

AGENDA

Regular Meeting of the Sawmills Town Council Sawmills Town Hall

**Tuesday, September 20, 2016
6:00 pm**

1. Call To Order Mayor Joe Wesson
2. Invocation Pastor Allen Norrod
3. Pledge of Allegiance Mayor Joe Wesson
4. Adopt Agenda Mayor Joe Wesson
5. Approve Meeting Minutes
A. August 16, 2016 Regular Meeting Minutes Mayor Joe Wesson
B. August 16, 2016 Closed Session Minutes Mayor Joe Wesson
6. Public Comment Mayor Joe Wesson
7. Recognitions:
A. Recycle Rewards Mayor Joe Wesson
8. Public Hearing: Text Amendment for Minor Subdivisions
A. Open Public Hearing Mayor Joe Wesson
B. Staff Comments/Recommendations Town Administrator Christopher Todd
C. Public Comment Mayor Joe Wesson
D. Close Public Hearing Mayor Joe Wesson
E. Council Action Mayor Joe Wesson
9. Discussion:
A. CDBG Sewer Grant Town Administrator Christopher Todd
B. Town Hall Bollards Town Administrator Christopher Todd
10. Financial Matters:
A. Donation Request for Granite Falls Blue Demon Club Mayor Joe Wesson
B. Donation Request for South Caldwell Spartan Athletic Club Mayor Joe Wesson
11. Planning Matters:
A. Dissolution of Steering Committee Mayor Joe Wesson
B. Appointment for ETJ Board of Adjustment Member Mayor Joe Wesson
12. Updates:
A. Code Enforcement Monthly Report Town Administrator Christopher Todd
B. Council Comments Mayor Joe Wesson
13. Adjourn Mayor Joe Wesson

**TUESDAY, AUGUST 16, 2016
TOWN OF SAWMILLS REGULAR COUNCIL MEETING
6:00 PM**

COUNCIL PRESENT

Joe Wesson
Gerelene Blevins
Jeff Wilson
Joe Norman
Keith Warren
Reed Lingerfelt

STAFF PRESENT

Christopher Todd
Terry Taylor
Julie A Good

CALL TO ORDER: Mayor Joe Wesson called the meeting to order.

INVOCATION: Pastor Rick Bowman gave the invocation.

PLEDGE OF ALLEGIANCE: Mayor Joe Wesson led the Pledge of Allegiance.

ADOPT AGENDA: Mayor Joe Wesson asked for a motion to adopt the August 16, 2016 Agenda.

Joe Norman made a motion, and Reed Lingerfelt seconded, to adopt the August 16, 2016 agenda.

APPROVE JULY 19, 2016 REGULAR MEETING MINUTES: Mayor Joe Wesson asked for a motion to approve the July 19, 2016 regular meeting minutes.

Gerelene Blevins made a motion, and Joe Norman seconded, to approve the July 19, 2016 regular meeting minutes. All were in favor.

APPROVE JULY 19, 2016 CLOSED SESSION MINUTES: Mayor Joe Wesson asked for a motion to approve the July 19, 2016 closed session minutes.

Reed Lingerfelt made a motion, and Gerelene Blevins seconded, to approve the July 19, 2016 closed session minutes. All were in favor.

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

Town Administrator Christopher Todd wanted to introduce Jordan Davis as the new reporter from the Lenoir Newstopic.

RECOGNITIONS:

RECYCLE REWARDS WINNER: Mayor Joe Wesson announced Mr. Gene Crofts, as the August Recycle Rewards winner. A credit of twenty-eight dollars (\$28.00) will be added to his sanitation bill.

No Council action was required.

PUBLIC HEARING: 000 HELENA STREET REZONING:

OPEN PUBLIC HEARING: Mayor Joe Wesson asked for a motion to open the public hearing.

Joe Norman made a motion, Reed Lingerfelt seconded, to open the public hearing. All were in favor.

STAFF COMMENTS/RECOMMENDATIONS: Town Administrator Christopher Todd stated that the hearing is on a parcel of land about four (4) acres located on Helena Street that is currently zoned RA-20. It is one of the Town's more restrictive residential zones. The property owner, who is present, Mr. Mark Kiser, is requesting that the property be rezoned to Highway Business, which is one of the more permissive commercial zones that the Town has within the zoning ordinance.

Town Planner Elinor Hiltz stated that the property faces the back of Marx Industries, a manufacturer in the center of downtown. The subject property has homes on the other three (3) sides. The home to the back of the subject property is on twenty (20) acres. Half of the twenty (20) acres is farmland and the other half is wooded.

The property can be serviced by water and sewer which is an argument for developing the property as something more dense than low-density residential.

This site is not environmentally sensitive. The site has no floodplain. The site is in the Watershed Protected Area which means thirty-six percent (36%) can be built upon.

The 2005 Comprehensive Plan recommends establishing a "Central Business District" on the same block as the subject property, so rezoning the property would be consistent.

Staff recommends approving the rezoning and in July the Planning Board also recommended approval of the rezoning.

PUBLIC COMMENT: Mayor Joe Wesson asked if anyone wished to speak on the 000 Helena Street rezoning.

Marty Rector-Real Estate Land Developer-Mr. Rector stated that he purchased the land behind Marx Industries some years back. When he purchased the land it was just a corn field. Since then it has become a nightmare for him. Marx Industries has built sheds on the property. Mr. Rector stated that he is not sure about the codes for the Town but he is sure that the Town has codes for what is built in this area. All the water runoff from the Marx Industries property is coming onto this property and washing his road. Mr. Rector stated that by buying this piece of property he had made an investment for his kids and his family and he thinks there is enough vacant property in this area and that there is plenty to do here with what is already built and there is no sense in building more now. We need to take care of what is already here. Mr. Rector has stated that he has not been able to keep batteries in anything that he has on his property and he has had equipment stolen. Mr. Rector stated he was not pointing fingers at anyone because he does not put cameras up. But it has been a nightmare for him with people on the property at 2:00 or 3:00 in the morning. Mr. Rector stated that he was going to build a house on the property but things have changed now and he is waiting to see how things go with the rezoning. Mr. Rector stated that he does not think it is time to rezone the property right now. And with all the activity that Marx Industries has going on with shooting paint balls on his property, his horse trailers and his equipment. Mr. Rector stated that some kind of wall needs to be built to stop that activity. That is his property, he bought it and he wants to be able to use it for what he wants to use it for. Mr. Rector stated that he had the property for sale before all the buildings started being built. Mr. Rector stated he buys land and cleans it up and acts as a land developer. Mr. Rector stated that the property was a wreck when he bought it and has spent a lot of money and time on his property. Mr. Rector asked that the Council take him and his family into consideration before making the decision to rezone the property. Mr. Rector does not think that it is the right time for the property to be rezoned.

Mark Kiser-Owner of Marx Industries-Mr. Kiser stated that this process has been going on for six (6) years. Mr. Kiser stated that six (6) years ago the zoning was never brought up and all that was told to him, was what he was doing was good and that the Town was always encouraging business development. Mr. Kiser stated that when he came in for the building permit early this year is when he was told by Town Planner, Elinor Hiltz, that a zoning change was needed and that is when the Mr. Kiser started working with an engineer. Mr. Kiser stated that his engineer and himself have been working on getting the drawings to make sure that there is a good product is made to be able to present to the community. Mr. Kiser stated that last year there were over four thousand (4,000) people went through the Horror Fields and over three thousand (3,000) were from out of the area which is bringing people into Sawmills that would not have otherwise come here. Mr. Kiser stated for that reason he wanted to upgrade and upscale what was going on so that it would look more presentable one (1) for himself and two (2) to have a good product that people can talk about and hopefully to have something else to bring people into the community. Mr. Kiser stated that he has talked to other business owners and the Horror Fields helps bring in revenue for the other businesses. Mr. Kiser stated that the Horror Fields are going to be top notch from years past.

CLOSE PUBLIC HEARING: Mayor Joe Wesson asked for a motion to close the public hearing.

Gerelene Blevins made a motion, and Joe Norman seconded, to close the public hearing.

All were in favor.

COUNCIL ACTION: Gerelene Blevins made a motion, and Joe Norman seconded, that this rezoning from residential to highway business should create a space for businesses in Sawmills' downtown. Council votes to approve because this rezoning would be consistent with the Comprehensive Plan's recommendation for a Central Business District downtown. All were in favor.

DISCUSSION:

CALL FOR PUBLIC HEARING FOR CDBG SEWER GRANT: Town Administrator Christopher Todd stated that the Town is currently preparing an application packet for the CDBG Infrastructure grant 2016 funding round. The Town is required to hold a public hearing for this project.

Joe Norman made a motion, and Reed Lingerfelt seconded, to call a public hearing to discuss the "Stamey Road" CDBG-I Sewer Grant project and application during the September 20, 2016 regular Sawmills Town Council Meeting. All were in favor.

TOWN HALL BOLLARD PROPOSAL: Town Administrator Christopher Todd stated that staff has discussed placing bollards in front of Town Hall to protect citizens who are walking on the sidewalk to enter Town Hall. With nothing to stop citizens from parking in front of Town Hall, there have been some concerns brought up with the way vehicles are pulling in and parking very close to the sidewalk.

Reed Lingerfelt made a motion, and Keith Warren seconded, to approve the proposed bollard plans with the provision that the project would cost no more than fifteen hundred dollars (\$1,500.00). All were in favor.

FINANCIAL MATTERS:

ELMORE DRIVE BID: Town Administrator Christopher Todd stated that the bid opening for the Elmore Drive paving and water project occurred on August 11, 2016. Five (5) bids were received:

Mountain Crest, LLC	Lenoir, NC	\$103,925.00
Evans Construction	Connelly Springs, NC	\$163,384.68
Iron Mountain Construction Co, Inc.	Mountain City, TN	\$199,675.00
Bell Construction Co, Inc.	Statesville, NC	\$210,851.25
Country Boy Landscaping	Harmony, NC	\$248,888.88

The bid packages have been reviewed by West Consultants, LLC on behalf of the Town. At

the time of the bid opening, Mountain Crest's bid package was missing information required for the bid package, including but not limited to tax and qualifications information. Since that time all information has been submitted. West Consultants does believe that Mountain Crest is qualified to perform the project.

As the low bidder did not have all information submitted at the time of the bid opening, staff is also recommending the second lowest bidder, Evans Construction. Evans Construction has all required information at the time of the bid opening. West Consultants considers Evans Construction qualified to perform the project.

The Town budgeted a total of one hundred fifty-four thousand two hundred dollars (\$154,200.00) for the paving and water projects.

Reed Lingerfelt made a motion, and Gerelene Blevins seconded, to award the Elmore Drive paving and water project to Mountain Crest, LLC, for a total amount of one hundred three thousand nine hundred twenty-five dollars (\$103,925.00). The vote passed 4 to 1 with Jeff Wilson being the only Council Member opposed.

PLANNING MATTERS:

Town Administrator Christopher Todd wanted to take a moment before going over the next agenda item to introduce the Town's new Planner Leslie Meadows. Current Town Planner Elinor Hiltz took a new position with Catawba County and her last day is Thursday, August 18, 2016.

CALL FOR PUBLIC HEARING FOR TEXT AMENDMENT FOR MINOR SUBDIVISIONS: Town Planner Elinor Hiltz stated that in most jurisdictions minor subdivisions are reviewed and approved in-house since the applicant is not building a new road and there are not that many factors to consider or outside agencies to consult, unlike major subdivisions. A majority of the plat submittals in Sawmills are one-lot splits and family subdivisions. The purpose of this amendment is to speed up the review process for those types of applications.

The proposal is to drop the requirement that family splits and minor subdivisions must be reviewed by the Subdivision Review Board (SRB) and Council. This proposal does not change the procedures for major subdivisions in which the SRB reviews the preliminary plat and then SRB, Planning Board and Council review the final plat.

Joe Norman made a motion, and Gerelene Blevins seconded, to hold a public hearing on September 20, 2016 during the regular Sawmills Town Council Meeting for the text amendment for minor subdivisions. All were in favor.

UPDATES:

AUGUST CODE ENFORCEMENT REPORT: Town Planner Elinor Hiltz stated that there are fourteen (14) code enforcement cases open:

- Caldwell Ready Mix Concrete is the owner of an abandoned mobile home, abandoned concrete factory, and a mosquito pond. Town Planner spoke with Wes Triplett. Mr. Triplett will call EPA who mandated the catch basin to see if they will allow him to pump the water out (which is a temporary solution) or fill it with dirt (which is a permanent solution but a disadvantage if the next buyer wants to operate a concrete plant);
- Teresa Annas Compton is the owner of a dilapidated house located at 4476 Sawmills School Road. Town Planner Elinor Hiltz sent letter on June 21, 2016 with an August 21, 2016 deadline to rebuild walls, repair holes and fix roofline using the nuisance code with a fifty dollar (\$50.00) per day punishment;
- Charles Hagaman, owner of 1940 Leah Drive #4. Tim Hart asked for a ninety day (90) extension. Town Planner will check back on October 7, 2016;
- Peter Rowe, owner of 4016 and 4017 Cloninger Way. Owner will board up barn and remove two (2) houses by September 2, 2016;
- Randall Hamby at 3632 Coble Dairy Road. Labor Day weekend deadline for replacing any trees that are missing. Owner wants to survey property to see if he can do ministorage;
- WNC Properties, LLC owner of 4209 Creekview Pl. Minimum housing complaint. Sent petition to complainant to collect five (5) signatures on July 21, 2016;
- Wanda and Richard Greene at 4205 Trojan Lane. Case closed, owners mowed yard;
- David and Amy Dula at 2303 O J Lane. High grass. Need to contact mower for quote;
- John Wilcox, owner of Lot #6 on Ellen Street. High grass. Need to contact mower for quote;
- Nancy Greene at 4446 Villa Lane. Junk in yard. Check back on July 21, 2016 to see that white car has been pulled onto driveway and covered. All other complaints have been fixed;
- Casey Lynn Wallace, owner of 3950-1 Walters MHP Drive. Minimum housing complaint. Complainant was to pick petition up at Town Hall to collect five (5) signatures;
- Troy Wilson, owner of 4497 Diamond Street. Case closed, owner mowed yard;
- Tasco Properties owner of 2155 White Pine Dr #13. Emailed petition to complainant to collect five (5) signatures;
- Carolyn Bray, owner of 2570 Baker Cir. Abandoned mobile home. Need code enforcement committee meeting.

No Council action was required.

COUNCIL COMMENT:

Mayor Joe Wesson asked if anyone on the Council had any questions or comments at this time.

Joe Norman stated that the meeting has been interesting. Joe Norman also stated that if the property on Helena Street has been there and been operating for six (6) years and the gentleman has not been in to complain before now then it is a little late to stop the progress for the Town. The Town needs to make sure when the owner comes back in that all the requirements are met as far as the building, whatever has to be done with that, and maybe a barrier to keep the water off his property.

Keith Warren wanted to apologize for being late. Keith Warren told Elinor Hiltz that he had really enjoyed working with her and told Leslie Meadows he looked forward to working with her. Keith Warren stated that he appreciated the citizens that came out. Keith Warren stated that the Lenoir Newstopic ran a story on the front page that Sawmills was the best place in Lenoir to catch Pokémon.

Gerelene Blevins stated that she appreciated everyone coming out and she wanted to get the zoning straight for Helena Street. Gerelene Blevins stated that she hoped Mr. Kiser did what he needed to do to make the property better. Gerelene Blevins also stated that she agreed with Joe Norman, that if the property had bothered the other gentleman before than he should have complained before now.

Jeff Wilson thanked everyone for coming. Jeff Wilson also welcomed Leslie Meadows as the new Town Planner and Jordan Davis as the new reporter.

Reed Lingerfelt wanted to thank everyone for coming out. Reed Lingerfelt stated that he was going along with Joe Norman and Gerelene Blevins that Mark Kiser had been operating his business for six (6) years and the neighbor just came in with a complaint. If there was a complaint he should have come to the Town before now. Reed Lingerfelt also stated he would like to welcome the new planner Leslie Meadows and new news reporter Jordan Davis. Reed Lingerfelt told Elinor Hiltz that she was going to be missed and she is welcome back anytime she would like to visit.

Mayor Joe Wesson stated that he wanted to thank anyone for coming out. Mayor Joe Wesson also stated that he wanted to invite more citizens to come out and voice their opinions. Council intends to take every concern to heart. Mayor Joe Wesson also welcomed Leslie Meadows as the new Town Planner and Jordan Davis as the new news reporter. Mayor Joe Wesson stated that we have a Town here we are proud of and want to keep moving forward in the right direction and the Town is doing that. The citizens seemed to be pleased with what Council is doing.

CLOSED SESSION: ATTORNEY/CLIENT PRIVILEGE: Mayor Joe Wesson asked

for a motion to go into closed session.

Reed Lingerfelt made a motion, and Keith Warren seconded, to go into Closed Session at 6:52 pm. All were in favor.

Jeff Wilson made a motion, and Reed Lingerfelt seconded, to come out of Closed Session at 7:18 pm. All were in favor.

COUNCIL ADJOURN: Mayor Joe Wesson asked for a motion to adjourn.

Jeff Wilson made a motion, and Gerelene Blevins seconded, to adjourn the meeting. All were in favor.

Julie A Good, Town Clerk

Joe Wesson, Mayor

AGENDA ITEM 7A

MEMO

DATE:

September 20, 2016

SUBJECT:

Recognition:
Recycle Rewards
Program

Discussion:

The Town of Sawmills would like to congratulate Richard Williams on winning the Recycle Rewards Program for the month of September. Mayor Joe Wesson will present him with a Certificate of Appreciation. A twenty-eight dollar (\$28.00) credit will be added to the current sanitation bill.

Recommendation:

No Council action is required.



MAYOR
Joe Wesson

TOWN ADMINISTRATOR
Christopher Todd

TOWN PLANNER
Leslie Meadows

**TOWN
COUNCIL**

Keith Warren, Mayor Pro-Tem
Gerelene Blevins
Joe Norman
Jeff Wilson
Reed Lingerfelt

COUNCIL MEETING
September 20, 2016
6:00 PM

Agenda Item #8A

PLANNER'S STAFF REPORT

MINOR SUBDIVISIONS PROPOSAL

Status: In most jurisdictions minor subdivisions are reviewed and approved in-house since the applicant is not building a new road and there are not that many factors to consider or outside agencies to consult, unlike major subdivisions. A majority of the plat submittals in Sawmills are one-lot splits and family subdivisions. The surveyor, landowner, and sometimes the buyer are often surprised and negatively affected when the planner informs them the board meetings will cause a two-month delay in their transaction.

This proposal is to drop the requirement that family splits and minor subdivisions must be reviewed by the Subdivision Review Board (SRB) and Council. This proposal does not change the procedures for major subdivisions in which SRB reviews the preliminary plat and then SRB, Planning Board, and Council review the final plat.

Consistency with Comprehensive Plan:

The Sawmills Comprehensive Plan says neighborhoods should safeguard land, water, energy, and historic resources. This proposed text amendment would not affect that goal.

Action Needed:

1) TO RECOMMEND APPROVAL, adopt this or a similar statement:

"This amendment will be in the public interest by speeding up the approval process for landowners who want to subdivide land"

2) MAKE A MOTION

"I move to **RECOMMEND APPROVAL** because this amendment would uphold the Comprehensive Plan."

Subdivision Regulations

§ 152.015 PREREQUISITE TO PLAT RECORDATION.

After the effective date of this chapter, each individual subdivision plat of land within the town's jurisdiction shall be approved by the Planning Department by the standards set forth in this ordinance. ~~by the Town Council on recommendation from the Town Planning Board, unless otherwise set forth herein.~~

§ 152.035 PROCEDURE FOR REVIEW OF DIVISIONS OR ALTERATIONS OF PROPERTY LINES WHERE NO LOCAL APPROVAL IS REQUIRED, AND REVIEW OF MINOR AND MAJOR SUBDIVISIONS.

(A) All subdivisions shall be considered major subdivisions except those defined as minor subdivisions in this subchapter. Divisions or alterations of property lines where no local approval is required shall be reviewed in accordance with the requirements in § 152.036 to verify that status. Minor subdivisions shall be reviewed in accordance with §§ 152.037 and 152.040. Major subdivisions shall be reviewed in accordance with the requirements in §§ 152.038 through 152.040.

(B) For purposes of these regulations, a *MINOR SUBDIVISION* is defined as the following:

(1) The division of a tract of land, regardless of period of time, into not more than five lots or parcels which front on an existing state maintained road or existing private road constructed to the specifications of this chapter; all further divisions of the parent tract into any additional lots or parcels shall be considered a major subdivision, and shall be subject to the requirements of §§ 152.038 and 152.040;

(2) Does not involve any new street or prospectively require any new street for access to interior property;

(3) Does not create any new or residual lots or parcels not conforming to the requirements of this chapter; and

(4) All included land must be under one ownership or sponsor.

§ 152.036 PROCEDURE FOR REVIEW OF DIVISIONS OR ALTERATION OF PROPERTY LINES WHERE NO LOCAL APPROVAL IS REQUIRED.

(A) The subdivider shall submit to the Town Planning Department a Mylar and at least four copies of the proposed recombination or division. For the purpose of this section a division or manipulation where no local approval is required shall be defined by § 152.005.

(B) The Town Planning Department shall review the submitted division or alteration of property lines to ensure the division or alteration of the lots or parcels will not adversely affect the property or any surrounding properties or create residual nonconforming lots.

(C) After the Town Planning Department has determined that the division or alteration of the lot(s) or parcel(s) meet the criteria laid out in G.S. § 160A-376 and will not have adverse

consequences, the following certificate shall be placed on the face of the plat that acknowledges no approval is required from the Subdivision Regulations.

Certificate of No Approval Required

I certify that the plat shown hereon qualifies as division or alteration in property lines where no local approval is required as outlined under North Carolina General Statutes § 160A-376.

Town of Sawmills Planner

Date

NOTE: See the definition of subdivision as contained in § 152.005 for list of platting events where no local approval is required.

§ 152.037 PROCEDURE FOR REVIEW OF MINOR SUBDIVISIONS.

(A) The subdivider shall submit to the Town Planning Department a Mylar and at least four copies of the proposed subdivision.

(B) The Town Planning Department shall review the minor subdivision for complete compliance with the requirements outlined for final approval of subdivisions contained within this chapter. ~~The Subdivision Review Board shall make a recommendation to the Town Council and the Town Council shall vote whether to approve the minor subdivision.~~ The final plat shall be complete and show all information required for preliminary and final plats in § 152.040, and all certificates and notarizations required in this section for final plat approval of a minor subdivision.

(C) The final plat shall be of a size suitable for recording with the County Register of Deeds. Maps with appropriate match lines may be placed on more than one sheet.

(D) *Forms for final certifications.* The following certificates shall appear on the final plat.

(1) *Certificate of final approval of a minor subdivision.*

We, the undersigned hereby certify that the subdivision entitled _____ fully meets the minimum requirements of the Town of Sawmills Subdivision Regulations, however before any lot can be built upon, either an improvement permit must be obtained from the Caldwell County Health Department to allow a septic tank disposal system to be located thereon and to approve the placement of any well thereon or public water and/or sewer must be available. The approval or the recordation of this map in no way guarantees that any lot shown hereon can or will be permitted for a septic tank or for placement of a well.

Town of Sawmills Planner

Date

(2) *Certificate of ownership and dedication.*

I (We) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish minimum building lines, and dedicate all roads, alleys, walks, parks and other sites to (public or private*, choose whichever is applicable) use as noted. Further, I (we) certify the land as shown hereon is within the platting jurisdiction of the Town of Sawmills.

Owner

Date

North Carolina
Caldwell County

I, _____, a notary public of the county and state aforesaid certify that _____ personally came before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal this ____ day of _____ 20__.

Notary Public

My Commission expires

*If private, an approved Road Maintenance Agreement must be submitted and recorded prior to the recording of this plat.

(3) *Certificate of accuracy.*

(As required under G.S. § 47-30 as amended)

Licensed Surveyor

Date

(4) *Review Officer's certificate.*

State of North Carolina, County of Caldwell

I, _____, Review Officer of Sawmills certify that the map or plat to which this Certification is affixed meets all statutory requirements for recording.

Review Officer

Date

(5) *Town Engineer certificate.*

I, _____, Town Engineer of Sawmills certify that all public water and/or sewer lines installed were inspected and are in conformity with all applicable Town and State standards.

Town Engineer

Date

§ 152.038 PROCEDURE FOR PRELIMINARY REVIEW OF MAJOR SUBDIVISIONS.

(A) The subdivider shall submit the following to the Town Planning Department at least 14 days prior to a scheduled meeting of the Subdivision Review Board:

(1) At least four copies of the proposed subdivision prepared in accordance with the requirements of § 152.040. Additional prints may be required when deemed necessary;

(2) A description of the proposed method of providing a water supply and sewer disposal for each lot, including any protective covenants to be applied to the subdivision;

(3) One copy of any required supplemental information. An erosion control plan if applicable, stormwater control measures and the like; and

(4) A street profile.

(B) Before acting on a preliminary plat the Subdivision Review Board shall require that the plat be submitted to the District Highway Engineer for NCDOT and the Town Engineer for review and comment as to the proposed streets and the drainage system; the Caldwell County Health Director or Town Engineer, as is applicable for his or her approval as to the proposed water and sewage disposal system; the Caldwell County School Superintendent for his or her information; and other agencies and officials as the Town Planner deems necessary or desirable.

(C) If the Subdivision Review Board disapproves or conditionally approves the preliminary plat, the reason for that action shall be noted in the Subdivision Review Board's minutes and reference shall be made to the specific sections of the ordinance with which the preliminary plat does not comply, if applicable. The applicant shall receive the denial in writing from town planning staff.

(D) Preliminary plat approvals are valid for the period of one year per phase. Each phase of the development shall be started within two years of final approval of the previous phase and in the order shown on the approved preliminary plat. Each phase shall be constructed, excluding the initial phase, within three years of the final approval date of the previous phase. The initial phase of the development shall be completed within one year of preliminary plat approval.

(E) Phases approved as part of a greater preliminary plan which are unable to be completed within the one-year time constraint may request that the Subdivision Review Board grant an extension to the time allotted to complete the phase under construction. The Subdivision Review Board may grant extensions not exceeding one year in length upon written application and upon findings by the

Subdivision Review Board that good cause exists, provided that the total cumulative term of the extensions shall not exceed four years per phase of the overall development.
(Ord. § 73, passed 1-26-2007)

§ 152.039 PROCEDURE FOR FINAL APPROVAL OF MAJOR SUBDIVISIONS.

Where a permit is required for the construction of any building or other improvement, the permit shall not be issued until a final plat, meeting the requirements of this chapter, has been approved by the Subdivision Review Board. The procedures for obtaining final plat approval are as follows.

(A) The subdivider within one year of the date of preliminary plat approval, and at least 14 days prior to a scheduled meeting of the Subdivision Review Board shall submit to the Planning Department an original Mylar and at least four copies of the final plat. The final plat shall adhere to all requirements of this section and § 152.040.

(B) Before acting on the final plat the Subdivision Review Board shall request reports from the District Highway Engineer for NCDOT; or if applicable a private consulting engineer, the Caldwell County Health Director, the Caldwell County Public School Superintendent and other officials or agencies affected by the proposed development. The reports shall certify compliance with or note deviations from the requirements of this chapter.

(C) If the Subdivision Review Board disapproves the final plat, the reasons for that action shall be noted in the Board's minutes and reference shall be made to the specific section of the ordinance with which the plat does not comply. The applicant shall receive written notice from the town planning staff regarding the reasons, including specific sections, for disapproval of the final plat. The written explanation will also address the proper steps and issues that must be taken and/or corrected so that final approval may be granted.

(D) Upon approval of the final plat by the Subdivision Review Board, that action shall be noted in writing on the face of the original Mylar and on four copies of the final plat. Two prints and the original Mylar shall be returned to the subdivider for recording.

(E) Inspections:

(1) The Town Planning Department shall be notified in writing at least 48 hours in advance, excluding weekends and holidays, to schedule all required inspections of the work that has been completed.

(2) It shall be the responsibility of the subdivider to arrange the proper scheduling of field inspections by the Town Planning Department and any other agencies responsible for approving a particular phase or type of work.

(3) The Town Planning Department and other inspectors shall be allowed access to all parts of the work, and shall be furnished with every reasonable facility to ascertain whether or not the work as performed is in accordance with the specifications.

(4) If proposed development contains any new public water and/or sewer lines which are to be tied into the town system or maintained by the town, the Town Public Works Department and/or Town Engineer shall inspect and verify their installation.

(F) *Forms for final certifications.* The following certificates shall appear on the final plat.

(1) *Certificate of final approval of a major subdivision:*

We, the undersigned hereby certify that the subdivision entitled _____ fully meets the minimum requirements of the Town of Sawmills Subdivision Regulations, however, before any lot can be built upon either an improvement permit must be obtained from the Caldwell County Health Department to allow a septic tank disposal system to be located thereon and to approve the placement of any well thereon or public water and/or sewer must be available. The approval or the recordation of this map in no way guarantees that any lot shown hereon can or will be permitted for a septic tank or for placement of a well.

Chairperson, _____ Date
Sawmills Subdivision Review Board

(2) *Certificate of ownership and dedication.*

I (We) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish minimum building lines, and dedicate all roads, alleys, walks, parks, and other sites to (public or private*, choose whichever is applicable) use as noted. Further, I (we) certify the land as shown hereon is within the platting jurisdiction of the Town of Sawmills.

Owner _____ Date

North Carolina
Caldwell County

I, _____, a notary public of the county and state aforesaid certify that _____ personally came before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal this ____ day of _____ 20__.

Notary Public

My Commission expires

*If private, an approved Road Maintenance Agreement must be submitted and recorded prior to the recording of this plat.

(3) *Certificate of accuracy.*

(As required under G.S. § 47-30 as amended)

Licensed Surveyor

Date

(4) *Review Officer's certificate.*

State of North Carolina, County of Caldwell

I, _____, Review Officer of The Town of Sawmills certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Review Officer

Date

(5) *Town Engineer certificate.*

I, _____, Town Engineer of The Town of Sawmills certify that all public water and/or sewer lines installed were inspected and are in conformity with all applicable Town and State standards.

Town Engineer

Date

(Ord. § 74, passed 1-26-2007)

SUBDIVISION REVIEW BOARD; ACTIONS AND APPEALS

§ 152.110 ESTABLISHMENT OF SUBDIVISION REVIEW BOARD.

There is hereby established a Subdivision Review Board to review and approve, approve with modifications, or disapprove applications for approval of preliminary plats, and final plats for major subdivisions, and to take other actions as required by this chapter in accord with the procedures, requirements and standards of this chapter and regulations hereunder.

(Ord. § 92.1, passed 1-26-2007)

§ 152.111 MEMBERSHIP.

The Subdivision Review Board shall consist of three persons that being the Mayor or his or her designee, Chairperson of the Planning Board and one other Planning Board member along with one alternate from the Planning Board (as they are appointed by the Planning Board). The Subdivision Review Board shall follow the procedures of the most recent edition of *Robert's Rules of Order*. The alternate, in the absence of any regular member, shall have the same powers and privileges of regular members of the Subdivision Review Board.

(Ord. § 92.2, passed 1-26-2007)

§ 152.112 POWERS AND DUTIES OF THE SUBDIVISION REVIEW BOARD.

The Subdivision Review Board shall have the following powers and duties:

- (A) Receive applications for approval of preliminary plats for major subdivisions;
- (B) Take action under these regulations to approve, approve with conditions or disapprove applications for approval of preliminary plats for major subdivisions;
- (C) Receive applications for approval of final plats for major subdivisions;
- (D) Take action under these regulations to approve, approve with conditions or disapprove applications for approval of final plats of major subdivisions;
- ~~——(E)——Receive minor subdivision final plats approved by the Planning Department;~~
- (F) Establish minimum requirements for the contents of preliminary plats, and final plats for major subdivisions, in accordance with these regulations and state statutes;
- (G) Procedures for the conduct of the Subdivision Review Board's affairs shall be in accordance with *Robert's Rules of Order*;
- (H) Maintain a record of the Subdivision Review Board's minutes, including the votes of its members, attendance and a summary of the information submitted to it;
- (I) Receive the cooperation of the various elements of the government of the county; and
- ~~——(J)——Submit to the Planning Board and Town Council a monthly report on its activities.~~

§ 152.130 FAMILY SUBDIVISIONS.

Family subdivisions shall meet the minimum requirements of this chapter except as follows.

- (A) (1) A subdivision where lots are intended to be conveyed to members of the owners' lineal family for the purpose of building a residence for the new owner (family member). Lineal family shall include only direct lineal descendants (children and grandchildren) and direct lineal ascendants (father, mother, grandfather, and grandmother). Lots can be conveyed as a gift or for a nominal consideration.
- (2) Only one lot may be conveyed to each family member.
- (B) This chapter is intended to facilitate the subdivision of the family homestead. Accordingly, the land to be subdivided must have been in the possession of the original owner as of the date of enactment of this section, which is May 17, 1999.
- (C) The cumulative creation of no more than seven new lots may be approved under this section. Plats consisting of two or fewer lots shall be submitted to the Planning Department for approval and reviewed in accordance with § 152.037. ~~Plats consisting of three to five lots shall be submitted to the Subdivision Review Board and reviewed in accordance with § 152.038.~~

(D) All lots created by a Family Subdivision shall have a recorded 45-foot ingress/egress easement extending to a state maintained road. If an existing ingress/egress easement, located on adjoining non-family owned property, is to be utilized, this ingress/egress easement may be utilized at its existing width if it was recorded on or prior to May 17, 1999. Within a newly created 45-foot ingress/egress easement, that is created after May 17, 1999, a gravel drive at least 18 feet in width shall be constructed if the easement serves three or more lots.

(E) (1) A plat map is required showing the resulting lots and ingress/egress easements. The plat shall state that it is a Family Subdivision, and shall state the name(s) of the owner(s) of the original tract being subdivided and the specific family member to which the subdivided property is being conveyed. The plat shall be prepared by a licensed surveyor and recorded with the County Register of Deeds.

(2) When possible, Family Subdivisions shall meet the provisions of §§ 152.05 through 152.043.

(F) (1) When two or more parcels are created by a Family Subdivision, the required ingress/egress easement shall be named at no cost to the subdivider.

(2) When the strict interpretation of this chapter prohibits the utilization of the Family Subdivision option, the applicant may request a variance from the Town Board of Adjustment if the circumstances surrounding the request clearly demonstrate a hardship as outlined in § 152.145.

(G) The following certificates shall be executed on the face of the final plat:

(1) *Certificate of final approval of a Family Subdivision.*

We, the undersigned hereby certify that the subdivision entitled _____ fully meets the minimum requirements of the Town of Sawmills Subdivision Regulations; however, before any lot can be built upon, either an improvement permit must be obtained from the Caldwell County Health Department to allow a septic tank disposal system to be located thereon and to approve the placement of any well thereon or public water and/or sewer must be available. The approval or the recordation of this map in no way guarantees that any lot shown hereon can or will be permitted for a septic system or for placement of a well.

Chairperson, Sawmills Subdivision Review Board
Town of Sawmills Planner

Date

(2) *Certificate of ownership and dedication.*

I (We) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish minimum building lines, and dedicate all roads, alleys, walks, parks, and other sites to (public or private*, whichever is applicable) use as noted. Further, I (we) certify the land as shown hereon is within the platting jurisdiction of the Town of Sawmills.

Owner Date

North Carolina
Caldwell County

I, _____, a notary public of the county and state aforesaid
certify that _____ personally came before me this day and
acknowledged the execution of the foregoing instrument. Witness my hand and official
stamp or seal this ____ day of _____ 20__.

Notary Public

My Commission expires

*If private, an approved Road Maintenance Agreement must be submitted and recorded
prior to the recording of this plat.

(3) *Certificate of Accuracy.*

(As required under G.S. § 47-30 as amended)

Licensed Surveyor Date

(4) *Review Officer's Certificate.*

State of North Carolina, County of Caldwell

I, _____, Review Officer of the Town of Sawmills certify that the map or
plat to which this Certification is affixed meets all statutory requirements for
recording.

Review Officer Date

(5) *Town Engineer Certificate.*

I, _____, Town Engineer of The Town of Sawmills certify that all public
water and/or sewer lines installed were inspected and are in conformity with all
applicable Town and State standards.

Town Engineer Date

(Ord. § 95.1, passed 1-26-2007)

AGENDA ITEM 9A

MEMO

DATE:

September 20, 2016

SUBJECT:

Recognition:
CDBG Sewer Grant

Discussion:

Staff presented council a proposed CDBG-I Grant project during the August Town Council meeting. At which point in time staff was actively surveying the proposed project area for project feasibility. Due to the inability at this time to find any septic failures in the proposed area, staff along with the advice of the WPCOG, has decided to hold the application until a later grant cycle. It is the hope of staff and the WPCOG that we will be able to continue to work on this project, locate the needed information, and submit a competitive grant application during the next grant cycle.

Recommendation:

No Council action is required.

AGENDA ITEM 9B

MEMO

DATE:

September 20, 2016

SUBJECT:

Recognition:
CDBG Sewer Grant

Discussion:

Staff presented council a proposed bollard project and design for town hall during the August Town Council meeting. Due to concerns of safety related to the proposed design, staff would like to propose an alternative design. The new bollard proposal would be bollards that are flexible in nature, which would still deter parking in front of the building. A bike rack would still be installed behind the bollards to insure a vehicle could not park between the bollards and the building. The project is still estimated to cost less than \$1,500.00.

Attached is an image of the proposed bollard design.

Recommendation:

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

Barco Products: Quote #QBP00053477-002

From: Barco Products

Sent: Wed, Aug 17, 2016 at 4:23 pm

To: RCOFFEY@TOWNOFSAWMILLS.COM

Images not displayed: Show images or Always show images from this sender

Quote #QBP00053477-002 (placed on August 17, 2016 11:55:36 AM CDT)

Item	SKU	Qty	Subtotal
Spring-Back Bollards/ 43" Bollard/ Case of 4 <i>Select Bollard Height</i> 43" bollard <i>Unit Volume</i> Case of 4 Bollards	06AR1200	2	\$901.70
Hardware Kit: Four Posts	06AR1491	2	\$16.00
Park-It Galvanized Bike Racks/ 5-Bike Rack/ Surface Mount/ <i>Mount Type</i> Surface Mount <i>Bike Capacity</i> 5	05CL1675	1	\$198.85
Park-It Bike Galvanized Covers (Set of Two)	05CL1714	1	\$48.85
Surface Mount Hardware Kit (8)	BKHRD-8	1	\$14.00
		Subtotal	\$1,179.40
		Shipping & Handling	\$169.58
		Grand Total	\$1,348.98

Barco Products

Barco Products | 24 N. Washington Ave. | Batavia, IL 60510 | United States



Spring-Back Bollards

Very Effective and Surprisingly Economical

- Block vehicle access to buildings, walkways, bike paths and other restricted areas
- Rigid bollard appearance, with 360° flexibility and rebounds after impact!
- Tough, weather-resistant high-density polyethylene with UV-inhibitors
- Two 3-1/2" bands of high-intensity reflective sheeting
- Bolt to surface using pre-drilled holes and anchor bolt hardware (sold separately)
- Takes minutes to install



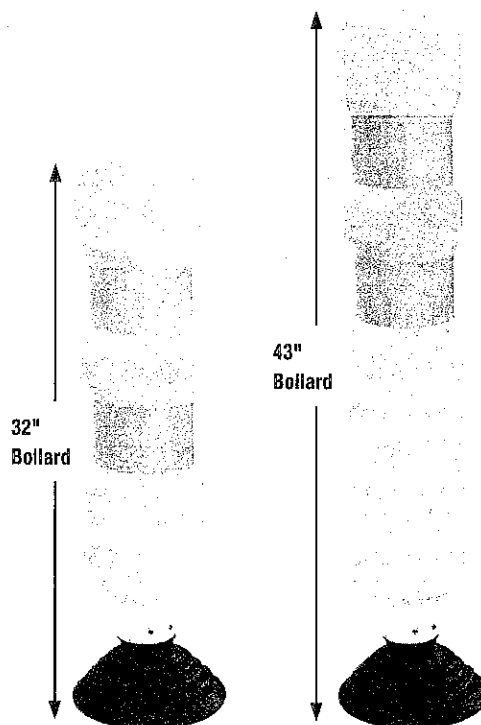
In-Stock



Eco-Friendly



Spring Back Motion



MODEL #	DESCRIPTION	DIMENSIONS	WEIGHT	PRICE	OVERSTOCK SALE
06AR1200	Case of four 43" spring-back bollards*	8" dia. x 42.5" h	36 lbs.	\$450.85 cs.	—
06AR1201	Case of four 32" spring-back bollards*	8" dia. x 32.25" h	32 lbs.	\$273.85 cs.	\$148.85 cs.
06AR1202	43" spring-back bollard	8" dia. x 42.5" h	9 lbs.	\$114.85 ea.	—
06AR1203	32" spring-back bollard	8" dia. x 32.25" h	8 lbs.	\$73.85 ea.	\$37.85 ea.
06AR1491	Hardware kit for four posts*	n/a	2 lbs.	\$ 8.00 ea.	—
06AR1497	Hardware kit for one post*	n/a	1 lb.	\$ 2.00 ea.	—
				+ shipping	+ shipping

Buy a case of 4 Spring-Back Bollards and save money.

AGENDA ITEM 10A

MEMO

DATE:

September 20, 2016

SUBJECT:

Financial Matters:
Request for a Donation
To Granite Falls Middle
Blue Demon Club

Discussion:

The Town has received a request from Granite Falls Middle School Blue Demon Club for a donation in the amount of \$150.00 (one hundred fifty 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

Joe Wesson, Mayor

Christopher Todd, Town Administrator

396-8955

Funding Request

Name of Organization: Granite Falls Blue Demon Club
Permanent Address: 90 North Main Street
City/State/Zip: Granite Falls, N.C. 28630
Contact(s): Terry Cannon Phone #: 828-381-4805
Email: tbannon@hotmail.com

Amount Requested: \$ 150.00 Date Funds Needed: Sept. 30, 2016

Describe the purpose of the project and how the funds will be used:

To provide uniforms, equipment and sports facility maintenance and upgrades.

How will this project benefit the community?

School athletics allow community residents + families to play, participate and spectate at the school levels.

Official Town Use Only	
Date application received: <u>9/12/16</u>	Date presented to Town Council: <u>9/20/16</u>
Date approved/denied:	Amount approved:
Available balance in Governing Body donations expense account: <u>\$1800.00</u>	
Check #/date:	Amount:

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

AGENDA ITEM 10B

MEMO

DATE:

September 20, 2016

SUBJECT:

Financial Matters:
Request for a Donation
To South Caldwell
Spartan Athletic Club

Discussion:

The Town has received a request from the South Caldwell Spartan Athletic Club for a donation in the amount of \$150.00 (one hundred fifty 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 SAWMILLSJoe Wesson, Mayor
Christopher Todd, Town Administrator**Funding Request**

Name of Organization: South Caldwell Athletic Club
Permanent Address: 7035 Spartan Drive
City/State/Zip: Granite Falls, NC 28630
Contact(s): Jerry Cannon Phone #: 828-381-4505
Email: jcannon@hotmail.com

Amount Requested: \$ 150.00 Date Funds Needed: Sept. 30, 2016

Describe the purpose of the project and how the funds will be used:

To provide uniforms, equipment and sports
facility maintenance & upgrades.

How will this project benefit the community?

School athletics allows community residents & families
to play, participate and spectate at the ^{local} school
levels.

Official Town Use Only	
Date application received: <u>9/12/14</u>	Date presented to Town Council: <u>9/20/14</u>
Date approved/denied:	Amount approved:
Available balance in Governing Body donations expense account: <u>\$ 1800.00</u>	
Check #/date:	Amount:

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

AGENDA ITEM 11A

MEMO

DATE:

September 20, 2016

SUBJECT:

Recognition:
Dissolution of
Steering Committee

Discussion:

The last meeting of the Steering Committee was on June 6, 2016. This Committee has served its purpose.

Recommendation:

Staff recommends Council dissolve the Steering Committee.

AGENDA ITEM 11B

MEMO

DATE:

September 20, 2016

SUBJECT:

Recognition:
Board of Adjustments
ETJ Vacancy

Discussion:

The Board of Adjustments has a vacancy for an ETJ Member seat.

Recommendation:

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

AGENDA ITEM 12A

MEMO

DATE:

September 20, 2016

SUBJECT:

Updates:
Code Enforcement
Monthly Report

Discussion:

The attached report shows the progress that Planner Leslie Meadows continues to make throughout the town.

Recommendation:

No Council action required.

Code Enforcement Report
September, 2016

Property Owner	Property Address	Issue	Status
Caldwell Ready Mix Concrete	2823 Mission Rd	abandoned mobile home; abandoned concrete factory; mosquitos	Spoke to Wes Triplett at 828-320-1533. He will call EPA who mandated the catch basin to see if they will allow him to pump it out (temporary solution) or fill it with dirt (permanent solution but a disadvantage if the next buyer wants to operate a concrete plant)
Teresa Annas Compton	4475 Sawmills Sch Rd	dilapidated house	Wrote letter July 21 with August 21 deadline to rebuild walls, repair holes in wall, and fix roofline using the nuisance code with a \$50/day punishment
Charles Hageman	1940 Leah Dr #4	abandoned mobile home	Tim Hart asked for 90 day deadline. Will check back Oct 7, 2016.
Peter Rowe	4016, 4017 Cloninger Wy	burned-out house	Will board up a barn and remove 2 houses by Sept 2, 2016.
Randall Hamby	3632 Coble Dairy Rd	fallen trees in zoning buffer	Visited site on 9/8/16. Working with landowner and contractor... Extended deadline for planting sometime this Fall. Trying to dissuade owner from removing all mature trees.
WNC Properties A LLC	4209 Creek View Pl	minimum housing complaint	On July 21 mailed a petition letter to collect 5 signatures
Current Resident	2465 Granville Drive	Bushes blocking view of road, high grass, solid waste	Sent citation letter on 9/6/16. Recheck after Sept. 21st.
David & Amy Dula	2303 OJ Ln	high grass	Mower will give a quote before July 22.... Town no longer has a dependable mower.
John Wilcox	Lot No 6 Ellen St	high grass	Mower will give a quote before July 22.... Town no longer has a dependable mower.
Cheney Carter, in Houston TX	4361 Sawmills School Rd	high grass	Sent citation letter on 9/6/16. Recheck after Sept. 21st.
Casey Lynn Wallace	3950-1 Walters MHP Dr	minimum housing complaint	Left petition at Town Hall for complainant to pick up, to collect five signatures
Jones and Barbara Shore	4360 Sawmills School Road	high grass	Sent citation letter on 9/6/16. Recheck after Sept. 21st.
Tasco Properties	2155 White Pine Dr #13	minimum housing complaint	Emailed the petition that 5 owners need to sign

[illegible]