

**TUESDAY, JUNE 15, 2021
TOWN OF SAWMILLS REGULAR COUNCIL MEETING
6:00 PM**

COUNCIL PRESENT

Mayor Johnnie Greene
Clay Wilson
Melissa Curtis
Rebecca Johnson
Joe Wesson

STAFF PRESENT

Chase Winebarger
Julie A Good
Terry Taylor

COUNCIL ABSENT

Keith Warren

CALL TO ORDER: Mayor Johnny Greene called the meeting to order at approximately 6:01pm.

INVOCATION: Mayor Johnny Greene gave the invocation.

PLEDGE OF ALLEGIANCE: Mayor Johnny Greene led the Pledge of Allegiance.

ADOPT AGENDA: Mayor Johnny Greene asked for a motion to adopt the June 15, 2021 Agenda.

Joe Wesson made a motion, and Rebecca Johnson seconded, to adopt the June 15, 2021 Agenda. All were in favor.

APPROVE MAY 18, 2021 REGULAR MEETING MINUTES: Mayor Johnny Greene asked for a motion to approve the May 18, 2021 regular meeting minutes.

Clay Wilson made a motion, and Joe Wesson seconded, to approve the May 18, 2021 regular meeting minutes. All were in favor.

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

No one wished to speak.

PUBLIC HEARING: FY 2021/2022 BUDGET

OPEN PUBLIC HEARING: Mayor Johnnie Greene asked for a motion to open the public hearing.

Joe Wesson made a motion, and Rebecca Johnson seconded, to open the public hearing. All were in favor.

STAFF COMMENTS/RECOMMENDATIONS: Town Manager Chase Winebarger stated that the budget is balanced as required by the NC Local Government Budget and Fiscal Control Act. The Town's overall budget for FY 2021-2022 totals four million three hundred nineteen thousand three hundred fourteen dollars (\$4,319,314.00). A few highlights of the proposed budget include no property tax increase; two point five percent (2.5%) increase in water and sewer rates per FY 19-20 NCRWA Rate Study; no increase in sanitation fees; fund balance appropriations for capital projects; maintains current levels of benefits for employees.

PUBLIC COMMENT: No one wished to speak.

CLOSE PUBLIC HEARING: Mayor Johnnie Greene asked for a motion to close the public hearing.

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

COUNCIL ACTION: Clay Wilson made a motion, and Rebecca Johnson seconded, to adopt the FY 2021/2022 Budget, the FY 2021/2022 Budget Ordinance and the FY 2021/2022 Fee Schedule. All were in favor.

PUBLIC HEARING: VOLUNTARY ANNEXATION

OPEN PUBLIC HEARING: Mayor Johnnie Greene asked for a motion to open the public hearing.

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

STAFF COMMENTS/RECOMMENDATIONS: Mayor Johnnie Greene stated that the town had received a petition for Voluntary Annexation from Blake M. Herman and Brittany M. Crowe for one (1) parcel (NCPIN 2765953281).

PUBLIC COMMENT: No one wished to speak.

CLOSE PUBLIC HEARING: Mayor Johnnie Greene asked for a motion to close the public hearing.

Clay 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 Rebecca Johnson seconded, to adopt the Annexation Ordinance for Blake M. Herman and Brittany M. Crowe for one (1) parcel (NCPIN 2765953281) to be effective June 16, 2021. All were in favor.

PUBLIC HEARING: TOWN OF SAWMILLS BICYCLE AND PEDESTRIAN PLAN

OPEN PUBLIC HEARING: Mayor Johnnie Greene asked for a motion to open the public hearing.

Rebecca Johnson made a motion, and Joe Wesson seconded, to open the public hearing. All were in favor.

STAFF COMMENTS/RECOMMENDATIONS: Brian Horton, Transportation Planning Manager with the Western Piedmont Council of Governments stated that the Town contracted Western Piedmont Council of Governments (WPCOG) to develop a Bicycle and Pedestrian Plan. A citizen steering committee met three times to help guide plan development. The new plan is intended to help guide Town policy decisions concerning the network, prioritization, and implementation of bicycle and pedestrian facilities.

Currently, Sawmills has a core sidewalk network linking Sawmills Elementary and Baird Park. The draft plan recommends maintaining and expanding this network to Veterans Park, South Caldwell High, Spring Lake Mobile Home Park, and Cajah Mountain Road. North Carolina Department of Transportation (NCDOT) plans to modernize Cajah Mountain Road between Highway 321A and Connelly Springs Road. This funded NCDOT project will straighten curves and add five-foot shoulders with construction expected in 2025. The new draft Plan recommends adding sidewalks and bicycle lanes inside Town limits along the NCDOT project, transitioning to a multi-use path between Mount Zion Church and Highway 321A. The recommended multi-use path would accommodate a shared space for cyclists and pedestrians, create a new accessible crossing of the Caldwell County Railroad, and connect to existing Mission Road sidewalks with a marked crossing of Highway 321A.

In addition to providing direction on NCDOT projects, the draft Plan also recommends concepts that may pursue future grant opportunities. One of these potential projects seeks to link Sawmills Elementary and Veterans Park. The draft recommendation would extend the existing sidewalk in the more residentially developed areas of Sawmills north of May Road and immediately south of Dry Ponds Road. Between May Road and Dry Ponds Road, as well as approaching Veterans Park, the Plan recommends a multi-use path. The trail system

in Veterans Park has recently been paved, and a loop trail is planned to be completed by Duke Energy. Enhanced crossings of Dry Ponds Road and at the Elementary School are also included in the recommended concept.

PUBLIC COMMENT: No one wished to speak.

CLOSE PUBLIC HEARING: Mayor Johnnie Greene asked for a motion to close the public hearing.

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

COUNCIL ACTION: Joe Wesson made a motion, and Rebecca Johnson seconded, to approve the Town of Sawmills Bicycle and Pedestrian Plan. All were in favor.

RECOGNITIONS:

RECYCLE REWARDS WINNER: Mayor Johnny Greene announced Peggy Brookshire, as the June Recycle Rewards winner. A credit of thirty-two dollars (\$32.00) will be added to the current sanitation bill.

No Council action was required.

PLANNING MATTERS:

YEARLY PLANNING REPORT: Town Planner Dustin Millsaps stated that in the Planning Ordinance Section 151.06 it is stated that: An annual report shall be prepared and submitted to the Town Council by May of each year. The report shall include a comprehensive and detailed review of the activities, problems and actions of the Planning Board as well as any budget requests and/or recommendations.

Town Planner Dustin Millsaps stated that the Planning Board met five (5) times between July 2020 and June 2021.

Town Planner Dustin Millsaps stated that the board-related did not have any expenses that occurred in the reporting period. In FY 20-21 Sawmills contracted with the WPCOG for one (1) day a week of planning services.

Town Planner Dustin Millsaps stated that the Board of Adjustments met one (1) time between July 2020 and June 2021. Town Planner Dustin Millsaps stated that the Board of Adjustment approved one (1) zoning variance and one (1) special use permit.

Town Planner Dustin Millsaps stated that he attended various training opportunities, where

the topics included:

- Vacant Housing
- Economic Development
- Quasi-Judicial Hearings
- Plan Review
- Air and Water Quality
- Hazard Mitigation
- Floodplain
- GIS

Town Planner Dustin Millsaps stated that he wrote forty-nine (49) zoning permits, approved two (2) family subdivisions, four (4) minor subdivisions, two (2) recombination and provided zoning assistance to over seventy-five (75) customers, consisting of various prospective buyers, realtors, property owners, developers, and concerned citizens during the last fiscal year.

Town Planner Dustin Millsaps stated that there were sixteen (16) Code Enforcement cases that have been completed and there are three (3) open cases.

No Council action was needed.

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

No one wished to speak.

UPDATES:

JUNE CODE ENFORCEMENT REPORT: Town Planner Dustin Millsaps stated that there are three (3) code enforcement cases open:

- Teresa Annas Compton, 4486 Sawmills School Road. Abandoned Mobile Home/Garbage and Rubbish. Town Planner Dustin Millsaps stated he received a complaint on January 13, 2020. Town Planner Dustin Millsaps stated that a NOV letter was sent out on January 23, 2020 with a deadline of February 10, 2020. Town Planner Dustin Millsaps stated that the trailer is not finished and located on the same property as the Compton house that the Town abated in 2018. Town Planner Dustin Millsaps stated that staff will investigate and work with attorney for possible courses of abatement. Town Planner Dustin Millsaps stated that one (1) of Ms. Compton's sons is scheduled to meet with staff in late February to work towards getting the property in his name and get the property cleaned up. Town Planner Dustin Millsaps

stated that staff has is waiting for Ms. Compton's son to schedule a time to come in and speak with staff regarding this property. Town Planner Dustin Millsaps stated that he went by the property on September 10, 2020 and the property is still in same condition with extremely high grass and would recommend demolition. Town Planner Dustin Millsaps stated that he has been in contact with Town Attorney Terry Taylor and former Town Planner to get all the evidence for this property. Town Planner Dustin Millsaps stated that on February 19, 2021, the title search process had been started with Town Attorney Terry Taylor. Town Planner Dustin Millsaps stated that on March 11, 2021, there were three (3) heirs found from the title search process and letters had been sent out to all three (3) heirs. Town Planner Dustin Millsaps stated that as of May 11, 2021, fines have started to occur on this property. Town Planner Dustin Millsaps stated that as of June 10, 2021, all information on this case has been handed over to Town Attorney Terry Taylor to explore all options that are left to close this case;

- Carolyn Bray/Robyn Brittan, 2570 Baker Cir. Abandoned Mobile Home/Garbage and Rubbish. Town Planner Dustin Millsaps stated that he was working with Town Attorney Terry Taylor to abate this property. Town Planner Dustin Millsaps also stated that he will treat this as a Junk and Debris and not minimum housing. If so, the Town can proceed to abate after thirty (30) days of notice. Town Planner Dustin Millsaps stated that he got a quote that will demo entire trailer and haul off all debris including our equipment, labor and fees. Town Planner Dustin Millsaps stated that the quote is four thousand one hundred dollars (\$4,100.00). Town Planner Dustin Millsaps stated that on September 10, 2020, the house was still in the same condition and the Town needed to discuss abatement. Town Planner Dustin Millsaps stated that on November 30, 2020, the he had been in contact with Town Attorney Terry Taylor to get all evidence for this property done with previous Town Planner. Town Planner Dustin Millsaps stated that on February 12, 2021, Council instructed Town Planner to table this case until the May 18, 2021, meeting to see where the property ends up. Town Planner Dustin Millsaps stated that on May 7, 2021, he spoke with Attorney Bruce Vanderbloemen, the estate attorney for Carolyn Bray, and was informed that the house has had all the paperwork finished for the property to be sold in a tax sale at the end of May;
- Denise Dotson/William S Annas, II, 4095 Gatewood Dr. Abandoned Mobile Home/Minimum Housing. Town Planner Dustin Millsaps stated that a complaint was received on March 5, 2020, and a regular NOV letter and a certified NOV letter was sent on March 5, 2020, with a deadline of March 23, 2020. Town Planner Dustin Millsaps stated that the mobile home has been sprayed painted and has an apparent tenant, however, the water meter has been pulled from the property. Property was cleaned up. However, Mr. Annas informed Town Planner Dustin Millsaps that a new tenant has moved in the mobile home. Town Planner Dustin Millsaps stated that a second NOV letter was sent on May 15, 2020 with a deadline of June 15, 2020 for additional garbage on property. Town Planner Dustin Millsaps stated that staff will investigate and work with Town Attorney for possible courses of abatement. Town Planner Dustin Millsaps stated that he went by the property on September 10, 2020

and all garbage has been picked up, however, the house has multiple windows smashed out which is now a minimum housing violation. Town Planner Dustin Millsaps stated that he spoke with property owner and he plans on removing the trailer on November 5, 2020. Town Planner Dustin Millsaps stated that he spoke to William S Annas, II, the property owner, on November 5, 2020 and his plans are removing the mobile home. Town Planner Dustin Millsaps stated that he tried to get in touch with property owner William S Annas, II four (4) times from November 5, 2020 to November 19, 2020 before he would answer the phone for him again, and Town Planner Dustin Millsaps stated he informed property owner Williams S Annas, II that the Town would have to pursue moving the mobile home or fines would occur for him. Town Planner Dustin Millsaps stated that he talked to property owner William S Annas, II on December 8, 2020 and was informed that the property owner had been in contact with an attorney about removal of the mobile home. Town Planner Dustin Millsaps stated that on January 7, 2021, he spoke with property owner William S Annas, II and the property owner stated that he had not worked with his attorney because his attorney had been quarantined multiple times. Town Planner Dustin Millsaps stated that on 2/7/21 he talked with property owner William S Annas, II, again and Mr. Annas stated that he is still talking to his attorney about getting the issue handled. Town Planner Dustin Millsaps stated that he spoke with property owner William S Annas, II, on 4/13/21 and Mr. Annas stated that he is currently in the process of evicting current tenant so that he can tear the mobile home down. Town Planner Dustin Millsaps stated that on June 10, 2021, he spoke with William S Annas, II, and was informed that the tenant has been evicted and the last day for the tenant to move out is June 11, 2021. Town Planner Dustin Millsaps stated that William S. Annas. II informed him that after the evicted tenants time to leave is up, he will get with his attorney to look at his options with the dilapidated trailer.

No Council action was required.

TOWN MANAGER UPDATES: Town Manager Chase Winebarger had the following updates:

- Town Manager Chase Winebarger stated that the Town had purchased a Drone and has already started utilizing it. The drone has been flown over the Legion game, the Wilcox property, two (2) different code enforcement complaints, and the proposed area for the parking lot at Veterans Park. There has been some amazing footage captured and it will be on Facebook and the website soon.
- Town Manager Chase Winebarger stated that the Town has closed on the Wilcox property. Town Manager Chase Winebarger stated that he has been in contact with an architect and has an estimated cost of approximately twenty thousand dollars (\$20,000.00) for site plans to be drawn up. Town Manager Chase Winebarger also stated that there is hay already on the property and that he would like for the Town to allow Mr. Wilcox to cut the hay this year. Town Manager Chase Winebarger stated

that by the time a bid packet is developed, sent out and allowed time for response, the Town would be beyond the time for the second cutting. By the time the hay is ready next year, the Town should have a site plan and timeline developed and can do a bid packet for the hay, if needed, at that time. There were no objections to letting Mr. Wilcox cut the hay this year.

- Town Manager Chase Winebarger stated that on Friday, June 11, 2021, he spoke with Duke Power regarding the parking lot at Veterans Park and was informed that the Town does not need to build a parking lot at this time. Town Manager Chase Winebarger has stated that he asked for that information to be sent to him in writing. Town Manager Chase Winebarger stated that he would still like the Town to do the grading for the parking lot which would cost approximately one hundred fifty thousand dollars (\$150,000.00).
- Town Manager Chase Winebarger stated that at the last Council meeting it was asked if the Town had received the trash cans promised by Republic Services when the contract was signed. Town Manager Chase Winebarger stated that he spoke with Don Phelps at Republic Services and Republic is taking the blame for the Town not receiving the cans. Republic is going to waive the CPI increase (approximately eleven thousand dollars (\$11,000.00)) and begin securing cans to start putting out in Town. there is not an estimated time for delivery as of yet.
- Town Manager Chase Winebarger stated that he had received numerous complaints about speeding in the Doe Run subdivision. To investigate the issue, the Town placed the digital traffic sign that counts traffic, monitors speed, and compiles all the analytics for you at approximately ten (10) different locations in the subdivision. Town Manger Chase Winebarger stated that according to the sign data, approximately fifty-five (55) to sixty-five (65) percent of the vehicles traveling in the Doe Run Subdivision are over the speed limit with twenty-five (25) to thirty-five (35) percent traveling in excess of ten (10) mhp over the posted speed limit of twenty-five (25) mhp. Town Manager Chase Winebarger stated that the vast majority of this is occurring on Moore Acres Dr (which is the main road into the subdivision) and the percentage of vehicles speeding within the development drops around fifteen (15) percent with only around eight (8) percent exceeding ten (10) mhp over the posted speed limit. Town Manager Chase Winebarger stated that he has been approached regarding speed humps on Moore Acres Dr, however, Moore Acres Dr meets all requirements for speed humps but one (1). Council informed Town Manager Chase Winebarger that since there is one (1) requirement not met by Moore Acres Dr that the Town cannot go against policy and put in speed bumps.
- Town Manager Chase Winebarger stated that Baird Park is the home field for the 2021 Post 29 Junior Legion Softball Team (7th-10th Grade Ladies Fastpitch). Town Manager Chase Winebarger stated that there has been one (1) home game already and the feedback has been exceptional. Town Manager Chase Winebarger also stated that the Farmers Market is up and running and is going great.
- Town Manager Chase Winebarger stated that during the May 18, 2021 he was asked to look into the process for code complaints and the possible need to amend the policy regarding who complains and if it must be a written complaint. Town Manager Chase

Winebarger stated that in inspecting the policy, it seems that Town employees have been following a common practice rather than the nuisance ordinance for employees and Council members. Town Manager Chase Winebarger stated that he would still recommend that elected officials not make nuisance complaints, but employees are encouraged to make nuisance complaints. Town Manager Chase Winebarger stated that citizens are still required to fill out a written complaint form per the policy. Town Manager Chase Winebarger stated that he would suggest a change in practice not a change in policy.

- Town Manager Chase Winebarger stated that now that most COVID-19 restrictions are lifted that the Town can start events again. Town Manager Chase Winebarger asked Council what events would like to focus on for the FY 2021/2022:
 - Halloween-team up with the local churches and have a trunk or treat, a festival setting and fireworks. With a date to be determined.
 - Veterans Day-The Town will resume its Veterans Day celebration with Joe Wesson doing the planning. The date will be November 13, 2021.
 - Christmas Tree Lightening-The Town will resume its Christmas Tree Lightening celebration with Melissa Curtis doing the planning. With a date to be determined.
 - Christmas Parade-The Town will resume its Christmas Parade. The date will be December 4, 2021.
 - There will be a Spring Festival with a Spring Car Show. With a date to be determined.
 - Egg Hunt-The Town will resume its Easter Egg Hunt. With a date to be determined.
 - Memorial Day-The Town will resume its Memorial Day Celebration. To be held on Monday, May 30, 2022.
 - Melissa Curtis and Rebecca Johnson will start on beautification of the Town.
- Town Manger Chase Winebarger stated that at this time, the Town does not require landlords to pay a deposit, resulting in the Town, at times, losing large amounts of money that the Town cannot collect. Town Manager Chase Winebarger stated that staff has discussed this matter and that charging landlords a deposit would be the simplest way to be able to collect the money from landlords.

Clay Wilson made a motion, and Rebecca Johnson seconded, to collect a water, sewer and sanitation deposit for all accounts with the exception of business accounts. All were in favor.

COUNCIL COMMENTS:

Joe Wesson wanted to commend everyone for a great budget. Joe Wesson wanted to thank the Town Manager Chase Winebarger, Mayor Johnnie Greene, Town Attorney Terry Taylor and Council for a great job.

COUNCIL ADJOURN: Mayor Johnnie Greene asked for a motion to adjourn.

Rebecca Johnson made a motion, and Clay Wilson seconded, to adjourn the meeting. All were in favor.

The meeting was adjourned at approximately 7:30pm.

Johnnie Greene, Mayor

Julie A. Good, Town Clerk