

Town of Nolensville
Board of Mayor and Aldermen Meeting
Date: August 7, 2008, Time 7:00 p.m.
Nolensville Elementary School

Mayor Beth Lothers opened the meeting at 7:00 p.m. Members present were Aldermen Jimmy Alexander, Joe Curtsinger, Tommy Dugger, and Ken Thomas. Staff present: Counsel Robert Notestine, Town Planner Henry Laird, Town Engineer Don Swartz, and Recorder Cindy Lancaster. There were 44 citizens present.

Pastor Roland Scruggs, of Ebenezer United Methodist Church, led the Prayer and Pledge.

Citizens Input:

Mr. Jason Patrick, 1516 Pumpkin Ridge Court, noted that there has been discussion on the Town Center concept. He stated that he was in attendance tonight in support of this project. He further noted that he wanted to make six points for the Board.

1. Mr. Patrick noted that he was the Chairman of the Economic Development Committee which recently performed a survey that noted 86% of the respondents were in favor of the Town Center within 1/4 mile of the proposed location.
2. He is a property owner who wants to invest in this Town and sees only good in this location as long as Town Hall is an anchor.
3. This will only improve the aesthetic nature of this area.
4. The redevelopment of this area would attract new businesses.
5. This location would be strategically located near the Post Office and various civic properties.
6. This will give the Town an opportunity to invest into property versus leasing.

Mr. Patrick added that on a personal note he would strongly encourage the Board to move forward on this project for the redevelopment of a Town Center.

Ms. Cindy Arnold, 878 Dortch Lane, noted that she was here for similar reasons as Mr. Patrick. She encouraged the Board to approve resolution #08-08. She added that she had several points that she would like to present to the Board.

1. The economic impact would add tax revenue as other businesses moved into this location.
2. This will provide property ownership for the Town with no more renting space.
3. This location is in the heart of Nolensville. The Town Center would anchor our Town.
4. This will allow adequate space for Town Hall staff. Current staff is cramped into a small space. With the explosive growth the Town needs an appropriate professional facility.

Ms. Arnold thanked Mr. Tisano for providing this facility and encouraged the Board to vote in favor of this resolution.

Mr. Jay Nelson, 720 Stonecastle Place, stated that he was President of the Nolensville Historic Sewer Committee. He added that he was here to thank Mayor Beth Lothers, Alderman Jimmy Alexander, and Alderman Tommy Dugger for their support in this project. He then asked that the Historic Association members stand to show the support for this area. He added that this is a big deal to have sewer in this area and not have temporary bathroom facilities. He stated that one thing this committee is placing into the Board's hands is the option to have a Special Tax District.

Mr. Nelson emphasized that this Committee hopes this Board will implement a program that is fair and equitable for every property owner. He added to please put together something that is fair for the big guy, the little guy, and everyone.

Mayor Lothers thanked everyone for their support in this project and additionally thanked the Ebenezer Church for allowing this group to meet in their facility.

Mr. Aubrey Short, 803 Rockwood Drive, stated that 12 years and 7 days ago there was a momentous occasion in Nolensville with 87.1% voting yes to the Incorporation of Nolensville. Mr. Short stated that the first Incorporation occurred in 1878. In April of 1998 he was asked to have a meeting to look at the original vision. Mr. Short stated that two years after the Incorporation the original Committee members did not feel that the vision had been met. He thanked the Mayor for involving more citizens in Committees and added that he wanted to take a moment and revisit the history. He added that he would like to see the "City Limits" signs be changed to reflect "Town Limits".

Mr. David Vernor, 2303 Artesian Drive, stated that he was an Architect. He stated that he choose to live in Nolensville because he felt it is a great place. Mr. Vernor said that he served on the Economic Development Committee because he wanted to serve in a capacity for the Town. He added that the Piggly Wiggly Shopping Center is a great opportunity that is not seen very often. Mr. Vernor stated that he is in this type of business. He added that the location is in the most center of the Town that it could possibly be, noting it will have a mix of retail, dining facilities, service businesses and will create a real Town Center. Mr. Vernor stated that it is a way to connect and it is a great chance that you don't see very often. He noted that construction cost is not going to stop rising and now is the time to move forward on this project. With this project the Town will own land and a building. He added that land has gone up substantially and will continue to rise and this is a chance to have a positive influence and build an asset.

Mr. Larry Felts, 999 Dortch Lane, stated that it is time for Nolensville to have a Town Hall. He added that he was glad that the Historic Village was in attendance. In 1797 this Town was started. He added that when Nolensville was Incorporated it was to help Nolensville growth. Mr. Felts stated that he thought there was 34 pieces of property that came to the Board and asked them to come across the creek. He added that six businesses are gone from downtown and homes cannot remodel because of sewer lines. He stated that the Town owes it to the downtown area. He stated that if it wasn't for those businesses down there- there would not be a Town. He stated that he would make a suggestion tonight for the tax assessment. Mr. Felts ask the Board to not penalize them by taxing them twice. He told the Board to get it across the creek and to their homes and it will be a benefit to the Town to get the sewer to them. Mr. Felts stated that the old Town meant more to him than anything and the Town owes it to those people.

Alderman Thomas made a motion to approve the regular meeting minutes of August 7, 2008, Alderman Dugger seconded. There were no additions or corrections and the minutes were approved unanimously.

Mayor Lothers made a motion to approve the treasurer's report for June, Alderman Dugger seconded the motion. Alderman Dugger stated that June is the last month of the fiscal year and it appears, although it is unaudited, that revenue is 1.6 million with expenditures being 1.1 million. Mayor Lothers clarified by stating 1.3 million. He added that the Town has a positive budget and

has spent within its means. Alderman Dugger commended Mayor Lothers for her direction and overseeing of the budget. The vote was taken and this report was approved unanimously.

COMMITTEE REPORTS:

Chair Rick Owens reported for the Planning Commission.

- Zoning amendment for Brentwood East passed unanimously
- Two Subdivision Regulation amendments were approved with a Public Hearing
- Reserve at Bent Creek revision passed unanimously
- Monthly bond report was approved

Historic Commission Member Mr. Bob Crigger reported for the Historic Commission.

- Noted they did not meet

Fire Chief Presley Hughes reported for the Nolensville Volunteer Fire Department.

- First Responder Training has been conducted
- Extrication class is forthcoming

Planner Henry Laird reported for the Planning Department.

- Noted two new office buildings were proposed
- Various renovations have been proposed
- These projects will be before the Planning Commission at the next meeting

Engineer Don Swartz reported for the Engineering Department. He noted that it was hoped the Rocky Fork Road realignment project would be completed prior to the opening of school. This will not happen. He added that negotiations on this project are continuing to tie Rocky Fork Road into the park.

Mr. Swartz added that a meeting will be held next week with the Consultant and the Contractor. They will be reviewing a ditch at Nolensville Road. A “curb and gutter” will be reviewed to lessen the impact of properties to the north on Nolensville Road.

Mr. Swartz noted that a meeting with Williamson County will be forthcoming to discuss some striping of roads within Nolensville.

Police Chief Paul Rigsby reported for the Police Department.

- Written statistics were distributed to the Board
- Rifles have been ordered, although not arrived to date
- Digital cameras have been purchased for each officer. This purchase was reimbursed by a grant.
- Financing of a police car is on the agenda

Alderman Dugger inquired to how many videos were in police cars. Chief Rigsby stated that three cars had video systems. He added that he has purchased one system per year with the Highway Safety Grant money obtained by his Department. He added that he was in hopes of purchasing another one by the end of the year with more grant money.

Mr. Bob Hayes reported for the Public Works Department.

- Noted there was no report at this time

Chair Suzie Lindsey reported for the Events Committee by thanking the Board, businesses, Suzanne Honeycutt, Alderman Ken Thomas, Mr. Bob Crigger, in addition to over 100 volunteers. She noted there was a pie bake off with over 11 pies. Ms. Lindsey advised the Board that on November 8th, a Veterans Day Parade is being planned. Alderman Dugger commended Suzie and the Committee on the great job they did on this event.

Mayor's Report:

- a. Other

Mayor Lothers stated that she and Alderman Alexander had attended a MTAS Conference in Lawrenceburg. Alderman Alexander added that this conference was very informative. He noted that the instructors went over financing, in addition to economic development. Mayor Lothers added that they did not attend the second day due to attending County Mayor Andersons wife's funeral.

Mayor Lothers noted that the Trees and Trails Committee did not have a report, but is working very hard. She noted that they had met with Mr. Bob Feinstein with Williamson County Parks and requested funding for the ball park to connect a walk way to the Recreation Center. She noted that the Chairman of this Committee recently attended a four hour grant seminar.

Public hearing of ordinance #08-08, an ordinance to amend Zoning Ordinance #04-09 pertaining to buffering and tree planting in appendix B. Mayor Lothers opened the hearing up at 7:46. There was no public comment and the public hearing closed at 7:46.

Reading of resolution #08-06, a resolution to designate the bridge on Rocky Fork Road as the Sherwood Green Memorial Bridge. Mayor Lothers noted that Rocky Fork Road has been built through property owned by the Green family. Mayor Lothers read the resolution in addition to showing the audience through power point presentation the monument that would be placed by the bridge in this family's honor. Alderman Dugger asked for clarification in regards to what property was donated. Mayor Lothers noted this resolution was reviewed and approved by Mrs. Green. Mayor Lothers made a motion to approve this resolution, Alderman Alexander seconded, and this was approved unanimously.

Reading of resolution #08-07, a resolution to authorize the issuance of interest bearing general obligation capital outlay notes for financing a police car. Alderman Dugger asked if this funding was for a police car. Mayor Lothers stated yes. Alderman Dugger noted that within the Budget Sub-Committee it was approved to lease a vehicle for three years and then purchase for one dollar at the end of the lease. Chief Rigsby stated that it was discussed to lease to own, but

decided this would be cheaper. Alderman Dugger asked for clarification to the interest rate within the document. It was noted that it was a fixed rate that would not exceed 5.00%.

Alderman Curtsinger asked if the \$8,000 that was budgeted was for a replacement vehicle or a new vehicle. Chief Rigsby stated that it was a new vehicle purchase. He noted that in the past used vehicles had been purchased.

Alderman Dugger stated that he would like to know more about the funding and this resolution in addition to the purchasing of a Dodge Charger versus a Crown Vic. He stated that within the Budget Sub-Committee meetings a Crown Vic was discussed in addition to a lease purchase. Chief Rigsby stated that after review this vehicle would save the Town \$4,000. Alderman Dugger asked if a Dodge would last as long as a Crown Vic. Chief Rigsby stated that he felt it would. He added that he and Ms. Ediger believed this would be the cheaper route to take. Mrs. Ediger, from the audience, stated that she could not make the determination of the benefits of a Dodge over a Crown Vic. Although what she was looking at was the funding. She stated that TML's financing was more cost efficient than a lease purchase.

Alderman Dugger stated that he would like to know the interest rate. He added that it was his opinion that a Dodge Charger was not as durable as a Crown Vic. Alderman Alexander asked if there was any form of warranty. Chief Rigsby stated that there was a three year warranty on the Dodge Charger.

Mayor Lothers asked the Chief if he could get Alderman Dugger information on the Dodge Charger so that he could have his questions answered. Chief Rigsby stated that he could obtain that information for him.

Alderman Thomas made a motion to approve this resolution, Mayor Lothers seconded, and this resolution passed unanimously.

Reading of resolution #08-08, a resolution to authorize funding to initiate the process for a Town Hall. Mayor Lothers noted that this is a resolution that sets the price of the property. She noted that she did not feel it was appropriate that the Board vote until an engineering rendering be performed to arrive at a final amount. Mayor Lothers made a motion to approve this resolution, Alderman Thomas seconded.

Alderman Dugger asked how much land \$500,000 would buy. Mr. Bill Tisano, owner of the property, stated it was 2.5 acres. Alderman Alexander asked if that included frontage of Nolensville Road. Mr. Tisano stated that it goes all the way out to Nolensville Road. Mr. Matt Happel showed the Board the property line on a drawing. He noted that it was a concept drawing only. An engineering rendering has not been performed at this point. Alderman Dugger asked what was going to be done with the drainage ditch. Mr. Happel stated that he had spoken to Mr. Tom Allen and the power lines will be buried and a culvert will have to be installed. He noted that the parking area will be permeable. Alderman Dugger asked if Mr. Tisano had purchased the Dollar General property. Mr. Tisano stated that he was in the process of this transaction. He added that he was beginning preliminary work with the adjoining neighbors so that it could be a two or three lane in front of the structure, but he will need to go before the Planning Commission for approval. He added that he would like to connect to Stonebrook Boulevard with this project. Mr. Tisano stated that after the purchase of Dollar General this would be an easier process.

Alderman Alexander asked if there were provisions within the Subdivision Regulations that would allow this parcel to be developed. Planner Henry Laird stated that it would have to be a subdivision process. Alderman Alexander stated that he did not see where this could be done, although the Subdivision Regulations could be revised. Mr. Tisano stated that it could be a driveway until the Town deemed it a street.

Alderman Thomas asked if the purchase of the building itself would total approximately 17,000 square feet. Mr. Tisano stated that the proposed building would be approximately 15,228 square feet. Alderman Thomas clarified that roughly \$500,000 would be for the land and then the Town would pay for the build out. Mr. Tisano stated that was correct. Alderman Thomas asked for clarification in regards to the development plan and the Town's cost for the roads and guttering. Mr. Tisano stated that the \$500,000 would not get any of the work completed that he had planned to perform in regards to lighting, conforming the parcel to make it look uniform and comply with design requirements.

Alderman Dugger asked Mr. Tisano if the Town decides not to do this project would he still redevelop the building. Mr. Tisano stated that he would remodel, but it would depend on the market condition as to the extent of the remodeling.

Mr. Tisano stated that one of the reasons I initially came to the conclusion that this was the correct place to site Town Hall was.. My garbage pick up is Saturdays, and when baseball starts I have to change my garbage pick up because there's 200 cars that park in the back of the building. It certainly is the perfect place for parking and the use of all the fields. So that, even on weekends, once the town hall is in, you have all the parking for the fields. If it would stay that way, I think it might even be better for the town. If it just stayed fields, as opposed to a Williamson County Rec center, but I'd love to have a rec center there, too. As for the, as for the old Nolensville Rec Center, that's up to the county and to you. All we've done is provided for the required connectivity and tried to make it so that we would have a straight shot all the way through from this property, all the way through to Oldham. I'm not sure it was pointed out but, I have an entrance right next to the Daily's right now on Oldham. That entrance will be moved back approximately 75 feet to get that straight line. It also allows for the redevelopment of the Daily's footprint. We've been in discussions with Daily's where they are looking at doing an entire site redevelopment. Where they have two pumps now, it would become eight. It would become a new convenience store. It would become a new car wash. And their talking about a Dunkin Donuts.

Mayor Lothers stated that if this moves forward she would want to have dialog with Mr. Doug Hood at Williamson County Parks to discuss this project. Alderman Alexander asked if there would be a joint maintenance agreement. Mr. Tisano stated that currently there is a joint maintenance and this would continue. Alderman Alexander clarified that joint parking would be allowed also. Mr. Tisano said that was absolutely correct.

Alderman Alexander asked about the square footage. Mr. Tisano stated that if sometime in the future the Town required more space, this lay out would allow for building on to the facility. Alderman Dugger asked if the green space had been researched. Mr. Happel said that it had and was addressed on the last page of the hand out that was distributed to the Board. Alderman Alexander asked if the parking had been evaluated. Mr. Happel explained the formula used for

the number of parking spaces noting that there would be four extra spaces than required. Mr. Tisano added that on Sundays the Dollar General and Fred's do not use their parking allotment.

Alderman Dugger asked if there was an estimated cost for the relocation of the utilities. Mr. Tisano stated that this has been investigated and initially he thought it would be extravagant, although he has discovered that it will be between \$20,000 to \$30,000. Alderman Dugger stated that number seemed very low. Mr. Happel stated that Middle Tennessee Electric gives some breaks when adding more electricity. Alderman Curtsinger said that Mr. Tisano had stated that if the Town did not purchase this he would not redesign. Mr. Tisano said it would not be redesigned the way it is being shown to the Board.

Alderman Curtsinger asked what guarantee is the Town going to have that Mr. Tisano is going to build this as shown. Mr. Tisano stated that he would put it in writing. Mayor Lothers said that within the contract the agreement has to be for the Town Hall portion in order to commit to this location. She stated that the contract must further state that the whole section has to be built at once as this is shown. She stated that the Town cannot be put into a position of purchasing property and something unforeseen happens. The Town cannot be bound to this concept plan unless it will happen as stated and payment will reflect that commitment. Mr. Tisano agreed with Mayor Lothers. Alderman Dugger asked if Mr. Tisano was going to perform the construction of this building or will the Town have to build this out. Mr. Tisano stated that he would do it any way the Town wished. Alderman Dugger asked what the letter of intent was. Mr. Tisano said that it was a security for him. He noted that he has been performing work and spending money for the past six months to get to this point and he was in need of some commitment to proceed investing any more funding.

Counsel Notestine stated that based on this information it is letting Mr. Tisano know the Town intends to move forward. He stated that a letter of intent is not going to bind the Town. Counsel Notestine stated that if the Town performs this work it must go through the required bid process although, the Town could purchase at the end of the project.

Mayor Lothers stated that this is a commitment to have the hard numbers in order to make comparisons. She stated that in her mind the Town is getting a deal with the land portion. The Town is creating two facades. She added that when the engineering data comes back, the Town will be able to make educated decisions.

Mr. Tisano stated that the drawings and engineering information will allow us to get an accurate price.

Alderman Dugger stated that at the end of the day Town Hall will be at the back side of the Shopping Center. Alderman Curtsinger stated that he agreed with Alderman Dugger. He stated that there was no place to put Public Works vehicles and equipment. Mayor Lothers stated that the Public Works vehicles would not be housed at that location. Alderman Curtsinger asked if it would be a conflict to have Mr. Tisano perform the engineering work. Counsel Notestine said that the Town could use any firm to compile this information.

Alderman Dugger asked Mr. Tisano if he could move Town Hall to the front side of the building. Mr. Tisano stated that the vision is to create a new front and he did not understand why it was looked as being the back of the building.

Alderman Curtsinger asked Mr. Tisano why won't you put Town Hall at the front of the building. Mr. Tisano stated that he has turned down 20 tenants for this proposed portion of the property. Mayor Lothers noted that the Town would benefit from the commercial revenue that could be produced at the location fronting Nolensville Road. She added that she felt that one of the reasons for the land price is the location. Mayor Lothers stated that for her personally it is not an issue. Mr. Tisano stated that it also gives the Town the ability to build on if necessary. Alderman Dugger stated that the Town does not have control over the park and if there was an amphitheater it would not look to bad being in the back, although the Town doesn't have the control of that.

Mayor Lothers stated that the County Park and the Town will interface when moving forward on this project. One of Mr. Doug Hood's biggest concerns of that area for the ball field and Recreation Center is parking. She said he is in favor of working with the Town in that area. Alderman Dugger noted that surely Williamson County Parks has a concept plan for the recreation area at that location.

Mayor Lothers stated that it was her recollection that there was green space in that area and she would talk to Doug Hood about discussing this with the Board. Alderman Dugger stated that cooperation with the county has not gotten the Town anywhere in the past two years. He stated that he wanted to make sure the Town has looked at every option. Mayor Lothers stated that this Town has existed for 12 years and no one has brought significant options to the table. She stated that as Mayor if someone gives her an idea then they should bring it forward. She added that with the Land Use Plan and the connectivity this all lines up with this location, in addition to the Town creating assets. Mayor Lothers stated that you have to look at the merit of the entire area and she could understand Mr. Tisano wanting the Town Hall as an anchor.

Alderman Dugger asked if the Town will have assets to sell. He stated that the Town will have the back side of a building. Will we get the appreciation out of a better location? Alderman Dugger stated that currently there is empty land by the post office. Alderman Curtsinger stated that it was said there have been no other options brought to the table. He said that Mayor Lothers was a member of a Committee that brought an option to the table. Alderman Curtsinger stated that at that time the center of Town was the Historic District. Mayor Lothers said there can always be speculation, but she brought an option to the table. Alderman Dugger noted that there was commercial property in Bent Creek.

Mayor Lothers stated that when you look at the Land Use Policy it talks about incorporating civic institutional, commercial in a central area of Town. She noted that she was on a Committee that recommended a home as Town Hall. There was not a Land Use Policy Plan and that was turned down. She noted that she did not think you could look at a more viable Town Hall location. She added that this is in line with her vision of a Town Hall. She further noted that nothing else has been brought forward. Alderman Dugger asked the Mayor if she would consider the property beside the Post Office. Mayor Lothers stated that currently this is the item on the table and nothing else has been brought before the Board. She stated that she believes this concept would support the historic area and a lot of the needs are being met. Alderman Curtsinger stated that he did not think it would support the historic area and when a traffic signal is installed at Rocky Fork Road this is going to change.

Alderman Thomas stated that like everyone else, as soon as this was printed in the Dispatch, there was a lot of excitement and people talking about the possibilities. He stated that the hardest thing was for him to look at something and see what it could become. He added that he sees potential. Alderman Thomas stated that the Board doesn't have all the answers tonight, but what is on the table will allow the Board to look into it further. He stated that he understood how this is affecting morale and space is important. Alderman Thomas noted that when staff doesn't feel they have enough space, productivity goes down. He added that this resolution is what is on the table before the Board and he has to look at what before him.

Alderman Alexander stated that this is not what he had envisioned for a Town Hall. He stated that he had envisioned property on its own. He noted that he has heard the statement that this is the rear of the Shopping Center. Our staff is in desperate need of more space. He stated that it is not the plan he envisioned, but \$500,000 for 2 acres in the center of Town is very reasonable. Alderman Alexander stated that this is the best that he has seen.

Alderman Curtsinger stated that there has not been any initiative. He noted that it is being said that the Town is building equity, but who would buy this. Mayor Lothers stated that she would say that the property is going to increase in value.

Alderman Dugger stated that he certainly understands that staff needs more space, and the morale may be low for a number of reasons, but he could not support this tonight because he cannot understand being on the back side of a building. He added that he felt there may be other options. Alderman Dugger asked are we in that big of a hurry to not defer this for one more meeting?

Mayor Lothers stated that she did not see a purpose in deferring this resolution. She asked Alderman Dugger if he had a concern with the sell of the Dollar General property. Mayor Lothers made a motion to amend the resolution to state that the payment of the engineering cost is contingent of the sell and closing of the Dollar General property, Alderman Alexander seconded.

Mayor Lothers noted that there hasn't been anything done in the past 12 years. Alderman Alexander asked if it would hurt to wait a month. Mr. Tisano stated that he has waited for two years.

Mayor Lothers noted that with the survey that was performed residents would like walking from the recreation to retail. She added that it is the catalyst of the entire area.

The vote was taken on the amendment with Mayor Lothers, Aldermen Alexander and Thomas for and Aldermen Curtsinger and Dugger against. The vote was taken on the resolution as amended with Mayor Lothers, Aldermen Alexander and Thomas for and Aldermen Curtsinger and Dugger against.

Alderman Curtsinger said that Alderman Thomas had spoke of all the excited people. He asked how the Town was going to pay for a building if it cannot pay for a police car. Mayor Lothers stated that if Alderman Curtsinger had attended the TML bonding workshop prior to the meeting and the other members had, he would understand how the funding works. Mayor Lothers stated that she was going to stay on the agenda and that Alderman Curtsinger was out of order.

Other:

Tax Assessment District for sewer to the Historic Village – Alderman Alexander and Vice-Mayor Dugger

Mayor Lothers stated that the Town Attorney composed a resolution and submitted it today. She stated that she gave a copy of this resolution to Chairman Jay Nelson and noted that this would not be voted on tonight. Mayor Lothers then turned the discussion over to Aldermen Alexander and Dugger.

Alderman Alexander asked that Mr. Nelson bring the Board up to date on this project. He further noted that he and Alderman Dugger had recently begun attending the meetings and getting involved in this endeavor.

Mr. Nelson addressed the Board telling them this group appreciated them being so supportive. He stated that his Committee is on a time line. Mr. Nelson stated that the downtown area is dying and with the lack of sewer it is continuing to die. He stated that they wanted to come up with something fair and equitable without leaving anyone out. A Special Tax District has been discussed. He stated that this would assist in uniting and accomplishing this project.

Alderman Alexander interjected noting that in the discussions the Town would front the money and then there would be repayment. Mr. Nelson stated that the Town has initiated this project by providing a survey by Mr. Kirk Duclos. He stated that the creek must be crossed before the end of September. Mr. Nelson stated that Mr. Jim McCanless has signed the permit with TDEC to cross the creek. Mr. Nelson asked for property owners who have agreed to contribute to raise their hands.

Alderman Alexander asked Mr. Nelson for his opinion of the 41 property owners how many would participate. Mr. Nelson stated he felt 98% were in agreement. He stated that Mayor Lothers had met with Mr. Mike Morris of Metro Water and Sewer. Mr. Morris said that a pump and grind system could be used, but there are limitations as to what can be done with the property.

Alderman Alexander stated that when Mr. Nelson speaks of fair, that challenges the Town to come up with a formula that is fair for everyone. Mr. Nelson stated that is why it is critical that this plan gets approved.

Mr. Jim McCanless stated that he had met with the Corps of Engineers in regards to the permit yesterday. He stated that it will go to the State, then the Core of Engineers and on to the Fish and Wild Life Department. He noted that the State told him it normally takes about 20 days, although it could take up to 90 days, but that is unlikely. Mr. McCanless stated that he has spoken to a contractor that can complete the work in two weeks.

Alderman Curtsinger asked if was done by the end of September who would fund this project. Mr. McCanless stated that three people have agreed to put up \$5,000, although they would like to be reimbursed.

Mayor Lothers said that for clarification there was a joint meeting with TDEC, Fish and Wild Life and the Corps of Engineers. Each organization realizes the importance of this project. Mr. Tom Moon has agreed to participate as long as sewer is provided to Mr. Shuff.

Alderman Dugger noted that this is a project where the Town funds this project and the people who benefit from the project pay the Town back. Alderman Alexander stated that Alderman Dugger has come up with a formula for the people to reimburse the Town.

Alderman Dugger stated that he would like to call a special workshop. He noted that in order to meet all the state statutes the Town could not get it on the agenda tonight. He asked Counsel if the Town can reimburse these people. Counsel Notestine stated that one way would be through the bond fund. He stated that the statute is very complex. The Town must have a public hearing with seven days notice. Counsel stated that initially 51% of the property value owners must petition the Town and initiate this process for this to occur. Counsel Notestine noted that one problem is the latest assessed value. There is a green belt property and other properties have not been assessed recently. He added that the other thing is if the Town does the assessment it can only assess 75% and reimbursing people is still up in the air. The Town may not be able to reimburse. He stated that there could be a possible tax credit.

Mayor Lothers stated that her concern is the Town's role in choosing the Engineer and contractor. She noted that the Engineering may not have to go through the bid process, although the actual construction must be bid, which this could be the second part of the process.

Mr. Jay Nelson stated that he has had some resident's contact him and they would like to try and have the assessment before they put the money up.

Mr. Notestine stated that it appears in the statute it is the assessed value. He added that it seems like an unfair system, but it is in the statute. Counsel stated that it is based on the most recent assessment.

Mr. Nelson noted that some parcels are assessed so low, it is going to be unfair. He stated that he would support what the Board decides because this area needs the Town. He added that if the Town uses data that is inaccurate it is not being fair.

Alderman Thomas stated that he felt it was fair to say that everyone is excited that there is something on the table, but the Town must abide by the State statute. Counsel Notestine added that the law is very specific.

Mr. Darin Scheff spoke by thanking the Board for their work on this project. He stated that when the Committee talks about the tax assessment it is like the discussion tonight, some people like it and some people do not. Mr. Scheff stated that you can slice and dice this different ways. He noted that the tax numbers are a good example. One parcel may be ½ acre lot with \$6,500 assessed value and then another lot same acreage for \$1,100. Mr. Scheff stated that the Town needs this sewer and it will be absolutely amazing. Mr. Nelson stated that he just wants to make sure it is fair and everyone is protected. He added that if you have bad data going in you'll have bad data going out. He noted that raw land is assessed very low.

Alderman Alexander noted that within the 41 parcels there are a couple of churches. He noted that these properties are generally exempt from property taxes. Counsel Notestine stated that the statute states if the owners of 51% petition the Board and the Board approves it, it will be assessed. Alderman Alexander stated that fair is what this Board will attempt to do, although it may be limited due to State law. Counsel Notestine stated that this has not been done in a Town where a city extended the sewer and does not own the sewer system. He stated that it can be done, but to his knowledge it has not. Mr. Keith McCord stated that he lived in Grassland and the sewer is not owned by the county. Mayor Lothers stated that hopefully the statute will be allow us to be creative.

Mr. Darin Scheff asked what it would take to get a current assessment. Counsel Notestine stated that he was not sure. Mayor Lothers noted that the Town is in a very unique position due to the Town not owning the sewer. She asked Counsel how long it would take to get the attachments for the resolution. Counsel Notestine read what attachments would be needed.

Mr. Nelson again went over the various tracks of land and the difference in the assessments. He reiterated the “fairness” in the cost.

Alderman Thomas stated that his concern is being fair, but what if the Boards hands are tied. Mr. Nelson stated that Counsel would have to make that determination. Alderman Thomas stated that the Board needs to hear from the property owners if it cannot do it any other way. The Board needs to know what they want this Board to do if that is all we the Town do.

Counsel Notestine stated that it was his opinion that it must be the latest assessments. Mayor Lothers stated that the first step is to have a petition with 51% of the property value owners.

Alderman Curtsinger asked if the Town can assess tax on a piece of property that cannot be used for anything. Counsel Notestine stated that it is not based on use.

There was discussion of a date for a meeting. It was agreed that on Monday, August 11th, at 7:00 p.m. at the school and a possible August 25th, special meeting. Alderman Dugger stated for clarification there must be a petition that these following property owners are requesting a special tax to be imposed for sewer improvements. Once this is done the Town can move forward.

Mayor Lothers noted that staff may need more to time to compile the attachments. She stated that she had a concern of the allotted time to complete this data. After discussion it was noted that the Special Meeting date may change.

The meeting adjourned at 10:09 p.m. by acclamation.

Respectfully submitted,

Cindy Lancaster
Town Recorder

Approved,

Beth Lothers
Mayor