Special
Council Meeting
May 22, 2006

A Special Council Meeting was held in Council Chambers on May 22, 2006 with Mayor Wayne E. Printz presiding. Mayor Printz stated the purpose of the meeting was to have a Second Reading to purchase the Taylor property and vote to extend the Angler Agreement. The following Council members were present:

PRESENT
J. Dean
T. Pence
S. Sigafoose
R. Snow
P. Workman

ABSENT
C. McDaniel (ill)

Town Attorney Nathan Miller, Town Manager Dennis R. Donachy, Treasurer Clairen Sipe. Sgt. James Morris, Economic Development Director Emily Burner, and Clerk of Council Richard Carey were also present.

Purchase of Taylor Property – Second Reading

Council member Workman moved, second by Vice Mayor Snow, to exercise the option and purchase the Taylor property as prior planned.

On advice from the Town Attorney regarding the wording of the motion, Council member Workman amended his motion.

Council member Workman moved, second by Vice Mayor Snow, to exercise the option to purchase the Taylor property and transfer the money from REPO to purchase.

There was discussion if an amount should be included in the motion. The motion was again amended.

Council member Workman moved, second by Vice Mayor Snow, and carried to purchase the Taylor property and remove the money, up to $155,000.00 from REPO, to make the payment.

YEAS: J. Dean, T. Pence, S. Sigafoose, R. Snow, and P. Workman

Motion carried (5 – 0 roll call)

Vote on Angler Agreement Extension

In consultation with Mayor Printz, Attorney Miller eliminated some of the "verbiage." Attorney Miller referred to Sections 5 and 6 which addressed effective dates and the changing of any Codes or Charter to change the agreement. Mr. Miller commented that the future was unknown "and it would be perfectly legitimate for the Town to make changes in its Charter and Code and other action." Mr. Miller did not want the Town to be limited in the future. That was deleted. Another provision was Angler access to the property for the purpose of clearing. Mr. Miller deleted the provision "because this is a short extension and that gives you time to review it. I didn't want Angler going on the property and making changes or even clearing the land because that would create liability on the Town's side." Another change was if the project was approved and ready for bonding, a thirty (30) day time period was created when a citizen could file an appeal. Everything "would stand still for those 30 days." The contract also states that neither party is in default at this time. Any citizen can challenge in Circuit Court any action of Council.

Vice Mayor Snow moved, second by Council member Dean, and carried to approve the extension.

YEAS: J. Dean, T. Pence, R. Snow, and P. Workman

NAYS: S. Sigafoose

Motion carried (4 – 1 roll call)

Council member Dean moved, second by Council member Sigafoose, and carried to adjourn at 6:17 P.M.

YEAS: J. Dean, T. Pence, S. Sigafoose, R. Snow, and P. Workman

Motion carried (5 – 0 voice vote)

Mary K. Hutton questioned how a meeting could be adjourned without opening a meeting with a roll call.

Council member Dean moved, second by Vice Mayor Snow, to reopen the meeting for a roll call.

The Clerk recorded the members present and absent.

Council member Dean moved, second by Vice Mayor Snow, and carried to adjourn.

YEAS: J. Dean, T. Pence, S. Sigafoose, R. Snow, and P. Workman

Motion carried (5 – 0 voice vote)

Mayor: _____
Wayne E. Printz, Mayor

Recorder: Richard D. Carey, CMC
Richard D. Carey, Clerk