

**TUESDAY, MARCH 25, 2014
TOWN OF SAWMILLS SPECIAL COUNCIL MEETING
PUBLIC HEARING
6:00 PM**

COUNCIL PRESENT

Bob Gibbs
Trena McRary Kirby
Joe Wesson
Jeff Wilson
Johnny Wilson

STAFF PRESENT

Seth Eckard
Susan Nagle
Terry Taylor

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.

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

SECOND PUBLIC HEARING: APPROVE AN APPLICATION FOR CDBG FUNDING:

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

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

STAFF COMMENTS/RECOMMENDATIONS: Mayor Gibbs introduced Lisa Helton with the Western Piedmont Council of Governments (WPCOG).

Miss Helton stated this is the second public hearing required by the North Carolina Department of Environment and Natural Resources (NCDENR) to submit an application of \$3 million dollars in Community Development Block Grant funding for the infrastructure on a sanitary sewer project. The purpose of the grant is to provide sewer to citizens in the May Road area who are experiencing septic tank failure.

If approved, the Town will put in approximately 35,000 linear feet of 8" gravity sewer line with 11,000 linear feet of 8" forcemain and one pumping station. This project will serve approximately 181 households.

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

No one wished to speak.

CLOSE PUBLIC HEARING: Mayor Gibbs asked for a motion to close the public hearing

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

COUNCIL ACTION: No Council action was required.

DISCUSSION:

ADOPT RESOLUTION OF COMPLIANCE FOR CDBG FUNDING REQUIREMENTS: Mayor Gibbs asked for a motion to adopt the enclosed resolution required by the North Carolina Department of Environment and Natural Resources (NCDENR) to qualify for consideration of CDBG funding.

Joe Wesson made a motion, and Gerelene Blevins seconded, to adopt the Resolution of Compliance for Community Development Block Grant (CDBG) Funding Requirements. All were in favor.

ADOPT SEWER CONNECTION ORDINANCE: Mayor Gibbs asked for a motion to adopt the enclosed ordinance required by the North Carolina Department of Environment and Natural Resources (NCDENR) to qualify for consideration of CDBG funding.

Joe Wesson made a motion, and Trena McRary Kirby seconded to adopt the Town of Sawmills Sewer Connection Ordinance. Those in favor were, Trena McRary Kirby, Joe Wesson, Jeff Wilson and Johnny Wilson. Those opposed were Gerelene Blevins. The motion carries by a 4-1 vote.

ADOPT REQUIRED PLANS FOR CDBG PROJECTS: Mayor Gibbs asked for a motion to adopt the enclosed plans required by the North Carolina Department of Environment and Natural Resources (NCDENR) to qualify for consideration of CDBG funding.

Jeff Wilson made a motion, and Joe Wesson seconded to adopt the following required plans:

- Equal Employment Opportunity and Procurement Plan
- Procurement Policy
- Citizen Participation Plan
- Residential Anti-Displacement and Relocation Assistance Plan

- Section 519 Certification
- Local Government Certification of Understanding of the Roles and Responsibilities Under the HUD State Community Development Block Grant Regulations
- Certifications Regarding Debarment, Suspension, and Other Responsibility Matters
- Conflict of Interest Checklist Certification
- Federal Performance and Procurement Requirements Certification.

All were in favor.

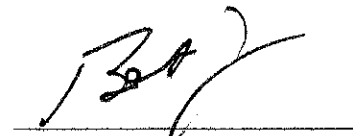
ADOPT UTILITY ASSET MANAGEMENT PLAN: Mayor Gibbs asked for a motion to adopt the enclosed plan which, is not required by the North Carolina Department of Environment and Natural Resources (NCDENR) to qualify for consideration of CDBG funding, however; it is recommended.

Trena McRary Kirby made a motion, and Joe Wesson seconded, to adopt the Utility Asset Management Plan. All were in favor.

ADJOURN: Mayor Gibbs asked for a motion to adjourn the meeting.

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


Susan Nagle, Town Clerk


Bob Gibbs, Mayor



**TOWN OF SAWMILLS
RESOLUTION OF COMPLIANCE
FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING
REQUIREMENTS**

WHEREAS, Title 1 of the Federal Housing and Community Development Act of 1974, as amended has established the U.S. Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program, and has authorized the making of grants to aid eligible units of government in funding the cost of construction, replacement, or rehabilitation of water and wastewater infrastructure, and that the North Carolina Department of Environment & Natural Resources (NCDENR) Division of Water Infrastructure (DWI) was delegated the authority by the state legislature to administer the water and wastewater infrastructure portion of the state grant monies received from the U.S. HUD CDBG program by Session Law 2013-360, Section 15.5 (a) as amended by Section 5.3 of Session Law 2013-363, and

WHEREAS, The Town of Sawmills has need for and intends to construct a wastewater collection system for the May Road area. The project will install approximately 35,000 linear feet of 8-inch gravity sewer and 11,000 linear feet of 8-inch force main and 1 pumping station.

WHEREAS, The Town of Sawmills intends to request state grant assistance for the project.

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

That the Town of Sawmills, the **Applicant**, will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

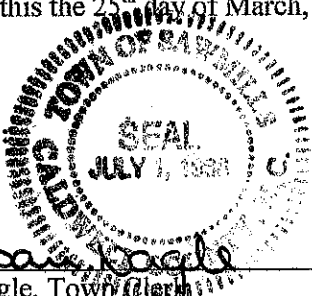
That Bob Gibbs, Mayor, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a grant to aid in the construction of the project described above.


That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such applicant 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.

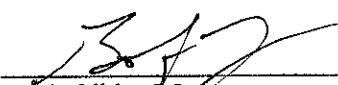
That the **Applicant** has substantially, complied or will comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto and hereby adopt the attached plans contingent on grant award.

Adopted this the 25th day of March, 2014 at the Town of Sawmills, North Carolina.

ATTEST




Susan Nagle, Town Clerk


Bob Gibbs, Mayor

TOWN OF SAWMILLS
SEWER CONNECTION ORDINANCE

Section 53.001. Mandatory Sanitary Sewer Connections. Mandatory Sanitary Sewer Connections are required as set forth in this Section.

(a)

The owner of any property located within the Town: (1) on which there is a structure served by a privately-owned, on-site or community-type sanitary sewer system; and (2) where a sanitary sewer line is located within 100 feet or less from the building or structure to be served, shall be required to abandon and discontinue the use of the private system and connect the premises to the public sewer line under the circumstances provided herein within ninety (90) days from the date the Town Administrator provides written notice to the property owner. This connection shall be to all water closets, bathtubs, showers, lavatories, toilets, sinks and all other wastewater generating plumbing units, appliances and sanitary sewer drains located or to be located on the property.

Upon connection to the sewer, the existing system shall be pumped, its contents removed by a licensed cleaner, the lid of the tank broken or removed and the tank and/or cesspool filled with clean fill.

Exceptions:

This section shall not apply to building or structures for which a sanitary sewer line is considered not to be available or operational. Sanitary sewers which are considered not available or not operational for the purpose of this Article include: Those connections to the sanitary sewer line that cannot be accomplished without requiring the installation of a pumping station; blasting of bedrock; the acquisition of an easement or right-of-way to cross an adjoining property; or the crossing of a watercourse, railway, roadway of 4 lanes or more or other significant obstacle.

(b)

Where the county, the state, or an agency of the county or state determines that the property is being served by a malfunctioning on-site or community-type sewer system, then such property owner shall make application for connection to the public sewer line within ninety (90) days from the date the Town Administrator provides written notice to the property owner to make such application.

(c)

Upon installation of the sewer lateral by or on behalf of the Town, the Town Administrator shall thereafter provide written notice to the property owner of completion of such installation. Within ninety (90) days from the date of such notice, the property owner shall connect the premises to the lateral and abandon and discontinue the use of the private system.

(d)

A property owner may submit a written request to be relieved of the obligation to connect the premises to the public sewer line on the basis that such connection would cause a hardship to the owner. If the Town Council finds that relief is necessary to avoid a hardship and that continued use of the private sewer system will not adversely affect the public health, safety and general welfare, then the Town Council may grant such request. In such event, the Town Council shall require the property owner to pay periodic availability charges for the availability of the public sewer line unless temporarily exempt as set forth below. Such availability charges shall be in an amount established by the Town Council as a part of its annual budget. Such amount shall not exceed the monthly service charges established for properties connected to the public sewer line and such use then may continue for so long as the septic tank remains suitable for use as determined by Caldwell County Health Department.

Exemption:

Availability Fee Temporary Exemptions.

Any property owner who no longer occupies their primary residence for a period of ninety (90) days consecutively, due to an extended illness or resides in a nursing/healthcare facility and whose income is less than 50% of the median household income for Caldwell County as established by the current US Department of Housing and Urban Development rate will not be required by the Town of Sawmills to pay a monthly Availability Fee. To be eligible, the residence must remain unoccupied and an application must be filed with the Town Clerk indicating income level.

(e)

All reference in this section to the "property owner" mean the owner of the property at the address or addresses as shown on the county tax records.

(f)

The person designated to provide written notices pursuant to this section shall file with the Town Clerk a certificate showing that they were hand-delivered or mailed by first-class mail, and the date of such delivery or mailing. The certificate shall be conclusive as to compliance with the notice provisions of this section in the absence of fraud. Notice sent by first-class mail shall be deemed effective on the third business day after mailing.

(g)

Compliance with codes and ordinances the Town of Sawmills Code of Ordinances. All sanitary sewer connections shall be in accordance with the North Carolina State Plumbing Code and the requirements.

(h)

Fees due. At the time any connection request made by the property owner to the Town has been approved, all sanitary sewer connection charges, development fees and/or outstanding assessments, or fee in lieu of assessment, shall be due and payable.

(i)

Occupancy. No person shall occupy any house or building for human habitation after the sanitary sewer supply has been cut off, except in cases where it is cut off temporarily for the purpose of effecting necessary repairs.

(j)

Violations and penalties.

(1)

A violation of this section shall be a misdemeanor punishable in accordance with Town Ordinances. The maximum fine for each violation shall be \$500.00.

(2)

A person who shall violate any provision of this section shall be subject to a civil penalty pursuant to G.S. 160A-175(c) of not less than \$100.00, nor more than \$1,000.00, for each violation of this section.

(3)

This section may be enforced by an appropriate equitable remedy issued by a court of competent jurisdiction. Violation of this section is hereby declared to be, and

result in, an unlawful condition upon the use made of real property; accordingly, this section may also be enforced by injunction and order of abatement.

(4)

This section may be enforced by any remedy prescribed by G.S. 160A-175. The provisions of this subsection are in addition to the specific remedies and penalties established by other sections of this chapter, and may be applied in combination with such other remedies and penalties in the Town Code of Ordinances and in combination with each other.

Town of Sawmills

Equal Employment and Procurement Plan

The *Town of Sawmills* maintains the policy of providing equal employment opportunities for all persons regardless of race, color, religion, sex, national origin, handicap, age, political affiliation, or any other non-merit factor, except where religion, sex, national origin, or age are bona fide occupation qualifications for employment.

In furtherance of this policy, the *Town* prohibits any retaliatory action of any kind taken by any employee of the locality against any other employee or applicant for employment because that person made a charge, testified, assisted or participated in any manner in a hearing, proceeding or investigation of employment discrimination.

The *Town* shall strive for greater utilization of all persons by identifying previously underutilized groups in the workforce, such as minorities, women, and the handicapped, and making special efforts toward their recruitment, selection, development and upward mobility and any other term, condition, or privilege of employment.

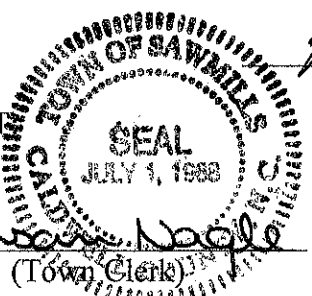
Responsibility for implementing equal opportunities and affirmative action measures is hereby assigned to the *Town Administrator* to assist in the implementation of this policy statement.

The *Town* shall develop a self-evaluation mechanism to provide for periodic examination and evaluation. Periodic reports as requested on the progress of Equal Employment Opportunity and Affirmative Action will be presented to the *Mayor*.

The *Town* is committed to this policy and is aware that with its implementation, the *Town* will receive positive benefits through the greater utilization and development of all its human resources.

Adopted this 25th day of MARCH, 2014.

ATTEST



[Signature] (Mayor)

[Signature: Susan Nagle]
(Town Clerk)

THEORY

1. THEORY OF THE EXPERIMENT

The theory of the experiment is based on the fact that the rate of change of the concentration of the reactants is proportional to the rate of change of the concentration of the products. This is expressed by the following equation:

$$\frac{d[A]}{dt} = -\frac{d[B]}{dt} = \frac{d[C]}{dt}$$

where $[A]$, $[B]$, and $[C]$ are the concentrations of the reactants and products respectively, and t is time. The negative sign indicates that the concentration of the reactants decreases over time, while the positive sign indicates that the concentration of the products increases over time.

The rate of change of the concentration of the reactants is also proportional to the rate of change of the concentration of the products, which is expressed by the following equation:

$$\frac{d[A]}{dt} = -\frac{d[B]}{dt} = \frac{d[C]}{dt}$$

where $[A]$, $[B]$, and $[C]$ are the concentrations of the reactants and products respectively, and t is time. The negative sign indicates that the concentration of the reactants decreases over time, while the positive sign indicates that the concentration of the products increases over time.

2. THEORY OF THE EXPERIMENT

The theory of the experiment is based on the fact that the rate of change of the concentration of the reactants is proportional to the rate of change of the concentration of the products. This is expressed by the following equation:

**THE TOWN OF SAWMILLS
PROCUREMENT POLICY FOR
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

This procurement policy consists of three different types of procurement methods.

1. Informal Bidding - Small Purchase Procurement
2. Formal Bidding - Sealed Bid Procurement
3. Competitive Negotiation

INFORMAL BIDDING - SMALL PURCHASE

(\$30,000 to less than \$90,000 for purchase or \$30,000 to less than \$500,000 for construction)

Small purchase procedures are those relatively simple and informal for securing services, supplies, or other property that do not cost more than \$ 30,000 in the aggregate. When using the small purchase procurement method, price or rate quotations will be obtained from an adequate number of qualified sources, preferably three (3). A record of the verbal quotations will be retained for audit purposes. The documented record will list the date, the firm or person contacted, and the amount of the quote given. Office supplies and equipment may be secured by this method.

FORMAL BIDDING - SEALED BIDS

(\$90,000 or above for purchase or \$500,000 or above for construction)

Procurement through sealed bids is the preferred method for procuring contracts for public facility activities and housing rehabilitation. Bids are publicly solicited and a firm-fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all material terms and conditions of the invitation for bids, is the lowest in price. There must be two or more responsible bidders willing and able to compete effectively for the job. The Town either will advertise invitation for bids or will invite housing rehabilitation bids only from contractors who are part of an Approved Contractors Roster. All bids will be publicly opened at the time and place prescribed in the invitation for bids. A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder and a formal contract containing the contract terms and regulations will be signed. Any or all bids may be rejected if there is a sound documented reason.

COMPETITIVE NEGOTIATION

Securing service by competitive negotiation is a technique used when more than one source submits a proposal for an offer. Request for proposals (RFP) will be publicized. The publication will identify in general terms the contractual terms and conditions, including the necessary qualifications required of the contractor. Upon publication of the RFP in a newspaper of general circulation, a minimum of seven (7) days must be allowed prior to the due date of the proposals.

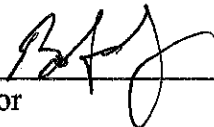
Proposals will be solicited from an adequate number, three (3), of qualified sources to insure reasonable competition. All proposals received will be technically evaluated. Evaluation factors should include at a minimum but is not limited to: past performance, integrity, cost reasonableness, etc. Awards will be made to the responsible firm(s) whose proposal is most advantageous to the program and whose price is the most cost effective, although price shall not be the sole consideration for award of contract.

On all procurement, efforts shall be made to solicit bids from qualified small, female and minority business firms.

In all cases, procurement under this policy must confirm to the requirements for procurement set forth in 24 CFR Part 85.

An adequate record of procurement must be maintained to insure that these policies and the requirements of 24 CFR Part 85 have been followed in their entirety.

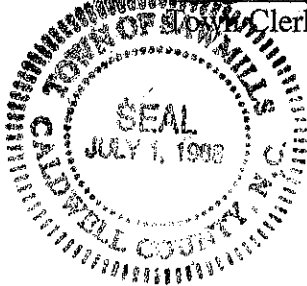
Adopted this 25th day of MARCH, 2014.



Mayor

ATTEST 

Clerk



Citizen Participation Plan

This plan describes how the Town of Sawmills will involve citizens in the planning, implementation and assessment of the Community Development Block Grant (CDBG) program. The funds must be used for projects, which benefit low and moderate-income persons and aids in the elimination and prevention of slums and blight. The program is intended to assist governments in understanding neighborhood improvement programs. The regulations give ultimate responsibility for the design and implementation of the program to local elected officials and also require that citizens be given an opportunity to serve in a key advisory role to these elected officials.

SCOPE OF CITIZEN PARTICIPATION

Citizens will be involved in all stages of the CDBG program, including program implementation, assessment of performance and design of changes in the Citizen Participation Plan. There will be three (3) general mechanisms for their involvement:

1. To serve as an advisory committee to the project;
2. To attend or hold public hearings or community meetings; and
3. To provide individual citizen efforts in the form of comments, complaints or inquiries submitted directly to the Program Administrators or designated Town official.

PROGRAM IMPLEMENTATION

Citizen participation in program implementation will occur primarily through consultation with the Town of Sawmills. The Town will be asked to review and comment on specific guidelines for approved projects. They will also meet to review any program amendments, budget revisions and program modifications. All such changes will be discussed with the Town and their comments considered prior to taking action. If program amendments require approval from the North Carolina Department of Commerce, a public hearing shall be held specifically on the amendment. Citizens may also be involved in implementation of projects specifically requiring citizen participation, such as self-help projects. Their roles will be defined as the project develops. Technical assistance will be available as needed.

PROGRAM ASSESSMENT

Program assessment activities by citizens will occur in a variety of ways. A performance hearing will be held thirty to sixty (30 to 60) days prior to the start of planning for the next program year. The Program Amendment will be asked to provide citizen commentary for the Grantee Performance Report.

As a part of the orientation to the program offered at the public hearing, citizens will be invited to submit comments on all aspects of program performance through the program year. Comments should be submitted in writing to Seth Eckard, Town Administrator. He will respond in writing within ten (10) days. If the response is unsatisfactory, the complainant should write directly to Bob Gibbs, Mayor. He shall respond within ten (10) days.

If the citizen is still dissatisfied, he/she should write to the NC Department of Commerce, Community Investment, 4313 Mail Service Center, Raleigh, NC 27699-4313, Attention: Citizen Participation Matter. Program staff will also be available during normal business hours to respond to any citizen inquiries or complaints at 919-571-4900.

The Citizen Participation Plan will be subject to annual review and proposed revision, to occur in the period between the performance hearing and the public hearing on the subsequent year's application.

TECHNICAL ASSISTANCE

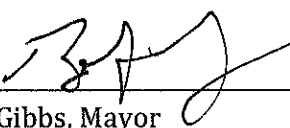
Technical Assistance will be provided to citizen organizations and groups of low/moderate income persons or target area residents upon request to the Town of Sawmills. Such assistance will support citizen efforts to develop proposals, define policy and organize for the implementation of the program. It is expected that such assistance will be provided directly to the Town in response to their request. Assistance could be provided in the form of local presentations, informational handouts, research of a specific issue or other short-term efforts.

PUBLIC INFORMATION

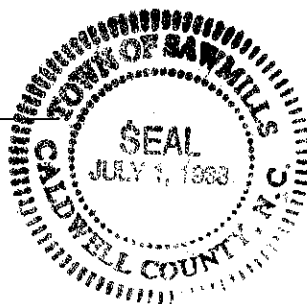
The Town of Sawmills will also undertake public information efforts to promote citizen participation. These efforts will include the following:

1. Public Notice of all Public Hearings will be published in the non-legal section of the local newspaper at least ten (10) days before the scheduled hearing. These notices will indicate the date, time, location and topics to be considered. These notices will also be made available in the form of press releases, as a public service announcement to local radio stations and will be provided to churches within the target area of distribution.
2. Orientation Information will be provided at the first public hearing. The Program Administrator(s) will make a presentation which covers: (a) the total amount of CDBG funds available and the competitive basis for award; (b) the range of eligible activities; (c) the planning process and the schedule of meetings and hearings; (d) the role of citizens in the program and (e) a summary of other program requirements, such as the environmental policies, fair housing provisions and contracting procedures.
3. A Public File containing program documentation will be available for review at the Town of Sawmills Town Hall during normal business hours. Included will be copies of the Application, Environmental Review Record, the Citizen Participation Plan and the Annual Performance Report. Other program documents are also available for citizen review on request at the Town Hall consistent with applicable State and local laws regarding personal privacy and obligations of confidentiality.
4. Public Hearings an interpreter will be provided for all non-English speaking individuals and/or deaf individuals.

ADOPTED, this the 25th day of MARCH, 20 14.



Bob Gibbs, Mayor
Town of Sawmills



TOWN OF SAWMILLS

RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN

In order to comply with the requirements of Section 104(d) of the Housing and Community Development Act of 1974, the Town of Sawmills adopts the following plan:

The Town of Sawmills will replace all occupied and vacant occupiable low and moderate-income dwelling units demolished or converted to a use other than as low/moderate-income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR 570.606 (b) (1).

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the Town will make public and submit to the Division of Community Assistance the following information in writing:

1. A description of the proposed assisted activity;
2. A general location map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate-income dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
5. The source of funding and a time schedule for the provision of replacement dwelling units; and;
6. The basis for concluding that each replacement unit will remain a low/moderate-income dwelling unit for at least 10 years from the date of initial occupancy.

The Town will provide relocation assistance, as described in 570.606 (b) (2), to each low/moderate-income household displaced by the demolition of housing or by the conversion of a low/moderate-income dwelling to another use as a direct result of assisted activities. Further the Town will provide relocation assistance to any low/moderate-income household displaced by the demolition of any housing unit or by the conversion of a low/moderate-income dwelling to another use, occurring as a direct result of assisted activities. Persons will be provided:

1. A choice between (i) actual "reasonable moving expenses" as described in Section 42.301 or (ii) a fixed expense and dislocation allowance as described in Section 42.302.

2. Advisory services as described in 24 CFR Part 42, Subpart C.

3. Reimbursement for reasonable and necessary security deposit and credit checks.

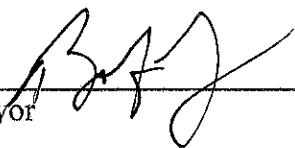
4. Replacement housing assistance.

- A person choosing to rent must be offered either (i) a Section 8 housing voucher/certificate (through the housing authority) and referrals to comparable replacement dwelling units where the owner agrees to participate in the Section 8 Program or (ii) cash rental assistance to reduce the rent and utility costs to 30% of his/her income (adjusted, as determined by the Town) for a 5-year period and appropriate referrals to comparable replacement dwelling units.

- A person buying an interest in and occupying a unit in a housing cooperative or mutual housing association may elect to receive a lump sum payment equal to the present value of the rental assistance installments. To compute the present value, the rental assistance installments shall be discounted at the passbook savings rate.

- A person may elect Uniform Relocation Act Assistance in lieu of the relocation assistance described above.

Minimize the Displacement of Persons. Consistent with the goals and objectives of the Sawmills Community Development Program and the Housing and Community Development Act of 1974, as amended, the Town will minimize displacement of persons in every possible case by rehabilitation of the structure.



Mayor

MARCH 25, 2014

Date



Section 519 Certification

Town of Sawmills
Grantee

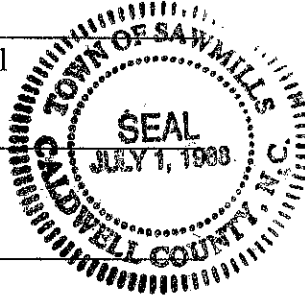
4076 US Highway 321-A Sawmills, North Carolina 28630
Grantee's Address

I hereby certify that the Town of Sawmills is adopting and will enforce a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations and is adopting and is enforcing a policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is subject of such non-violent civil rights demonstration within its jurisdiction in accordance with Section 519 of Public Law 101-144, (the 1990 HUD Appropriations Act).

Bob Gibbs, Mayor
Typed Name and Title of Certifying Official


Signature of Certifying Official

MARCH 25, 2014
Date



**LOCAL GOVERNMENT CERTIFICATION OF
UNDERSTANDING OF THE ROLES AND RESPONSIBILITIES
UNDER THE HUD STATE COMMUNITY DEVELOPMENT BLOCK GRANT REGULATIONS**

A. Citizen Participation

If funded, grantee will have documentation on file of compliance with citizen participation requirements in the application process, the publisher's affidavits of notices for and minutes signed by the town clerk of the two required public hearings.

B. Administration of Project

If funded, grantee will meet minimal levels of supervision in implementing the project as follows:

1. Administrators of the project will give semi-annual written status reports to the elected board.
2. At least two persons from the local government will review invoices and requests for payment.
3. The local government manager reviews and signs off on all project reports and payment requests.
4. All project files will be maintained at the local government offices and made available to citizens during regular business hours.

C. Audits/Compliance

CDBG grantees expending \$25,000 or more in a fiscal year are **required** to have funds audited for the CDBG program. CDBG funds can be used to pay for the CDBG portion of the audit provided the grantee has expended \$500,000 or more in the fiscal year in total federal awards (CDBG and other federal funds). If the grantee has expended less than \$500,000 in total federal awards, the grantee may budget local funds in the administrative line item in the CDBG application to pay for the CDBG portion of the audit and claim the local administrative funds as local commitment.

D. Water and Wastewater

If funded, grantee will adhere to the following:

1. Commit funding sufficient to pay for all on-site service connections (private property) to all occupied LMI dwelling units.
2. Commit to providing a service lateral (public property) to habitable vacant dwelling units owned by a LMI owner.
3. The CDBG Program does not permit a local government to charge low and moderate-income beneficiaries tap fees, assessments, or impact fees for water or sewer improvements.

6. Adopt an acceptable sewer use ordinance in a public sewer project which will be placed in effect on or before completion date of the project and has established a schedule of fees and charges for each category of users that will provide sufficient revenue for adequate operation, maintenance, administration, and reasonable expansion; or is in the process of adopting such an ordinance as described above.
8. Use local funds in an infrastructure project to clear all abandoned outhouses or septic tanks in accordance with local health department regulations.
9. Use local funds to close or cap all wells in accordance with local health department regulations.

E. Legally Binding Commitment (LBC)

The local government will develop and execute a LBC with the non-profit or for profit developer subject to Division of Community Investment and Assistance requirements.

The applicant hereby assures and certifies that by his/her signature, its duly authorized official has read and understands the State CDBG Program Standards and, if funded, will adhere to all standards applicable to the funded project.

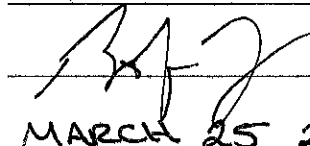
Name of Chief Elected
Official

Bob Gibbs

Title

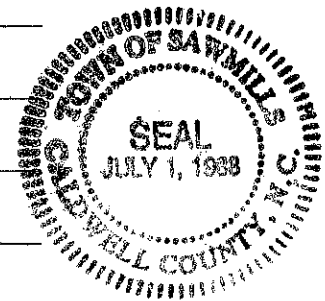
Mayor

Signature



Date

MARCH 25, 2014

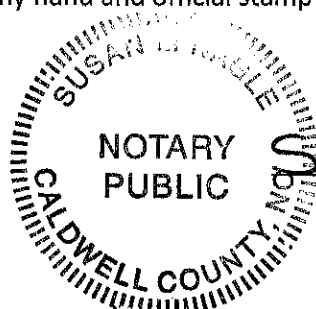


STATE OF NORTH CAROLINA

COUNTY OF CALDWELL

I certify that the following person personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: Bob Gibbs, as Mayor of the Town of Sawmills.

Witness my hand and official stamp and seal, this 25th day of MARCH, 2014.



 SUSAN M. NAGLE
Notary Public

My commission expires: AUGUST 21, 2016

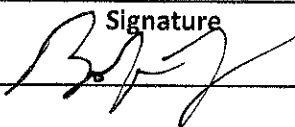
CERTIFICATIONS REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

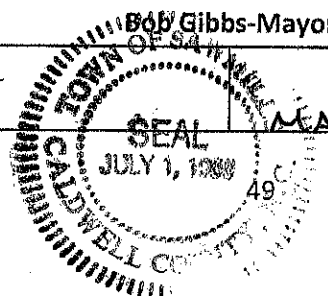
Applicants should refer to the regulations cited below. Applicants should also review the instructions for certification included in the regulations before completing this form, signature on this form provides for compliance with certification requirements implementing Federal Executive Order 12549 and guidance issued in the *Federal Register*, Volume 70, No. 168, pages 51863 through 51880 for "Government wide Debarment and Suspension (Nonprocurement)." The certification shall be treated as a material representation of fact upon which reliance will be placed when the Department of Commerce determines to award the covered transaction, grant or cooperative agreement.

As required by Executive Order 12549, Debarment and Suspension; for prospective participants in primary covered transactions:

- 1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
 - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by a Federal department or agency;
 - b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - d. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
- 2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above applicable certification(s).

Name of Applicant/Grantee Town of Sawmills	Grant Number and Project Name May Road Area Sanitary Sewer line Construction Project
Printed Name and Title of Authorized Representative Bob Gibbs-Mayor	
Signature 	Date MARCH 25, 2014



ATTACHMENT 8
CONFLICT OF INTEREST CHECKLIST CERTIFICATION

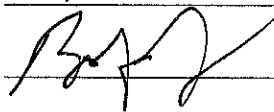
To assist applicants with determining if a potential conflict of interest exists, as defined in 24 CFR Part 570.489 (h), please provide responses to the following questions. For any "yes" response, refer to Bulletin 10-8 for next steps.

1. Does any person involved with this potential CDBG project have family or business ties with any of the local government elected officials or local government staff?
NO
2. Has any person involved with this potential CDBG project requested or received an opinion about a potential conflict of interest from an attorney or from the North Carolina Ethics Commission?
NO
3. Does any person involved with this potential CDBG project have an ownership interest in an entity that is directly affected by activities proposed in the application?
NO
4. Will any person involved with this potential CDBG project derive any income or commission as a direct result of action taken by the local government elected board or its staff? NO

Name of Chief Elected Official Bob Gibbs

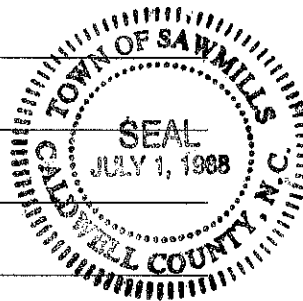
Title Mayor

Signature



Date

MARCH 25, 2014



FEDERAL PERFORMANCE AND PROCUREMENT REQUIREMENTS CERTIFICATION

The applicant hereby assures and certifies that:

- a) It will comply with all applicable federal and state laws, regulations, rules and Executive Orders.
- b) It possesses legal authority to apply for the grant, and to execute the proposed program.
- c) Its governing body has duly adopted or passed as an official act a resolution, motion or similar action authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
- d) It is following a detailed, written citizen participation plan which will provide opportunities for citizen participation, hearings, and access to information with respect to its community development program that are comparable to those required of grantees under Section 104(a) of the Act.
- e) Its chief elected official or other officer of the applicant if assistance is approved by DENR-DWI:
 - 1) Consents to assume the status of the "responsible Federal Official" as that term is used in Section 102 of the National Environmental Policy Act (NEPA), Section 104(f) of Title 1 of the Housing and Community Development Act of 1974, as amended, and other provisions of Federal law, as specified in 24 CFR 58.5 which further the purposes of NEPA.
 - 2) Is authorized and consents on behalf of the applicant and himself to accept the jurisdiction of the Federal courts for the purpose of enforcement of his responsibilities as such an official.
 - 3) Consents to review and comment on all Environmental Impact Statements prepared for Federal projects which may have an impact on the applicant's/recipient's community development program.
 - 4) Consents to perform all coordination functions required under 24 CFR Part 58 and 40 CFR Parts 1500-1508.
- f) The Community Development Program has been developed so as to give maximum feasible priority to activities which will benefit low and moderate income families or aid in the prevention or elimination of slums and blight. The requirement for this certification will not preclude Commerce from approving an application where the applicant certifies, and Commerce determines, that all or part of the Community Development Program activities are designed to meet other community development needs having particular urgency as specifically explained in the application in accordance with Section .0800 of 4 NCAC 19L of the North Carolina Administrative Code.
- g) Its program will be conducted and administered in conformity with Public Law 88-352 and Public Law 90-284, and that it will affirmatively further fair housing.
- h) It will give DENR-DWI, HUD and the Comptroller General through any authorized representative access to and the right to examine all records, books, papers or documents related to the grant.

- i) It will establish safeguards to prohibit employees from using positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
- j) It will follow a residential anti-displacement and relocation assistance plan that is in accordance with the provisions of Section 104(d) and all other provisions of the Act.
- k) It will not attempt to recover any capital costs of public improvements assisted in whole or part under Section 106 of the Act or with amounts resulting from a guarantee under Section 108 of the Act by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged to assessment made as a condition of obtaining access to such public improvements, unless (i) funds received under Section 106 are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than under this title; or (ii) for purposes of assessing any amount against properties owned and occupied by persons of low and moderate income who are not persons of very low income, the grantee certifies to the Secretary or such State, as the case may be, that it lacks sufficient funds received under Section 106 to comply with requirements of clause (i).
- l) It has or will develop a plan that identifies community development and housing needs, including the needs of low and moderate income persons, and the activities to be undertaken to meet such needs.
- m) Its notification, inspection, testing and abatement procedures concerning lead-based paint will comply with 24 CFR Part 35.
- n) When issuing statements, press releases, request for proposals, bid solicitation and other documents describing the above-mentioned program such as the environmental review, public hearings, fair housing notices, etc., it shall clearly state:
 - 1) the percentage of the total cost of the project which will be financed with CDBG money, and
 - 2) the dollar amount of CDBG funds for the project.
- o)
 - 1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
 - 2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form- LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

- 3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
- p) It has adopted and will enforce a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations and has adopted and is enforcing a policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstration within its jurisdiction in accordance with Section 519 of Public Law 101-144, (the 1990 HUD Appropriations Act).
- q) All project areas are either not in a floodplain, or if the project area is in a floodplain, the applicant participates in the flood insurance program. All properties assisted in the project will be covered for flood insurance prior to beginning construction, and all public facilities will be constructed to comply with applicable floodplain regulations.

CERTIFICATION OF ABILITY

The Town of Sawmills hereby certifies its ability to meet Federal Performance and Procurement Requirements with Certification as further expanded in the preceding attachments.

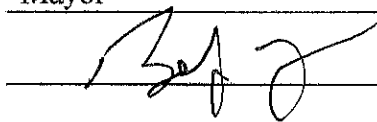
Name of Chief
Elected Official

Bob Gibbs

Title

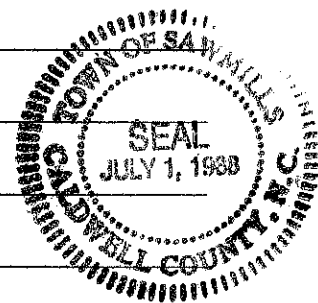
Mayor

Signature



Date

MARCH 25, 2014



TOWN OF SAWMILLS

**WATER AND SEWER SYSTEM ASSET
MANAGEMENT PLAN**



ADOPTED MARCH 25, 2014

TOWN OF SAWMILLS ASSET MANAGEMENT PLAN

TABLE OF CONTENTS

- 1.0 Adoption of Plan
- 2.0 Introduction
- 3.0 Water System Present Conditions
- 4.0 Wastewater Collection Present Conditions
- 5.0 Water System Inventory and Assessment
- 6.0 Wastewater Collection Inventory and Assessment
- 7.0 Operation & Maintenance (O&M) Plans
- 8.0 Capital Improvement Plan (CIP)
- 9.0 User Rate Evaluation

Appendices:

- 1 Town of Sawmills Vicinity Map
- 2 Water System Map; Inventory and Assessment Table
- 3 Collection System Flow Chart; Sawmills Wastewater Collection System Map; Force Main Table
- 4 Collection System and Operation & Maintenance (O&M) Plans
- 5 Capital Improvement Plan (CIP)

1.0 Adoption of Plan

WHEREAS, an asset management plan is required as a stipulation of the funding provided by DENR (Department of Environment and Natural Resources) through its various funding programs.

WHEREAS, an asset management plan must be implemented prior to execution of construction contracts for the funded project.

WHEREAS, per the DENR Asset Management Guidance, the plan must contain the following (1) an inventory of assets, (2) an assessment condition of that inventory, (3) a capital improvement plan (CIP) with projected costs, (4) a rate plan to implement the CIP, and (5) an operation and maintenance plan to ensure proper management of the assets.

NOW, THEREFORE the Sawmills Town Council adopts this Asset Management Plan, effective beginning on March 25, 2014.

PASSED this 25th day of MARCH, 2014.

AYES: 5

NAYS: 0

ABSENT: 0

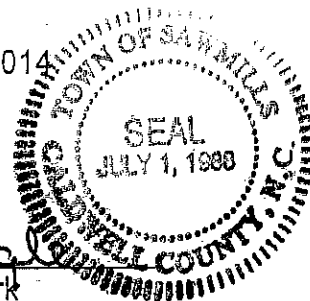
APPROVED this 25th day of MARCH, 2014



Bob Gibbs, MAYOR

ATTEST: 

Susan Nagle, Town Clerk



2.0 INTRODUCTION

The Town of Sawmills is located in southeastern Caldwell County. It borders the Catawba River/Lake Rhodhiss to the south and US Highway 321 to the east (see Appendix 1 Vicinity Map). The Town of Granite Falls lies to the south and the Town of Hudson to the north. The current population is 5,021 (2002 estimate per NC State Demographics).

Sawmills owns and operates its own water distribution and wastewater collection systems. Water is purchased primarily from the City of Lenoir water system. The water system serves almost all properties within the Town limits.

The wastewater system, is relatively new and serves only about twenty percent of the population. Commercial and industrial land use exists primarily along the Highway 321 and 321A corridors. Most of the Highway 321A corridor has sanitary sewer service, but most of Highway 321 does not. Remaining areas within Sawmills are predominantly residential. Wastewater is discharged into the City of Lenoir sewer collection system where it is then treated at the City of Lenoir's Gunpowder Creek Wastewater Treatment Plant.

3.0 WATER SYSTEM PRESENT CONDITIONS

Sawmills owns and operates its own water distribution system. Water is purchased from the City of Lenoir, Caldwell County Water System, and Baton Water Corporation. The water system serves all properties within the Town limits with the exception of a few properties located on Highway US-321. There are 2,100 residential customers, 40 commercial, 14 industrial, and 10 institutional customers served by the water system. The average daily usage of the town is 300,000 gallons per day most of which is purchased from Lenoir.

The construction dates of the water system ranges from 1957 to 2013. The system is generally in good condition except for 6.6 miles of asbestos cement (AC) pipe that was installed in 1957. The replacement of the AC pipe is a high priority of the Town. Additionally, the Town has experienced frequent water leaks as shown in the table within Appendix 2.

With frequent changes to the water and sewer systems, the mapping (inventory) continues to be updated to provide a system map which is as accurate as possible.

The Town has recently completed an upgrade of the Stamey Road water line

4.0 WASTEWATER COLLECTION SYSTEM PRESENT CONDITIONS

The Town's sewer collection system is relatively new and serves only about 20 percent of Sawmills in the northeast part of Town.

The remainder of Sawmills use ground absorption septic systems for wastewater disposal, as regulated by the Caldwell County Health Department. The Health Department has documented that many of the existing septic systems are failing or have the potential to fail,

and that many new systems and repairs are difficult or impossible to permit. This is due to poor soils, very old systems, and small lot sizes. Thus, for the remaining unsewered areas of Sawmills, there is a critical public health and environmental need. In Appendix 2 is a recently completed soil report that confirms the failure of existing septic systems.

Due to environmental pollution issues associated with the many failing septic tanks, the Town is committed to providing sewer service to the entire town. In 2008 the Town purchased additional capacity with the City of Lenoir to treat future wastewater from Sawmills at Lenoir's Gunpowder Creek Wastewater Treatment Plant.

The Town has completed the following in their efforts to provide wastewater service to the entire town:

- town-wide sewer study
- prioritize new sewer line installation
- procure funding through grants and loans to address the issues identified by the above items
- adopt a CIP

The public Works staff also conducts gravity pipe cleaning/inspection work and smoke testing to further meet the Town's goal of evaluating their system.

5.0 WATER SYSTEM INVENTORY AND ASSESSMENT

In Appendix 2 is a water system map. The water system has 49 miles of water mains that range from 2" to 8" in size. The Public Works Department maintains 370 fire hydrants and over 350 valves.

The map shows the location of the water lines, fire hydrants, and valves. The pipe material is color coded (see map Legend) and the year constructed is shaded and labeled. Also within the appendix is an inventory listing and assessment of the water system components.

The water system is primarily in satisfactory condition with the exception of the 6.6 miles of 6" AC pipe, which the Town would like to replace in the near future and for which the Town has initiated the feasibility and planning of replacing the AC pipe.

6.0 WASTEWATER COLLECTION SYSTEM INVENTORY AND ASSESSMENT

Appendix 3 contains a flow schematic of the sanitary sewer system, along with a map of the wastewater collection system. The map shows the gravity sewers, force mains, and pump stations. Additionally, the map shows the pump capacity, power reliability, and telemetry for each station. The pipe material is color coded (see map Legend) and the year constructed is listed and shaded.

Presently the Town of Sawmills sewer collection system consists of the following:

(3) pump stations (see Appendix 3 for additional pump station information)
9,400 linear feet of 8" PVC force main
4,280 linear feet of 6" PVC force main
1,500 linear feet of 4" PVC force main
6,900 linear feet of 15" PVC gravity sewer
44,100 linear feet of 8" PVC gravity sewer
247 precast manholes

The condition of all the components of the whole collection system are satisfactory based on the following:

- the system age is approximately 20 years, with 87% having been installed within the last 15 years
- the piping is PVC (polyvinyl chloride pipe)
- manholes are precast

Sawmills began the Duff Drive Area sewer project in 2013 and is expected to be completed in early 2015. This project will provide sanitary sewer service to another 70 homes.

7.0 OPERATION AND MAINTENANCE (O&M) PLANS

In Appendix 4 are O&M activities that are performed for both the water system and the wastewater collection system in order to maintain efficient working systems and equipment, as well as preserving the operations and useful life of the Town's assets.

8.0 CAPITAL IMPROVEMENT PLAN (CIP)

A 10-Year CIP that includes all planned water system and wastewater collection system projects through 2026 is in Appendix 5. The primary focus of the CIP water system projects is to fund work related to replacing the AC piping, addressing known deficiencies in the Town's water distribution system, and to address for water loss. The primary focus of the CIP collection system projects is to fund work related to bringing sewer service to the entire town to eliminate failing septic systems.

As shown in the CIP, this will be accomplished through various water distribution and collection system phases starting in fiscal year (FY) 2016. The 22 planned water system improvement projects total \$1,938,555. Appendix 5 contains a breakdown of the planned water system projects. The 11 proposed wastewater collection system projects total \$5,538,660, with the May Road Area project 50 percent of that total. Appendix 5 contains a breakdown of the planned wastewater collection system projects.

The CIP in will be re-evaluated each year and updated as needed to reflect cost changes, project start times or priority changes, water usage change, etc.

9.0 USER RATE EVALUATION

In order to plan for funding the CIP, budgets have been projected for fiscal years 2016 through 2026. These are shown in Appendix 5. The projects will be funded through grants, capital reserves, projected user rate increases, and possible loans. In the table below is a summary of the projected revenues, projected expenditures (including debt payment), and operating ratio (OR) for the fiscal years 2016-2026. The OR for each year is greater than one.

Fiscal Year	Projected Total Expenditures (including debt payments)	Projected Total Revenues	Operating Ratio
2016	\$760,815	\$854,485	\$1.12
2017	\$873,399	\$979,327	\$1.12
2018	\$818,721	\$965,808	\$1.18
2019	\$1,193,180	\$1,294,423	\$1.08
2020	\$1,496,428	\$1,559,387	\$1.04
2021	\$1,147,911	\$978,598	\$1.17
2022	\$1,204,496	\$1,113,934	\$1.08
2023	\$1,414,060	\$1,323,978	\$1.07
2024	\$1,527,879	\$1,489,030	\$1.03
2025	\$1,394,799	\$1,121,686	\$1.24
2026	\$1,766,214	\$1,727,366	\$1.02

Attachment 6b - COMMITMENT OF OTHER FUNDS FORM

for the

Community Development Block Grant-Infrastructure Program

Legal Name of Applicant / Unit: Town of Sawmills County: Caldwell

Mailing Address: 4076 US Hwy 321-A Street Address: Same

City: Sawmills State: NC Zip: 28630

Project Title: Town of Sawmills May Road Area CDBG Sewer Project

Indicate the sources, amounts and dates of availability (use abbreviation table below to complete 'Source' column). Clearly identify the sources of *Private* and *Other* funds. Provide a copy of correspondence indicating commitment of these funds with the application.

	Source (Use Abbreviations Below)	Grant or Loan?	\$ Amount	Date Available
Funds from the Applicant:	<u>Town of Sawmills Local Funds</u>	<u></u>	<u>340,200</u>	<u>7/01/2014</u>
Federal Funds:	<u></u>	<u></u>	<u></u>	<u></u>
State Funds:	<u></u>	<u></u>	<u></u>	<u></u>
Private Funds (clearly identify):	<u></u>	<u></u>	<u></u>	<u></u>
Other (clearly identify):	<u></u>	<u></u>	<u></u>	<u></u>
Amount of this Grant Request:	<u>CDBG-I</u>	<u>Grant</u>	<u>3,000,000</u>	<u></u>
TOTAL PROJECT FINANCING: \$			<u>3,340,200</u>	

ABBREVIATIONS TABLE (for 'SOURCE' column above)

Federal Sources	Abbrev.	State Sources	Abbrev.
Appalachian Regional Commission	ARC	NC DENR, Drinking Water-SRF	DW-SRF
Economic Development Administration	EDA	NC DENR, Clean Water-SRF	CW-SRF
US Department of Agriculture	USDA	NC Dept. of Commerce, Industrial Development Fund	IDF
Community Development Block Grant	CDBG	Golden Leaf Foundation	GOLD-LF
Community Devpt Block Grt, Eco Dev	CDBG-ED		
Direct federal appropriation	DFA		

SIGNATURE OF CHIEF ELECTED OFFICIAL/AUTHORIZED REPRESENTATIVE

3-26-2014

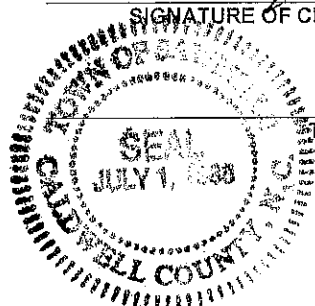
DATE

Bob Gibbs

TYPED NAME

Mayor

TYPED TITLE



**TUESDAY, MARCH 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.

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

APPROVE FEBRUARY 18, 2014 REGULAR MEETING MINUTES: Mayor Gibbs asked for a motion to approve the February 18, 2014 regular meeting minutes.

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

APPROVE FEBRUARY 18, 2014 CLOSED SESSION MEETING MINUTES: Mayor Gibbs asked for a motion to approve the February 18, 2014 closed session meeting minutes.

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

APPROVE MARCH 13, 2014 SPECIAL BUDGET WORKSHOP MEETING

MINUTES: Mayor Gibbs asked for a motion to approve the March 13, 2014 special budget workshop meeting minutes.

Johnny Wilson made a motion, and Jeff Wilson seconded, to approve the minutes. All were in favor.

PUBLIC HEARING: ADOPT TEXT AMENDMENT TO SECTION 153.190-153.197 OF CODE OF ORDINANCES:

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

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

STAFF COMMENTS/RECOMMENDATIONS: Planner Elinor Hiltz stated all local governments are required to amend their zoning ordinance to comply with a new state law for Board of Adjustment procedures. The Planning Board reviewed sections 153.190-153.197 of the Code of Ordinances and recommends Council approve the attached amendments to comply with state law.

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

There were no comments or questions.

CLOSE PUBLIC HEARING: Mayor Bob Gibbs asked for a motion to close the public hearing.

Trena McRary Kirby made a motion, and Joe Wesson seconded, to close the public hearing. All were in favor.

COUNCIL ACTION: Joe Wesson made a motion, and Gerelene Blevins seconded, to adopt the text amendment to section 153.190-153.197 of the code of ordinances to comply with state law. All were in favor.

PUBLIC HEARING: APPROVE AN APPLICATION FOR CDBG FUNDING AND CALL FOR A SECOND PUBLIC HEARING:

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

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

STAFF COMMENTS/RECOMMENDATIONS: Mayor Gibbs introduced Lisa Helton with the Western Piedmont Council of Governments (WPCOG).

Miss Helton stated this is the first of two public hearings required by the North Carolina Department of Environment and Natural Resources (NCDENR) for an application for Community Development Block Grant (CDBG) funding and Council will need to call for a second public hearing on this matter

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

There were no comments or questions.

CLOSE PUBLIC HEARING: Mayor Bob Gibbs asked for a motion to close the public hearing.

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

COUNCIL ACTION: Joe Wesson made a motion, and Gerelene Blevins seconded, to call for a second public hearing on March 25, 2014 at 6:00 pm at the Sawmills Town Hall to discuss an application for CDBG funding for a sewer project. All were in favor.

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

No one wished to speak.

RECOGNITIONS:

RECYCLE REWARDS WINNER: Town Administrator Seth Eckard announced Mr. and Mrs. James Furches as the March Recycle Rewards winner. A credit of twenty-eight dollars (\$28.00) will be added to Mr. and Mrs. Furches' sanitation bill and their certificate will be available at the Town Hall for pick up.

No Council action was required.

FINANCIAL MATTERS: FUNDING REQUEST FOR CALDWELL COUNTY SPECIAL OLYMPICS: Mayor Gibbs introduced Jo Ann and Casey Miller representatives for the Caldwell County Special Olympics.

Jo Ann Miller requested a donation on behalf of the Caldwell County Special Olympics to help with the purchase of t-shirts and provide lunch for all participants in the Spring Olympic Games.

Gerelene Blevins made a motion, and Trena McRary Kirby seconded, to approve a donation to Caldwell County Special Olympics in the amount of \$150.00.

DISCUSSION:

DUKE ENERGY CORPORATION LEASE AGREEMENT FOR VETERANS MEMORIAL PARK: Mayor Gibbs introduced Robin Nicholson a representative from Duke Energy Corporation.

Robin Nicholson gave a brief update on the status of the Catawba-Wateree and Hydroelectric licensing agreement between Duke Energy Corporation and the Town of Sawmills. Miss Nicholson stated on August 29, 2006 the Catawba-Wateree and Hydroelectric License Agreement, for the new operational license, was filed with the Federal Energy Regulatory Commission (FERC) after about three years of negotiations. The plan for the first five-year period of the new operational license is an upgrade to the Conley Creek Access Area to include a two-mile walking trail if the Town agrees to the maintenance of the trail.

No Council action was required.

ADOPT A PROCLAMATION FOR AMERICAN RED CROSS MONTH: Mayor Gibbs introduced Libby Brown, board member, with the local chapter of the American Red Cross.

Miss Brown stated the American Red Cross invites all Municipalities in Caldwell County to proclaim March 2014 as American Red Cross Month by signing the enclosed proclamation.

Joe Wesson made a motion, and Gerelene Blevins seconded, to adopt a Proclamation Naming March 2014 as American Red Cross Month. 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 the local chapter of the American Red Cross in Caldwell County.

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 Lisa Helton, Program Administrator with the Western Piedmont Council of Governments has enclosed an update on the Community Development Block Grant Sewer Project.

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.

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

- The Town of Sawmills Annual Easter Egg Hunt will be held on Saturday, April 12, 2014 from 10:30 am to 12:30 pm at the Veterans Memorial Park.
- The Sawmills Community Optimist Club opening day for T-Ball will be held on Saturday, April 12, 2014 at 11:00 am at the Sawmills Municipal Park on Baird Dr.
- The next budget workshop will be held on Thursday, April 3, 2014 in the Town Hall Council Chambers starting at 5:00 pm.
- Operational updates were included in Council's weekly e-mail.

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

Councilman Joe Wesson and Councilman Johnny Wilson thanked everyone for coming.

CLOSED SESSION: ATTORNEY/CLIENT PRIVILEGE: Mayor Gibbs asked for a motion to go into closed session.

Johnny Wilson made a motion, and Joe Wesson seconded, to go into closed session. All were in favor.

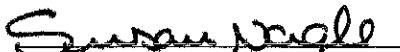
Mayor Gibbs asked for a motion to come out of closed session and return to the regular meeting.

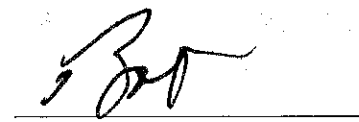
Trena McRary Kirby made a motion, and Jeff Wilson seconded, to come out of closed session and return to the regular meeting. All were in favor.

ACTION TAKEN IN CLOSED SESSION: No action was taken in closed session.

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.


Susan Nagle, Town Clerk


Bob Gibbs, Mayor

TOWN OF SAWMILLS
ZONING ORDINANCE AMENDMENTS

PROPOSED AMENDMENTS

Sections 153.190 through 153.197 are hereby deleted and instead shall read as follows:

§153.190 ESTABLISHMENT OF BOARD OF ADJUSTMENT.

- (A) A Board of Adjustment is hereby created as provided in G.S. §160A-388. Said Board shall consist of five members to be appointed by the Town Council for the overlapping terms of three years. Initial terms of office shall be as follows: one member appointed for a term of one year; two members appointed for terms of two years; and two members appointed for terms of three years. Upon completion of the initial term of office for each member, all additional appointments to vacancies on the Board shall be for three year terms. Three members of the Board of Adjustment shall be residents of the Town of Sawmills. Two members of the Board of Adjustment shall be residents of Sawmills' Extra-Territorial Jurisdiction. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment. Members shall serve without pay but may be reimbursed for any expenses incurred while representing the Board of Adjustment.
- (B) The Town Council must appoint two alternate members to serve on the Board of Adjustment in the absence, for any cause, of any regular member. One alternate must be a resident of Sawmills' Extra-Territorial Jurisdiction and the other must be a resident of the Town of Sawmills. The alternate members shall be appointed in the same manner as regular members and at the regular times for appointment. The alternate member, while attending any regular or special meeting of the Board and serving in the absence of any regular member, shall have and exercise all the powers and duties of such regular member so absent.

§153.191 PROCEEDINGS OF THE BOARD OF ADJUSTMENT.

The Board of Adjustment shall elect a chairman and vice-chairman from its members, each of whom shall serve for one year or until re-elected or until their successors are elected and qualify. This year shall run from July 1 to June 30. The Board shall adopt rules and bylaws in accordance with the provisions of this chapter and G.S. Ch. 160A, Art. 19. Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. All meetings of the Board shall be open to the public. The secretary shall keep a record of all proceedings of meetings but shall not have a vote unless he or she is also a regular or alternate member of the Board.

§153.192 NOTICE OF HEARING.

Notice of hearings conducted pursuant to this section shall be mailed to the person or entity whose appeal, application, or request is the subject of the hearing; to the owner of the property that is the subject of the hearing if the owner did not initiate the hearing; to the owners of all parcels of land abutting the parcel of land that is the subject of the hearing; and to any other persons entitled to receive notice as provided by the Town of Sawmills Zoning Ordinance. In the absence of evidence to the contrary, the Town may rely on the county tax listing to determine owners of property entitled to mailed notice. The notice must be deposited in the mail at least 10 days, but not more than 25 days, prior to the date of the hearing. Within that same time period, the Town shall also prominently post a notice of the hearing on the site that is the subject of the hearing or on an adjacent street or highway right-of-way.

§153.193 DUTIES OF THE ZONING ENFORCEMENT OFFICER, BOARD OF ADJUSTMENT, COURTS AND TOWN COUNCIL ON MATTERS OF APPEAL.

It is the intention of this chapter that all questions arising in connection with the enforcement of this chapter shall be presented to the Zoning Enforcement Officer and that such questions shall be presented to the Board of Adjustment only on appeal from the Zoning Enforcement Officer, and that from the decision of the Board of Adjustment recourse shall be had to courts as prescribed by law. It is further the intention of this chapter that the duties of the Town Council in connection with the chapter shall not include the hearing and passing upon disputed question that may arise in connection with the enforcement thereof. The duties of the Town Council in connection with this chapter shall be only the duty of considering and passing upon any proposed amendments or repeal of this chapter.

§153.194 PROVISIONS OF ORDINANCE.

The Board of Adjustment hears and decides special and conditional use permits, requests for variances, and appeals of decisions of administrative officials charged with enforcement of the ordinance. As used in this section, the term "decision" includes any final and binding order, requirement, or determination. The Board of Adjustment shall follow quasi-judicial procedures when deciding appeals and requests for variances and special and conditional use permits. The Board shall hear and decide all matters upon which it is required to pass under any statute or ordinance that regulates land use or development.

§153.195 APPEALS.

The Board of Adjustment may reverse or reaffirm, wholly or in part, or may modify any order, requirements, decision or determination and to that end shall have the powers of the administrative official from whom the appeal is taken. The Board of Adjustment shall hear and decide appeals from decisions of administrative officials charged with enforcement of the zoning or other ordinance (as designated by Town Code) and may hear appeals arising out of any other ordinance that regulates land use or development, pursuant to all of the following:

- (A) Any person who has standing under G.S. 160A-393(d) or the Town may appeal a decision to the Board of Adjustment. An appeal is taken by filing a notice of appeal with the Town Clerk. The notice of appeal shall state the grounds for the appeal.
- (B) The official who made the decision shall give written notice to the owner of the property that is the subject of the decision and to the party who sought the decision, if different from the owner. The written notice shall be delivered by personal delivery, electronic mail, or by first-class mail.
- (C) The owner or other party shall have 30 days from receipt of the written notice within which to file an appeal. Any other person with standing to appeal shall have 30 days from receipt from any source of actual or constructive notice of the decision within which to file an appeal.
- (D) It shall be conclusively presumed that all persons with standing to appeal have constructive notice of the decision from the date a sign containing the words "Zoning Decision" or "Subdivision Decision" in letters at least six inches high and identifying the means to contact an official for information about the decision is prominently posted on the property that is the subject of the decision, provided the sign remains on the property for at least 10 days. Posting of signs is not the only form of constructive notice. Any such posting shall be the responsibility of the landowner or applicant. Verification of the posting shall be provided to the official who made the decision. Absent an ordinance provision to the contrary, posting of signs shall not be required.
- (E) The official who made the decision shall transmit to the Board all documents and exhibits constituting the record upon which the action appealed from is taken. The official shall also provide a copy of the record to the appellant and to the owner of the property that is the subject of the appeal if the appellant is not the owner.
- (F) An appeal of a notice of violation or other enforcement order stays enforcement of the action appealed from unless the official who made the decision certifies to the Board of Adjustment after notice of appeal has been filed that because of the facts stated in an affidavit, a stay would cause imminent peril to life or property or because the violation is transitory in nature, a stay would seriously interfere with enforcement of the ordinance. In that case, enforcement proceedings shall not be stayed except by a restraining order, which may be granted by a court. If enforcement proceedings are not stayed, the appellant may file with the official a request for an expedited hearing of the appeal, and the Board of Adjustment shall meet to hear the appeal within 15 days after such a request is filed. Notwithstanding the foregoing, appeals of decisions granting a permit or otherwise affirming that a proposed use of property is consistent with the ordinance shall not stay the further review of an application for permits or permissions to use such property; in these situations the appellant may request and the Board may grant a stay of a final decision of permit applications or building permits affected by the issue being appealed.
- (G) Subject to the provisions of subdivision (F) of this subsection, the Board of Adjustment shall hear and decide the appeal within a reasonable time.
- (H) The official who made the decision shall be present at the hearing as a witness. The appellant shall not be limited at the hearing to matters stated in the notice of appeal. If any party or the Town would be unduly prejudiced by the presentation of matters not presented in the notice of appeal, the Board shall continue the hearing. The Board of Adjustment may reverse or affirm, wholly or partly, or may modify the decision appealed from and shall make any order, requirement, decision, or determination that ought to be made. The Board shall have all the powers of the official who made the decision.

- (I) When hearing an appeal pursuant to G.S. 160A-400.9(e) or any other appeal in the nature of certiorari, the hearing shall be based on the record below and the scope of review shall be as provided in G.S. 160A-393(k).
- (J) The parties to an appeal that has been made under this subsection may agree to mediation or other forms of alternative dispute resolution. The ordinance may set standards and procedures to facilitate and manage such voluntary alternative dispute resolution.

§153.196 CONDITIONAL USES.

- (A) The Board of Adjustment has the authority to grant in particular cases and subject to appropriate conditions and safeguards, permits for conditional uses under the various use districts, The Board of Adjustment shall not grant a conditional use permit unless and until:
 - (1) A written application for a conditional use permit is submitted indicating the section of this chapter under which the conditional use permit is sought;
 - (2) The Board of Adjustment finds that in the particular case, the use for which the Conditional Use Permit is sought will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use, and will not be detrimental to the public welfare or injurious to property or public improvements in the neighborhood. In granting such a permit, the Board of Adjustment may designate such conditions in connection therewith as will conform to the requirements and spirit of this chapter.
- (B) *Compliance with other codes.* Granting a Conditional Use Permit does not exempt the applicant from complying with all of the requirements of building codes or other ordinances.
- (C) *Revocation.* If at any time after a conditional use permit has been issued, The Board of Adjustment finds that the conditions imposed and agreements made have not been or are not being fulfilled by the holder of a Conditional Use Permit, the Permit shall be terminated and the operation of such use discontinued. If a Conditional Use Permit is terminated for any reason, it may be reinstated only after a public hearing is held.
- (D) *Expiration.*
 - (1) In any case, where a Conditional Use Permit has not been exercised within the time limit set by the Board of Adjustment or within one year if no specific time limit has been set, then without further action, the permit shall be null and void.
 - (2) *Exercised* as set forth in this division shall mean that binding contracts for the construction of the main building shall have been let; or in the absence of contracts, that the main building is under construction to a substantial degree; or that prerequisite conditions involving substantial investment are contracted for, in substantial development, or completed (sewerage, drainage, and the like). When construction is not a part of the use, *exercised* shall mean that the use is in operation in compliance with the conditions set forth in the permit.

- (E) *Careful record.* A careful record of such application and plat, together with a record of the action taken thereon, shall be kept in the office of the zoning enforcement officer.
- (F) *Conditions attached.* In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this chapter. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this chapter and punishable under Section 153.999 of the Code of Ordinances.

§153.197 VARIANCES.

When unnecessary hardships would result from carrying out the strict letter of a zoning ordinance, the Board of Adjustment shall vary any of the provisions of the ordinance upon a showing of all of the following:

- (A) Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
- (B) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
- (C) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
- (D) The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

No change in permitted uses may be authorized by variance. Appropriate conditions may be imposed on any variance, provided that the conditions are reasonably related to the variance. Any other ordinance that regulates land use or development may provide for variances consistent with the provisions of this subsection.

§153.198 VOTING.

- (A) The concurring vote of four-fifths of the Board of Adjustment shall be necessary to grant a Variance. A majority of the members shall be required to decide any other quasi-judicial matter or to determine an appeal made in the nature of certiorari. For the purposes of this subsection, vacant positions on the Board and members who are disqualified from voting on a quasi-judicial matter shall not be considered members of the Board for calculation of the requisite majority if there are no qualified alternates available to take the place of such members.

(B) A member of any Board exercising quasi-judicial functions pursuant to this Article shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. If an objection is raised to a member's participation and that member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection.

(C) Conduct of Meetings. The order of business at regular meetings, unless otherwise approved by the Board, shall generally be as follows:

- (i) Determination of Quorum
- (ii) Approval of Minutes of Previous Meetings
- (iii) Swearing in of Town Staff
- (iv) Hearing of Cases (Swear in Hearing Participants)
 - a) Old Business
 - b) New Business
- (v) Board/Staff Discussion
- (vi) Decision on Matters before Board of Continuance
- (vii) Adjournment

(D) Format of the Public Hearing.

- (i) The Chair will read the case from the agenda.
- (ii) The Code Enforcement Officer will explain the facts of the matter to the Board and, where appropriate, present graphic displays for the purpose of acquainting the Board with the action being requested.
- (iii) The proponents will present sworn or affirmed evidence.
- (iv) The opponents will present sworn or affirmed evidence.
- (v) The Chair shall permit rebuttal and cross-examination.
- (vi) The Board may ask questions of the proponents and opponents.
- (vii) The Board will render its decision.

(E) Continuance. The Board may continue the public hearing or delay voting on any matter to a subsequent meeting upon showing of good cause.

(F) Regulation of Speaker's Time. Witnesses giving testimony shall be allowed to speak five (5) minutes. Each side shall be allowed a total of twenty (20) minutes to present evidence. If there is only one speaker, such speaker may be allowed the full twenty (20) minutes. The Board, in its discretion, may modify this rule.

§153.199 QUASI-JUDICIAL DECISIONS AND JUDICIAL REVIEW.

- (A) The Board shall determine contested facts and make its decision within a reasonable time. Every quasi-judicial decision shall be based upon competent, material, and substantial evidence in the record. Each quasi-judicial decision shall be reduced to writing and reflect the Board's determination of contested facts and their application to the applicable standards. The written decision shall be signed by the chair or other duly authorized member of the Board. A quasi-judicial decision is effective upon filing the written decision with the Clerk to the Board or such other office or official as the ordinance specifies. The decision of the Board shall be delivered by personal delivery, electronic mail, or by first-class mail to the applicant, property owner, and to any person who has submitted a written request for a copy, prior to the date the decision becomes effective. The person required to provide notice shall certify that proper notice has been made.
- (B) Every quasi-judicial decision shall be subject to review by the superior court by proceedings in the nature of certiorari pursuant to G.S. 160A-393. A petition for review shall be filed with the Clerk of Superior Court by the later of 30 days after the decision is effective or after a written copy thereof is given in accordance with subdivision (1) of this subsection. When first-class mail is used to deliver notice, three days shall be added to the time to file the petition.

§153.200 OATHS.

The Chair of the Board or any Member acting as Chair and the Clerk to the Board, as well as any other official authorized under North Carolina law, are authorized to administer oaths to witnesses in any matter coming before the Board. Any person who, while under oath during a proceeding before the Board of Adjustment, willfully swears falsely is guilty of a Class 1 misdemeanor.

§153.201 SUBPEONAS.

The Board of Adjustment through the Chair, or in the Chair's absence anyone acting as Chair, may subpoena witnesses and compels the production of evidence. To request issuance of a subpoena, persons with standing under G.S. 160A-393(d) may make a written request to the chair explaining why it is necessary for certain witnesses or evidence to be compelled. The Chair shall issue requested subpoenas he or she determines to be relevant, reasonable in nature and scope, and not oppressive. The Chair shall rule on any motion to quash or modify a subpoena. Decisions regarding subpoenas made by the Chair may be appealed to the full Board of Adjustment. If a person fails or refuses to obey a subpoena issued pursuant to this subsection, the Board of Adjustment or the party seeking the subpoena may apply to the General Court of Justice for an order requiring that its subpoena be obeyed, and the Court shall have jurisdiction to issue these orders after notice to all proper parties.



**American
Red Cross**

American Red Cross Month Proclamation

March is American Red Cross Month - a special time to recognize and thank our Everyday Heroes – those who reach out to help their neighbors when they are in need.

American Red Cross heroes are on the front lines every day. They volunteer their time, give blood, take life-saving courses or provide financial donations to help those in need.

We would like to remember our heroes here in the Town of Sawmills who give to help people in need. They work tirelessly to help locally in time of disaster, when someone needs life-saving blood, or the comfort of a helping hand. They provide round-the-clock support to members of the military, veterans and their families, and teach lifesaving classes in CPR, aquatics safety and first aid.

Across the country and around the world the American Red Cross responded to hurricanes, tornadoes, floods and wildfires, the tragedy at the Boston Marathon, and typhoon Haiyan in the Philippines.

When an injured service member ended up in a hospital far from home, the American Red Cross offered comfort. When a hospital patient needed blood, American Red Cross blood donors helped them. When a lifeguard jumped in to save a drowning child or someone stepped up to help a heart attack victim, the American Red Cross was there.

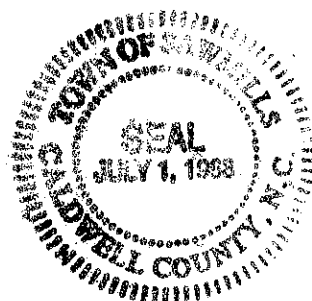
We dedicate the month of March to all those who support the American Red Cross mission to prevent and alleviate human suffering in the face of emergencies. Our community depends on the American Red Cross, which relies on donations of time, money and blood to fulfill its humanitarian mission.

NOW, THEREFORE, I, Bob Gibbs, Mayor of Sawmills, by virtue of the authority vested in me by the Constitution and laws of Sawmills and North Carolina, do hereby proclaim March 2014 as American Red Cross Month. I encourage all Americans to support this organization and its noble humanitarian mission.

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of March, in the year of our Lord two thousand fourteen, and of the Town of Sawmills, North Carolina.

ATTEST:


Susan Nagle, Town Clerk




Bob Gibbs, Mayor

International Trade in Services

Exporting services is a more complex task than exporting goods. It involves a number of factors that are not always considered when dealing with physical products.

Firstly, the nature of the service itself is crucial. Some services, such as consulting or software development, can be delivered remotely, while others, like tourism or education, require the presence of the provider.

Secondly, the legal and regulatory environment of the destination country must be understood. Different countries have varying rules regarding the entry of foreign service providers, the types of services allowed, and the qualifications required for service providers.

Thirdly, the cultural differences between the provider and the client can significantly impact the success of the service transaction. Understanding local customs, business practices, and communication styles is essential.

Fourthly, the infrastructure and logistics for service delivery must be considered. For example, reliable internet connectivity is vital for many digital services, while access to local markets and distribution networks is important for services like food or retail.

Fifthly, the competitive landscape in the destination market must be analyzed. Understanding the strengths and weaknesses of local and international competitors is key to developing a successful service offering.

Sixthly, the payment and financial aspects of the transaction must be clearly defined. This includes understanding the local currency, payment methods, and any applicable taxes or fees.

Finally, building a strong network of local contacts and partners can greatly facilitate the entry and success of a service provider in a new market.

Conclusion

Exporting services is a complex and multifaceted task that requires a deep understanding of the destination market, its legal and regulatory environment, and the cultural differences between the provider and the client. By carefully considering these factors and building a strong network of local contacts, service providers can successfully enter and thrive in international markets.

(Due on 15th of each month)

Year: 2014

Remedy to get back on Schedule
(If Off Schedule)

Title Community Development Administrator

Title Town Administrator

Date March 11, 2014

Performance Schedule

- ❖ **On Performance Schedule:** Stop and submit report, no current performance status or remedy to get back on schedule is required
- ❖ **Off Performance Schedule:** Provide current performance status and remedy to get back on schedule and submit report

**TOWN OF SAWMILLS
COMMUNITY DEVELOPMENT BLOCK GRANT
DUFF DRIVE AREA SEWER PROJECT**

MEMORANDUM:

TO: Town Council and Town Administrator
FROM: Lisa Helton, Program Administrator
DATE: March 7, 2014
SUBJECT: CDBG Sewer Project Monthly Update

West Consultants has finished up the required survey work for the easements. The town's attorney is working on the required easements for the project. The bidding process can begin after all the surveying and easements are signed. If you have any question, please call me at 828-514-9194.

	<u>Total Funds</u>	<u>Spent to date</u>	<u>Remaining funds</u>
Public Sewer Improvements	\$711,100	\$25,072.60	\$686,027.40
Administration	\$ 71,400	\$18,100.60	\$53,299.40
Planning	\$ 5,000	\$5,000	\$0.00

TOTAL	\$787,500	\$48,173.20	\$739,326.80

Code Enforcement Report
March 2014

Property Owner	Property Address	Issue	Status
STAT Inc	3046 Eli Lane	Person living in shed	Tenant received a one-month extension on the deadline to remove the shed and fence: 3/15/14
Ralph Flannagan	4417 Nathan's Way	Buildings falling in	Front porch repaired. 5/30/14 deadline for removing mobile home addition and replacing pumphouse.
Phyllis Chester	6089 Spartan Dr	Junk in front yard	3/23/14 deadline. Owner has written a letter to let the Town know she will work on it.

Elinor Hiltz
Town Planner

List updated on March 6, 2014

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:

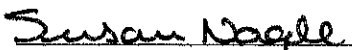
- New Restrooms at Veterans Memorial Park
- Fireworks

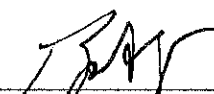
Budget Needs by Department:

- 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.


Susan Nagle, Town Clerk


Bob Gibbs, Mayor

