

AUGUST 15, 2000
MINUTES OF MEETING

COUNCIL PRESENT

Max Andrews
Joe Helton
Bobby Austin
Gerelene Blevins
Bill Ramsey
David Stamey

STAFF PRESENT

Terry Taylor
Deanna Rios
Mark Bloomer
Wanda Reid

CALL TO ORDER-The meeting was called to order by Mayor Max Andrews. He welcomed all guests.

INVOCATION-Rev. Mike Ramsey gave the invocation.

ADOPT AGENDA-Bill Ramsey made the motion to adopt the agenda. David Stamey seconded. All were in favor.

APPROVE MINUTES-On a motion made by David Stamey, seconded by Gerelene Blevins, Council voted to approve the minutes of the regular meeting held on August 1, 2000.

PUBLIC HEARING- ORDINANCE TO ALLOW MANUFACTURED HOMES ON LOTS FOR FAMILY MEMBERS-Town Planner, Mark Bloomer related to Council the changes made to the Ordinance to Allow Manufactured Homes on Lots for Family Members. David Stamey made the motion to open the public hearing. Bobby Austin seconded. All were in favor.

COMMENTS FOR AND AGAINST-Comments against the changes were spoken by several residents of Virginia Acres. Some of the comments against allowing manufactured homes on lots for family members are as follows:

- ◆ Allowing trailers on property next to stick built homes would decrease the value of the stick built homes.
- ◆ Council needed to make decisions that were good for the whole town, instead of just a few people.
- ◆ If there is a need to be close to ailing parents, make an addition to the parents home instead of placing a mobile home on adjoining property

- ◆ Maybe the Town could give a tax break if an addition was added to the home instead of moving a trailer near the house.
- ◆ Would like the Town to protect the homeowners of stick built homes.

No one spoke for the Ordinance.

CLOSE PUBLIC HEARING-On a motion made by David Stamey, seconded by Gerelene Blevins, Council voted to close the public hearing.

EMERGENCY MANUFACTURED HOME PROVISION-David Stamey made the motion to table this until provisions can be re-discussed, decided upon and the correct wording is put in order. Joe Helton seconded. All were in favor.

CALL FOR PUBLIC HEARING-David Stamey made the motion to call a public hearing on Emergency Manufactured Home Provision for September 19th, 2000, at 6:00 PM. Gerelene Blevins seconded. Vote unanimous.

ENHANCEMENT AGREEMENT FOR SIDEWALKS-Town Planner Mark Bloomer related that the Department of Transportation did not see a problem with changing the sidewalks from Helena Street to US Highway 321-A. After some discussion, it was decided that Planner Mark Bloomer determine all the property owners that the Town would need an easement from and bring this back to the Board.

MOBILE HOME PARK PLAT APPROVAL (White Pine MHP)- Mr. Bloomer informed Council the plat does not meet all of the requirements of Section 93.097 (Nonconforming Manufactured Home Park Provisions) of the Sawmills' Town Code. He related that the Planning Board voted to not approve the plat and that staff does not recommend approval of the plat. On a motion made by Bobby Austin, seconded by David Stamey, Council voted to deny approval of the plat.

PLAT OF HAYES MILL LANDING-Planner Mark Bloomer related that Hayes Mill Landing is a major subdivision. He related that the subdivision is located beside Doe Run Development. The plat does not contain all of the items required by Section 92.55 of the Sawmills' Town Code. Mr. Bloomer, with the Planning Board, recommend approval of the plat conditioned on those items being added to the plat that are required by Section 92.55. On a motion made by David Stamey,

seconded by Gerelene Blevins, Council voted to approve the plat on the condition that items 1-33 listed in the agenda packet, be added to the plat that is required by Section 92.55 and are not currently shown on this plat.

EXTRA TERRITORIAL JURISDICTION-Interim Administrator Deanna Rios informed Council the Planning Board feels that nothing should be done with the ETJ until the Town Land Use Plan and Study are completed. On a motion made by Bill Ramsey, seconded by Bobby Austin, Council voted to let the Planning Board determine the date for the Planning Board to meet with the Town Council for discussion of the ETJ.

LAND USE PLAN AND STUDY- David Stamey made the motion to have the Land Use Plan and Study done. Gerelene Blevins seconded, with all in favor.

On a motion made by Joe Helton, seconded by Gerelene Blevins, council voted to check with Western Piedmont Council of Governments about the Land Use Plan and Study.

WATER TANK INSPECTION-Ms. Rios informed Council she had received an estimate from Utility Service Company to inspect the Town's water storage tank for approximately \$1,700. David Stamey made the motion to get Utility Service Company to inspect the Town's water tank. Bobby Austin seconded. All were in favor.

COST ESTIMATE FOR 321 WATERLINE-Street Committee member Joe Helton made the recommendation to not include Contracts B & C in the waterline project and only extend the 321 Waterline to Cloninger Way. David Stamey made the motion to put out for bids to extend the 321 waterline up to Cloninger Way. Joe Helton seconded. Vote unanimous.

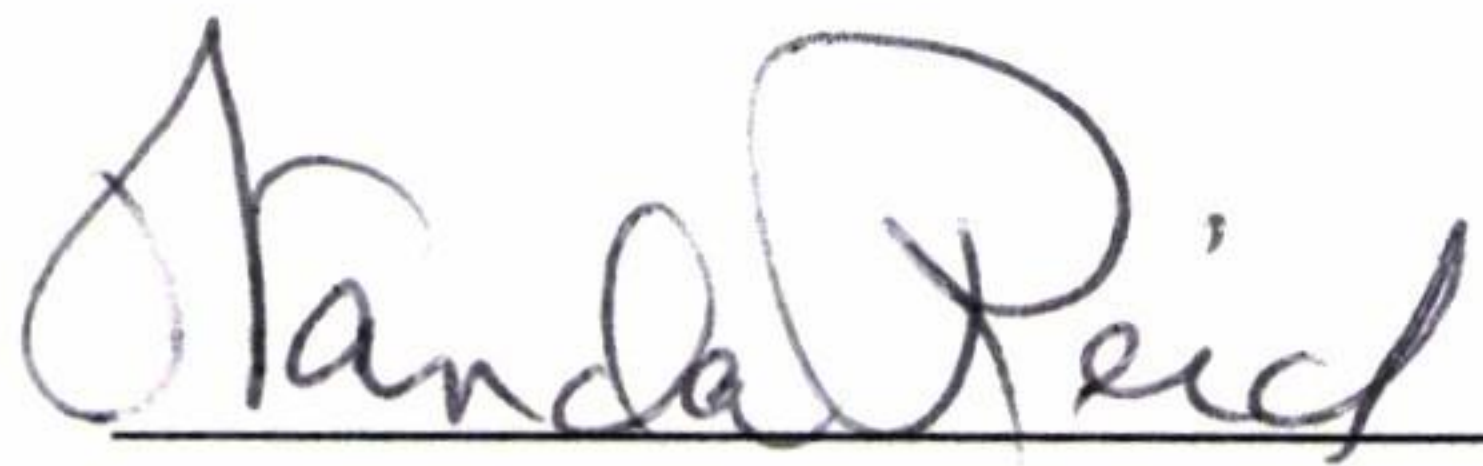
OTHER BUSINESS-

- ◆ ***APPROVE RESOLUTION***-On a motion made by Bobby Austin, seconded by Bill Ramsey, Council voted to adopt RESOLUTION AUTHORIZING ESTABLISHMENT OF AN ORDINANCE LEVYING TAX ON GROSS RECEIPTS DERIVED FROM SHORT-TERM LEASE OR RENTAL OF MOTOR VEHICLES.

- ◆ **ALTERNATE BOARD OF ADJUSTMENT MEMBER**-David Stamey made the motion to appoint Buford Pennell as an alternate to the Board of Adjustment and to be sworn in September 11th, 2000. Bobby Austin seconded, with all in favor.
- ◆ **FREEMASON ROAD**- Mayor Max Andrews related that between a meeting with the County Manager, County Public Works Director and the Town of Sawmills Mayor and Interim Administrator, no decision was made about getting water to the persons living on Freemason Road. He related that 30 users would need to tap on and tap fees would be approximately \$2,500.
- ◆ **SPARTAN DRIVE**-David Stamey related that other than Wayne Austin's corner stake not in the right place, everyone else on Spartan Drive was satisfied with the sewer line.
- ◆ **TOWN ADMINISTRATOR POSITION**-Mayor Max Andrews stated that he had received 16 resumes for the Town Administrator position.
- ◆ **AIR CONDITIONER IN COUNCIL ROOM**-On a motion made by Gerelene Blevins, seconded by David Stamey, Council voted to have the air conditioner checked out in the council room as it is not cooling properly.
- ◆ **JOB WELL DONE**-Councilwoman Gerelene Blevins related Dare Duncan had bragged on the Public Works Department about the great job the employees were doing.
- ◆ **VANDALISM** Joe Helton informed Council of the car windows broken and damage done on Baker Circle and Chantilly Drive. He related he had asked the sheriffs deputies to patrol the area more often.

CLOSED SESSION- Bill Ramsey made the motion to go into closed session at 7:55 PM. David Stamey seconded. All were in favor.

ADJOURN-On a motion made by Bill Ramsey, seconded by Bobby Austin, Council voted to come out of closed session and to adjourn at 8:15 PM.


Wanda Reid, Town Clerk


Max Andrews, Mayor

RESOLUTION AUTHORIZING ESTABLISHMENT OF AN ORDINANCE LEVYING TAX ON GROSS RECEIPTS DERIVED FROM RETAIL SHORT-TERM LEASE OR RENTAL OF MOTOR VEHICLES

WHEREAS, The North Carolina General Assembly has ratified Senate Bill 1076, signed into law as Session Law 2000-2 (S.L. 2000-2) and effective for taxable years beginning on or after July 1, 2000, and

WHEREAS, this act repealed the property tax on certain vehicles leased or rented under retail short-term leases or rentals and authorized counties to replace the lost tax revenue through enactment of a local tax on gross receipts derived from retail short-term leases or rentals.

NOW, THEREFORE, BE IT RESOLVED, by the Town of Sawmills Council under the authority of NCGS 160A-215.1, that the following ordinance is enacted:

SECTION 1. Tax on Gross receipts derived from retail short-term motor vehicle leases or rentals. The Town of Sawmills hereby imposes and levies a tax of one and one half percent (1-1/2%) of the gross receipts from the short-term lease or rental of vehicles at retail to the general public.

SECTION 2. Administration. The Town authorizes Caldwell County to collect from operators of leasing and rental establishments the taxes levied hereby and the Town may promulgate additional rules and regulations necessary for implementation of the taxes.

SECTION 3. Payment of Taxes and Filing of Returns. The taxes levied hereby are due and payable to the Town (which shall be collected by the County) in monthly installments on or before the fifteenth (15th) day of each month. The Town authorizes the County to design, print, and furnish to all taxable establishments the necessary forms for filing returns and instructions to ensure the full collection of the tax. A return filed for this purpose is not a public record as defined by Section 132-1 of the North Carolina General Statutes and may not be disclosed except as required by law.

SECTION 4. Penalties. In case of failure or refusal to file a return or pay the tax for a period of thirty (30) days after the time required for filing the return or paying the tax, there shall be an additional tax of five percent (5%) for each additional month or fraction thereof until the tax is paid. The Sawmills Town Council for good cause shown, may compromise or forgive any penalty or additional tax imposed hereunder.

SECTION 5. Misdemeanor for Willful Violation. Any person, firm, corporation or association who willfully attempts in any manner to evade a tax imposed herein or who willfully fails to pay the tax or make and file a return shall, in addition to the penalties provided by law and herein, be guilty of a misdemeanor punishable as provided by law.

SECTION 6. Effective Date. The short term rental or leased vehicle gross receipts tax levied herein shall become effective August 1, 2000.

Signed this 15th day of August, 2000

Town of Sawmills

by May Andrews
Mayor

Attest: Nanda Reid
Clerk