

CITY OF EDEN, N. C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, March 15, 2005 at 7:30 p.m. in the Council Chambers, 308 E. Stadium Drive. Those present for the meeting were as follows:

Mayor:	Philip K. Price
Mayor Pro Tem:	Christine H. Myott
Council Members:	Donna Turner
	Billy Vestal
	Jerry Epps
	C.H. Gover, Sr.
	Bruce Nooe
	Wayne Tuggle, Sr.
City Manager:	Brad Corcoran
City Clerk:	Kim J. Scott
Deputy City Clerk:	Sheralene Thompson
City Attorney:	Tom Medlin
Representatives from Departments:	
Representatives from News Media:	Lisa Doss, <u>Eden's Own Journal</u> , Brian Ewing, <u>Eden Daily News</u> , Mike Moore, WCBX Radio

MEETING CONVENED:

Mayor Price called the regular meeting of the Eden City Council to order and welcomed those in attendance. He explained that the Council meets the third Tuesday of each month at 7:30 p.m. and works from a prepared agenda; however, time would be set aside for business not on the printed agenda.

INVOCATION:

Pastor Dewey Griffith, Osborne Baptist Church, was present to give the invocation.

PROCLAMATION:

Mayor Price read the following proclamation in recognition of Arbor Day.

ARBOR DAY PROCLAMATION

Whereas: In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

Whereas: this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

Whereas: Arbor Day is now observed throughout the nation and the world, and

Whereas: trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life giving oxygen, and provide habitat for wildlife, and

Whereas: trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and beautify our community, and

Whereas: trees in our city increase property values, enhance the economic vitality of business area, and beautify our community, and

Whereas: trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, I, Philip K. Price, Mayor of the City of Eden, do hereby proclaim March 18, 2005 as

ARBOR DAY

In the City of Eden, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

Further, I urge all citizens to plant trees to gladden the heart and promote the well being of this and future generations.

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Dated this 15th day of March, 2005.

By: s/Philip K. Price
Philip K. Price, Mayor
City of Eden

ATTEST:
s/Kim J. Scott
Kim J. Scott

ADDITIONS OR DELETIONS TO MINUTES:

Mayor Price noted that Mr. Asbury had asked that Item 7 (a) Consideration of award of Construction Contract – Meadow Greens, Covenant Branch and Dan River Wastewater Collection Subsystem Sanitary Improvements Contract I – (Sewer Improvements On and Adjacent to Pierce Street) be deleted in view of the fact that they do not have enough information to adequately make a decision on this item.

A motion was made by Council Member Myott seconded by Council Member Gover to delete this item from the agenda. All Council Members voted in favor of this motion.

Mayor Price noted that there were two items that were included in the agenda package that should have been on the agenda. Both items were from Mr. Asbury. They are as follows under New Business:

8(e) Consideration of Carolina Heights Booster Pump Station – Cooperative Project with Dan River Water, Inc.

A motion was made by Council Member Myott and seconded by Council Member Gover to add items 8(e) as listed above to the agenda for consideration. All Council Members voted in favor of this motion.

8 (f) Consideration of Water System Interconnections.

A motion was made by Council Member Epps and seconded by Council Member Tuggle to add items 8(f) as listed above to the agenda for consideration. All Council Members voted in favor of this motion.

As there were other additions or deletions, the agenda was set.

PUBLIC HEARINGS:

(a) Consideration of an ordinance annexing property at 572 New Street pursuant to a request submitted by Hollingsworth. G.P.

At the regular meeting in March, the Council scheduled this public hearing to hear comments regarding an annexation of property requested by Hollingsworth, G.P. The request was to annex property located at 572 New Street.

Mayor Price called for a public hearing and asked Mrs. Kelly Stultz, Director of Planning & Inspections to come forward with a report.

Mrs. Stultz explained that this item is a voluntary annexation petition that they received from Hollingsworth, GP and it is for the property to be occupied by MGM, formerly occupied by the Pillowtex decorative bedding plant, and tonight is the public hearing.

Mayor Price asked if there were requests for information from Mrs. Stultz. He noted that the Council had the information, it was entirely correct, it had been looked at.

Mayor Price noted that no one signed up to speak; therefore, he declared the public hearing closed and ask the Council for their consideration.

A motion was made by Council Member Epps seconded by Council Member Gover for approval. All Council Members voted in favor of this motion. The motion carried.

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A motion was made by Council Member Tuggle seconded by Council Member Epps to adopt the ordinance to extend the corporate limits of the City of Eden. All Council Members voted in favor of this motion. The motion carried.

MONTHLY FINANCIAL REPORT:

Mayor Price noted that Ms. Bowers had done a wonderful job going through this and again it pointed out the percentages that they should have. He asked if the insurance had passed through as there was a substantial amount of insurance costs that have not been allocated to the departments yet, but they will be doing that within a reasonable period of time, but the total amount of money was there.

A motion was made by Council Member Tuggle seconded by Council Member Gover to accept the financial statement. All Council Members voted in favor of this motion. The motion carried.

REQUESTS AND PETITIONS OF CITIZENS:

As no one signed up to address the Council, Mayor Price continued with the next order of business.

UNFINISHED BUSINESS:

(a) Consideration of award of Construction Contract – Meadow Greens, Covenant Branch and Dan River Wastewater Collection Subsystem Sanitary Improvements Contract I – (Sewer Improvements On and Adjacent to Pierce Street).

The memorandum explained that WK Dickson would be receiving sealed informal bids for the above referenced project at their Raleigh Office until 2:00 p.m. Thursday, March 10.

This item was pulled from the agenda.

NEW BUSINESS:

(a) Consideration of traffic study request of parking on Haizlip Street.

On January 13, 2005, Sgt. Sam Shelton received a traffic study request in reference to parking on Haizlip Street. A survey of reported traffic accidents from the last four years shows that there have been no accidents on Haizlip Street or Chatham Court. During the month of February, a visual survey was conducted with officers from all four squads observing parking at this location several times each day and night. All officers report that they did not observe any parking problems at this location.

Haizlip Street is a narrow, one-way street with a low shoulder. For this reason, most any vehicle found parked in the roadway would be in violation of City Ordinance 9-101, Section (J) and could be cited for violation of this section. There are two residences on Haizlip Street and both of them have driveways.

Haizlip Street intersects with Chatham Court. Turning right on to Chatham Court leads to a dead-end. Turning left on to Chatham Court leads to Aiken Road. "No Parking" signs already exist on Chatham Court. The Police Department's recommendation would be to leave Haizlip Street as it is and to increase enforcement of existing ordinances.

Council Member Vestal stated he thought that Sgt. Shelton made several trips over there and that he did an outstanding job on the study. He added that he thought that this had been explained to the ladies on the street and that they were satisfied.

A motion was made by Council Member Vestal seconded by Council Member Gover to accept the report of the police department. All Council Members voted in favor of this motion. The motion carried.

(b) Consideration of traffic study request of school zone at Monument of Faith Church and adoption of ordinance.

The memorandum to Council explained that on January 13, 2005, Sgt. Shelton received a request in reference to placing school zone signs on Henry Street at Monument of Faith Church.

Sgt. Shelton indicated he had spoken with Carol Robertson, Pastor of the church. The church is starting a day care center and it will be located in the main building. The church will be building a playground and fellowship building

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across the street from the main building of the church on property owned by the church. The church requests a school crossing zone in order to increase safety of the students.

The Street Superintendent and Sgt. Shelton met at the church and agreed that a school crossing would be feasible and beneficial. The Police Department recommended placing signs and a crosswalk.

Mayor Price noted that this was for the area of Monument of Faith church and as they could see the proposed area is going to be across the street from the church. They would like to have an area according to the map on to that property, the proposed site of the school.

Council Member Myott stated that Officer Shelton did a great job and that everybody was satisfied.

A motion was made by Council Member Myott seconded by Council Member Epps to approve this request. All Council Members voted in favor of this motion. The motion carried.

A motion was made by Council Member Myott seconded by Council Member Epps to approve the ordinance for the cross walk and signs. All Council Members voted in favor of this motion. The motion carried.

c. Consideration of proposed dedication of E. Harris Place – Linden Drive to Southwood Drive ext.

The memorandum explained that Osborne Investments, LLC, has requested dedication of the water main, sanitary sewer system, (including pump station), and street construction for E. Harris Place from its intersection at Linden Drive to the intersection with the extension of Southwood Drive. This request is being made at this time in order for the developer to meet requirements set forth by Wal-Mart Stores, Inc.

Mayor Price called on Mr. Bev O'Dell for comments to answer any questions.

Mr. O'Dell stated that this was a similar situation to what they had on East Arbor Lane where about a year or so ago they asked for a dedication of that road prior to it actually being finished. He noted that it was pretty much the same thing on East Harris from Linden to Southwood. Mr. Pete Osborne, the developer, was trying to make some deadlines for Wal-Mart where they need a letter from the city stating that the city will accept maintenance of the road dedication and maintenance of the road. He added that they have been working pretty diligently today and they put down just about all the binder from Linden to Southwood. There was still a section from Hwy 14 down to Linden where they were widening the road, they need to put the binder there. But as far as the check list of items, they have done a pretty good job. There was still things that need to be done with the pump station that was not ready yet, but as far as the water lines, sewer lines, and the street per say, they have done a pretty good job on that. There was some soft spots on the sub base, they have gone out and repaired that a couple of times and today before they put the binder down, Mr. Kevin London was out checking it again to make sure they took out some soft spots and put in additional binder so they were doing a pretty good job there. They were also cameraing the sanitary sewer, although Mr. O'Dell added that he had not heard a report on that. Mr. Osborne was planning to bond, and set aside the money that would cover the repairs or the improvements that have not been done yet. Mr. O'Dell stated if they had not made the cut off yesterday, he would have been bonding about an additional \$30,000.00 over what he would today because of just what they have done. He explained that was going to be changing as the days go by; there was also a plat that has to be approved and they would be working with Ms. Stultz and whenever the plats are ready, that will be the cutoff for whatever bond amount, and then he would submit that to Ms. Amos unless the Council had some objections to that.

Mayor Price asked about the maintenance guarantee to which Council Member Nooe mentioned that it says the guarantee starts 1 year after actual acceptance. He asked when was actual acceptance.

Mr. O'Dell stated that was the same question he had on East Arbor. Basically that will be whenever the plat is approved. He noted that he has submitted the approved bond amount, whether that be two weeks from now or a month, whatever. Mr. O'Dell stated that he was on some sort of timetable for Wal-Mart and that would be in a couple weeks, if not sooner.

Council Member Tuggle noted that he had probably been down there ten (10) different times and been over and talked to people. He stated that it seemed to him that the longer they wait before

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the final pavement with all those big heavy trucks going in and out, that they were better off to have a solid sub base before the final paving was done. He asked if he was correct in saying that; whereas if it were paved now and the city agreed to it, it would be one year from the agreement time, and then if something happened after that year, the city would be responsible for it. So the longer he waits to pave it and leave it as it is or either try to correct those errors, the better it is for the city. Council Member Tuggle asked if he was correct in saying that.

Mr. O'Dell replied that there was a couple ways to look at that, but in general, yes. One problem they sort of anticipated over on East Arbor and what he was going to try to avoid on East Harris is blocking off the road to try to keep everything over on Arbor.

Council Member Tuggle replied that was what he was saying, it was better to wait and make sure all of those heavy trucks have covered all that area before the final paving is done with all that construction stuff going in and out; so it was better to wait than to do it now and that starts the 1 year maintenance agreement and after that year. Actually, the longer it takes to make the agreement, the better off they will be. Council Member Tuggle asked if that was correct.

Mr. O'Dell replied yes, and in a way they could almost have two different maintenance agreements. One for the binder and then if it was, as in the case of Arbor Lane, a long time before he puts the topping on, it would almost start all over again.

Mr. O'Dell added that he had also submitted a letter indicating what they plan to do for Arbor Lane where the trucks have done some damage there, and there was a paving expert with APAC who submitted a plan to put down some BST treatment and then put down the final.

Council Member Tuggle asked if that was just like tar and gravel to which Mr. O'Dell replied pretty much, it will give it a little more strength and improve those sections and Mr. Kevin London has also made notes. They know where the bad spots are that would need to be dug out and if they were to put the BST treatment down over on Arbor and didn't take out those spots, they would probably require core drilling to make sure that the strength of the sub grade...

Council Member Tuggle added that would just strengthen what they already have there.

Mr. O'Dell replied yes, but neither of the roads will be built up to the standards of Meadow Road or anything like that.

Council Member Tuggle asked how much of the bonded list has been completed. He added that he noticed in some minutes that Mr. Osborne said he was going to try to have close to 90% of this done before the agreement was signed.

Mr. O'Dell replied probably two thirds, maybe a little bit more. Most of the items were very minor. The biggest was going to be the I-2 and some curbing, gutter, and striping, but there were several little things.

Council Member Gover stated they have a clause on pumping or soft places. He asked if there was a clause where before dedication, they look at that and make sure their clause was covered.

Mr. O'Dell replied they do that before they let them put any binder or any kind of asphalt down, but there still were cases where after the fact, they still have some problems.

Council Member Gover stated he knew that was Harris Place but he was also concerned about Arbor Lane when they start pouring the concrete with those trucks making those turns off of Arbor Lane on that pumping, so they need to really look at that as it was already broken up some.

Mr. O'Dell replied right as was what he mentioned about the BST treatment.

Mr. Medlin asked, as far as acceptance, if it was correct that, acceptance is effective when the improvements bond is in place and when the plat is ready for recording or recorded.

Mr. O'Dell replied that was his understanding.

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Mr. Medlin stated, so the bond is to cover any final improvements that have not been completed. And, acceptance doesn't become effective once those things are completed; it is once the bond covering them is in place. He stated he wasn't sure if that was being understood and wanted to make sure that was covered. And so it's his recommendation that this be approved on the condition that the improvement bond and the recordation of the plat are complete.

Mr. O'Dell replied, correct.

A motion was made by Council Member Tuggle seconded by Council Member Gover for approval of this proposed dedication under the circumstances that the attorney gave. All Council Members voted in favor of this motion. The motion carried.

d. Consideration of an ordinance amendment – Chapter Five (5), Article II, Sections 5-27(A), 5-29(B), (E), 5-30(A), (C).

Mayor Price called on Fire Chief Overby for comments.

Chief Overby stated that this was an ordinance change to bring the paperwork up to the way they were already operating. The way they were currently operating, they run citywide; the volunteers were Eden volunteer firemen. They had been doing that for over a year and this probably should have been changed before, but through his oversight, he was bringing it before the Council now, and asking that they change it as it reads in the newest version that he presented to the Council. Chief Overby added they were not doing away with any volunteers or anything, they were just changing the wording.

Mayor Price noted that he had spoken with Chief Overby today as he was not aware of this and had to get some background information to satisfy himself. The first thing he discovered was that the volunteers have been organizers of a city wide unit as they all had known for some time. Mayor Price explained that he was concerned that this particular thing had not been communicated to all of them (volunteers) directly and that Chief Overby planned to send a letter after the Council approved this (ordinance amendment).

Chief Overby replied that he was not telling anyone until it was approved (by Council).

Mayor Price stated he would have personally felt better if there had been some knowledge among the volunteers that this was the case. Mayor Price explained that Chief Overby was simply saying that he was putting in writing what his policy had been for some time.

Mr. Medlin stated that if Council approved Chief Overby's recommendations, it would require an ordinance that he would need to draft as it was not marked for drafting. He noted that he could prepare it for adoption at the next (regular) meeting.

A motion was made by Council Member Epps seconded by Council Member Turner for approval. All Council Members voted in favor of this motion. The motion carried. (It was noted that the ordinance would be on the next agenda).

8(e) Consideration of Carolina Heights Booster Pump Station – Cooperative Project with Dan River Water, Inc.

Mayor Price called on Mr. Dennis Asbury, Director of Public Utilities, for comments.

Mr. Asbury stated that the Dan River Water President Gary Stophel came to the Water and Sewer Committee meeting and made a presentation. In 2000, they hired Anderson Associates Engineers to design or at least do a preliminary report on putting in a pump station for their northern loop which goes all the way up to the Virginia line. He noted the Council may have seen the tank just off of NC87 and they want to be able to increase the pressure and the flow in that area and just like the lines in the Carolina Heights area, they do not have the pressure that they would like to have, and they propose that the city partner with them in the design, construction, operation and maintenance of a pump station to serve this area. This will be quite a lot like the one where they have a booster pump station up near John Street on Summit Road. for the Grand Oaks and then over in the Dunn Street area near the big green tank just off of N87 where a pressure zone was construction in 1990. He explained that as he and Council Member

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Myott were speaking earlier this evening, he told her that when someone moves into an area and it has the word "heights" in the neighborhood name, they need to turn on all the spigots before buying the house. And that was a common problem in those high elevation areas that were a long way away from the water filtration plant.

Mr. Asbury stated what they were asking for tonight and what Dan River was asking for was basically that the Council would agree in principle that they would like to pursue this. He explained that they did not have a budget, and they were not asking Council to commit to actually building this station, but the staff would like to proceed, and Mr. Asbury explained that when he said staff, he envisioned himself, Bev Odell, Terry Shelton the water plant superintendent, and Bill Harvey the C & D superintendent, being involved in discussions with Dan River and with Anderson & Associates to discuss the details of the project. Where would the pump station be located? Who would own the pump station? How would cost be divided and those kind of issues and, of course, they were not asking for the Council to give them authority to do any more than to have those discussions and then report back to the Council to seek funding and if the Council cares to proceed with pursuing the project through design and construction.

Mayor Price noted that Mr. Asbury was asking to request authorization for the City to begin discussions and carry forward to form some concrete budget and plan for Council to look at and approve.

A motion was made by Council Member Epps seconded by Council Member Nooe for approval of the request. All Council Members voted in favor of this motion. The motion carried.

8 (f) Consideration of Water System Interconnections.

Mr. Asbury stated that they may remember several years ago then he came before the Council and had the same motivation that Dan River had, the State was after them to make interconnections with other communities in Rockingham County. This became even more a matter of urgency for the State for the public water supply division after the drought of 2002 and certainly after the terrorist attacks of September 11, 2001. The concern was of being sure that they had some redundancy and some ability for communities to have their water systems interconnected, be able to pass water back and forth. Mr. Asbury stated in the past when he came to the Council, the idea was that the City was going to participate in the construction. What Dan River had presented to the Council was basically that they want the endorsement to be able to do this, to make the interconnection that the State was also asking them to make. Those interconnections may come about sooner, they may come about later, they may not even need to make the interconnection with Reidsville as there had been some discussion since Reidsville was already connected to the City of Greensboro, do they really need to be interconnected with Dan River. One of the issues that always comes up is inter basin transfer and several years ago he recalled that being much more of a hot button issue than it has been in recent years. The State has acknowledged that inter basin transfers of 2 million gallons or less did not really require any kind of permit. Of course, the agreement with Dan River was for about 50 million gallons a month, less than 2 million gallons a day. They were doing about a million gallons a day now. Mr. Asbury stated that he did not know if Mr. Medlin had any issues with the contract and the language in there that contains some prohibition against transferring into other basins, but he would leave that to him.

Mr. Medlin replied that just that it was in the contract would prohibit...; they would have to amend the contract. He asked if there were any Federal agencies or Federal rules that prohibit inter basin transfers because he had not had an opportunity to look into that and he did not know if they had.

Mr. Asbury replied that he did not know, but would check.

Mr. Medlin stated that approximately a year or so ago, he did a pretty thorough review of the history of the contracts between the City of Eden and Dan River and two things that stuck out in the history in his mind were: (1) that the City really wanted the authority to approve any expansions of the water system for Dan River Water since the City was supplying the water and wanted to know how it affected its supply and demand. And so that was incorporated into all the revisions that came later. (2) They put in there that they did not and would not allow them to

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connect to other water systems. It wasn't in the contract but he took from other correspondence they were concerned with the quality of water. If you had a contamination and got a back flow or contamination that would spread into this system. There were other fears that were there. But once again he thought the other reason was wanting to have control over the City's system. There was that history, it was in the contract and they need to be aware of it.

Mr. Asbury replied that it was very unlikely that the city would spend any money on this. This thing would happen as an outgrowth of just normal extension of water and sewer lines by Dan River. And Dan River would be making the interconnections with other communities. The Department of Environment & Natural Resources would be reviewing the plans and approving the engineering specifications so that they would know that they were built to spec.

Mayor Price asked if they were being asked tonight to say definitively yes, or yes they were interested in taking a closer look at this.

Mr. Asbury replied that was the question that Dan River had put to them, and certainly the Council could establish it's own time table in responding.

Mr. Medlin replied that he thought that Dan River wanted the Council to approve and allow them to make the interconnections. That was the way he read their request.

Mr. Asbury replied that he did not think that Dan River needed this information tomorrow if the Council would prefer to have more information or more discussion.

Mayor Price stated that it seemed to him that Mr. Medlin had brought up some very interesting things and this is a very important decision and certainly he felt like they probably want to have some more time to look at this.

Council Member Epps replied that they may want to table this until we get some more information.

A motion was made by Council Member Epps and seconded by Council Member Myott to table the request to take another look at it.

Mayor Price asked for discussion on the motion.

Mr. Medlin stated there was no discussion on a motion to table as it was not debatable.

Action on the motion was as follows: Voting in favor of the motion to table was Council Members Epps, Myott and Turner. Voting against motion to table were Council Members Tuggle, Gover, Nooe and Vestal. The motion failed.

Council Member Tuggle stated that the same thing happens a lot of times. They come in (to a meeting) and are asked to vote on something and they receive a piece of paper the night they were in there, and he just resented getting this without some information on it. He stated he would at least like to know what the appropriate committee knows about it, what they have had to say about it, and share the information with the rest of the Council.

Mayor Price stated that they could take it to the Committee but it has to be very well understood among every member on this Council.

Council Member Tuggle stated he was not talking about taking it to the committee; he would just like to know what they said.

Council Member Gover stated that they agreed to it in the Committee; that was why it came before them in the way it did.

Mayor Price stated he had asked for it to be on the Council agenda because this was a decision that had to be made among all Council Members. It is a very, very important decision for the City of Eden not only now but for many years to come. He stated that it seemed to him from his point of view that they need every thread of information that they could get. He stated that he

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would like to know the legal side and would certainly like to talk with some people who have been involved in this in other areas of the State to get their viewpoints on it.

Council Member Epps stated the only reason he did (motion to table) what he did was the Counsel telling them there were some things there that they should be cautious of and if that was true then he would like to know all the ins and outs of it. He explained that if there could be a contamination, he did not know if that was true or not as he did not know if Mr. Asbury could answer that or not.

Mayor Price stated that was a good question and he thought that question had to be resolved.

Mr. Asbury stated that there should be valves installed in those locations. Those were intended for emergency interconnections. They were not interconnections that are open all the time. Certainly it was possible to have water flow in two different directions in a pipe, and he was not sure it would be characterized as a contamination, he would not, but the issue was being pushed by the State and it was being pushed by DENR throughout the State so they should be able to talk with counterparts and other cities if they would like. Mr. Asbury stated that he thought it was a great idea as it had benefits not only for Dan River and the smaller communities they would be connecting with, but it also had benefit in the City. Case in point would be going back to 2002 to the drought. Remember it was a four year drought, 2002 was the culmination of it, and they had some periods of time where it was kind of iffy whether they were going to be able to get all the water out of the river they needed and, fortunately, they did get that, but in those kind of times, if they had those kind of interconnections one thing that might have alleviated some of the pressure on them would be able to call on Dan River to go to their other connections and take water from those areas so that they could reduce their demands on the City of Eden. And, of course, that is a two edged sword because they look to them for revenue and contracts, say that they are only going to get water from the City of Eden. So, it's not a real cut and dry issue. Mr. Asbury asked that they keep in mind that the thing that was driving this was the Public Water Supply Division of the Department of Environment and Natural Resources and a few years ago they were pushing them to do it. The Council met at that time and said they did not want any part of that and now they were pushing Dan River. He stated he thought it was a good idea and ultimately it will happen. And, if they can answer more questions, they will certainly be happy to do it. If the Council felt comfortable enough to go with it tonight, certainly he would recommend they do it. He added that he apologized for this item not being where it should have been (on agenda) as they had discussed that internally and, hopefully, they will have them (items) in the right place next time.

Mayor Price stated that as a resource to these people he was just talking about to provide information to this Council, were they the best resource that they could have in front of them to ask questions about how this was worked throughout the State?

Mr. Asbury asked if he was asking about the public water supply people to which Mayor Price replied, yes.

Mr. Asbury stated he would think that they would be the most knowledgeable and he was sure that if the Council would like that he could have them at a future meeting of the Council where you could question them directly.

Mayor Price stated that he knew that he would feel better to have someone to talk to and ask some of these questions.

Council Member Epps stated that he just felt like the attorney was not happy with the wording, and he wanted to make sure when they vote on this, they would have the right wording in the contract.

Council Member Turner stated that she would at least like to see the committee, the Water and Sewer Committee, meet with these people if they could not meet with the whole Council.

Mayor Price stated that he would personally like to see this Council meet with the people to make sure all the questions are ironed out. It certainly would be good as this was a very, very important issue.

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Council Member Gover stated that they met with them, Dan River Water met with them to which Mayor Price stated that he was talking about the State people.

Council Member Tuggle stated that it was said that this was going to be an inevitable thing to which Mr. Asbury replied he thought it would be because the State will keep pushing it and they will keep tying strings to it. It will happen eventually. It was kind of like the inter basin transfer they saw at Virginia Beach a few years ago. They could fight it for as long as they want to but the place that has the votes is going to get the water. And he thought that the people who have the money can tie strings to a lot of things and can push through their agenda. He stated that he thought that was something that is very likely to happen.

Council Member Tuggle replied it was nothing but a safe guard for the City in case we run short on water for whatever reason.

Mr. Asbury replied that it really was, and as they look at it as far as Council Member Epps' question about cross contamination, the connections are going to be, for instance there is already a connection down on Hwy 135 where they interconnect with Madison. It is closed, valve shut, and that was the distance they were talking. He stated he did not think they would see a lot of water with the volumes that they pump out verses the volumes coming out of the smaller towns. A lot of water coming back into Eden from across the County.

Council Member Tuggle asked Mr. Asbury if this could also lead to a revenue increase in certain times, could it not to which Mr. Asbury replied, it could or decrease.

Council Member Vestal stated that we need the water but we were water rich here most of the time so it could be more possibility of an increase than a decrease.

Mr. Asbury replied that he would hope so, yes.

Council Member Epps asked if there was a way the Council could commit to the concept and not sign a contract right now?

Mayor Price stated he was sure they could agree to do that, but personally he did not feel comfortable doing it and asked how the Council felt.

Council Member Nooe stated that he did not feel that there was that big a rush to do this and if there are some questions still left to be asked, they could have the State come and answer any questions.

Mr. Asbury stated he could call him first thing in the morning and schedule him for, hopefully, next month, if not someone else they could get.

Mayor Price entertained a motion to table this then for further discussion.

Mr. Medlin replied that it would be a motion to postpone. Someone would have to make a new motion.

A motion was made by Council Member Tuggle seconded by Council Member Nooe to postpone for one month. All Council Members voted in favor of this motion. The motion carried.

CONSENT AGENDA:

*a. Approval and adoption of minutes – February 15, 2005.

*b. Approval and adoption of the following budget amendments: (1) Budget Amendment #3 – Municipal Park Grant – Picnic Shelter; (2) Budget Amendment #4 – Recreation – PTCOG reimbursement.

February 18, 2005

Subject: Budget Amendment # 3

This is the Third Budget Amendment for the year.

Minutes of the regular March 15, 2005, meeting of the City Council, City of Eden, continued:

<u>Budget Amendment # 3</u>	<u>Account #</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
General Fund				
Revenue				
Mun Pk Grant/Picnic Shelter	76-3491-84241		\$50,000.00	\$ <u>50,000.00</u>
				\$ 50,000.00
Expenditure				
Mun Pk/Picnic Shelter	76-6120-55000		\$50,000.00	\$ <u>50,000.00</u>
				\$ 50,000.00

Adopted and effective this 15th day of March, 2005.

Attest:

s/Kim J. Scott
Kim J. Scott, City Clerk

s/Philip K. Price
Philip K. Price, Mayor

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INSERT BUDGET AMENDMENT # 4

This is the Fourth Budget Amendment for the year.

<u>Budget Amendment # 4</u>	<u>Account #</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
General Fund				
Revenue				
Recreation/Grant - Sr. Center	10-3612-48400		\$ 2,484.00	\$ <u>2,484.00</u>
				\$ 2,484.00
Expenditure				
Recreation Salaries/PT				
Recreation Senior Citizens	10-6120-12600	8,500.00	\$ 9,816.44	\$ 1,316.44
	10-6120-29700	13,000.00	14,167.56	\$ <u>1,167.56</u>
Piedmont Triad Council of Governments reimbursed Senior Citizens for purchase of a stove & PT salaries				\$ 2,484.00

Adopted and effective this 15th day of March, 2005.

ATTEST:

s/Kim J. Scott
Kim J. Scott, City Clerk

s/Philip K. Price
Philip K. Price, Mayor

c. Approval and adoption of a motion to hold a public hearing and to consider an ordinance for a zoning map amendment to rezone property on Stadium Drive from Residential-12 to Residential-12/PUDR. ZONING CASE Z-05-02.

d. Approval and adoption of a motion to hold a public hearing and to consider an ordinance for a zoning map amendment to rezone property on Kendall Street and Franklin Drive from Residential-20 to Residential-12. ZONING CASE Z-05-03.

A motion was made by Council Member Tuggle seconded by Council Member Turner for approval of consent agenda items (a) thru (d). All Council Members voted in favor of this motion. The motion carried.

VOUCHERS:

There were no questions or comments regarding the vouchers.

Minutes of the regular March 15, 2005, meeting of the City Council, City of Eden, continued:

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CLOSED SESSION:

Closed Session in accordance with G.S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body.

A motion was made by Council Member Turner seconded by Council Member Gover for a closed session in accordance with G.S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body. All Council Members voted in favor of this motion.

OPEN SESSION:

A motion was made by Council Member Epps seconded by Council Member Turner to return to open session. All Council Members voted in favor of this motion. The motion carried.

NATURAL CARE LABS:

A motion was made by Council Member Epps seconded by Council Member Tuggle to extend the "Resolution Concerning Performance Agreement with Natural Care Labs, Inc." for six months. All Council Members voted in favor of this motion. The motion carried.

ADJOURNMENT:

A motion was made by Council Member Myott seconded by Council Member Tuggle to adjourn. All Council Members voted in favor of this motion. This motion carried.

Respectfully submitted,

Kim J. Scott
City Clerk

ATTEST:

Philip K. Price
Mayor