

TUESDAY, APRIL 21, 2009
TOWN OF SAWMILLS REGULAR COUNCIL MEETING
6:00 P.M.

COUNCIL PRESENT

Bobby Austin
Bob Gibbs
Gerelene Blevins
Beverly Fry
Eddie Bowman
Joe Norman

STAFF PRESENT

Terry Taylor
Robert Frye
Susan Noll

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

INVOCATION: Mayor Bobby Austin gave the invocation.

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

APPROVAL OF MARCH 17th REGULAR MEETING MINUTES: Mayor Austin asked for a motion to approve the March 17, 2009 regular meeting minutes.

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

APPROVAL OF MARCH 17th CLOSED SESSION MINUTES: Mayor Austin asked for a motion to approve the March 17, 2009 closed session minutes.

On a motion made by Eddie Bowman and seconded by Bob Gibbs, the closed session minutes were approved. All were in favor.

ADOPT AGENDA: Mayor Austin asked for a motion to adopt the agenda with the following changes: add Veterans Park Change Order/Fund Balance Appropriation as line item 8. In addition, change line item 8 to line item 9, change line item 9 to line item 10, and change line item 10 to line item 11.

On a motion made by Gerelene Blevins and seconded by Eddie Bowman, the agenda was adopted with changes. All were in favor.

PHASE 2 STORMWATER PROGRAM RESOLUTION: With Caldwell County's withdrawal from this program the Town of Sawmills will need a resolution authorizing the City of Lenoir to implement and administer the Caldwell County Stormwater management ordinance, which is jointly funded by Sawmills, Hudson, Granite Falls, Cahah's Mountain, Gamewell, and Lenoir.

On a motion made by Eddie Bowman and seconded by Joe Norman, the resolution was adopted. All were in favor.

IDENTITY THEFT PREVENTION POLICY: Congress passed a series of laws last year on identity theft that requires local governments to have a policy in place to help deal with and prevent identity theft.

On a motion made by Eddie Bowman and seconded by Gerelene Blevins, the Identity Theft Protection Policy as developed by Town Attorney Terry Taylor to prevent identity theft was adopted. A committee to oversee the policy will be appointed at the next Council meeting. All were in favor.

VETERANS PARK CHANGE ORDER/FUND BALANCE APPROPRIATION: In grading the Veterans Park, the contractor found problems with the soil and rock therefore staff would recommend a change order/fund balance appropriation in the amount of \$354,185.75 as the Town will need to put in an irrigation system and a well.

On a motion made by Joe Norman and seconded by Bob Gibbs, Council agreed to a change order/fund balance appropriation in the amount of \$354,185.75. All were in favor.

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

There was no one wishing to speak.

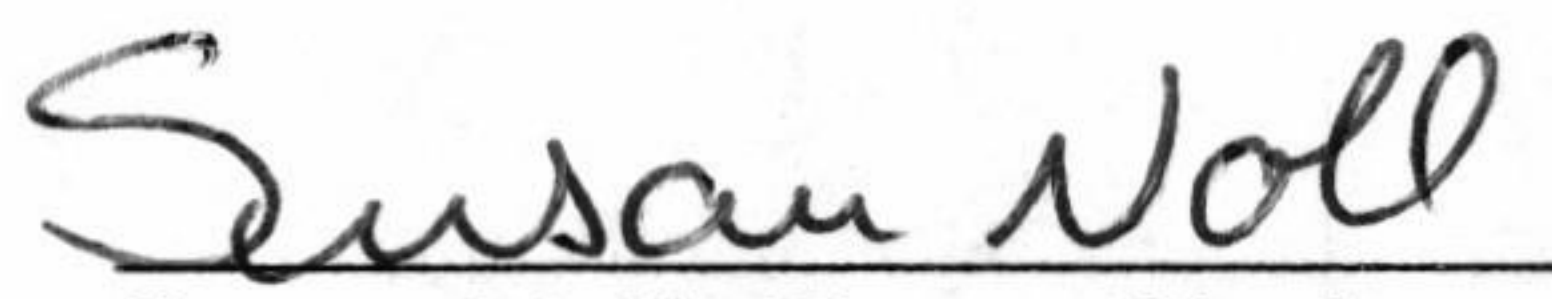
CLOSED SESSION: ATTORNEY/CLIENT PRIVILEGE: Mayor Austin asked for a motion to go into closed session at 6:13 p.m.

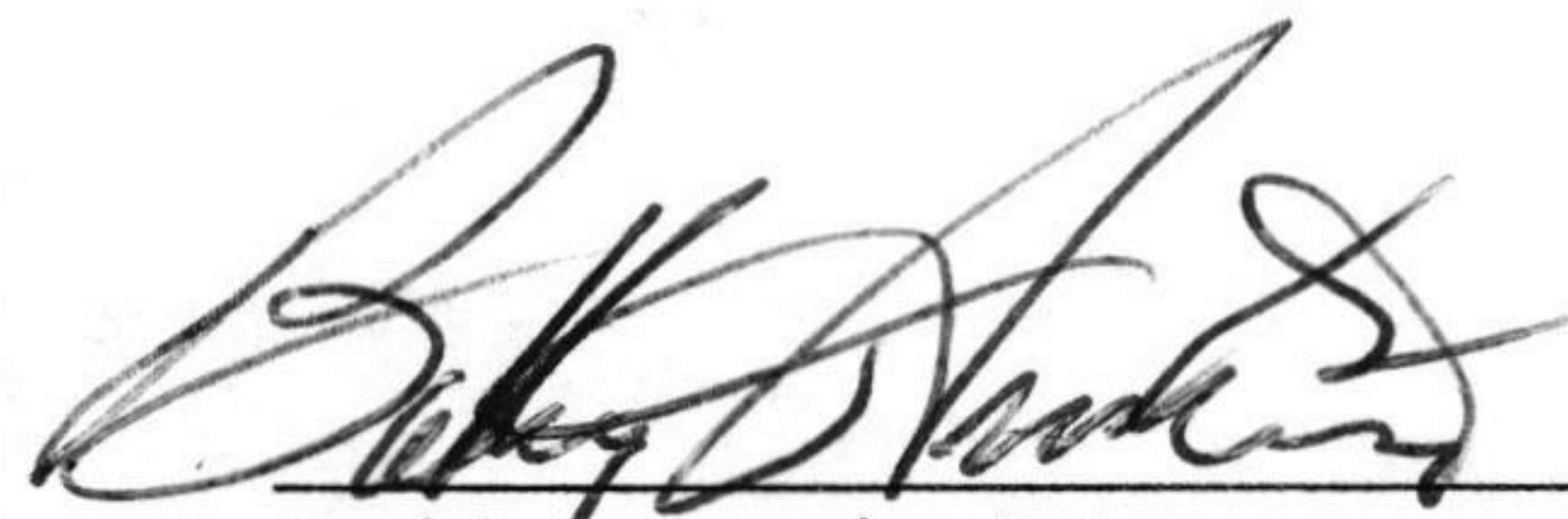
On a motion made by Eddie Bowman and seconded by Gerelene Blevins, Council went into closed session. All were in favor.

RETURN TO OPEN SESSION: On a motion made by Eddie Bowman and seconded by Bob Gibbs, the Council returned to regular session at 6:43p.m. All were in favor.

ACTION TAKEN: There was no action taken.

ADJOURN: On a motion made by Joe Norman and seconded by Gerelene Blevins, the meeting was adjourned. All were in favor.


Susan Noll, Town Clerk


Bobby Austin, Mayor

RESOLUTION

IDENTITY THEFT PREVENTION POLICY FOR THE TOWN OF SAWMILLS

WHEREAS, in accordance with Section 114 of the Fair and Accurate Credit Transactions Act (FACTAct), requiring creditors to develop and implement a written Identity Theft Prevention Program pursuant to the Federal Trade Commission's Red Flags Rule;

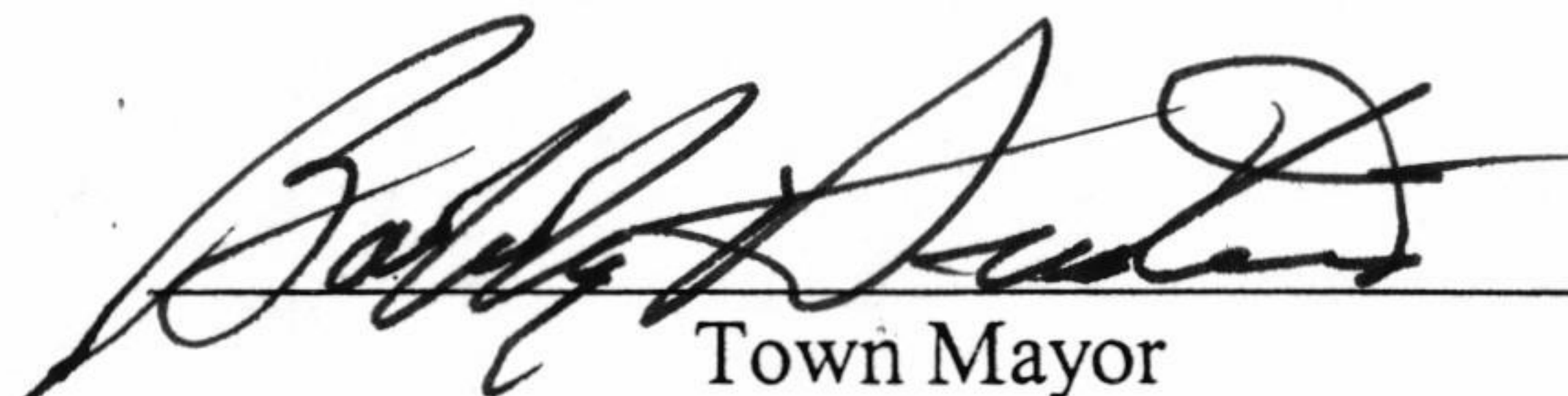
WHEREAS, for the purposes of the FACTAct, retail utilities are "creditors" subject to the act;

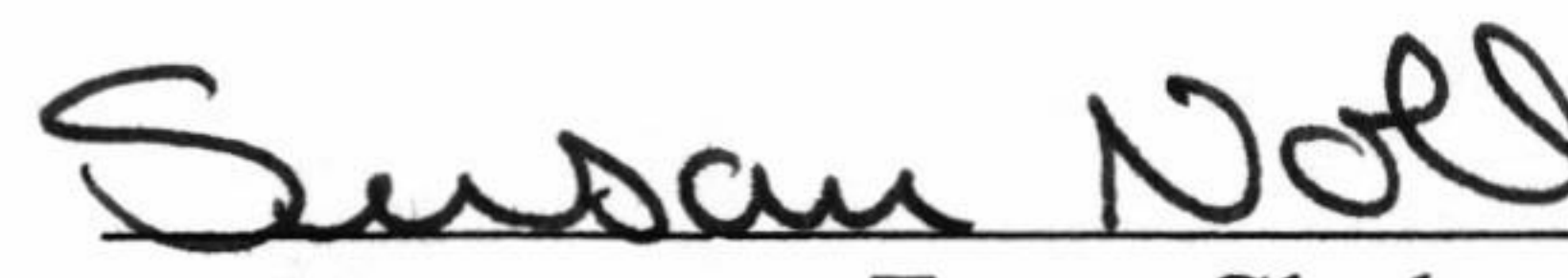
WHEREAS, the Town of Sawmills wishes to adopt a policy to protect the public from identity theft relating to its customers;

WHEREAS, the Sawmills Town Council will require the Program Administrator to implement the program and present a yearly report to the Council and to gain approval for updates to the program as required;

NOW THEREFORE, BE IT RESOLVED THAT, the Sawmills Town Council hereby adopts the Identity Theft Prevention Policy, effective APRIL 21, 2009.

Adopted this 21st day of APRIL, 2009.


Town Mayor


Town Clerk

**RESOLUTION AUTHORIZING THE CITY OF LENOIR TO
IMPLEMENT AND ADMINISTER THE
CALDWELL COUNTY STORMWATER MANAGEMENT ORDINANCE,
CALDWELL COUNTY STORMWATER PLAN, AND
NPDES PERMIT NUMBER NCS000474**

WHEREAS, the Federal Water Pollution Control Act of 1972 ("Clean Water Act") compels certain urbanized areas to adopt minimum stormwater 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, Cahah's Mountain, Hudson, Sawmills, and Gamewell were co-permitted to implement the Phase II Stormwater Rules under National Pollutant Discharge Elimination System (NPDES) Permit Number NCS000474, issued by the North Carolina Department of Environment and Natural Resources; and

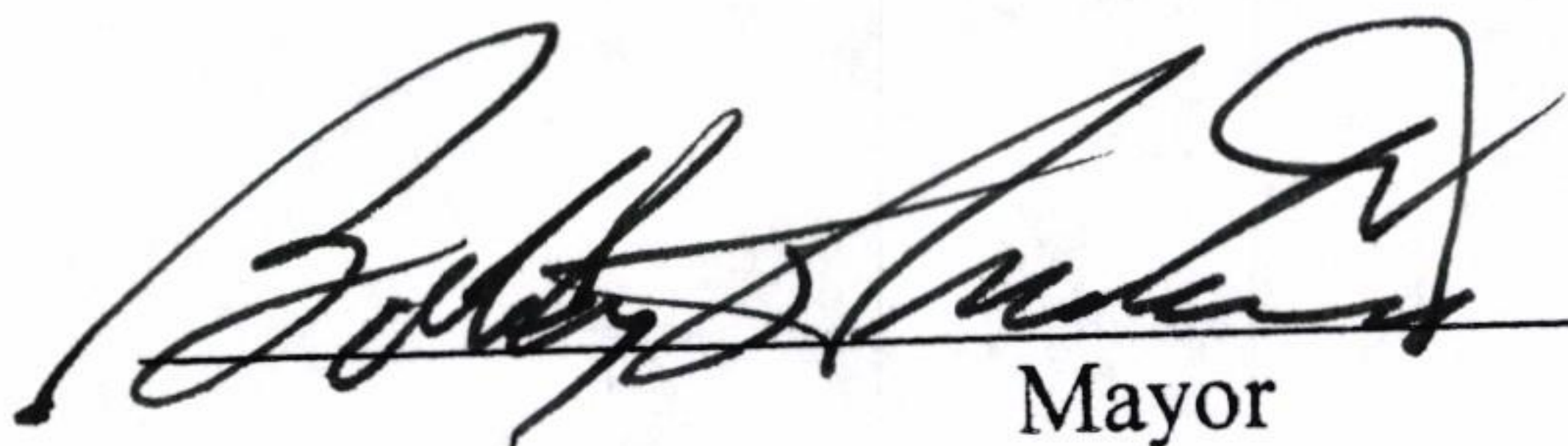
WHEREAS, Caldwell County has been the lead agency responsible for implementation and administration of said Permit since its effective date of October 1, 2005; and

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, the City of Lenoir intends to implement the requirements of the Permit within the areas of Caldwell County that are federally mandated under the Phase II Stormwater Rules;

NOW, THEREFORE, BE IT RESOLVED BY THE SAWMILLS TOWN COUNCIL that the City of Lenoir is authorized to implement and administer the Caldwell County Stormwater Ordinance, the Caldwell County Stormwater Plan, and NPDES Permit Number NCS000474 within the portions of Caldwell County that are federally mandated under the Phase II Stormwater Rules.

ADOPTED THIS THE 21 DAY OF APRIL, 2009.



Mayor



Clerk

BUDGET AMENDMENT
TOWN OF SAWMILLS
GENERAL FUND

The Town Council of the Town of Sawmills at a meeting on the 21 day of April, 2009 passed the following resolution.

Be it resolved that the following amendments be made to the Budget Resolution for the fiscal year ended June 30, 2009.

Revenue - General Fund :

Account Number	Description	Increase	Decrease
1-00-1001	Gen Fund Cash In Bank		\$354,185.75

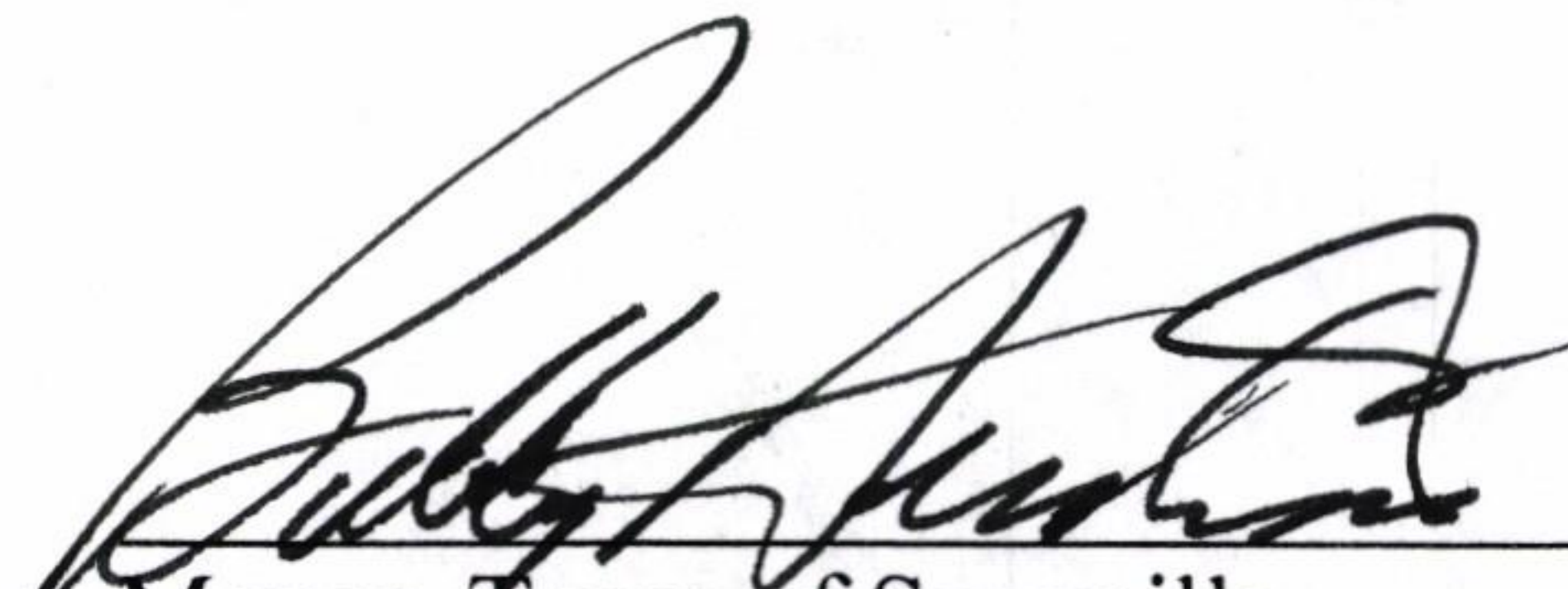
Expenditures - Parks/Recreation:

Account Number	Description	Increase	Decrease
1-00-4493	Operating Transfer to Capital	\$354,185.75	

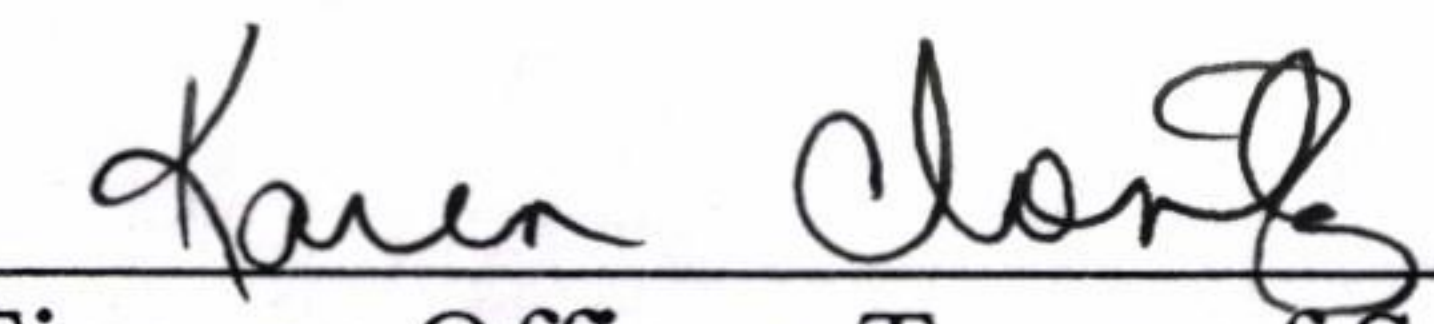
Explanation: Increasing Capital Outlay to offset delay of reimbursement funds from PART-F Grant

Total Appropriation in Current Budget	\$393,156.00
Amount of <u>Increase</u> /Decrease of Amendment	\$354,185.75
Total Amount in Current Amended Budget	\$747,341.75

Passed by majority vote of the Town Council of the Town of Sawmills on the 21 day of APRIL, 2009. This amendment shall be attached to the minutes of such meeting and become official upon signature of the Mayor and Finance Officer.



Mayor, Town of Sawmills



Finance Officer, Town of Sawmills