

RESOLUTION NO. 52

A RESOLUTION OF THE BOARD OF MAYOR AND ALDERMEN  
OF THE TOWN OF MT. CARMEL SUPPORTING AND URGING  
PASSAGE OF TENNESSEE SENATE BILL NO. 876

WHEREAS, the health and welfare of the citizens of Mt. Carmel, Tennessee, is best served by an adequate water supply; and

WHEREAS, an adequate water supply includes sufficient quantities and quality of water for drinking, for other home uses, for commercial and industrial uses, for fire protection, and for processing the town's sewer system; and

WHEREAS, an adequate water supply is crucial to the continued industrial growth and development of the town; and

WHEREAS, the First Utility District attempts to supply water for eastern Hawkins County including the Town of Mt. Carmel pursuant to authorization under The Utility District Law of 1937, T.C.A. §7-82-101 et seq.; and

WHEREAS, the quality of water made available to residential customers of the First Utility District is not satisfactory in that it causes undue corrosion of water heater tanks and pipes at the expense of its customers; and

WHEREAS, the First Utility District has been asked for any test results regarding health hazards and mineral levels it has received regarding the quality of the water it is supplying but has, to this date, failed to disclose such test results, if any; and

WHEREAS, recent tests have shown that fifty-eight percent (58%) of the fire hydrants within the Town of Mt. Carmel have water pressure insufficient to meet the minimum acceptable residual water pressure standards for adequate fire protection; and

WHEREAS, the homeowners and citizens of Mt. Carmel would save thousands of dollars in property insurance premiums if the town's fire protection rating could be improved; and

WHEREAS, the town's fire rating could be improved if the First Utility District would just improve its pressure in and the size of its water lines located in the Town of Mt. Carmel; and

WHEREAS, the First Utility District feels no and has publicly expressed it has no obligation to provide water for fire protection let alone any obligation to improve existing water pressure; and

WHEREAS, T.C.A. §7-51-402 allows the First Utility District to contract with the town to collect and enforce collection of sewer bills; and

WHEREAS, the First Utility District has demanded an unreasonable fee for performing such services, and

WHEREAS, the Town of Mt. Carmel has sought pertinent information from the First Utility District to conduct good-faith negotiation with the First Utility District on these matters but such information has not been forthcoming; and

WHEREAS, the First Utility District refuses to even negotiate with the town to collect or enforce collection of delinquent sewer connection charges or any other pre-contractual overdue sewer bills; and

WHEREAS, the First Utility District has taken the position that it need not renew the franchise which the Town of Mt. Carmel granted it to provide water service within the town in 1966 for a period of twenty years which has now expired; and

WHEREAS, the First Utility District has taken the position that it is not subject to any regulatory authority by the town whatsoever; and

WHEREAS, the First Utility District is controlled by three Commissioners not elected by the public and not subject to approval by the public or its customers; and

WHEREAS, proposed Senate Bill No. 876 would allow for the orderly acquisition of the property and means to provide an adequate water supply for the citizens of the Town of Mt. Carmel from the First Utility District thereby making the water supply and its operation subject to the democratic process and the collective wisdom and coordination of elected officials rather than commissioners who appoint themselves;

NOW THEREFORE, BE IT RESOLVED THE THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF MT. CARMEL:

1. That it supports the introduction, passage, and implementation of Senate Bill No. 876;
2. That this resolution be sent to members of the Tennessee General Assembly and the Governor of the State of Tennessee.

DATED: 2-9-89

Mary Lanson  
MAYOR

ATTEST:

Rita Jones  
CITY RECORDER

APPROVED AS TO FORM:

Michael A. Faulk  
MICHAEL A. FAULK  
City Attorney