

## **AGENDA**

### **Regular Meeting of the Sawmills Town Council Sawmills Town Hall**

**Tuesday, January 17, 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  
A. December 20, 2022 Regular Meeting Minutes Mayor Keith Warren  
B. December 20, 2022 Closed Session Meeting Minutes Mayor Keith Warren
6. Public Comment
7. Recognitions:  
A. Recycle Rewards Mayor Keith Warren
8. Public Hearing: Annexation for PIN: 2756907836  
A. Open Public Hearing Mayor Keith Warren  
B. Staff Comments/Recommendations Mayor Keith Warren  
C. Public Comment Mayor Keith Warren  
D. Close Public Hearing Mayor Keith Warren  
E. Council Action Mayor Keith Warren
9. Finance:  
A. Banking and AP Check Signatures Mayor Keith Warren  
B. Promises of Hope Donation Request Mayor Keith Warren  
C. Caldwell County Smart Start Donation Request Mayor Keith Warren
10. Planning:  
A. Ordinance Directing Town Officials To Vacate And Close  
4219 US Highway 321A As Imminent Danger To The Public  
And Directing That A Notice Be Placed Thereon That the Same  
May Not Be Occupied Mayor Keith Warren
11. Public Comment
12. Updates:  
A. Code Enforcement Report Mayor Keith Warren  
B. Manager Updates Town Manager Chase Winebarger  
C. Council Comment Mayor Keith Warren
13. Closed Session: N.C.G.S. §143-318.11(a)(3) Mayor Keith Warren
14. Adjourn Mayor Keith Warren

**TUESDAY, DECEMBER 20, 2022**  
**TOWN OF SAWMILLS REGULAR COUNCIL MEETING**  
**6:00PM**

**COUNCIL PRESENT**

Mayor Keith Warren  
Joe Wesson  
Rebecca Johnson  
Bobby Mosteller  
Melissa Curtis

**STAFF PRESENT**

Chase Winebarger  
Julie A Good  
Terry Taylor

**COUNCIL ABSENT**

Clay Wilson

**CALL TO ORDER:** Mayor Keith Warren called the meeting to order at approximately 6:06pm.

**INVOCATION:** Pastor Jeff Lambert gave the invocation.

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

**ADOPT AND AMEND AGENDA:** Mayor Keith Warren asked for a motion to adopt the December 20, 2022 Agenda and add Item 12: Closed Session.

Melissa Curtis made a motion, and Rebecca Johnson seconded, to adopt the December 20, 2022 Amended Agenda with the addition of Item 12: Closed Session. All were in favor.

**APPROVE NOVEMBER 15, 2022 REGULAR MEETING MINUTES:** Mayor Keith Warren asked for a motion to approve the November 15, 2022 regular meeting minutes.

Joe Wesson made a motion, and Bobby Mosteller seconded, to approve the November 15, 2022 regular meeting minutes. 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.

**RECOGNITIONS:**

**DECEMBER RECYCLE REWARDS WINNER:** Mayor Keith Warren announced Jerry Surber as the December Recycle Rewards Winner. A credit of forty dollars (\$40.00) will be added to the current sanitation bill.

No Council action was required.

**FINANCIAL MATTERS:**

**ADOPT FY 2023-2024 BUDGET WORKSHOP SCHEDULE:** Mayor Keith Warren asked for a Motion to adopt the proposed FY 2023-2024 Budget Workshop Schedule.

Joe Wesson made a motion, and Rebecca Johnson seconded, to adopt the proposed FY 2023-2024 Budget Workshop Schedule. All were in favor.

**BUDGET AMENDMENT:** Mayor Keith Warren stated that with the expenditures for hiring a new position (Administrative Assistant), in the Administration Department located at Town Hall; the salary/benefits increase retroactive to July 1, 2022 for the Town Manager; and the increase in wages for temporary services, a budget amendment will need to be approved. Council will need to approve a budget amendment in the amount of sixty thousand dollars (\$60,000.00), from the Appropriated Fund Balance to the General Fund, to cover the expenses for the new position of Administrative Assistant in the Administration Department; salary/benefits increase retroactive to July 1, 2022 for the Town Manager; and the increase in wages for temporary services.

Melissa Curtis made a motion, and Bobby Mosteller seconded, to transfer the amount of sixty thousand dollars (\$60,000.00), from the Appropriated Fund Balance to the General Fund, to cover the expenses for the new position of Administrative Assistant in the Administration Department; salary/benefits increase retroactive to July 1, 2022 for the Town Manager; and the increase in wages for temporary services. All were in favor.

**APPROVE AUDITOR CONTRACT FOR FY 2022-2023:** Mayor Keith Warren stated that stated that the current contract with the Town auditors Lowdermilk, Church & Co., L.L.P. needs to be renewed. The renewal contract will cover the period of July 1, 2022 to June 30, 2023.

Joe Wesson made a motion, and Melissa Curtis seconded, to approve a renewal contract with the Town auditors Lowdermilk, Church & Co, L.L.P. in the amount of \$12,900.00 (twelve thousand nine hundred dollars), will cover the period of July 1, 2022 to June 30, 2023. All were in favor.



**APPOINT FINANCE DIRECTOR:** Mayor Keith Warren stated that Town of Sawmills Finance Officer Karen Clontz, is retiring and her last day of employment with the Town of Sawmills is Wednesday, December 28, 2022. Deputy Finance Officer Kelly Melton, was hired on August 4, 2022 in preparation for Town of Sawmills Finance Officer Karen Clontz retirement.

Melissa Curtis made a motion, and Rebecca Johnson seconded, to appoint Deputy Finance Officer Kelly Melton to the position of Finance Officer effective December 29, 2022. All were in favor.

**PROMISES OF HOPE DONATION REQUEST:** Mayor Keith Warren stated that the Town had received a donation request from Promises of Hope in the amount of two hundred dollars (\$200.00).

Joe Wesson made a motion, and Rebecca Johnson seconded, to table this matter until the January 17, 2023 regular scheduled Town of Sawmills Council meeting. All were in favor.

#### **PLANNING:**

**CALL FOR PUBLIC HEARING FOR ANNEXATION:** Mayor Keith Warren stated that the Town of Sawmills had received a petition for Voluntary Annexation from David Keith Miller and Julia W Miller for parcel NCPIN 2756907836.

The Town Council must hold a public hearing in order to annex the parcel. Staff proposes the public hearing be set for the next regularly scheduled Town Council meeting on January 17, 2023.

Rebecca Johnson made a motion, and Bobby Mosteller seconded, to hold a public hearing for the Voluntary Annexation for parcel NCPIN 2756907836 during the next regularly scheduled Town Council meeting on January 17, 2023. 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:**

**DECEMBER CODE ENFORCEMENT REPORT:** Town Code Enforcement Officer Curt Willis stated that there are twenty-two (22) 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 that Parks and Recreation will be getting a new infield groomer. Town Manager Chase Winebarger stated that the new infield groomer will be paid for out of Parks and Recreation.
- Town Manager Chase Winebarger stated that the Town Administration Assistant position had been filled by Olivia Baldwin. Town Manager Chase Winebarger stated that Olivia Baldwin had started on December 19, 2022.

**COUNCIL COMMENTS:**

Melissa Curtis wished everyone a Merry Christmas.

Bobby Mosteller stated he hoped everyone stayed warm.

Rebecca Johnson wished everyone a Merry Christmas and wanted to thank everyone for coming to the meeting.

Joe Wesson wanted to thank everyone for coming to the meeting and hoped everyone had a Merry Christmas.

**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.

Bobby Mosteller made a motion, and Joe Wesson 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.

Melissa Curtis made a motion, and Rebecca Johnson seconded, to come out of closed session at approximately 6:35pm. All were in favor.

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

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

The meeting was adjourned at approximately 6:35pm.

**AGENDA ITEM 7A**

**MEMO**

**DATE:**

January 17, 2023

**SUBJECT:**

Recognition:  
Recycle Rewards  
Program

**Discussion:**

The Town of Sawmills would like to congratulate Jason Peidl on winning the Recycle Rewards Program for the month of January. 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:**

January 17, 2023

#### **SUBJECT:**

Planning Matters:  
Public Hearing: Annexation

#### **Discussion:**

The Town of Sawmills has received a petition for Voluntary Annexation from David Keith Miller and Julia W Miller for one (1) parcel: NCPIN 2756907836. Attached to this memorandum is the signed petition, a GIS map of the area to be annexed, the legal description of the properties, and deed.

Town staff suggests for the annexation of parcel: NCPIN 2756907836 to officially take place on January 18<sup>th</sup>, 2023.

#### **Recommendation:**

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





## Planning Department General Application Form

(Not for Site Plan Review Submittals)

Type of Action Requested:

Annexation ☒

Appeal ☐

Conditional Use Permit ☐

Zoning Text Amendment ☐

Variance ☐

Zoning Map Amendment ☐

Applicant David Keith Miller  
Julia W. Miller

Owner David K Miller  
Julia W Miller

Address 4374 Horseshoe Bend Rd Address 4374 Horseshoe Bend Rd  
Hudson NC 28638 Hudson NC 28638

Telephone (828) 728-4765 Telephone (828) 728-4765

Legal relationship of applicant to property owner \_\_\_\_\_

Property location \_\_\_\_\_

Tax parcel \_\_\_\_\_ Zoning district \_\_\_\_\_ Acreage of Site \_\_\_\_\_

Julia W. Miller  
Signature of Applicant

Julia W. Miller  
Signature of Property Owner

David K Miller  
Signature of Applicant

David K Miller  
Signature of Property Owner

For Staff Only:

Filing Fee: \_\_\_\_\_

Receipt # \_\_\_\_\_

Application No.: \_\_\_\_\_

Date Submitted (Complete): \_\_\_\_\_

NORTH CAROLINA  
CALDWELL COUNTY

TOWN OF SAWMILLS

PETITION FOR CONTIGUOUS ANNEXATION

Date: \_\_\_\_\_ Caldwell Co. Tax Parcel ID No.: \_\_\_\_\_

Petition No.: \_\_\_\_\_

TO: THE TOWN CLERK AND TOWN COUNCIL OF THE TOWN OF SAWMILLS

1. I, (We), the undersigned owners of real property respectfully request that the area described in Paragraph 2 below be annexed to the Town of Sawmills according to G.S. 160A-31 (Annexation by Petition), which states that the governing board of any municipality may annex by ordinance any area contiguous to its boundaries upon presentation to the governing board of a petition signed by the owners of all the real property located within such area. The petition shall be signed by each owner of real property in the area and shall contain the address of each owner. **(Note: If the property title is listed in both husband and wife's name, both are required to sign the petition).**

NAME: (List of All Owners)

ADDRESS:

Julia W. Miller

4374 Horseshoe Bend Rd.

David Keith Miller

Hudson N.C. 28638

2. The area to be annexed is contiguous to the Town of Sawmills and the boundaries of such territory are described on attached page. **(Note: In order to assist the Town of Sawmills in locating the property or properties involved, it is required that a map of the property or properties be attached, including the county tax map number(s), lot number(s), block number(s), the name of the streets or roads bordering the property or properties, the square footage contained, the dimensions, a copy of the deed for each property, and/or the metes and bounds description of the property or properties so the proper legal advertisement can be run in the paper).**
3. The governing board shall have authority to make the annexing Ordinance effective immediately or on any specified date within six (6) months from the date of passage of the Ordinance. The newly annexed territory shall be subject to municipal taxes levied for the fiscal year following the date of annexation as explained in G.S. 160A-31.
4. Signed this the date as established on the attached signature pages.

(Separate Signature Pages Attached)

Name of Property Owner(s): (All Owners must sign with signatures notarized)

Julia W Miller  
(Typed Name): \_\_\_\_\_

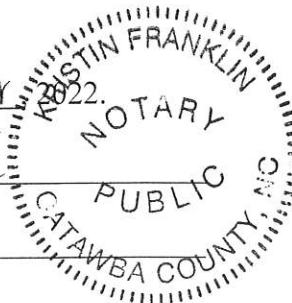
David X Miller Date: \_\_\_\_\_  
(Typed Name): \_\_\_\_\_

NORTH CAROLINA  
Catawba COUNTY

I, Kristin Franklin a Notary Public, for said County and State, do hereby  
certify that Julia W Miller personally appeared before me this day and  
acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Official Seal, this 13 day of December, 2022.

Kristin Franklin  
Notary Public  
Kristin Franklin  
Printed Name of Notary Public



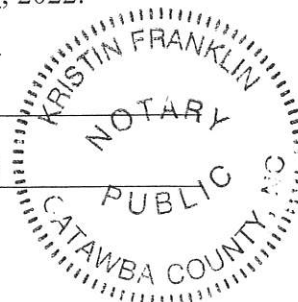
My Commission expires:  
July 8, 2025

NORTH CAROLINA  
Catawba COUNTY

I, Kristin Franklin a Notary Public, for said County and State, do hereby  
certify that David Keith Miller personally appeared before me this day and  
acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Official Seal, this 13 day of December, 2022.

Kristin Franklin  
Notary Public  
Kristin Franklin  
Printed Name of Notary Public



My Commission expires:  
July 8, 2025



Mail To: Mr. & Mrs. David Keith Miller, P.O. Box 534, Hudson, NC 28638

WARRANTY DEED--Form WD-601

Printed and for sale by James Williams & Co., Inc., Yadkinville, N. C.

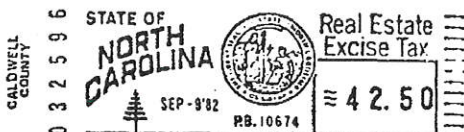
STATE OF NORTH CAROLINA, CALDWELL County. BOOK 789 PAGE 745  
THIS DEED, Made this 9th day of September, 1982, by and between DALLAS RAY WILCOX  
(DIVORCED) of Caldwell County  
and state of North Carolina, hereinafter called Grantor, and DAVID KEITH MILLER and wife, JULIA W. MILLER  
of Caldwell County and State of North Carolina, hereinafter  
called Grantee, whose permanent mailing address is P.O. Box 534, Hudson, NC 28638

WITNESSETH: That the Grantor, for and in consideration of the sum of ----- TEN ----- Dollars  
and other good and valuable considerations to him in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has given, granted, bargained, sold  
and conveyed, and by these presents does give, grant, bargain, sell, convey and confirm unto the Grantee, his heirs and/or successors and assigns, premises in  
Hudson Township, Caldwell County, North Carolina, described as follows:

BEGINNING at an iron stake 100 feet North 5° West from Johnny R. Gragg's line,  
and runs parallel with Gragg's line South 85° East 191.1 feet to an iron  
stake 100 feet North 5° West from the Gragg line; thence North 5° West 100  
feet to an iron stake on the Southern margin of a street; thence with said  
margin of the street North 85° West 192.3 feet to an iron stake in Oscar  
Miller's line; thence with Miller's line South 5° East 100 feet to the  
beginning.

BEING the same property as conveyed by Cecil J. Starnes and wife, and Smith  
Moore and wife, and L. M. Abernethy, Trustee, to Jay Harold Curtis and wife,  
Patsy G. Curtis, by deed dated November 23, 1964, and recorded in Book 488,  
at Page 162, Caldwell County Registry.

The above being the first tract in that deed from Edward Z. Jones and wife,  
Nancy W. Jones to Dallas Ray Wilcox, dated December 20, 1979, of record in  
Caldwell County Registry.



The above land was conveyed to Grantor by ----- See Book No. -----, Page -----  
TO HAVE AND TO HOLD The above described premises, with all the appurtenances thereunto belonging, or in any wise appertaining, unto the Grantee, his  
heirs and/or successors and assigns forever.  
And the Grantor covenants that he is seized of said premises in fee, and has the right to convey the same in fee simple; that said premises are free from en-  
cumbrances (with the exceptions above stated, if any); and that he will warrant and defend the said title to the same against the lawful claims of all persons  
whomsoever.

When reference is made to the Grantor or Grantee, the singular shall include the plural and the masculine shall include the feminine or the neuter.

IN WITNESS WHEREOF The Grantor has hereunto set his hand and seal, the day and year first above written.

Dallas R. Wilcox

(SEAL)

(SEAL)

Dallas Ray Wilcox

(SEAL)

(SEAL)

STATE OF NORTH CAROLINA, CALDWELL County.

I, Regina Mitchell

a Notary Public of said County, do hereby certify that

DALLAS RAY WILCOX (Divorced)

Grantor, personally appeared before me this day and acknowledged the execution of the foregoing deed.

Witness my hand and notarial seal, this the 9th day of September

My Commission Expires: December 15, 1982

Regina Mitchell

STATE OF NORTH CAROLINA, CALDWELL County.

I, -----, a Notary Public of said County, do hereby certify that

Grantor, personally appeared before me this day and acknowledged the execution of the foregoing deed.

Witness my hand and notarial seal, this the ----- day of -----, 19

My Commission Expires: -----, N. P. [SEAL]

STATE OF NORTH CAROLINA, Caldwell County.

The foregoing certificate(s) of Regina Mitchell - N.P. Caldwell

is (are) certified to be correct. This instrument was presented for registration this 9th day of September, 1982.

at 4:00 P.M., and duly recorded in the office of the Register of Deeds of Caldwell County,

North Carolina, in Book 789, Page 745

This the 9th day of September, 1982.

Patsy Thomas Fowler  
Register of Deeds

By Virginia Coffey  
Assistant, Deputy Register of Deeds

This Deed drawn by Robert J. Robbins, Jr., P.O. Box 2307, Lenoir, NC 28645

500

42.5

## CALDWELL COUNTY, NC

12/14/2022 11:00:51 AM

MILLER DAVID KEITH MILLER JULIA

Return/Appeal  
Notes:Parcel: 03-82-1-  
264374 HORSESHOE BEND RD  
3498PLAT: UNIQ ID  
/ 221637  
ID NO: 2756.04 90 7836COUNTY (100), SOLID WASTE (1), SAWMILLS RURAL (100), RESCUE SAWMILLS  
RURAL (100)

CARD NO. 1 of 1

Reval Year: 2021 Tax Year:  
2023 0789/0745 0082 42.50

100.0000 FF

SRC=

Appraised by 07 on 05/15/2018 00221 NEIGHBORHOOD

TW-03

CI-FR-EX-

AT-

LAST ACTION  
20180516

CONSTRUCTION DETAIL		MARKET VALUE								DEPRECIATION		CORRELATION OF VALUE					
USE	MOD	Area	QUAL	BASE RATE	RCN	EYB	AYB			Standard	0.44000	CREDENCE TO MARKET					
Foundation - 3		5.00										DEPR. BUILDING VALUE - CARD 85,500					
Continuous Footing												DEPR. OB/XF VALUE - CARD 800					
Sub Floor System - 5		10.00										MARKET LAND VALUE - CARD 13,300					
Wood												TOTAL MARKET VALUE - CARD 99,600					
Exterior Walls - 21		34.00										TOTAL APPRAISED VALUE - CARD 99,600					
Face Brick/Rock												TOTAL APPRAISED VALUE - PARCEL 99,600					
Roofing Structure - 03		8.00										TOTAL PRESENT USE VALUE - PARCEL 0					
Gable												TOTAL VALUE DEFERRED - PARCEL 0					
Roofing Cover - 06		7.00										TOTAL TAXABLE VALUE - PARCEL 99,600					
Metal/Superior Shingle												PRIOR					
Interior Wall Construction - 5		20.00										BUILDING VALUE 75,500					
Drywall												OBXF VALUE 0					
Interior Floor Cover - 12		9.00										LAND VALUE 13,300					
Hardwood/ Vinyl Plank												PRESENT USE VALUE 0					
Interior Floor Cover - 08		0.00										DEFERRED VALUE 0					
Sheet Vinyl												TOTAL VALUE 88,800					
Heating Fuel - 02		0.00										PERMIT					
Oil, Wood or Coal												CODE DATE NOTE NUMBER AMOUNT					
Heating Type - 04		4.00										ROUT: WTRSHD:					
Forced Air - Ducted												SALES DATA					
Air Conditioning Type - 01		0.00										OFF. RECORD DATE DEED Q/UV/I INDICATE					
None												BOOK/PAGE MO/YR TYPE SALES PRICE					
Unit Count - 1		0.00										HEATED AREA 1,451					
Units												NOTES					
Bedrooms/Bathrooms/Half-Bathrooms		8.000															
3/1/0																	
Bedrooms																	
BAS - 3 FUS - 0 LL - 0																	
Bathrooms																	
BAS - 1 FUS - 0 LL - 0																	
Half-Bathrooms																	
BAS - 0 FUS - 0 LL - 0																	
Office																	
BAS - 0 FUS - 0 LL - 0		0															
TOTAL POINT VALUE		105.000															
BUILDING ADJUSTMENTS																	
Quality	4	Above Average	1.1500														
Shape/Design	3	Slight Irregular	1.0000														
Size	Size	Size	1.0100														
TOTAL ADJUSTMENT FACTOR			1.160														
TOTAL QUALITY INDEX			122														
SUBAREA																	
TYPE	GS AREA	%	RPL CS	CODE	DESCRIPTION	COUNT	LTH	WTH	UNITS	UNIT PRICE	ORIG % COND	BLDG#	AYBEYB	ANN DEP RATE	OVR	% COND	OB/XF DEPR. VALUE
BAS	1,161	100	116146		CARPORT		0	0	1	800.00	100		0	0	50	100	800
FBM	290	032	9304														800
FCP	378	016	6002														
STP	160	018	300														
UBM	871	018	15706														
WDD	294	018	5302														
FIREPLACE	1 - None		0														
SUBAREA TOTALS	3,010		152,760														
BUILDING DIMENSIONS BAS=N27E43S27W43\$FCP=N27W14S27E14\$PTR=N27E8WDD=N14W21S14E21\$S27W8\$PTR=E22STP=S4W4N4E4\$W22\$FBM=290\$UBM=871\$.																	
LAND INFORMATION																	
HIGHEST AND BEST USE	USE CODE	LOCAL ZONING	FRONT TAGE	DEPTH	DEPTH / SIZE	LND MOD	COND FACT	OTHER ADJUSTMENTS AND NOTES	ROAD TYPE	LAND UNIT PRICE	TOTAL LAND UNITS	UNT TYP	TOTAL ADJST	ADJUSTED UNIT PRICE	LAND VALUE	OVERRIDE VALUE	LAND NOTES
SFR	0100		100	192	1.0000	0	1.1100	D1.11X1.00		120.00	100.000	FF	1.110	133.20	13320		
TOTAL MARKET LAND DATA																	
TOTAL PRESENT USE DATA																	







**NORTH CAROLINA  
CALDWELL COUNTY**

**TOWN OF SAWMILLS  
ANNEXATION RESOLUTION**

**THAT WHEREAS**, the Town Council of the Town of Sawmills did receive an Annexation Petition for Voluntary Annexation and that;

**THAT WHEREAS**, the Town Clerk has certified that the Annexation Petition meets the requirements set forth by North Carolina General Statute § 160A-58.1;

**THAT WHEREAS**, the Town Council of the Town of Sawmills has held a public hearing according to statutory procedures in regards to this Voluntary Petition;

**NOW THEREFORE**, the Town Council of the Town of Sawmills does hereby adopt the Annexation Ordinance attached hereto which is incorporated herein by reference.

This the \_\_\_\_ day of January, 2023.

**TOWN OF SAWMILLS**

By: \_\_\_\_\_  
Keith Warren, Mayor

**ATTEST:**

\_\_\_\_\_  
Julie A Good, Town Clerk

**NORTH CAROLINA  
CALDWELL COUNTY**

**TOWN OF SAWMILLS  
ANNEXATION ORDINANCE**

**WHEREAS**, the Town Council of the Town of Sawmills has been petitioned under General Statutes 160A-58.1, as amended, to annex the area herein described; and

**WHEREAS**, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency of said petition; and

**WHEREAS**, the Clerk has certified to the sufficiency of said petition and a public hearing on the question of this annexation was held at the Town Hall at 6:00 o'clock P.M., on the 17th day of January, 2023, after due notice by publication on \_\_\_\_\_, 20 \_\_; and

**WHEREAS**, the Town Council does hereby find as a fact that said petition meets the requirements of General Statutes 106A-58.1, as amended;

**NOW, THEREFORE, BE IT ORDINANED BY THE TOWN COUNCIL OF THE TOWN OF SAWMILLS, NORTH CAROLINA:**

**Section 1.** By virtue of the authority granted under General Statutes 160-58.1, as amended, the following-described territory is hereby annexed and made a part of the Town of Sawmills from and after the 18th day of January, 2023:

**See attached Exhibit "A"**

**Section 2.** Upon and after the 18th day of January, 2023, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinance and

regulations in force in the Town of Sawmills. Said territory shall be subject to municipal taxes according to General Statutes 160A-49(f), 160A-58.10, as amended.

**Section 3.** That the newly-annexed territory described hereinabove shall become a part of the Town of Sawmills.

**Section 4.** The Mayor of the Town of Sawmills shall cause to be recorded in the office of the Register of Deeds of Caldwell County, and in the office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by General Statutes 163-288.1.

**Section 5.** Notice of adoption of the Ordinance shall be published once, following the effective date of annexation, in a newspaper having a general circulation in the Town of Sawmills.

**Section 6.** This Ordinance shall be in full force and effect from and after the 18th day of January, 2023.



**ADOPTED THIS 17th DAY OF JANUARY, 2023.**

**TOWN OF SAWMILLS**

**By:** \_\_\_\_\_  
**Keith Warren, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Julie A Good, Town Clerk**

**Approved as to Form:**

\_\_\_\_\_  
**Terry M. Taylor, Town Attorney**

## **AGENDA ITEM 9A**

### **MEMO**

#### **DATE:**

January 17, 2023

#### **SUBJECT:**

Financial Matters:  
Banking and AP  
Check Signatures

#### **Discussion:**

Due to the retirement of Town Finance Officer Karen Clontz and Public Works Director Ronnie Coffey and hiring of Town Finance Officer Kelly Melton and Public Works Director Steve Coonse, new signature cards will need to be on file at the bank. The bank requires a new signature card whenever there are changes in the staff and/or Council. Two (2) signatures are required for accounts payable checks and the safety deposit box.

First Citizens Bank – Checking – A/P, Safety Deposit Box, Public Fund CD's

The following Council and Staff currently have authorization to sign on behalf of the Town with regards to banking transactions:

- Karen Clontz – Finance Officer
- Chase Winebarger-Town Manager

Typically, the Mayor, one other Council member, Town Manager and the Finance Officer are authorized to sign on behalf of the Town with regards to the banking transactions.

#### **Recommendation:**

Staff recommends Council appoint Town Finance Officer Kelly Melton and Public Works Director Steve Coonse to be on file with First Citizens Bank, and appoint Councilwoman Melissa Curtis or another Council member.

**AGENDA ITEM 9B**

**MEMO**

**DATE:**

January 17, 2023

**SUBJECT:**

Financial Matters:  
Request for Donation

**Discussion:**

The Town has received a request from Promises of Hope for a donation in the amount of \$200.00 (two hundred dollars) during the December 20, 2022 regularly scheduled Council Meeting. Council voted to table this donation until the January 17, 2023 regularly scheduled Council Meeting.

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 9C**

**MEMO**

**DATE:**

January 17, 2023

**SUBJECT:**

Financial Matters:  
Request for Donation

**Discussion:**

The Town has received a request from Caldwell County Smart Start for a donation in the amount of \$200.00 (two hundred 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.





## Town of Sawmills

Keith Warren, Mayor

Chase Winebarger, Town Manager

### Funding Request:

Name of Organization:		Phone	
<u>Caldwell County Smart Start</u>		# <u>828-302-9740</u>	
Permanent Address:		<u>PO Box 689</u>	
City:	<u>Hudson</u>	State:	<u>NC</u>
		Zip Code:	<u>28638</u>
Contact Name:	<u>Teresa Branch</u>	Fed Tax ID #:	<u>20-1090467</u>

Amount Requested:	Amount needed for the Project:
_____	_____
Date Funds Needed:	Project Begin/End Dates:
_____	_____
Complete description of project:	
<u>See Attached</u>	
_____	
_____	
How will the funds be used?	
_____	
_____	
How will this project benefit the community?	
_____	
_____	

Date application received: <u>1-9-2023</u>		Official Town Use Only	
Date approved/denied (circle one): _____		Date presented to Council: _____	
Available balance in Governing Body Expense Acct: <u>1,800.00</u>		Amount approved: _____	
Date check written: _____	Check #: _____	Amount: _____	

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

KW

Dear Friends of **Caldwell County Smart Start**,

**Caldwell County Smart Start** is thrilled to continue our partnership with **Dolly Parton's Imagination Library** to provide our county's children, ages birth to five, with a specially selected age-appropriate book in the mail each month. The anticipation a child feels knowing he/she has a special gift waiting in the mailbox builds excitement about reading throughout Caldwell County!

**Caldwell County Smart Start** is reaching out to local education champions to provide financial support for **Dolly Parton's Imagination Library**. While there is no cost to families participating in this program, **Smart Start's** cost is \$25 per child per year. We are currently reaching almost 80% of eligible children per month. Our goal is to eventually provide books for all of Caldwell County's youngest citizens.

As you consider end-of-year and holiday giving, we hope you'll support **Caldwell County Smart Start's** vision to provide the gift of books and promote the love of reading with our community's young children and their families. Donations may be made by check, payable to **Caldwell County Smart Start**, PO Box 689, Hudson, NC 28638, or online at [www.CaldwellSmartStart.org/donate](http://www.CaldwellSmartStart.org/donate) or our **Facebook** page.

We wish you a very Merry Christmas filled with wonder and love!

Warm wishes,

**The Smart Start Team**

Teresa Branch  
Kristy Campbell  
Hannah Romero  
Michael Smith  
Wendy Smith

## Caldwell County Smart Start - Dolly Parton's Imagination Library

*Children receive one book in the mail each month!*

### **End of Year Giving - Books for One Year:**

\$10 - donation of support  
\$25 - books for one child  
\$50 - books for two children  
\$100 - books for four children  
\$250 - books for ten children  
\$500 - books for 20 children  
\$1000 - books for 40 children  
Other - \$ \_\_\_\_\_



caldwellsmartstart



caldwellsmartstart



caldwellcountysmartstart

## **AGENDA ITEM 10A**

### **MEMO**

#### **DATE:**

January 17, 2023

#### **SUBJECT:**

Planning Matters:  
Ordinance Directing Town  
Officials To Vacate And  
Close 4219 US Highway  
321A As An Imminent  
Danger To The Public And  
Directing That A Notice Be  
Placed Thereon That The  
Same May Not Be Occupied

#### **Discussion:**

Town Code Enforcement Officer Curt Willis has meet with the Owner of 4219 US Highway 321A and has drafted an Ordinance Directing Town Officials to Vacate And Close 4219 US Highway 321A As An Imminent Danger To The Public And Directing That A Notice Be Placed Thereon That The Same May Not Be Occupied.

#### **Recommendation:**

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



**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. \_\_\_\_\_**

**WHEREAS**, the Town Council of the Town of Sawmills finds that the **Dwelling** (defined below) located at **4219 Hwy 321A, NC (NC PIN: 2766801567 )** is in violation of the Town's minimum housing ordinance (Chapter 154) and constitutes a danger to public health and safety; and

**WHEREAS**, this dwelling should be vacated and closed as directed by town officials and should be placarded by placing thereon a notice prohibiting entry; and

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

Section 1. The owner of such dwelling having been notified in accordance with statute, hereby it is ordered that the property be vacated on or before the 01st day of February 2023.

Section 2. The town officials are hereby authorized and directed to place placards on the dwelling containing the legend:

**"THIS BUILDING IS UNFIT FOR HUMAN HABITATION.  
THE USE OR OCCUPATION OF THIS BUILDING FOR HUMAN HABITATION IS  
PROHIBITED AND UNLAWFUL.**

**ANYONE FOUND TRESPASSING ON THE PROPERTY CAN BE CHARGED WITH A  
CLASS 1 MISDEMEANOR.."**

Section 3. It shall be unlawful for any person to remove or cause to be removed the placard from any dwelling to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of any dwelling therein declared to be a public health hazard.

Section 4. North Carolina General Statute 160D-102 and Town of Sawmills Minimum Housing Ordinance define a "Dwelling" as any building, structure, manufactured home or mobile home, or part thereof, used and occupied for human habitation or intended to be so used, and includes any outhouses and appurtenances belonging thereto or usually enjoyed therewith, except that it does not include any manufactured home or mobile home, which is used solely for a seasonal vacation purpose.

Section 5. This Ordinance shall become effective upon its adoption.



**ADOPTED this 17th day of January 2023.**

---

Keith Warren, Mayor

**ATTEST:**

---

Julie Good, Town Clerk

*Creative Regional Solutions Since 1968*

## ORDER TO VACATE & CLOSE

DATE OF ISSUE: 06 January 2023

NAME: Sawmills Properties LLC  
ADDRESS: PO Box 118  
Granite Falls, North Carolina 28630

TO: Owners and parties in interest of the property located at 4219 Hwy 321A

Parcel Id Number: 2766801567

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 **unsafe and in violation of the Town Minimum Housing Code**. At the hearing, the following owners, persons in interest or their agents or attorneys, were present and participated therein: No owners, persons of interest or agents 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 16NOV2022" and Exhibit B "Findings of Fact, dated 06JAN2023" 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;

**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 a date **not later than the 17th day of January**.

**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 28th day of September, 2022.



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



## FINDINGS OF FACT

4219 Hwy 321A, Sawmills, NC. Minimum Housing Standards

All photos are from 16NOV2022.

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

1. Improper Lighting and Ventilation.
2. No windows.
3. Unsafe egress exits.
5. No utilities.



**TOWN OF SAWMILLS**  
**WPCOG CODE ENFORCEMENT SERVICES**

**Residential Minimum Housing**

This is to certify that the following location 4219 US Hwy 321A is in violation of ORDINANCE 25-01

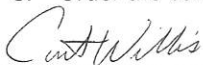
of the Code of the Town of Sawmills. For more information, go to: [://www.wpcog.org/ce-sawmills](http://www.wpcog.org/ce-sawmills)

**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 **30NOV22** 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](mailto:curt.willis@wpcog.org)

**16NOV22**

Date

**Exhibit A**



**TOWN OF SAWMILLS**  
**WPCOG CODE ENFORCEMENT SERVICES**

ADDRESS: 4219 US Hwy 321A

Photos and notes collected on this date: 11/16/2022



Exhibit A



**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.



**TOWN OF SAWMILLS**  
**WPCOG CODE ENFORCEMENT SERVICES**

- ☐ (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.

**TOWN OF SAWMILLS**

**WPCOG CODE ENFORCEMENT SERVICES**

- ☐ (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.

Exhibit A



**TOWN OF SAWMILLS**  
**WPCOG CODE ENFORCEMENT SERVICES**

- ☐ (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.

Exhibit A

**TOWN OF SAWMILLS**  
**WPCOG CODE ENFORCEMENT SERVICES**

- ☐ 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:*



**TOWN OF SAWMILLS**

**WPCOG CODE ENFORCEMENT SERVICES**

- ☐ 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.

Exhibit A



**TOWN OF SAWMILLS**  
**WPCOG CODE ENFORCEMENT SERVICES**

☐ 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.

Exhibit A

**TOWN OF SAWMILLS**  
**WPCOG CODE ENFORCEMENT SERVICES**

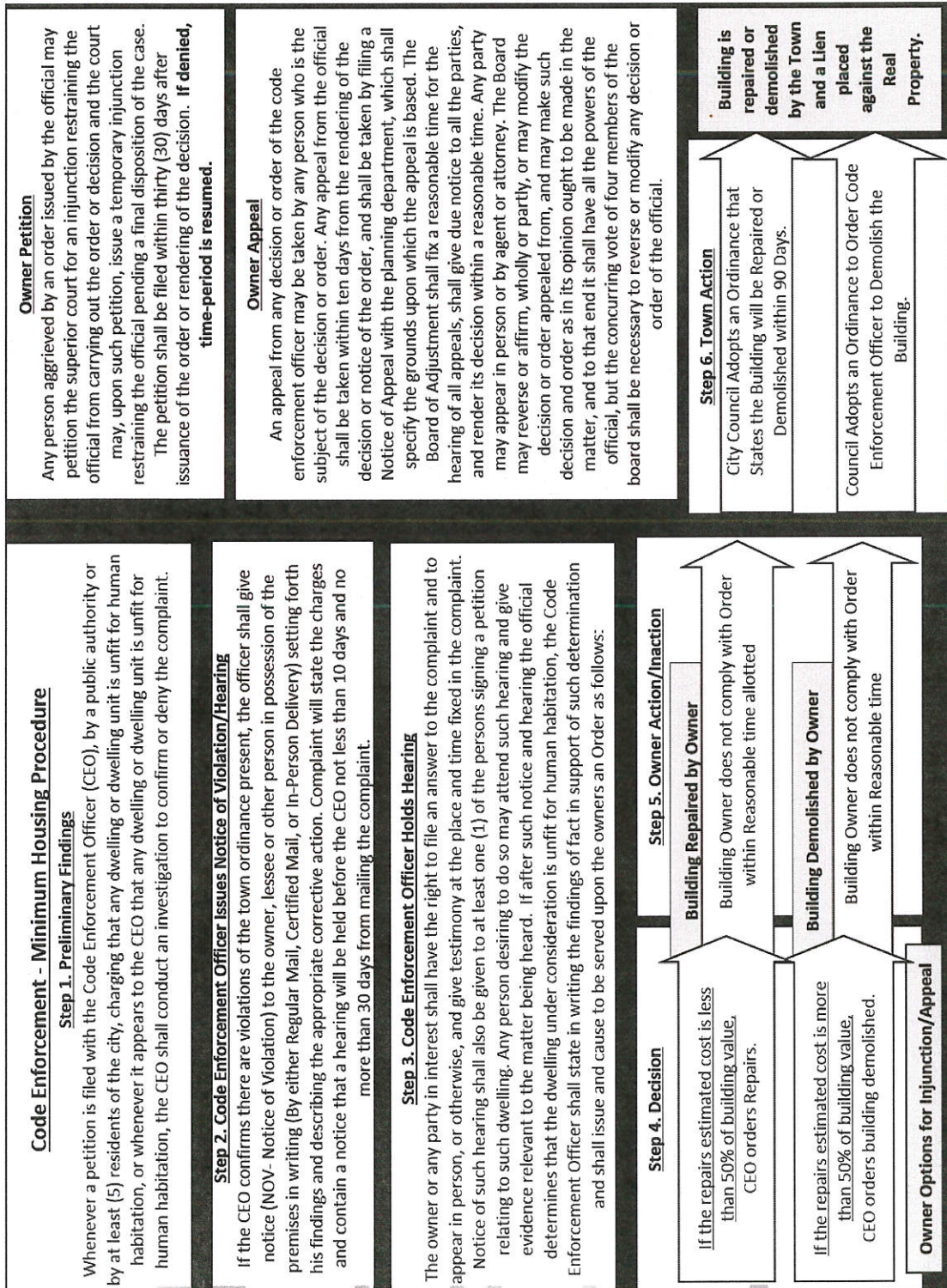


Exhibit A



**AGENDA ITEM 12A**

**MEMO**

**DATE:**

January 17, 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

January 2022

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

Date Opened (YRMTDY)	Town	Property Address	Violation	Man Hours	Status	Deadline
221213	Sawmills	2179 Edgewood Dr	Min Housing	1	Owner Notified	230103
221216	Sawmills	2441 Woodland Dr	Nuisance - TJD	1	Owner Notified	220104
221216	Sawmills	2441 Woodland Dr	Min Housing	1	Owner Notified	220104
221216	Sawmills	2441 Woodland Dr	Non Res Min	1	Owner Notified	220104
221221	Sawmills	2215 Stamey Rd	Nuisance - TJD	1	New Violation	220111