

## **NASHVILLE TOWN COUNCIL MEETING WEDNESDAY, JANUARY 7, 2009**

**ATTENDANCE** – Council members present -- President Roger Kelso (arrived at 7:00pm), Vice-President Robert Kirlin, Councilmember Dale Cassiday (arrived at 6:42pm), Councilmember Charles B. King and Councilmember Arthur Omberg. Also in attendance – Town Superintendent Roger Bush, Chief Administrator Phyllis Carr and Clerk-Treasurer Brenda Young.

### **PUBLIC HEARING**

1) **CALL TO ORDER** by Vice-President Kirlin at 6:37pm.

#### **2) PUBLIC HEARING FOR BLUE ELK CROSSING**

##### **STATE ROAD 46 EAST, PHASE I & PHASE 2 ANNEXATION**

Vice-President Kirlin asked Town Attorney Roberts if he had time to review all the paperwork. Town Attorney Roberts advised that he had reviewed the final drafts of the ordinances and he did not see any problems with the paperwork. He has spoken with Town Superintendent Bush regarding the fiscal plan and has reviewed the timing and notice requirements. Town Attorney Roberts explained he does not see any reason why they cannot proceed with the public hearing.

Councilmember Omberg asked what are the governmental services of non-capital nature as referenced in Ordinance 2009-02 section two. Town Attorney Roberts explained capital services would be the building of roads and bridges, capital improvements. Some examples of non-capital services are utilities and police protection. Vice-President Kirlin believes that this is a state mandate to offer these services to them as they would offer residents in their community. Town Attorney Roberts noted this is right out of the state statutes. Steve Alexander elaborated that other non-capital services that other communities may provide that the Town of Nashville may not provide so much of are social services such as township assessors, indigent relief, food stamps, etcetera.

Discussion of corrections to the documents presented. According to Mr. Alexander the land parcel documents will be changed to read 2009 rather than 2008.

Councilmember Omberg asked that in the future he would like this type of information sent to the Council twenty-four to forty-eight hours in advance of a meeting so they will have time to review the documents and make changes if necessary.

Vice-President Kirlin asked if there were any further comments from Council. No comments. Vice-President Kirlin asked if there were any public comments regarding this annexation. No comments. A list of those present for the public hearing is attached to these minutes. Town Attorney Roberts explained they could have a public first reading of the ordinance and they cannot act on it any sooner than 30 days from the public hearing, but must act on it before 60 days from the public hearing.

Councilmember Cassiday made a motion to have the first reading of Ordinance 2009-01 by title only. Councilmember Omberg seconded the motion. All were unanimously in favor. Vice-President Kirlin read Ordinance 2009-01 by title only. Vice-President Kirlin noted this annexed area would be in District number three.

Councilmember King made a motion to have the first reading of Ordinance 2009-02 by title only. Councilmember Cassiday seconded the motion. All were unanimously in favor. Vice-President Kirlin read Ordinance 2009-02 by title only.

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Clerk-Treasurer Young advised that the development summary for this project needs to be scored and signed. Mr. Alexander explained that this paperwork will help him to apply for tax credits. Councilmember Cassiday made a motion to have President Kelso review, score and sign the document this evening. Councilmember King seconded the motion. All were unanimously in favor.

**3) REALAMERICA DEVELOPMENT, LLC – TODD JENSEN**

Chief Administrator Carr noted that there are water and sewer availability forms for RealAmerica that need to be signed as well. Town Superintendent Bush has completed his portion of the paperwork, but due to the size of the project they also need Council's signature. Vice-President Kirlin clarified that RealAmerica is asking for sixty-five connections. Discussion.

Councilmember Cassiday made a motion to sign off on this approval. Vice-President Kirlin seconded the motion. All were unanimously in favor. Clerk-Treasurer Young presented the scoring sheet for RealAmerica to be completed as well.

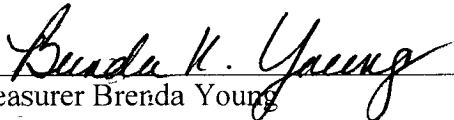
Councilmember Cassiday made a motion for President Kelso to score and sign the RealAmerica paperwork. Councilmember King seconded the motion. All were unanimously in favor.


Vice-President Kirlin asked to have a discussion regarding time frames for paperwork at the next Council meeting. Town Attorney Roberts commented that the Council adopted some rules of procedure several years ago.

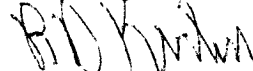
**ADJOURNMENT**

The meeting was adjourned by President Kelso at 7:05pm.

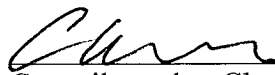
*The audio recording made at the Town Council meeting on 1-07-09 is retained in the office of the Town Clerk-Treasurer.*

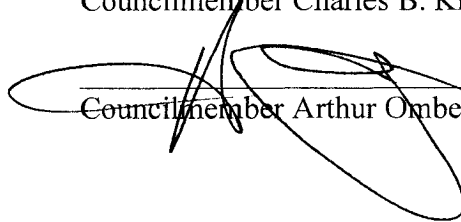
  
Clerk-Treasurer Brenda Young

  
President Roger Kelso

  
Vice-President Robert Kirlin

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Councilmember R. Dale Cassiday

  
Councilmember Charles B. King

  
Councilmember Arthur Omberg