

**TUESDAY, OCTOBER 15, 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 6:06pm.

INVOCATION: Pastor Ashley Crouse gave the invocation.

PLEDGE OF ALLEGIANCE: Ashton Woodruff, Addison Rogers, Bryant Keller and Sarah Franklin of Sawmills Elementary School led the Pledge of Allegiance.

ADOPT AGENDA: Mayor Johnnie Greene asked for a motion to adopt the October 15, 2019 Agenda.

Joe Norman made a motion, and Keith Warren seconded, to adopt the October 15, 2019 Agenda. All were in favor.

APPROVE SEPTEMBER 17, 2019 REGULAR MEETING MINUTES: Mayor Johnnie Greene asked for a motion to approve the September 17, 2019 regular meeting minutes.

Clay Wilson made a motion, and Joe Norman seconded, to approve the September 17, 2019 regular meeting minutes. All were in favor.

APPROVE SEPTEMBER 17, 2019 CLOSED SESSION MEETING MINUTES: Mayor Johnnie Greene asked for a motion to approve the September 17, 2019 closed session meeting minutes.

Clay Wilson made a motion, and Rebecca Johnson seconded, to approve the September 17, 2019 closed session meeting minutes. All were in favor.

APPROVE OCTOBER 1, 2019 SPECIAL SESSION MEETING MINUTES: Mayor Johnnie Greene asked for a motion to approve the October 1, 2019 special session meeting

minutes.

Clay Wilson made a motion, and Joe Norman seconded, to approve the October 1, 2019 special session meeting minutes. All were in favor.

APPROVE OCTOBER 1, 2019 SPECIAL CLOSED SESSION MEETING MINUTES:

Mayor Johnnie Greene asked for a motion to approve the October 1, 2019 special closed session meeting minutes.

Clay Wilson made a motion, and Joe Norman seconded, to approve the October 1, 2019 special 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. Rebecca Byrd as the October 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 TEXT AMENDMENT FOR ZONING ORDINANCE:

OPEN PUBLIC HEARING: Mayor Johnnie Greene asked for a motion to open the public hearing on text amendment for zoning ordinance.

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

STAFF COMMENTS/RECOMMENDATIONS: Town Planner Hunter Nestor stated that currently the Town of Sawmills has separate Board of Adjustments and Planning Boards. The Planning Board should consist of five (5) members; three (3) in town members and two (2) ETJ members. The Board of Adjustments consist of five (5) members and Council may appoint two (2) alternate members. However, staff is having problems finding people who would like to serve on either board. Currently, we have only four (4) members on the Planning Board and four (4) members on the Board of Adjustments.

Staff would like to combine the Planning Board and the Board of Adjustments. The proposed draft states that the Board will consist of six (6) members, four (4) in town and two (2) ETJ to remain proportional, and have two (2) alternates, one (1) in town and (1) ETJ. This will help with trying to find people to serve on the Board, as well as giving the new combined

Board more duties for more frequent meetings. By combining both boards, staff recommends to having six (6) regular members instead of the current five (5) for each board. The proposed language allows for two (2) alternates to be appointed in case a regular member cannot attend a meeting. There will be one (1) alternate from in town and one (1) from ETJ.

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 Joe Norman seconded, to close the public hearing. All were in favor.

COUNCIL ACTION: Joe Norman made a motion, and Rebecca Johnson seconded, to approve the text amendment for zoning ordinance because the proposed amendment is consistent with the Comprehensive Plan. All were in favor.

Clay Wilson made a motion, and Joe Norman seconded, to reappoint all members as follows:

Name	New Term Expiration	Term Length
Steve Duncan	Oct-20	1 year
David Powell	Oct-20	1 year
Adam Wilson (ETJ)	Oct-21	2 year
Jack Keller	Oct-21	2 year
Walter Moore(ETJ Alternate)	Oct-21	2 year
Dino DiBernardi (ETJ)	Oct-22	3 Year
Kelley Price	Oct-22	3 Year
Reed Lingerfelt (Alternate)	Oct-22	3 Year

All were in favor.

DISCUSSION:

APPROVE EMPLOYMENT CONTRACT OF TOWN MANAGER: Mayor Johnnie Greene stated that Council had a copy of the contract for a New Town Manger for the Town of Sawmills. The effective hire date for the new Town Manger will be November 21, 2019, or as soon thereafter as he is able to report for duty.

Keith Warren made a motion, and Rebecca Johnson seconded, to approve the Employment Contract of the Town Manger. All were in favor.

CONSIDERATION OF APPOINTMENT OF TOWN MANAGER: Mayor Johnnie Greene stated that upon approval of the Town Manager's contract, that Council will need to vote to approve the new Town Manager.

Joe Norman made a motion, and Clay Wilson seconded, and to appoint David C. Winebarger as Town Manager for the Town of Sawmills. All were in favor.

CALL FOR PUBLIC HEARING FOR SAWMILLS STORMWATER ORDINANCE: Mayor Johnnie Greene stated that in order to enforce the Stormwater NPDES permit, the Town is required to adopt a stormwater and illicit discharge ordinance. The purpose of the code is to comply with North Carolina General Statute requirements. The adoption of the proposed changes will enhance the overall protection of stormwater.

Rebecca Johnson made a motion, and Joe Norman seconded, to call a public hearing for the Town of Sawmills Stormwater Ordinance at the regularly scheduled November 19, 2019 Town of Sawmills Council meeting. All were in favor.

RUSSELL DRIVE/MISSION ROAD WATERLINE REPLACEMENT: Todd Poteet, with West Consultants, gave an update on the Russell Drive and Mission Road waterline replacement projects.

No Council action was required.

FINANCIAL MATTERS:

PRESENTATION OF BIDS FOR AMI: The bid opening for the Advanced Metering Infrastructure (AMI) occurred on Friday, September 13, 2019. Three (3) bids were received from:

- 1- Fortiline/Waterworks/Kamstrup;
- 2- Water Works/Mueller Systems; and
- 3- Ferguson Waterworks/Sensus

The bid packets were reviewed and certified in accordance with North Carolina General Statutes, by MeterSys. On September 24, 2019, staff met with Andy Honeycutt and Lisa Nguyen, from MeterSys, to review the bid information. The following bids have been proposed:

Vendor:	Construction:	Operational (Yr. 1)
1- Water Works/Mueller	\$1,135,150.00	\$13,712.00
2- Ferguson Waterworks/Sensus	\$1,864,968.00	\$19,647.00

On September 30, 2019, staff met with the Public Works Committee to review the remaining two (2) bids. The lowest bid received was from Water Works/Mueller Systems for a total bid of one million one hundred thirty-five thousand one hundred fifty dollars (\$1,135,150.00). MeterSys does believe that Water Works/Mueller Systems is qualified to perform the project.

Joe Norman made a motion, and Clay Wilson seconded to award the AMI project to Water Works/Mueller Systems for a total amount of one million one hundred thirty-five thousand one hundred fifty dollars (\$1,135,150.00). All were in favor.

APPROVE CONTRACT FOR AMI: Andy Honeycutt, with MeterSys, stated that MeterSys has received a contract from Water Works/Mueller Systems that they are reviewing. Mr. Honeycutt stated that as soon as MeterSys had the final draft of the contract that they would forward a copy to Town Attorney Terry Taylor for her review and approval.

Rebecca Johnson made a motion, and Keith Warren seconded, that after review and approval by Town Attorney Terry Taylor, of the contract for the purchase and installment of the AMI meter system from Water Works/Mueller Systems, Mayor Johnnie Greene is authorized to sign the contract. All were in favor.

APPROVE CAPITAL PROJECT BUDGET ORDINANCE WATER METER REPLACEMENT PROJECT: Mayor Johnnie Greene stated that during the August 20, 2019 regularly scheduled council meeting, the Council voted to finance the AMI project as follows:

Sixty percent (60%) out of the General Fund;
Forty percent (40%) out of the Utility Fund; and
A four hundred thousand dollars (\$400,000.00) installment loan.

A Capital Project Budget Ordinance Water Replacement Project will need to be adopted to move forward with the AMI project.

Joe Norman made a motion, and Keith Warren seconded, to approve the Capital Project Budget Ordinance Water Meter Replacement Project. All were in favor.

REFUSE TRUCK INFORMATION: Mayor Johnnie Greene stated that during the August 20, 2019, regularly scheduled council meeting, the Council voted to have staff contact interested parties in regards to the sale of two (2) of the three (3) refuse trucks that the Town currently owns: a 2009 LE 600 Mack-Low Entry Tandem, Serial Number 7E7302994 and a 2018 LR 613 Mack-Low Entry Tandem, Serial Number 7E7306229.

Information was received by September 13, 2019, at 10:00 am, as follows:

Carolina Environmental Systems	\$217,756.00
Kernersville, NC	
City of Lenoir	\$258,000.00
Lenoir, NC	

No Council action was required.

RESOLUTION APPROVING CONVEYANCE OF PROPERTY TO ANOTHER UNIT OF GOVERNMENT IN NORTH CAROLINA PURSUANT TO NORTH CAROLINA GENERAL STATUTE § 160A-274: Mayor Johnnie Greene stated that in order to sale the two (2) refuse trucks to the City of Lenoir, a Resolution Approving Conveyance of Property to Another Unit of Government in North Carolina pursuant to North Carolina General Statute § 160A-274, is needed to complete the sale.

Rebecca Johnson made a motion, and Joe Norman seconded, to adopt the Resolution Approving Conveyance of Property to Another Unit of Government in North Carolina Pursuant to North Carolina General Statute § 160A-274. All were in favor.

PUBLIC COMMENT:

No one wished to speak.

OCTOBER CODE ENFORCEMENT REPORT: There are seven (7) 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 lien will be placed on the property for the cost of the mowing. 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 the asbestos should be removed and house demolished by end of 2019;
- 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 that staff plans to abate ni Spring 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. Town Planner Hunter Nestor stated that he will continue to monitor all October while the Horror Fields are open;
- 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 staff would do more research.
 - 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;
 - 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.

No Council action was required.

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

Joe Norman thanked everyone for coming out and hoped everyone had a safe trip home.

Keith Warren thanked everyone for coming.

Interim Town Manager Karen Clontz wanted to invite everyone to the Sawmills Fall Festival and Tractor Treat scheduled for October 25, 2019, from Noon to 6:00pm.

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.

Clay Wilson made a motion, and Rebecca Johnson seconded, to go into closed session pursuant to NCGS § 143-318.11(a), 5(a) and 6 at approximately 6:26pm. All were in favor.

Clay Wilson made a motion, and Joe Norman seconded, to come out of closed session at approximately 6:50pm. All were in favor.

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

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

The meeting was adjourned at approximately 6:50pm.

Johnnie Greene, Mayor

Julie A. Good, Town Clerk