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January 8, 2017

Greg Wood
Crossville City Manager
99 Municipal Avenue
Crossville, TN 38555

Re: Sewer Line Adoption

Dear Mr. Wood:

In follow up to our December 20, 2017, meeting, I write to express the desire of the Cumberland County Board of Education for the City of Crossville to take responsibility for the maintenance and repair of, if not outright ownership of the sewer lines it has graciously extended to South Cumberland Elementary School, Brown Elementary School and North Cumberland Elementary School.

We also discussed in our meeting that each of these extensions comes with its own set of issues which our respective agencies will have to iron out.

1. North Cumberland Extension: The City owns the easements in which these lines are placed. While the agreement, executed in 2009, requires the Board to pay the City for routine inspections and maintenance of the line, it is our understanding that since accepting additional customers along this line, the City has not charged the Board for these services.
2. South Cumberland Extension: The construction of this line utilized the existing road right of way and no easements were required. In voting upon this matter on July 14, 1998, the minutes of the Council reflect that it "reserve(d) the right to assume the maintenance of any portions of the line and accept new customers if and when the City annexes in the area." The City has since allowed a connection to this line by Lantana Road Baptist Church. It is our present understanding that the city performs no maintenance on these lines and that it views the Board as being solely responsible for the maintenance and repair of same.
3. Brown Extension: The County owns the easements in which these lines are placed. This is a "gray-water only" line to which no other entity has been allowed to connect. In the Council's meeting of April 26, 2002, the minutes reflect the following concerning the City's original agreement:

- a) That the access line would remain the property of and be maintained by *the County*;
- b) That the access line be limited to serve the Brown Elementary School *only*...
- c) That the County would be charged a monthly fee (for sewer service) same as that charged to South Cumberland Elementary;
- d) That for a period of five (5) years from that date, it would require an affirmative vote of three-fourths (four of five members) of the City Council to alter any portion of the Motion

It is our present understanding that the City views the Board as being solely responsible for the maintenance and repair of this line extension

An additional issue concerning the Brown extension was discussed in our meeting, in that the original agreement with the Brown family did indicate that the intent of the parties was that "if central sewer service is obtained from the City of Crossville that Brown will be able to tie on and use the system for the remainder (approximately 34.6 acres) of Brown's property". However that same agreement, to which the City, significantly, was *not* a party, also acknowledged that the Board had no say in whether or not the City would extend such services.

The Board is interested in reaching a comprehensive agreement with the City of Crossville which would eliminate any responsibility of the Board of Education for the continued repair and/or maintenance of these lines. From our standpoint, the more that the Board can focus solely on the education of this community's children, the better our community's future will be. We appreciate the City of Crossville's past and future assistance and look forward to further discussion in this regard.

Sincerely,

PATTON & HYDER, PLLC



G. Earl Patton

cc: Janet Graham, Director of Schools
Cumberland County Board of Education
Will Ridley