

February 21, 2006
Minutes of Town Council Regular Meeting
6:00 P.M.

COUNCIL PRESENT

Bobby Austin
Bob Gibbs
Eddie Bowman
Gerelene Blevins
Joe Wesson

STAFF PRESENT

Robert Frye
Terry Taylor
Jennifer Nichols

CALL TO ORDER: Mayor Bobby Austin called the meeting to order.

INVOCATION: Pastor Kenny Duke gave the invocation.

PLEDGE OF ALLEGIANCE: Mayor Bobby Austin led in saying the Pledge of Allegiance.

APPROVE MEETING MINUTES: January 17, 2006 Regular Meeting minutes were approved on a motion made by Eddie Bowman and seconded by Bob Gibbs. All were in favor.

PUBLIC HEARING:

FIRST ITEM: Hayes Mill Landing Annexation: Mayor Bobby Austin opened the public hearing on a motion made by Joe Norman. The motion was seconded by Eddie Bowman and all were in favor. Town Administrator Robert Frye stated the formal date of annexation would be July 1, 2006. With no public comments for or against Mayor Austin closed the public hearing on a motion by Joe Norman. The motion was seconded by Joe Wesson and all were in favor. Council approved the annexation date of July 1, 2006 on a motion made by Joe Wesson and on a second by Gerelene Blevins. All were in favor. (See Attached)

SECOND ITEM: Amendment to Sewer Use Ordinance: Mayor Bobby Austin opened the public hearing on a motion made by Eddie Bowman. The motion was seconded by Joe Wesson and all were in favor. Town Administrator Robert Frye explained that the amendment was needed to comply with state requirements and would add a section to the Town's existing ordinance pertaining to grease traps. With no public comments for or against Mayor Austin closed the public hearing on a motion by Eddie Bowman. The motion was seconded by Joe Norman and all were in favor. Council approved the amendment on a motion made by Eddie Bowman and seconded by Gerelene Blevins. All were in favor. (See Attached)

FINANCIAL MATTERS:

FIRST ITEM: Budget Amendment Request: Town Administrator Robert Frye requested a budget amendment to appropriate \$36,022.00 from fund balance to cover the Rural Center Sewer Capacity Grant expenses which will be reimbursed from grant funds. A motion for approval of the appropriation was made by Joe Norman and was seconded by Gerelene Blevins. All were in approval.

SECOND ITEM: Request for Equipment Surplus: Town Administrator Robert Frye requested Council declare the trash compactor body on the Town's 1989 International trash truck as surplus. Mr. Frye explained that monies were available in the current year's budget to convert the trash truck into a dump truck. In order to accomplish this, the trash compactor body needed to be removed from the truck chassis and the trash body to be declared surplus due to its value of over \$500.00. A motion to approve the declaration was made by Eddie Bowman and seconded by Gerelene Blevins. All were in favor.

THIRD ITEM: 2006-2007 Tentative Budget Schedule: Town Administrator Robert Frye offered for discussion a tentative 2006-2007 budget schedule. After some discussion the schedule was approved on a motion made by Joe Norman and seconded by Eddie Bowman. All were in favor. (See Attached)

PLANNING MATTERS:

FIRST ITEM: Planning Board Appointments: Town Administrator Robert Frye informed Council that approximately half of the Planning Board membership term of office expires at the end of February. He suggested Council review the list and at the March Council Meeting appointments or reappointments be offered. No Council action was necessary.

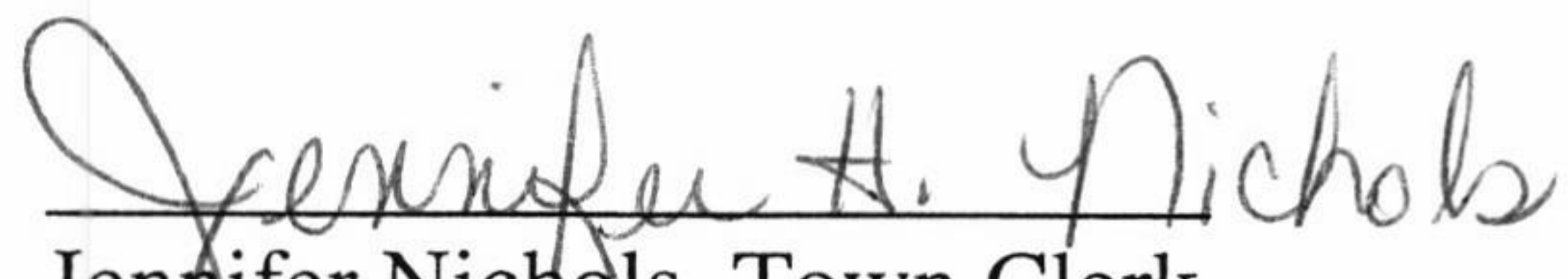
UPDATES:

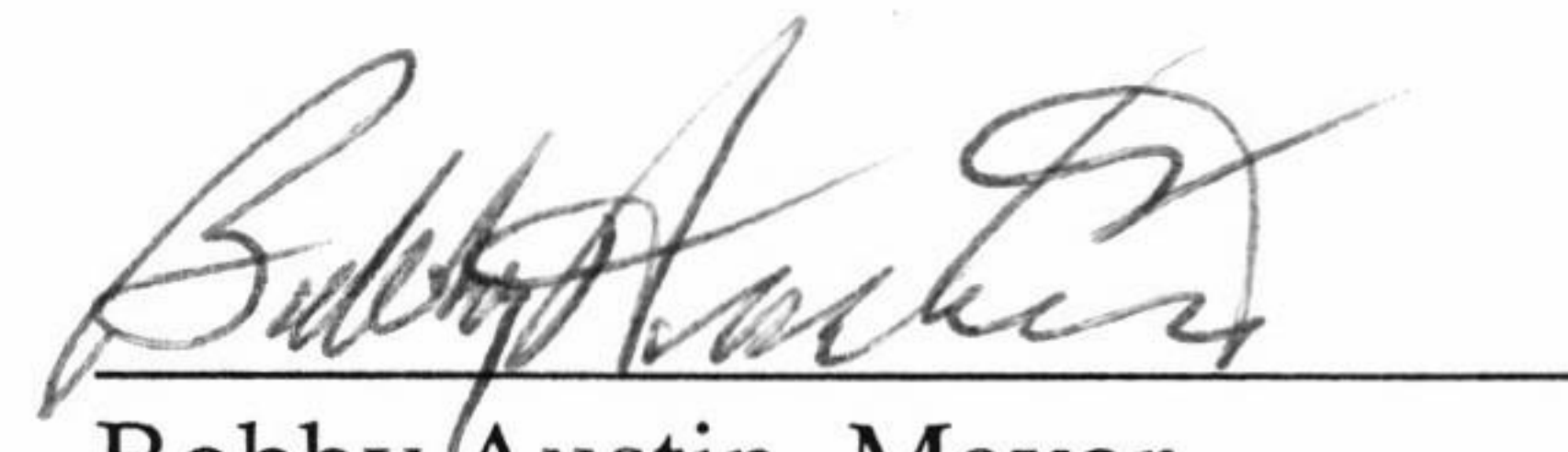
FIRST ITEM: Sewer Needs Survey: Town Administrator Robert Frye explained the sewer needs questionnaire that would be mailed out the end of February. The questionnaire is a self-addressed stamped post card which can be mailed in or returned in person to the Town Hall. No Council action was necessary.

SECOND ITEM: Commercial Trash Pickup: Town Administrator Robert Frye updated the Council that local businesses have been contacted regarding the Town's policy on commercial trash pickup. The business owners were informed that the Town would no longer be picking up their trash and they would need to make other arrangements for their commercial trash pickup. A motion was made by Joe Wesson to approve March 31, 2006 as the ending date for commercial trash pickup. The motion was seconded by Gerelene Blevins and all were in favor.

TOWN HALL MEETING: There were no speakers during the Town Hall Meeting.

ADJOURN: A motion was made to adjourn the Town Council meeting by Eddie Bowman and was seconded by Joe Wesson. All were in favor.


Jennifer Nichols, Town Clerk


Bobby Austin, Mayor

ANNEXATION ORDINANCE

WHEREAS, the Town Council of the Town of Sawmills has petitioned under the General Statutes 160A-31, as amended, to annex the area herein Described; and

WHEREAS, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency of said petition; and

WHEREAS, the Clerk has certified to the sufficiency of said petition and a public hearing on the question of this annexation was held at the Town Hall at 6:00 o'clock p.m. on the 21st day of February, 2006, after due notice of publication on February 10th; and

WHEREAS, the Town council does hereby find as a fact that said petition meets the requirements of General Statutes 160A-31 as amended;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SAWMILLS, NORTH CAROLINA:

Section 1. By virtue of the authority granted under General Statutes 160A-31, as amended, the following-described territory is hereby annexed and made a part of the Town of Sawmills from and after the 30th day of June 2006:

See attached Exhibit "A"

Section 2. Upon and after the 30th day of June 2006, the above described territory with its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the Town of Sawmills. Said territory shall be subject to municipal taxes according to G.S. 160A-49(f), 160A-58.10 as amended.

Section 3. That the newly annexed territory described hereinabove shall become a part of the Town of Sawmills.

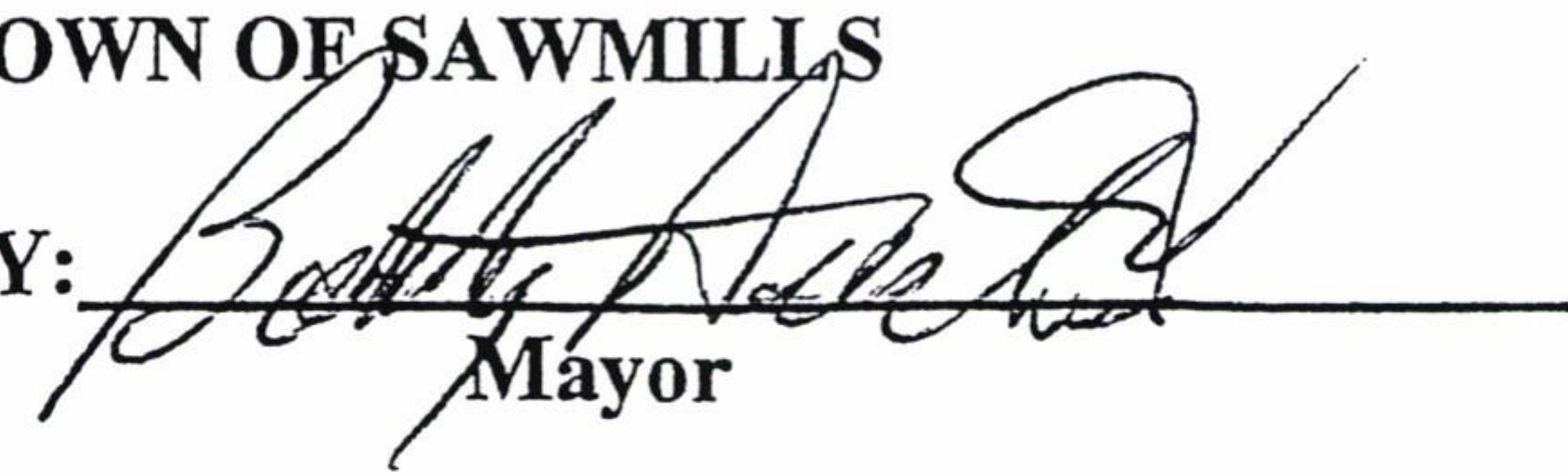
Section 4. The Mayor of the Town of Sawmills shall cause to be recorded in the office of the Register of Deeds of Caldwell County and in the office of the secretary of State in Raleigh, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this Ordinance. Such a Map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

Section 5. Notice of adoption of the ordinance shall be published once, following the effective date of annexation, in a newspaper having general circulations in the Town of Sawmills.

Section 6. This Ordinance shall be in full force and effect from and after the 30th day of June 2006.

ADOPTED THIS 21st DAY OF FEBRUARY, 2006

TOWN OF SAWMILLS

BY: 

Mayor

ANNEXATION RESOLUTION

WHEREAS, The Town Council of the Town of Sawmills did receive an Annexation Petition for Voluntary Annexation and that;

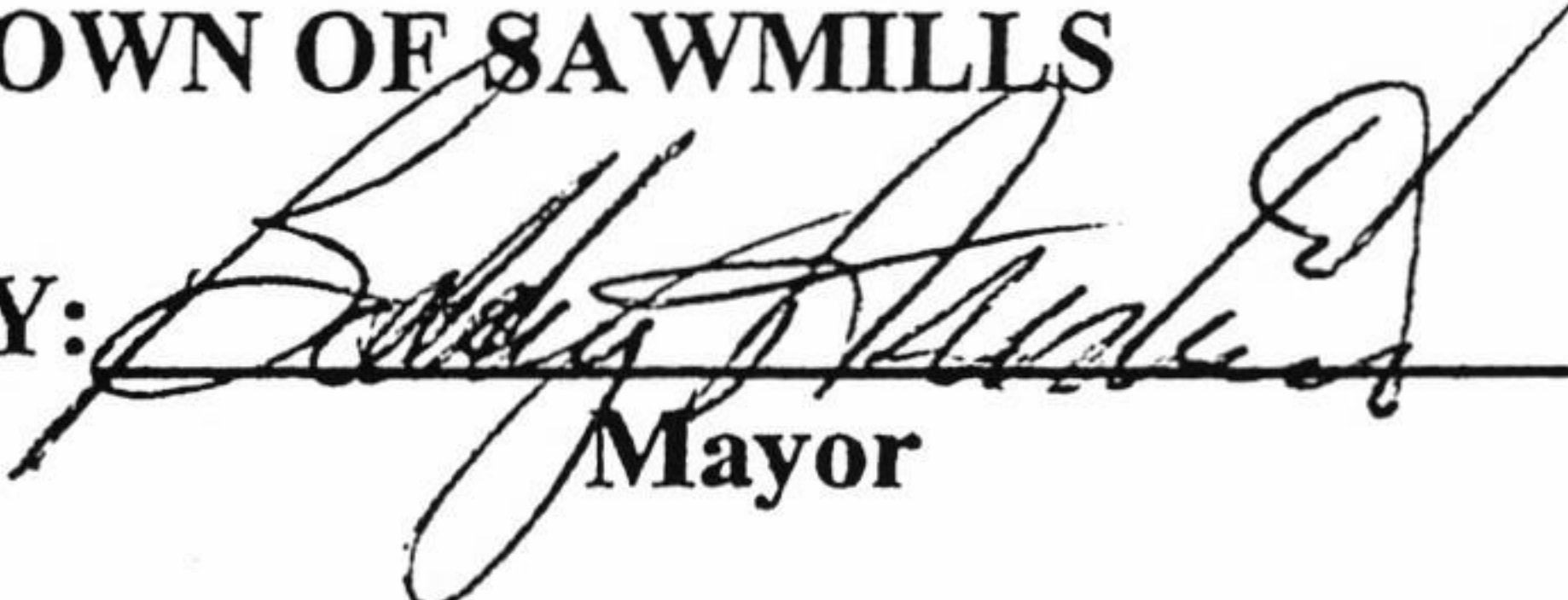
WHEREAS, the Town Clerk has certified that the Annexation Petition meets the requirements set forth by North Carolina General Statute 160A-38; and

WHEREAS the Town Council of the town of Sawmills has held a public hearing according to statutory procedures in regards to this voluntary petition;

NOW THEREFORE BE IT RESOLVED, that the Town Council of the Town of Sawmills does hereby adopt the Annexation Ordinance attached hereto which is incorporated herein by reference.

THIS 21st DAY OF February, 2006

TOWN OF SAWMILLS

BY: 

Mayor

NORTH CAROLINA

CLERK'S CERTIFICATE

CALDWELL COUNTY

TO THE HONORABLE MAYOR AND MEMBERS OF THE TOWN
COUNCIL OF THE TOWN OF SAWMILLS:

The Town Clerk has examined the annexation petition submitted by Lakeside
Farm & Land LLC for property being briefly described as _____
Hayes Mill Landing
_____ and has determined that the annexation petition meets the requirements set forth
by N. C. G. S. Section 160A-31.

This the 15 day of February, 2006

Jennifer H. Nichols
Town Clerk



An Ordinance Amending the Town of Sawmills Sewer Use Ordinance

WHEREAS, it is the desire of the Town Council of the Town of Sawmills to continually update and revise the Town of Sawmills' Code of Ordinance in accordance with the needs of the citizens of the Town of Sawmills, and

WHEREAS, the Town of Sawmills has initiated a text amendment to the Sawmills Sewer Use Ordinance:

WHEREAS, the Town Council has reviewed and voted unanimously to adopt said proposed text amendment:

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SAWMILLS, NC,

The Town Council shall cause the Sawmills Sewer Ordinance to be amended to reflect the following text changes to Section 17-28 Regulations.

2.1 General Discharge Prohibitions

Item (L) shall now read as follows:

(L) Grease Traps, Grit Traps, Oil Traps, and Lint Traps

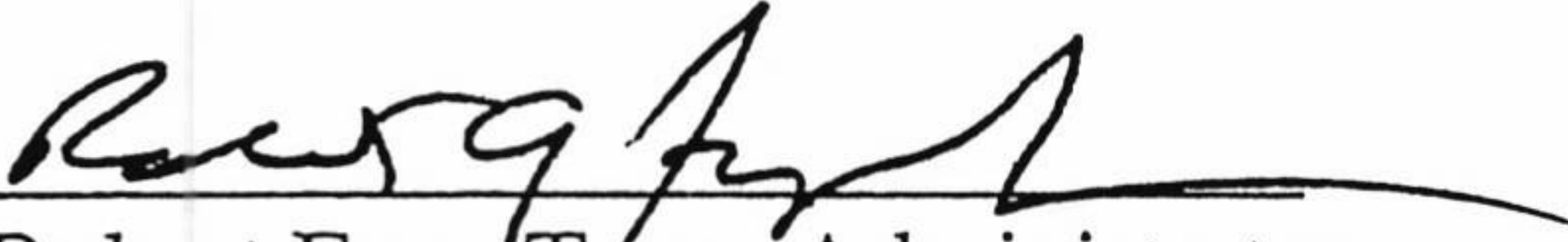
Grease, oil, lint, and grit interceptor traps shall be installed when in the opinion of the POTW Director they are necessary for the proper handling of liquid waste containing floatable oil, grease, solvents, lint, grit or any other ingredients which can cause or threaten to cause stoppages or impair the efficiency of the utility's wastewater collection system or threaten the safety of its employees. All traps shall be of a type and capacity approved by the POTW Director and be constructed in accordance with applicable building codes. All traps shall be maintained by the user(s) at his or her expense and shall be operated at all times in an efficient manner. The user(s) shall be responsible for the proper removal and disposal by appropriate means the captured material and shall maintain records of the dates and means of disposal which are subject to inspection and review by the POTW Director. All removal and hauling of the collected materials shall be performed by a licensed experienced waste disposal firm.

1. Every industry, commercial establishment, or institution which serves meals or washes pots, pans, or dishes and has a grease discharge shall install an adequately sized grease trap prior to discharging into the town's wastewater collection system. The POTW Director shall determine the need and approve the installation particularly as to size, design, and location.

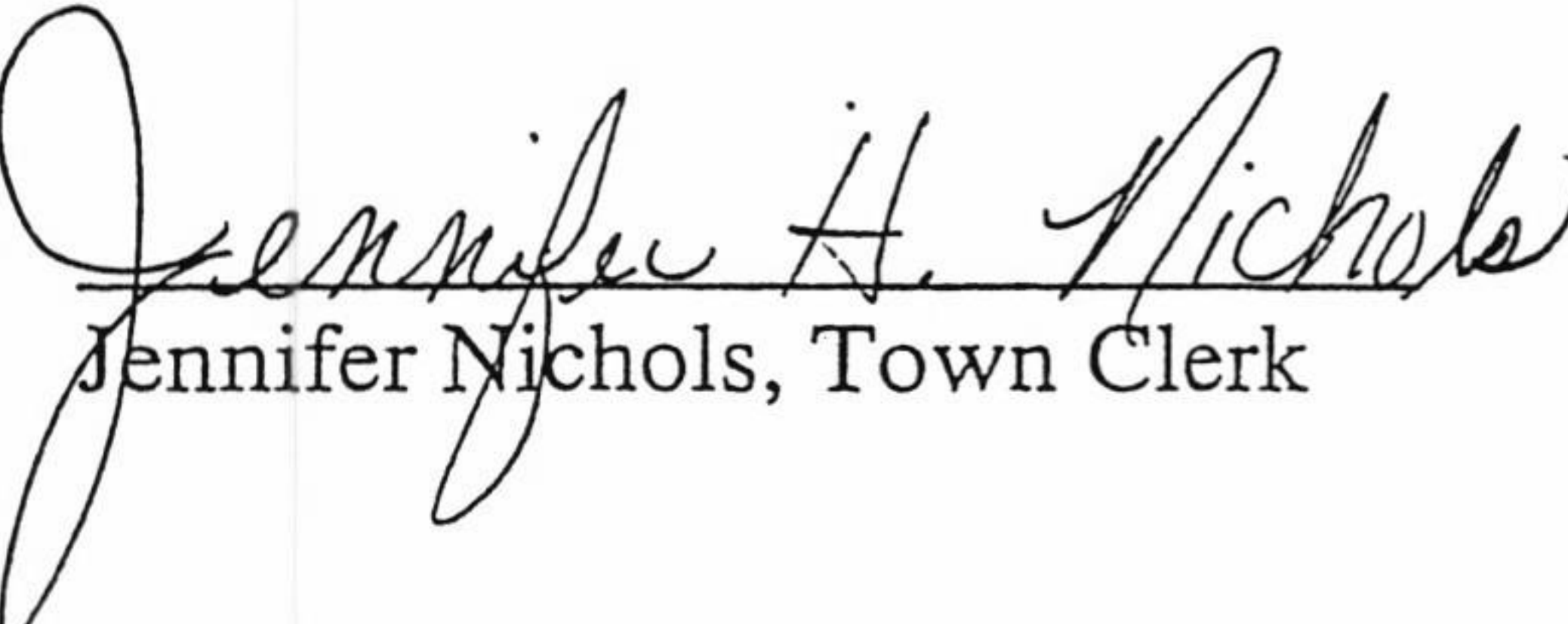
2. All new restaurants, laundries, wash racks, vehicle service stations, private multi-user systems, engine or machinery repair shops, and all other facilities that produce grease, grit, oil lint, or other materials shall install the appropriate approved trap during initial construction.
3. Existing industry, commercial establishments, or institutions required to install interceptor traps shall:
 - a. install such trap within three (3) months after the initial requirement date set forth by the POTW Director.
 - b. Within thirty (30) days after completion provide the POTW Director an affidavit that said establishment has complied with the above.
4. Grease and other interceptor traps shall not be required for private living quarters or dwelling units.
5. Any establishment that fails to comply with the provisions and requirements of this section shall be subject to enforcement under Section 17-31 of this ordinance.

Adopted upon the 1st reading, this 21st DAY OF FEBRUARY, 2006

ATTEST:


Robert Frye, Town Administrator


Bobby Austin, Mayor


Jennifer Nichols, Town Clerk

Town Seal

Tentative Budget Schedule FY 2006-07

February 21st

(Regular Council Meeting) Adoption of Budget Schedule

March 16th

(Special Meeting) Budget Workshop Number 1

Thursday Afternoon 3:00-5:00

April 13th

(Special Meeting) Budget Workshop Number 2

Thursday Afternoon 3:00-5:00

May 11th

(Special Meeting) Budget Workshop Number 3

Thursday Afternoon 3:00-5:00

May 25th

(Special Meeting) Budget Workshop Number 4 (If Needed)

Thursday Afternoon 3:00-5:00

June 6th

(Special Council Meeting) Presentation of FY 2006-07 Budget

June 20th

(Regular Council Meeting) Budget Hearing

June 20th

(Regular Council Meeting) Adopt Budget