TUESDAY, JANUARY 19, 2010
TOWN OF SAWMILLS REGULAR COUNCIL MEETING
6:00 P.M.

COUNCIL PRESENT
Bob Gibbs
Gerelene Blevins
Eddie Bowman
Beverly Fry
Donnie Potter
Joe Wesson

STAFF PRESENT
Robert Frye
Susan Nagle
Terry Taylor

CALL TO ORDER: Mayor Gibbs called the meeting to order.

INVOCATION: Pastor Buford Pennell gave the invocation.

PLEDGE OF ALLEGIANCE: Brandon Trivette and Cameron Potter from Pack 264 led the Pledge of Allegiance.

APPROVAL OF DECEMBER 15th REGULAR MEETING MINUTES: Mayor Gibbs asked for a motion to approve the December 15, 2010 regular meeting minutes.

On a motion made by Eddie Bowman and seconded by Beverly Fry, the minutes were approved. All were in favor.

ADOPT AGENDA: Mayor Gibbs asked for a motion to adopt the agenda.

On a motion made by Donnie Potter and seconded by Joe Wesson, the agenda was adopted. All were in favor.

TOWN HALL MEETING: Mayor Gibbs asked if anyone wanted to speak at the Town Hall meeting.

There was no one wanting to speak.

CDBG-R GRANT MATTERS:

RECOMMENDATION FOR ENGINEERING SERVICES: Federal requirements associated with the CDBG-R grant program require the Town to solicit Requests for Qualifications (RFQ) from any interested engineering firms.

The following four firms responded:

Davis and Floyd
Shabeldeen Engineering
West Consultants
The Wooten Company

Based on review of the RFQ's, West Consultant's knowledge of the project, and successful history of previous project designs for the Town; staff would recommend West Consultant's be awarded the engineering project for the Dry Ponds CDBG-R water project.

On a motion made by Eddie Bowman and seconded by Joe Wesson, the Engineering Contract is awarded to West Consultants. All were in favor.

ADOPTION OF POLICIES, PROCEDURES, AND PLANS FOR THE DRY PONDS CDBG-R PROJECT: A federal requirement associated with the CDBG-R grant program requires the Town to adopt the following plans and procedures.

They Include:

Fair Housing Plan
Equal Employment and Procurement
Economic Benefit for Low and Moderate Income Persons Certification
Section 504 and ADA Plan
Code of Conduct
Residential Anti-Displacement and Relocation Plan
Citizens Participation Plan

On a motion made by Beverly Fry and seconded by Eddie Bowman, the Fair Housing Plan was adopted. All were in favor.

On a motion made by Eddie Bowman and Seconded by Joe Wesson, the Equal Employment, and Procurement Plan was adopted. All were in favor.

On a motion made by Beverly Fry and seconded by Donnie Potter, the Economic Benefit for Low and Moderate Income Persons Certification Plan was adopted. All were in favor.

On a motion made by Donnie Potter and seconded by Joe Wesson, the Section 504 and ADA Plan was adopted. All were in favor.

On a motion made by Eddie Bowman and seconded by Beverly Fry, the Code of Conduct Plan was adopted. All were in favor.

On a motion made by Joe Wesson and seconded by Eddie Bowman, the Residential Anti-Displacement and Relocation Plan was adopted. All were in favor.

On a motion made by Donnie Potter and seconded by Joe Wesson, the Citizens Participation Plan was adopted. All were in favor.

UPDATE: CAJAH'S MOUNTAIN WATERLINE PROJECT:

NOTIFICATION OF LOAN APPROVAL/OFFER OF LOAN: The Town has received notification that the request recently submitted by the Town for loan assistance with the North Carolina Department of Water Quality for the Cajah's Mountain waterline replacement project has been approved for the maximum loan amount of $239,700.00.

The amount of $139,850.00 is a loan with a term of 20 years at 0% interest with the remaining $139,850.00 being a grant that does not require repayment.

On a motion made by Eddie Bowman and seconded by Joe Wesson, the Loan approval was approved. All were in favor.

BID AWARD FOR THE CAJAH'S MOUNTAIN WATERLINE PROJECT: The Town recently received the following bids for the Cajah's Mountain waterline project:

Beam Grading and Construction	$174,952.40
Hickory Construction	$179,714.00
Huffman Grading	$162,825.00
Iron Mountain Construction	$220,647.00
Landsdown Earth and Pipe	$221,050.00
Max Prestwood Water and Sewer	$183,450.00
Neil Grading and Construction	$218,064.00
Winkler Inc.	$182,676.00

Due to the complexity associated with this project the Town needs to be assured that the contractor chosen for the job has the experience for this type of project. Town Engineer Benjie Thomas felt that the first two bidders Huffman Grading and Beam Grading and Construction did not have the experience needed for this particular type of job. As such his recommendation was to award the project to Hickory Construction.

Town Administrator Frye stated that there will be sufficient funds in the loan to cover this expenditure and he recommended that Council award the bid to Hickory Construction based on recommendation from our Engineer Benjie Thomas in the amount of $179,714.00.

On a motion made by Joe Wesson and seconded by Beverly Fry, Council awarded the bid to Hickory Construction in the amount of $179,714.00. All were in favor.

RESOLUTION OF AWARD FOR THE CAJAH'S MOUNTAIN WATERLINE REPLACEMENT AARA PROJECT: The Town is required to adopt a resolution and send it to the state.

The resolution states that the Town has publicly advertised for the bid, the bids were publicly opened and also that the Town received a loan in the amount of $239,700.00 and that Council has awarded the bid based on the engineers' recommendation.

On a motion made by Eddie Bowman and seconded by Donnie Potter, Council will send in the resolution stating the bid was awarded to Hickory Construction in the amount of $179,714.00. All were in favor.

APPROVAL OF CONTRACT FOR PROFESSIONAL SERVICES: The Town is required to sign an agreement for professional services with an engineering firm due to federal requirements associated with the program that is providing the loan.

West Consultants has been the engineer for the Town, designed the plans and bid out this particular project. Staff would recommend Council approve the contract with West Consultants for project support and administration on the Cajah's Mountain waterline project.

On a motion made by Eddie Bowman and seconded by Joe Wesson, the contract with West Consultants was approved. All were in favor.

RESOLUTION RELEASING CALDWELL COUNTY FROM PHASE 2 STORMWATER PERMIT: As they are not subject to the federal Phase 2 Stormwater rules, the Caldwell County Commissioners recently decided to withdraw from the joint county/municipality Phase 2 program currently in place.

The City of Lenoir has agreed to be the lead administrator and agent for this program and the State of NC has asked each of the municipalities involved to pass a resolution releasing Caldwell County from the current permit and program.

On a motion made by Eddie Bowman and seconded by Joe Wesson, Council adopted the resolution releasing Caldwell County from the current Phase 2 Stormwater permit. All were in favor.

UPCOMING COUNCIL BUDGET RETREAT: Town Administrator Robert Frye reminded Council of the upcoming budget retreat on Thursday January 28, 2010 from 10:00 a.m. to 4:00 p.m. at the JE Broyhill Civic Center in Lenoir.

No Council action is required.

ADJOURN: On a motion made by Donnie Potter and seconded by Beverly Fry, the meeting was adjourned. All were in favor.

Susan Nagle
Susan Nagle, Town Clerk

Bob Gibbs, Mayor

RESOLUTION REQUESTING THE NORTH CAROLINA DEPARTMENT OF NATURAL RESOURCES TO RELEASE CALDWELL COUNTY AND NON-MANDATED TERRITORIES FROM NPDES PERMIT #000474

WHEREAS, the Federal Water Pollution Control Act of 1972 ("Clean Water Act") compels certain urbanized areas to adopt minimum storm water controls promulgated under the federal Phase II Stormwater Rules; and

WHEREAS, the County of Caldwell, the City of Lenoir, and the Towns of Granite Falls, Cajah's Mountain, Hudson, Sawmills and Gamewell were co-permitted to implement the Phase II Storm water Rules under National Pollutant Discharge Elimination System (NPDES) Permit Number NCS000474, issued by the North Carolina Department of Environment and Natural Resources; and

WHEREAS, Caldwell County has been the lead agency responsible for implementation and administration of said Permit since its effective date of October 1, 2005; and

WHEREAS, Caldwell County and the City of Lenoir adopted the Stormwater Discharge Program Agreement mutually transferring implementation and administration duties of the Permit to the City of Lenoir effective May 1, 2009; and

WHEREAS, Caldwell County intends to modify the applicable jurisdiction of the Permit to remove all areas of Caldwell County that are not mandated under the Phase II Stormwater Rules; and

WHEREAS, the consent of the co-permit tees is required in order to release any part or jurisdiction from the terms of the Permit,

NOW, THEREFORE, BE IT RESOLVED BY THE SAWMILLS **TOWN/CITY COUNCIL** that the North Carolina Department of Environment and Natural Resources, Division of Water Quality, is requested to release Caldwell County and its territory not mandated under Phase II Stormwater Rules from NPDES Permit Number NCS000474.

APPROVED THIS THE 19th **DAY OF** JANUARY**, 2010.**

[signature]

Mayor

Susan Nagle

Clerk