

**AGENDA**  
**Regular Meeting of the Sawmills Town Council**  
**Sawmills Town Hall**  
**Tuesday, August 20, 2019**  
**6:00 pm**

1. Call To Order Mayor Johnnie Greene
2. Invocation NC Representative Destin Hall
3. Pledge of Allegiance Mayor Johnnie Greene
4. Adopt Agenda Mayor Johnnie Greene
5. Approve Meeting Minutes Mayor Johnnie Greene
  - A. July 16, 2019 Regular Meeting Minutes Mayor Johnnie Green
  - B. July 29, 2019 Special Meeting Minutes Mayor Johnnie Greene
  - C. July 29, 2019 Special Closed Session Meeting Minutes
6. Public Comment Mayor Johnnie Greene
7. Recognitions:
  - A. Recycle Rewards Mayor Johnnie Greene
8. Financial Matters:
  - A. Caldwell County Schools Donation Request Mayor Johnnie Greene
  - B. Surplus of Refuse Trucks Mayor Johnnie Greene
  - C. Surplus of Ballfield Poles/Lights Mayor Johnnie Greene
9. Discussion:
  - A. Town Charter Amendment Mayor Johnnie Greene
  - B. AMI Water Meter System Financing Mayor Johnnie Greene
10. Public Comment Mayor Johnnie Greene
11. Updates:
  - A. Code Enforcement Report Mayor Johnnie Greene
  - B. Council Comment Mayor Johnnie Greene
12. Adjourn Mayor Johnnie Greene

July 16, 2019

**TUESDAY, JULY 16, 2019**  
**TOWN OF SAWMILLS REGULAR COUNCIL MEETING**  
**6:00 PM**

**COUNCIL PRESENT**

Mayor Johnnie Greene  
Keith Warren  
Rebecca Johnson  
Clay Wilson

**STAFF PRESENT**

Karen Clontz  
Terry Taylor  
Julie A Good

**CALL TO ORDER:** Mayor Johnnie Greene called the meeting to order at approximately 6:00pm.

**INVOCATION:** Retired Pastor Ed Warren gave the invocation.

**PLEDGE OF ALLEGIANCE:** Mayor Johnnie Greene led the Pledge of Allegiance.

**ADOPT AGENDA:** Mayor Johnnie Greene asked for a motion to adopt the July 16, 2019 Agenda.

Rebecca Johnson made a motion, and Clay Wilson seconded, to adopt the July 16, 2019 Agenda. All were in favor.

**APPROVE JUNE 18, 2019 REGULAR MEETING MINUTES:** Mayor Johnnie Greene asked for a motion to approve the June 18, 2019 regular meeting minutes.

Clay Wilson made a motion, and Keith Warren seconded, to approve the June 18, 2019 regular meeting minutes. All were in favor.

**APPROVE JUNE 18, 2019 CLOSED SESSION MINUTES:** Mayor Johnnie Greene asked for a motion to approve the June 18, 2019 closed session minutes.

Rebecca Johnson made a motion, and Clay Wilson seconded, to approve the June 18, 2019 closed session minutes. All were in favor.

**PUBLIC COMMENT:** Mayor Johnnie Greene asked if anyone had any questions or comments at this time.

No one wished to speak

**RECOGNITIONS:**

**RECYCLE REWARDS WINNER:** Mayor Johnnie Greene announced Mr. Byron Rice, Jr. as the July Recycle Rewards winner. A credit of thirty-two dollars (\$32.00) will be added to his sanitation bill.

No Council action was required.

**PUBLIC HEARING: AMENDING TOWN CHARTER:**

**OPEN PUBLIC HEARING:** Mayor Johnny Greene asked for a motion to open the public hearing.

Rebecca Johnson made a motion, and Clay Wilson seconded, to open the public hearing. All were in favor.

**STAFF COMMENTS/RECOMMENDATIONS:** Town Attorney Terry Taylor stated that in order to promote a high level of professionalism and long-term sustainability within the professional staff of the Town of Sawmills, the Town Council is currently considering a charter amendment, pursuant to North Carolina General Statute 106A-102, to change the form of government from Mayor-Council to Council-Manager. The Town of Sawmills currently employs a Town Administrator who acts in a similar role to a Town Manager. The Town Manager would have all of the duties described in North Carolina General Statute 160A-148, and any other duties as determined by the Town Council.

**PUBLIC COMMENT:** Mayor Johnny Greene asked if anyone wished to speak on the Town Charter Amendment.

Roger Teague spoke against amending the Town Charter, stating that the Town has operated under the Mayor-Council Form of Government since it was incorporated in July 1988 and the Town has been just fine.

**CLOSE PUBLIC HEARING:** Mayor Johnny Greene asked for a motion to close the public hearing.

Rebecca Johnson made a motion, and Keith Warren seconded, to close the public hearing. All were in favor.

**COUNCIL ACTION:**

Clay Wilson made a motion, and Keith Warren seconded, to discuss signing a Resolution adopting an Ordinance amending the Town Code of Ordinances and the Charter of the Town of Sawmills to adopt the Council-Manager Form of Government during the regular scheduled August 20, 2019 meeting. All were in favor.

**FINANCIAL MATTERS:**

**CALDWELL COUNTY D.A.R.E. DONATION REQUEST:** Mayor Johnnie Greene stated that the Caldwell County D.A.R.E. had requested a donation in the amount of two hundred dollars (\$200.00).

Keith Warren made a motion, and Clay Wilson seconded, to give a donation in the amount of two hundred dollars (\$200.00) to the Caldwell County D.A.R.E. All were in favor.

**PLAYGROUND EQUIPMENT PURCHASE:** Mayor Johnnie Greene stated that during the 2019/2020 budget discussions, Council approved the purchase of new playground equipment for Baird Drive Municipal Park.

Town staff has received a quote in the amount of one hundred fifty-eight thousand three hundred eighty-two dollars and eighty-nine cents (\$158,382.89) from Game Time/Cunningham Recreation in Charlotte, North Carolina, for the set up and installation of the Henderson ADA Inclusive playground set.

There will be additional set up and installation costs to be provided by the Town's Public Work's staff as soon as it is available.

Keith Warren made a motion, and Rebecca Johnson seconded, to proceed with the purchase of the Henderson ADA Inclusive playground set from Game Time/Cunningham Recreation in Charlotte, North Carolina, in the amount of one hundred fifty-eight thousand three hundred eighty-two dollars and eighty-nine cents (\$158,382.89) and any additional set up and installation costs as provided from the Town's Public Work's staff. All were in favor.

**BANK SIGNATURE CARDS:** Mayor Johnnie Greene stated that due to Town Administrator Christopher Todd's resignation there needed to be new signature cards on file at the bank. The bank requires a new signature card to be on file whenever there are changes in the staff and/or Council. The signature cards will authorize Finance Officer Karen Clontz, Mayor Johnnie Greene and Councilman Joe Norman to sign on behalf of the Town regarding banking transactions. The Town requires 2 (two) signatures for accounts payable checks, and the purchase and/or sale of Public Funded Certificates of Deposits. The Town also maintains a lockbox for important/sensitive documents. In order to add, or retrieve, any documents from the lockbox, staff would need to add Deputy Finance Officer Ronnie Coffey as a co-signer.

Rebecca Johnson made a motion, and Keith Warren seconded, to have new signature cards on file at the bank giving Finance Officer Karen Clontz, Mayor Johnnie Greene and Joe Norman authorization to sign on behalf of the Town regarding accounts payable checks, and the purchase and/or sale of Public Funded Certificates of Deposits and giving Finance Officer Karen Clontz and Deputy Finance Officer Ronnie Coffey authorization to add, or retrieve, any documents from the lockbox. All were in favor.

**SAWMILLS COMMUNITY OPTIMIST DONATION REQUEST:** Mayor Johnnie Greene stated that the Sawmills Community Optimist had requested a donation in the amount of two hundred dollars (\$200.00).

Clay Wilson made a motion, and Rebecca Johnson seconded, to give a donation in the amount of two hundred dollars (\$200.00) to Sawmills Community Optimist. All were in favor.

**DISCUSSION:**

**AMI WATER METER SYSTEM REVIEW:** Mayor Johnnie Greene stated that the Town has partnered with MeterSys to conduct a feasibility and business analysis of installing an Advanced Metering Infrastructure water metering system in the Town of Sawmills.

Andy Honeycutt of MeterSys gave a presentation on an AMI Water Meter System and the options for implementation of the system.

Clay Wilson made a motion, and Rebecca Johnson seconded, for MeterSys to start the bid process for the Town of Sawmills to go to an AMI Water Meter System. All were in favor.

**PLANNING MATTERS:**

**PLANNING BOARD ANNUAL REPORT:** Town Planner Hunter Nestor stated that in the Planning Ordinance Section 151.06 it is stated that: An annual report shall be prepared and submitted to the Town Council by May of each year. The report shall include a comprehensive and detailed review of the activities, problems and actions of the Planning Board as well as any budget requests and/or recommendations.

Town Planner Hunter Nestor stated that the Planning Board did not meet between July 2018 and June 2019. However, the Sawmills Comprehensive Plan was adopted during January 2019, which was recommended for approval by the Board.

Town Planner Hunter Nestor stated that the Board of Adjustments did not meet between July 2018 and June 2019.

Town Planner Hunter Nestor stated that he wrote forty-one (41) zoning permits, approved nine (9) subdivisions and provided zoning assistance to over one hundred (100) customers, consisting of various prospective buyers, realtors, property owners, developers, and concerned citizens during the last fiscal year.

Town Planner Hunter Nestor stated that there were thirty (30) Code Enforcement cases that have been completed.

No Council action was needed.

**PUBLIC COMMENT:**

No one wished to speak

**JULY CODE ENFORCEMENT REPORT:** There are seven (7) code enforcement cases open:

- Chaney Carter, owner of 4361 Sawmills School Rd. Overgrown vegetation. Town Planner Hunter Nestor stated that a letter was sent on July 19, 2018, with a deadline of August 3, 2018. Town Planner Hunter Nestor stated that the nuisance was abated by the Town on August 10, 2018. Town Planner Hunter Nestor stated that a lien will be placed on the property for the cost of the mowing. Town Planner Hunter Nestor stated that a hearing was held on September 6, 2018, and Ms. Carter did not show so Town will proceed to demolish house;
- Carolyn Bray/Robyn Brittan, 2570 Baker Circle. Abandoned mobile home. Town Planner Hunter Nestor states that he is working with Town Attorney Terry Taylor to abate;
- Horror Fields, Kiser-Sawmills, Helena St. Fence/buffer. Town Planner Hunter Nestor stated that a complaint was received on April 10, 2019. Town Planner Hunter Nestor stated that the property is not in compliance with the conditions set in CUP. Town Planner Hunter Nestor stated that a NOV letter was sent out on April 11, 2019, with a deadline of May 10, 2019. Town Planner Hunter Nestor stated that he made a site visit on May 30, 2019 and owner is working to get property in compliance but there are still some other areas that need to be addressed;
- Charles and Patsy Crotts, 4200 Crotts Mobile Home Park Dr. Overgrown vegetation. Town Planner Hunter Nestor received a written complaint on May 21, 2019. Town Planner Hunter Nestor sent a NOV letter with a deadline of June 3, 2019. Town Planner Hunter Nestor stated that the letter came back and was resent to updated address on May 28, 2019. Town Planner Hunter Nestor stated that he has not received a response and no progress has been made at the property as of July 9, 2019. Town Planner Hunter Nestor stated that he will work to get the property abated and a lien set on property;
- Debra Baker, 4476 Rual Dr. Overgrown vegetation/garbage and rubbish. Town Planner Hunter Nestor received a written complaint on May 22, 2019. Town Planner Hunter Nestor sent a NOV letter with a deadline of June 11, 2019. Town Planner Hunter Nestor stated that he has received no response and no progress has been made at the property as of July 9, 2019. Town Planner Hunter Nestor stated that he will work to get the property abated and a lien set on the property;
- Nancy Greene, 4446 Villa Woods. Overgrown Vegetation/Garbage and Rubbish. Town Planner Hunter Nestor received a written complaint on June 26, 2019. Town Planner Hunter Nestor stated that he sent a NOV letter on June 26, 2019 to clean up the property with a deadline of July 12, 2019. Town Planner Hunter Nestor stated that the property has been mowed and homeowner is working on cleaning the property as of July 9, 2019;

July 16, 2019

- Paul West, 2514 Crest Ln. Overgrown Vegetation/Garbage and Rubbish. Town Planner Hunter Nestor received a complaint on July 5, 2019. Town Planner Hunter Nestor stated a NOV letter was sent on July 5, 2019 with a deadline of July 29, 2019.

No Council action was required.

**COUNCIL COMMENT:** Mayor Johnnie Greene asked if anyone on Council had any comments or questions at this time:

Keith Warren wanted to thank everyone for coming out.

Rebecca Johnson wanted to thank everyone for coming.

**COUNCIL ADJOURN:** Mayor Johnnie Greene asked for a motion to adjourn.

Keith Warren made a motion, and Rebecca Johnson seconded, to adjourn the meeting. All were in favor.

The meeting was adjourned at approximately 7:05pm.

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Johnnie Greene, Mayor

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Julie A. Good, Town Clerk

**MONDAY, JULY 29, 2019**  
**TOWN OF SAWMILLS SPECIAL COUNCIL MEETING**  
**6:00 PM**

**COUNCIL PRESENT**

Mayor Johnnie Greene  
Keith Warren  
Clay Wilson  
Joe Norman

**COUNCIL ABSENT**

Rebecca Johnson

**CALL TO ORDER:** Mayor Johnnie Greene called the meeting to order at approximately 6:00 pm.

**INVOCATION:** Keith Warren gave the invocation.

**PLEDGE OF ALLEGIANCE:** Mayor Johnnie Greene led the Pledge of Allegiance.

**ADOPT AGENDA:** Mayor Johnnie Greene asked for a motion to adopt the agenda.

Joe Norman made a motion, and Keith Warren seconded, to adopt the agenda. All were in favor.

**CLOSED SESSION FOR NCGS 143-318.11(a)(6) CONSIDER THE QUALIFICATIONS, COMPETENCE, PERFORMANCE, CONDITION OF APPOINTMENT OF A PUBLIC OFFICER OR EMPLOYEE OR PROSPECTIVE PUBLIC OFFICER OR EMPLOYEE:** Mayor Johnnie Greene asked for a motion to go into closed session.

Keith Warren made a motion, and Joe Norman seconded, for Council to go into closed session under NCGS 143-318.11(a)(6) consider the qualifications, competence, performance, condition of appointment of a public officer or employee or prospective public officer or employee. All were in favor.

Keith Warren made a motion and Clay Wilson seconded, to return to open session and then to recess this special meeting until 5:00pm on Wednesday, August 28, 2019, at the Western Piedmont Council of Governments office. All were in favor.

This Special Meeting was recessed until August 28, 2019, at 5:00pm at the Western Piedmont



Council of Governments Office, located at 1880 2<sup>nd</sup> Avenue NW, Hickory, NC 28601.

The meeting was recessed at approximately 7:12pm.

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Johnnie Greene, Mayor

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Julie A Good, Town Clerk

**AGENDA ITEM 7A**

**MEMO**

**DATE:**

August 20, 2019

**SUBJECT:**

Recognition:  
Recycle Rewards  
Program

**Discussion:**

The Town of Sawmills would like to congratulate Mr. Adam Reese on winning the Recycle Rewards Program for the month of August. Mayor Johnnie Greene will present him with a Certificate of Appreciation. A thirty-two dollar (\$32.00) credit will be added to the current sanitation bill.

**Recommendation:**

No Council action is required.

**AGENDA ITEM 8A**

**MEMO**

**DATE:**

August 20, 2019

**SUBJECT:**

Financial Matters:  
Request for Donation

**Discussion:**

The Town has received a request from the Caldwell County Schools for a donation in the amount of \$14,000.00 (fourteen thousand dollars).

There are sufficient funds in the budget for this request.

**Recommendation:**

Staff recommends Council discuss this matter and decide how they wish to proceed.

**AGENDA ITEM 9B**

**MEMO**

**DATE:**

August 20, 2019

**SUBJECT:**

Financial Matters:  
Surplus of Refuse Trucks

**Discussion:**

For the next three years, the Town of Sawmills has contracted with Republic Services to collect trash for the town.

The Town currently owns three refuse trucks. During the fiscal year 2019-2020 budget meetings, Council agreed to sell two of the trucks and keep one truck for possible future use. Once Council determines which trucks to sell, we will begin accepting bids and present them to Council.

We have been given an estimated value for these trucks from the original seller.

2009 Mack/Heil	Approximately \$13,000
2013 Mack/Heil	Approximately \$30,000
2018 Mack/Heil	Approximately \$200,000

Any funds collected for the trucks can be placed in a Capital Reserve, for future trash collection expenditures, if the Town chose to start collecting trash after the contract with Republic Services expires.

**Recommendation:**

Staff requests Council determine which two trucks to surplus and which one to keep. Also advise if the funds should be transferred to a Capital Reserve, or placed into the General Fund.

**MEMO**

**DATE:**

August 20, 2019

**SUBJECT:**

Financial Matters:  
Surplus of Ballfield  
poles/lights

**Discussion:**

During fiscal year 2018-2019 the Town replaced the Baird Park ballfield lights and poles.

Staff would like to surplus the old poles and lights.

**Recommendation:**

Staff requests Council authorize the sale of the old poles and lights.

**AGENDA ITEM 9A**

**MEMO**

**DATE:**

August 20, 2019

**SUBJECT:**

Discussion:  
Council-Manager Charter  
Amendment

**Discussion:**

During the June 18, 2019 Council Meeting, a resolution was presented to Council, for consideration, to change the form of government from Mayor-Council to Council Manager.

During the July 16, 2019 Council Meeting, a Public Hearing was held to allow public input regarding the charter amendment.

Attached is a Resolution adopting an Ordinance amending the Town Code of Ordinances and the Charter of the Town of Sawmills to adopt the Council-Manager Form of Government.

**Recommendation:**

Staff recommends Town Council amend the charter for the Town of Sawmills, changing the form of government from Mayor-Council to Council-Manager.

RESOLUTION ADOPTING AN ORDINANCE AMENDING THE TOWN CODE OF ORDINANCES AND THE CHARTER OF THE TOWN OF SAWMILLS TO ADOPT THE COUNCIL-MANAGER FORM OF GOVERNMENT

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

WHEREAS, the Town of Sawmills has adopted a Code of Ordinances; and

WHEREAS, Section 31.03 addresses the duties of a Town Administrator; and

WHEREAS, the Town may desire to amend Section 31.03 of the Code of Ordinances as it is currently written, to change the title from Town Administrator to Town Manager.

THAT, WHEREAS, The Town Council of the Town of Sawmills did conduct the proper public hearing after due notice to consider the Charter Amendment set forth below; and

THAT, WHEREAS, the Town Council of the Town of Sawmills does further desire to amend the Town's Code of Ordinances to amend Section 31.03 to further define the duties of the Town Manager.

NOW, THEREFORE, BEIT HEREBY RESOLVED that Section 31.03 of the Code of Ordinances as it is currently written shall be deleted and instead shall read as follows:

Section 31.03. Town Manager. The Town Council shall appoint a Town Manager whose duties shall be to execute and administer the policies and procedures adopted by Town Council, and the Town Manager, as the Chief Administrator of the City, shall have the powers and duties set forth in North Carolina General Statute 160A-148.

BE IT FURTHER RESOLVED by the Town Council of the Town of Sawmills:

Section 1. Pursuant to G.S.160A-101 and 160A-102, the Charter of the Town of Sawmills, ("Charter") as set forth in Chapter 5.1 of the 1987 Session Laws of North Carolina, as amended, is hereby further amended to provide that the Town shall operate under the Council-Manager form of government in accordance with Part 2 of Article 7 of G.S. Chapter 160A and any Charter provisions not in conflict therewith.

Section 2. The Town Clerk shall cause a notice to be duly published, stating that an Ordinance amending the Charter to adopt the Council-Manager form of government has been adopted. Subject to any referendum petitioned for and conducted pursuant to G.S. 160A-103, this ordinance shall be in full force and effect from and after August \_\_\_\_\_, 2019.

Adopted this \_\_\_\_\_ day of August, 2019.

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Johnnie Greene  
Mayor

ATTEST:

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Julie A Good  
Town Clerk

Approved as to Form:

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Terry Taylor  
Town Attorney



**MEMO**

**DATE:**

August 20, 2019

**SUBJECT:**

Discussion:  
AMI Water Meter System  
Update and Financing Options

**Discussion:**

This memo is to serve as an update regarding the AMI Water Meter System. During the July 16, 2019 meeting, Council agreed to have MeterSys start the bid process for the Automated Meter Infrastructure.

The proposed timeline is as follows:

Bid packets	Due by September 13, 2019 at 3:00pm (EST)
Vendor evaluations	Completed by October 10 <sup>th</sup> , 2019 - Staff will review with the Public Works Committee (Joe Norman and Clay Wilson)
Vendor Selection Capital Improvement Project & Budget Amendment	October 15 <sup>th</sup> , 2019 Council Meeting
Contract	Awarded with notice to proceed by October 31 <sup>st</sup> , 2019

If Council approves the proposed project, Staff would like to discuss how to finance the project.

	Full	Partial	Partial with Financing
General Fund – Fund Balance Appropriation	100%	Example: 60%	Example: 50%
Utility Fund – Net Asset Appropriation		Example: 40%	Example: 50%
Financing -			Up to: \$400,000
<ul style="list-style-type: none"> <li>• Equipment Installment Lease purchase contract</li> <li>• 5-year term @ 2.5% (\$400,000)</li> <li>• No closing costs</li> <li>• Pay the balance off in 4 years with no penalty</li> </ul>	= approximately \$84,000 per year to be transferred from the General Fund		

**Recommendation:**

Staff requests Council determine how to finance the proposed AMI meter replacement project.

**AGENDA ITEM 11A**

**MEMO**

**DATE:**

August 20, 2019

**SUBJECT:**

Updates:  
Code Enforcement  
Monthly Report

**Discussion:**

The attached report shows the progress that Planner Hunter Nestor continues to make throughout the town.

**Recommendation:**

No Council action required.

### Code Enforcement Report

Property Address	Property Owner	Issue	Notes
Horror Fields (4276 Helena St, Hudson, NC 2	KISER-SAWMILLS INC	Fence/Buffer	Complaint made on 4/10. Property is not in compliance with conditions set but CUP. Letter sent out on 4/11. Site visit on 5/30 and owner is working to get property in compliance but still some other areas that need to be addressed.
4200 Crofts MHP DR	Charles and Pansy Crofts	Overgrown Vegetation	Complaint made on 5/21. Deadline was 6/3. Letter came back and was resent to updated address on 5/28. A second warning letter was sent on 7/30 with new deadline of 8/9. No response and no progress as of 8/8.
4476 Rua I DR	Deborah Barker	Overgrown Vegetation/Garbage and Rubbish	Complaint made on 5/22. Deadline 6/11. additional letter was sent 6/20. No response and property has been mowed as of 8/13 but rest of property is still not in compliance (Garbage and Rubbish) but no other complaints have been made.
4221 US HWY 321A	Timberline Lumber CO INC	Overgrown Vegetation/Property Maintenance	Complaint Received 7/2. Original letter was sent 7/16 and no response or no progress as of 8/8. Second warning letter was sent on 8/8 with new deadline of 8/20.
2514 Crest Lane	Paul West	Overgrown Vegetation/Garbage and Rubbish	Complaint Received 7/5. Letter was sent on 7/9. Letter was returned and was unable to forward. Contacted Taxing office to see if owner has a different address for notice. Additional letter was mailed/posted on 8/13 with new deadline of 8/26.
4166 Duff DR	Brian Poarch	Overgrown Vegetation/Property Maintenance	Complaint Received 8/7. Letter was sent on 8/8 with deadline of 8/27.