

## **NASHVILLE TOWN COUNCIL MEETING WEDNESDAY, AUGUST 26, 2009**

**ATTENDANCE** – Council members present – President Roger Kelso, Vice-President Robert Kirlin and Councilmember Charles B. King. Council members not present – Councilmember Dale Cassiday and Councilmember Arthur Omberg. Also in attendance –Town Superintendent Roger Bush, Chief Administrator Phyllis Carr, Town Attorney James Roberts, Deputy Clerk-Treasurer Debbie Ferry and Tony Akles of Strand Engineers.

### **MEETING**

**1) CALL TO ORDER** by President Kirlin at 3:07pm.

### **2) SEWER EXPANSION PROJECT**

President Kelso explained this special session of the Town Council had to do with agreements in regards to the sewer expansion project.

- **Legal Services Agreement**

Town Attorney Roberts reported he spoke with Kim Blanchet of Barnes and Thornburg; this is the company doing the bond counsel. She explained to Town Attorney Roberts why the separate contract for his services was necessary. He proposed an agreement to a cap and suggested a cap and depending on the work that is actually done he would determine a flat fee or an hourly calculation they agree upon. Ms. Blanchet suggested he put a cap on the agreement at \$12,000 and he can't imagine he would run up that much expense. Discussion. Vice-President Kirlin asked what hourly rate Town Attorney Roberts would be based on. Town Attorney Roberts explained he will be using his standard hourly rate is \$175 per hour for the contract his contract with the Town is \$100 per hour.

Vice-President Kirlin made a motion that the Town of Nashville hire Mr. Jim Roberts for legal service on the sewer expansion not to exceed \$12,000. Councilmember King seconded the motion. All were unanimously in favor of the motion.

Town Superintendent Bush presented grant documents regarding the storm water sewer project that Town Attorney Roberts had reviewed. He asked President Kelso and Town Attorney Roberts to sign the grant paperwork at this time.

- **Legal Services Agreement**

Tony Akles of Strand Engineers reported OCRA may give out \$250,000,000 in grant money next year. It will probably be in the disaster relief pot of money for grants. Mr. Akles handed out copies of the engineering agreement to the Council and reviewed the agreement with the Council. One change in the agreement from the last draft was to take out the requirement of payment being due in thirty days and changed that to payment is due within sixty days of receipt. President Kelso asked if the other changes could be faxed or e-mailed to the Town so they can process the agreement quicker. Mr. Akles noted if the Town gives Strand the notice to proceed, they have 90 days to complete the design. President Kelso agreed they need to be as aggressive as they can.

Mr. Akles presented the standard form that Rural Development uses for the scope of services. President Kelso clarified the project parameters from Strand: they will do a collection system for Coffey Hill and Orchard Hill areas, this will be a step system and they will complete improvements to the waste water treatment plant and the Washington Street lift station. President Kelso asked if there

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was any consideration of backup power to the treatment plant. Mr. Akles answered yes; this information was in the report. As for back-up for the lift stations, Mr. Akles advised he did not change the scope but he can add that as well.

President Kelso asked if Mr. Akles believed they were not going to have any issues with the Brown County Inn lift station. Mr. Akles reported the work they are doing should not affect that pump system as they are not tying into it. His understanding is that this will be addressed when the work is done with the Blue Elk Development. Council explained the Brown County Inn station and the station at Parkview Road both need work done to them. Discussion.

Mr. Akles advised he will include a sentence in the scope saying backup power will be provided at the treatment plant and lift stations. President Kelso added the transfers needed to be added at Washington Street and Brown County Inn, but Brown County Inn was not in the preliminary engineering report, if Rural Development will allow them to amend the PER. Mr. Akles advised he can talk to Mr. Strahl with Rural Development and they could throw this into design as an alternative bid. Discussion.

President Kelso asked what construction costs are projected to be. Mr. Akles advised the construction costs are \$3.3 million and Strand Engineers engineering fee is 8.96%. Discussion. President Kelso commented for the fee they would like design work included for both those pump stations and transfer switches on all three. They will also need a permanent generator at the treatment plant as well as a couple of wheeled ones.

Vice-President Kirlin made a motion to accept the contract as presented with additional changes, updating and correcting pages and providing a clean copy. Councilmember King seconded the motion. All were unanimously in favor. Mr. Akles will provide four originals for signatures.

Vice-President Kirlin advised he has called some banks for stop gap financing. He explained Rural Development will not guarantee the loan but one bank he spoke with has no problem with doing a line of credit. This would be an additional line of credit and when they receive the loan from Rural Development they can pay off the line of credit. Vice-President Kirlin added they should still advertise for bids for the loan. President Kelso instructed Town Superintendent Bush to find out why they need to do to advertise and get it advertised. Vice-President Kirlin advised the bank would need a letter of commitment from Rural Development. Mr. Akles reported this should be coming in the next couple of weeks.

Chief Administrator Carr spoke about the termite damage in the meeting room. The Council had previously given permission to use up to \$2,000 to treat the termites. She has quotes but asked if they needed to be opened in a public meeting. Vice-President Kirlin advised yes they did and asked that this be a part of the next meeting on September 3, 2009.

Councilmember King spoke about the amplification system and explained Town Superintendent Bush has worked on the system, but only part of it is working, but it is not reliable. Town Superintendent Bush has done some research and there are two ways to fix the issue. Councilmember King made a motion to spend up to \$1,000 to upgrade the amplification system in the building. President Kelso asked who would be doing the work. Town Superintendent Bush confirmed he would do the installation. Vice-President Kirlin seconded the motion. All were unanimously in favor.

Vice-President Kirlin asked if anyone knew anything about a half million dollars that is on the RFQ request for proposal on Nashville, like a Main Street project. Town Superintendent Bush advised this is

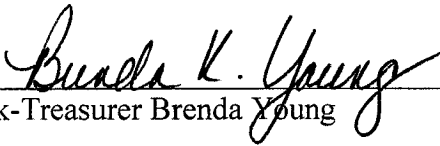
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the \$500,000 ARA is applying for and they have to select an engineer before they can submit the application. This will be added to the next Council meeting on September 3, 2009. Discussion. President Kelso asked Town Superintendent Bush to provide by the next regular Council meeting, a table showing what has been awarded, what might be awarded, what they are pursuing and what these grants are all for. Vice-President Kirlin noted the County has a spreadsheet and Town Superintendent Bush could follow that spreadsheet.

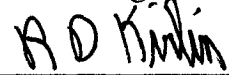
**ADJOURNMENT**

With nothing further to discuss the meeting was adjourned by President Kelso at 3:57pm.

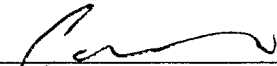
*The audio recording made at the Town Council meeting on 8-26-09 is retained in the office of the Town Clerk-Treasurer.*

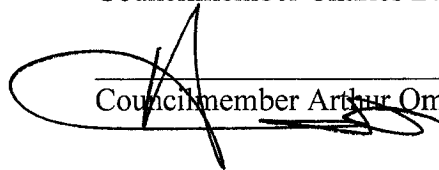
  
Clerk-Treasurer Brenda Young

  
President Roger Kelso

  
Vice-President Robert Kirlin

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Councilmember R. Dale Cassiday

  
Councilmember Charles B. King

  
Councilmember Arthur Omberg