

TUESDAY, MARCH 23, 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: Mayor Gibbs gave the invocation.

PLEDGE OF ALLEGIANCE: Mayor Bob Gibbs led the Pledge of Allegiance.

APPROVAL OF FEBRUARY 16th REGULAR MEETING MINUTES: Mayor Gibbs asked for a motion to approve the February 16, 2010 regular meeting minutes.

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

APPROVAL OF FEBRUARY 16th CLOSED SESSION MEETING MINUTES: Mayor Gibbs asked for a motion to approve the February 16, 2010 closed session meeting minutes.

On a motion made by Gerelene Blevins and seconded by Donnie Potter, the minutes were approved. All were in favor.

APPROVAL OF MARCH 2nd SPECIAL MEETING MINUTES: Mayor Gibbs asked for a motion to approve the March 2, 2010 special meeting minutes.

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

APPROVAL OF MARCH 2nd CLOSED SESSION MEETING MINUTES: Mayor Gibbs asked for a motion to approve the March 2, 2010 closed session meeting minutes.

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

PUBLIC HEARING REQUEST FOR VOLUNTARY ANNEXATION:

OPEN PUBLIC HEARING: Mayor Gibbs asked for a motion to open the public hearing.

Gerelene Blevins made a motion to open the public hearing with Donnie Potter seconding. All were in favor.

STAFF COMMENTS: Town Administrator Robert Frye stated all the requirements have been met according to the General Statutes for the voluntary annexation of property owned by Rebecca Powell at the end of Legacy Lane. July 1, 2010 will be the formal date of annexation.

PUBLIC COMMENTS: Mayor Gibbs asked if anyone signed up to speak at the Public Hearing.

There was no one wishing to speak at the public hearing.

CLOSE PUBLIC HEARING: Mayor Gibbs asked for a motion to close the public hearing.

On a motion made by Joe Wesson and seconded by Donnie Potter, the public hearing was closed. All were in favor.

COUNCIL ACTION: On a motion made by Gerelene Blevins and seconded by Joe Wesson, the Voluntary Annexation was approved with the formal date of July 1, 2010. All were in favor.

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

There was no one signed up to speak.

FINANCIAL MATTERS:

BUDGET AMENDMENT: FUND BALANCE APPROPRIATION: Town Administrator Robert Frye stated unforeseen financial issues has caused the Town to require, two budget amendments to complete the current fiscal year requiring a fund balance appropriation.

There are sufficient funds in the budget to cover amendments for the following:

General Fund Budget in the amount of \$13,800.00

Utilities Fund Budget in the amount of \$89,200.00

Total amount required is **\$103,000.00**

On a motion made by Eddie Bowman and seconded by Joe Wesson, the two budget amendments totaling \$103,000.00 were appropriated from the fund balance. All were in favor.

BID AWARD: DRY PONDS CDBG-R WATER LINE PROJECT: The Town recently received the following bids for the Dry Ponds CDBG-R Waterline Project:

C & W Utilities Inc.	\$158,659.45
Hickory Sand Company*	\$219,757.40
Huffman Grading	\$193,579.00
Iron Mountain Construction	\$235,397.59
Locke-Lane Construction	\$217,986.28
Winkler Inc.	\$223,374.00

*This bid does not include work on Union Church Road.

Town Administrator Frye stated that added in the amount was work on Union Church Road contingent on approval from the State. There are sufficient funds in the budget to cover this expenditure.

After discussion, Council awarded the bid to C & W Utilities Inc. in the amount of \$158,659.45 on a motion made by Eddie Bowman and seconded by Beverly Fry. Those in favor were Eddie Bowman, Beverly Fry, and Joe Wesson. Those opposed were Gerelene Blevins and Donnie Potter for a 3-2 vote.

APPROVAL OF ARCHITECTURAL SERVICES CONTRACT: The Town has revised and modified the design of the Town Hall since the initial contract with the Towns architect CBSA in 2008.

The Town will have to sign a new contract that shows the changes made and adding Community Center to the title.

After discussion Council approved the contract with CBSA architects on a motion made by Joe Wesson and seconded by Eddie Bowman,. All were in favor.

REQUEST FOR DONATION: The Town has received a request from the Caldwell County Crime Stoppers for a donation.

Town Administrator Frye stated that there are sufficient funds in the budget to cover this expenditure.

On a motion made by Gerelene Blevins and seconded by Donnie Potter, a donation of \$100.00 was approved. All were in favor.

PLANNING MATTERS: PLANNING BOARD APPOINTMENTS: Mayor Gibbs stated that the Town Planning Commission needs three people to serve on the board. The three members will consist of two people who live in the Town and one person who lives in the Extra Territorial Jurisdiction.

On a motion made by Donnie Potter and seconded by Joe Wesson, Council will table this until the next regular scheduled meeting.

UPDATE: PARKS AND RECREATION SPRING BASEBALL SCHEDULE: Benny Townsend was on hand to answer any questions Council may have on the spring baseball. (See attached schedule).

No Council action required.

UPDATE: VETERAN'S PARK REPAIR ISSUES: The Town has received a notice of potential violation from the State of North Carolina. The State could fine the Town up to \$5,000.00 a day if the issues listed in the notice are not addressed.

After much discussion, a special meeting was called for Wednesday, March 31, 2010 at 4:30 in the Council Chambers to discuss how to proceed on this matter.

On a motion made by Joe Wesson and seconded by Beverly Fry, a special meeting will be held March 31, 2010 at 4:30 in the Council Chambers. All were in favor.

DISCUSSION: TOWN EMPLOYEES RUNNING FIRE CALLS: Councilwoman Gerelene Blevins asked that this item placed on the agenda for discussion due to recent Town employees going to a fire call during regular working hours.

Town Administrator Frye stated that since the Town's incorporation the rule has always been that employee's do not run first responder calls but if needed for a structure fire and the supervisor gives permission, the employees may clock out and respond to the fire.

On a motion made by Joe Wesson and seconded by Beverly Fry, Council formally adopted the existing policy. (See attached). All were in favor.

DISCUSSION: COUNCIL FISCAL POLICY AND PROCEDURES: Mayor Gibbs asked the Council to review the enclosed list of current fiscal policies for the Town to see if any changes need to be made.

No Council action is required as Council wishes not to makes any changes.

ADJOURN: On a motion made by Eddie Bowman and seconded by Joe Wesson, the meeting was adjourned. All were in favor.


Susan Nagle, Town Clerk


Bob Gibbs, Mayor

SAWMILLS BASEBALL:

35 kids signed up

3-Teams

1-Tee-ball team

2-11/12 Year old teams

Season starts April 12, 2010

Season ends May 28 2010

Tee-ball team plays Monday and Thursday nights

11/12 Year old teams play Monday, Tuesday, and Friday nights

SAWMILLS CHURCH LEAGUE:

10 teams

Preseason Tournaments played March 29 through April 1, 2010

Season starts April 6, 2010

Season ends June 25, 2010

Teams play Tuesday and Thursday nights

UPWARD SOCCER:

32 kids signed up

4 teams

2 younger teams

2 older teams

Season starts April 10, 2010

Season ends May 29, 2010

The church upward soccer league will use the Baird Drive Park and play on Saturday

Town Council Financial Policies

Budget Line Items:

Town Administrator as Budget Officer authorized to effect interdepartmental transfers of minor budget amendments not to exceed 10% of the appropriated funds for the Department's allocation.

Budget Amendments:

Except for the above mentioned minor adjustments, Council approves all budget amendments.

Fund Balance Appropriations:

Council approves all fund Balance Appropriations.

Purchase Orders:

Town Administrator may sign Purchase Orders for items up to \$1,000.00

Mayor may sign Purchase Orders for items up to \$10,000.00

Council Approves Purchase Orders over \$10,000.00

Emergency Situations

In Emergency Situations, the Mayor may authorize any and all actions necessary to deal with the emergency.

Mayor must notify Council at the earliest reasonable time as to actions taken.

Fire Call Policy

Town employees may respond to emergency calls when:

1. A request for assistance is issued by the Fire Department.
2. Town Employee comes upon or witnesses an accident

If responding to an incident it is understood that the employee must seek permission to leave his work site from his direct supervisor.

If responding to an incident, it is understood that the employee is not "on the clock" and is not being paid for their time away from work.

Adopted March 23, 2010.



MAYOR
Bob Gibbs

**TOWN
COUNCIL**

TOWN ADMINISTRATOR
Robert Frye

Eddie Bowman, Mayor Pro-Tem
Gerelene Blevins
Beverly Fry
Joe Wesson
Donnie Potter

NORTH CAROLINA

CLERK'S CERTIFICATE

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 Rebecca Powell for property being briefly described as being all of lot No 2 of the "Family Subdivision of the property of Jonathan C. Powell and David W. Powell" as described in Plat Book 26 Page 152, Caldwell County Registry; and has determined that the annexation petition meets the requirements set forth by N.C.G.S Section 160A-31.

This the 23 day of MARCH 20 10

Susan Nagle
Susan Nagle TownClerk

Town of Sawmills

4076 US Highway 321-A • Sawmills, N.C. 28630 • (828) 396-7903 • (828) 396-8955 fax
<http://www.townofsawmills.com/>

The Town of Sawmills does not discriminate on the basis of age, sex, race, religion, national origin, disability, political affiliation, or marital status.



MAYOR
Bob Gibbs

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Gerelene Blevins
Beverly Fry
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Donnie Potter

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 23 DAY OF MARCH, 2010

TOWN OF SAWMILLS

BY: _____

[Signature]
Mayor

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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 23rd day of March 2010, after due notice of publication on February 17th; 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 2010:

See attached Exhibit "A"

Section 2. Upon and after the 30th day of June 2010, the above described territory and 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.

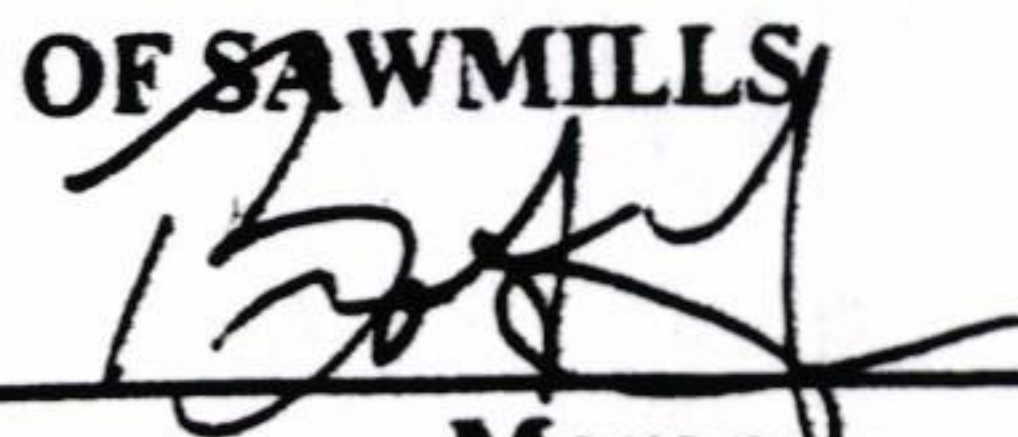
Section 4. The Mayor of the Town of Sawmills shall cause to be recorded in the office of the Register of Deeds of Caldwell County and in the office of the secretary of State in Raleigh, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified cop of this 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 2010.

ADOPTED THIS 23 **DAY OF** MARCH, 2010

TOWN OF SAWMILLS

BY: 

Mayor

Town of Sawmills

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