

AGENDA

**Sawmills Town Council Meeting
Sawmills Town Hall**

**August 18, 2026
6:00 PM**



- 1. Call to Order**
- 2. Invocation**
- 3. Pledge of Allegiance**
- 4. Adopt Agenda**
- 5. Approval of Meeting Minutes**
 - a. July 21, 2026, Regular Meeting Minutes**
 - b. July 21, 2026, Closed Session Meeting Minutes**
- 6. Public Comment**
- 7. Action Items**
 - a. Ordinance to Vacate 4330 Joplin Rd**
 - b. 10 Year Capital Improvement Plan (CIP)**
 - c. Text Amendment for Residential Living in the Highway Business District**
- 8. Informational Items**
- 9. Public Comment**
- 10. Manager Updates/ Recommendations**
- 11. Finance Updates**
 - a. BRIC Update**
 - b. Helene Update**
 - c. OSBM Update**
 - d. Quarterly Financial Report as of 6/30/2026**
- 12. Mayor Updates/Recommendations**
- 13. Clerk Updates/Recommendations**

14. Council Updates/Recommendations

15. Closed Session §143-318.11(a)(3)

16. Adjourn



Town Council STAFF REPORT

Subject: July 21, 2026, Regular Meeting Minutes

Date: August 18, 2026

Submitted by:

Department: Administration

Background:

Recommendation:

Fiscal Impact:

Attachments:

1. July 21, 2026, Meeting Minutes

Minutes

Sawmills Town Council Meeting Sawmills Town Hall

July 21, 2026
6:00 PM



Council Attendees:

Mayor Keith Warren
Mayor Pro-Tem Clay Wilson
Councilwoman Melissa Curtis
Councilman Bobby Mosteller

Absent:

Councilwoman Rebecca Johnson
Councilman Joe Wesson

Staff Attendance:

Chase Winebarger, Town Manager
Dustin Millsaps, Planning Director/Assistant Town Manager
Kelly Melton, Finance Officer
Terry Taylor, Town Attorney
Abby Rich, Town Clerk

1. Call to Order

Mayor Keith Warren called the July 21, 2026, meeting to order at 6:00 PM.

2. Invocation

Rick Bowman with Crossroads Community Church provided the invocation for those in attendance.

3. Pledge of Allegiance

Oliver Wilson led the Pledge of Allegiance for those in attendance.

4. Adopt Agenda

Town Clerk Abby Rich noted two amendments to the agenda. These were the addition of Item 7b, the Approval of a GIS Contract with WPCOG and the addition of Item 7c, Approval of Tax Collections and the 2026 Charge to the Tax Collector. Councilman Wilson made a motion to adopt the agenda with the amendments presented. After a second from Councilman Mosteller, the motion carried unanimously.

5. Approval of Meeting Minutes

a. June 16, 2026 Meeting Minutes

Councilman Mosteller made a motion to approve the June 16, 2026, meeting minutes.

After a second from Councilman Wilson, the motion carried unanimously.

b. June 23, 2026, Special Meeting Minutes

Councilman Wilson made a motion to approve the June 23, 2026, Special Meeting minutes. After a second from Councilman Mosteller, the motion carried unanimously.

c. June 23, 2026, Closed Session Minutes

Councilwoman Curtis made a motion to approve the June 23, 2026, Closed Session minutes. After a second from Councilman Wilson, the motion carried unanimously.

6. Public Comment

There were no individuals signed up for public comment.

7. Action Items

a. CDBG-DR 231-A Waterline Replacement Project 2nd Public Hearing

Kyle Case with WPCOG came to speak on behalf on the application for a CDBG-DR Application. The Town is planning to apply for a grant under the infrastructure sections for funding to update the water line on 321-A running from Helton Road to Mission Road.

Councilman Wilson made a motion to open the Public Hearing. After a second from Councilman Mosteller, the motion carried unanimously.

Kelly Price voiced his beliefs that these updates would be a good idea.

Councilman Wilson made a motion to close the Public Hearing. After a second from Councilwoman Curtis, the motion carried unanimously.

Councilman Wilson made a motion to adopt the Resolution for the Town of Sawmills' application for the CDBG-DR. After a second from Councilman Mosteller, the motion carried unanimously.

Councilman Wilson made a motion to adopt the Town of Sawmills Citizen Participation Plan for the CDBG-DR. After a second from Councilwoman Curtis, the motion carried unanimously.

b. Approval of GIS Contract with WPCOG

Councilman Wilson made a motion to approve the GIS Contract with WPCOG. After a second from Councilman Mosteller, the motion carried unanimously.

c. Motion to approve Tax Collections and Charge to the Tax Collector for 2026-2027

Councilman Wilson made a motion to approve the Tax Collections and Charge to the Tax Collector for 2026-2027. After a second from Councilwoman Curtis, the motion carried unanimously.

8. Informational Items

9. Public Comment

There were no additional individual who wished to speak.

10. Manager Updates/ Recommendations

The Town Manager provided the following updates: The Town had a good meeting with Republic Services this week concerning the various issues with trash collection.

Good meeting with Republic. As to the FEMA has approved some of the requests, but not all. The Town is currently waiting on paperwork from McGill and Associates to begin appeal process. A completed set of Town Hall plans were dropped off today. The Town spoke with some of the Commissioners regarding their intention to stop collecting taxes for the Town of Sawmills, but they are not open to discussing at this time. The last update provided that the Town would be transitioning to digital time sheets in the upcoming weeks.

11. Finance Updates

a. BRIC Update

Finance Officer Kelly Melton noted there is no activity for the BRIC grant other than its being reviewed at this time.

b. HELENE Update

Finance Officer Kelly Melton told the Council she felt that the Town Manager covered all of the updates previously.

c. OSBM Update

Finance Officer Kelly Melton told the Board there are no updates on the OSBM grant at this time.

12. Mayor Updates/Recommendations

Mayor Warren provided the following updates to Council: The Cruise-In was cancelled last Saturday due to inclement weather. The NC Legion Fastpitch State Championship Tournament is going well. Lastly,

Mayor Warren noted he met the new Principal of Sawmills Elementary, and he is excited to get to know the Town.

13. Clerk Updates/Recommendations

There were no updates from the Clerk.

14. Council Updates/Recommendations

The Council thanked everyone for coming.

15. Closed Session §143-318.11(a)(3)

Councilman Wilson made a motion to enter Closed Session pursuant to §143-318.11(a)(3). After a second from Councilman Mosteller, the motion carried unanimously.

Councilman Wilson made a motion to exit Closed Session. After a second from Councilwoman Curtis, the motion carried unanimously.

16. Adjourn

With there being no more business to attend to, at 6:43PM Councilman Wilson made the motion to adjourn. After a second provided by Councilwoman Curtis, the motion passed unanimously.

Approved on _____ day of _____, 2026.

Keith Warren, Mayor

Abby Rich, Town Clerk



Town Council STAFF REPORT

Subject: July 21, 2026, Closed Session Meeting Minutes

Date: August 18, 2026

Submitted by:

Department: Administration

Background:

Recommendation:

Fiscal Impact:

Attachments:

None



Town Council STAFF REPORT

Subject: Ordinance to Vacate 4330 Joplin Rd
Date: August 18, 2026
Submitted by: Abby Rich, Town Clerk
Department: Administration

Background:

Recommendation:

Fiscal Impact:

Attachments:

1. Sawmills 3-19-26 Certificate of Service - 4330 Joplin Rd., Hudson
2. Sawmills - Order to Vacate - 4330 Joplin Rd., Hudson
3. Sawmills 2-4-26 Certificate of Service - 4330 Joplin Rd., Hudson
4. Sawmills - Notice of Violation - 4330 Joplin Rd., Hudson
5. Sawmills - Ordinance 2026-05 - 4330 Joplin Rd., Hudson

Property Address: 43330 Joplin Rd

Parcel ID: 2756-74-3788

CERTIFICATE OF SERVICE

The undersigned, being the Code Enforcement Officer for the Town of Sawmills, does hereby certify that the Order to Vacate & Close [document name] dated March 19, 2026, was duly served upon the following as indicated:

Name and Address	Method of Service (check all that are applicable)
BYRD JERRY BYRD OLIVIA heirs 4330 JOPLIN RD HUDSON NC 28638 9589-0710-5270-3731-4358-72	☒ 1 st Class U.S. Mail, Postage Prepaid ☒ Certified U.S. Mail, Postage Prepaid ☒ Posting on the subject property
	☐ 1 st Class U.S. Mail, Postage Prepaid ☐ Certified U.S. Mail, Postage Prepaid ☐ Posting on the subject property
	☐ 1 st Class U.S. Mail, Postage Prepaid ☐ Certified U.S. Mail, Postage Prepaid ☐ Posting on the subject property
	☐ 1 st Class U.S. Mail, Postage Prepaid ☐ Certified U.S. Mail, Postage Prepaid ☐ Posting on the subject property

[attach additional page(s) as necessary]

Date: June 15, 2026

Sign: 
Code Enforcement Officer

Property Address: 4330 Joplin Rd
Parcel ID: 2756-74-3788

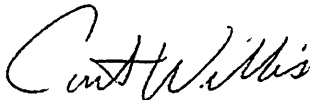
CERTIFICATE OF SERVICE

The undersigned, being the Code Enforcement Officer for the Town of Sawmills, does hereby certify that the Order to Vacate & Close [document name] dated February 25, 2026, was duly served upon the following as indicated:

Name and Address	Method of Service (check all that are applicable)
Bobby D Bowlin-484211 c/o mailroom 480 Pleasant Hill Rd Lenoir, NC 28645	☒ 1 st Class U.S. Mail, Postage Prepaid ☒ Certified U.S. Mail, Postage Prepaid ☒ Posting on the subject property
	☐ 1 st Class U.S. Mail, Postage Prepaid ☐ Certified U.S. Mail, Postage Prepaid ☐ Posting on the subject property
	☐ 1 st Class U.S. Mail, Postage Prepaid ☐ Certified U.S. Mail, Postage Prepaid ☐ Posting on the subject property
	☐ 1 st Class U.S. Mail, Postage Prepaid ☐ Certified U.S. Mail, Postage Prepaid ☐ Posting on the subject property

[attach additional page(s) as necessary]

Date: June 25, 2026

Sign: 

Code Enforcement Officer

Creative Regional Solutions Since 1968

ORDER TO VACATE & CLOSE

DATE OF ISSUE: 25 February 2026

NAME: Byrd Jerry; Byrd, Olivia
ADDRESS: 4330 Joplin Rd
Hudson, NC 28630

TO: Owners and parties in interest of the property located at 4330 Joplin Rd

Parcel Id Number: 2756-74-3788

The undersigned Code Enforcement Officer for the Town of Sawmills, pursuant to law, conducted a hearing at the time and place stated in the Complaint and Notice heretofore issued and served. At the hearing, the Answer, if any, filed by the owners and parties in interest were carefully analyzed and considered by the undersigned. In addition to other evidence presented, the undersigned personally inspected the property described above, and such inspection and examination has been considered, along with the other evidence offered at this hearing.

Upon the record and all of the evidence offered and contentions made, the undersigned Code Enforcement Officer does hereby find the following facts:

1. The above-named owners and parties in interest with respect to the property located at the place specified above were duly served as required by law with written Complaint and Notice of Hearing which set forth the Complaint that the **Dwelling** located at the above address is in a **state of disrepair, unsanitary, unsafe and in violation of the Town Minimum Housing Code**. In the opinion of the Code Enforcement Officer, the costs of the repairs, alterations, or improvements required to render the dwelling fit for human habitation

[exceeds 50% of the value of the dwelling. At the hearing, the following owners, persons in interest or their agents or attorneys, were present and participated therein: Ms. Osborne, a tenant appeared and stated that repairs would be made. No owner(s), attended the hearing.

2. The premises described above violate the Town Minimum Housing Code, by reason of the conditions found to be present and to exist in and about the structure. See Exhibit A "Original NOV, dated 04FEB2026" and Exhibit B "Findings of Fact, dated 25FEB2026" attached.

3. Due to these conditions, the building and/or premises described above is found to be in condition within the meaning of the Town Minimum Housing Code, so as to be unsafe, in danger of collapse and unfit for human habitation;

Executive Committee: Barbara C. Pennell, Chair | Bob Floyd, Jr., Vice Chair | Jill Patton, Secretary | Johnny Berry, Treasurer | George B. Holleman, Past Chair | **At-Large Members:** Wayne F. Abele, Sr. | Kitty W. Barnes | John F. "Chip" Black | Joe Gibbons | **Executive Director,** Anthony W. Starr

Serving: Alexander County | Taylorsville | Burke County | Connelly Springs | Drexel | Glen Alpine | Hildebran | Morganton | Rutherford College | Valdese | Caldwell County | Cahah's Mountain | Cedar Rock | Gamewell | Granite Falls | Hudson | Lenoir | Rhodiss | Sawmills | Catawba County | Brookford | Catawba | Claremont | Conover | Hickory | Long View | Maiden | Newton



IT IS THEREFORE ORDERED that the owners of the property above are required to bring such property into compliance with the Minimum Housing Code by **vacating and closing the dwelling by no later than the 26th day of May 2026.**

4. Failure to comply with this notice WILL result in the Town of Sawmills taking action to cause the abatement and the resulting costs being placed as a lien against the property. The Town of Sawmills may take other action as permitted by law, which may result in additional costs and/or attorney fees.

5. Appeal: An appeal from any decision or order of the Code Enforcement Officer may be taken by any person who is the subject of the decision or order. Any appeal from the official shall be taken within **ten days** from the rendering of the decision or notice of the order, and shall be taken by filing a notice of appeal with the Sawmills Board of Adjustment (Sawmills Town Hall, (828)396-7903) which shall specify the grounds upon which the appeal is based. Any party may appear in person or by agent or attorney. The board may reverse or affirm, wholly or partly, or may modify the decision or order appealed from, but the concurring vote of four members of the board shall be necessary to reverse or modify any decision or order of the official.

THIS the 25th day of February, 2026.

Curt Willis
Code Enforcement Officer
(828) 485-4263 or curt.willis@wpcog.org

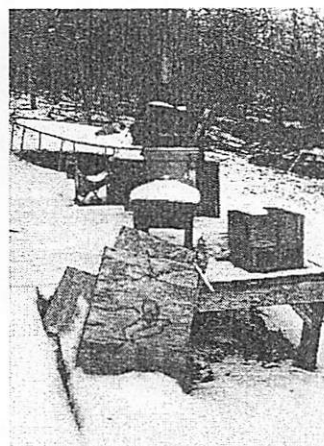
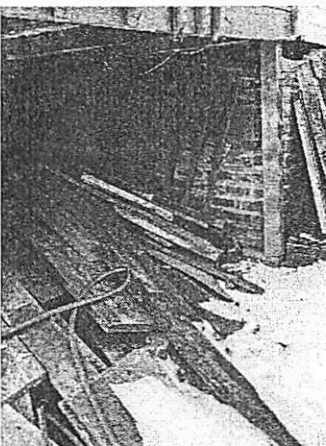
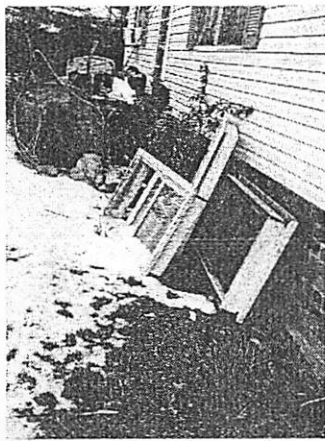
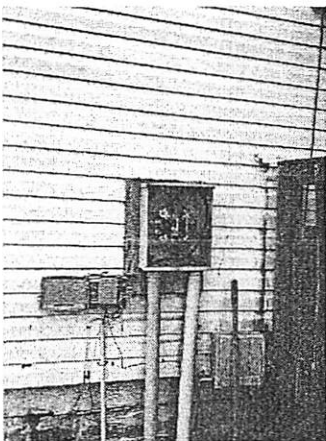
FINDINGS OF FACT

4330 Joplin Rd, Sawmills, NC. Minimum Housing Standards

All photos are from 04FEB2026

All violations are based on Chapter 154.30 of the Town of Sawmills in the following ways:

1. No utilities
2. Unsafe egress exits.
3. Fire hazards.
4. Property maintenance.



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Residential Minimum Housing

This is to certify that the following location 4330 Joplin Rd is in violation of ORDINANCE 25-01

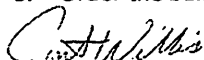
of the Code of the Town of Sawmills. For more information, go to: ://www.wpcog.org/ce-sawmills

Residential Minimum Housing - Minimum standards for occupancy of a residential house/home as follows, but not limited to:

- ☐ **Space Use** (minimum square footage, measurements, and uses)
- ☐ **Lighting and ventilation** (operable windows, doors, screens, foundation vents & access etc...)
- ☐ **Exits** (two means on ingress/egress, porches, stairs and handrail to code)
- ☐ **Plumbing** (septic or sewer, indoor water supply, hot water heater, insulated pipes, etc...)
- ☐ **Heating** (required to maintain 68 degrees 3 feet off the floor during winter conditions, no unvented combustible space heaters can be used)
- ☒ **Electricity** (required to be wired and no broken fixtures, no exposed wires, outlets, switches and over-loaded circuits, etc...)
- ☒ **Structural requirements** (all maintained in sound working order)
 - Foundation (foundation vents, crawlspace door, structural issues)
 - Floors (rotted, missing, termites, water damage, structural issues)
 - Walls (exterior, interior, water damage, missing wall covering, structural issues)
 - Ceilings (water damage, cracking, falling, structural issues)
 - Roofs (leaking, water damage, missing shingles, fascia, soffit, drip edge, flashing structural issues)
 - Stairs and steps (hand rails/railing, rotted treads, structural issues)
 - Porches and appurtenances (structural issues, damaged surface, rotted wood, water damage)
 - Accessory structures (sheds, shops, pump houses, dog houses that are dilapidated or damaged)
 - Supplied facilities
- ☒ **Property maintenance** (all keep orderly and clean)
 - Building and structures (replace rotted wood, roofing, paint, etc.)
 - Public areas
 - Rubbish and garbage (junk, trash or debris on property needs to be cleaned up)
 - Premises (grass needs to be mowed weekly, overgrowth needs to be kept cut back, nothing in right-of-way)
 - Infestation (fleas, rats, snakes, roaches, other insects or bugs, etc.)
 - Cleanliness (must be cosmetically clean in appearance at all time as not to affect the neighborhood/town)
 - Supplied plumbing fixtures (no leaks, correctly installed, allowed materials by building code, etc.)
 - Care of facilities, equipment and structure (must be properly maintained at all times)

A hearing will be held with the Code Enforcement Officer at the Sawmills Town Hall on 25FEB26 at 10AM. This will be your opportunity to present facts and evidence as to why the structure should not be found failing to meet the Minimum Standards for Residential Buildings. You may bring anyone you wish to this hearing to present evidence. This hearing is not judicial in nature, but simply provides the property owner an opportunity to present their facts to the Code Enforcement Officer. The Code Enforcement Officer will then make a decision to:

1. Revoke the Notice of Violation,
2. Order the property repaired within a certain time frame, or
3. Order the building demolished.

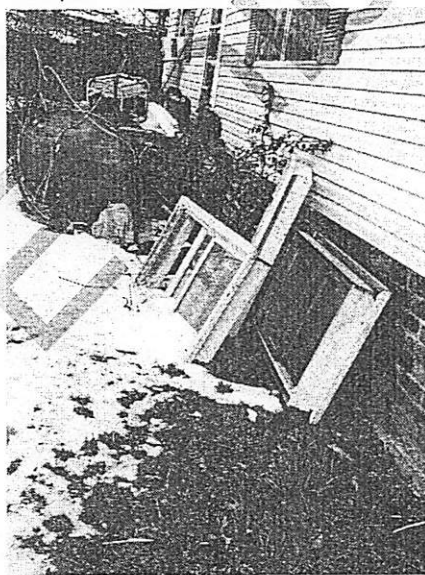
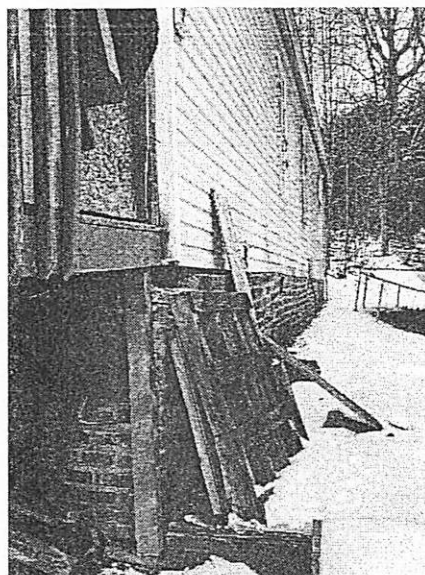
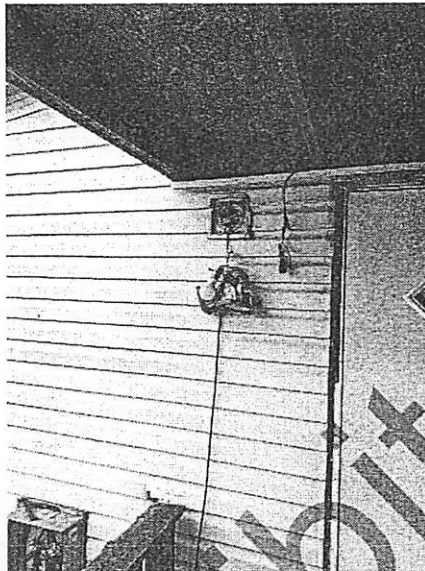
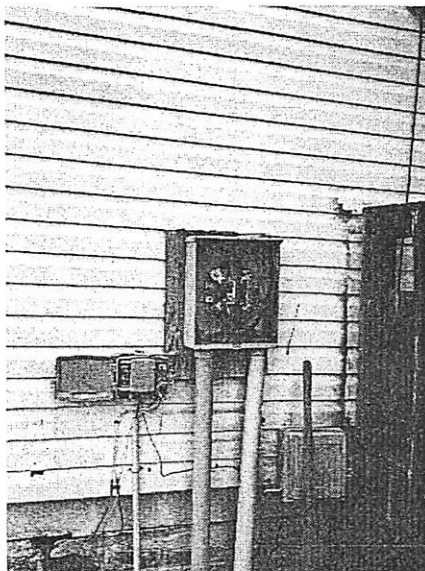

Curt Willis, Code Enforcement Officer
(828) 485-4263; curt.willis@wpcog.org

04FEB26
Date

TOWN OF SAWMILLS
WPCOG CODE ENFORCEMENT SERVICES

ADDRESS: 4330 Joplin Rd

Photos and notes collected on this date: 02/04/2026



Property Address: 43370 Joplin Rd
Parcel ID: 2756-74-3788

CERTIFICATE OF SERVICE

The undersigned, being the Code Enforcement Officer for the Town of Sawmills, does hereby certify that the Notice of Violation [document name] dated February 4, 2026, was duly served upon the following as indicated:

Name and Address	Method of Service (check all that are applicable)
BYRD JERRY BYRD OLIVIA heirs 4330 JOPLIN RD HUDSON NC 28638 9589-0710-5270-3486-4535-10	☒ 1 st Class U.S. Mail, Postage Prepaid ☒ Certified U.S. Mail, Postage Prepaid ☒ Posting on the subject property
	☐ 1 st Class U.S. Mail, Postage Prepaid ☐ Certified U.S. Mail, Postage Prepaid ☐ Posting on the subject property
	☐ 1 st Class U.S. Mail, Postage Prepaid ☐ Certified U.S. Mail, Postage Prepaid ☐ Posting on the subject property
	☐ 1 st Class U.S. Mail, Postage Prepaid ☐ Certified U.S. Mail, Postage Prepaid ☐ Posting on the subject property

[attach additional page(s) as necessary]

Date: June 15, 2026

Sign: 
Code Enforcement Officer

Residential Minimum Housing

This is to certify that the following location 4330 Joplin Rd is in violation of ORDINANCE 25-01

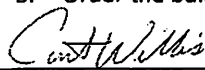
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 - Porches and appurtenances (structural issues, damaged surface, rotted wood, water damage)
 - Accessory structures (sheds, shops, pump houses, dog houses that are dilapidated or damaged)
 - Supplied facilities
- ☒ **Property maintenance** (all keep orderly and clean)
 - Building and structures (replace rotted wood, roofing, paint, etc.)
 - Public areas
 - Rubbish and garbage (junk, trash or debris on property needs to be cleaned up)
 - Premises (grass needs to be mowed weekly, overgrowth needs to be kept cut back, nothing in right-of-way)
 - Infestation (fleas, rats, snakes, roaches, other insects or bugs, etc.)
 - Cleanliness (must be cosmetically clean in appearance at all time as not to affect the neighborhood/town)
 - Supplied plumbing fixtures (no leaks, correctly installed, allowed materials by building code, etc.)
 - Care of facilities, equipment and structure (must be properly maintained at all times)

A hearing will be held with the Code Enforcement Officer at the Sawmills Town Hall on 25FEB26 at 10AM. This will be your opportunity to present facts and evidence as to why the structure should not be found failing to meet the Minimum Standards for Residential Buildings. You may bring anyone you wish to this hearing to present evidence. This hearing is not judicial in nature, but simply provides the property owner an opportunity to present their facts to the Code Enforcement Officer. The Code Enforcement Officer will then make a decision to:

1. Revoke the Notice of Violation,
2. Order the property repaired within a certain time frame, or
3. Order the building demolished.

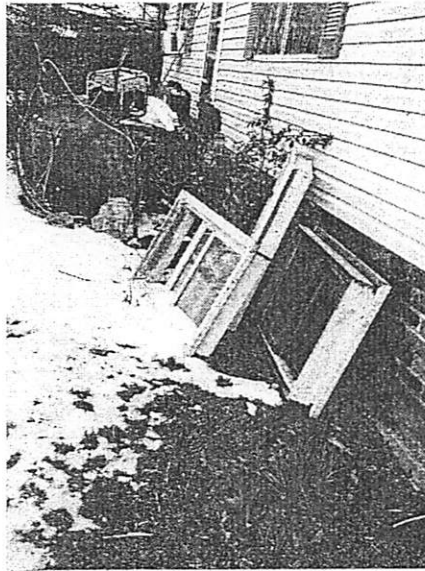
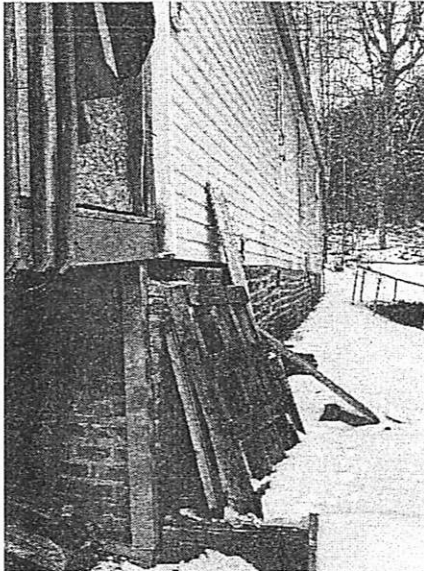
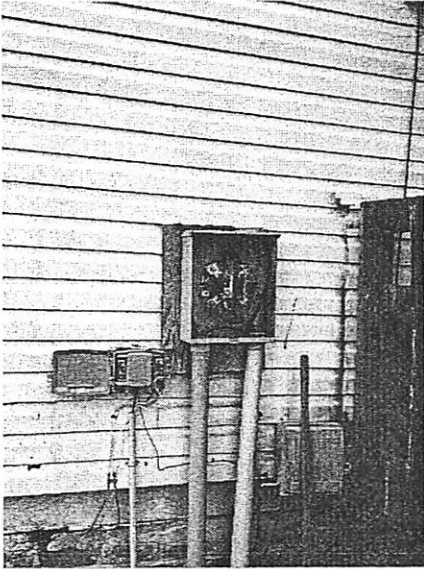

Curt Willis, Code Enforcement Officer
(828) 485-4263; curt.willis@wpcog.org

04FEB26
Date

TOWN OF SAWMILLS
WPCOG CODE ENFORCEMENT SERVICES

ADDRESS: 4330 Joplin Rd

Photos and notes collected on this date: 01/11/2023



TOWN OF SAWMILLS
WPCOG CODE ENFORCEMENT SERVICES

WPCOG Code Enforcement Nuisance Inspection Checklist

Sawmills Town Code Chapter 154 Minimum Housing

Pursuant to G.S. § 160A-441, it is hereby found and declared that there exist in the town's corporate limits dwellings which are unfit for human habitation due to dilapidation, defects increasing the hazards of fire, accidents and other calamities, lack of ventilation, and dangerous and detrimental to the safety and morals and otherwise inimical to the welfare of the residents of the town.

Section 154.36. - Space use.

The minimum standards for space use are as follows:

- ☐ (1) A principal area shall not have less than one hundred fifty (150) square feet.
- ☐ (2) A kitchen-dining room combination, if any, shall have not less than one hundred (100) square feet.
- ☐ (3) A first bedroom, if any, shall have not less than one hundred (100) square feet.
- ☐ (4) A second bedroom, if any, shall have not less than seventy (70) square feet.
- ☐ (5) Each habitable room shall have at least seventy (70) square feet.
- ☐ (6) At least one hundred fifty (150) square feet of floor space in habitable rooms shall be provided for the first occupant in each dwelling unit; at least one hundred (100) square feet of additional floor space shall be provided for each of the next three (3) occupants; and at least seventy-five (75) square feet of additional floor space shall be provided for each additional occupant over the number of four (4) (children one (1) year of age and under shall not be counted).
- ☐ (7) At least seventy (70) square feet of bedroom floor space shall be provided for the first occupant; at least twenty (20) square feet of additional bedroom floor space shall be provided for the second occupant; and at least thirty (30) square feet of additional bedroom floor space shall be provided for each occupant over the number of two (2) (children one (1) year of age and under shall not be counted).
- ☐ (8) Those habitable rooms which must be included to meet the foregoing minimum space standards shall be at least seven (7) feet wide in any part with at least one-half of the floor area having a ceiling height of at least seven (7) feet. That portion of any room where the ceiling height is less than five (5) feet shall not be considered as part of the floor area.
- (9) No basement space shall be used as a habitable room or dwelling unit unless:
 - ☐ (a) The floor and walls are impervious to leakage of underground and surface runoff water and are insulated against dampness.
 - ☐ (b) The total of window area in each room is equal to at least the window area sizes prescribed in the following section for habitable rooms.
 - ☐ (c) The total of functionally opening window area in each room is equal to at least the room area prescribed in the following section for habitable rooms, except where there is supplied some other device affording adequate ventilation approved by the director of inspections.
- ☐ (10) Toilet and bathing facilities shall be structurally enclosed and shall be located so as not to require passage through an openable area.
- ☐ (11) Bathroom walls, toilet room walls and bedroom walls shall have no holes or excessive cracks.
- ☐ (12) Access shall be provided to all rooms within a dwelling unit without passing through a public space or another dwelling unit.
- ☐ (13) Doors shall be provided at all doorways leading to bedrooms, toilet rooms, bathrooms and at all rooms adjoining a public space.
- (14) Each living unit shall have a specific kitchen space, which contains a sink with counter workspace and has hot and cold running water and adequate space for storing cooking utensils.

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- ☐ (15) Electric, water and sewer must be in working order.

Section 154.35. - Light and ventilation.

The minimum standards for light and ventilation are as follows:

- ☒ (1) Every habitable room shall have at least one (1) window or skylight facing directly to the outdoors. The minimum total window area measured between stops for every habitable room shall be eight (8) percent of the floor area of such room. Whenever walls or other portions of structures face a window of any such room and such light obstruction structures are located less than five (5) feet from the window and extend to a level above that of the ceiling of the room, they shall not be included as contributing to the required minimum total window area. Whenever the only window in a room is a skylight-type window in the top of such room, the total window area of such skylight shall equal at least fifteen (15) percent of the total floor area of such room.
- ☐ (2) Every room in a dwelling unit and means of egress shall be sufficiently illuminated so as to provide safe and satisfactory uses.
- ☐ (3) Year-round mechanically ventilating systems may be substituted for windows, as required herein, but must be approved by the code enforcement officer, in rooms other than rooms used for sleeping purposes.
- ☒ (4) All outside windows and doors used for ventilation shall be screened.
- ☐ (5) All windows and doors shall be made weather tight.
- ☐ (6) Windows and doors shall have no broken glass and shall have adequate operable locks and hardware.
- ☐ (7) Openable window area in each toilet room shall be at least two (2) square feet, unless served by mechanical ventilation.
- ☐ (8) Natural ventilation of spaces such as attics and enclosed non-basement space shall be provided by openings of sufficient size to overcome dampness and to minimize the effect of conditions conducive to decay and deterioration of the structure, and to prevent excessive heat in attics.
- ☐ (9) Utility spaces containing heat-producing, air-conditioning and other equipment shall be ventilated according to manufacturer's requirements.
- ☐ (10) Mechanical ventilation shall be of sufficient size to eliminate dampness and odors of the area it is serving.

Section 154.31 - Exits.

- ☒ (a) Two (2) main exits, each at least thirty (30) inches wide and six (6) feet eight (8) inches high, easily accessible to the occupants of each housing unit, shall be provided, unless a single exit is permitted as an exception by provisions of the state building code, as from time to time amended. All exit doors shall be easily operable.
- ☒ (b) Platforms, steps and/or handrails shall be provided to serve exits and maintained in a safe condition.

Section 154.32. - Plumbing.

The minimum plumbing standards are as follows:

- ☐ (1) The plumbing systems shall be connected to the Town sanitary sewer system, where available; otherwise, the plumbing system shall be connected onto an approved septic tank.
- ☐ (2) All plumbing fixtures shall meet the standards of the Town plumbing code and shall be maintained in a state of good repair and in good working order.
- ☐ (3) There shall be provided a hot water heater (minimum thirty-gallon capacity) furnishing hot water to each tub or shower, lavatory and kitchen sink.

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- ☐ (4) Installed water supply inside the building shall be provided for each housing unit.
- ☐ (5) Installed water closet, tub or shower, lavatory and sink shall be provided for each dwelling unit.
- ☐ (6) Separate toilet facilities shall be provided for each dwelling unit.
- ☐ (7) Toilet and bathing facilities shall be structurally protected from the weather.
- ☐ (8) All water piping shall be protected from freezing by proper installation in protected space.
- ☐ (9) At least one (1) main vent of a minimum diameter of two (2) inches shall be properly installed for each building.
- ☐ (10) Sewer and water lines shall be properly supported with no broken or leaking lines.

Section 154.33. - Heating.

The minimum heating standards are as follows:

- ☐ (1) Reserved.
- ☒ (2) Every dwelling unit shall have heating facilities which are properly installed, are maintained in safe and good working condition and are capable of safely and adequately heating all habitable rooms and bathrooms in every dwelling unit located therein to a temperature of at least sixty-eight (68) degrees Fahrenheit at a distance three (3) feet above floor level, under ordinary minimum winter conditions.
- ☐ (3) All gas-heating and oil-heating equipment installed on the premises shall be of a type approved by Underwriters' Laboratories or by the American Gas Association and shall be installed in accordance with the provisions of the state building code.
- ☐ (4) Liquid fuel stored on the premises shall be stored in accordance with the provisions of the National Fire Prevention Association standards.
- ☐ (5) Chimneys and fireplaces shall have no loose bricks.
- ☐ (6) Flues shall have no holes.
- ☐ (7) There shall be no hanging masonry chimneys.
- ☐ (8) Thimbles shall be grouted in tight.
- ☐ (9) Thimbles shall be installed high enough for stovepipe to rise one-fourth inch per foot minimum.
- ☐ (10) Hearths shall be at least twenty (20) inches deep and seven (7) inches beyond each side of the fireplace opening.
- ☐ (11) No combustible materials shall be within seven (7) inches beyond each side of the fireplace opening.
- ☐ (12) If the fireplace opening is closed because of hazardous conditions, the closure shall be of masonry or other approved material as determined by the code enforcement officer.
- ☐ (13) Any stove shall be within six (6) feet of the thimble serving it.
- ☐ (14) Stovepipes and vents shall comply with volume 3 of the state building code.
- ☐ (15) No unvented combustible space heaters shall be used.

State Law reference - G.S. §136-443.1

Section 154.34. - Electricity.

The minimum electrical standards are as follows:

- ☐ (1) Every dwelling and dwelling unit shall be wired for electric lights and convenience receptacles, which shall be connected in such manner as determined by the *National Electric Code*, as adopted by the Town.

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- ☒ (2) No receptacles, ceiling fixtures or other fixtures shall be broken or hanging loose.
- ☐ (3) All toggle switches and fixtures shall be safely operable.
- ☐ (4) At least two (2) duplex convenience outlets, as remote from each other as practicable, shall be provided per habitable room.
- ☐ (5) At least one (1) light outlet in each bathroom, hall, kitchen and porch, and over exterior steps to the second floor shall be provided.
- ☐ (6) There shall be no bare wires, open joints or spliced cables.
- ☐ (7) Flexible cords shall not be used as a substitute for the fixed wiring of a structure, nor shall flexible cords be run through holes in walls, ceilings or floors, through doorways, windows, or similar openings, or be attached to building surfaces or concealed behind building walls, ceilings or floors.
- ☐ (8) No branch circuits shall be overloaded.
- ☐ (9) A minimum of three (3) branch circuits, plus separate circuits for each fixed appliance, shall be provided in each dwelling unit.
- ☐ (10) There shall be provided service equipment and a lighting panel of adequate capacity and size (minimum of sixty-ampere capacity) to accommodate the existing or the required number of branch circuits, and the equipment shall be properly grounded.
- ☐ (11) Outlets in kitchens and bathrooms shall be ground-fault interrupter device protected.
- ☐ (12) All residences shall have a smoke detector on each livable floor. The property owner shall be responsible for installing a fresh battery with change in tenants; the tenant shall be responsible for maintaining the unit and shall not commit any act that shall render the unit inactive.
- ☐ (13) All rental dwelling units having a fossil fuel burning heater or appliance or fireplace shall provide a minimum of one operable carbon monoxide detector per unit per level. A carbon monoxide detector is also required for an attached garage. The landlord shall install, replace or repair the carbon monoxide monitor(s) unless the landlord and tenant have a written agreement to the contrary.

Section 154.31. - Structural requirements.

The minimum structural standards shall be as follows:

(1) *Foundation:*

- ☒ a. A foundation shall support the building at all points and shall be free of holes and cracks which admit rodents, water or dampness to the interior of the building or which lessen the capability of the foundation to support the building.
- ☐ b. The foundation shall be on firm, reasonably dry ground, and there shall be no water standing or running under the building.
- ☐ c. Footings shall be sound and have adequate bearing capacity.
- ☐ d. Piers shall be sound.
- ☐ e. No wood stiff knees or other improper piers shall be allowed.
- ☒ f. All structures shall be underpinned or enclosed in an approved manner, such as aluminum, galvanized, asbestos or masonry.

(2) *Floors:*

- ☐ a. No rotted or termite-damaged sills shall be allowed.
- ☐ b. No broken, overloaded or sagging sills shall be allowed.
- ☐ c. Sills shall be reasonably level.

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- ☐ d. Sills shall be properly and sufficiently supported.
- ☐ e. Sills shall clear the ground by at least eighteen (18) inches.
- ☐ f. No rotted or termite-damaged joists shall be allowed.
- ☐ g. No broken or sagging joists shall be allowed.
- ☐ h. Flooring shall be weather tight without holes or cracks which permit air to excessively penetrate rooms.
- ☐ i. Flooring shall be reasonably smooth, not rotten or worn through.
- ☐ j. No loose flooring shall be allowed.
- ☐ k. Floors shall be reasonably level.

(3) Walls, exterior:

- ☐ a. Every exterior wall shall be protected with paint or other protective covering to prevent the entrance or penetration of moisture or the weather.
- ☐ b. No studs which are rotted or termite-damaged shall be allowed.
- ☐ c. No broken or cracked structural members shall be allowed.
- ☐ d. No loose siding shall be allowed.
- ☐ e. Walls used as partitions shall not lean or buckle.
- ☐ f. No deteriorated siding or covering shall be allowed.

(4) Walls, interior:

- ☐ a. The interior finish shall be free of holes and cracks, which permit air to excessively penetrate rooms.
- ☐ b. No loose plaster, loose boards or other loose wall materials shall be allowed.
- ☐ c. There shall be no cardboard, newspaper or other highly combustible material allowed as a wall finish.
- ☐ d. No studs shall be rotted or termite-damaged.
- ☐ e. No broken or cracked studs or other broken or cracked structural members shall be allowed.

(5) Ceilings:

- ☐ a. No joists shall be rotted, broken or sagging or have improperly supported ends.
- ☐ b. There shall be allowed no holes or cracks, which permit air to excessively penetrate rooms.
- ☐ c. No loose plaster, loose boards, loose sheetrock or other loose ceiling finish shall be allowed.
- ☐ d. There shall be allowed as ceiling finishes no cardboard or other highly combustible material.

(6) Roofs:

- ☐ a. Rafters shall not be rotted, broken or sagging or have improperly supported ends.
- ☐ b. No rafters seriously fire-damaged shall be allowed.
- ☐ c. Attics shall be properly vented.
- ☐ d. No rotted, loose or sagging sheathing shall be allowed.
- ☐ e. No loose roof covering shall be allowed nor shall there be allowed any holes or leaks, which could cause damage to the structure or rooms.
- ☐ f. Walls and chimneys shall have proper flashing.

(7) Stairs and steps:

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- ☐ a. Stairs and steps shall be free of holes, grooves and cracks large enough to constitute accident hazards.
- ☐ b. Stairwells and flights of stairs more than four (4) risers or having risers more than thirty (30) inches high shall have rails not less than two (2) feet six (6) inches measured vertically from the nose of the treads to the top of the rail.
- ☐ c. Every rail shall be firmly fastened and maintained in good condition.
- ☐ d. No flight of stairs settled more than one (1) inch out of its intended position or pulled away from supporting or adjacent structures shall be allowed.
- ☐ e. No rotting, sagging or deteriorated supports shall be allowed.

(8) Porches and appurtenances:

- ☒ a. Every outside and inside porch and any appurtenance thereto shall be safe to use and capable of supporting the load that normal use may cause to be kept in sound condition and good repair.
- ☐ b. Protective railings shall be required on any unenclosed structure over three (3) feet from the ground level.

- ☐ (9) **Accessory structures:** All accessory buildings and structures, including detached garages, shall be maintained structurally sound and in good repair or shall be raised to grade level and the debris therefrom removed from the premises.

- ☐ (10) **Supplied facilities:** Every supplied facility, piece of equipment or utility which is required under this article shall be so constructed or installed that it will function safely and effectively and shall be maintained in satisfactory working condition.

Section 154.37. - Property maintenance.

The minimum property maintenance standards are as follows:

(1) Buildings and structures:

- ☐ a. Exterior wood surfaces not inherently resistant to deterioration shall be treated with a protective coating of paint or other suitable preservative, with sufficient frequency to prevent deterioration.
- ☐ b. Floors, walls, ceilings and fixtures shall be maintained in a clean and sanitary condition.

- ☐ (2) **Public areas:** Every owner of a structure containing two (2) or more dwelling units shall be responsible for maintaining in a clean and sanitary condition the shared or public areas of the structure and premises thereof.

- ☒ (3) **Rubbish and garbage:** Every person who occupies and controls a dwelling unit shall dispose of all rubbish and garbage in a clean and sanitary manner by placing it in proper storage facilities.

(4) Premises:

- ☐ a. Fences and other minor structures shall be maintained in safe and substantial condition.
- ☒ b. Yards and courts shall be kept clean and free of physical hazards, rubbish, trash and garbage.
- ☐ c. No heavy undergrowth or accumulations of plant growth which are noxious or detrimental to health shall be allowed.
- ☐ d. Every premises shall be provided with all-weather vehicular access to and from the premises at all times by an abutting public or private street.
- ☐ e. Walks and steps, constructed so as to provide safety, reasonable durability and economy of maintenance, should be provided for convenient all-weather access to the structure.

☐ f. Access to the rear yard from each dwelling unit shall be required. Such access is not, however, acceptable where it is dependent upon passage through another dwelling unit. Each building shall be provided with access to the rear yard. This access for a detached dwelling shall be directly from a street.

☐ g. Any nonresidential use of the premises shall be subordinate to its residential use and character.

(5) Infestation:

☐ a. Premises, buildings and structures shall, by generally accepted methods of extermination, be maintained free of vermination and rodent harborage and infestation.

☐ b. Every basement or cellar window used or intended to be used for ventilation and every other opening to a basement or cellar, which might provide an entry for rodents, shall be supplied with screens installed or with such other approved devices as will effectively prevent entrance by rodents.

☐ c. Every head-of-household occupant of a structure containing a single dwelling unit shall be responsible for the extermination of any insects, rodents or other pests therein or on the premises; and every head-of-household occupant of a dwelling unit in a structure containing more than one (1) dwelling unit shall be responsible for such extermination whenever the dwelling unit is the only one infested. Whenever infestation is caused by failure of the owner to maintain a structure in a rodent proof or reasonably insect proof condition, extermination shall be the responsibility of the owner. Whenever infestation exists in two (2) or more of the dwelling units in any structure or in the shared or public parts of any structure containing two (2) or more dwelling units, extermination shall be the responsibility of the owner.

☒ (6) **Cleanliness:** Every occupant of a dwelling or dwelling unit shall keep in a clean and sanitary condition that part of the dwelling, dwelling unit and premises thereof which he occupies and controls.

☐ (7) **Supplied plumbing fixtures:** Every occupant of a dwelling unit shall keep all supplied plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation of same.

☐ (8) **Care of facilities, equipment and structure:** No occupant shall willfully destroy, deface or impair any of the facilities or equipment of any part of the structure of a dwelling or dwelling unit.

☐ (9) **Lead Paint per North Carolina G.S. 130A-131.7** All property owners shall comply with lead paint provisions and abatement. Property owner assumes all costs of abatement and repairs. All homes constructed before the year 1978 will be subject to lead paint testing.



Code Enforcement - Minimum Housing Procedure

Step 1. Preliminary Findings

Whenever a petition is filed with the Code Enforcement Officer (CEO), by a public authority or by at least (5) residents of the city, charging that any dwelling or dwelling unit is unfit for human habitation, or whenever it appears to the CEO that any dwelling or dwelling unit is unfit for human habitation, the CEO shall conduct an investigation to confirm or deny the complaint.

Step 2. Code Enforcement Officer Issues Notice of Violation/Hearing

If the CEO confirms there are violations of the town ordinance present, the officer shall give notice (NOV- Notice of Violation) to the owner, lessee or other person in possession of the premises in writing (By either Regular Mail, Certified Mail, or In-Person Delivery) setting forth his findings and describing the appropriate corrective action. Complaint will state the charges and contain a notice that a hearing will be held before the CEO not less than 10 days and no more than 30 days from mailing the complaint.

Step 3. Code Enforcement Officer Holds Hearing

The owner or any party in interest shall have the right to file an answer to the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint. Notice of such hearing shall also be given to at least one (1) of the persons signing a petition relating to such dwelling. Any person desiring to do so may attend such hearing and give evidence relevant to the matter being heard. If after such notice and hearing the official determines that the dwelling under consideration is unfit for human habitation, the Code Enforcement Officer shall state in writing the findings of fact in support of such determination and shall issue and cause to be served upon the owners an Order as follows:

Step 4. Decision

If the repairs estimated cost is less than 50% of building value, CEO orders Repairs.

If the repairs estimated cost is more than 50% of building value, CEO orders building demolished.

Owner Options for Injunction/Appeal

Step 5. Owner Action/Inaction

Building Repaired by Owner

Building Owner does not comply with Order within Reasonable time allotted

Building Demolished by Owner

Building Owner does not comply with Order within Reasonable time

Owner Petition

Any person aggrieved by an order issued by the official may petition the superior court for an injunction restraining the official from carrying out the order or decision and the court may, upon such petition, issue a temporary injunction restraining the official pending a final disposition of the case.

The petition shall be filed within thirty (30) days after issuance of the order or rendering of the decision. If denied, time-period is resumed.

Owner Appeal

An appeal from any decision or order of the code enforcement officer may be taken by any person who is the subject of the decision or order. Any appeal from the official shall be taken within ten days from the rendering of the decision or notice of the order, and shall be taken by filing a Notice of Appeal with the planning department, which shall specify the grounds upon which the appeal is based. The Board of Adjustment shall fix a reasonable time for the hearing of all appeals, shall give due notice to all the parties, and render its decision within a reasonable time. Any party may appear in person or by agent or attorney. The Board may reverse or affirm, wholly or partly, or may modify the decision or order appealed from, and may make such decision and order as in its opinion ought to be made in the matter, and to that end it shall have all the powers of the official, but the concurring vote of four members of the board shall be necessary to reverse or modify any decision or order of the official.

Step 6. Town Action

City Council Adopts an Ordinance that States the Building will be Repaired or Demolished within 90 Days.

Council Adopts an Ordinance to Order Code Enforcement Officer to Demolish the Building.

Building is repaired or demolished by the Town and a Lien placed against the Real Property.

**Prepared by and Return to: Terry M. Taylor, Attorney at Law
P.O. Drawer 2428, Hickory, NC 28603**

CALDWELL COUNTY

TOWN OF SAWMILLS

Minimum Housing Code Enforcement Action concerning property of Bobby Dean Bowlin and Timothy Shawn Byrd, heirs of Olivia Byrd Stanley (collectively "Property Owner") Deed Book 1291, Page 1666, Caldwell County Registry, recording of Ordinance Pursuant to NCGS 160D-1203(5). Ordinance to be recorded in the name of the Property Owner in the Grantor Index.

Ordinance Passed:

Date: _____, 2026

By Action of Town Council

NORTH CAROLINA

**AN ORDINANCE DIRECTING TOWN OFFICIALS TO
VACATE AND CLOSE THE PROPERTY HEREIN
DESCRIBED AS AN IMMINENT DANGER TO THE
PUBLIC AND DIRECTING THAT A NOTICE BE
PLACED THEREON THAT THE SAME MAY NOT BE
OCCUPIED**

File No. 2026-05

CALDWELL COUNTY

WHEREAS, N.C. Gen Stat. § 160D-1201, et seq. authorizes any local government by ordinance to provide for the repair, closing or demolition of Dwelling, as defined by N.C. Gen. Stat. § 160D-1203, found unfit for human habitation due to dilapidation, defects increasing the hazards of fire, accidents or other calamities, or other conditions rendering the Dwelling unsafe or unsanitary, or dangerous or detrimental to the health, safety, morals, or otherwise inimical to the welfare of the residents of the local government; and

WHEREAS, the Town has adopted by ordinance in Chapter 154 of the Town of Sawmills Code of Ordinances (“Minimum Housing Ordinance”) to provide for the repair, closing, or demolition of Dwellings found unfit for human habitation; and

WHEREAS, on or about February 4, 2026, the Code Enforcement Officer, as defined in Chapter 154 of the Minimum Housing Standards, found that the Dwelling located at 4330 Joplin Rd., Hudson, North Carolina, Parcel ID: 2756-74-3788 (the “Dwelling”), was unfit for human habitation; and

WHEREAS, on February 4, 2026, the Code Enforcement Officer, after conducting a preliminary investigation disclosing a basis for such charges, issued and caused to be served on the heirs and tenants of the property owned by Jerry and Olivia Byrd (deceased), the Owners of the dwelling, as defined by N.C. Gen. Stat. § 160D-1202(1), and parties in interest of such Dwelling, a complaint stating the charges in that respect and containing a notice that an administrative hearing would be held before the Code Enforcement Officer, or the designated agent, at a place within Town of Sawmills; and

WHEREAS, after notice and an administrative hearing on February 25, 2026, the Code Enforcement Officer determined that the Dwelling was unfit for human habitation and the repair costs exceeds fifty percent (50%) of the value of the Dwelling. The Code Enforcement Officer determined the fact that the Dwelling was unsafe, dangerous and in non-compliance with Town ordinance and had inadequate egress, unsanitary living conditions and fire hazards and stated, in writing, findings of fact to support those determinations; and

WHEREAS, the repairs to the Dwelling can be made at a reasonable cost in relation to the value of the Dwelling; and

WHEREAS, on February 25, 2026, the Code Enforcement Officer issued and caused to be served on the Owner/Parties of Interest, an order requiring the Owners/Parties of Interest to vacate and close the Dwelling by not later than May 26, 2026; and

WHEREAS, the Owner of the Dwelling has been given a reasonable opportunity (exceeding ninety (90) days) to bring the Dwelling into conformity with the Minimum Housing Ordinance, but has failed to comply; and

WHEREAS, N.C. Gen Stat. § 160D-1203(4) provides and if the Owner fails to comply with an order to vacate, close and/or remove the Dwelling, the Code Enforcement Officer may, following ordinance adopted by the governing board, cause the Dwelling to be vacated, closed, posted with a placard on the main entrance of the Dwelling the following words: "This Dwelling is unfit for human habitation; the use or occupation of this Dwelling for human habitation is prohibited and unlawful," and occupants may be removed; and

WHEREAS, the Town Council has determined that the Dwelling is unfit for human habitation due to unsanitary living conditions, lack of utilities, inadequate egress and fire hazards rendering the Dwelling unsafe or unsanitary, or dangerous or detrimental to the health, safety, morals or otherwise inimical to the welfare of the residents of the Town of Sawmills; and

WHEREAS, based on the foregoing, the Town Council finds that the Dwelling should be vacated, closed to meet the requirements of the Minimum Housing Ordinance and should be placarded by placing thereon a notice prohibiting use for human habitation until repaired; and

WHEREAS, the Town Council finds that all of the provisions of the Minimum Housing Ordinance have been complied with as a condition of the adoption of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Sawmills, that:

SECTION 1. The Owner of the Dwelling, having been notified in accordance with Chapter 160D of the North Carolina General Statutes, is hereby ordered to vacate the Dwelling on or before September 18, 2026.

SECTION 2. The real property upon which the Dwelling is situated is more particularly described as follows:

BEGINNING on a stake, William Daniel Tolbert's corner in Ralph L. Tolbert's and Cora Greene's line, said stake being located at a point South 6° 30' West 100 feet from a large Hickory tree, said Tolbert's and Cora Greene's corner, and runs with William Daniel Tolbert's line North 89° 00' West 292.50 feet to a stake in the center of County Road No. 1128, William Daniel Tolbert's corner in Ralph L. Tolbert's line; thence with the center of said road and with Ralph L. Tolbert's line as follows: South 47° 30' East 150 feet; South 49° 00' East 100 feet, South 44° 00' East 25 feet; South 40° 00' East 25 feet; South 33° 00' East 25 feet; South 25° 00' East 25 feet; South 15° 00' East 25 feet, in all 375 feet, to a point in the center of said road, Ralph L. Tolbert's corner; thence still with said line North 50° 00' East 19 feet to a stake and chestnut oak tree, Ralph L. Tolbert's corner in Cora Greene's line; thence with said line North 6° 30' East 255 feet to the point of BEGINNING, containing 92/100ths of an acre, more or less.

BEING the same property conveyed by Ralph L. Tolbert, Jr. and wife, Annette P. Tolbert, to David Lee Tolbert and wife, Patricia P. Tolbert, by deed dated September 7, 1973, and recorded in Book 663, at Page 1178, Caldwell County Registry.

SECTION 3. That the Owners/Parties of Interest of the real property described herein are heirs of Jerry and Olivia Byrd.

SECTION 4. On September 19, 2026, the Code Enforcement Officer or his designee, is hereby authorized and directed to place a placard on the main entrance of the Dwelling containing the legend:

“THIS DWELLING IS UNFIT FOR HUMAN HABITATION. THE USE OR
OCCUPATION OF THIS DWELLING FOR HUMAN HABITATION IS PROHIBITED
AND UNLAWFUL. ANYONE FOUND TRESPASSING ON THE PROPERTY CAN
BE CHARGED WITH A CLASS 1 MISDEMEANOR.”

SECTION 5. It shall be unlawful for any person to remove, or cause to be removed, the placard from Dwelling to which it is affixed thereto pursuant to this Ordinance. It shall likewise be unlawful for any person to occupy or to permit the occupancy of Dwelling having been declared to be unfit for human habitation. Occupation of a Dwelling so posted shall constitute a Class 1 misdemeanor.

SECTION 6. That Owner and parties in interest of the Dwelling are hereby ordered to vacate and close the Dwelling found by the Code Enforcement Officer and Town Council to be unfit for human habitation within thirty (30) days from the date of adoption of this Ordinance. If the Owner or parties in interest fail to have the Dwelling vacated within thirty (30) days from the adoption of this Ordinance, the Code Enforcement Officer is hereby authorized to commence summary ejectment proceedings pursuant to N.C. Gen. Stat. § 160D-1203(4).

If the Owners or parties of interest fail or refuse to vacate and close the Dwelling within the time allowed, then the Code Enforcement Officer is hereby authorized to proceed to vacate, close and secure the Dwelling in accordance with this Ordinance pursuant to the Minimum Housing Ordinance and N.C. Gen Stat. § 160D-1203(4). The cost of vacating and closing by the Code Enforcement Officer shall be a lien against the real property upon which the cost was incurred as provided in the Town Code and Statues authorizing the repair, closing and demolishing of residential dwellings or structures by order of the Code Enforcement Officer N.C. Gen. Stat. § 160D-1203(4).

SECTION 7. The Code Enforcement Officer or his designee is further directed and authorized to take such other and further action and exercise such other powers with respect to said Dwelling as may be necessary or convenient to carry out and effectuate the provisions of the Minimum Housing Ordinance of the Town of Sawmills.

SECTION 8. That any person violating the provision of this Ordinance of the Minimum Housing Ordinance shall be subject to the penalties and fines set forth in Section 4-219. If the violation is continued, each day’s violation shall be a separate offense. In addition, this

Ordinance may be enforced by an appropriate equitable remedy such as an injunction or order of abatement issued from any court or competent jurisdiction pursuant to N.C. Gen. Stat. § 160D-1208 and by any, all or a combination of the remedies as authorized and prescribed by law or under Chapter 154 of the Town of Sawmills Code of Ordinances.

SECTION 9. That the Town Clerk is hereby directed to record a certified copy of this Ordinance in the Office of the Caldwell County Register of Deeds and see that it is properly indexed in the name of the Owner in the grantor index.

SECTION 10. That all ordinances, or parts of ordinances in conflict with this Ordinance, are hereby repealed to the extent of such conflict.

SECTION 11. That if any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION 12. That the Town Attorney is authorized to proceed with in rem foreclosure proceedings to collect taxes and liens owed for the property, if any.

SECTION 13. This Ordinance shall become effective upon its adoption.

ORDAINED by Town Council for the Town of Sawmills, North Carolina, this 18th day of August, 2026.

**THE TOWN OF SAWMILLS,
a North Carolina Municipal Corporation**

Keith Warren, Mayor

ATTEST:

Abby Rich, Town Clerk



Town Council STAFF REPORT

Subject: 10 Year Capital Improvement Plan (CIP)
Date: August 18, 2026
Submitted by: Kelly Melton, Finance Officer
Department: Finance

Background:

Definition of Capital Improvement: A capital improvement is defined as any expenditure for equipment, buildings, any structure/facility related to municipal operations, machinery, land acquisition, plan, study, or project in which the cost for the item exceeds \$10,000. The Capital Improvement Program serves as a planning tool to project future needs for the addition of new capital assets and the replacement of existing capital assets.

Capital Improvement Decision Process: The Town's formal Capital Improvement Program (CIP) covers a span of ten (10) years. Identifying a need and planning for capital improvements is initiated by the Mayor, Governing Board, Citizens, and Town Staff. Once a potential need is identified, it is evaluated during the annual budget retreat and reviewed more closely during budget workshops. The CIP is a long-term plan that is updated on an annual basis.

Recommendation:

Staff recommends approving the Town of Sawmills Capital Improvement Plan for the 10-year period of July 1, 2026 – June 30, 2036.

Fiscal Impact:

Attachments:

1. 10 Year CIP 26.27-35.36

Town of Sawmills Capital Improvement Plan (10 Year)

<u>General Fund</u>	<u>FY 26/27</u>	<u>FY 27/28</u>	<u>FY 28/29</u>	<u>FY 29/30</u>	<u>FY 30/31</u>	<u>FY 31/32</u>	<u>FY 32/33</u>	<u>FY 33/34</u>	<u>FY 34/35</u>	<u>FY 35/36</u>
Administration										
Project Ordinance:										
Town Hall - Architect	238,100									
Town Hall -Construction Management		150,000								
Town Hall - New Construction (Debt Service)			817,545	817,545	817,545	817,545	817,545	817,545	817,545	817,545
Administration Subtotal	238,100	150,000	817,545	817,545	817,545	817,545	817,545	817,545	817,545	817,545
Public Works										
Pole Shed -concrete floor - 2670 Mission Rd		70,000								
John Deere Mower		20,000								
Bucket Truck			275,000							
Service Truck				75,000						
Dump Truck					200,000					
Snow Plow					20,000					
Public Works Subtotal	-	90,000	275,000	75,000	220,000	-	-	-	-	-
Parks & Recreation										
Veterans/Baird Park Lights (Debt Service)	184,729	178,123	171,516	164,910	158,304	151,697	145,091	138,484	-	-
Turf Sprayer		60,000								
John Deere 3000 Series Tractor w/attach		65,000								
Ventrac Attachments		30,000								
Ventrac		45,000								
Speakers for VP Ball Fields		15,500								
Paving & Striping for Woodshed		60,000								
Additional P&R Cameras		20,000								
Storage Building - equipment /concessions		26,000								
SMP Expansion - Grading/Phase I & II			383,000							
SMP Expansion - Paved Walking Trails				100,000						
SMP Expansion - Site Parking Lot				160,000						
Amphitheater/Concessions & Restrooms					300,000					
Tiny Mobile Robot Field Painter					40,000					
Recreation Center						5,000,000				
Mutipurpose Field Finalization							300,000			
Outdoor Basketball Courts							75,000			
SMP Expansion - Large Picnic Shelter								200,000		
SMP Expansion - Picnic Shelter Restrooms									260,000	
SMP Expansion - Toilets/PressBox/Concessions									650,000	
SMP Expansion - Baseball Fields										1,300,000
Parks & Recreation Subtotal	184,729	499,623	554,516	424,910	498,304	5,151,697	520,091	338,484	910,000	1,300,000

General Fund - Page 2

	<u>FY 26/27</u>	<u>FY 27/28</u>	<u>FY 28/29</u>	<u>FY 29/30</u>	<u>FY 30/31</u>	<u>FY 31/32</u>	<u>FY 32/33</u>	<u>FY 33/34</u>	<u>FY 34/35</u>	<u>FY 35/36</u>
Community Development										
Additional Town Cameras		12,000								
Portable Restroom Trailer			30,000							
Christmas Decorations				30,000			30,000			30,000
Community Development Subtotal	-	12,000	30,000	30,000	-	-	30,000	-	-	30,000
Sanitation										
Switch 'N Go Dumpsters (2)		18,000								
Leaf Collector Truck				260,000						
Tub Brush Grinder						700,000				
Sanitation Subtotal	-	18,000	-	260,000	-	700,000	-	-	-	-
Streets & Highways										
Sand Spreader	10,000									
Paving - Oxford Drive	50,020									
Paving - Gatewood Drive	63,375									
Paving - Withers Drive	108,695									
Future Paving		150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000
Long Arm Tractor Mower						200,000				
Streets & Highways Subtotal	232,090	150,000	150,000	150,000	150,000	350,000	150,000	150,000	150,000	150,000
Fire										
Capital Reserve	60,000	60,000	60,000	60,000	60,000	60,000	60,000	60,000	60,000	60,000
Pumper Truck - Down Payment		200,000								
Pumper Truck (Debt Service)		62,167	124,334	124,334	124,334	124,334	124,334	124,334	62,167	
Turnout Gear Sets (4-5 sets per year)	37,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000
Extrication Tools	15,000	15,000								
Lucas/AEDs		25,000				30,000				
Administrative Vehicles (Chief/Asst Chief)		75,000	75,000							
Ladder Truck									2,000,000	
Fire Subtotal	52,000	407,167	229,334	154,334	154,334	184,334	154,334	154,334	2,092,167	30,000
	FY 26/27	FY 27/28	FY 28/29	FY 29/30	FY 30/31	FY 31/32	FY 32/33	FY 33/34	FY 34/35	FY 35/36
General Fund CIP Total	706,919	1,326,790	2,056,396	1,911,790	1,840,183	7,203,577	1,671,971	1,460,364	3,969,713	2,327,545

Utility Fund	FY 26/27	FY 27/28	FY 28/29	FY 29/30	FY 30/31	FY 31/32	FY 32/33	FY 33/34	FY 34/35	FY 35/36
Water										
Horseshoe Bend Road- Debt Service	5,881	5,881	5,881	5,881						
Karr Drive Replacement	311,400									
Terrace Drive Replacement	202,400									
Single Axle Dump Truck	180,000									
Mini Exvacator w/Trailer	140,000									
321A Waterline Replacement		800,000	800,000	800,000	800,000					
Evergreene Industrial Park	199,313									
Sigmon Drive to Creek			503,125							
Paul Drive				100,625						
Maggie Lane/Gatewood				213,380						
Marcus Drive					53,188					
White Pine Drive					103,500					
Jess Drive						48,875				
Magnolia Lane						195,500				
Helton Road							258,750			
Edgewood Drive								71,875		
Water Department Subtotal	1,038,994	805,881	1,309,006	1,119,886	956,688	244,375	258,750	71,875	-	-
Sewer										
Elevation Project - Bert Huffman Rd	377,200									
Blackburn Court & Villa Lane		250,125								
Villa Woods, Loye Ln, Baker Cir, Chantilly Dr			478,688							
Duncan Dr & Chantilly Dr (North)					237,188					
Clyde Dr & Burl St							400,703			
Cleo Dr, Karr Dr, Remont St & Holden Pl									420,469	
Sewer Department Subtotal	377,200	250,125	478,688	-	237,188	-	400,703	-	420,469	-
	FY 26/27	FY 27/28	FY 28/29	FY 29/30	FY 30/31	FY 31/32	FY 32/33	FY 33/34	FY 34/35	FY 35/36
Utility Fund CIP Total	1,416,194	1,056,006	1,787,694	1,119,886	1,193,875	244,375	659,453	71,875	420,469	-



Town Council STAFF REPORT

Subject: Text Amendment for Residential Living in the Highway Business District

Date: August 18, 2026

Submitted by:

Department: Administration

Background:

Background:

The planning department has been tasked with finding a reasonable way that property owners can expand existing single-family dwellings on properties with Nonconforming Uses. This needed to be a text amendment to allow such expansion, however, it still needs to keep with the overall spirit and intent of the ordinance that is not detrimental to the overall town or residential neighborhoods.

Below is the proposed language to be added to the Zoning Ordinance if so approved. The yellow highlighted text is to represent the proposed text to be added.

§153.130 NONCONFORMING USES

- (A) After the effective date of the ordinance upon which this chapter is based, existing structures, or the uses of land or structures which could be prohibited under the regulations for the district in which it is located (if they existed on the adoption date of the ordinance upon which this Zoning Code is based), shall be considered as nonconforming.
- (B) Nonconforming structures or uses may be continued provided they conform to the following provisions:
- (1) A nonconforming use of any building or land shall not be enlarged or extended, provided that a nonconforming use of any building may be extended to any portion of such building which was, at the time such use became nonconforming, manifestly arranged or designed for such use.
 - (2) A nonconforming use shall not be changed to any but a conforming use. When a nonconforming use has been changed to a conforming use, the premises shall not thereafter be used for any nonconforming use.

(3) No structural alterations shall be made in a building housing a nonconforming use, except those required by law or ordinance or ordered by an authorized officer to secure the safety of the building.

(4) A nonconforming use of any building or structure which is damaged to an extent exceeding 50% of its reproduction value, exclusive of foundations, by fire, flood, explosion, earthquake, war, riot, or act of God, shall be discontinued, and such building or structure shall thereafter be used only in compliance with the provisions of the district in which it is located.

(5) If a nonconforming use is discontinued for a continuous period of more than 120 days, any future use of the land or building shall be in conformity with the provisions of this chapter.

(C) Existing Single-Family Residential Dwellings in the Highway Business District (H-B).

Notwithstanding any other provision of this Ordinance governing nonconforming uses or structures, an existing residential principal dwelling may be extended or enlarged, provided that all of the following requirements are satisfied:

1. The dwelling was constructed before July 1, 1988;
2. The dwelling has been continuously used for residential purposes since before July 1, 1988;
3. The dwelling is located on a lot or parcel containing at least two acres;
4. The extension or enlargement remains part of the existing principal dwelling and does not create an additional dwelling unit or change the property to a different residential or nonresidential use, unless otherwise permitted by this Ordinance; and
5. The extension or enlargement complies with all applicable building codes, permitting requirements, setbacks, height limitations, lot-coverage requirements, floodplain regulations, wastewater or septic requirements, and other development standards.

A temporary vacancy resulting from a change in ownership, renovation, repair, or casualty damage shall not, by itself, constitute a discontinuance of residential use. Any abandonment or discontinuance of the residential use shall be governed by the applicable provisions of this Ordinance. If the residential use is abandoned or discontinued for a period of 180 days or more, then the nonconforming use can no

longer be expanded.

(Ord. §90D, passed 2-19-2008) (Ord. Passed __ - __ -2026)

Recommendation:

Staff Recommendation:

Staff recommends that the Town Council consider approving this text amendment. This text amendment will provide more options in the Town of Sawmills for residential housing and make many nonconforming homes now expandable again, given that they meet the standards of the nonconforming ordinance. The Planning Board also recommended this text amendment for approval.

Consistency and Reasonableness Statement:

The proposed text amendment is consistent with the goals and recommendations of the Town of Sawmills Comprehensive Plan (2017). Specifically, the Comprehensive Plan identifies “Providing Housing Options for Young Adults” as one of the Town’s primary goals. By expanding the types of residential housing permitted within the Highway Business District, the amendment would create additional housing opportunities for residents, including young adults, first-time homebuyers, and others seeking housing options within the Town. The Comprehensive Plan also recommends diversifying the Town’s housing supply. The proposed amendment directly advances this recommendation by allowing greater flexibility in the development and use of property within the Highway Business District. This flexibility may encourage a broader range of housing types and provide opportunities for residential development in areas where housing options are currently limited.

The amendment is also reasonable and of the public interest because it responds to the community’s need for additional and varied housing opportunities while making more efficient use of land within an established zoning district. Increasing the potential housing supply may improve access to housing, provide residents with more choices, and support a balanced mixture of residential and commercial uses. For these reasons, the proposed text amendment is both consistent with the Town of Sawmills Comprehensive Plan and reasonable considering the Town’s current and future housing needs.

Fiscal Impact:

Attachments:

1. Council Memo

MAYOR

Keith Warren

TOWN MANAGER

Chase Winebarger



TOWN COUNCIL

Clay Wilson, Mayor Pro-Tem

Melissa Curtis

Rebecca Johnson

Joe Wesson

Bobby Mosteller

TOWN COUNCIL

August 18th, 2026

6:00 pm

STAFF REPORT

Background:

The planning department has been tasked with finding a reasonable way that property owners can expand existing single-family dwellings on properties with Nonconforming Uses. This needed to be a text amendment to allow such expansion, however, it still needs to keep with the overall spirit and intent of the ordinance that is not detrimental to the overall town or residential neighborhoods.

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- (B) Nonconforming structures or uses may be continued provided they conform to the following provisions:
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 - (2) A nonconforming use shall not be changed to any but a conforming use. When a nonconforming use has been changed to a conforming use, the premises shall not thereafter be used for any nonconforming use.
 - (3) No structural alterations shall be made in a building housing a nonconforming use, except those required by law or ordinance or ordered by an authorized officer to secure the safety of the building.
 - (4) A nonconforming use of any building or structure which is damaged to an extent exceeding 50% of its reproduction value, exclusive of foundations, by fire, flood, explosion, earthquake, war, riot, or act of God, shall be discontinued, and such building or structure shall thereafter be used only in compliance with the provisions of the district in which it is located.
 - (5) If a nonconforming use is discontinued for a continuous period of more than 120 days, any future use of the land or building shall be in conformity with the provisions of this chapter.
- (C) Existing Single-Family Residential Dwellings in the Highway Business District (H-B). Notwithstanding any other provision of this Ordinance governing nonconforming uses or structures, an existing residential principal dwelling may be extended or enlarged, provided that all of the following requirements are satisfied:

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(Ord. §90D, passed 2-19-2008) (Ord. Passed ___ - ___ -2026)

Staff Recommendation:

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Town Council STAFF REPORT

Subject: BRIC Update
Date: August 18, 2026
Submitted by: Kelly Melton, Finance Officer
Department: Finance

Background:

NCEM received notification from FEMA that the period of performance has been extended to July 27, 2027. The grant agreement has been updated to reflect the new period of performance date. All Phase 1 Deliverables have been uploaded into the EMGrants Portal and are under review.

Recommendation:

Report only — no action needed

Fiscal Impact:

Attachments:

None



Town Council STAFF REPORT

Subject: Helene Update
Date: August 18, 2026
Submitted by: Kelly Melton, Finance Officer
Department: Finance

Background:

After review of the Determination Memo, issued on July 14, 2026, the project has been moved back to the PDMG Application Review status. A Period of Performance extension request has been submitted to extend the project completion date to 3/28/2027

Recommendation:

Report only — no action needed

Fiscal Impact:

Attachments:

None



Town Council STAFF REPORT

Subject: OSBM Update
Date: August 18, 2026
Submitted by: Kelly Melton, Finance Officer
Department: Finance

Background:

Since the last report, there has been no additional site work. The next task is to seed and stabilize disturbed areas with grass for erosion control.

Recommendation:

Report only — no action needed

Fiscal Impact:

Attachments:

None



Town Council STAFF REPORT

Subject: Quarterly Financial Report as of 6/30/2026
Date: August 18, 2026
Submitted by: Kelly Melton, Finance Officer
Department: Finance

Background:

Quarterly Financial Report as of 6/30/2026 (unaudited)

Recommendation:

Report only — no action needed

Fiscal Impact:

Attachments:

1. 2026-6-30 Quarterly Report

Town of Sawmills
Financial Summary (unaudited)

General Fund		
2025-2026 Budget	As of 6/30/2026	% of Budget

Revenues	\$5,060,168	\$3,854,260	76.17%
Expenditures	\$5,060,168	\$4,592,854	90.76%
Over/Under		(\$738,594)	

Helene	\$541,589
Powell Bill	\$8,609
Fund Balance	\$188,396
Total	\$738,594

Water/Sewer Fund		
2025-2026 Budget	As of 6/30/2026	% of Budget

Revenues	\$1,784,921	\$1,372,308	76.88%
Expenses	\$1,784,921	\$1,388,071	77.77%
Over/Under		(\$15,763)	

Approp Net Assets/Water	\$15,763
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Capital Project - Town Hall		
Project Budget	As of 6/30/2026	% of Budget

Architect	\$473,000	\$90,115	19.05%	FY 23.24
		\$144,854	30.62%	FY 24.25
		\$0	0.00%	FY 25.26
Total Expenses		\$234,969	49.68%	Total

Capital Project - South Caldwell Sewer Pump Station Elevation Project		
Project Budget	As of 6/30/2026	% of Budget

Revenues - BRIC Grant	\$35,000	\$12,405	35.44%	
Revenues - Appropriation	\$35,000	\$35,000	100.00%	
Total Revenues	\$70,000	\$47,405		
Expenses:				
Phase 1	\$70,000	\$1,871	2.67%	FY 20.21 thru 23.24
Phase 1		\$20,114	28.73%	FY 24.25
Phase 1		\$17,296	24.71%	FY 25.26
Total Expenses		\$39,281		

Town of Sawmills
Financial Summary (unaudited)

FEMA - Helene - DR-4827-NC Effective Date: 9/25/2024		
Project Budget	As of 6/30/2026	% of Budget

FEMA/NCEM Reimbursement	\$3,236,179		
Appropriated Fund Balance	\$3,441,614		
Cat A - Debris Removal		\$0	
Cat B - Emergency Measures		\$34,874	FY 25.26
Cat D - Water Control		\$10,565	FY 24.25
Cat G - Parks and Recreation		\$68,352	FY 25.26
Cat Z - Administration		\$105	FY 25.26
Total Revenues	\$6,677,793	\$113,896	1.71%
Expenses:			
Cat A - Debris Removal	\$6,534,001	\$555,989	8.51% FY 25.26
Cat B - Emergency Measures	\$34,875	\$34,874	100.00% FY 24.25
Cat D - Water Control	\$10,565	\$10,565	100.00% FY 24.25
Cat G - Parks and Recreation	\$68,352	\$500	0.73% FY 24.25
Cat Z - Administration	\$30,000	\$25,462	94.23% FY 24.25
Cat Z - Administration		\$2,808	FY 25.26
Total Expenses	\$6,677,793	\$630,197	9.44%

Capital Project - Sewer Scouring OSBM Grant; Effective Date: 12/15/25		
Project Budget	As of 6/30/2026	% of Budget

Revenues - OSBM Grant	\$58,683	\$58,683	100.00%
Interest Earned		\$5	
Total Revenues	\$58,683	\$58,689	
Expenses:			
Site Work (prep)	\$15,000	\$13,000	
Dirt Acquisition/Placement	\$25,000	\$20,750	
Materials/Supplies	\$8,000	\$1,371	
Erosion Control	\$10,683	\$0	
Total Expenses	\$58,683	\$35,121	59.85%

Cash Investments North Carolina Capital Management Trust	
	As of 6/30/2026

Account #	Balance	Rate
NCCMT - Capital Reserve	XXXX7988	\$218,682
NCCMT - General Fund	XXXX2767	\$5,855,945
NCCMT - Utility Fund	XXXX2775	\$3,511,429

3.52% - 3.55%
in Quarter 2