

**NASHVILLE TOWN COUNCIL MEETING
MONDAY, MARCH 9, 2009**

ATTENDANCE – Council members present – President Roger Kelso, Vice-President Robert Kirlin, Councilmember Charles B. King and Councilmember Arthur Omberg. Council members not present – Councilmember Dale Cassiday. Also in attendance –Town Superintendent Roger Bush, Chief Administrator Phyllis Carr, Town Attorney James Roberts and Clerk-Treasurer Brenda Young.

PUBLIC HEARING

1) CALL TO ORDER by President Kelso at 6:30pm.

2) RESOLUTION – DESIGNATION OF FUNDS

President Kelso commented this item needs to be tabled as they did not receive a letter of commitment from Rural Development.

3) PUBLIC HEARING FOR COFFEY HILL AND ORCHARD HILL AREAS

President Kelso turned this portion of the meeting over to Lisa Westenberger of Administrative Resources (ARa). Ms. Westenberger explained the Public Hearing is a requirement for funding through the Office of Community and Rural Affairs. The Town is applying for \$600,000 of funds for this project. She referred to Tony Akles of Strand Engineers to explain the project details.

Ms. Westenberger reported the Town will be applying to OCRA as soon as they get funding from Rural Development. The Town may also apply for some of the stimulus money through several different avenues. She asked that those in attendance sign the signature sheet to show people attended the Public Hearing and this will help with the application. Ms. Westenberger also asked if anyone has not yet signed a letter of support to please do so as this portion is critical in getting funding for the project.

Ms. Westenberger explained they had hoped to apply for funding through OCRA this Friday; however, they had to have local commitment from Rural Development in order to apply. The Town met last week with Rural Development and they do not have their funding allocated yet so they could not get a commitment of funds for the sewer expansion project. As a result, they are not able to go in for funding this round but there is a chance that Disaster Recovery Money may become available and they could tap into that sooner. Ms. Westenberger commented the worst case scenario they are six months out and best case just a couple of months delayed.

Ms. Westenberger explained OCRA wants to make sure the community is in support of this project and that is why they are asking for letters of support. OCRA really looks at the letters of support to see the need and why this project is critical for this community.

A resident asked about the Acquisition Waiver. Ms. Westenberger reported in order for the Town to secure an easement to put in the lines, the federal requirement is that they have to follow the Uniform Relocation Act.

Town Attorney Roberts asked for Ms. Westenberger to explain what OCRA is and what type of an organization it is and its relationship to Rural Development. Ms. Westenberger explained the Office of Community and Rural Affairs is under the Lieutenant Governor's office. What happens is that HUD funnels money through the State through the Office of Community and Rural Affairs and when the money is distributed to communities throughout the state, such as Nashville, to help with infrastructure

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projects, community centers or public works projects. This is an extremely competitive funding source and that is why it is essential to have lots of support for the project to be more likely to obtain these funds.

Ms. Westenberger noted that Rural Development is another funding agency that has separate funds and provides low interest loans that the Town of Nashville is trying to go after. They also have some grant funding as well.

Clerk-Treasurer Young commented that when they did a sewer project in 1987 they received from Farmer's Home (now called Rural Development) a grant not just a loan. If they go through this round right now, there are not any grant funds available that they can allocate now, but hopefully with the stimulus package they will have some grant funds. If they can secure grant funds it will be a big savings.

Clerk-Treasurer Young noted at their meeting last week with Rural Development they gave them brochures on grants and loans for those needing help with making home repairs, hooking up to public sewers and other updates. Those interested in obtaining brochures or attending a meeting with this arm of Rural Development should let Chief Administrator Carr know and she will pass on the information. Vice-President Kirlin noted those grants and loans are based on income level. Clerk-Treasurer Young added if it is a loan it is at a 1% interest rate.

Tony Akles of Strand Engineers explained the Town of Nashville hired his company about eight months ago to perform a preliminary engineering report (PER). There is a copy of this report at the library if anyone would like to review it. They looked at Orchard and Coffey Hill areas and advised as to what it would take to provide sewer service to these areas. Mr. Akles noted they looked at three different options to bring sewer service. One was a gravity system and they dismissed that option due to the hills and hollers of the area. The second option was a grinder pump system where everyone would have a pump at their home and then the wastewater would be pumped into a force main. The third option is called a septic tank effluent pump system. This is similar to the grinder pump except the home owner will still have a septic in front of it which would collect the solids and then it would go to a pump then onto the force main. Mr. Akles explained that after looking at the costs, pluses and minuses of each system Strand Engineers recommended to go with the septic tank effluent pump system. As part of the project they looked at including new septic tanks and a septic tank effluent pump for each home owner.

Mr. Akles explained there are some additional improvements that would also need to occur, one being the Washington Street lift station pumps would need to be upsized to increase the pumping capacity. They would also need to do some improvements at the wastewater treatment plant to treat the additional wastewater. Mr. Akles advised they followed the Rural Development Guidelines knowing the town was looking into going through the Rural Development grant way.

The Town has agreed to maintain the septic tanks and pump station for each homeowner but they will need an easement in order to do this. Mr. Akles explained that according to the number of people in the home the Town will come out and pump out the homeowner's septic tank and if the pumps go down they will repair or replace as needed. The reason the Town is going this route is that it is better for the system that everyone has the same general type pump. The homeowner will incur some costs because they would have to run electrical to the pump, there would also be tap on fees associated with connecting with the Town's system. The homeowner would also have ongoing costs of electrical to the pump which they have estimated to be \$25-\$40 per year.

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A resident asked if they were signing an easement or donating part of their land to the Town. Mr. Akles explained they are looking for an easement in order for the Town to maintain the line. Councilmember Omberg commented that it would be the same as for the power company.

Town Attorney Roberts reviewed the letter that was sent out to the homeowners and noted in the first paragraph it was written that the homeowner desires to donate to the town of our utility easement. The wording is not correct. Town Attorney Roberts explained you cannot take property from an individual or corporation without just compensation under due process of law. There is a procedure called eminent domain that must be followed and the homeowner would be entitled to fair compensation. They are asking for the homeowner to waive their right to compensation and allow the Town to have access to the area in order to maintain the line. Mr. Akles noted they would work with each individual homeowner to design where the sewer lines would be installed.

One resident commented that he is fine the way he is and asked if he had the option of not hooking up to the sewer system. Town Superintendent Bush advised that if the line runs within 300 feet of the home the County has an ordinance that would require them to hook on to the sewer. The Health Department is the enforcement agent of that ordinance. Another resident asked what would happen if no one down the lane wants to be hooked onto the sewer. President Kelso advised the Council's stand is that if nobody wants it then they will not go down the lane. However, the County Health Department may take a different view on this issue and that is completely apart of any action that the Town is doing. The Town is only doing this as a response to the County Health Department's request to make sewer available to these areas. President Kelso also noted this is the cheapest way and time to hook on if they are ever going to hook onto the sewer line.

A resident asked what they are offering the residents of these areas for becoming annexed into the Town. Councilmember King noted once they are annexed their road will be maintained by the Town with snow removal and road repair as well as they will maintain the sewer lines and septic. He further explained it would be cheaper for the homeowner to hook on in this project rather than waiting to do it on their own years later. Council commented if those on Blueberry Drive don't want to be a part of the sewer expansion they will not include them.

General discussion on the sewer expansion.

Mr. Akles commented that the rates will depend on the type of funding and how many grants they get. The fees could run anywhere from \$63 to \$129 a month depending on how the cost is spread out. President Kelso believes the first three to five years they hope to take the extra taxes that are collected for the Town will be used to defray the costs as well. They would like to bring the costs down as low as possible. Mr. Akles noted the hook-on fees could cost \$1,300 to \$5,000 depending on how many grants they can get.

Vice-President Kirlin commented the most important thing both areas of town should be aware of is that the Town has met with the financing people earlier this week and were advised that they cannot apply for the loan until they have one hundred percent of the easements.

One resident asked for a repeat clarification on the cost to each homeowner. President Kelso commented the most clarification they can give right now is what the current rates are. They have not done a rate study yet. The resident asked for some idea. President Kelso advised the engineers have estimated the high end to be \$129 a month and the low end of \$63 a month for sewer. He noted this could change. The hook-on fee will be approximately \$1,500 and the electricity to run the pump will


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be approximately \$40 per year. Town Superintendent Bush commented the homeowner would also have to pay for the initial installation of the electric line from the house to the pump. Discussion.

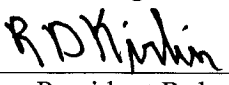
ADJOURNMENT

With no further questions from the audience the meeting was adjourned by President Kelso at 7:33pm.

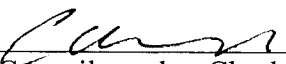
The audio recording made at the Town Council meeting on 3-09-09 is retained in the office of the Town Clerk-Treasurer.


Clerk-Treasurer Brenda Young


President Roger Kelso


Vice-President Robert Kirlin

Councilmember R. Dale Cassiday


Councilmember Charles B. King

Councilmember Arthur Omberg