

## **AGENDA**

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

**Sawmills Town Hall**

**Tuesday, October 18, 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. September 20, 2022 Regular Meeting Minutes Mayor Keith Warren
6. Public Comment
7. A. October Recycle Winner Mayor Keith Warren
8. Public Hearing: Annexation for parcel NCPIN 2765859216  
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. Planning:  
A. 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
10. Discussion:  
A. Town Hall Position (Administrative Assistant) Mayor Keith Warren
11. Public Comment
12. Updates:  
A. Code Enforcement Report Code Enforcement Officer Curt Willis  
B. Town 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, SEPTEMBER 20, 2022**  
**TOWN OF SAWMILLS REGULAR COUNCIL MEETING**  
**6:00PM**

**COUNCIL PRESENT**

Mayor Keith Warren  
Clay Wilson  
Rebecca Johnson  
Bobby Mosteller

**STAFF PRESENT**

Chase Winebarger  
Julie A Good  
Terry Taylor

**COUNCIL ABSENT**

Joe Wesson  
Melissa Curtis

**CALL TO ORDER:** Mayor Keith Warren called the meeting to order at approximately 6:02pm.

**INVOCATION:** Pastor Danny Wright gave the invocation.

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

**ADOPT AGENDA:** Mayor Keith Warren asked for a motion to adopt the September 20, 2022 Agenda.

Clay Wilson made a motion, and Rebecca Johnson seconded, to adopt the September 20, 2022 Agenda. All were in favor.

**APPROVE AUGUST 16, 2022 REGULAR MEETING MINUTES:** Mayor Keith Warren asked for a motion to approve the August 16, 2022 regular meeting minutes.

Clay Wilson made a motion, and Rebecca Johnson seconded, to approve the August 16, 2022 regular meeting minutes. All were in favor.

**APPROVE AUGUST 16, 2022 CLOSED SESSION MEETING MINUTES:** Mayor Keith Warren asked for a motion to approve the August, 2022 closed session meeting minutes.

Clay Wilson made a motion, and Bobby Mosteller seconded, to approve the August 16, 2022

closed session 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 Tasena Rumfelt as the September 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: REZONING FOR PIN 2766819383**

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

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

**STAFF COMMENTS/RECOMMENDATIONS:** Town Planner Dustin Millsaps stated that the property at pin 2766819383 is zoned General Manufacturing and has been such for more than sixth (60) days. Town Planner Dustin Millsaps stated that the owner would like to have the property rezoned to R-15 and build stick built homes on the lot to rent. Town Planner Dustin Millsaps stated that the Sawmills Planning Board had voted unanimously to recommend this rezoning.

**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 Bobby Mosteller seconded, to close the public hearing. All were in favor.

**COUNCIL ACTION:** Clay Wilson made a motion, and Rebecca Johnson seconded, to rezone Pin 2766819383 from General Manufacturing to R-15. 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 Austin Moore and Sydney Moore for parcel NCPIN 2765859216.

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 October 18, 2022.

Rebecca Johnson made a motion, and Bobby Mosteller seconded, to hold a public hearing for the Voluntary Annexation for parcel NCPIN 2765859216 during the next regularly scheduled Town Council meeting on October 18, 2022. All were in favor.

## **FINANCE:**

**BANK SIGNATURE CARDS:** Mayor Keith Warren stated that with the hiring of Kelly Melton as Deputy Finance Officer, new signature cards will need to be updated at the bank. The bank requires a new signature card to be on file whenever there are changes in the staff and/or Council. Two (2) signatures are required for accounts payable checks, and the purchase and/or sales of Public Funded Certificates of Deposits.

Clay Wilson made a motion, and Rebecca Johnsons seconded, to authorize Finance Officer Karen Clontz, Deputy Finance Officer Kelly Melton and Town Manager Chase Winebarger to sign on behalf of the Town with regards to banking transactions. All were in favor.

## **DISCUSSION:**

**RESOLUTION AUTHORIZING AUCTION SALE:** Mayor Keith Warren stated that 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. A Resolution Authorizing Auction Sale will need to be approved so that staff can sell the surplus real property. The auction will be held on Wednesday, October 26, 2022, beginning at 2:00pm in the Town of Sawmills Council Chambers.

Rebecca Johnson made a motion, and Clay Wilson seconded, to approve the Resolution Authorizing Auction Sale to auction the Town's surplus property located at 4476 Sawmills School Road, on Wednesday, October 26, 2022, beginning at 2:00pm in the Town of Sawmills Council Chambers. All were in favor.



**CALDWELL COUNTY GOLDEN LEAF FOUNDATIONS SITE PROGRAM**

**DEVELOPMENT GRANT REQUEST:** Mayor Keith Warren stated that the Town of Sawmills and Caldwell County officials are working together to develop an Industrial Park to increase economic opportunity for the Town, its residents, and Caldwell County. Caldwell County purchased approximately thirty (30) acres to develop in the Town of Sawmills for new manufacturers desiring to locate to the region. This project will include site preparation for the construction of three (3) or more manufacturing facilities. The Town of Sawmills will partner with Caldwell County to assist in bringing appropriate water and sewer services to the site.

Clay Wilson made a motion, and Rebecca Johnson seconded, to approve the Resolution of Support Caldwell County Golden Leaf Foundation Site Program Development Grant Request. 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 eleven (11) code enforcement cases that are open.

No Council action was required.

**COUNCIL COMMENTS:**

Bobby Mosteller wanted to thank everyone for coming out and investing in the community.

Clay Wilson wanted to thank everyone for coming out.

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

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

The meeting was adjourned at approximately 6:17pm.

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Keith Warren, Mayor

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Julie A. Good, Town Clerk

**TOWN OF SAWMILLS  
RESOLUTION AUTHORIZING AUCTION SALE**

**WHEREAS**, the Town of Sawmills (the "Town") owns a parcel of land indicated on Attachment A that is surplus to its needs; and

**WHEREAS**, North Carolina General Statute § 160A-270 permits the Town to sell real property at public auction upon approval of the Town Council and after publication of a notice announcing the auction;

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

1. The Town Council authorizes the sale at public auction of the one (1) parcel of land indicated on Attachment A.
2. The auction will be conducted at 2:00 p.m., Wednesday, October 26, 2022, in the Council Chamber, Town Hall, 4076 US Highway 321-A, Sawmills, NC 28630.
3. The terms of the sale are that the Buyer must present at the auction a bid deposit of five percent (5%) of the amount of the bid, either in cash or with a certified check. This deposit will be held by the Town until either the Town Council rejects the high bid for the property or, if the Town Council accepts the high bid, the closing of the sale. The deposit will be forfeited to the Town if the high bidder refuses to close the sale after the bid has been approved by the Town Council.
4. After the auction, the high bid shall be reported to the Town Council. The Town Council will accept or reject the bid within thirty (30) days after the bid is reported to it. No sale may be completed until the Town Council has approved the high bid.
5. The Town reserves the right to withdraw any listed property from the auction at any time before the auction sale of that property.
6. Additional terms of sale are:
  - a) That the property is sold in its current condition, as is, and the Town gives no warranty with respect to usability of the property; and
  - b) Buyer must remove the abandoned Mobile Home on the property within forty-five (45) days of closing.

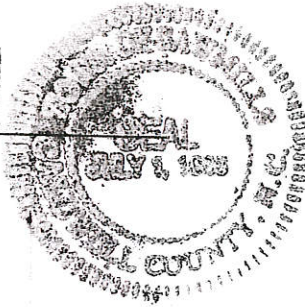
Adopted this the 20<sup>th</sup> day of September, 2022.

TOWN OF SAWMILLS

By: Keith Warren  
Keith Warren, Mayor

ATTEST:

Julie Good  
Julie Good, Town Clerk





## 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.



# SAWMILLS

*North Carolina*

4076 US Highway 321A  
Sawmills, NC 28630  
Phone: (828) 396-7903  
www.townofsawmills.com

**Town of Sawmills  
Resolution of Support  
Caldwell County Golden Leaf Foundation  
Site Program Development Grant Request**

**Whereas**, the Town of Sawmills and Caldwell County officials are working together to develop an Industrial Park to increase economic opportunity for the Town, its residents and the County; and

**Whereas**, the County has purchased approximately 30 acres to develop in the Town of Sawmills for new manufacturers desiring to locate in the region; and

**Whereas**, this project will include site preparation for the construction of three or more manufacturing facilities; and

**Whereas**, the Town of Sawmills will partner with Caldwell County to assist in bringing appropriate water and sewer services to the site; and

**Whereas**, the Town of Sawmills will support Caldwell County and the Caldwell Economic Development Commission in the completion of this project including marketing activities to attract the most desirable companies;

**NOW, THEREFORE BE IT RESOLVED**, the Sawmills Town Council strongly endorses the Caldwell County Golden Leaf Foundation Site Development grant request and is proud to be a part of this economic development project for the Town and Caldwell County.

ATTEST

Julie Good, Clerk  
Town of Sawmills



Keith Warren, Mayor,  
Town of Sawmills



## CODE ENFORCEMENT ACTIONS TRACKER

August 2022

CEO Curt Willis, 828-485-4263, [curt.willis@wpcog.org](mailto:curt.willis@wpcog.org)

Date Opened (YRMTDY)	Town	Property Address	Violation	Man Hours	Status	Deadline
220822	Sawmills	7011 Spartan Dr	JNMV	1	New Violation	220906
220822	Sawmills	7011 Spartan Dr	Nuisance - TJD	1	New Violation	220906
220822	Sawmills	4255 Trojan Ln	Nuisance - Ovrgrth	1	Owner Notified	220928
220822	Sawmills	4215 Trojan Ln	Nuisance - Ovrgrth	1	New Violation	220906
220822	Sawmills	4315 Trojan Ln	Nuisance - TJD	1	New Violation	220906
220822	Sawmills	4315 Trojan Ln	JNMV	1	New Violation	220906
220822	Sawmills	2624 Mission Rd	Nuisance - TJD	1	New Violation	220906
220822	Sawmills	2520 Sigmon Dr	Nuisance - Ovrgrth	1	New Violation	220906
220822	Sawmills	5299 Lakewood Dr	Nuisance - TJD	1	New Violation	220906
220822	Sawmills	2527 Sigmon Dr	JNMV	1	New Violation	220906
220822	Sawmills	2527 Sigmon Dr	Nuisance - TJD	1	New Violation	220906



**AGENDA ITEM 7A**

**MEMO**

**DATE:**

October 18, 2022

**SUBJECT:**

Recognition:  
Recycle Rewards  
Program

**Discussion:**

The Town of Sawmills would like to congratulate Kalie Caldwell on winning the Recycle Rewards Program for the month of October. She 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:**

September 20, 2022

#### **SUBJECT:**

Planning Matters:  
Public Hearing: Annexation

#### **Discussion:**

The Town of Sawmills has received a petition for Voluntary Annexation from Austin Moore and Sydney Moore for one (1) parcel: NCPIN 2765859216. Attached to this memorandum is the signed petition, a survey of the area to be annexed, the legal description of the properties, and deed.

Town staff suggests for the annexation of parcel: NCPIN 2765859216 to officially take place on October 19<sup>th</sup>, 2022.

#### **Recommendation:**

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

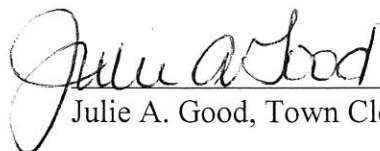
NORTH CAROLINA  
CALDWELL COUNTY

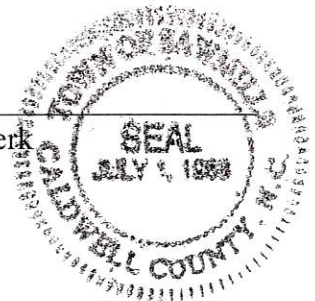
TOWN OF SAWMILLS  
CLERK'S CERTIFICATE  
FOR ANNEXIATION

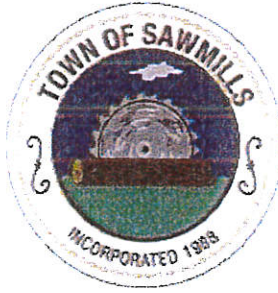
TO THE HONORABLE MAYOR AND MEMBERS OF THE TOWN COUNCIL OF THE  
TOWN OF SAWMILLS:

The Town Clerk has examined the annexation petition submitted by Austin Moore and Sydney Moore for property being briefly described as 7.59 acres from Survey dated August 16, 2022, see Deed Book 2063, Page 1296, Caldwell County Registry, and has determined that the annexation petition meets the requirements set forth by N.C.G.S. Section 160A-58.1.

This the 23<sup>rd</sup> day of August, 2022.

  
Julie A. Good, Town Clerk





## 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 Austin Moore Owner Austin Moore

Address 3112 Dry Ponds Rd Address 4294 Tower Dr

Granite Falls, NC 28630 Granite Falls, NC 28630

Telephone 828-493-6071 Telephone

Legal relationship of applicant to property owner SELF

Property location Dry Ponds Rd.

Tax parcel 08116 1 24C Zoning district Sawmills Acreage of Site 8

[Signature]

Signature of Applicant

[Signature]

Signature of Property Owner

Sydney Moore

Signature of Applicant

Sydney Moore

Signature of Property Owner

For Staff Only:

Filing Fee: \$

Receipt # N/A

Application No.: 01-22

Date Submitted (Complete): 8-12-22

NORTH CAROLINA  
CALDWELL COUNTY

TOWN OF SAWMILLS

PETITION FOR CONTIGUOUS ANNEXATION

Date: 8/12/22

Caldwell Co. Tax Parcel ID No.: 08116 1 24C

Petition No.: 01-22

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:

Austin Moore

3112 Dry Ponds Rd

Sydney Moore

Granite Falls, NC 28630


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)

  
(Typed Name): Austin Moore

  
(Typed Name): Sydney Moore

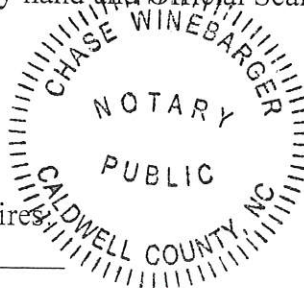
Date: 8/12/22

NORTH CAROLINA

Caldwell COUNTY

I, Chase Winebarger a Notary Public, for said County and State, do hereby certify that Austin Moore personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Official Seal, this 12 day of August, 2022.



  
Notary Public

Chase Winebarger  
Printed Name of Notary Public

My Commission expires:

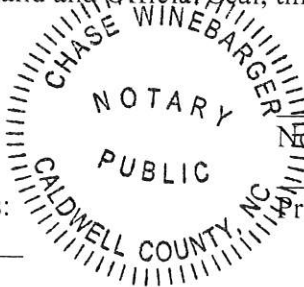
09/12/2023

NORTH CAROLINA

Caldwell COUNTY

I, Chase Winebarger a Notary Public, for said County and State, do hereby certify that Sydney Moore personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Official Seal, this 12 day of August, 2022.



  
Notary Public

Chase Winebarger  
Printed Name of Notary Public

My Commission expires:

09/12/2023

BK 2063 PG 1296 - 1299 (4) DOC# 10075366  
This Document eRecorded: 08/08/2022 09:01:05 AM  
Fee: \$26.00 Tax: \$0.00  
Caldwell County, North Carolina  
Wayne L. Rash, Register of Deeds

**NORTH CAROLINA  
GENERAL WARRANTY DEED**

Excise Tax: \$ 0.00

Parcel Identifier No. 2765-85-9216

Mail after recording to: JOHN G. FULLER, ATTORNEY, 352 2<sup>ND</sup> ST NW, HICKORY NC 28601

This instrument was prepared by: JOHN G. FULLER, ATTORNEY, 352 2<sup>ND</sup> ST NW, HICKORY NC 28601

THIS DEED made this 3<sup>rd</sup> day of **August, 2022**, by and between

**GRANTOR**

Sydney Herman Moore (formerly Sydney Nicole Herman) and husband,  
Austin Patrick Moore  
4294 Tower Drive  
Granite Falls, NC 28630

**GRANTEE**

Austin Patrick Moore and wife, Sydney Herman Moore  
4294 Tower Drive  
Granite Falls, NC 28630

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the Town of Sawmills, Lovelady Township, Caldwell County, North Carolina and more particularly described as follows:

SEE ATTACHED EXHIBIT A

Submitted electronically by "John G. Fuller, Attorney At Law"  
in compliance with North Carolina statutes governing recordable documents  
and the terms of the submitter agreement with the Caldwell County Register of Deeds.

All or a portion of the property hereinabove described was acquired by Grantor by instrument recorded in Book 2043, Page 2052, Caldwell County Registry.

A map showing the above described property is recorded in Plat Book \_\_\_\_\_, Page \_\_\_\_\_, and referenced within this instrument.

The above described property ☐ does ☒ does not include the primary residence of the Grantor.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

**IN WITNESS WHEREOF**, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officer(s), the day and year first above written.

Sydney Herman Moore (SEAL)  
Sydney Herman Moore  
Austin Patrick Moore (SEAL)  
Austin Patrick Moore

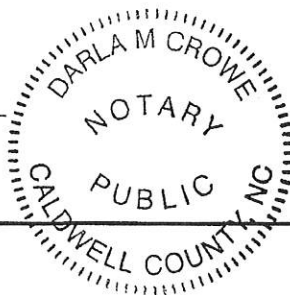
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STATE OF NORTH CAROLINA, COUNTY OF CALDWELL

I, Darla M. Crowe, the undersigned, a Notary Public of the County and State aforesaid, certify that Sydney Herman Moore and Austin Patrick Moore appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 6<sup>th</sup> day of August, 2022.

Darla M. Crowe  
Notary Public

My commission expires: 11/15/2023





**EXHIBIT "A"****8.003 Acres Total-7.66 Acres Outside of Road Right of Way of Dry Ponds Road  
Lovelady Township, Caldwell County, North Carolina**

1. **Beginning** at an existing iron pin found, a 5/8" rebar, located on the northern margin of the 60 foot right of way of Dry Ponds Road, (State Road 1115) as shown on Plat Book 17 at page 256, Caldwell County Public Registry and also being on the western line of Blake and Brittany Herman, Deed Book 2014, page 386, Caldwell County Public Registry;
2. then **South 01° 37' 49" West 30.24 feet** to a point, in the centerline of Dry Ponds Road;
3. then **North 81° 13' 35" West 14.24 feet**, with the centerline of Dry Ponds Road, to a point;
4. then **North 84° 59' 47" West 58.98 feet**, with the centerline of Dry Ponds Road, as defined by Plat Book 17 at pages 156 & 157 and Deed Book 1223, page 1403, Caldwell County Public Registry, to a point;
5. then **North 87° 03' 37" West 57.24 feet**, with the centerline of Dry Ponds Road, to a point;
6. then **North 89° 40' 07" West 58.76 feet**, with the centerline of Dry Ponds Road, to a point;
7. then **South 85° 37' 50" West 54.83 feet**, with the centerline of Dry Ponds Road, to a point;
8. then **South 80° 01' 31" West 55.69 feet**, with the centerline of Dry Ponds Road, to a point;
9. then **South 74° 33' 00" West 55.88 feet**, with the centerline of Dry Ponds Road, to a point;
10. then **South 70° 55' 05" West 55.56 feet**, with the centerline of Dry Ponds Road, to a point;
11. then **South 69° 24' 59" West 51.36 feet**, with the centerline of Dry Ponds Road, to a point;
12. then **South 69° 26' 06" 34.50 feet**, with the centerline of Dry Ponds Road, to a Rail Road spike buried in the pavement;
13. then **North 01° 36' 02" East 35.00 feet**, along the eastern line of Richard A. Miller, Deed Book 1227 at page 1400, Caldwell County Public Registry, also see Richard A. Miller, Deed Book 1404 at page 707, Caldwell County Public Registry, to a new iron pin set, close to a power pole;

14. then **North 01° 36' 02" East 766.00 feet**, along the eastern line of Richard A. Miller to an existing iron pin found, in the southern line of Richard A. Miller, Deed Book 1936 at page 1354, a power pole is located just to the east of this line, an overhead power line crosses this line;

**Note: The call described in item 14 crosses into and then out of a Zone AE 100 Year Flood Boundary, see: FEMA PANEL 371027-6500J, which said flood plane runs across the northern portion of the subject tract, described in this written description;**

15. then **South 84° 54' 36" East 484.24 feet**, along the southern line of Richard A. Miller, Deed Book 1936 at page 1354, to an existing iron pin found at the northwest corner of Blake & Brittany Herman, Deed Book 2014, page 386, Caldwell County Public Registry.

**Note: The call described in item 15 is the Deed line according to Deed Book 1227 at page 1400, the property line according to Plat Book 17 at page 158 entitled "L. J. Haas Tract" R-76 by Crescent Resources dated 9-14-1997 and the line according to Southern Power Company Survey, dated, April 1, 1920 Sheet No. L-11;**

16. then **South 01° 37' 49" West 30.00 feet**, along the line of Blake & Brittany Herman, Deed Book 2014 at page 386, to an existing iron pin found, a ½" rebar grown into the base of a 12" tree;
17. then **South 01° 37' 49" West 631.31 feet**, along the line of Blake & Brittany Herman, Deed Book 2014 at page 386, to the point and place of **BEGINNING, containing 8.003 acres by coordinate Method (including Road Right of Way and Flood Plane Area, BEING A PORTION OF TRACT 1 OF PLAT BOOK 17 at Page 156 & 157, See Deed Book 1227 at page 1398. There are 7.66 Acres Outside of the road right of way.**

**The existing iron pin located at the point of BEGINNING described in item 1 and item 17 is further described in the survey as follows: Nad 83 datum, N.C. Grid Coordinates of EIP: N 754927.5760 feet & E 1269168.1098 feet.**

This description taken from a survey dated October 8, 2021, entitled Boundary and Location Survey of an existing parcel of land with Sawmills Planning Jurisdiction for: "Austin & Sydney Moore" of Property from Jeffrey Herman, by Darrin L. Reid of Darrin L. Reid Land Surveying and Planning, 2729 Gettysburg Place, Claremont, NC 28610, (828) 459-9699.

Reference: Deed Book 1227 at page 1398, Caldwell County Public Registry  
**PIN: 2765-85-9216**

Darla/Client Files/Moore, Austin and Sydney/Exhibit A





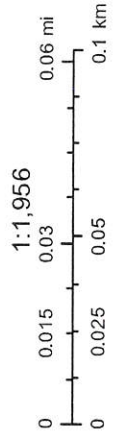
This map is NOT of land survey quality and is NOT suitable for such use.

**Owner** MOORE AUSTIN PATRICK  
MOORE SYDNEY HERMAN  
4294 TOWER DR  
GRANITE FALLS, NC 28630

**Acct Number** 175416  
**Parcel ID** 08116 1 24C  
**NCPIN** 2765859216

**Deferred Val** \$0  
**Assessed Val** \$67,700  
**Calc Acreage** 7.389049  
**Land Units** 8 (AC)  
**Legal Desc** BK 2063 PG 1296 YR 2022 ST 0.00  
**Plat Ref** 00000/00000  
**Property Addr** 0

## Caldwell County



August 15, 2022



## **AGENDA ITEM 9A**

### **MEMO**

#### **DATE:**

September 20, 2022

#### **SUBJECT:**

Planning Matters:  
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

#### **Discussion:**

Town Code Enforcement Officer Curt Willis has meet with the Owner of 4565 Millstone Creek Place and 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.

#### **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 **4565 Millstone Creek Pl, NC (NC PIN: 2766114237 )** is in violation of the Town's minimum housing ordinance (Chapter 154) and constitutes an imminent danger to public health and safety; and

**WHEREAS**, this dwelling should be vacated, closed and demolished 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 26th day of October 2022.

Section 2. The owner of such dwelling having been notified in accordance with statute, hereby it is ordered that the property be demolished on or before the 27th day of December 2022.

Section 3. 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 4. 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 5. North Carolina General Statute 160A-442 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 6. This Ordinance shall become effective upon its adoption.

**ADOPTED this 18th day of October 2022.**

**ATTEST:**

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Keith Warren, Mayor

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Julie Good, Town Clerk

## **AGENDA ITEM 10A**

### **MEMO**

#### **DATE:**

October 18, 2022

#### **SUBJECT:**

Administrative Assistant  
(New FT Position)

#### **Discussion:**

Since routine operations have resumed in full force, post COVID, I have found myself unable to complete more important tasks because I am constantly inundated with more “Administrative” tasks such as creating letters, formatting ordinances, placing orders, compiling information or reports, etc. I absolutely do not feel these tasks are above me. However, I feel like these are tasks I can hand off to allow me to focus on the things more specifically related to my job such as business and residential development, addressing specific citizen concerns/complaints, pending and current projects, general management, etc.

I believe this position was inevitable as you have heard me mention a couple times about the need of an additional position in Town Hall. COVID allowed us to put this need off for a few years, but we are to the point it is a desperate need. In a Town with the population the size of Sawmills we are able to accomplish amazing things with less than minimal staffing. In Town Hall specifically, everyone has their job and that is what fills their time. There is no one else to “Hand Off” anything to and rather than put something on someone else’s plate I had rather add it to my on. I am to the point I can’t add anything else and honestly need to handoff several things to be effective at the job you hired me to do.

#### **Recommendation:**

Staff recommends the addition of an administrative assistant position in Town Hall.

**AGENDA ITEM 12A**

**MEMO**

**DATE:**

October 18, 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](mailto:curt.willis@wpcog.org)

Date Opened (YRMTDY)	Town	Property Address	Violation	Man Hours	Status	Deadline
220902	Sawmills	4426 Sawmills School Rd	Nuisance - TJD	1	Owner Notified	220921
220906	Sawmills	1640 Cajah Mountain Rd	Non Res Min	1	Owner Notified	220920
220907	Sawmills	4689 Greenwood Terrace	Nuisance - Ovrgrth	1	Owner Notified	220930
220912	Sawmills	4565 Millstone Creek Pl	Min Housing	1	Order Issued	221227
220926	Sawmills	4711 Helton Rd	JNMV	1	New Violation	221025
220926	Sawmills	4711 Helton Rd	Min Housing	1	New Violation	221025
220926	Sawmills	4711 Helton Rd	Nuisance - TJD	1	New Violation	221025
220926	Sawmills	4619 Helton Rd	Nuisance - TJD	1	New Violation	221025
220929	Sawmills	4011 Baird Dr	Nuisance - TJD	1	New Violation	221025