

## **AGENDA**

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

#### **Sawmills Town Hall**

**Tuesday, November 15, 2022**

**6:00 pm**

- |     |   |   |
|-----|---|---|
| 1.  | Call To Order   | Mayor Keith Warren                      |
| 2.  | Invocation  | Mayor Keith Warren                      |
| 3.  | Pledge of Allegiance  | Mayor Keith Warren                      |
| 4.  | Adopt Agenda  | Mayor Keith Warren                      |
| 5.  | Approve Meeting Minutes   |   |
|     | A. October 18, 2022 Regular Meeting Minutes   | Mayor Keith Warren                      |
|     | B. October 18, 2022 Closed Session Meeting Minutes                                  | Mayor Keith Warren                      |
| 6.  | Public Comment  |   |
| 7.  | A. November Recycle Winner  | Mayor Keith Warren                      |
| 8.  | Financial Matters:  |   |
|     | A. FY 2021-2022 Audit Presentation  | Mayor Keith Warren                      |
|     | B. Caldwell County Honor Guard Donation Request                                     | Mayor Keith Warren                      |
| 9.  | Discussion:   |   |
|     | A. Resolution Accepting High Bid for Property                                       | Mayor Keith Warren                      |
|     | B. Resolution Approving Conveyance of Personal Property by<br>Negotiated Sale Price | Mayor Keith Warren                      |
| 10. | Public Comment  |   |
| 11. | Updates:  |   |
|     | A. Code Enforcement Report  | Code Enforcement Officer Curt<br>Willis |
|     | B. Town Manager Updates   | Town Manager Chase Winebarger           |
|     | C. Council Comment  | Mayor Keith Warren                      |
| 12. | Closed Session: N.C.G.S. §143-318.11(a)(3)  | Mayor Keith Warren                      |
| 13. | Adjourn   | Mayor Keith Warren                      |

**TUESDAY, OCTOBER 18, 2022**  
**TOWN OF SAWMILLS REGULAR COUNCIL MEETING**  
**6:00PM**

**COUNCIL PRESENT**

Mayor Keith Warren  
Clay Wilson  
Rebecca Johnson  
Bobby Mosteller  
Joe Wesson  
Melissa Curtis

**STAFF PRESENT**

Chase Winebarger  
Julie A Good  
Terry Taylor

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

**INVOCATION:** Landon Hines gave the invocation.

**PLEDGE OF ALLEGIANCE:** Landon Hines led the Pledge of Allegiance.

**ADOPT AGENDA:** Mayor Keith Warren asked for a motion to adopt the October 18, 2022 Agenda.

Joe Wesson made a motion, and Rebecca Johnson seconded, to adopt the October 18, 2022 Agenda. All were in favor.

**APPROVE SEPTEMBER 20, 2022 REGULAR MEETING MINUTES:** Mayor Keith Warren asked for a motion to approve the September 20, 2022 regular meeting minutes.

Rebecca Johnson made a motion, and Joe Wesson seconded, to approve the September 20, 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:**

**SEPTEMBER RECYCLE REWARDS WINNER:** Mayor Keith Warren announced Kalie Caldwell as the October 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: VOLUNTARY ANNEXATION FOR PARCEL NCPIN 2765859216**

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

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

**STAFF COMMENTS/RECOMMENDATIONS:** Mayor Keith Warren stated that the Town of Sawmills has received a petition for Voluntary Annexation from Austin Moore and Sydney Moore for one (1) parcel: NCPIN 2765859216.

**PUBLIC COMMENT:** No one wished to speak.

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

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

**COUNCIL ACTION:** Rebecca Johnson made a motion, and Melissa Curtis seconded to adopt the Annexation Ordinance for Austin Moore and Sydney Moore for one (1) parcel NCPIN 2765859216 to be effective October 19, 2022. All were in favor.

**PLANNING:**

**ORDINANCE DIRECTING TOWN OFFICIALS TO VACATE AND CLOSE 4565 MILLSTONE CREEK PLACE AS IMMINENT DANGER TO THE PUBLIC AND DIRECTING THAT A NOTICE BE PLACED THEREON THAT THE SAME MAY NOT BE OCCUPIED:** Mayor Keith Warren stated that Town Code Enforcement Officer Curt Willis has meet with the owner of 4565 Millstone Creek Place regarding the minimum housing complaints and held a hearing for the complaints. Mayor Keith Warren stated that

Town Code Enforcement Officer Curt Willis has drafted an Ordinance Directing Town Officials to Vacate And Close 4565 Millstone Creek Place As An Imminent Danger To The Public And Directing That A Notice Be Placed Thereon That The Same May Not Be Occupied.

Rebecca Johnson made a motion, and Melissa Curtis seconded, to approve the Ordinance Directing Town Officials to Vacate And Close 4565 Millstone Creek Place As An Imminent Danger To The Public And Directing That A Notice Be Placed Thereon That The Same May Not Be Occupied as written. All were in favor.

## **DISCUSSION:**

**TOWN HALL POSITION (ADMINISTRATIVE ASSISTANT):** Town Manager Chase Winebarger stated that since routine operations have resumed, post COVID, that he is unable to complete his more important tasks because he is constantly doing more “Administrative” tasks. Town Manager Chase Winebarger stated that he would like to create a new full-time Administrative Position and free up a full-time position to work part-time at the front window and part-time doing the more “Administrative” duties that he is currently finding himself doing.

Bobby Mosteller made a motion, and Joe Wesson seconded, to hire a full-time Administrative Assistant. 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:**

**SEPTEMBER CODE ENFORCEMENT REPORT:** Town Code Enforcement Officer Curt Willis stated that there are nine (9) 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 during his most recent conference, the most sessions that were covered were centered around the homeless population. Town Manager Chase Winebarger stated that the WPCOG and Caldwell County are going to try address the current homeless population and the first meeting was held on October 7, 2022.



- Town Manager Chase Winebarger stated that the Town's Trunk or Treat event will be held Monday, October 31, 2022, from 6:00pm to 8:00pm. Town Manager Chase Winebarger stated that everyone participating will need to be in place and ready for the children by 5:45pm. Town Manager Chase Winebarger stated that all participants are asked to bring candy and the Town will refill their candy until we run out. Town Manager Chase Winebarger stated that the Town will give out one thousand (1,000) hot dogs and have bouncy houses.
- Town Manager stated that he wanted to make Council aware that he has started giving the schools donations out of the advertising budget line item instead of having them fill out request forms and wasting Council time. Town Manager Chase Winebarger stated that he will only do this to time sensitive donations and donations from the schools that receive them from the Town every year.
- Town Manager Chase Winebarger stated that the BRIC grant will not be awarded until approximately early 2023, and the Town is still in the running for the BRUC Grant for monies for the South Caldwell Sewer Pump Station repairs.
- Town Manager Chase Winebarger stated that it has been a couple months since the Town agreed to change the contract with the WPCOG from a single Planner/Code Enforcement Contract to two (2) separate contracts, and Town Manager Chase Winebarger stated that he thinks it is working out very well.
- Town Manager Chase Winebarger stated that the Christmas Decorations will be here and in place before the next Council meeting on Tuesday, November 15, 2022. Town Manager Chase Winebarger stated that the layout doesn't work that the Town will adjust it next year. Town Manager Chase Winebarger stated that the Tree Lighting and Christmas in the Market will be held on Saturday, November 19, 2022, beginning at 2:00pm.
- Town Manager Chase Winebarger stated that the Town will have Christmas Decorations on the light poles past Sawmills Hardware.
- Town Manager Chase Winebarger stated that construction on the inside of the new public works building has started and should be completed in the next couple months.
- Town Manager Chase Winebarger stated that the Town currently has eight (8) FLOCK cameras deployed and functioning. Town Manager Chase Winebarger stated that the Council has budgeted for two (2) additional FLOCK cameras and the best locations for the additional two (2) cameras are being looked at.
- Town Manager Chase Winebarger stated that the materials for the Baird Park parking lot lights will be on site by the end of October. Town Manager Chase Winebarger stated that the Town is waiting on an estimate for lights to cover the T-Ball field. Town Manager Chase Winebarger stated that the parking lot lights may cover the T-Ball field, but if not, then the Town is looking at approximately one (1) additional pole to cover the T-Ball field and Playground equipment. The light for the Playground equipment will be left on til approximately 10:00pm every night.
- Town Manager Chase Winebarger stated that in the past, the Council has picked the top five (5) business that had past due property taxes and sent them letters to get payment, but have not addressed residential properties. Town Manager Chase Winebarger stated that if there is a nuisance or problem property in the Town, that he

would like for the Town to start foreclosure proceedings if the properties are three (3) to five (5) or more years behind in taxes. Council agreed to start looking at residential foreclosures on a case by case basis.

- Town Manager Chase Winebarger stated that Parks and Recreation Director Tanner Greene gave him stats on the Park and Recreation ball programs and that there has been a one hundred and fifty-six percent (156%) increase in registrations from Spring 2021 to Fall of 2022 ball programs.

**COUNCIL COMMENTS:**

Joe Wesson wanted to encourage everyone to come out to the Town's Veterans Celebration on Saturday, November 12, 2022, beginning at 11:00am. Joe Wesson also wanted to thank Pat Greene and Kelly Price for coming to the meeting.

**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.

Clay Wilson 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 6:28pm. All were in favor.

Melissa Curtis made a motion, and Bobby Mosteller seconded, to come out of closed session at approximately 6:59pm. All were in favor.

**TOWN MANAGER CONTRACT:** Mayor Keith Warren asked for a vote to renew the Town Manager Contract.

Melissa Curtis made a motion, and Clay Wilson seconded, to approve the Town Manager contract with the correction of vacation time.

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

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

The meeting was adjourned at approximately 7:00pm.

---

Keith Warren, Mayor

---

Julie A. Good, Town Clerk

**AGENDA ITEM 7A**

**MEMO**

**DATE:**

November 15, 2022

**SUBJECT:**

Recognition:  
Recycle Rewards  
Program

**Discussion:**

The Town of Sawmills would like to congratulate Sonny Taylor on winning the Recycle Rewards Program for the month of November. 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:**

November 15, 2022

**SUBJECT:**

Financial Matters:  
FY Ending June 30, 2022  
Audit Presentation

**Discussion:**

Enclosed with your agenda packet is a copy of the audit for fiscal year ending June 30, 2022.

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.



**Lowdermilk Church & Co., L.L.P.**  
*Certified Public Accountants*

---

121 North Sterling Street  
Morganton, North Carolina  
Phone: (828) 433-1226  
Fax: (828) 433-1230

To the Honorable Mayor and  
Members of the Town Council of  
Town of Sawmills, North Carolina

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of Town of Sawmills, North Carolina for the year ended June 30, 2022. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards (and, if applicable, *Government Auditing Standards* and the Uniform Guidance), as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated January 11, 2022. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Matters

*Qualitative Aspects of Accounting Practice*

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by Town of Sawmills, North Carolina are described in Note I to the financial statements. No new accounting policies were adopted, and the application of existing policies was not changed during year ended June 30, 2022. We noted no transactions entered into by Town of Sawmills, North Carolina during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimate affecting the Town of Sawmills, North Carolina's financial statements was:

Management's estimate of the useful lives of capital assets is based on industry standards. We evaluated the key factors and assumptions used to develop the lives of capital assets in determining that it is reasonable in relation to the financial statements taken as a whole.

The financial statement disclosures are neutral, consistent, and clear.

*Difficulties Encountered in Performing the Audit*

We encountered no significant difficulties in dealing with management in performing and completing our audit.

### *Corrected and Uncorrected Misstatements*

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. In addition, none of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to each opinion unit's financial statements taken as a whole.

### *Disagreements with Management*

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

### *Management Representations*

We have requested certain representations from management that are included in the management representation letter dated October 10, 2022.

### *Management Consultations with Other Independent Accountants*

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to Town of Sawmills, North Carolina's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

### *Other Audit Findings or Issues*

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as Town of Sawmills, North Carolina's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

### Other Matters

We applied certain limited procedures to Management's Discussion and Analysis, the Local Government Employees' Retirement System's Schedules of the Proportionate Share of the Net Pension Liability (Asset) and Contributions, which are required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We were engaged to report on individual fund statements, budgetary schedules, and other schedules, which accompany the financial statements but are not RSI. With respect to this supplementary information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

Restriction on Use

This information is intended solely for the information and use of Honorable Mayor, members of the Town Council and management of Town of Sawmills, North Carolina and is not intended to be, and should not be, used by anyone other than these specified parties.

Very truly yours,

*Lowmire Champ & Co., L.L.C.*

Morganton, North Carolina  
October 10, 2022

**AGENDA ITEM 8B**

**MEMO**

**DATE:**

November 15, 2022

**SUBJECT:**

Financial Matters:  
Request for Donation

**Discussion:**

The Town has received a request from the Caldwell County Veterans Honor Guard 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 Veterans Honor Guard</u>		#: <u>(808) 394-8072</u>
Permanent Address: <u>PO Box 702</u>		
City:	State:	Zip Code:
<u>Hudson</u>	<u>NC</u>	<u>28638</u>
Contact Name:	Fed Tax ID #:	
<u>Jimmy Rader</u>		

Amount Requested:	Amount needed for the Project:
<u>\$200.00</u>	
Date Funds Needed:	Project Begin/End Dates:
Complete description of project:	
<u>Fund for Veterans Celebration</u>	
How will the funds be used?	
How will this project benefit the community?	

Official Town Use Only	
Date application received:	Date presented to Council:
Date approved/denied (circle one):	Amount approved:
Available balance in Governing Body Expense Acct:	
Date check written:	Check #: Amount:

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

## **AGENDA ITEM 9A**

### **MEMO**

#### **DATE:**

November 15, 2022

#### **SUBJECT:**

Discussion:  
Resolution Accepting  
High Bid For Property

#### **Discussion:**

The Town of Sawmills owns a parcel of land located at 4476 Sawmills School Road that is surplus to its needs. North Carolina General Statute § 160A-270 permits the Town to sell real property at public auction upon approval of the Town Council and after a publication of a notice announcing the auction. The auction was held on Wednesday, October 26, 2022 in the Town of Sawmills Council Chambers. A high bid was received from Robert Helton in the amount of eighteen thousand dollars (\$18,000.00).

The Town Council will need to adopt a Resolution accepting the high bid of Robert Helton in the amount of eighteen thousand dollars (\$18,000.00) for the parcel of land located at 4476 Sawmills School Road.

#### **Recommendation:**

Staff recommends Council approve the Resolution Accepting High Bid For Property.

**TOWN OF SAWMILLS  
RESOLUTION ACCEPTING HIGH BID FOR PROPERTY**

**WHEREAS**, the Town of Sawmills conducted an auction sale of one (1) parcel of property on October 26, 2022; and

**WHEREAS**, a high bid was received from Robert Helton in the amount of Eighteen Thousand and No/100ths (\$18,000.00) for the parcel as shown on Attachment A;

**THEREFORE**, THE TOWN COUNCIL OF THE TOWN OF SAWMILLS RESOLVES THAT:

The high bid of Robert Helton in the amount of \$18,000.00 is accepted for the parcel of property shown on Attachment A and the Mayor is hereby authorized to execute the documents necessary to transfer title to the property and complete the sale.

Adopted this \_\_\_\_ day of November, 2022.

TOWN OF SAWMILLS

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

ATTEST:

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

Approved as to form:

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

## ATTACHMENT A

### FIRST TRACT:

**BEGINNING** at an iron stake in the center of the Dry Ponds Road, Jack Harris' corner, and runs with the center of said road North 24 deg. 30' East 83 1/2 feet to an iron stake, Miller's corner; thence with Miller's line South 78 deg. East 149 feet to an iron stake, a new corner; thence a new line South 10 deg. 30' West 100.7 feet to an iron stake, Jack Harris' corner; thence with Harris' line, South 71 deg. 15' East 173 feet to the **BEGINNING**.

### SECOND TRACT:

**BEGINNING** on an iron pin, Jones R. Martin's northeast corner, and runs a new line South 71 deg. East 125 feet to an iron pin, a new corner; thence a new line South 10 deg. 30' West 351.2 feet to an iron pin, a new corner in Russell Miller's line; thence with Russell Miller's line North 71 deg. West 125 feet to an iron pin; thence with Russell Miller's line North 10 deg. East 132 feet to a stake, Miller's and Clark's corner; thence with Clark's line North 11 deg. East 118.5 feet to an iron pin, Clark's and Martin's corner; thence with Martin's line North 10 deg. 30' East 100.7 feet to the **BEGINNING**, containing one acre, more or less.

The foregoing being the same property conveyed to Teresa Annas Compton by Deed recorded in Book 1895, Page 150, Caldwell County Registry. Parcel No. 08-55-1-1.



## SPECIAL WARRANTY DEED

Excise Tax: \$36.00

Tax Parcel ID No. 08-55-1-1

Verified by \_\_\_\_\_ County

on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ By: \_\_\_\_\_

Mail/Box to: Terry M. Taylor, Attorney at Law, P.O. Drawer 2428, Hickory, NC 28603

This instrument was prepared by: Terry M. Taylor, Young, Morphis, Bach & Taylor, L.L.P.  
P.O. Drawer 2428, Hickory, NC 28603

Brief description for the Index: \_\_\_\_\_

THIS DEED, made this the \_\_\_\_ day of \_\_\_\_\_, 2022, by and between

**GRANTOR: TOWN OF SAWMILLS, a North Carolina Municipal corporation**  
whose mailing address is **4076 US Hwy. 321A, Sawmills, NC 28630**  
(herein referred to as **Grantor**) and

**GRANTEE: ROBERT E. HELTON and wife, LORI HELTON**  
whose mailing address is **4474 Sawmills School Rd., Granite Falls, NC 28630**  
(herein referred to collectively as **Grantee**).

*[Include mailing address for each Grantor and Grantee; marital status of each individual Grantor and Grantee; and type of entity, e.g., corporation, limited liability company, for each non-individual Grantor and Grantee.]*

### WITNESSETH:

For valuable consideration from Grantee to Grantor, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby gives, grants, bargains, sells and conveys unto Grantee in fee simple, subject to the Exceptions and Reservations hereinafter provided, if any, the following described property located in the County of **Caldwell**, State of **North Carolina**, more particularly described as follows:

See Exhibit A

***Prepared by Young, Morphis, Bach & Taylor, L.L.P. The attorneys who prepared this instrument, have not performed a title examination of the subject realty and therefore make no opinion or warranty as to the quality of title, nor have said attorneys participated in any real estate closing involving this instrument. The parties to this instrument agree they have reviewed, understand and agree to the terms of this instrument, and that the attorney/client relationship between the client(s) ordering and paying for this instrument and attorneys preparing this instrument is strictly limited to the instrument's preparation.***

Said property having been previously conveyed to Grantor by instrument(s) recorded in Book \_\_\_\_\_, Page \_\_\_\_\_, and being reflected on plat(s) recorded in Plat Book \_\_\_\_\_, Page \_\_\_\_\_.

All or a portion of the property herein conveyed \_\_\_\_ includes or **X** does not include the primary residence of a Grantor.

TO HAVE AND TO HOLD unto Grantee, together with all privileges and appurtenances thereunto belonging, in fee simple, subject to the Exceptions and Reservations hereinafter and hereinabove provided, if any.

And Grantor hereby warrants that Grantor has done nothing to impair the title as received by Grantor and that Grantor will forever warrant and defend the title against the lawful claims of all persons claiming by, through or under Grantor.

This conveyance is made subject to the following Exceptions and Reservations:

1. **This conveyance is made subject to restrictive covenants and encumbrances of record, and to any and all easements and rights-of-way located on the above-described property heretofore granted or existing in favor of any individuals, corporations, public or private associations of individuals, public utilities, and governmental agents, commissions or departments for the purpose of constructing, erecting, laying, building or maintaining any streets, roads, highways, signs, service alleys, power lines or poles, gas lines, water lines, lines for pipes or sewer lines and any and all other similar or related public or private utility service facilities or otherwise.**
2. **Matters of Survey.**
3. **2022 Ad Valorem Taxes.**

All references to Grantor and Grantee as used herein shall include the parties as well as their heirs, successors and assigns, and shall include the singular, plural, masculine, feminine or neuter as required by context.

*[Signature and Notarial Acknowledgment Appear on the Following Page]*

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

TOWN OF SAWMILLS

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

State of North Carolina  
County of \_\_\_\_\_

(Official/Notarial Seal)

I certify that the following person personally appeared before me this day, each acknowledging to me that he signed the foregoing document in the capacity indicated on behalf of the Town of Sawmills:

Keith Warren, Mayor of Town of Sawmills

Date: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

## EXHIBIT A

### FIRST TRACT:

**BEGINNING** at an iron stake in the center of the Dry Ponds Road, Jack Harris' corner, and runs with the center of said road North 24 deg. 30' East 83 1/2 feet to an iron stake, Miller's corner; thence with Miller's line South 78 deg. East 149 feet to an iron stake, a new corner; thence a new line South 10 deg. 30' West 100.7 feet to an iron stake, Jack Harris' corner; thence with Harris' line, South 71 deg. 15' East 173 feet to the **BEGINNING**.

### SECOND TRACT:

**BEGINNING** on an iron pin, Jones R. Martin's northeast corner, and runs a new line South 71 deg. East 125 feet to an iron pin, a new corner; thence a new line South 10 deg. 30' West 351.2 feet to an iron pin, a new corner in Russell Miller's line; thence with Russell Miller's line North 71 deg. West 125 feet to an iron pin; thence with Russell Miller's line North 10 deg. East 132 feet to a stake, Miller's and Clark's corner; thence with Clark's line North 11 deg. East 118.5 feet to an iron pin, Clark's and Martin's corner; thence with Martin's line North 10 deg. 30' East 100.7 feet to the **BEGINNING**, containing one acre, more or less.

The foregoing being the same property conveyed to Teresa Annas Compton by Deed recorded in Book 1895, Page 150, Caldwell County Registry. Parcel No. 08-55-1-1.



## **AGENDA ITEM 9B**

### **MEMO**

#### **DATE:**

November 15, 2022

#### **SUBJECT:**

Discussion:  
Resolution Approving  
Conveyance of Personal  
Property by Negotiated  
Sale Price

#### **Discussion:**

The Town of Sawmills owns a 1990 Ford F-250 Super Duty Diesel which is no longer needed by the Town. North Carolina General Statute § 160A-267 & 266 authorizes a governmental unit in this state to designate a City Official to dispose of personal property by private negotiation and sale upon such terms and conditions as the government until deems wise.

#### **Recommendation:**

Staff recommends Council approve the Resolution Approving Conveyance of Personal Property by Negotiated Sale Price and authorize Town Manager Chase Winebarger to execute all documents necessary to convey the property in the manner authorized by the Resolution.

**Town of Sawmills  
Caldwell County  
Prepared by: Terry M. Taylor, Attorney at Law**

**Resolution Approving Conveyance of Personal Property  
By Negotiated Sale Price  
Pursuant to G.S. 160A-267**

WHEREAS, the Town of Sawmills owns a truck: a 1990 Ford F-250 Super Duty Diesel;  
and

WHEREAS, North Carolina General Statute §160A-267 & 266 authorizes a governmental unit in this state to designate a City Official to dispose of personal property by private negotiation and sale upon such terms and conditions as the government unit deems wise; and

WHEREAS, the Town of Sawmills has determined that it is in the best interest of the Town to designate the Town Manager to dispose of the 1990 Ford F-250 Super Duty Diesel and deems it wise to allow the Manager to negotiate the best price.

THEREFORE, THE SAWMILLS TOWN COUNCIL RESOLVES THAT:

1. The Town of Sawmills also hereby authorizes the conveyance of the 1990 Ford F-250 Super Duty Diesel as it is no longer needed by the Town of Sawmills, that being a truck: a 1990 Ford F-250 Super Duty Diesel.
2. The vehicle herein described shall be conveyed "As Is", "Where Is" for the best price possible.
3. The Town Manager is hereby authorized to execute all documents necessary to convey the property in the manner authorized by this Resolution.

Adopted this the \_\_\_\_ day of \_\_\_\_\_, 2022.

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

ATTEST:

\_\_\_\_\_  
Julie A. Good, Clerk

\_\_\_\_\_  
Karen Clontz, Finance Officer

**AGENDA ITEM 11A**

**MEMO**

**DATE:**

November 15, 2022

**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

October 2022

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

Date Opened (VRMTDY)	Town	Property Address	Violation	Man Hours	Status	Deadline
221011	Sawmills	3549 Hunters Path Dr	Nuisance - Ovrgrth	1	Owner Notified	221103
221013	Sawmills	NCPIN#2766951503	JNMV	1	Owner Notified	221103
221017	Sawmills	4298 Sawmills School Rd	Nuisance - TJD	1	Owner Notified	221114
221019	Sawmills	2509 Crest Ln	Nuisance - Ovrgrth	1	Owner Notified	221116
221019	Sawmills	2501 Crest Ln	Nuisance - Ovrgrth	1	Owner Notified	221116
221019	Sawmills	2500 Crest Ln	Nuisance - Ovrgrth	1	Owner Notified	221116
221019	Sawmills	4802 Helton Rd	Nuisance - Ovrgrth	1	Owner Notified	221116
221019	Sawmills	4802 Helton Rd	JNMV	1	Owner Notified	221116
221019	Sawmills	2512 Crest Ln	Nuisance - TJD	1	Owner Notified	221116
221019	Sawmills	2514 Crest Ln	Nuisance - TJD	1	Owner Notified	221116
221019	Sawmills	2514 Crest Ln	Min Housing	1	Owner Notified	221116