

TUESDAY, JUNE 16, 2015
TOWN OF SAWMILLS REGULAR COUNCIL MEETING
6:00 PM

COUNCIL PRESENT

Trena McRary Kirby
Joe Wesson
Jeff Wilson
Johnny Wilson
Gerelene Blevins

STAFF PRESENT

Seth Eckard
Julie Good
Terry Taylor

CALL TO ORDER: Mayor Pro-Tem Trena McRary Kirby called the meeting to order.

INVOCATION: Councilman Joe Wesson gave the invocation.

PLEDGE OF ALLEGIANCE: Mayor Pro-Tem Trena McRary Kirby led the Pledge of Allegiance.

ADOPT AGENDA: Mayor Pro-Tem Trena McRary Kirby asked for a motion to adopt the agenda with the addition of Agenda Item 9B: Appointment of Interim Town Administrator.

Joe Wesson made a motion, and Jeff Wilson seconded, to adopt the agenda with the addition of Agenda Item 9B: Appointment of Interim Town Administrator. All were in favor.

APPROVE MAY 19, 2015 REGULAR MEETING MINUTES: Mayor Pro-Tem Trena McRary Kirby asked for a motion to approve the May 19, 2015 regular meeting minutes.

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

APPROVE May 19, 2015 CLOSED SESSION MINUTES: Mayor Pro-Tem Trena McRary Kirby asked for a motion to approve the May 19, 2015 closed session minutes.

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

PUBLIC COMMENT: Mayor Pro-Tem Trena McRary Kirby asked if anyone had any questions or comments at this time.

No one wished to speak.

RECOGNITIONS:

RECYCLE REWARDS WINNER: Town Administrator Seth Eckard announced Grace Parsons as the June Recycle Rewards winners. A credit of twenty-eight dollars (\$28.00) will be added to her sanitation bill. Mrs. Parsons was present to accept her certificate.

No Council action was required.

YARD OF THE MONTH WINNERS: Town Administrator Seth Eckard announced Howard and Mary Nell Benfield, from the 28630 zip code, and Joyce Fox, from the 28638 zip code, as the June Yard of the Month winners. Town Administrator Seth Eckard stated that both certificates would be available at the Town Hall for pick up.

No Council action was required.

PUBLIC HEARING: ADOPT PROPOSED FY 2015-2016 BUDGET:

OPEN PUBLIC HEARING: Mayor Pro Tem Trena McRary Kirby asked for a motion to open the public hearing.

Joe Wesson made a motion, Gerelene Blevins seconded, to open the public hearing. All were in favor.

STAFF COMMENTS/RECOMMENDATIONS: Town Administrator Seth Eckard stated the proposed FY 2015-2016 budget was enclosed.

Johnny Wilson wanted the citizens of Sawmills to know that the item Interlocal Transfer to Caldwell County in the amount of \$280,000.00 (two hundred eighty thousand dollars) under General Fund Expenditures was not something that the Town willingly gives to Caldwell County. Caldwell County gives the Town no choice but to pay this amount.

Joe Wesson stated that all in all the Town has a good budget and the Town is doing good things for the citizens. The Council and Town continues to move forward with budgets like this one.

PUBLIC COMMENT: Mayor Pro Tem Trena McRary Kirby asked if anyone wished to speak on the proposed FY 2015-2016 budget.

No one wished to speak.

CLOSE PUBLIC HEARING: Mayor Pro Tem Trena McRary Kirby asked for a motion to close the public hearing.

Jeff Wilson made a motion, and Joe Wesson seconded, to close the public hearing. All were in favor.

COUNCIL ACTION: Joe Wesson made a motion, and Gerelene Blevins seconded, to adopt the proposed FY 2015-2016 budget. All were in favor.

DISCUSSION:

THIRD AMENDMENT TO TOWN OF SAWMILLS LICENSING AGREEMENT: Town Administrator Seth Eckard stated that the current licensing agreement between the Town of Sawmills and the Sawmills Optimist needs to be renewed. The renewal licensing agreement will cover the period of July 1, 2015 through June 30, 2016.

Johnny Wilson made a motion, and Jeff Wilson seconded, to adopt the Third Amendment to Town of Sawmills Licensing Agreement. All were in favor.

APPOINTMENT OF INTERIM TOWN ADMINISTRATOR: Town Administrator Seth Eckard stated that Council needed to have an Interim Town Administrator until a new Town Administrator is hired.

Joe Wesson made a motion, and Jeff Wilson seconded, to have Finance Officer, Karen Clontz, as Interim Town Administrator until a new Town Administrator is hired. All were in favor.

FINANCIAL:

APPROVE UPDATE TO BANK SIGNATURE CARDS: Town Administrator stated that due to his resignation there needed to be new signature cards on file at the bank. The bank requires a new signature card to be on file whenever there are changes in the staff and/or Council. The signature cards will authorize Karen Clontz, Mayor Pro Tem Trena McRary Kirby, Johnny Wilson and Joe Wesson to sign on behalf of the Town regarding banking transactions. The Town requires 2 (two) signatures for accounts payable checks and the safety deposit box.

Jeff Wilson made a motion, and Johnny Wilson seconded, to have new signature cards on file at the bank giving Karen Clontz, Mayor Pro Tem Trena McRary Kirby, Johnny Wilson and Joe Wesson authorization regarding all banking transactions.

AMENDED PROJECT ORDINANCE 2012 DUFF DRIVE PROJECT: Town Administrator Seth Eckard stated that during the April 21, 2015 Council meeting, an updated project ordinance for the 2012 Duff Drive Project was presented, and approved, reflecting the increased finds granted to the Town for construction costs. Included in the

Administrator Seth Eckard stated that during the April 21, 2015 Council meeting, an updated project ordinance for the 2012 Duff Drive Project was presented, and approved, reflecting the increased finds granted to the Town for construction costs. Included in the total was the amount of \$32,500.00 (thirty-two thousand five hundred dollars) for planning as requested by the NC Department of Commerce (DoC). However, DoC decided not to approve the additional funding and a new project ordinance will need to be approved in the amount of \$1,054,601.89 (one million fifty-four thousand six hundred one dollars and eighty-nine cents).

Jeff Wilson made a motion, and Joe Wesson seconded, to approve the amended project ordinance 2012 Duff Drive project in the amount of \$1,054,601.89 (one million fifty-four thousand six hundred one dollars and eighty-nine cents). All were in favor.

PLANNING:

APPOINT REVIEW OFFICER: Town Administrator Seth Eckard stated that due to his resignation there needed to be a Review Officer in the office to work with the Town Planner in the signing of permits and plats. The Review Officer will sign the permits and plats in the event the Town Planner is not available and only after the Town Planner has reviewed the documents.

Joe Wesson made a motion, and Gerelene Blevins seconded, to make Town Clerk Julie Good the Review Officer for the Town. All were in favor.

PUBLIC COMMENT: Mayor Pro-Tem Trena McRary Kirby asked if anyone had any questions or comments at this time.

No one wished to speak.

UPDATES:

ADMINISTRATORS REPORT: Town Administrator Seth Eckard stated that this was his last meeting as Town Administrator for the Town of Sawmills and "it has been an honor and his pleasure to serve the Town Council and the Citizens of Sawmills.

COUNCIL COMMENT: Mayor Pro-Tem Trena McRary Kirby asked if anyone on the Council had any questions or comments at this time.

Gerelene Blevins told Town Administrator Seth Eckard that he had done a super job for the Town of Sawmills and the Town has enjoyed having Town Administrator Seth Eckard here.

Johnny Wilson gave Town Administrator a wholehearted thank you for the job he has done for the Town.

Jeff Wilson congratulated Town Administrator Seth on his new job and thanked him for the job he had done for the Town.

Joe Wesson presented Town Administrator Seth Eckard with a plaque for his service with the Town of Sawmills and also thanked everyone for coming.

CLOSED SESSION: ATTORNEY/CLIENT PRIVILEGE: Mayor Pro-Tem Trena McRary Kirby asked for a motion to go into closed session.

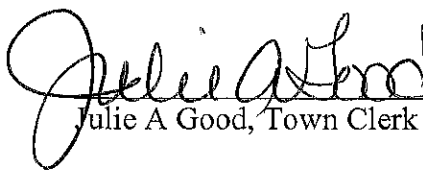
Joe Wesson made a motion, and Johnny Wilson seconded, to go into closed session at 6:19 pm.


Jeff Wilson made a motion, and Joe Wesson seconded, to come out of closed session at 7:30 pm.

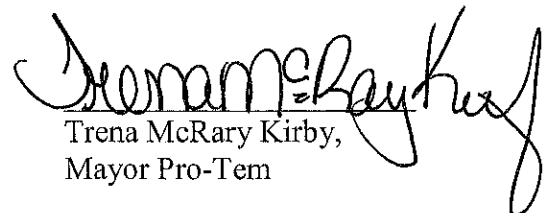
SPECIAL MEETING DATES: Joe Wesson made a motion, and Gerelene Blevins seconded, that a Special Meeting is scheduled on July 15 at 5:30 pm in Council Chambers, a Special Meeting is scheduled August 4, 2015 at 5:30 pm at the EDC Building and a Special Meeting is scheduled on August 5, 2015 at 5:30 pm at the EDC Building. All were in favor.

COUNCIL ADJOURN: Mayor Pro-Tem Trena McRary Kirby asked for a motion to adjourn.

Gerelene Blevins made a motion, and Johnny Wilson seconded, to adjourn the meeting. All were in favor.


Julie A Good, Town Clerk




Trena McRary Kirby,
Mayor Pro-Tem

- C. The Budget Officer is authorized to effect interdepartmental transfers of minor budget amendments not to exceed ten percent (10%) of the appropriated funds for the department's allocation which is being reduced. Notification of all such transfers or amendments shall be made to the Town Council at their next regular meeting of that body following the transfers.

SECTION 6 – Restrictions

- A. Interfund transfers of moneys shall be accomplished only by authorization from the Town Council.
- B. The utilization of any contingency appropriation, in any amount, shall be accomplished only by the authorization from the Town Council. Approval of a contingency appropriation shall be deemed a budget amendment, which transfers funds from the contingency appropriation to the appropriate object of expenditure.

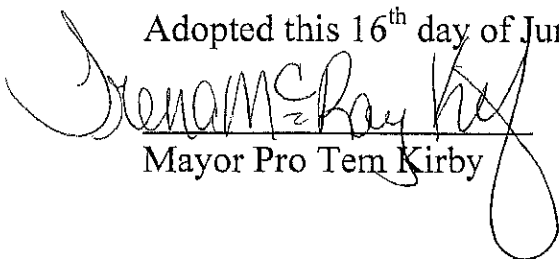
SECTION 7 – Budget Amendments

The North Carolina Local Government Budget and Fiscal Control Act allow the Town Council to amend the budget ordinance any time during the fiscal year, so long as it complies with the North Carolina General Statutes. The Town Council must approve all budget amendments, except where the Budget Officer is authorized to make limited transfers. Please review sections 5 and 6, which outline special authorizations and restrictions related to budget amendments.

SECTION 8 – Utilization of Budget and Budget Ordinance

This ordinance and the budget documents shall be the basis for the financial plan of the Town of Sawmills during the 2015-16 Fiscal Year. The Budget Officer shall administer the budget. The accounting system shall establish records that are in consonance with this budget and this ordinance and the appropriate statutes of the State of North Carolina.

Adopted this 16th day of June, 2015.


Mayor Pro Tem Kirby


Seth Eckard, Town Administrator



ACCOUNT SIGNATURE CARD

Acct # 007471302369 Acct Type DDA - Checking/Savings Date Opened 07/01/1971
Branch # 747 Assoc Name ASHLEY CANTERBURY Current Date 05/20/2015
Account Owner (Business/Entity Name): TOWN OF SAWMILLS

Account Ownership Designation:

- Corporation (including PAs and PCs)
Limited Liability Company (LLC)
General Partnership (GP)
Limited Partnership (LP)
Registered Limited Liability Partnership (LLP)
Fiduciary (Specify Type, e.g., trust, attorney trust, estate, escrow, agency, receivership):
Unincorporated church or charitable/civic organization
[X] Unincorporated governmental or municipal organization
Other Unincorporated Entity:

This account is held at First-Citizens Bank & Trust Company ("First Citizens Bank" or "Bank") in the name of the above-named Account Owner. It is subject to the provisions of the First Citizens Bank Deposit Account Agreement, the Bank's Disclosure of Products and Fees, and applicable state and federal law, all of which may be amended from time to time.

Authorized Signers: The Authorized Signers identified below are owners or representatives of the business or entity that is the Account Owner and are authorized to transact any business relating to this account on behalf of the Account Owner either: (i) through being named on the Account Owner's corporate resolution, declaration of unincorporated business/entity (or other documentation as applicable); or (ii) through delegation of such authority by one or more of the individuals authorized in said resolution or declaration.

Name: KAREN CLONTZ Signature: [Handwritten Signature]
Name: TRENA M KIRBY Signature: [Handwritten Signature]
Name: JOHNNY WILSON Signature: [Handwritten Signature]
Name: JOE WESSON Signature: [Handwritten Signature]

Complete this Substitute IRS Form W-9 if Account Owner is a U.S. citizen or other "U.S. person" as defined by the Internal Revenue Code. If Account Owner is not a U.S. citizen or other "U.S. person," provide a completed IRS Form W-BBEN-E.

Substitute IRS Form W-9

The individual who signs the certification below represents that he or she is a duly authorized officer or representative of the above-referenced Account Owner. The terms "I," "me," and "my" refer to the Account Owner or representative signing on behalf of the Account Owner, as applicable.

- Under penalty of perjury, I certify that:
(1) the number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me);
(2) I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding;
(3) I am a U.S. citizen or other U.S. person (for federal tax purposes a "U.S. person" includes a U.S. resident alien, a partnership, corporation, company, or association created or organized in the United States or under the laws of the United States, an estate [other than a foreign estate], or a domestic trust); and
(4) I am exempt from FATCA reporting.

Instructions: IRS regulations require you to strike out the wording in item (2) if you have been notified by the IRS that you are currently subject to backup withholding for failure to report all interest and dividends on your tax return.

NOTE: The Internal Revenue Service does not require your consent to any provision of this document other than the certification required to avoid backup withholding.

TIN (EIN or SSN of sole member, if sole member LLC) 56-1609679 was assigned by the IRS to the party listed as Account Owner.

Certifying Individual: Name: KAREN CLONTZ Signature: Date:

NORTH CAROLINA

THIRD AMENDMENT TO
TOWN OF SAWMILLS LICENSING AGREEMENT

CALDWELL COUNTY

THAT WHEREAS, the TOWN OF SAWMILLS, a municipal corporation ("Town") and SAWMILLS COMMUNITY OPTIMIST CLUB, INC., a North Carolina nonprofit corporation ("Licensee") did enter into a License Agreement ("License") according to that Park License Agreement originally dated April 4, 2011, amended on August 16, 2011 and August, 2013.

THAT WHEREAS, the License Agreement was to exist for a period of one (1) year.

THAT WHEREAS, the License Agreement was amended and continued until the 30th day of June, 2015.

THAT WHEREAS, the parties do desire now to enter into a written Amendment to extend from the 1st of July, 2015 to the 30th of June, 2016.

NOW, THEREFORE, the parties do hereby agree to this Amendment to License Agreement under the terms and conditions as follows:

1. The term of this Agreement shall exist from the 1st of July, 2015 until the 30th of June, 2016.
2. Either party may terminate this Agreement at any time by thirty (30) days advance written notice.
3. The grant of this License is exclusive to the Sawmills Community Optimist Club, Inc. and may not be assigned without the written consent of the Town of Sawmills.
4. This License continues to grant the Optimist Club the rights for a non-exclusive use of the baseball fields and concession stand at times and according to the schedule as mutually agreed upon. The specific times of use, description of programs and then thereafter any scheduling changes of programs must be submitted by the Optimist Club to the Town Administrator and approved prior to actual use.
5. Concurrently with the granting of this License, the Licensee shall forward to the Town Administrator a copy of the current Liability Insurance Policy providing coverage for personal injuries to each person and coverage for all personal injuries in each accident and coverage in such amounts as approved by the Town Administrator. Said Policy shall name the Town, it's Council Members and it's Employees as Additional Insureds.

All the remaining terms and conditions of the original Park License Agreement and Amendment thereto are incorporated herein unless otherwise modified by these terms.

This the 16th day of June, 2015.

SAWMILLS COMMUNITY OPTIMIST CLUB, INC.

By: [Signature]
Name: Gene Davis
Title: President

TOWN OF SAWMILLS

ATTEST: [Signature] Town Clerk
By: [Signature] Mayor



APPROVED AS TO FORM:

[Signature]
Terry M. Taylor, Town Attorney

ORDINANCE # _____

UPDATED
TOWN OF SAWMILLS PROJECT BUDGET ORDINANCE
FOR THE 2012 DUFF DRIVE AREA SEWER PROJECT
COMMUNITY DEVELOPMENT BLOCK GRANT
INFRASTRUCTURE PROGRAM

Be it ordained by the Town Council of Sawmills that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted.

- Section 1. The project authorized is the Community Development Block Grant Infrastructure Program described in the work statement contained in the Grant Agreement (12-C-2506) between this unit and the Department of Housing and Urban Development.
- Section 2. The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant document(s), the rules and regulations of the Department of HUD, and the budget contained herein.
- Section 3. The following revenues are anticipated to be available to complete this project. There was an increase in revenues funds from the NC Department of Commerce upon a request for additional funds due to the project coming in over budget after bids were opened.

Revenues

Community Development Block Grant	
Infrastructure Program Duff Drive Area Sewer Project	\$1,007,101.89
Local Commitment	47,500.00
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TOTAL	\$1,054,601.89

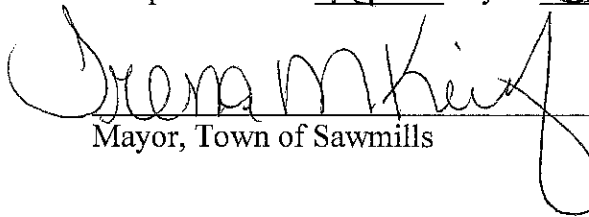
Section 4. The following amounts are appropriated for the project:

Expenditures –Community Development Block Grant

Public Sewer Improvements	\$968,201.89
Administration	\$ 81,400.00
Planning	\$ 5,000.00
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TOTAL	\$1,054,601.89

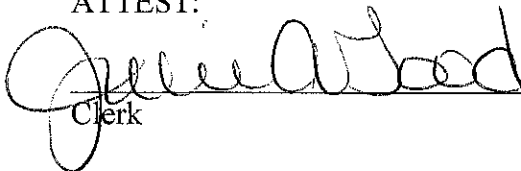
- Section 5. The Finance Officers hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the grantor agency required by the grant agreement (s) and federal and state regulations.
- Section 6. Funds may be advanced from the General Fund for the purpose of making payments as due. Reimbursement request should be made to the grantor agency in an orderly and timely manner.
- Section 7. The Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.
- Section 8. The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this grant project in every budget submission made to this Town Council.
- Section 9. Copies of this grant project ordinance shall be made available to the Budget Officer and the Finance Officer for direction in carrying out this project.

Adopted this the 16th day of June, 2015.



Mayor, Town of Sawmills

ATTEST:



Clerk

