The Town does not expect to collect payment. The total amount is \$3,851.75.

Included in this amount are 17 account balances over \$50, totaling \$2,259.23. These accounts have been submitted to the NC Debt Setoff Program. If this amount is recovered, this would reduce the debt write off to \$1,592.52.

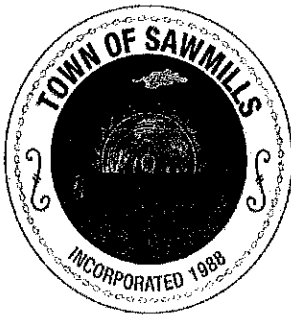
As of this writing, the Town has been able to recover \$2,708.28 from the Debt Setoff program for unpaid balances due from 2009 to 2012.

There are sufficient funds budgeted for this reason.

**Recommendation:**

Staff recommends Council approve the bad debt write off in the amount of \$3,851.75.

**AGENDA ITEM 9A**



**MAYOR**  
Bob Gibbs

**TOWN  
COUNCIL**

**TOWN ADMINISTRATOR**  
Seth Eckard

Johnny Wilson, Mayor Pro-Tem  
Trena McRary Kirby  
Donnie Potter  
Joe Wesson  
Jeff Wilson

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**Staff Report: Solar Energy Systems**

Listed below is an Ordinance for Solar Energy Systems. This would include large and small size solar panels used for residential, business, or utility purposes. The Planning Board reviewed the Ordinance at the last meeting and voted to recommend approval of the Ordinance.

**Amendment to the Zoning Ordinance**

**To be added to the list of definition:**

**SOLAR ENERGY SYSTEM, SMALL** Any device or combination of devices or elements which rely upon direct sunlight as an energy source, including but not limited to any substance or device which collects sunlight for generating energy for use onsite. However, the energy output may be delivered to a power grid to offset the cost of energy on site. Small systems will typically generate less than 10 kilowatts per hour (rated 10kW system) and will be an accessory use to a lawful, principle use. Small systems shall be located and situated so glare is not to interfere with traffic on public streets or highways or the reasonable use of neighboring property. Roof mounted small systems shall not extend more than 10 feet from the top of the roof. The total height of the building including the solar collection devices shall comply with the height regulations

**SOLARENERGY SYSTEM, UTILITY SCALE (SOLAR FARM)** Any device or combination of devices or elements which rely upon direct sunlight as an energy source, including but not limited to any substance or device which collects sunlight for generating energy primarily for use off-site or for resale. Energy generated may be used to serve on site power needs. This will typically be the primary use of a property and generate more than 10kilowatts per hour (rated 10kW system)of electricity.

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**Town of Sawmills**

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<http://www.townofsawmills.com/>

The Town of Sawmills does not discriminate on the basis of age, sex, race, religion, national origin, disability, political affiliation, or marital status.

**To be added to the table of uses:**

Use	R-20	RA-20	R-15	O/I	NB	HB	GM	SR
Solar Energy System, Small	P	P	P	P	P	P	P	153.082
Solar energy System, Utility Scale	CU	CU	CU	P	P	P	P	153.082

**New chapter to be added to the Zoning Ordinance:**

**153.082 Solar Energy Systems Utility Scale**

Utility Scale Solar Energy Systems are permitted in business districts by right and are permitted in residential districts by Conditional Use. In both cases the following conditions must be met:

1. Utility Scale Solar Energy Systems in Business districts shall meet all setback, parking, and buffer requirements for that district
2. Utility Scale Solar Energy Systems located in residential districts must meet all setback, parking, and buffer requirements for the General Manufacturing (GM) District
3. Solar power collection and electrical generation structures shall not exceed 25 feet in height.
4. All equipment shall be located and situated so glare is not to interfere with traffic on public streets or highways or the reasonable use of residential property.
5. All components of a Utility Scale Solar Energy System must meet all applicable Building, Electrical and Safety codes.
6. Utility Scale Solar Energy Systems shall be designed to blend into the architecture of the neighboring buildings and landscape or be screened from view.
7. Solar Energy Systems that exceed the 10kW threshold but will be used in conjunction with an existing, lawful use on the same property, are allowed, provided that:
  - a) They are located and situated so glare is not to interfere with traffic on public streets or highways or the reasonable use of neighboring property;
  - b) Roof mounted systems shall not extend more than 10 feet from the top of the roof;
  - c) The total height of the building including the solar collection and power generation devices shall comply with the District height regulations;
  - d) Ground-mounted systems shall not be located in any required front yard and shall be screened from view from neighboring property or public streets;
9. In the event a solar farm ceases operation as an ongoing business entity, the site must be restored to its former state of development. A plan for decommissioning shall be filed with the City; a fine of up to \$50.00 per day may be assessed if a plan is not filed with the City and a site is not longer in service. A fine of up to \$50.00 per day may be assessed each day that the site is not restored beyond the approved deadline for final removal.

**AGENDA ITEM 9B**

**MEMO**

**DATE:**

April 11, 2013

**SUBJECT:**

Planning Matters:  
Appointment to the  
Board of Adjustment

**Discussion:**

The term of appointment for Board of Adjustment member Todd Hess expires in May. This appointment serves for a term of one-year.

Town Clerk Susan Nagle has contacted Mr. Hess and he has given consent to serve another term.

There are currently no applications on file to serve on this board. Mayor Gibbs would like Council to make any recommendations they might have for this appointment.

**Recommendation:**

Staff recommends Council discuss this matter and decide whom they wish to appoint to serve for a one-year term on the Board of Adjustment.

**AGENDA ITEM 10**

**MEMO**

**DATE:**

April 11, 2013

**SUBJECT:**

Discussion:  
Doe Run Subdivision  
Landscaping

**Discussion:**

The Town has removed the Bradford Pear trees from the medians located in the Doe Run subdivision on a recommendation made by the Town's engineer.

West Consultants conducted a test, which showed the root systems were prematurely destroying the pavement at multiple locations. If, the trees were not removed, over time the roads would have to be resurfaced at the taxpayers expense.

During the Budget Retreat in 2012, Council made a decision to set aside money for future landscaping replacement.

**Recommendation:**

Staff recommends Council discuss this matter and decide what they would like to plant back in those medians.