February 26, 2008
Regular Council Meeting
12191 Magnolia Springs Hwy.
Magnolia Springs, Al.
5:00 P.M.

1. **Call to Order**
   Mayor Houser called the council meeting to order at 5:00 p.m.

2. **Roll Call**
   Councilmember’s present – Mayor Houser, Bob Holk, Joe Sankey, Ken Underwood, Reva Hinson and Kenny Laurendine. Also present: Town Clerk, Karen S. Biel.

3. **Invocation and Pledge of Allegiance**
   Councilmember Underwood led the invocation and pledge.

4. **Approval of Minutes from Council Workshop on 1/8/2008 and Regular Council Meeting on 1/22/2008**
   No additions or corrections.
   **Motion by Councilmember Laurendine, 2nd by Councilmember Sankey to approve all minutes as presented. All in favor. Motion carried.**

5. **Discussion of Committee Reports**

   **Finance:** Mayor Houser stated the committee minutes were reviewed at the workshop. He did add that at that time there were 166 business licenses processed, generating $13,474.00, the ad valorem tax $36,528.00 and the money market account was $90,043.41.

   **Public Safety:** Councilmember Holk added that Sheriff Hoss Mack was at the workshop with a presentation on contracting with the Sheriff’s Department for police protection.

   **EMA Subcommittee:** No Report

   **PR&B Committee:** Councilmember Underwood stated the OAW application has been submitted, with letters of support from the County Commission, Weeks Bay and the City of Foley. Thanks to Carey Bentley they had a good data base to submit. There was talk about potential grant money for sediment studies. He also reported the Garden Club had a successful Arbor Day, with only having two weeks to put it together and suggested passing a proclamation for Arbor Day every February. They are also looking into becoming a Tree City. He also announced the Garden Club is having the Arts and Jazz Festival, May 18th. Fencing for the Spring’s project was discussed, they do have one proposal and the Mayor suggested asking some other local fence companies. Councilmember Hinson said the committee will look into it.

   **Public Works:** Councilmember Sankey stated the report was the same, which was submitted at the workshop. He did add that the Quit Claim deed was signed by the County. Legal Counsel is working on the annexation process of the remaining parts of the roads. Councilmember Sankey has received the file on the bridge, he also stated that the people that work for the county have made copies of all the paper work and will help us if needed. There are two areas where Councilmember Sankey is trying to get some road work completed. One is Hwy 49 and Hwy 98, the state agreed to take care of that with a short term patch. The other area is on Hwy 49 by Village Green, he has gotten in touch with the county and they have agreed to clean out the culvert. He also talked with Cal Markert about the Pay as You Go Program, Cal requested a list of projects, such as road paving or drainage problems, approximately 1.5 miles. Councilmember Sankey will draft a list and send it to the Mayor for review so he can get it to Cal. Mayor Houser explained that the proposed 4 mils tax for this program will stay in Baldwin County. The County will be at the workshop to explain the program.

   **Planning Commission:** Mayor Houser stated the Commission met on January 10th, there were two applications for a subdivision variance. Both variances were approved. Richard Holk had a presentation on traffic control.

   **Historic Preservation Commission:** Councilmember Underwood stated the commission met on January 3rd, they discussed the ordinance establishing the commission, also discussed was the Open Meetings Act. The commission also talked about procedures for setting up the historic district. Councilmember Underwood stated that he and Rodney Hubble went to the archives building in Bay Minette and met with John Jackson, they obtained copies of the survey that was done in 1986.
   **Motion by Councilmember Underwood, 2nd by Councilmember Holk to accept all committee minutes as presented. All in favor. Motion carried.**
6. Approval of financial reports and expenditures for January
Clerk went over the financial statements and expenditures for January.
General Fund: Bank Balance as of 1-31-08 was $61,938.17. Income - $50,773.50, Expenditures - $9,938.15. Clerk transferred $40,000.00 into the Money Market at the end of the month. The Money Market has a balance of $90,043.41. Special Revenue: Income - $390.04, with a balance of $4,715.02. Councilmember Hinson questioned the Community Center expenditure, clerk stated the $300.00 was the rent that is paid quarterly.
Motion by Councilmember Laurendine, 2nd by Councilmember Hinson to accept financial report and expenditures for the month of January. All in favor. Motion carried.

7. Public Comment
Donna Watts – South Baldwin Chamber – Magnolia Run.
Donna thanked the Council for what they are doing and said she admires them for what they have accomplished. She was here to ask the Council about holding the Annual Magnolia Run on April 5th. She stated the route would be the same as it has been. Councilmember Hinson inquired about notifying the residents and Councilmember Laurendine stated that he would let the committee working on the run know about notifying the residents.
Rickey Rhodes & Jenny White- SARPC
Rickey & Jenny attended the council meeting to explain a few programs that SARPC has. One of the programs the Council is interested in is the Mature Staffing. The town can hire an employee through them and they take care of all the paper work. SARPC is responsible for payroll taxes and workers comp. The town would fax the employee’s time sheet to Mature Staffing every two weeks and they would cut the payroll check. Mature Staffing would invoice the town once a month. The cost would be about 35% plus what ever the town agrees to pay the employee. The employee could be one that the town recommends or SARPC would find one for the town.
Mayor Houser called for a break at 6:15p.m. Meeting reconvened at 6:30 p.m.

8. Safety Manual
Clerk explained that Municipal Workers Compensation Fund recommends the town have a safety manual. This particular manual is one that AMIC sent for us to review. She also stated that Councilmember Hinson reviewed the manual for any corrections that needed to be made.
Motion by Councilmember Holk, 2nd by Councilmember Hinson to adopt the Safety Manual. All in favor. Motion carried.

Mayor stated it was discussed in the workshop and will cover the clerk.
Motion by Councilmember Hinson, 2nd by Councilmember Sankey to adopt Resolution 2008-04. All in favor. Motion carried.

Motion by Councilmember Underwood, 2nd by Councilmember Sankey to adopt Resolution 2008-05. All in favor. Motion carried.

11. Resolution 2008-06 – Authorizing the Mayor to sign agreement for law enforcement services
Mayor explained the resolution authorizes him to sign the agreement and the Council has received a draft copy of the agreement. Legal Counsel has made changes to the agreement.
Motion by Councilmember Laurendine, 2nd by Councilmember Underwood to adopt Resolution 2008-06. All in favor. Motion carried.

12. Ordinance 2008-03 – Establishing salary for the Mayor and Council
Mayor Houser suggested changing it from “salary” to “compensation”. He stated this ordinance has been discussed at previous workshops and it was introduced at the last regular council meeting.
Motion by Councilmember Holk, 2nd by Councilmember Sankey to adopt Ordinance 2008-03, changing the wording from salary to compensation, with the Mayor’s compensation at $200.00 per month and the Council’s compensation at $100.00 a month. Mayor called for any discussion: Councilmember Holk stated he had some reservations on the amount but after thinking about it and with the day to day expenses he felt this was a reasonable amount. Councilmember Sankey agreed but also stated he had thought about a lower number, but in reality with the cost of operating a vehicle and the other expenses you can incur. Councilmember Laurendine stated that he had thought about it and this amount would be in the ball park or even lower that the other municipalities. Mayor Houser added that
expense accounts are very impractical on a day-to-day basis. Councilmember Hinson stated she
worked a job where she had to keep a day-to-day log for expenses and it can be done. She stated she is
seeing future expenses that the town has not allotted for. Councilmember Laurendine said he feels that
some may not turn in expenses and to be fair to every one, this would be equal compensation for all.

Councilmember Holk amended his motion to the amount of $50.00 a month for the Mayor and
Council, 2nd by Councilmember Sankey.
Roll Call vote: Councilmember Holk – Aye, Councilmember Sankey – Aye, Mayor Houser – Nay,
Councilmember Underwood – Aye, Councilmember Hinson – Nay and Councilmember Laurendine –
Nay. Motion failed.

Motion by Mayor Houser, 2nd by Councilmember Sankey to adopt Ordinance 2008-03, changing
salary to compensation and for $100.00 per month across the board, for Mayor and Council.
Roll Call vote: Councilmember Holk – Aye, Councilmember Sankey – Aye, Mayor Houser – Aye,
Councilmember Underwood – Aye, Councilmember Hinson – Nay and Councilmember Laurendine –
Aye. Motion carried.

13. Council, Legal Counsel and Staff Comments
There was discussion on placement of “No Parking” signs on the leased property. Councilmember
Sankey suggested waiting until the town identification was complete, so all signs would be uniform.

Councilmember Holk advised the Council that a few situations came up for the Planning Commission
pertaining to family subdivision and since our regulations do not have a family subdivision exemption
they had to apply for a variance. He stated it’s getting a little cumbersome and it needs to be addressed.
With Legal Counsel’s advice to add the family subdivision back into the regulations, Councilmember
Holk is doing some research on what conditions may be place on a family subdivision of property. He
will report back to the Planning Commission when he has the information. He is also researching
erosion control and possibly adding that to the subdivision regulations.

Mayor Houser informed the Council that there is some discussion in the legislative delegation about
changing the extraterritorial planning jurisdiction for municipalities back to the county. The Mayor is
on a committee along with Steve McMillan, representatives of the county and three Mayors from
different size municipalities. The legislative delegation sent a list of questions out, the Mayor gave the
Council a copy with his answers on it. The Mayor just wanted to make the Council aware of the
situation.

14. Any other business that might come before this meeting.
Resolution 2008-07 – Honoring the fallen public servants of Kirkwood, Missouri. Clerk explained that
the municipal clerks around Alabama are asking their council to adopt this resolution honoring the
public servants and supporting them during their healing time from the terrible tragedy that happened
during one of their council meetings. The City of Kirkwood lost two council members, a public works
director, two police officers and the Mayor was critically injured by one of their own citizens. If the
resolution is adopted the Clerk will send a copy to the City Clerk of Kirkwood.

Motion by Councilmember Laurendine, 2nd by Councilmember Underwood to adopt Resolution
2008-07. All in favor. Motion carried.

Planning Commission recommendation: On March 1, 2008, Planning Commission Member Ed
Stone’s term expires. The Council was given a letter from the Planning Commission recommending the
Council reappoint Ed Stone for another four (4) year term.

Motion by Councilmember Underwood, 2nd by Councilmember Hinson to reappoint Ed Stone for
another four year term as a member of the Planning Commission. All in favor. Motion carried.

Motion by Councilmember Underwood, 2nd by Councilmember Sankey to adjourn the meeting.
All in favor. Motion carried.
Meeting adjourned at 7:25 p.m.

Approved this the 25th day of March, 2008
ATTEST:

Karen S. Biel – Clerk

Charles S. Houser – Mayor