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TOWN OF SAWMILLS
MINUTES OF MEETING
OCTOBER 20, 1992 5:00 pm at TOWN HALL

Paul Pope, Larry Prestwood, Dennis Wilson, and Tim Sanders were present as Mayor Pro-tem Max Andrews called the meeting to order. Mayor Bill Ramsey was absent.

Invocation was given by Rev. Fred Hicks.

HOME Program, a., talk about audit report, b., Atlas Drive, c., and d, discussion on copy machine was added to the agenda.

Tim Sanders made a motion to adopt the agenda. Larry Prestwood seconded. All were in favor.

On a motion made by Tim Sanders, seconded by Paul Pope, council moved to approve the minutes of October 6, and October 9, 1992.

Paul Pope made a motion to adopt the following ordinance. Tim Sanders seconded. All were in favor.

AN ORDINANCE GRANTING A FRANCHISE TO DUKE POWER COMPANY TO CONSTRUCT AND MAINTAIN ITS LINES FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRICITY ALONG, OVER AND UNDER THE HIGHWAYS AND STREET OF THE TOWN OF SAWMILLS, STATE OF NORTH CAROLINA, AND TO CONDUCT AND CARRY ON WITHIN THE TOWN OF SAWMILLS, THE BUSINESS AUTHORIZED BY AND UNDER THE TERMS OF THE CHARTER OF DUKE POWER COMPANY.

SECTION 1. Be it ordained by the Mayor and Town Council of the Town of Sawmills, in the County of Caldwell, State of North Carolina, that assent and permission be and the same hereby is given and granted unto Duke Power Company, its successors and assigns, to lay, plant, extend, construct, build, erect, maintain, repair and remove its lines, poles, wires, appliances, conductors, fixtures and other materials for the conducting, conveying, transmission and distribution of power by electricity and for communication purposes upon, over, along and under all highways, roads, streets, avenues, sidewalks, alleys, lanes, bridges and other public places now laid out or in use and all public places that hereafter may be laid out or put into use within or near the Town of Sawmills, and to do all acts necessary or helpful for those purposes; and assent and permission is hereby given and granted to Duke Power Company, its successors and assigns to exercise all powers, rights and privileges which Duke Power Company under and by the terms of its charter, or otherwise is authorized, empowered or permitted to conduct, carry on, exercise, do or transact including, without limitation, the power, right and privilege to use, lease, sell, convey and transmit power by electricity for manufacturing,

lighting, heating, motive power or other purpose or purposes and for communications and the doing of an electrical business generally.

SECTION 2. All poles used by Duke Power Company shall be erected under the supervision and direction of the Mayor and Town Council; of the Town of Sawmills and they shall be located so as not to unreasonably interfere with the public use of said highways, roads, streets, sidewalks, avenues, lanes, alleys, bridges or other public places or to endanger the property or person of the citizens of the Town. All highways, roads, streets, sidewalks, avenues, lanes, alleys, bridges and other public places that maybe disturbed or damaged in the construction or maintenance of said poles shall be promptly repaired or replaced by Duke Power Company at its own expense. In case Duke Power Company shall fail to so repair or replace said highways, roads, streets, avenues, lanes, sidewalks, alleys, bridges or other public places within fifteen days after receipt of written notice from the Mayor and Town Council, Duke Power Company shall pay to the Town the costs of such repair or replacement.

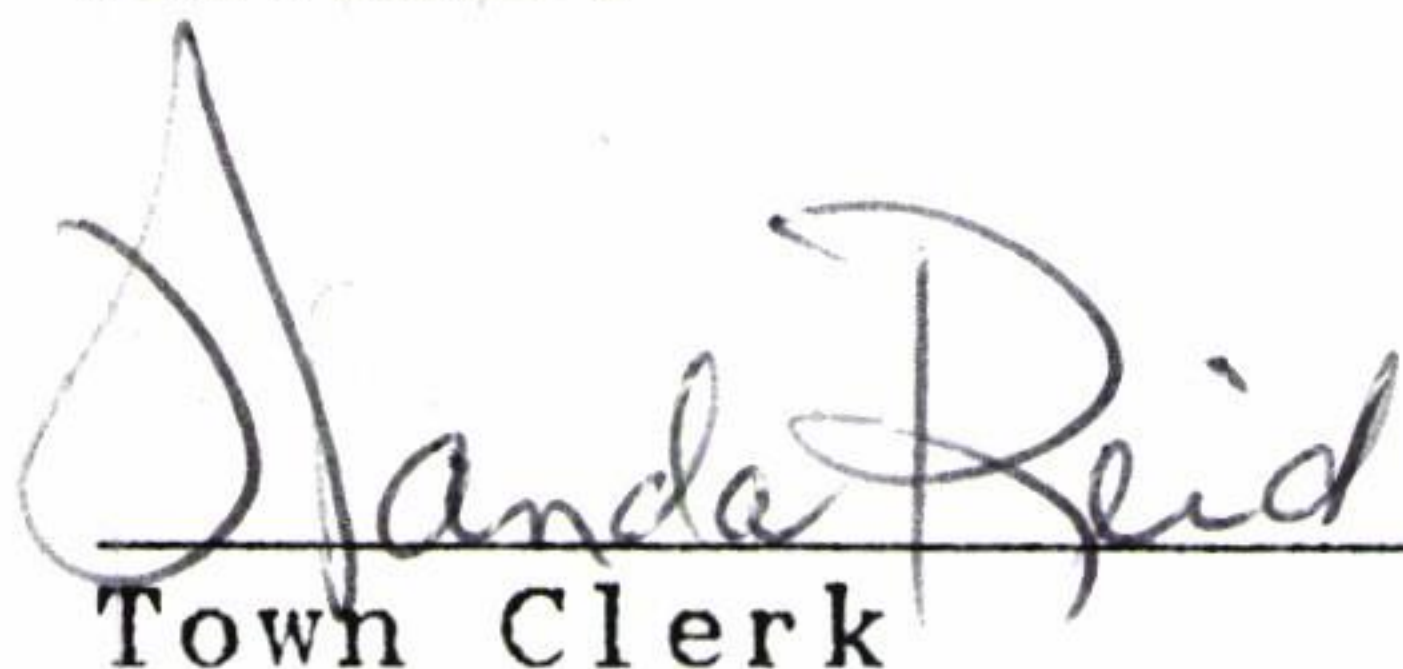
SECTION 3. Duke Power Company shall be subject to any ordinance of the Town applicable to the use by Duke Power company of the highways, roads, streets, avenues, lanes, sidewalks, alleys, bridges or other public places within the Town.

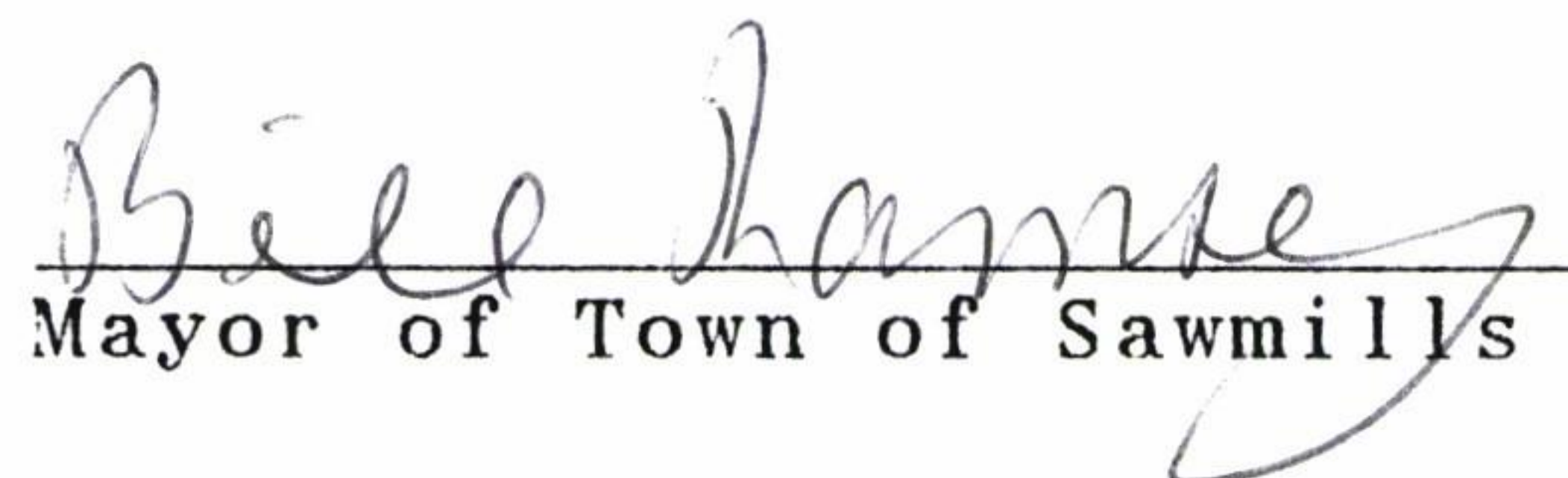
SECTION 4. Duke Power Company shall hold the Town free and harmless from all damages or claims for damages arising by reason of the negligent construction or maintenance of its lines, poles, wires, appliances, fixtures, conductors and other materials.

SECTION 5. The powers, rights and privileges above set forth are granted for the term of sixty (60) years effective immediately upon the adoption of this Ordinance by the Mayor and Town Council of the Town of Sawmills as provided by law.

This Ordinance was passed by a majority vote of the Mayor and Town Council of the Town of Sawmills at the regular meeting of the Mayor and Town Council of the Town of Sawmills, North Carolina, on the 6th day of October, 1992, and was again passed by a majority vote of the Mayor and Town Council of the Town of Sawmills for a seconded time at the regular meeting of the Mayor and Town Council held in the Town of Sawmills, North Carolina, on the 20th day of October, 1992.

ATTEST:


Town Clerk


Mayor of Town of Sawmills

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Councilman Tim Sanders related to the other council members that the HOME program consortia of Caldwell County and other towns in the county had been awarded a grant of \$650,000.00 from the state. This money will be allocated to home owned, low income families. Administrative fees will be paid by each town.

Tim announced that the finance committee had met with Renee Sigmon, of Huntly, Sigmon, Walton and Wilson, Certified Public Accountants, and that the audit report for year ending June 30, 1992 looked to be in good shape. Ms Sigmon will be meeting with the board at the next council meeting.

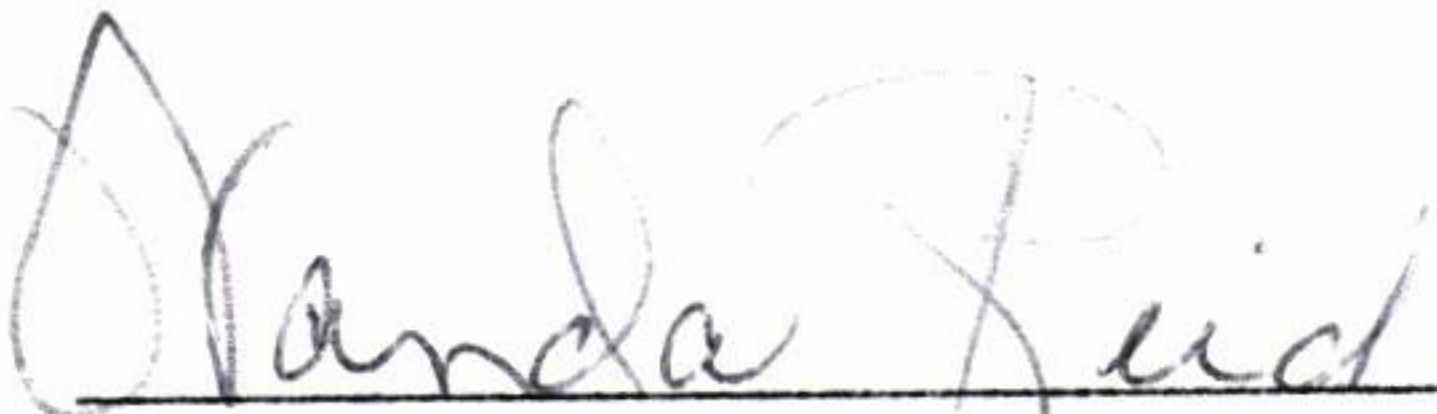
Fred Turnmire, resident of Atlas Drive, appeared before the board and requested the town to take Atlas Drive as a town street. No decision was made at this time.

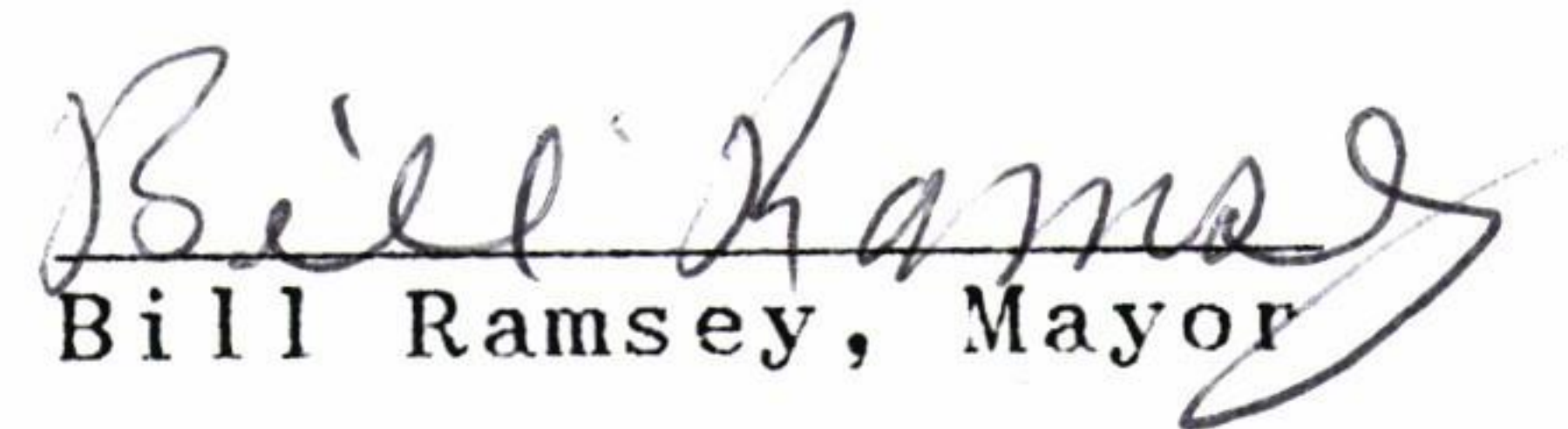
A motion was made by Tim Sanders, seconded by Larry Prestwood to table the upgrading of the copy machine until the next meeting. All were in favor.

Several citizens requested help with their water bills because of burst pipes, or leaks. Dennis Wilson made a motion, seconded by Larry Prestwood, to charge the persons what the town pays for water, (94 cents per one thousand gallons, after the minimum of 6,000 gallons for \$17.00.) All were in favor.

Mayor Pro-tem, Max Andrews appointed Tim Sanders, and Larry Prestwood to be on a water study committee to check with other towns on their policy of making adjustments to their water bills.

At 5:35 pm, Tim Sanders made a motion to adjourn. Dennis Wilson seconded. All were in favor.


Wanda Reid, Town Clerk


Bill Ramsey, Mayor