

possible funding source for the Initial Project. The issuance and sale of any obligations of the Town to VRA or any other lender shall only be approved upon subsequent action of Town Council.

Other Actions. All other actions of Town officials in conformity with the purposes and intent of this Resolution and in furtherance of the consideration of the Initial Project by VRA and the solicitation and evaluation of other financing options for the Initial Project are ratified, approved and confirmed. Town officials, the Financial Advisor and Bond Counsel, each as directed by the Town Manager, are authorized to prepare and provide any information or certifications considered necessary or desirable in connection with the application to the Pool Program and the consideration by VRA of the Town's application thereunder or any other financing options as directed by the Town Manager.

Effectiveness and Filing of Resolution. This Resolution shall become effective immediately upon its passage. Any ordinances or resolutions inconsistent herewith previously adopted by the Town Council are amended to be consistent with this Resolution.

On a motion by Mr. Lewis, seconded by Mr. Kravetz, the resolution was adopted on a 7-0 Council vote (for: Reynolds, Polster, Wood, Williams, Lubowsky, Kravetz, Lewis; against: none).

Consideration of provision of water service to Tiffany Estates.

Mr. Godfrey noted that there was additional information on the Council desk concerning additional proffers. He stated that Mr. David Dobson had requested that the Town serve his proposed 28-home development north of the Town located on Blackwell Road with Town water. The property is not in the designated service area as defined by the Town and County. He stated that the impact of the development is to consume 8,400 gallons per day of available water capacity based upon the standard 300 gpd per dwelling daily equivalent. He indicated that at the current rate structure the developer would pay \$277,200 in one-time availability fees, which is based upon twice the in-town rate. He noted that the size and quality of the houses planned for subdivision it is estimated that the water consumption for the entire development would generate an estimated \$1192/month in water user charges. As the project is in the County, the Town will not incur any costs related to Town services for the development. Mr. Godfrey stated that at the Utility Committee meeting Mr. Wood noted the possible traffic impact that the development would have on the Oak Springs/Blackwell Road intersection. He said that Mr. Dobson proffered an additional \$10,000 for a traffic analysis and a proposed three-way stop at the intersection. The Manager stated that at that meeting Mr. Lubowsky, Chairman of the Utility Committee, had suggested a three-tier availability fee structure. The first would be at the current rate for in-Town connections. Two would be for twice the in-Town rate for the connections who are in the service area, and the third would be three times the current in-Town rate for out of Town and out of service area. Mr. Lubowsky had noted at the meeting that Mr. Dobson's request preceded the suggested fee structure. Mr. Godfrey noted that the Utility Committee recommendation was to serve the property with Town water. The additional proffer just made by Mr. Dobson was that he would proffer the three times the in-Town for the availability fee for water. Ms. Reynolds questioned if that would be in addition to the \$10,000 proffered for public safety and Mr.

Godfrey noted that is what he proffered. Mr. Robinson asked Mr. Dobson, for the record, if that was correct and he indicated it was.

Mr. Lubowsky noted that the Manager was correct and the three tiered approach was discussed. However, it was noted that Mr. Dobson's request was grandfathered. He stated that Mr. Dobson did not attend the worksession and he contacted him to attend the Council meeting because it was not voted upon.

Mr. Robinson asked if it was Mr. Dobson's understanding that he would pay the three times in-Town availability fee and Mr. Dobson assured that was correct.

Mr. Lubowsky moved that the 28 taps sought by the applicant for the Tiffany Estates development on Blackwell Road be approved subject to conditions contained in the recent communication (part of the record). Mr. Wood seconded the motion.

Mr. Kravetz indicated his concern that the Town continues to give away its water and there would be a point in the future when it would be prohibitive. He stated that there are several substantial in-Town properties which would require water. He was inclined to vote for provision of water but that would be the last out-of-town property he would vote for provision of water in the future. Ms. Reynolds noted that her concerns somewhat echoes Mr. Kravetz's and there are four sizable properties within the Town to be developed. She noted that the water availability needed is based on current zoning. She stated all the properties are zoned industrial. One of the properties is in the process of changing the zoning to a mixed use which would have some residential most likely incorporated. She noted she was more inclined to provide water to Town developments rather than in the County and it encourages people to develop in Town. She noted she would support Mr. Dobson's request with what he had proffered.

Mr. Polster noted that it was another great opportunity to partner with the County before making a decision and consider the impacts on them. Mr. Lubowsky reminded Council that the applicant is by-right in the County and there was water there which could be provided by wells. He noted that there would also be no additional impact on the school seats, traffic, etc.

On a vote of 7-0 (for: Reynolds, Polster, Wood, Williams, Lubowsky, Kravetz, Lewis; against: none) Council approved providing water to Tiffany Estates at the three times the in-Town availability fee rate and an additional \$10,000 proffer for public safety.

REPORTS AND COMMUNICATIONS.

Report from Town Attorney.

Mr. Robinson noted that he would like an approval to advertise for the electronic meeting participation for the March Council meeting. On a motion by Mr. Lewis, seconded by Mr. Polster, Council approved advertisement of the proposed Code change on a vote of 7-0 (for: Reynolds, Polster, Wood, Williams, Lubowsky, Kravetz, Lewis; against: none).