

**TUESDAY, NOVEMBER 19, 2019
TOWN OF SAWMILLS REGULAR COUNCIL MEETING
6:00 PM**

COUNCIL PRESENT

Mayor Johnnie Greene
Keith Warren
Clay Wilson
Rebecca Johnson

STAFF PRESENT

Terry Taylor
Julie A Good

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

INVOCATION: NC Representative Destin Hall gave the invocation.

PLEDGE OF ALLEGIANCE: Robert Procter, Kammyah Caldwell, Sarah Franklin, Brayden Powell, Ping Jun Sain and Eli Carlton of Sawmills Elementary School led the Pledge of Allegiance.

ADOPT AGENDA: Mayor Johnnie Greene asked for a motion to adopt the November 19, 2019 Agenda.

Joe Norman made a motion, and Rebecca Johnson seconded, to adopt the November 19, 2019 Agenda. All were in favor.

APPROVE OCTOBER 15, 2019 REGULAR MEETING MINUTES: Mayor Johnnie Greene asked for a motion to approve the October 15, 2019 regular meeting minutes.

Keith Warren made a motion, and Rebecca Johnson seconded, to approve the October 15, 2019 regular meeting minutes. All were in favor.

APPROVE OCTOBER 15, 2019 CLOSED SESSION MEETING MINUTES: Mayor Johnnie Greene asked for a motion to approve the October 15, 2019 closed session meeting minutes.

Joe Norman made a motion, and Keith Warren seconded, to approve the October 15, 2019 closed session meeting minutes. All were in favor.

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

No one wished to speak

RECOGNITIONS:

RECYCLE REWARDS WINNER: Mayor Johnnie Greene announced Ms. Freida Whisnant as the November Recycle Rewards winner. A credit of thirty-two dollars (\$32.00) will be added to her sanitation bill.

No Council action was required.

PUBLIC HEARING ON TOWN OF SAWMILLS CODE OF ORDINANCES, PHASE II STORMWATER ORDINANCE:

OPEN PUBLIC HEARING: Mayor Johnnie Greene asked for a motion to open the public hearing on Town of Sawmills Code of Ordinances, Phase II Stormwater Ordinance.

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

STAFF COMMENTS/RECOMMENDATIONS: Mayor Johnnie Greene stated that since contracting with the WPCOG, a draft of the required Stormwater Management Plan (SWMP) has been submitted to the State and awaiting the State's feedback. Once an acceptable SWMP and NPDES Permit are granted by the State and in order to enforce the Stormwater NPDES Permit, the Town is required to adopt a Stormwater and Illicit Discharge Ordinance with the WPCOG as the administrator of the stormwater plan. The purpose of the code is to comply with NC General Statute requirements.

PUBLIC COMMENT: Mayor Johnnie Greene asked if anyone wished to speak on the text amendment for zoning ordinance.

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 Rebecca Johnson seconded, to close the public hearing. All were in favor.

COUNCIL ACTION: Joe Norman made a motion, and Rebecca Johnson seconded, to approve the Town of Sawmills Code of Ordinances, Phase II Stormwater Ordinance. All were in favor.

FINANCIAL MATTERS:

AMI LOAN RESOLUTION: Mayor Johnnie Greene stated that during the August 2019 council meeting, Council agreed to partially fund the AMI water meter project with outside funding in the form of a loan. A resolution authorizing Interim Town Manager, Karen Clontz, to enter into a contract with First Citizens Bank & Trust company, on behalf of the Town of Sawmills, to purchase collateral with the total amount not to exceed four hundred thousand (\$400,000.00) will need to be approved, along with the Installment Purchase Contract, to move ahead with the funding.

Rebecca Johnson made a motion, and Keith Warren seconded, to approve the Installment Purchase Contract and resolution, authorizing Interim Town Manager, Karen Clontz, to enter into a contract with First Citizens Bank & Trust company, on behalf of the Town of Sawmills, to purchase collateral with the total amount not to exceed four hundred thousand (\$400,000.00). All were in favor.

EMPLOYEE LONGEVITY PAY: Mayor Johnnie Greene stated that the Town of Sawmills has an employee longevity pay plan that has been historically paid out during the first pay period in December.

Joe Norman made a motion, and Rebecca Johnson seconded, to issue longevity paychecks to Town employees paid out the first pay period in December. All were in favor.

CALDWELL COUNTY VETERANS HONOR GUARD DONATION REQUEST: Mayor Johnnie Greene stated that the Caldwell County Veterans Honor Guard, Inc., requested a donation in the amount of one hundred dollars (\$100.00).

Rebecca Johnson made a motion, and Clay Wilson seconded, to give a donation in the amount of one hundred dollars (\$100.00) to Caldwell County Veterans Honor Guard, Inc. All were in favor.

REQUEST FOR DONATION TO CALDWELL COUNTY 4-H SADDLE CLUB: Mayor Johnnie Greene stated that the Town had received a donation request from the Caldwell County 4-H Saddle Club in the amount of one hundred dollars (\$100.00).

Joe Norman made a motion, and Rebecca Johnson seconded, to give a donation in the amount of one hundred dollars (\$100.00) to the Caldwell County 4-H Saddle Club. All were in favor.

GRANITE FALLS BOOSTER CLUB DONATION REQUEST: Mayor Johnnie Greene stated that the Granite Falls Athletic Club had requested a donation in the amount of one hundred fifty dollars (\$150.00).

Joe Norman made a motion, and Keith Warren seconded, to give a donation in the amount of one hundred fifty dollars (\$150.00) to Granite Falls Booster Club. All were in favor.

SOUTH CALDWELL BOOSTERS DONATION REQUEST: Mayor Johnnie Greene stated that the South Caldwell Boosters had requested a donation in the amount of one hundred fifty dollars (\$150.00).

Clay Wilson made a motion, and Rebecca Johnson seconded, to give a donation in the amount of one hundred fifty dollars (\$150.00) to the South Caldwell Boosters Club. All were in favor.

APPROVE AUDITORS CONTRACT FOR FY 2019-2020: Mayor Johnnie Greene stated that the current contract with the Town auditors Lowdermilk, Church & Co., L.L.P. needs to be renewed. The renewal contract will cover the period of July 1, 2019 to June 30, 2020.

Clay Wilson made a motion, and Joe Norman seconded, to approve a renewal contract with the Town auditors Lowdermilk, Church & Co, L.L.P. in the amount of \$11,350.00 (eleven thousand three hundred fifty dollars) and covering the period of July 1, 2019 to June 30, 2020. All were in favor.

PUBLIC COMMENT:

No one wished to speak.

NOVEMBER CODE ENFORCEMENT REPORT: There are eight (8) code enforcement cases open:

- Chaney Carter, owner of 4361 Sawmills School Rd. Overgrown vegetation. Town Planner Hunter Nestor stated that a letter was sent on July 19, 2018, with a deadline of August 3, 2018. Town Planner Hunter Nestor stated that the nuisance was abated by the Town on August 10, 2018. Town Planner Hunter Nestor stated that a hearing was held on September 6, 2018, and Ms. Carter did not show so Town will proceed to demolish house. Town Planner Hunter Nestor stated that an asbestos test was performed on the property on July 25, 2019, and the test did find asbestos. Town Planner Hunter Nestor stated that DARI was contacted on August 8, 2019, to give the Town an estimate for abatement, the cost of abatement is seventeen thousand nine hundred dollars (\$17,900.00). Town Planner Hunter Nestor stated that staff can proceed to demolish and abate the property. Town Planner Hunter Nestor stated that staff entered into an agreement with DARI and abatement of asbestos was removed and house was demolished. Town Planner Hunter Nestor stated that a lien will be placed on the property;
- Carolyn Bray/Robyn Brittian, 2570 Baker Circle. Abandoned mobile home. Town Planner Hunter Nestor states that he is working with Town Attorney Terry Taylor to abate. Town Planner Hunter Nestor stated that the Town can treat this as a junk and

- debris case and not minimum housing, and by doing so, can proceed after thirty (30) days with abatement. Town Planner Hunter Nestor stated he received a quote for demolishing the entire trailer and haul off debris, including all equipment, labor and fees, for a total of \$4,100.00 (four thousand one hundred dollars). Town Planner Hunter Nestor stated that staff plans to abate this budget year, hopefully in the Spring of 2020;
- Horror Fields, Kiser-Sawmills, Helena St. Fence/buffer. Town Planner Hunter Nestor stated that a complaint was received on April 10, 2019. Town Planner Hunter Nestor stated that the property is not in compliance with the conditions set in CUP. Town Planner Hunter Nestor stated that a NOV letter was sent out on April 11, 2019, with a deadline of May 10, 2019. Town Planner Hunter Nestor stated that he made a site visit on May 30, 2019 and owner is working to get property in compliance but there are still some other areas that need to be addressed. Town Planner Hunter Nestor stated that he made another site visit on September 28, 2019, and the property is currently in compliance with the CUP and no complaints of Horror Field operations. Town Planner Hunter Nestor stated that he has not received any other complaints regarding this property;
 - Charles and Patsy Crotts, 4200 Crotts MHP Dr. Overgrown Vegetation. Town Planner Hunter Nestor stated that a complaint was made on May 21, 2019, and a NOV letter was sent out on June 3, 2019. Town Planner Hunter Nestor stated that the NOV letter came back and was resent to updated address on May 28, 2019. A second NOV letter was sent out on July 30, 2019, with a new deadline of August 8, 2019. Town Planner Hunter Nestor stated that he had received no response and no progress had been made as of August 8, 2019. Town Planner Hunter Nestor stated that he received a telephone call on September 17, 2019, asking if the property was going to be abated. Town Planner Hunter Nestor stated that a final NOV was sent to all members that were identified that had a stake in the property on September 19, 2019. Town Planner Hunter Nestor stated that a daughter of Mr. and Mrs. Crotts contacted him and stated that the property was sold in 2006 and should not be in their name. Town Planner Hunter Nestor stated that no other complaints have been made and that Complainant is trying to purchase the property;
 - Debra Baker, 4476 Rual Dr. Overgrown vegetation/garbage and rubbish. Town Planner Hunter Nestor received a written complaint on May 22, 2019. Town Planner Hunter Nestor sent a NOV letter with a deadline of June 11, 2019. Town Planner Hunter Nestor stated that he has received no response, but the property had been mowed as of August 13, 2019. Town Planner Hunter Nestor stated that the rest of the property is still not in compliance, but no other complaints have been made;
 - Timberline Lumber Co, Inc, 4221 US Highway 321A. Overgrown Vegetation/Property Maintenance. Town Planner Hunter Nestor stated that he received a complaint on July 2, 2019 and sent a NOV letter on July 16, 2019. Town Planner Hunter Nestor stated that he has had no response as of August 8, 2019. Town Planner Hunter Nestor stated that he sent a second NOV letter on August 8, 2019, with a new deadline of August 20, 2019. Town Planner Hunter Nestor stated that some progress has been made. Town Planner Hunter Nestor stated that no other complaints

- have been made since the original complaint. Town Planner Hunter Nestor stated that the property is currently in foreclosure;
- William and Lana Barlow, 2141 Stamey Rd. Living in RV/Camper. Town Planner Hunter Nestor stated that he received a complaint on September 27, 2019. Town Planner Hunter Nestor stated that he checked the property and the RV seems to be occupied. Town Planner Hunter Nestor stated that a NOV letter was sent on October 1, 2019, with a deadline of October 17, 2019. Town Planner Hunter Nestor stated that the trailer is still on the property and no one has contacted him about the letter. Town Planner Hunter Nestor stated that no other complaints have been made but he will continue to monitor and follow up with Complainant;
 - Timothy Cowick, 4438 Rual Dr. Living in shed/property maintenance/illicit discharge in creek. Town Planner Hunter Nestor stated that he received a complaint on October 11, 2019, and a NOV letter was sent on October 15, 2019 with a deadline of November 1, 2019. Town Planner Hunter Nestor stated that he met with the property owner on November 15, 2019. Town Planner Hunter Nestor stated that the property owner claims he is not living in the shed and the illicit discharge is not from him. Town Planner Hunter Nestor stated that he will have the WPCOG Stormwater Officer investigate and notify the Caldwell County Environmental Health. Town Planner Hunter Nestor stated that he will continue to monitor.

No Council action was required.

COUNCIL COMMENT: Mayor Johnnie Greene asked if anyone on Council had any comments or questions at this time:

Rebecca Johnson wanted to thank everyone for coming.

Johnnie Greene wanted to thank Chase Winebarger for coming and let everyone know that Chase Winebarger would be starting as the Town of Sawmills Town Manager in early December.

Interim Town Manager Karen Clontz wanted to inform everyone that Town Hall and Public Works would be closed on Thursday, November 28, 2019 and Friday, November 29, 2019 for Thanksgiving.

Interim Town Manager Karen Clontz also wanted to invite everyone to the Town of Sawmills Tree Lighting on Thursday, December 5, 2019 beginning at 6:30pm and the Town of Sawmills Christmas Parade on Saturday, December 7, 2019, beginning at 10:00am.

CLOSED SESSION FOR ATTORNEY CLIENT PRIVILEGE PURSUANT TO NCGS § 143-318.11 (a), 5(a) and 6: Mayor Johnnie Greene asked for a motion to go into closed session.

Rebecca Johnson made a motion, and Clay Wilson seconded, to go into closed session pursuant to NCGS § 143-318.11(a) 6 at approximately 6:25pm. All were in favor.

Joe Norman made a motion, and Rebecca Johnson seconded, to come out of closed session at approximately 7:10pm. All were in favor.

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

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

The meeting was adjourned at approximately 7:10pm.

Johnnie Greene, Mayor

Julie A. Good, Town Clerk