



Town of Indian Trail
Minutes of Special Meeting Town Council
November 1, 2013
Civic Building
8:30 A.M.

The following members of the governing body were present:

Mayor Pro Tem: David Cohn

Council Members: Robert Allen, Christopher King, and David Waddell.

Absent Members: Council Member Darlene Luther and Mayor Michael L. Alvarez.

Staff Members: Town Manager Joe Fivas, Town Clerk Peggy Piontek, Town Attorney Keith Merritt, Director of Engineering and Public Works Scott Kaufhold , and Director of Community & Economic Development Kelly Barnhardt.

CALL MEETING TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Pro Tem Cohn called the meeting to order and led in the Pledge of Allegiance.

BUSINESS ITEMS

- a. Council consideration of approval of Bill of Sale for Sanitary Sewage Collection/Outfall Lines located within Sanitary Sewer Easement(s) and/or Road Right-of-Way(s) previously Granted to Union County and/or Allowed through Encroachment(s) by Third Party(s)

Mr. Fivas explained that last year Council approved a large document for a permit for water and sewer application. This is just conveying the easements; essentially you are taking the property that the town owns and giving it to Union County who accepts the maintenance of that facility.

Mr. Merritt informed Council that this is just the conveyance of an easement of the underlying land to Union County for the utilities. Because it's a transfer of property, it requires Council approval which is why we are meeting this morning.

Robert Allen made a motion to approve the of Bill of Sale for Sanitary Sewage Collection/Outfall Lines. Motion Passed 3 - 1 with David Waddell opposing. **(COPY ATTACHED HEREWITH AND MADE A PART OF THE RECORD)**

Mayor Pro Tem Cohn announced that Mayor Alvarez and Council Member Luther were not in attendance.

- b. Council consideration of approval of Bill of Sale for Water Lin(s) located within Water Line Easement(s) and/or Road Right-of-way (s) previously granted to Union County and/or Allowed through Encroachment(s) by Third Party(s) new Park Committee structure

Mr. Fivas informed Council that this is the same situation as previously discussed.

Robert Allen made a motion to approve the Bill of Sale for Water Line(s) located within Water Line Easement(s) and/or Road Right-of-way (s) previously granted to Union County and/or Allowed through Encroachment(s) by Third Party(s) new Park Committee structure Motion Passed 3 - 1 with David Waddell opposing. **(COPY ATTACHED HEREWITH AND MADE A PART OF THE RECORD)**

- c. Council consideration of approval of Sanitary Sewer Line Easement and Bill of Sale for Sanitary Sewage Collection/Outfall Line.

Robert Allen made a motion to approve the Sanitary Sewer Line Easement and Bill of Sale for Sanitary Sewage Collection/Outfall Line.

Motion Passed 3 - 1 with David Waddell opposing. **(COPY ATTACHED HEREWITH AND MADE A PART OF THE RECORD)**

- d. Council consideration of approval of Surety Bond.

Mr. Fivas advised that part of the process to get the water permit for our park is that we need to put up a surety for this infrastructure and if something should happen we would be responsible for repairing it. It's part of their process, we have asked for a waiver on this as it's unusual that a surety is required between local governments, but it's prudent to have the Council approve and give staff authorization to

enter into a surety bond or letter of credit. The cost to the town is approximately \$400 to hold it for 12 months then the requirement goes away, assuming they deny the request for waiver.

Robert Allen made a motion to approve the Surety Bond.

Motion Passed 3 - 1 with David Waddell opposing. **(COPY ATTACHED HEREWITH AND MADE A PART OF THE RECORD)**

CLOSED SESSION

None

ADJOURN

David Waddell made a motion to adjourn
Council voted unanimously in favor of the motion.

APPROVED:

David Cohn, Mayor Pro Tem

Attest:

Peggy Piontek, Town Clerk