

TUESDAY, SEPTEMBER 19, 2023
TOWN OF SAWMILLS REGULAR COUNCIL MEETING
6:00PM

COUNCIL PRESENT

Mayor Keith Warren
Mayor Pro Tem Clay Wilson
Bobby Mosteller
Joe Wesson
Rebecca Johnson

STAFF PRESENT

Chase Winebarger
Julie A Good
Terry Taylor

COUNCIL ABSENT

Melissa Curtis

CALL TO ORDER: Mayor Keith Warren called the meeting to order at approximately 6:01pm.

INVOCATION: Pastor Levi Addison gave the invocation.

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

ADOPT AGENDA: Mayor Keith Warren stated that the agenda would need to be amended to add Item 8C. Budget Amendment Ordinance; Item 10B. Project Resolution Appalachian Regional Commission Evergreene Industrial Park Infrastructure, and Item 10C. Town of Sawmills Ordinance Chapter 94: Urban Camping Improper Use of Public Lands and Places and Panhandlers.

Mayor Keith Warren asked for a motion to adopt the September 19, 2023 Amended Agenda.

Clay Wilson made a motion, and Joe Wesson seconded, to adopt the September 19, 2023 Amended Agenda. All were in favor.

APPROVE AUGUST 15, 2023 REGULAR MEETING MINUTES: Mayor Keith Warren asked for a motion to approve the August 15, 2023 regular meeting minutes.

Bobby Mosteller made a motion, and Rebecca Johnson seconded, to approve the August 15, 2023 regular meeting minutes. All were in favor.

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

No one wished to speak.

RECOGNITIONS:

SEPTEMBER RECYCLE REWARDS WINNER: Mayor Keith Warren announced Norma Duffey 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.

FINANCIAL MATTERS:

PROJECT BUDGET ORDINANCE FOR TOWN HALL-NEW CONSTRUCTION:

Finance Officer Kelly Melton stated that with the Council approving the Architect Contract during the regular scheduled August 15, 2023 Council meeting, that in order to move forward, a Project Budget Ordinance in the amount of four million six hundred eighty-six thousand dollars (\$4,686,000.00) will need to be approved to move forward with the New Town Hall Construction. The project will be funded by a fund balance appropriation from the General Fund.

The amounts for expenditures appropriated for the project are:

Architect:	\$473,000.00
Construction Costs:	\$4,010,000.00
Furnishings/Other:	\$200,000.00
Total:	\$4,686,000.00

Clay Wilson made a motion, and Bobby Mosteller seconded, to approve the Project Ordinance for Town Hall-New Construction in the amount of four million six hundred eighty-six thousand dollars (\$4,686,000.00), to be funded by a fund balance appropriation from the General Fund. All were in favor.

CALL FOR PUBLIC HEARING FOR PARK LIGHT FUNDING: Town Manager Chase Winebarger stated that the Town of Sawmills intends to enter into an Installment Purchase Contract pursuant to North Carolina General Statute 160A-20 in a principal amount of one million three hundred forty-five thousand five hundred dollars (\$1,345,500.00) for the purpose of providing funds to pay the costs of the equipment installation of field lights and parking lot lights at Sawmills Municipal Park and Sawmills Veterans Park. The Town's obligation with respect to the debt will be secured by the equipment which consists of the light structure system.

The proposed financing contract will be placed with MUSCO Finance, LLC with a quoted

rate of four point ninety-one percent (4.91%) for ten (10) years as of August 28, 2023. The proposed principal and interest payments total one hundred seventy-three thousand for hundred eighty-eight dollars (\$173,488.00) per year.

The Town Council must hold a public hearing in order to authorize the filing of an application for approval of a financing contract with the Local Government Commission. The Local Government Commission is responsible for approving Installment Purchase Contracts in excess of five hundred thousand dollars (\$500,000.00) and with a term greater than five (5) years.

Rebecca Johnson made a motion, and Joe Wesson seconded, to call for a public hearing at the next regularly scheduled meeting of the Town of Sawmills Council on October 17, 2023, to authorize the filing of the application with MUSCO Finance, LLC, in the amount of one million three hundred forty-five thousand five hundred dollars (\$1,345,500.00) for the purpose of providing funds to pay the costs of the equipment installation of field lights and parking lot lights at Sawmills Municipal Park and Sawmills Veterans Park, with the Local Government Commission. All were in favor.

BUDGET AMENDMENT ORDINANCE: Town Manager Chase Winebarger stated that there are multiple places at Sawmills Municipal Park and Sawmills Veterans Park that are difficult to mow, along with sewer rights-of-ways, with the mowers that the Public Works and Parks and Recreation are currently using. Town Manager Chase Winebarger stated that Killian's Hardware of Hickory brought a Ventrac mower to demonstrate and see if it would be easier to mow the difficult places and sewer right-of-ways. Town Manager Chase Winebarger stated that the Ventrac Mower was able to mow the difficult places with ease and in less time. Town Manager Chase Winebarger stated that Killian's Hardware of Hickory had the Ventrac mower in stock. Town Manager Chase Winebarger stated that a Budget Amendment Ordinance in the amount of sixty thousand dollars (\$60,000.00) would need to be approved to buy the Ventrac mower.

Rebecca Johnson made a motion, and Clay Wilson seconded, to approve the Budget Amendment Ordinance in the amount of sixty thousand dollars (\$60,000.00) for the purchase of a Ventrac mower. All were in favor.

PLANNING MATTERS:

REZONING OF PIN NUMBERS 2766657929, 2766666171, 2766667200, 2766668126, 2766659938 AND 2766658939: Mayor Keith Warren stated that a public hearing for the rezoning of pin numbers 2766657929, 2766666171, 2766667200, 2766668126, 2766659938 and 2766658939, was held during the regularly scheduled Town of Sawmills Council meeting on August 15, 2023, at which time Council tabled this matter to the regularly scheduled Town of Sawmills Council meeting on September 19, 2023.

Rebecca Johnson made a motion, and Joe Wesson seconded, to table this matter until the regularly scheduled Town of Sawmills Council meeting on December 19, 2023. All were in favor.

DISCUSSION:

CAJAH MOUNTAIN ROAD PROJECT: Town Manager Chase Winebarger stated that the Department of Transportation had requested a meeting with him regarding adding a new sewer line on the Cajah Mountain Road as the Department of Transportation is doing their expansion project. The Department of Transportation stated that they would have their contractors do the work and the Town of Sawmills could pay them at the Department of Transportation rates. Town Manager Chase Winebarger stated that he would like Council to give him guidance on what they would like to do.

Council asked that Town Manager Chase Winebarger get more information and approximate costs from the Department of Transportation for them before a decision can be made.

No Council action was taken.

PROJECT RESOLUTION APPALACHIAN REGIONAL COMMISSION EVERGREENE INDUSTRIAL PARK INFRASTRUCTURE: Town Manager Chase Winebarger stated that in order for the receipt of grant funding for the Evergreene Industrial Park project from the North Carolina Department of Commerce and the Appalachian Regional Commission, a Project Resolution would need to be approved.

Clay Wilson made a motion, and Rebecca Johnson seconded, to approve the Project Resolution Appalachian Regional Commission Evergreene Industrial Park Infrastructure as written. All were in favor.

TOWN OF SAWMILLS ORDINANCE CHAPTER 94: URBAN CAMPING IMPROPER USE OF PUBLIC LANDS AND PLACES AND PANHANDLERS: Town Attorney Terry Taylor stated that The Town of Sawmills has determined that the streets and public areas within the Town should be readily accessible and available to residents and the public at large. Town Attorney Terry Taylor stated that the use of these areas for camping purposes interferes with rights of others to use these areas as they were intended and such activity can constitute a public health and safety hazard, which could adversely affect neighborhoods and commercial spaces. Town Attorney Terry Taylor also stated that camping on private property without the owner's consent and without the proper sanitary measures affects the private property rights as well as public health, safety and welfare of the Town.

Town Attorney Terry Taylor stated that with following with North Carolina General Statute § 160, the Town Council will need to have two (2) readings of any ordinance that may require a fine be imposed. Town Attorney Terry Taylor stated that the second (2nd) reading would be at the regularly scheduled meeting of the Town of Sawmills Council on October 17, 2023.

No Council action was taken.

No one wished to speak.

AUGUST CODE ENFORCEMENT REPORT: Town Code Enforcement Officer Curt Willis stated that there are five (5) code enforcement cases that are open.

TOWN MANAGER UPDATES: Town Manager Chase Winebarger had the following updates:

- Town Manager Chase Winebarger stated that signs were ordered for Sawmills Elementary School to put on Coral Drive and should be delivered and placed during the month of October. Town Manager Chase Winebarger stated that the residents of Coral Drive were having difficulties getting to their homes during the student morning drop off and afternoon pick up and that the signs will help with this situation.

Bobby Mosteller wanted to thank everyone for coming to the meeting.

Rebecca Johnson wanted to thank everyone for coming to the meeting.

Joe Wesson wanted to thank everyone for coming to the meeting. Joe Wesson also wanted to thank the Town employees for the good job everyone is doing.

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

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

The meeting was adjourned at approximately 6:51 pm.

Keith Warren
Keith Warren, Mayor

Julie A. Good, Town Clerk



**TOWN OF SAWMILLS
PROJECT BUDGET ORDINANCE
TOWN HALL – NEW CONSTRUCTION**

BE IT ORDAINED by the Sawmills Town Council that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following project ordinance is hereby adopted.

Section 1. The project authorizes funds for the construction of a new Town Hall building. The building will be approximately 16,800 gross square feet. The building will contain administrative offices, utility department offices, Council chambers, closed session conference room, community meeting space, interior (walk-up) and exterior (drive-up) customer service access, picnic shelter, garage, storage, and amenities to support the functions within the building.

Section 2. The project is to be funded by a fund balance appropriation from the General Fund.

Section 3. The following amounts are expenditures appropriated for the project:

Expenditures:	
Architect	\$473,000
Construction Costs	\$4,010,000
Furnishings/Other	\$200,000
Total Appropriations	\$4,686,000

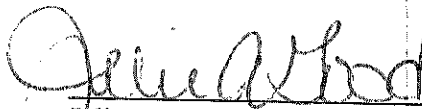
Section 4. The Finance Officer is hereby directed to maintain sufficient specific detailed accounting records to provide the accounting to Town Council.

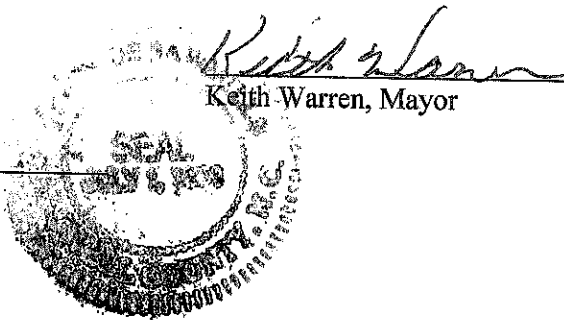
Section 5. The Budget Officer is directed to include a detailed analysis of past and future costs on this project in each report made to this Board.

Section 6. The Budget Officer shall be authorized to reallocate appropriations among the project budget expenditure categories.

Section 7. Copies of this project ordinance shall be furnished to the Town Clerk, Budget Officer and to the Finance Officer for direction in carrying out this project

Adopted this 19th day of September 2023.


Julie A. Good, Town Clerk



BUDGET AMENDMENT ORDINANCE
TOWN OF SAWMILLS
General Fund

BE IT ORDAINED, by the Town Council of the Town of Sawmills, Caldwell County, North Carolina, that the following amendment to the Budget Ordinance for the fiscal year 2023 - 2024 be hereby adopted.

NOW, THEREFORE, BE IT RESOLVED, that the following amendment for the fiscal year be made to the budget for the fiscal year ended June 30, 2024.

<u>Department/Budget</u>	<u>Account Number</u>	<u>Account</u>	<u>Increase</u>	<u>Increase</u>
Utility Fund - Revenue	2-00-3990	Appropriated Net Assets		\$60,000
Water - Expenditure	2-80-4151	Capital Outlay	\$60,000	
Total			\$60,000	\$60,000

Explanation: To cover expenditures to purchase a Ventrac 4520 Tractor for mowing water/sewer easements.

This Amendment now adopted this the 19th day of September, 2023.

Keith Warren
Keith Warren
Mayor, Town of Sawmills

APPROVED BY:

Kelly Melton
Kelly Melton
Deputy Finance Officer, Town of Sawmills

ATTEST:

Julie Good
Julie Good
Town Clerk



APPROVED TO FORM:

Terry Taylor
Terry Taylor
Town Attorney

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

**Town of Sawmills
Project Resolution
Appalachian Regional Commission
Evergreene Industrial Park Infrastructure**

WHEREAS, the North Carolina General Assembly authorized the receipt of grant funding from N.C. Department of Commerce and the Appalachian Regional Commission to stimulate economic development, infrastructure and/or job creation. A portion of the funding authorized the making of grants to aid eligible units of government to stimulate the creation of jobs through the expansion of infrastructure; and

WHEREAS, Caldwell County desires to assist through grant funding the economic development of the Evergreene Industrial Park located in Sawmills; and

WHEREAS, Caldwell County intends to request from the Appalachian Regional Commission grant assistance for the project from the ARC program for the expansion of existing infrastructure in the area to make the property located in Sawmills attractive for economic development:

NOW THEREFORE BE IT RESOLVED, BY THE TOWN OF SAWMILLS TOWN COUNCIL:

That the Town of Sawmills will provide \$199,312.50 in direct funding for the Evergreene Industrial Park Infrastructure project.

That Chase Winebarger, Town Manager, and successor town managers, is hereby authorized and directed to furnish such information as The NC Department of Commerce Rural Economic Development Division and/or the Appalachian Regional Commission may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

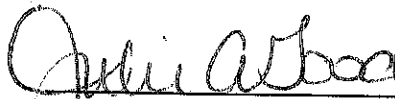
That Town of Sawmills has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to the grants pertaining thereto.

Adopted this the 19th day of September, 2023 at Caldwell County, North Carolina.


Keith Warren, Mayor

CERTIFICATE OF RECORDING OFFICER

The undersigned duly qualified Julie A Good, Sawmills Town Clerk, does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with The NC Department Rural Economic Development Division and the Appalachian Regional Commissioner, as adopted at a legally convened meeting of the Town of Sawmills Town Council duly held on the 19th day of September 2023; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of September, 2023.


Julie A Good
Town Clerk

