

**TUESDAY, JUNE 17, 2014
TOWN OF SAWMILLS REGULAR COUNCIL MEETING
6:00 PM**

COUNCIL PRESENT

Bob Gibbs
Joe Wesson
Gerelene Blevins
Jeff Wilson
Trena McRary Kirby
Johnny Wilson

STAFF PRESENT

Seth Eckard
Julie Good
Terry Taylor
Elinor Hiltz

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 Bob Gibbs asked for a motion to adopt the agenda with the following changes: add Adopt Resolution in Support of Location of a Renewal Fuels Company in the Town of Sawmills as agenda item 7D.

Joe Wesson made a motion, and Gerelene Blevins seconded, to adopt the agenda with changes. All were in favor.

APPROVE May 20, 2014 REGULAR MEETING MINUTES: Mayor Bob Gibbs asked for a motion to approve the May 20, 2014 regular meeting minutes.

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

PUBLIC COMMENT: Mayor Bob Gibbs asked if anyone had any questions or comments at this time.

Resident Jeff Branch spoke against the Livestock Text Amendment Proposal.

RECOGNITIONS:

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

No Council action was required.

YARD OF THE MONTH WINNERS: Mayor Bob Gibbs announced Keith and Ginger Childers and family, from the 28630 zip code, and Kenneth Clontz, from the 28638 zip code, as the June Yard of the Month winners. Mayor Bob Gibbs stated that both certificates would be available at the Town Hall for pick up.

No Council action was required.

PRESENTATION FROM SAWMILLS ELEMENTARY SCHOOL PTO: Sawmills Elementary School Principal Lowell Rogers and student Dylan Fritz presented Council with a thank you card signed by Sawmills Elementary School students to thank Council for their donation to the school.

No Council action was required.

ADOPT A RESOLUTION IN SUPPORT OF LOCATION OF A RENEWAL FUELS COMPANY IN THE TOWN OF SAWMILLS: Town Administrator Seth Eckard asked Council to adopt a Resolution in support for a location of a renewal fuels company in the Town of Sawmills.

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

PUBLIC HEARING: ADOPT PROPOSED FY 2014-2015 BUDGET:

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

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

STAFF COMMENTS/RECOMMENDATIONS: Town Administrator Seth Eckard stated the proposed FY 2014-2015 budget was enclosed and staff had no additional comments at this time.

PUBLIC COMMENT: Mayor Bob Gibbs asked if anyone wished to speak on the proposed FY 2014-2015 budget.

No one wished to speak.

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

Johnny Wilson made a motion, and Jeff Wilson 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 2014-2015 budget. All were in favor.

PUBLIC HEARING: ADOPT PROPOSED TEXT AMENDMENTS TO SECTIONS 153.075, 153.146 AND 153.147 OF THE CODE OF ORDINANCES

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

Jeff Wilson made a motion, and Gerelene Blevins seconded, to open the public hearing. All were in favor.

STAFF COMMENTS/RECOMMENDATIONS: Planner Elinor Hiltz stated that under the current zoning ordinance, Sawmills requires every mobile home to be inspected before an applicant can get a zoning permit. Mobile homes older than July 1994 are not permitted. Under the new proposal, any mobile home that is already in Sawmills' jurisdiction is permitted as long as it passes the structural inspection.

Planner Elinor Hiltz also stated that the Town has been using a mobile home checklist; however, the checklist has never been adopted into the Town's Code of Ordinances. Planner Elinor Hiltz stated that if the Town continues to use the mobile home checklist, that it needed to be placed in the Town's Code of Ordinances.

PUBLIC COMMENT: Mayor Bob Gibbs asked if anyone wished to speak on the proposed Text Amendments to Sections 153.075, 153.146 and 153.147 of the Code of Ordinances.

No one wished to speak.

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

Gerelene Blevins 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 table this matter until July Council Meeting. All were in favor.

PUBLIC HEARING: ADOPT PROPOSED TEXT AMENDMENTS TO SECTIONS 153.074 AND 153.081 OF THE CODE OF ORDINANCES

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

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

STAFF COMMENTS/RECOMMENDATIONS: Planner Elinor Hiltz stated that currently the Code of Ordinances does not allow non-farmers to keep livestock on their property within the Town's limits. If the Code of Ordinances is amended to allow more livestock, the Town will be more agricultural. The Town should create regulations so that non farming residents can legally have livestock within the Town limits. Some points of discussion about the text amendment proposal are:

- Fowl regulations stay the same with the exception that commercial poultry farms are not allowed in the Town limits. Fowl may run at large in the ETJ.
- The proposal lowers the horse regulations that the Town already has from 1 horse per three acres to 1 horse per acre.
- Swine would not be allowed in the Town limits, with the exception of a pet pot belly pig.
- Properties in the ETJ and all properties over 10 acres would have no restrictions with regards to livestock and swine.
- Livestock must be contained; pens must be 100 feet away from houses, or other structures; livestock are permitted at 2 animals (in any combination) per ½ acre.

PUBLIC COMMENT: Mayor Bob Gibbs asked if anyone wished to speak on the proposed Text Amendments to Sections 153.074 and 153.081 of the Code of Ordinances.

No one wished to speak.

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

Trena McRary Kirby made motion, Johnny Wilson seconded, to close public hearing. All were in favor.

COUNCIL ACTION: Trena McRary Kirby made a motion, and Johnny Wilson seconded, to table this matter until August Council Meeting with staff doing research on different types of animals and state guidelines recommended for acreage as well as looking at the density of the acreage. All were in favor.

Joe Wesson stated that he is in favor of letting residents have any type of animal that they want on their property as long as it is not a nuisance to other residents around them.

PLANNING MATTERS:

RECOMMENDATIONS FOR PLANNING BOARD MEMBER: Town Planner Elinor Hiltz stated a position on the Planning Board expires in June 2014. Town Planner Elinor Hiltz advised Council that Clyde Miller is willing to serve another term. Clyde Miller would be representing the ETJ.

Joe Wesson made a motion, and Gerelene Blevins seconded to approve staff's recommendations to re-appoint the Clyde Miller for another term. All were in favor.

FINANCIAL MATTERS:

APPROVE PROPOSED CONTRACT RENEWAL WITH WESTERN PIEDMONT COUNCIL OF GOVERNMENTS: Town Administrator Seth Eckard stated that the current contract with the Western Piedmont Council of Governments (WPCOG) for planning and code enforcement assistance needs to be renewed. The renewal contract will cover the period of July 1, 2014 to June 30, 2015.

Trena McRary Kirby made a motion, and Joe Wesson seconded, to approve a renewal contract with the WPCOG in the amount of \$20,500.00 (twenty-thousand five hundred dollars) for planning and code enforcement services. All were in favor.

APPROVE PROPOSED ESTIMATE FOR SEPTIC TANK SYSTEM AT VETERANS PARK: Administrator Seth Eckard stated that the Town recently received a proposal for the septic tank system at Veterans Park from Water Management.

Johnny Wilson made a motion, and Trena McRary Kirby seconded, to approve Water Management put in the septic tank system at Veterans Park in the amount of \$14,300.00 (fourteen thousand three hundred dollars). All were in favor.

REQUEST FOR A DONATION TO CALDWELL COUNTY DARE PROGRAM: Mayor Bob Gibbs stated that the Caldwell County Dare Program has requested a donation in the amount of \$100.00 (one hundred dollars).

Gerelene Blevins made a motion, Trena McRary Kirby seconded, to give a donation in the amount of \$100.00 (one hundred dollars) to the Caldwell County Dare Program. All were in favor.

PUBLIC COMMENT: Mayor Gibbs asked if anyone had any questions or comments at this time.

No one wished to speak.

UPDATES:

COMMUNITY DEVELOPMENT BLOCK GRANT MONTHLY STATUS REPORT AND UPDATE: Administrator Eckard stated Sherry Long, Community Development Director with the Western Piedmont Council of Governments has enclosed an update and the monthly status report for the Community Development Block Grant (CDBG) which shows that all requirements are on schedule for the Haystation, LLC.

No Council action was required.

COMMUNITY DEVELOPMENT BLOCK GRANT SEWER PROJECT MONTHLY UPDATE: Administrator Eckard stated Lisa Helton, Project Administrator with the Western Piedmont Council of Governments has enclosed an update on the Community Development Block Grant Sewer Project showing how some of the funds have been spent as of June 9, 2014.

No Council action was required.

CODE ENFORCEMENT MONTHLY REPORT: Administrator Seth Eckard stated the Town Planner Elinor Hiltz has enclosed an updated status report of Code Enforcement cases and the progress that has been made on each case as of June 2014.

No Council action was required.

ADMINISTRATORS REPORT: Administrator Seth Eckard made the following announcements:

- The deadline to submit names for the Veterans Memorial Monument is June 30, 2014.
- Sawmills Farmers Market is open every Tuesday from 3:00 pm to 7:00 pm. Tuesday June 17, 2014 and Tuesday June 24, 2014 the Farmers Market will be opening at 12:00 pm with special activities for the children in the area.
- The July Council meeting will be moved from July 15, 2014 to July 22, 2014 due to the primary run-off being held in Council Chambers on July 15, 2014.
- Newsletters went out July 16, 2014. Included in the newsletters were updates on the budget, the Town's welfare check program, the new CodeRed system and the yearly water and sewer report from the State. This will be the last quarterly newsletter. The Town will send one newsletter out a year with the required yearly water and sewer report from the State.
- Town Hall and Public Works will be closed on Friday, July 4, 2014, for Independence Day.

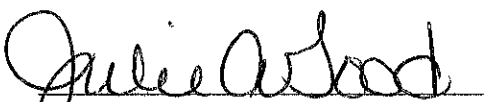
- There will be a change in the Town's Recycle Program beginning July 1, 2014. The last weekly pickup for recycling will be Monday June 23, 2014 and Tuesday June 24, 2014. Beginning on Wednesday June 25, 2014 Republic Services will begin distributing 96 gallon blue recycle cans with Republic Services on the side. The routes will be on Thursdays. The first route will be on Thursday July 3, 2014 and continue every other week. The second route will be on Thursday July 10, 2014 and continue every other week. There will be an information packet in the new recycle container with a updated list of recyclables, a personal flyer with the dates of the recycle pick up highlighted in red for the rest of the year and a yellow flyer with all the recycle information listed.
- The Town has partnered with Sawmills Fire and Rescue with a new welfare check program. Daytime fire fighters will call and check on elderly and sick residents. Anyone with a name to add to the list can call the Town Hall. The Mayor has already made some telephone calls and the residents were happy to hear from someone.
- July 1, 2014 the Town will start the new CodeRed system. This will take the place of the quarterly newsletters. All residents with landline telephone numbers in their account will receive a telephone call with Town updates, weather warnings and all other important information. If any resident would like to add a cell phone number, email address or another landline can call and speak with Finance Officer Karen Clontz or go to the Town's website.


COUNCIL COMMENT: Mayor Bob Gibbs asked if anyone on the Council had any questions or comments at this time.

Joe Wesson wanted to commend Gerelene Blevins on the idea of the welfare check program.

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

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


Julie A Good, Town Clerk


Bob Gibbs, Mayor

AGREEMENT BETWEEN THE
WESTERN PIEDMONT COUNCIL OF GOVERNMENTS AND
THE **TOWN OF SAWMILLS**
FOR THE PROVISION OF
TECHNICAL PLANNING ASSISTANCE:
JULY 1, 2014 – JUNE 30, 2015

This **AGREEMENT**, entered into on the first day of July, 2014, by and between the Western Piedmont Council of Governments (hereinafter referred to as the "Planning Agency") and the Town of Sawmills, North Carolina (hereinafter referred to as the "Local Government"); **WITNESSETH THAT:**

WHEREAS, the Planning Agency is empowered to provide technical assistance by the North Carolina General Statutes and by resolution passed by the Planning Agency on April 17, 1972. Technical assistance shall consist of the provisions of services as described in Attachment A, which is herein made part of this Contract;

WHEREAS, the Local Government has requested the Planning Agency to provide such technical assistance to the Local Government and;

WHEREAS, the Planning Agency desires to cooperate with the Local Government in every way possible to the end that the proposed activities are carried out in an efficient and professional manner;

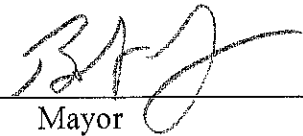
NOW, THEREFORE, the parties hereto do mutually agree as follows:

1. **Personnel.** That during the period of this Contract, the Planning Agency will furnish the necessary trained personnel to the Local Government.
2. **Travel/Printing.** The Local Government will pay for expenses related to conferences, conventions, seminars, local travel, etc. of the personnel when the Local Government requests or approves travel related to the Local Government's planning program, or if it is beneficial to both parties, the costs will be shared on an agreed-upon ratio. The Local Government will also pay for expenses related to printing of report(s), mailings to advisory boards, and other costs not related to normal travel and staffing costs associated with personnel furnished by the Planning Agency.
3. **Compensation.** That for the purpose of providing funds for carrying out this Contract, the Local Government will pay the Planning Agency a fee not to exceed **\$20,500.00** (twenty-thousand, five-hundred dollars) during the period beginning July 1, 2014 and ending June 30, 2015. These fees will be billed in equal monthly payments of **\$ 1,708.33** (one-thousand, seven-hundred and eight dollars and thirty-three cents).

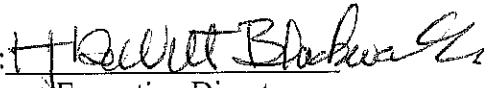
4. **Termination/Modifications.** The Local Government may terminate the Contract by giving the Planning Agency a thirty-day written notice. Furthermore, if there is a need to amend the proposal outlined in Attachment A, either party may do so with the written consent of the other.
5. **Time of Performance.** The Planning Agency shall ensure that all services required herein shall be completed and all required reports, maps, and documents submitted during the period beginning July 1, 2014 and ending June 30, 2015.
6. **Interest of Members, Officers, or Employees of the Planning Agency, Members of the Local Government, or Other Public Officials.** No member, officer, or employee of the Planning Agency or its agents; no member of the governing body of the locality in which the program is situated; and no other public official of such locality or localities who exercises any functions or responsibilities with respect to the program during his or her tenure or for one year thereafter, shall have any financial interests, either direct or indirect, in any contract or subcontract, or the proceeds thereof, for work to be performed in connection with the program assisted under this Agreement. Immediate family members of said members, officers, employees, and officials are similarly barred from having any financial interests in the program. The Planning Agency shall incorporate, or cause to be incorporated, in all such contracts or subcontracts, a provision prohibiting such interest pursuant to the purpose of this section.
7. **Nondiscrimination Clause.** No person in the United States shall on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination with any program or activity funded in whole or in part with funds available under the Housing and Development Act of 1974, Section 109.
8. **Age Discrimination Act of 1975, as amended.** No qualified person shall on the basis age be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives benefits from federal financial assistance.
9. **Section 504, Rehabilitation Act of 1973, as amended.** No qualified handicapped person shall, on the basis of handicap be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from federal financial assistance.

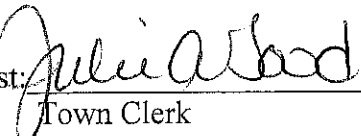
IN WITNESS WHEREOF, the Planning Agency and the Local Government have executed this Agreement as of the date first above written.

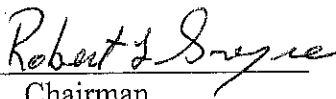
LOCAL GOVERNMENT:
TOWN OF SAWMILLS

By: 
Mayor

PLANNING AGENCY:
WESTERN PIEDMONT COUNCIL OF
GOVERNMENTS

By: 
Executive Director

Attest: 
Town Clerk

By: 
Chairman

Preaudit Statement:

This instrument has been preaudited in the manner prescribed by the Local Government Budget and Fiscal Control Act.

By: 
Local Government Financial Officer

ATTACHMENT A
TOWN OF SAWMILLS
TECHNICAL PLANNING ASSISTANCE:
JULY 1, 2014 – JUNE 30, 2015
WORK PROGRAM / BUDGET

The following work program and budget are presented as descriptive of the work and dollar amounts called for in the agreement concerning planning activities by the Western Piedmont Council of Governments for the Town of Sawmills. The product(s) of the planning activities shall be:

WORK PROGRAM

1. Code Administration
Assistance in the administration of the Town's Zoning Ordinance and Subdivision Regulations will be provided. Planning advice and staff memoranda and recommendations will be provided to the Town Council, Town Administrator, Town Attorney, Planning Board, and Board of Adjustment. Some examples of duties include staff administration of zoning permits, rezoning applications and hearings, Board of Adjustment applications and hearings, site plan reviews, and subdivision reviews and zoning map updates. Technical assistance will be provided with Code Enforcement on an "as needed" basis.

2. Other Duties as Directed by Town Administrator or Town Council
It is understood that priority changes and/or substitutions may be made by the Town Manager or Town Council as needed to include work in such areas as annexation, extraterritorial zoning, or other planning-related topics, not to exceed the dollar/time/travel amount of this contract.

BUDGET

The contract budget – including all salaries, fringe benefits, travel expenses and indirect costs – totals **\$20,500.00** to be billed in twelve equal payments of **\$1,708.33** starting July, 2014.

TOWN OF SAWMILLS
 COMMUNITY DEVELOPMENT BLOCK GRANT
 DUFF DRIVE AREA SEWER PROJECT

MEMORANDUM:

TO: Town Council and Town Administrator
 FROM: Lisa Helton, Program Administrator
 DATE: June 9, 2014
 SUBJECT: CDBG Sewer Project Monthly Update

Staff is still working on the getting the required easements signed for the project. The bidding process can begin after all the surveying and easements are signed. If you have any question, please call me at 828-514-9194.

	<u>Total Funds</u>	<u>Spent to date</u>	<u>Remaining funds</u>
Public Sewer Improvements	\$711,100	\$42,330.65	\$668,769.35
Administration	\$ 71,400	\$25,777.32	\$45,622.68
Planning	\$ 5,000	\$5,000	\$0.00
<hr/>			
TOTAL	\$787,500	\$73,107.97	\$714,419.03

Property Owner	Property Address	Issue	Status
STAT Inc	3046 Eli Lane	Person living in shed	A few building materials remain on property. His deadline to remove them is June 30.
Phyllis & Jimmy Chester	6098 Spartan Dr	Trash in front yard	have June 23 deadline before they receive NOV. skip fining and go straight to abatement/lien if it comes to it, but they promised to make progress this summer.
Ralph Flanagan	4417 Nathan's Way	Buildings falling in	mobile home got worse and code enf committee June 10 should consider removing mobile home. It is covered in ivy and back addition is falling off.
Ann Newton	4438 Jess Dr	High grass	mower got go-ahead to mow on Jun 6.
Robin Deaton	4689 Greenwood Terr	High grass	upon inspection on May 22 grass was already mowed
Hendrix Lawn Care	1497 Cahah Mtn Rd	Littering	June 10 code enf committee
Charles Haganan, Katrina Sharpe	2161 White Pine Dr	High grass	called mower. Monday I can give Karen the quotes
Mark Stinson, William Walker Jr	4237 Benfield Dr	High grass	citation sent may 23. deadline Jun 2. owners promised to mow by Jun 10
Ajay Patel	3049 Eli Ln	High grass	needs NOV
Jack & Kim Blankenship	1641 Lafayette Ave	High grass	needs NOV