

CLIFFTOPS PROPERTY OWNERS ASSOCIATION

SPECIAL MEETING DATE

March 1, 2008

Board of Directors

Approved Minutes

Board Members

Present (all members)

Henry Blizzard (2010)
Dale Cermak (2010)
George Goodwine (2009)
Earnie Lumpkins (2008)
Howard Smith (2009)
Louis Smith (2008)
Bob Thomas (2008)

Other Participants

Ty Burnett (Manager)
Jim Boynton (Director of Public Works, Town of Monteagle)

Call to Order

President Henry Blizzard called the meeting to order at 2:05 P.M. The purpose of this special meeting is to consider a request from Jim Boynton for the Board to grant permission to the Town to draw water from Clifftops Lake as an emergency back-up to the Town's other water resources during the current drought.

Emergency Use of Water from Clifftops Lake

Henry introduced Mr. Boynton and stated that the Board and Clifftops property owners take the water shortage seriously and have tried in this and other situations to be good citizens. He invited Mr. Boynton to state his request.

Mr. Boynton indicated that he is asking the Board to allow the water in Clifftops Lake to be used as an emergency back-up to the resources of Laurel Lake, Lake Louisa, and the potential new well that is being explored (and which may be available in about two months). He also indicated that plans are continuing among Monteagle, Sewanee, Tracy City and the Big Creek Water District to access water from the Tennessee River through South Pittsburg. Each town/water agency is contributing to the cost of the pipeline effort and a mountaintop water utility district is being created to coordinate the effort among the locales. It is expected that it will be about two years before the water flows to Monteagle.

After his presentation, there were questions from Board members and property owners who were present. General discussion continued, with a variety of concerns raised: how is an emergency defined in this situation, what is the proposed path for the water lines from Clifftops Lake through Clifftops, how long would the agreement extend, what indemnity would be provided to Clifftops for this agreement. Of particular concern was an opinion from Clifftops Attorney (Ralph McBride) citing a precedent for this situation and stating that CPOA could be liable for undermining the implied easement and riparian rights of property owners adjacent to

the lake if the Board acted to sell or give away a sufficient quantity of water to affect the level of the lake. Mr. Boynton indicated that the Town does not want to pursue water from Clifftops Lake through condemnation and eminent domain. He also indicated that the availability of water from Clifftops Lake is not an issue in qualifying for a State or other grants to access water from the Tennessee River.

Following discussion, Mr. Boynton left the meeting and Board continued its discussion.

Howard Smith then moved that the Board send a letter to Mr. Boynton, thanking him for his meeting with the Board and for listening to our concerns. The letter will ask the City to draft a complete proposed contract for Clifftops to consider in light of the concerns that were raised. George Goodwine seconded the motion. After discussion it was passed unanimously.

Adjournment

That being the one item of business for this special meeting, Henry adjourned the meeting at 3:50 P.M.

Henry Blizzard, President

Howard Smith, Secretary