

AGENDA

Regular Meeting of the Sawmills Town Council Sawmills Town Hall

**Tuesday, December 19, 2023
6:00 pm**

- | | | |
|-----|---|-------------------------|
| 1. | Call To Order | Mayor Keith Warren |
| 2. | Invocation | |
| 3. | Pledge of Allegiance | Mayor Keith Warren |
| 4. | Adopt Agenda | Mayor Keith Warren |
| 5. | Approve Meeting Minutes | Mayor Keith Warren |
| | A. November 21, 2023 Regular Meeting Minutes | Mayor Keith Warren |
| | B. November 21, 2023 Closed Session Minutes | |
| 6. | Public Comment | |
| 7. | Recognitions: | Mayor Keith Warren |
| | A. Recycle Rewards | |
| 8. | Planning Matters:
Rezoning of PIN Numbers: 2766657929,
2766666171, 2766667200, 2766668126, 2766659938
and 2766658939 | Mayor Keith Warren |
| 9. | Adjourn | Mayor Keith Warren |
| 10. | Oath of Office for New Council Members | Town Clerk Julie A Good |
| 11. | Call to Order | Mayor Keith Warren |
| 12. | Adopt Agenda | Mayor Keith Warren |
| 13. | Public Comment | |
| 14. | Organizational Matters: | Mayor Keith Warren |
| | A. Seating Arrangements | Mayor Keith Warren |
| | B. Election of Mayor Pro Tem | Mayor Keith Warren |
| | C. Council Ethics and Code of Conduct | Mayor Keith Warren |
| | D. Standing Council Committee Assignments | Mayor Keith Warren |
| 15. | Financial Matters: | Mayor Keith Warren |
| | A. Adopt Budget Workshop Schedule | Mayor Keith Warren |
| | B. FY 2022-2023 Audit Presentation | Mayor Keith Warren |
| | C. Capital Project Ordinance-BRIC Grant | Mayor Keith Warren |
| | D. Capital Project Ordinance-MUSCO Lights | Mayor Keith Warren |

16. Updates:

- A. Code Enforcement Report
- B. Manager Updates
- C. Council Comment

Mayor Keith Warren
Town Manager Chase Winebarger
Mayor Keith Warren

17. Closed Session: N.C.G.S. §143-318.11(a)(3)

Mayor Keith Warren

18. Adjourn

Mayor Keith Warren

TUESDAY, NOVEMBER 21, 2023
TOWN OF SAWMILLS REGULAR COUNCIL MEETING
6:00PM

COUNCIL PRESENT

Mayor Keith Warren
Mayor Pro Tem Clay Wilson
Bobby Mosteller
Rebecca Johnson
Melissa Curtis

STAFF PRESENT

Chase Winebarger
Julie A Good
Terry Taylor

COUNCIL ABSENT

Joe Wesson

CALL TO ORDER: Mayor Keith Warren called the meeting to order at approximately 6:00pm.

INVOCATION: Pastor Mark Dula gave the invocation.

PLEDGE OF ALLEGIANCE: Mayor Keith Warren led the Pledge of Allegiance.

ADOPT AGENDA: Mayor Keith Warren asked for a motion to adopt the November 21, 2023 Agenda.

Melissa Curtis made a motion, and Clay Wilson seconded, to adopt the November 21, 2023 Amended Agenda. All were in favor.

APPROVE OCTOBER 17, 2023 REGULAR MEETING MINUTES: Mayor Keith Warren asked for a motion to approve the September 19, 2023 regular meeting minutes.

Clay Wilson made a motion, and Rebecca Johnson seconded, to approve the October 17, 2023 regular meeting minutes. All were in favor.

PUBLIC COMMENT: Mayor Keith Warren asked if anyone had any questions or comments at this time.

Adam Johnson spoke about code enforcement issues on Sigmon Drive.

RECOGNITIONS:

NOVEMBER RECYCLE REWARDS WINNER: Mayor Keith Warren announced Teresa Curtis as the November Recycle Rewards Winner. A credit of forty dollars (\$40.00) will be added to the current sanitation bill.

No Council action was required.

PUBLIC HEARING: TEXT AMENDMENT:

OPEN PUBLIC HEARING: Mayor Keith Warren asked for a motion to open the public hearing.

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

STAFF COMMENTS/RECOMMENDATIONS: Town Planner Dustin Millsaps stated that a text amendment has been completed to make minor changes to clarify language and particular sections of the zoning ordinance. Town Planner Dustin Millsaps stated that the zoning ordinance has been to Planning Board and that Planning Board recommends the adoption of the text amendment to the Town Council as written.

PUBLIC COMMENT: No one wished to speak.

CLOSE PUBLIC HEARING: Mayor Keith Warren asked for a motion to close the public hearing.

Clay Wilson made a motion, and Melissa Curtis seconded, to close the public hearing. All were in favor.

COUNCIL ACTION: Rebecca Johnson made a motion, and Clay Wilson seconded, to approve the text amendment to the Town of Sawmills Zoning Ordinance. All were in favor.

FINANCIAL MATTERS:

CALDWELL COUNTY VETERANS HONOR GUARD DONATION REQUEST: Mayor Keith Warren stated that the Caldwell County Veterans Honor Guard, 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 Caldwell County Veterans Honor Guard. All were in favor.

PUBLIC COMMENT: Mayor Keith Warren asked if anyone had any questions or comments at this time.

No one wished to speak.

UPDATES:

NOVEMBER CODE ENFORCEMENT REPORT: Town Code Enforcement Officer Curt Willis stated that there are six (6) code enforcement cases that are open.

No Council action was required.

TOWN MANAGER UPDATES: Town Manager Chase Winebarger had the following updates:

- Town Manager Chase Winebarger stated the employee Thanksgiving lunch will be on Wednesday, November 22, 2023 at Sawmills Town Hall.
- Town Manager Chase Winebarger stated that the employee Christmas lunch will be on Thursday, December 21, 2023, at Copper Penny.
- Town Manager Chase Winebarger stated that he has spoken to the Architect and they are waiting on one (1) engineer, but that the project should go out to bid in January of 2024.
- Town Manager Chase Winebarger stated that staff is still working on the BRIC grant for the repairs to the sewer lift station and it should come to Council in December.
- Town Manager Chase Winebarger stated that there is a final meeting on December 5, 2023, for the MUSCO financing for the new park lights.
- Town Manager Chase Winebarger stated that employee longevity will be paid out the first pay period in December. Town Manager Chase Winebarger stated that since longevity is in the budget, that this would be the last year he would remind Council when it was being paid.
- Town Manager Chase Winebarger stated that he had received a fully completed petition from Leonard Bumgarner to make Mill Drive a Town street. Town Manager Chase Winebarger stated that he will bring it to Council during budget preparation for consideration.

COUNCIL COMMENTS:

Melissa Curtis wanted to thank everyone for coming to the meeting.

Clay Wilson wanted to congratulate Council members Melissa Curtis, Bobby Mosteller and Joe Wesson for the past election.

Mayor Keith Warren wanted to thank everyone for coming.

CLOSED SESSION PURSUANT TO N.C.G.S. §143.318-11(A)(3): Mayor Keith Warren asked for a motion to go into closed session.

Melissa Curtis made a motion, and Clay Wilson seconded, to go into closed session pursuant to N.C.G.S. § 143.318-11(a)(3) at approximately 6:21pm. All were in favor.

Clay Wilson made a motion, and Rebecca Curtis seconded, to come out of closed session at approximately 6:45pm. All were in favor.

COUNCIL ADJOURN: Mayor Keith Warren asked for a motion to adjourn.

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

The meeting was adjourned at approximately 6:45pm.

Keith Warren, Mayor

Julie A. Good, Town Clerk

AGENDA ITEM 7A

MEMO

DATE:

December 19, 2023

SUBJECT:

Recognition:
Recycle Rewards
Program

Discussion:

The Town of Sawmills would like to congratulate Jack Mason on winning the Recycle Rewards Program for the month of December. He will be presented with a Certificate of Appreciation. A forty dollar (\$40.00) credit will be added to the current sanitation bill.

Recommendation:

No Council action is required.

AGENDA ITEM 8A

MEMO

DATE:

December 19, 2023

SUBJECT:

Planning:
Rezoning of PIN Numbers:
2766657929, 2766666171,
2766667200, 2766668126,
2766659938 and 2766658939

Discussion:

A public hearing for the rezoning of Pin Numbers 2766657929, 2766666171, 2766667200, 2766668126, 2766659938 and 2766658939 was held on August 15, 2023. Council tabled this matter until the December 19, 2023 regular scheduled Council Meeting.

Recommendation:

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

AGENDA ITEM 14A

MEMO

DATE:

December 19, 2023

SUBJECT:

Seating Arrangements

Discussion:

The new Council seating arrangement will be as follows:

- Melissa Curtis
- Bobby Mosteller
- Rebecca Johnson
- Town Attorney Terry Taylor
- Mayor Keith Warren
- Town Manager Chase Winebarger
- Joe Wesson
- Clay Wilson
- Town Clerk Julie A Good

Recommendation:

No Council action is required.

AGENDA ITEM 14B

MEMO

DATE:

December 19, 2023

SUBJECT:

Organizational Matters:
Election of Mayor
Pro Tem

Discussion:

As a result of the November 2023 election, Council will need to elect a new Mayor Pro Tem. Enclosed is a description of the duties of the Mayor Pro Tem in accordance with NCGS § 160A-70 and as stated in the Town of Sawmills Code of Ordinances.

Recommendation:

Council needs to elect a member of the Council to serve as the Mayor Pro Tem.

§ 160A-70. Mayor pro tempore; disability of mayor.

At the organizational meeting, the council shall elect from among its members a mayor pro tempore to serve at the pleasure of the council. A councilman serving as mayor pro tempore shall be entitled to vote on all matters and shall be considered a councilman for all purposes, including the determination of whether a quorum is present. During the absence of the mayor, the council may confer upon the mayor pro tempore any of the powers and duties of the mayor. If the mayor should become physically or mentally incapable of performing the duties of his office, the council may by unanimous vote declare that he is incapacitated and confer any of his powers and duties on the mayor pro tempore. Upon the mayor's declaration that he is no longer incapacitated, and with the concurrence of a majority of the council, the mayor shall resume the exercise of his powers and duties. In the event both the mayor and the mayor pro tempore are absent from a meeting, the council may elect from its members a temporary chairman to preside in such absence. (1971, c. 698, s. 1; 1979, 2nd Sess., c. 1247, s. 4.)

AGENDA ITEM 14C

MEMO

DATE:

December 19, 2023

SUBJECT:

Organizational Matters:
Council Ethics and
Code of Conduct

Discussion:

Enclosed with this memo is a copy of the Code of Ethics prepared by Attorney Terry Taylor and adopted by the Town Council on August 17, 2010. North Carolina General Statutes § 160A-83 requires the governing board to adopt a code of ethics to guide the actions of its members in the performance of their duties.

Also enclosed is a Standard of Conduct form prepared by Attorney Terry Taylor. Mayor Keith Warren asks each Council member to read this form. New Council members should be prepared to sign this document. A copy is kept on file with the Clerk.

Recommendation:

Council needs to review and sign the enclosed document.

CODE OF ETHICS

Adopted: AUGUST 17, 2010
Resolution No.: _____

TOWN OF SAWMILLS

Standards of Conduct and Conflict of Interest

A. Purpose

The purpose of this Code of Ethics is to establish guidelines for ethical standards of conduct of the Town of Sawmills and to help determine what conduct is appropriate in particular cases. It should not be considered a substitute for the law or for a board member's best judgment.

B. Definitions

For purposes of this section, the following definitions shall apply:

1. *Business Entity* means any business, proprietorship, firm, partnership, person in representative or fiduciary capacity, association, venture, trust or corporation which is organized for financial gain or for profit.
2. *Town Official* means the Chairman, members of the Town Board, Executive Manager, Town Attorney and Department Heads.
3. *Immediate Household* means the Town Official, his/her spouse, and all dependent children of the Town Official.
4. *Interest* means direct or indirect pecuniary or material benefit accruing to a Town Official as a result of a contract or transaction which is or may be the subject of an official act or action by or with the Town. For purposes of this article, a Town Official shall be deemed to have an interest in the affairs of (1) any person in his immediate household as such term is defined in this section, (2) any business entity in which the Town Official is an officer or director, (3) any business entity in which an excess of ten percent (10%) of the stock of or legal or beneficial ownership of is controlled or owned directly by or indirectly by the Town Official, (4) any non-profit organization on which the Chairman or any member of the Town Board currently serves an officer, director, or board member, direct or indirect.

5. *Official act or action* means any legislative, administrative, appointive or discretionary act of any Town Official.

C: Standards of Conduct

1. *Scope.* All Town Officials as defined in this article shall be subject to and abide by the following standards of conduct.

2. *Interest in Contract or Agreement or Employment.* No Town Official herein defined shall have or thereafter acquire an Interest in any contract or agreement with the Town, except as allowed by and in conformance with the procedure set forth in the North Carolina General Statutes. This section does not prevent consulting or employment contracts between an Official and the Town that may otherwise be allowed by law so long as the Official that has the conflict does not participate in the selection, award or supervision of the Contractor Employee.

3. *Use of Official Position.* No Official shall use his or her official position or the Town's facilities for his or her private gain. In addition, Town Officials shall not misuse their status in such a way as to require, expect, or accept favors from subordinate employees.

4. *Disclosure of Information.* No Official shall use or disclose confidential information gained in the course of or by reason of his official position for purposes of advancing (1) his or her financial or personal interest, (2) a business entity in which he or she is an owner in part or in whole, an officer or director, (3) the financial or personal interest of a member of his or her immediate household or that of any other person.

5. *Incompatible Service.* No Official shall engage in or accept private employment or render service to private or other public interests when such employment or service is incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in the performance of official duties unless otherwise permitted by law and unless disclosure is made as provided in this article. Before accepting private employment, the Official should consider whether such employment would impact the Town negatively. An Official who accepts private employment should not represent himself or herself as an employee or agent of the Town.

6. *Gifts.* No Town Official shall directly or indirectly solicit any gift or accept or receive any gift having a value of Twenty-Five Dollars (\$25.00) or more whether in the form of money, services loaned, travel, entertainment, hospitality, thing or promise or any other form under circumstances in which it could reasonably be inferred that the gift was intended to influence him or her or could reasonably be expected to influence him or her in the performance of official duties or is intended as a reward for any official action or his or her part. Legitimate political contributions shall not be considered as gifts under the provisions of this paragraph.

7. *Special Treatment.* No Town Official shall grant any special consideration, treatment, or advantage to any citizen or public or private entity beyond that which is available to every other citizen or entity.

8. *Standards of Conduct.*

These Standards of Conduct require that:

Section 1. Town of Sawmills Board Members should obey all laws applicable to their official actions as members of the board. Board Members should be guided by the spirit as well as the letter of the law in whatever they do.

At the same time, Board Members should feel free to assert policy positions and opinions without fear of reprisal from fellow board members or citizens. To declare that a board member is behaving unethically because one disagrees with that board member on a question of policy (and not because of the board member's behavior) is unfair, dishonest, irresponsible, and itself unethical.

Section 2. Board members should act with integrity and independence from improper influence as they exercise the duties of their offices.

Section 3(a) Board Members should avoid impropriety in the exercise of their official duties. Their official actions should be above reproach. Although opinions may vary about what behavior is inappropriate, this board will consider impropriety in terms of whether a reasonable person who is aware of all of the relevant facts and circumstances surrounding the board member's action would conclude that the action was inappropriate.

Section 3(b) If a Board Member believes that his or her actions, while legal and ethical, may be misunderstood, the member should seek the advice of the board's attorney and should consider publicly disclosing the facts of the situation and the steps taken to resolve it.

Section 4. Board Members should faithfully perform the duties of their offices. They should act as the especially responsible citizens whom others can trust and respect. They should set a good example for others in the community, keeping in mind that trust and respect must continually be earned.

Board Members should faithfully attend and prepare for meetings. They should carefully analyze all credible information properly submitted to them, mindful of the need not to engage in communications outside the meeting in any quasi-judicial matters. They should demand full accountability from those over whom the Board has authority.

Board Members should be willing to bear their fair share of the board's workload. To the extent appropriate, they should be willing to put the board's interests ahead of their own.

Section 5. Board Members should conduct the affairs of the board in an open and public manner. They should comply with all applicable laws governing open meetings and public records, recognizing that doing so is an important way to be worthy of the public's trust. They should remember when they meet that they are conducting the public's business. They should also remember that local government records belong to the public and not to board members or their employees.

In order to ensure strict compliance with the laws concerning openness, boards members should make clear that an environment of transparency and candor is to be maintained at all times in the governmental unit. They should prohibit unjustified delay in fulfilling public records requests. They should take deliberate steps to make certain that any closed sessions held by the board are lawfully conducted and that such sessions do not stray from the purposes for which they are called.

D. Disclosure of Interest in Legislative Action

The Chairman or any member of the Town Board who has an Interest in the official act or action before the Town Board shall publicly disclose on the record of the Town of Sawmills the nature and extent of such interest and shall withdraw from any consideration of the matter if excused by the Authority.

E. Investigations Instigated by Town Board, Town Manager or Any Other Person


1. The Board may direct the Town Attorney to investigate any apparent violation of this article as it applies to the Chairman, any member of the Board, or Town Manager, and to report the findings of the investigation to the Board.
2. The Board may direct the Town Manager to investigate any apparent violation of this article by the Town Attorney and to report the findings of the investigation to the Board.
3. Any person who believes that a violation of this article has occurred may file a complaint in writing with the Board when the Chairman and members of the Board, Town Manager or Town Attorney are the subjects of the complaint.
4. If the Board, after receipt of an investigation, has cause to believe a violation has occurred, the Board shall schedule a hearing on the matter, said hearing may be held as a Closed Session. The Official who is charged with the violation shall have the right to present evidence, cross-examine witnesses, including the complainant or complainants, and be represented by counsel at the hearing. If upon the conclusion of the hearing, the majority vote of the Board finds a violation has occurred, the Board may adopt a resolution of censure which shall be placed as a matter of record in the minutes of an official Board meeting.

F. Advisory Opinions.

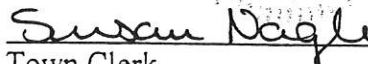
When a Town Official has a doubt as to the applicability of any provision of this articles to a particular situation or to the definition of terms used in this article, he or she may apply to the Town Board or Town Attorney for an advisory opinion, either of which shall issue an opinion in writing and file same with either the Board or Town Attorney. The Town Official shall have the opportunity to present his or her interpretation of the facts at issue and of the application of provisions of this article before such advisory opinion is made. In addition, the Town Official shall publicly disclose to the Board or Town Manager the facts of issue in a particular situation and shall rely upon any resolution adopted by the Board or Town Manager regarding that particular situation.

Adopted this the 17 day of AUGUST,
20 10.

TOWN OF SAWMILLS

By: 
Mayor

ATTEST:


Town Clerk





STANDARD OF CONDUCT

Our Value Statement:

As a Council Member of the Town of Sawmills, I commit to conduct myself as a professional and support the following values:

1. Service. I will be responsive to the needs of citizens and my fellow Council Members by consistently exceeding their expectations.
2. Respect. I believe in the value of my fellow Council Members and recognize each person's contribution as important.
3. Integrity. I will be fair, consistent and honest with my fellow Council Members, the staff and citizens. I will be responsible and I will do what I say I will do.
4. Competence. As a Council Member, I will continue to grow and develop my skills and understanding through attending seminars and read other information that is available to me about governing of a town in North Carolina.
5. Innovation. I will be open-minded, I will be flexible and receptive to change and actively involved in identifying opportunities for improvement for the town.
6. Attitude. I will treat my fellow Council Members, the staff and citizens with respect and dignity. I will listen and communicate in a sincere way, being sensitive to the needs of others.

This the ____ day of _____, 20__.

(Seal)

AGENDA ITEM 14D

MEMO

DATE:

December 19, 2023

SUBJECT:

Organizational Matter:
Standing Council
Committee Assignments

Discussion:

Enclosed with this memo is a copy of the Standing Council Committees as appointed by the Mayor.

Recommendation:

No Council action is required.



Town of Sawmills
Standing Council Committees for 2024-2026

Public Works Committee

Clay Wilson

Rebecca Johnson

Roadways & Streets
Water Resources
Wastewater
Drainage
Right-of-Ways
Solid Waste

Parks & Recreation Committee

Joe Wesson

Bobby Mosteller

Parades, Festivals, & Special Events
Civic Organizations

Planning & Development Committee

Clay Wilson

Bobby Mosteller

Land Use Regulations
Zoning
Extra-Territorial Jurisdiction (ETJ)
Code Enforcement

Law & Finance Committee

Melissa Curtis

Rebecca Johnson

Administration
Budget Appropriations
Audit Performance
Public Health & Safety

Intergovernmental Committee

Bobby Mosteller

Joe Wesson

W.P.C.O.G.
N.C.L.M.
Community Colleges
Chamber of Commerce
Institute of Government
Intergovernmental (County/State)

Personnel Committee

Clay Wilson

Melissa Curtis

***The Mayor is a member of all Standing Council Committees**

Updated: December 2023

AGENDA ITEM 15A

MEMO

DATE:

December 19, 2023

SUBJECT:

Financial Matters:
Adopt Budget
Workshops Schedule

Discussion:

Enclosed with this memo is a copy of the proposed FY 2024-2025 budget workshop schedule.

The annual Council budget retreat is scheduled for February 6th, 2024, from 9:00 am to 4:00 pm, at Sawmills Town Hall Council Chambers.

As presented, the budget schedule includes four (4) budget workshops.

Recommendation:

Staff recommends Council adopt the FY 2024-2025 budget workshops schedule.



FY 2024-2025 Budget Retreat and Workshop Schedules

December 19th at 6:00 pm Regular Council Meeting	Adopt FY 2024-2025 Budget Retreat and Workshop Schedules (Sawmills Town Hall Council Chambers)
February 6th from 9:00-4:00 Special Council Meeting	Annual Council Budget Retreat (Sawmills Town Hall Council Chambers)
March 5th from 5:00-7:00 Special Council Meeting	Budget Workshop Number 1 (Sawmills Town Hall Council Chambers)
April 2nd from 5:00-7:00 Special Council Meeting	Budget Workshop Number 2 (Sawmills Town Hall Council Chambers)
April 23rd from 5:00-7:00 Special Council Meeting	Budget Workshop Number 3 (Sawmills Town Hall Council Chambers)
May 7th from 5:00-7:00 Special Council Meeting	Budget Workshop Number 4 (If needed) (Sawmills Town Hall Council Chambers)
May 21st at 6:00 pm Regular Council Meeting	Presentation of FY 2024-2025 Budget and Call a Public Hearing (Sawmills Town Hall Council Chambers)
June 18th at 6:00 pm Regular Council Meeting	Public Hearing and Adoption of FY 2024-2025 Budget (Sawmills Town Hall Council Chambers)

***As required by law all meetings are open to the public.**

AGENDA ITEM 15B

MEMO

DATE:

December 19, 2023

SUBJECT:

Financial Matters:
FY Ending June 30, 2023
Audit Presentation

Discussion:

Enclosed with your agenda packet is a copy of the audit for fiscal year ending June 30, 2023.

James Lowdermilk and Rick Hammer, with Lowdermilk, Church & Co., LLP, will be on hand to formally present the audit to the Mayor and Council.

Recommendation:

No council action required.

AGENDA ITEM 15C

MEMO

DATE:

December 19, 2023

SUBJECT:

Finance Matters:
Capital Project Ordinance

Discussion:

On November 16, 2023, the Town of Sawmills was awarded the Building Resilient Infrastructure and Communities (BRIC) Grant. The project is for the South Caldwell Sewer Pump Station Elevation Project. The grant agreement is between the State of North Carolina, Department of Public Safety ("Grantee") and the Town of Sawmills, North Carolina ("SubGrantee").

The grant award is for \$189,000 and will be matched by a Fund Balance Appropriation from the Utility Fund in the amount of \$189,000.

To facilitate budgetary and accounting control, it is required that a Capital Project Ordinance be adopted by the governing board authorizing all appropriations necessary for the completion of the project.

Recommendation:

Staff recommends approval.

CAPITAL PROJECT ORDINANCE
TOWN OF SAWMILLS
PROJECT BUDGET ORDINANCE
NORTH CAROLINA BUILDING RESILIENT INFRASTRUCTURE
AND COMMUNITIES (BRIC)
PROJECT NUMBER EMA-2021-BR-005-0022

BE IT ORDAINED by the Sawmills Town Council that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Capital Project Ordinance is hereby adopted.

Section 1. The project authorized is the BRIC 2021 South Caldwell Sewer Pump Station Elevation Project. The agreement is entered into by and between the State of North Carolina, Department of Public Safety (“Grantee”) and the Town of Sawmills, North Carolina (“SubGrantee”). The grant was awarded on November 16, 2023 and terminates on July 27, 2026, unless terminated earlier in accordance with the grant agreement.

Section 2. The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant document(s), the rules and regulations of the State of North Carolina and the budget contained herein.

Section 3. The following revenues are anticipated to be available to complete this project:

<u>Revenues</u>	
BRIC Grant – Phase 1	\$ 35,000
BRIC Grant – Phase 2	\$154,000
Utility Fund Balance Appropriation	<u>\$189,000</u>
Total	<u>\$378,000</u>

Section 4. The following amounts are appropriated for the project:

<u>Expenditures</u>	
Phase 1	\$ 70,000
Phase 2	<u>\$308,000</u>
Total	<u>\$378,000</u>

Section 5. The Finance Officer is hereby directed to maintain sufficient specific detailed accounting records to provide the accounting to the Grantee agency required by the grant agreement, federal and state regulations, and Town Council.

Section 6. Funds may be advanced from the Utility Fund for the purpose of making payments as due. Reimbursement requests will be made to the Grantee agency in an orderly and timely manner.

Section 7. The Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.

Section 8. The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this grant project in every budget submission made to this Town Council.

Section 9. Copies of this Capital Project Ordinance shall be furnished to the Town Clerk, Budget Officer and to the Finance Officer for direction in carrying out this project.

Adopted this the _____ day of _____, 2023.

APPROVED BY:

Keith Warren
Mayor, Town of Sawmills

Kelly Melton
Finance Officer, Town of Sawmills

ATTEST:

Julie Good
Town Clerk

APPROVED TO FORM:

Terry Taylor
Town Attorney

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

AGENDA ITEM 15D

MEMO

DATE:

December 19, 2023

SUBJECT:

Finance Matters:
Capital Project Ordinance

Discussion:

The Local Government Commission met on December 5, 2023, and approved the Installment Financing Agreement for the purchase and installation of field lights and parking lot lights at Sawmills Municipal Park and Veterans Park

Pursuant to G.S. 159-26(b)(6), a Capital Project Fund is required to account for all debt instrument proceeds used to finance capital projects. To facilitate budgetary and accounting control, it is required that a Capital Project Ordinance be adopted by the governing board authorizing all appropriations necessary for the completion of the project.

Recommendation:

Staff recommends approval.

CAPITAL PROJECT ORDINANCE

TOWN OF SAWMILLS PROJECT BUDGET ORDINANCE PARK LIGHTING PROJECT

BE IT ORDAINED by the Sawmills Town Council that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, specifically G.S 159-26(b)(6), the following Capital Project Ordinance for the Park Lighting Project ("Project") is hereby adopted.

Section 1. The Project authorizes funds for the Purchase and Installation of field lights and parking lot lights at Sawmills Municipal Park and Veterans Park. The Project is to be funded by a loan.

Section 2. The officers of this unit are hereby directed to proceed with the Project within the terms of the loan agreement and rules and regulations of the State of North Carolina, and the budget contained herein.

Section 3. The following revenues are anticipated to be available to the Town of Sawmills for the Project:

Revenues:

Capital One Public Funding, LLC loan proceeds	\$1,345,500
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Total Revenues:	\$1,345,500
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Section 4. The following amounts are expenditures appropriated for the Project:

Expenditures:

Purchase & Installation Costs	\$1,345,500
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Total Appropriations:	\$1,345,500
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Section 5. The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to provide the accounting to Town Council required by the program procedures, loan agreement and state regulations.

Section 6. Funds may be advanced from the General Fund for the purpose of paying invoices as due. Reimbursement requests should be made to the Escrow Agent in an orderly and timely manner.

Section 7. The Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on the revenues received.

Section 8. The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this project in every budget submission made to this Town Council.

Section 9. Copies of this Capital Project Ordinance shall be furnished to the Town Clerk, Budget Officer and to the Finance Officer for direction in carrying out this project.

Adopted this the _____ day of _____, 2023.

APPROVED BY:

Keith Warren
Mayor, Town of Sawmills

Kelly Melton
Finance Officer, Town of Sawmills

ATTEST:

Julie Good
Town Clerk

APPROVED TO FORM:

Terry Taylor
Town Attorney

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

AGENDA ITEM 16A

MEMO

DATE:

December 19, 2023

SUBJECT:

Updates:
Code Enforcement
Monthly Report

Discussion:

The attached report shows the progress that Code Enforcement Officer Curt Willis continues to make throughout the town.

Recommendation:

No Council action required.



CODE ENFORCEMENT ACTIONS TRACKER

November 2023

CEO Curt Willis, 828-485-4263, curt.willis@wpcog.org

Case Number (YRMT-XXX)	Date Opened (YRMTDY)	Town	Property Address	Violation	Man Hours	Status	Deadline
SW2301-035	230105	Sawmills	5299 Lakewood Dr	Nuisance - TJD	2	Resolved	
SW2301-048	230111	Sawmills	4303 AJ Bryant Ln	Min Housing	2	Resolved	
SW2301-093	230123	Sawmills	4330 Joplin Rd	Min Housing	2	Order Issued	230514
SW2301-099	230124	Sawmills	2430 Woodland Dr	Nuisance - TJD	2	Resolved	
SW2301-100	230124	Sawmills	2430 Woodland Dr	JNMV	2	Resolved	
SW2301-117	230127	Sawmills	4390 Sawmills School Rd Unit #3	Min Housing	2	Resolved	
SW2301-119	230130	Sawmills	2533 Baker's Cir	Nuisance - TJD	2	Resolved	
SW2302-046	230206	Sawmills	5299 Lakewood Dr	Nuisance - TJD	2	Resolved	
SW2302-059	230209	Sawmills	1747 Cahah Mountain Rd	Nuisance - TJD	2	Resolved	
SW2302-082	230214	Sawmills	4801 Helton Rd	Nuisance - TJD	2	Resolved	
SW2303-010	230301	Sawmills	2228 Horseshoe Acres Dr	JNMV	2	Resolved	
SW2303-043	230308	Sawmills	1010 Ogborn Ln apt 3	Min Housing	2	Resolved	
SW2303-048	230313	Sawmills	2508 Crest Ln	JNMV	2	Resolved	
SW2303-053	230313	Sawmills	4126 Shoun Dr	Min Housing	2	Resolved	231213
SW2303-071	230320	Sawmills	4438 Jess Dr	Nuisance - TJD	2	Order Issued	240101
SW2303-072	230321	Sawmills	1961 Jody Dr	JNMV	2	Order Issued	240101
SW2303-073	230321	Sawmills	1957 Jody Dr	JNMV	2	Order Issued	240101
SW2303-074	230321	Sawmills	1948 Jody Dr	JNMV	2	Order Issued	240101
SW2303-075	230321	Sawmills	1948 Jody Dr	Nuisance - TJD	2	Order Issued	240101
SW2303-076	230321	Sawmills	1948 Jody Dr	Non Res Min	2	Order Issued	240101
SW2303-077	230321	Sawmills	4433 Leta Ln	JNMV	2	Order Issued	240101
SW2303-078	230321	Sawmills	4433 Leta Ln	Nuisance - TJD	2	Order Issued	240101
SW2303-079	230321	Sawmills	1956 Jody Dr	Nuisance - TJD	2	Order Issued	240101
SW2305-028	230503	Sawmills	4042 Clyde Dr	Min Housing	2	Resolved	



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November 2023

CEO Curt Willis, 828-485-4263, curt.willis@wpcog.org

SW2305-029	230503	Sawmills	4042 Clyde Dr	Nuisance - Ovrgrth	2	Resolved
SW2305-105	230518	Sawmills	4689 Greenwood Terrace	Nuisance - Ovrgrth	2	Order Issued
SW2305-110	230519	Sawmills	4206 Helena St	Nuisance - TJD	2	Resolved
SW2305-111	230519	Sawmills	4206 Helena St	JNMV	2	Resolved
SW2306-054	230608	Sawmills	2502 Crest Ln	Min Housing	2	Resolved
SW2306-055	230608	Sawmills	2508 Crest Ln	Nuisance - TJD	2	Resolved
SW2306-056	230608	Sawmills	2509 Crest Ln	Nuisance - Ovrgrth	2	Resolved
SW2306-057	230608	Sawmills	2509 Crest Ln	Non Res Min	2	Resolved
SW2306-058	230608	Sawmills	2501 Crest Ln	Nuisance - Ovrgrth	2	Resolved
SW2306-059	230608	Sawmills	2499 Crest Ln	Nuisance - Ovrgrth	2	Resolved
SW2306-060	230608	Sawmills	1551 Cahah Mtn Rd	Min Housing	2	Resolved
SW2306-061	230608	Sawmills	1534 May Rd	Nuisance - Ovrgrth	2	Resolved
SW2306-062	230608	Sawmills	4463 Rual Dr	Min Housing	2	Owner Notified
SW2306-063	230608	Sawmills	4463 Rual Dr	Nuisance - TJD	2	Resolved
SW2306-064	230608	Sawmills	4463 Rual Dr	JNMV	2	Resolved
SW2306-065	230608	Sawmills	4455 Rual Dr	Min Housing	2	Order Issued
SW2306-066	230608	Sawmills	4455 Rual Dr	Nuisance - TJD	2	Order Issued
SW2306-067	230608	Sawmills	4455 Rual Dr	JNMV	2	Order Issued
SW2306-068	230608	Sawmills	4150 Duggins MHP Dr- 26	Nuisance - TJD	2	Resolved
SW2306-069	230608	Sawmills	4150 Duggins MHP Dr- L1	Min Housing	2	Order Issued
SW2306-070	230608	Sawmills	4150 Duggins MHP Dr- L2	Min Housing	2	Order Issued
SW2306-071	230608	Sawmills	4150 Duggins MHP Dr- 31	Min Housing	2	Order Issued
SW2306-072	230608	Sawmills	4150 Duggins MHP Dr- 30	Nuisance - TJD	2	Resolved
SW2306-073	230608	Sawmills	4150 Duggins MHP Dr- 33	Nuisance - Ovrgrth	2	Resolved



CODE ENFORCEMENT ACTIONS TRACKER

November 2023

CEO Curt Willis, 828-485-4263, curt.willis@wpcog.org

SW2306-074	230608	Sawmills	4150 Duggins MHP Dr- 32	Min Housing	2	Order Issued	231025
SW2306-075	230608	Sawmills	4150 Duggins MHP Dr- 35	Min Housing	2	Order Issued	231025
SW2306-076	230608	Sawmills	4150 Duggins MHP Dr- 37	Min Housing	2	Order Issued	231025
SM2306-102	230614	Sawmills	4310 Horseshoe Bend Rd	JNMV	2	Resolved	
SA2306-141	230629	Sawmills	5460 Marblstone Dr (5566 Stillwater Dr actual)	Illicit Discharge	2	No Violation	
SA2306-142	230629	Sawmills	5670 Black Powder Ct	Illicit Discharge	2	No Violation	
SW2307-006	230703	Sawmills	4505 Sawmills School Rd	Nuisance - TJD	2	Order Issued	230930
SW2307-016	230703	Sawmills	4160 US Hwy 321A	Min Housing	2	Order Issued	231126
SW2307-017	230703	Sawmills	4160 US Hwy 321A	Nuisance - TJD	2	Order Issued	231126
SW2307-084	230725	Sawmills	2823 Legion Rd	Nuisance - TJD	2	Order Issued	
SW2308-094	230822	Sawmills	NCPINH 2765920486	Nuisance - Ovrgrth	1	Resolved	
SW2310-103	231018	Sawmills	4144 Helena St	JNMV	1	Resolved	
SW2310-114	231023	Sawmills	7011 Spartan Dr	JNMV	1	Order Issued	231107
SW2310-115	231023	Sawmills	7011 Spartan Dr	Nuisance - TJD	1	Order Issued	231107
SW2310-119	231025	Sawmills	4340 Trojan Ln	Nuisance - TJD	1	Order Issued	231109
SW2310-120	231025	Sawmills	4340 Trojan Ln	JNMV	1	Order Issued	240207
SW2310-121	231025	Sawmills	4340 Trojan Ln	Min Housing	1	Order Issued	240207
SW2311-099	231117	Sawmills	4079 Helena St	Illicit Discharge	1	Resolved	