

# Agenda

## Regular Meeting of the Sawmills Town Council

Sawmills Town Hall

Tuesday, March 18, 2014

6:00 pm

- |   |                           |
|---|---------------------------|
| 1. Call to Order  | Mayor Bob Gibbs           |
| 2. Invocation   | Pastor Jim Hamby          |
| 3. Pledge of Allegiance   | Mayor Bob Gibbs           |
| 4. Adopt the Agenda   | Mayor Bob Gibbs           |
| 5. Approve Meeting Minutes:   |                           |
| A. February 18 <sup>th</sup> Regular Meeting Minutes  | Mayor Bob Gibbs           |
| B. February 18 <sup>th</sup> Closed Session Meeting Minutes                                     | Mayor Bob Gibbs           |
| C. March 13 <sup>th</sup> Special Budget Workshop Meeting Minutes                               | Mayor Bob Gibbs           |
| 6. Public Hearing: Adopt Text Amendment to Section 153.190-153.197 of the Code of Ordinances    |                           |
| A. Open Public Hearing  | Mayor Bob Gibbs           |
| B. Staff Comments/Recommendations   | Planner Elinor Hiltz      |
| C. Public Comment   | Mayor Bob Gibbs           |
| D. Close Public Hearing   | Mayor Bob Gibbs           |
| E. Council Action   | Mayor Bob Gibbs           |
| 7. Public Hearing: Approve an Application for CDBG Funding and Call for a Second Public Hearing |                           |
| A. Open Public Hearing  | Mayor Bob Gibbs           |
| B. Staff Comments/Recommendations   | Lisa Helton               |
| C. Public Comment   | Mayor Bob Gibbs           |
| D. Close Public Hearing   | Mayor Bob Gibbs           |
| E. Council Action   | Mayor Bob Gibbs           |
| 8. Public Comment   | Mayor Bob Gibbs           |
| 9. Recognitions: Recycle Rewards Winner   | Administrator Seth Eckard |
| 10. Financial Matters: Funding Request for Caldwell County Special Olympics                     | Mayor Bob Gibbs           |
| 11. Discussion:   |                           |
| A. Duke Energy Corporation Lease Agreement for Veterans Memorial Park                           | Robin Nicholson           |
| B. Adopt a Proclamation for American Red Cross Month  | Mayor Bob Gibbs           |
| 12. Public Comment:   | Mayor Bob Gibbs           |
| 13. Updates:  |                           |
| A. Community Development Block Grant Monthly Status Report                                      | Administrator Seth Eckard |
| B. Community Development Block Grant Sewer Project Monthly Update                               | Administrator Seth Eckard |
| C. Code Enforcement Monthly Report  | Administrator Seth Eckard |
| D. Administrators Report  | Administrator Seth Eckard |
| E. Council Comment  | Mayor Bob Gibbs           |
| 14. Closed Session: Personnel Matters (NCGS §143-318.11)  | Mayor Bob Gibbs           |
| 15. Adjourn   | Mayor Bob Gibbs           |

**TUESDAY, FEBRUARY 18, 2014  
TOWN OF SAWMILLS REGULAR COUNCIL MEETING  
6:00 PM**

**COUNCIL PRESENT**

Bob Gibbs  
Trena McRary Kirby  
Joe Wesson  
Gerelene Blevins  
Jeff Wilson  
Johnny Wilson

**STAFF PRESENT**

Seth Eckard  
Susan Nagle  
Terry Taylor  
Elinor Hiltz

**CALL TO ORDER:** Mayor Bob Gibbs called the meeting to order.

**INVOCATION:** Pastor Buford Pennell gave the invocation.

**PLEDGE OF ALLEGIANCE:** Mayor Bob Gibbs led the Pledge of Allegiance.

**ADOPT AGENDA:** Mayor Gibbs asked for a motion to adopt the agenda with the following changes: add Call for a Public Hearing for a CDBG Funding Application as agenda item 9C and correct the January 21, 2014 minutes to show Johnny Wilson as absent.

Joe Wesson made a motion, and Gerelene Blevins seconded, to adopt the agenda with changes. All were in favor.

**APPROVE JANUARY 21, 2014 REGULAR MEETING MINUTES:** Mayor Gibbs asked for a motion to approve the January 21, 2014 regular meeting minutes with the following change to be made by Town Clerk Susan Nagle: change Johnny Wilson from Council present to absent.

Johnny Wilson made a motion, and Joe Wesson seconded, to approve the minutes with the change. All were in favor.

**APPROVE JANUARY 23, 2014 SPECIAL COFFEE WITH THE COUNCIL MEETING MINUTES:** Mayor Gibbs asked for a motion to approve the January 23, 2014 Coffee with the Council special meeting minutes.

Gerelene Blevins made a motion, and Joe Wesson seconded, to approve the minutes. All were in favor.

**APPROVE FEBRUARY 11, 2014 SPECIAL ANNUAL COUNCIL BUDGET RETREAT MEETING MINUTES:** Mayor Gibbs asked for a motion to approve the February 11, 2014 annual Council budget retreat meeting minutes.

Joe Wesson made a motion, and Gerelene Blevins seconded, to approve the minutes. All were in favor.

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

The following persons spoke in support of restrooms at the Sawmills Veterans Memorial Park:

Jane Wesson  
Jack Keller  
William Eckard  
Angie Woods  
Kathy Soots  
Buford Pennell

Sawmills Fire Chief David Price thanked the Public Works Employees, on behalf of the Fire Department, for all the hard work they did during the last storm stating they did a great job.

Residents on Elmore Drive, Michael Mull owner of Mullhaus Kennels and Roger Stout spoke in regards to paving Elmore Drive.

**RECOGNITIONS:**

**RECYCLE REWARDS WINNER:** Town Administrator Seth Eckard announced Robert Phillips as the February Recycle Rewards winner. A credit of twenty-eight dollars (\$28.00) will be added to Mr. Phillips sanitation bill and his certificate will be available at the Town Hall for pick up.

No Council action was required.



**PLANNING MATTERS:**

**CALL A PUBLIC HEARING TO ADOPT A TEXT AMENDMENT TO SECTIONS 153.190-153.197 OF THE CODE OF ORDINANCES:** Town Planner Elinor Hiltz stated effective October 1, 2013 the state law has changed regarding Board of Adjustment procedures. Local governments must amend their zoning ordinances to match state law. The Planning Board reviewed sections 153.190-153.197 of the Code of Ordinances and recommends Council call for a public hearing.

Trena McRary Kirby made a motion, and Joe Wesson seconded, to call for a public hearing on March 18, 2014 at 6:00 pm at the Sawmills Town Hall to discuss a text Amendment to sections 153.190-153.197 of the Code of Ordinances. All were in favor.

**DISCUSSION:**

**ADOPT A RESOLUTION IN SUPPORT FOR THE W.P.C.O.G. INVESTING IN MANUFACTURING COMMUNITIES PROGRAM APPLICATION:** Administrator Eckard asked Council to adopt a Resolution in support of a program application for investing in manufacturing communities.

Joe Wesson made a motion, and Jeff Wilson seconded, to adopt a Resolution in Support for the Western Piedmont Council of Governments Investing in Manufacturing Communities Program Application. All were in favor.

**ADOPT A RESOLUTION OF RECOGNITION FOR C.C.C. AND T.I.:** Administrator Eckard asked Council to adopt a resolution recognizing fifty years of service for Caldwell Community College and Technical Institute.

Joe Wesson made a motion, and Trena McRary Kirby seconded, to adopt a Resolution of Recognition for Caldwell Community College and Technical Institute. All were in favor.

**CALL FOR A PUBLIC HEARING FOR A CDBG FUNDING APPLICATION:** Administrator Eckard stated the town is eligible to apply for another Community Development Block Grant for sewer infrastructure funding. Housing and Urban Development (HUD) requires Council hold two public hearings.

Jeff Wilson made a motion, and Joe Wesson seconded, to call for a public hearing on March 18, 2014 at 6:00 pm at the Sawmills Town Hall to discuss a CDBG application for sewer infrastructure funding. All were in favor.

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

David Powell spoke in regards to restrooms at the Sawmills Veterans Memorial Park.

**UPDATES:**

**COMMUNITY DEVELOPMENT BLOCK GRANT MONTHLY STATUS REPORT:**

Administrator Eckard stated the enclosed monthly status report for the Community Development Block Grant (CDBG) shows that all requirements are on schedule for the Haystation, LLC.

No Council action was required.

**COMMUNITY DEVELOPMENT BLOCK GRANT SEWER PROJECT MONTHLY**

**UPDATE:** Administrator Eckard stated in a memo from Lisa Helton, Program Administrator with the Western Piedmont Council of Governments, that the Town has received the release of funds letter from the Department of Commerce. This allows the Town to be reimbursed for expenses incurred from the sewer project. West Consultants, PLLC is finishing the required surveying work for the easements. When that process is complete the bidding process will start.

No Council action was required.

**CODE ENFORCEMENT MONTHLY REPORT:** Administrator Eckard stated the enclosed report shows an update of the progress made throughout the Town by Planner Elinor Hiltz.

No Council action was required.

**A STRATEGIC PLAN FOR SAWMILLS:** Administrator Eckard stated the enclosed Strategic Plan for the Town of Sawmills is for the next two years. Administrator Eckard asked Council to review plan, inform him if they wish to make changes and be prepared to adopt this at the March 18, 2014 regular Council meeting. Once adopted, staff will try to achieve the goals for the fiscal year 2014-2015 in the Strategic Plan. Staff will report to Council in six months, and then again in one year, to see how staff is doing at achieving those goals.

No Council action was required.

**ADMINISTRATOR'S REPORT:** Administrator Eckard made the following announcements:

- Members of the Council will attend the Essentials of Municipal Government class in Hickory on Wednesday, February 19, 2014 and Thursday, February 20, 2014.
- Staff will have their yearly wellness day sponsored by the NC League of Municipalities on Friday, February 21, 2014 at the Sawmills Municipal Park on Baird Dr.
- The first budget workshop will be held on Thursday, March 13, 2014 in the Town Hall Council Chambers starting at 5:00 pm.
- Administrator Eckard congratulated Meghan Frick, Reporter with the News-Topic on her new position in Atlanta, Georgia. She will be working with the Department of Education, Public Relations.

**COUNCIL COMMENT:** Mayor Gibbs asked if anyone on the Council had any questions or comments at this time.

Councilwoman Gerelene Blevins asked if Council is going to talk about paving Elmore Drive again in the budget since it was voted down already.

Councilman Joe Wesson thanked the fellow Council members for their commitment to the restrooms at Veterans Memorial Park.

Mayor-Pro-Tem Trena McRary Kirby thanked everyone for coming.

**CLOSED SESSION: PERSONNEL MATTERS (NCGS §143-318.11):** Mayor Gibbs asked for a motion to go into closed session. Gerelene Blevins made a motion, and Joe Wesson seconded, to go into closed session. All were in favor.

Mayor Gibbs asked for a motion to come out of closed session and return to the regular meeting.

Johnny Wilson made a motion, and Gerelene Blevins seconded, to come out of closed session and return to the regular meeting.

**ACTION TAKEN IN CLOSED SESSION:** Jeff Wilson made a motion, and Johnny Wilson seconded to award Administrator Eckard a 1.5% salary increase effective beginning the next pay period. All were in favor.

**ADJOURN:** Mayor Gibbs asked for a motion to adjourn.

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

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Susan Nagle, Town Clerk

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Bob Gibbs, Mayor



**MARCH 13, 2014**  
**TOWN OF SAWMILLS SPECIAL**  
**BUDGET WORKSHOP MEETING**  
**5:00 pm**

**COUNCIL PRESENT**

Bob Gibbs  
Trena McRary Kirby  
Joe Wesson  
Gerelene Blevins  
Jeff Wilson  
Johnny Wilson

**STAFF PRESENT**

Seth Eckard  
Karen Clontz  
Ronnie Coffey

**CALL TO ORDER:** Mayor Bob Gibbs called the meeting to order.

**INVOCATION:** Mayor Gibbs gave the invocation.

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

**ADOPT AGENDA:** Mayor Gibbs asked for a motion to adopt the agenda.

Joe Wesson made a motion, and Trena McRary Kirby seconded, to adopt the agenda. All were in favor.

**ITEMS FOR DISCUSSION:**

The following items were discussed:

- New Restrooms at Veterans Memorial Park
- Fireworks

**Budget Needs by Department:**

- Governing Board
- Administration
- Planning/Community Development
- Public Works
- Sanitation
- Streets (Powell Bill)
- Parks & Recreation
- Water Department
- Sewer Department

**ADJOURN:** Mayor Gibbs asked for a motion to adjourn.

Trena McRary Kirby made a motion, and Joe Wesson seconded, to adjourn the meeting. All were in favor.





**MAYOR**  
Bob Gibbs

**TOWN ADMINISTRATOR**  
Seth Eckard

**TOWN PLANNER**  
Elinor Hiltz

**PLANNING  
BOARD**

Steve Duncan, Chairman  
Buford Pennell  
David Powell  
Thad Hall  
Clyde Miller

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**AGENDA ITEM 6A**

**COUNCIL MEETING**  
**Mar 18, 2014**  
**6:00 PM**

**PLANNER'S STAFF REPORT**

**BOARD OF ADJUSTMENT STATUTORY CHANGES**

**Status:** Effective October 1, 2013 the state law has changed regarding Board of Adjustment procedures. Local governments must amend their zoning ordinances to match state law. The Planning Board recommended approval of this zoning ordinance text amendment on February 4<sup>th</sup>. The call for a public hearing occurred on February 18<sup>th</sup>, 2014.

**Proposal:** A subcommittee of land use lawyers from the NC Bar Association and the legislature's zoning subcommittee spearheaded this effort for the NC legislature to overhaul the Board of Adjustment State Statutes for benevolent reasons: to make the rules clearer and consistent for every town and county statewide. These are the significant revisions that may interest Sawmills:

- 1.hearings do not have to be advertised in newspaper anymore
- 2.town clerk may administer oaths
- 3.chairperson of the BOA may issue subpoenas
- 4.in variances, "practical difficulty" is changed to "unnecessary hardship" and "unnecessary hardship" is defined
- 5.a 4/5 vote is required for variances, but only a simple majority is required to rule on appeals and conditional use permits
- 6.a neighbor can appeal a zoning decision whenever they find out about the project; it may be after construction has started. If the developer is afraid someone might appeal and they would rather achieve closure sooner, the developer can post a sign saying "Future site of PDQ", and then the neighbor only has 30 days from then to appeal.

**Planner's Recommendation**

The ordinance should be amended so Board of Adjustment decisions do not get reversed in court.

**Consistency with Comprehensive Plan:**

Sawmills Comprehensive Plan does not cover Board of Adjustment proceedings, but towns need legally-functioning boards to make zoning determinations and zoning is a useful tool for future land-use planning.

**Action Needed:**

**"MOTION TO APPROVE** because the proposed amendment is consistent with the Comprehensive Plan."

## **AGENDA ITEM 7**

### **MEMO**

#### **DATE:**

March 13, 2014

#### **SUBJECT:**

Public Hearing:  
Approve an Application  
for CDBG Funding and  
Call for a Special  
Meeting and a Public  
Hearing

### **Discussion:**

On February 18, 2014, Council called for a public hearing to discuss a Community Development Block Grant (CDBG) funding application to add sewer lines to a proposed area of Sawmills.

In order to qualify for a CDBG, the area being considered must meet certain conditions. The proposed area must be connected to existing sewer lines, the majority of people living in the area need to be lower income, and there has to be evidence of failing septic tanks.

The following is a list of potential streets covered, which is subject to change:

- South side of Stamey Road
- Leta Lane
- Jody Drive
- Kane Circle
- Drum Lane
- White Pine Drive
- Ala Lane
- May Road

### **Recommendation:**

Staff recommends Council call for a special meeting and a public hearing on March 25, 2014 at 6:00 pm at the Town Hall to discuss the Community Development Block Grant for a sewer project.

## **AGENDA ITEM 9**

### **MEMO**

#### **DATE:**

March 13, 2014

#### **SUBJECT:**

Recognition:  
Recycle Rewards  
Winner

#### **Discussion:**

Mr. and Mrs. James Furches is the Recycle Rewards winner for March. Town Administrator Seth Eckard will present Mr. and Mrs. Furches with a certificate of appreciation and a twenty-eight dollar (\$28.00) credit will be added to his current sanitation bill.

#### **Recommendation:**

No Council action required.

## **AGENDA ITEM 10**

### **MEMO**

#### **DATE:**

March 13, 2014

#### **SUBJECT:**

Financial Matters:  
Funding Request for  
Caldwell County  
Special Olympics

#### **Discussion:**

The Caldwell County Special Olympics is requesting a donation to help cover the cost of shirts for all participants and volunteers. The cost of food for lunch and transportation for any special needs athletes that will be participating.

There are sufficient funds in the budget to cover a donation up to \$150.00.

#### **Recommendation:**

Staff recommends Council approve a donation to the Caldwell County Special Olympics.



## **AGENDA ITEM 11A**

### **MEMO**

#### **DATE:**

March 13, 2014

#### **SUBJECT:**

Discussion:  
Duke Energy Corporation  
Lease Agreement for  
Veterans Memorial Park

#### **Discussion:**

Robin Nicholson, with Duke Energy Corporation, will be on hand to discuss the current lease between Duke Energy Corporation and the Town of Sawmills for the Veterans Memorial Park. Miss Nicholson will answer any questions you may have.

#### **Recommendation:**

No Council action required.

## **AGENDA ITEM 11B**

### **MEMO**

#### **DATE:**

March 13, 2014

#### **SUBJECT:**

Discussion:  
Adopt a Proclamation  
for American Red  
Cross Month

#### **Discussion:**

The Town has received a request from the American Red Cross to adopt the enclosed Proclamation designating March 2014 as American Red Cross Month.

#### **Recommendation:**

Staff recommends Council adopt the American Red Cross Proclamation.

## **AGENDA ITEM 13A**

**MEMO**

**DATE:**

March 13, 2014

**SUBJECT:**

Updates:  
Community Development  
Block Grant Monthly  
Status Report

**Discussion:**

The attached report shows that all the requirements for the CDBG on behalf of the Haystation, LLC are on schedule.

**Recommendation:**

No Council action required.

## **AGENDA ITEM 13B**

### **MEMO**

### **DATE:**

March 13, 2014

### **SUBJECT:**

Updates:  
Community Development  
Block Grant Sewer  
Project Monthly Update

### **Discussion:**

Lisa Helton, Project Administrator from the Western Piedmont Council of Governments (WPCOG) sent the attached update for the Community Development Block Grant (CDBG) Duff Drive area sewer project.

### **Recommendation:**

No Council action required.



**AGENDA ITEM 13C**

**MEMO**

**DATE:**

March 13, 2014

**SUBJECT:**

Updates:  
Code Enforcement  
Monthly Report

**Discussion:**

The attached report shows the progress that Planner Elinor Hiltz continues to make throughout the town.

**Recommendation:**

No Council action required.