March 8, 2011
Council Workshop
12191 Magnolia Springs Hwy.
Magnolia Springs, Al.
5:00 P.M.

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

2. Roll Call
Councilmembers present – Mayor Charles Houser, Bob Holk, Rick Odess, Ken Underwood, Brett Gaar, and Kenny Laurendine. Also present: Town Clerk - Karen S. Biel

3. Invocation and Pledge of Allegiance
Invocation and Pledge by Councilmember Underwood

4. Discussion of minutes – 02-08-01 Workshop and 02-22-11 Regular Meeting
There were no corrections to the minutes.

5. Discussion of financials and expenditures February
The Mayor reported: General Fund Balance 02/28/11 - $164,842.88 - Income - $32,648.31 – Expenses - $15,689.70. Money Market - $102,234.89. CD - $52,288.80. Deepwater Horizon - $226,697.68. Special Revenue 4, 5 & 7 Gas Tax – Income - $366.13. Balance: $10,404.76. Councilmember Gaar asked if the town has heard anything on the BP Grant that was submitted. Mayor Houser told him that we have not heard, but that he heard the Baldwin County Commission was turned down, but Daphne had been approved. The clerk stated that she would call Bryan to verify if Daphne was approved.

6. Public Comment
Janet Paarlberg – wanted to know what the situation was with the recycle bin. Mayor Houser stated that he is still trying to reach Family Dollar about putting it on that property. Councilmember Holk also added that he talked with the Fire Department and it doesn’t look like there is enough room to move it over on that property by School Street. The clerk stated that Leroy has been making sure there is no trash on the ground on the days that he works. Another question that Ms. Paarlberg asked who is responsible for the clean up in the surrounding areas after the Seafood Celebration Festival. Mayor Houser explained that the group holding the festival is responsible and that they have paid a refundable cleanup fee. Ms. Paarlberg was also concerned about parking on the streets during the festival. Mayor Houser did say that the event holder is going to place no parking signs and that Ms. Paarlberg can rope off the towns right-of-way by her house.

Buster Slay – asked what has been going on with the Fuller/Turner lawsuit; he stated that the town might want to engage Jim May as counsel. Mayor Houser informed him that the town has legal counsel and that it had gone to trial and we are just waiting on the judge’s ruling. Rodney Hubble asked how much money had been spent on the case so far, the Mayor stated a total of $24,288.74; the League of Municipalities attorney representation paid $10,000 and the town has paid $14,288.74.

7. Discussion – Resolution – Sales tax holiday
Mayor Houser stated that the Alabama Department of Revenue is asking the municipalities to participate in the Sales Tax Holiday, which will be August 5-7, 2011. If passed it will grant the exemption of town sales tax on certain purchases for school items. The town did pass a resolution last year, and since the Family Dollar has opened and they do sell some of the items, the Mayor would like the council to consider passing it again. Will be on the agenda.

8. Discussion – Long range annexation plan
Mayor Houser provided the council with a suggested ten year plan for annexation. He added that the annexation plan was also proposed in the Comprehensive Plan. Most of the annexations are on the north and south side of Highway 98 and probably would not take ten years. Councilmember Gaar stated that he didn’t understand why there had to be a plan, just to let it happen when it happens. Mayor Houser stated that the only reason he would like to move forward with the plan is to control Highway 98. Mayor Houser asked that the council make a motion at the regular meeting to start a process, just by identifying the property owners and maybe approaching them by telephone or letter to see what kind of interest there is. Will be on the agenda.

9. Discussion – Sponsor ad in BRATS Book
Mayor Houser stated that BRATS is asking that the town sponsor an ad in their booklet. Councilmember Gaar stated that he thought that we had reached our budgeted amount and Councilmember Holk stated that BRATS needs to request it sooner next year. Will not be on the agenda.
10. Committee reports

Finance: No report
Public Safety: No report

Parks & Recreation: Councilmember Laurenctine stated that the committee is working on a cleanup
day in conjunction with the Garden Club. It is going to be the Saturday before the Seafood Celebration,
from 10-12.

Public Works: Councilmember Gaar stated that he has received two quotes for the paving and
resurfacing and one is a lot lower than the other. He stated that with the priority projects, it still puts him
over budget about $5,000, so they are going to go back to the low bidder and try to negotiate with them.
Mayor Houser asked that if financially possible to think about Holly Street. Ed Stone asked about
paving Bay Street and Councilmember Odess stated that there are citizens on that street that do not want
it paved. The citizens are concerned about the drainage and if it was paved they would have more
speeding on the street. Councilmember Gaar stated that there will have to be some drainage work
completed before thinking about paving Bay Street. Mayor Houser asked that the recommendation for
street paving and resurfacing be in a form of motion at the regular meeting. He also discussed a
complaint from a citizen on Pecan Grove about the speeders and putting in speed bumps, he will get
with an engineer to see what their recommendation would be. He is going to see if Foley might allow
the town to borrow their flashing speed limit sign. Deputy Gandy stated that he will work Pecan Grove
a little more. Councilmember Gaar asked the council if they had any other suggestions or changes for
the sewer specifications and that he was ready with the changes. It was discussed about reviewing it at
the next workshop, but Mayor Houser suggested reviewing it at the public works committee meeting and
have the council members attend that meeting with any concerns they might have, instead of going over
it at Council Workshop.

Planning Commission: No report

Historic Preservation: Councilmember Underwood stated that some of the members will be attending
some training in Eufaula at the end of March. Mayor Houser asked about the brochure, with a map of
the historic homes in Magnolia Springs. Councilmember Underwood stated that the committee is
looking into it. The OAW signage for the bridge was discussed and Councilmember Odess will
research.

Environmental Protection Committee: Councilmember Odess reported that the committee met with
the adjacent property owners around the Bay Street access about the living shore line and received some
feedback from them. Councilmember Odess stated that before finalizing the project he would like to
know what is going to happen with the grant and would also like to know the final disposition on the
Rock Street case. He did state that they could go move forward with some of the living shore line. The
Council agreed with Councilmember Odess to wait to see the final dispositions before moving forward.

11. Council, legal counsel and staff comments

Councilmember Underwood – has some concerns about skateboarders on the streets, at all times of the
day, even after dark, and is worried that one of the kids getting hit by a car. He feels that this is a real
hazard and he wanted to know from Deputy Gandy if there was any kind of law that prohibits or set any
rules or regulations about skate boarding. Deputy Gandy stated he didn’t think there was any law but it
is a road hazard and will research it. The clerk stated that she will ask the clerks line if any towns/cities
have an ordinance for skate boarding.

Meeting ended at 6:35 pm

Approved this the 26th day of April, 2011

Charles S. Houser – Mayor

ATTEST: Karen S. Biel – Town Clerk