

**TUESDAY, MARCH 16, 2021
TOWN OF SAWMILLS REGULAR COUNCIL MEETING
6:00 PM**

COUNCIL PRESENT

Mayor Johnnie Greene
Clay Wilson
Rebecca Johnson
Melissa Curtis
Keith Warren
Joe Wesson

STAFF PRESENT

Chase Winebarger
Julie A Good
Terry Taylor
Tanner Greene

CALL TO ORDER: Mayor Johnny Greene called the meeting to order at approximately 6:03pm.

INVOCATION: Councilman Keith Warren 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 March 16, 2021 Agenda.

Joe Wesson made a motion, and Keith Warren seconded, to adopt the March 16, 2021 Agenda. All were in favor.

APPROVE FEBRUARY 9, 2021 BUDGET RETREAT MINUTES: Mayor Johnny Greene asked for a motion to approve the February 9, 2021 Budget Retreat Minutes.

Rebecca Johnson made a motion, and Clay Wilson seconded, to approve the February 9, 2021 budget retreat minutes. All were in favor.

APPROVE FEBRUARY 16, 2021 REGULAR MEETING MINUTES: Mayor Johnny Greene asked for a motion to approve the February 16, 2021 regular meeting minutes.

Melissa Curtis made a motion, and Joe Wesson seconded, to approve the February 16, 2021 regular meeting minutes. All were in favor.

APPROVE FEBRUARY 16, 2021 CLOSED SESSION MINUTES: Mayor Johnnie Greene asked for a motion to approve the February 16, 2021 closed session minutes.

Joe Wesson made a motion, and Clay Wilson seconded to approve the February 16, 2021

closed session minutes. All were in favor.

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

Shauna Leone came in and spoke to Council regarding the rezoning of her property.

RECOGNITIONS:

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

No Council action was required.

FINANCIAL MATTERS:

HUDSON AMERICAN LEGION POST 392 DONATION REQUEST: Mayor Johnnie Greene stated that the Hudson American Legion Post 392 had requested a donation in the amount of two hundred dollars (\$200.00).

Clay Wilson made a motion, and Rebecca Johnson seconded, to give a donation in the amount of two hundred dollars (\$200.00) to the Hudson American Legion Post 392. All were in favor.

SALES TAX REINVESTMENT CONTRACT: Mayor Johnnie Greene stated that the current contract with Caldwell County for the Sales Tax Reinvestment program will expire on June 30, 2021 and will need to be renewed. If renewed, the Sales Tax Reinvestment contract will be effective starting July 1, 2021 and ending June 30, 2025. Mayor Johnnie Greene stated that amount of the contract will not exceed one hundred ninety-four thousand dollars (\$194,000.00) annually. The funds will be used by Caldwell County and the Caldwell County Economic Development Commission as incentive monies for job growth and development. Additionally, Caldwell County is able to use up to three hundred fifty thousand dollars (\$350,000.00) of the fund annually for public purposes other than economic development.

Joe Wesson made a motion, and Keith Warren seconded, to renew the Sales Tax Reinvestment Contract with Caldwell County. All were in favor.

PARKS AND RECREATION MATTERS:

PARK AND RECREATION POLICIES: Town Manager Chase Winebarger stated that the Parks and Recreation Department has been in contact with other local municipalities regarding their policies and regulations in regard to all matters pertaining to Parks and Recreation. After reviewing these policies and practices, we have compiled a Parks and

Recreations Policy Manual that best fits the needs of the Town.

Joe Wesson made a motion, and Clay Wilson seconded, to adopt the Parks and Recreation Policy Manual as it is presented. All were in favor.

PLANNING MATTERS:

CALL FOR PUBLIC HEARING FOR 321A REZONING: Town Planner Dustin Millsaps stated that William D Fields and Shauna L Leone have petitioned the Town for a rezoning for their property that is located on the edge of the Town of Sawmills jurisdiction to change from RA-20 to G-M (General Manufacturing) to be able to put in a greenhouse. The two (2) properties across the street from this property are zoned G-M. This property's current land use is vacant with no primary structure or use.

Town Planner Dustin Millsaps stated that the Town Planning Board had met on March 2, 2021, and recommended that the rezoning procedure shall proceed forward to Town Council.

Rebecca Johnson made a motion, and Joe Wesson seconded, to call for a public hearing on the rezoning during the April 20, 2021 regularly scheduled council meeting. All were in favor.

CALL FOR PUBLIC HEARING FOR 160D UPDATES: Ashley Kale with the Western Piedmont Council of Governments stated that the new Chapter 160D of the North Carolina General Statutes consolidates current city and county enabling statutes for development regulations (previously Chapters 153A and 160D) into a single unified chapter. Chapter 160D places these statutes into a more logical, coherent organization.

Ashley Kale stated that the Chapter 160D is effective now, but the state granted local governments to have until July 1, 2021 for the development, consideration, and adoption of necessary amendments to conform local ordinances to this new law. The Town of Sawmills contracted with the WPCOG to update the town's current zoning and subdivision development regulations to conform with the requirements of Chapter 160D.

Ashley Kale with the WPCOG stated that during the March 2, 2021 the Planning Board meeting, that the Planning Board voted to recommend the Chapter 160D changes to the zoning and subdivision ordinance to Council for approval.

Rebecca Johnson made a motion, and Joe Wesson seconded, to call for a public hearing for the Chapter 160D changes to the zoning and subdivision ordinance during the April 20, 2021 regularly scheduled council meeting. All were in favor.

DISCUSSION:

BAD DEBT WRITE OFF: Mayor Johnnie Greene stated that the Town had a list of 2017 accounts that have gone unpaid for Utility and Sanitation services. The Town does not expect to collect payment for these accounts and recommends that Council approve the write off of

the accounts. The total amount of these accounts is six thousand seven hundred thirty-five dollars and twenty-eight cents (\$6,735.28). Mayor Johnnie Greene also advised Council that included in the list are thirty-four (34) accounts the Town has submitted to the NC Debt Setoff Program for Collection. Mayor Johnnie Greene stated the Town had recovered six thousand seven hundred eighty-six dollars and forty-six cents (\$6,786.46) from previous years. There are sufficient funds in the budget to cover this.

Clay Wilson made a motion, and Keith Warren seconded, to approve staff to write off the 2017 list of bad debts accounts in the amount of six thousand seven hundred thirty-five dollars and twenty-eight cents (\$6,735.28). All were in favor.

METER CHARGE FOR REPLACEMENT METERS: Town Manager Chase Winebarger stated that since changing to the new AMI meters last year, Public Works has had to go change several meters due to customer negligence. The new AMI meters have an approximate value of four hundred dollars (\$400.00). Staff would like for Council to approve a meter replacing fee of five hundred dollars (\$500.00), which would include the cost of the AMI meter and labor for any meters that have to be replaced due to customer negligence.

Town Manager Chase Winebarger also stated that if Council approves the meter replacement fee, how would Council want staff to collect the fee.

Clay Wilson made a motion, and Rebecca Johnson seconded, to have a meter replacement fee of five hundred dollars (\$500.00) for any AMI meters that need to be replaced due to customer negligence and to table the fee collections discussion until the April 20, 2021 regularly scheduled council meeting for Town Attorney Terry Taylor to research options that would best suit the Town with the collection of the fees. All were in favor.

RECONNECTS FOR SANITATION ONLY ACCOUNTS: Town Manager Chase Winebarger stated that during disconnects, Public Works has to pick up sanitation cans due to nonpayment, only to have to go and return the can in the next few days and the only fees that sanitation account only customers have to pay is the past due bill. Town Manager Chase Winebarger stated that all other accounts are charged a reconnect fee or given an option to pay two (2) months bills (the past due amount and the following month).

Clay Wilson made a motion, Rebecca Johnson seconded, to charge a twenty-dollar (\$20.00) replacement fee for the time to pick up and storage of the can, return of the can plus the past due amount, or the option to pay two (2) months bills (the past due amount and the following month) to have sanitation accounts restarted. All were in favor.

SPECIAL PICK-UP LIMIT: Town Manager Chase Winebarger stated that there has been an increase in the number of special pick-ups for sanitation and brush. There are multiple locations that call for a special sanitation pick up weekly. At this time, the Town does not charge for special sanitation pick-ups or standard brush pile pick-ups because in the past the Town picked up the sanitation and went to the landfill on a regular basis. Now, Public Works is having to make trips to the landfill daily due to all the special sanitation and brush pick-ups, which is costing the Town extra money in tipping fees, fuel and truck maintenance charges. Town Manager Chase Winebarger stated that in order to off set the increased costs

the Town is incurring, staff would like to limit the number of special sanitation pick-ups and standard brush pick-ups to six (6) free pick-ups per calendar year and then a charge of seventy-five dollars (\$75.00) per every pick-up after the initial six (6).

Rebecca Johnson made a motion, and Keith Warren seconded, to limit the number of special sanitation and standard brush pick-ups to six (6) a year and any pick-up after the six (6) free will be charged seventy-five dollars (\$75.00) per pick-up. All were in favor.

BRUSH PICK-UP POLICY: Town Manager Chase Winebarger stated that for the past few years, the Town has been able to dispose of the brush locally for a monthly cost to the Town, but that facility has now closed, so the Town is having to take the brush to the Caldwell County Landfill. The Caldwell County Landfill charging a tipping fee of fifty dollars and one cent (\$50.01) per ton. With the increase of cost for tipping fees, fuel and maintenance, the Town can no longer afford to pick-up brush larger than a standard pile for free.

Town Manager Chase Winebarger stated that staff have worked to come up with the following changes:

- Limb diameter should be no larger than three (3) inches in diameter (changing it from four (4) inches in diameter)
- If larger than standard requirements, there will be a minimum charge of one hundred fifty dollars (\$150.00) per load.

Clay Wilson made a motion, and Joe Wesson seconded, to adopt the following Brush Pick-Up Policy:

1. Due to the volume of requests, work orders for brush pickup are handled in the order that they are received. When possible, brush pickup will take place within three (3) business days of receipt of the work order. If not possible to attend to within three (3) business days, brush will be collected as soon as possible.
2. *Brush will only be collected if it is left on the curb with all cut ends turned toward the street.*
3. *No brush from commercial tree trimming companies will be accepted or any brush from out of town.*
4. Limbs should be no larger than **three (3)** inches in diameter and the entire brush pile should be no longer than five (5) foot wide by five (5) foot tall by twelve (12) long. *Tree trunks, logs, and stumps will not be collected and must be separated out from the brush to be collected.*
5. *If brush pile is larger than standard requirements there will be a minimum charge of one hundred fifty dollars (\$150.00) per trip.*

All fees must be paid in advance.

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.

UPDATES:

FEBRUARY CODE ENFORCEMENT REPORT: Town Planner Dustin Millsaps stated that there are four (4) 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;
- 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;

- Annie Newton/Mary Austin, 4438 Jess Dr. Rubbish. Town Planner Dustin Millsaps stated that a complaint was received on February 25, 2021. Town Planner Dustin Millsaps stated that there was trash seen piling up on the porch. Town Planner stated a NOV letter was sent out and the issue was fixed immediately.

No Council action was required.

COUNCIL COMMENTS:

Keith Warren wanted to thank everyone for coming out.

Joe Wesson wanted to thank everyone for coming out.

CLOSED SESSION PURSUANT TO N.C.G.S. §143.318-11(A)(3): Mayor Johnnie Greene asked for a motion to go into closed session.

Clay Wilson made a motion, and Joe Wesson seconded, to go into closed session pursuant to N.C.G.S. § 143.318-11(a)(3) at approximately 7:00pm. All were in favor.

Rebecca Johnson made a motion, and Clay Wilson seconded, to come out of closed session at approximately 7:45pm. All were in favor.

VETERANS PARK PAVING: After coming out of closed session, Town Manager Chase Winebarger stated that the FY 2020/2021 budget the Town budgeted conservatively that the parking lot at Veterans Park can be completed during the FY 2020/2021 budget and not have to wait until FY 2021/2022.

Keith Warren made a motion, and Joe Wesson seconded, to start the Veterans Park parking lot project immediately. All were in favor.

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

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

The meeting was adjourned at approximately 7:48pm.

Johnnie Greene, Mayor

Julie A. Good, Town Clerk