

**TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN**  
**Meeting Date: April 11, 2011**

**SUBJECT:** Tennis Court Re-surfacing Repair Update

**AGENDA INFORMATION**

**Agenda Location:** Unfinished Business  
**Item Number:** 6-B  
**Department:** Recreation Services  
**Contact:** Ron Sneed, Town Attorney  
Casey Conner, Recreation Services Director  
**Presenter:** Ron Sneed, Town Attorney

**BRIEF SUMMARY:** Since the installation of the new tennis court surfaces, players have complained of “dead spots” which appear to be caused by the failure of the new surfacing material to adhere properly. S&S Fence & Tennis Court Builders, Inc., the company that installed the surfaces, continues to assert that the problem was caused by water pressure exerted on the surface from beneath due to lack of proper drainage, but the company has taken no action but to assert that time would cure the problem. Ditching around the tennis courts was completed last year and the resurfaced courts have been allowed to “cure” for over a year in a condition of moderate drought and lower than average water table (due to draining of the lake). Based on the company’s assurances, the Town did not pursue an immediate remedy and agreed to wait until spring of 2011 to see if the problem would correct itself, but the dead spots have persisted. In addition, since last fall, cracks have begun to re-emerge along many of the repaired areas, tracking the original subsurface cracks that were filled and sealed prior to resurfacing. In a letter to the contractor dated March 8, 2011, the town attorney asserted that S&S must now take steps to repair the problem as the passage of time has not cured the defects as the company claimed would happen. S&S continues to be unresponsive.

**MOTION FOR CONSIDERATION:** No action is requested, however, staff welcomes board direction in this matter.

**FUNDING SOURCE:** No additional or separate funding is required at this time. If the company that sold and installed the surfacing is not responsive, there may be the need to fund repairs by a different company and attempt to recover this cost from the original company. Original cost of project was \$14,900 (Town of Black Mountain-\$7,000, Black Mtn Tennis Assn-\$5,000, USTA grant - \$2,900)

**ATTACHMENTS:** Project Timeline

**MANAGER’S COMMENTS:** Staff is in the process of seeking quotes from other companies to ascertain the cost of repair or reconstruction. Repair alternatives (from least expensive to most expensive) include:

- 1) ARMOR Crack Repair System (same material as original resurfacing; cut out problem areas and reapply)
- 2) Geotextile (or stone screening) & Asphalt overlay (requires whole court resurfacing)
- 3) Total court removal & reconstruction