

**TUESDAY, JUNE 21, 2011  
TOWN OF SAWMILLS REGULAR COUNCIL MEETING  
6:00 P.M.**

**COUNCIL PRESENT**

Bob Gibbs  
Gerelene Blevins  
Beverly Fry  
Joe Norman  
Donnie Potter  
Joe Wesson

**STAFF PRESENT**

Seth Eckard  
Susan Nagle  
Terry Taylor

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

**INVOCATION:** Pastor Buford Pennell 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 with the following changes: add discussion of the Sales Tax Re-Investment Fund as agenda item 6 and remove agenda item 9C Update Resolution for Caldwell County Animal Control.

On a motion made by Donnie Potter, and seconded by Joe Norman, the agenda was adopted with changes. All were in favor.

**APPROVAL OF MAY 17<sup>th</sup> REGULAR MEETING MINUTES:** Mayor Gibbs asked for a motion to approve the May 17, 2011 regular meeting minutes.

On a motion made by Gerelene Blevins, and seconded by Joe Wesson, the minutes were approved. All were in favor.

**APPROVAL OF JUNE 8<sup>th</sup> SPECIAL MEETING MINUTES:** Mayor Gibbs asked for a motion to approve the June 8, 2011 special meeting minutes.

On a motion made by Beverly Fry, and seconded by Joe Norman, the minutes were approved. All were in favor.

**APPROVAL OF JUNE 17<sup>th</sup> REGULAR MEETING MINUTES:** Mayor Gibbs asked for a motion to approve the June 17, 2008 special meeting minutes.

On a motion made by Joe Wesson, and seconded by Joe Norman, the minutes were approved. All were in favor.

**DISCUSSION: SALES TAX RE-INVESTMENT AGREEMENT:** Town Administrator Seth Eckard stated that Council had asked the staff to investigate the efficacy of the Caldwell County Sales Tax Re-Investment Program. The attached report shows what the Town of Sawmills has paid to the Sales Tax Re-Investment fund between 2004 and 2011 and what each unit of Government in Caldwell County will pay in the FY 2011-2012.

Administrator Eckard then stated Council might let the current agreement continue until the expiration in June 2013 or give each member of the committee a twelve (12) month notice before July 1, 2011 that beginning July 1, 2012 the Town of Sawmills will not be a part of the Sales Tax Re-Investment Agreement.

After discussion, Gerelene Blevins made a motion, and Donnie Potter seconded to hold a special meeting of the Sawmills Town Council on Tuesday, June 28, 2011 at 6:00 p.m. in Council Chambers. All were in favor.

**PUBLIC HEARING: FY 2011-2012 BUDGET ORDINANCE:**

**OPEN PUBLIC HEARING:** Mayor Gibbs asked for a motion to open the public hearing.

On a motion made by Donnie Potter, and seconded by Joe Norman, the public hearing was opened. All were in favor.

**PUBLIC COMMENTS:** Mayor Gibbs asked if anyone wished to speak. There was no one wishing to speak at the public hearing.

**STAFF COMMENTS:** Town Administrator Seth Eckard stated staff has no additional comments, but will take any questions. See enclosed budget ordinance and list of the proposed FY 2011-2012 fee structure.

**CLOSE PUBLIC HEARING:** Mayor Gibbs asked for a motion to close the public hearing.

On a motion made by Donnie Potter, and seconded by Gerelene Blevins, the public hearing was closed. All were in favor.

**COUNCIL ACTION:** On a motion made by Joe Wesson, and seconded by Joe Norman the FY 2011-2012 budget was adopted. All were in favor.

**PUBLIC HEARING: TEXT AMENDMENT CHANGE to ZONING ORDINANCE:**

**OPEN PUBLIC HEARING:** Mayor Gibbs asked for a motion to open the public hearing.

On a motion made by Joe Norman, and seconded by Joe Wesson, the public hearing was opened. All were in favor.

**STAFF COMMENTS:** Town Planner Emily Hines stated the Planning Commission made a recommendation to Council to remove the age requirement on Manufactured Homes brought into Sawmills. Town Planner Hines would recommend the Council require Manufactured Homes brought into Sawmills be constructed after July 13, 1994 when new federal standards took effect. The Manufactured Home must still meet or exceed the construction standards established by the United States Department of Housing and Urban Development Code and have a HUD seal as well as meeting the appearance criteria as outlined in Sections 93.077 and 93.078 of the Code of Ordinances.

**PUBLIC COMMENTS:** There was no one wishing to speak at the public hearing.

**CLOSE PUBLIC HEARING:** Mayor Gibbs asked for a motion to close the public hearing.

On a motion made by Donnie Potter, and seconded by Joe Norman, the public hearing was closed. All were in favor.

**COUNCIL ACTION:** On a motion made by Joe Wesson, and seconded by Gerelene Blevins, Council adopted the attached ordinance to amend the text of the Code of Ordinances, sections 93.077 and 93.078 requiring all Mobile Homes brought into Sawmills be constructed after July 13, 1994. All were in favor.

**RECOGNITION:**

**YARD OF THE MONTH WINNERS:** Mayor Bob Gibbs asked if Mayor Pro-Tem Gerelene Blevins and Councilwoman Beverly Fry of the Town Beautification Committee would please call the two winning recipients up front at this time and present them with their certificates.

Mayor Pro-Tem Gerelene Blevins presented Wayne and Linda Wilcox from the 28630 zip code with a certificate for winning yard of the month for June 2011.

Councilwoman Beverly Fry presented James and Helen Anderson from the 28638 zip code with a certificate for winning yard of the month for June 2011.

No Council action required.

**FINANCIAL MATTERS:**

**REPUBLIC SERVICES of NORTH CAROLINA, LLC. CONTRACT:** Town Administrator Seth Eckard stated the contract between the Town of Sawmills and Republic Services of North Carolina, llc, d.b.a. GDS-Hickory needs updated. The term of the contract will be for three (3) years and will begin July 1, 2011. The cost of this contract is in the amount \$3.14 per residence (based on 1600 residences). In the event of any annexations, the Town and Contractor will negotiate the charge. The only change in cost would be for the CPI (consumer price index) which shall be adjusted annually starting July 1, 2012 and effective July 1 each calendar year.

On a motion made by Joe Wesson, and seconded by Joe Norman Council approved a contract for curbside recycling with Republic Services of North Carolina, llc, d.b.a. GDS-Hickory. All were in favor

**VETERAN'S MEMORIAL PARK MAINTENANCE CONTRACT:** Administrator Seth Eckard stated the enclosed contract from Carolina Bomanite Corporation covers maintenance work at the Veteran's Memorial Park. The contract includes yearly paving of the area installed as Micro Top XT and will include joint sealants, sealers, and small patch/repair as needed.

There are sufficient funds in budget for the next two years to cover the cost of a contract with Carolina Bomanite Corporation in the amount of \$500.00. The first payment in the amount of \$250.00 will be out of next year's budget on July 1, 2011 and the remaining payment in the amount of \$250.00 paid July 1, 2012.

On a motion made by Joe Norman, and seconded by Donnie Potter, Council approved a contract with Carolina Bomanite Corporation for two years. All were in favor.

**BENCHMARK CMR, INC. CONTRACT:** Administrator Eckard stated the current contract with Benchmark Planning CMR, Inc. for Town Code Enforcement Officer Tony Cline and hourly Town Planner Emily Hines needs to be renewed. The attached contract with Benchmark Planning CMR, Inc. will combine the two contracts into one contract with Code Officer Cline working at the town hall every Wednesday and Town Planner Hines working at the town hall every Thursday.

There are sufficient funds in next year's budget to cover the cost of a contract with Benchmark CMR, Inc. in the amount of \$38,000.00 a year.

On a motion made by Donnie Potter, and seconded by Joe Wesson, Council approved a contract with Benchmark Planning CMR, Inc. All were in favor.

**END OF FY 2011-2012 BUDGET AMENDMENT:** Administrator Seth Eckard stated due to some unexpected costs, there were some items over budget and there were some items well below the budgeted amount. Before the Town is able to close out the FY 2010-2011 books the attached budget amendments will need to be approved.

On a motion made by Joe Norman, and seconded by Joe Wesson, the budget amendments were approved. All were in favor.

**DISCUSSION:**

**RECYCLE REWARDS PROGRAM:** Administrator Eckard stated upon approval of the enclosed Recycling Rewards program, once a month staff will use a random number generator to pick a sanitation account in Sawmills. Administrator Eckard will send a public works crew out to the property to see if there is a recycle bin out and if it looks like they are recycling. If it is determined that the Random customer recycles they are eligible for a \$25.00 credit on their sanitation bill if random customer is not recycling than another customer will be chosen.

On a motion made by Joe Norman, and seconded by Donnie Potter, Council approved the Recycling Rewards program. All were in favor.

**ADOPT RECORDS RETENTION SCHEDULE:** Town Clerk Nagle stated official records must be kept for a certain period according to chapters 121 and 132 of the North Carolina General Statutes. A copy of the Municipal Records Retention and Disposition Schedule is kept in the Clerk's office and may be found online as well.

On a motion made by Donnie Potter, and seconded by Joe Wesson, Council approved the Municipal Records Retention Schedule and Disposition Schedule. All were in favor.

**APPOINT ORDINANCE REVIEW COMMITTEE:** Administrator Eckard stated as the Town is in the process of re-codifying the Code of Ordinance Book for the Town of Sawmills Attorney Taylor has recommended appointing two (2) Council members to serve on the Ordinance Review Committee.

Mayor Gibbs appointed Beverly Fry and Joe Norman to serve on the Review Ordinance Committee.

No Council action required.

**CODE ENFORCEMENT:**

**APPEAL VIOLATION:** Administrator Eckard stated the Notice of Violation sent by Code Enforcement Officer Tony Cline and appealed by John and Nancy Greene has been satisfied. Code Officer Cline approved the cover over the tractor-trailer by Mr. and Mrs. Greene.

No Council action required.

**MONTHLY REPORT:** Administrator Seth Eckard updated Council on the enclosed report, which shows the progress that continues to be enforced in the Town.

No Council action is required.

**ADMINISTRATOR'S REPORT:** Administrator Eckard stated the Town Hall facilities will be closed Monday, July 4<sup>th</sup>, 2011.

Administrator Eckard attached the summer newsletter to the agenda for Council review and stated it should be ready to mail early next week.

Administrator Eckard stated the Farmer's Market has been a great success with over fourteen (14) vendors at the first Farmer's market and over twenty-three (23) vendors at the June 14, 2011. Administrator Eckard appreciates all the hard work the Public Works crew has been doing to prepare that field every week and volunteers from Staff to go over and man the stations as needed as the Farmer's Market keeps getting better and better each week.

The last item Administrator Eckard would like Council to consider is a new way to do the agenda called consent agenda and Clerk Nagle will talk about this matter. Clerk Nagle stated that a consent agenda would list all routine agenda items that do not require discussion as one line item, which would only need one motion and a second. Clerk Nagle also stated the Mayor may remove an item from the consent agenda and place the item on the regular agenda before the Council meeting and the Council may remove an item from the consent agenda and place the item on the regular agenda when asked to adopt the agenda.

Mayor Bob Gibbs would like to thank Administrator Eckard for all his work on the Town website, Facebook page, answering all the questions on the Facebook page and for the easy to read newsletter.

Mayor Gibbs would also like residents to know that if anyone wishes to have a name engraved on the Veterans Monument applications are available at the Town Hall, the cost is twenty-five dollars (\$25.00), must be returned by June 30, 2011 to have the name engraved on the monument for this year.

**PUBLIC COMMENT:** Mayor Gibbs asked if anyone would like to comment at this time.

Buford Pennell stated he is glad the Town has Seth Eckard, as he is friendly to talk to and answers any questions someone might have.

**ADJOURN:** On a motion made by Donnie Potter, and seconded by Joe Wesson, the meeting was adjourned. All were in favor.

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Susan Nagle, Town Clerk

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Bob Gibbs, Mayor