August 13, 2013
Council Workshop
12191 Magnolia Springs Hwy.
Magnolia Springs, Al.
5:00 P.M.

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

2. **Members Present**
Members present – Mayor Ken Underwood - Council Members: Dotty Johnson, Jim May, Bob Holk, and Tom Webb and Ben Dykema. Also present: Town Clerk - Karen S. Biel and Legal Counsel – Brad Hicks

3. **Magnolia Springs Public Library – Bill and Alida Given**
Alida Given presented the council with some information on the library, such as their finances and grants that they have received. She also stated that the library is one of the top three libraries in Baldwin County with circulation per user. Jamie Hinton, Magnolia Springs Fire Chief played a short video of the library that he recorded. Bill Given stated that the library board is submitting a formal budget request in the amount of $15,600 for the upcoming year. Mr. Given stated that in July 2014 the library will formally propose that the town assume full responsibility of the library in October 2014. The library board plans on dissolving the Magnolia Springs Public Library Incorporated on October 1, 2014. In attendance at the meeting there was a large group of supporters of the library, they all had great things to say about the library and the librarian.

4. **Discussion of minutes**
07/09/13 – Workshop
07/23/13 – Regular Meeting
No corrections or comments

5. **Discussion of financials for July**

6. **Public Comment**
No public comment

7. **Discussion - Resolution - Vacating a portion of Palm Street - Resolution**
Mayor Underwood stated that the council received a copy of an appraisal of Palm Street that was submitted by Gaylord C. Lyons. Legal counsel, Brad Hicks stated that the procedure the council will follow is at the next regular council meeting the council will vote on an amount that would be added to the resolution. If unanimous consent for immediate consideration is obtained then the resolution can be voted on that night, if not, it will be the first reading and can be voted on at the next regular meeting (September). Mayor Underwood passed a copy to the council of the method of determining the value as prescribed by Alabama Code as a maximum fee the town can charge.
Alabama Code method as figured by the Mayor = $105,000 - Gaylord C. Lyons appraisal = $56,000
J.D. West stated that he would get an appraisal and submit it to the council before the next meeting.

8. **Discussion – Planning Jurisdiction - Resolution**
Councilmember Holk explained that the Planning Commission is recommending an amendment to its extraterritorial planning jurisdiction. Foley annexed some properties into their city limits which extended their planning jurisdiction. Magnolia Springs Planning Commission amendment will square-up the towns jurisdiction. The resolution and new jurisdiction will have to be adopted by the County Commission.

9. **Discussion – Proposed 2013/2014 General Fund Budget - Resolution**
Mayor Underwood stated that the proposed budget for the next fiscal year:
Estimated income - $347,000.00 - estimated expenditures $335,600 with about $12,000 for reserves.
10. Committee reports

Finance – no report.

Public Works – Councilmember Holk reported that Camellia Street is paved and the company will be paving the Bay Street parking area when weather permits. The committee is also discussing some work on Bay Street, on Coughill and in Village Green. Councilmember Holk added that he received two estimates on tree removal and tree trimming. He said the estimates were high so he has asked for a couple more estimates from different companies. Also discussed was the right-of-way by the Shell station concerning visibility and the pavement breaking down.

Public Lands and Beautification – Councilmember Dykema stated that the committee discussed finishing the Magnolia Landing project. The estimate is about $11,000 without permit fees and engineering fees. The BP account has a balance of $10,600 and the rest would come out of the Public Lands budget. Councilmember Dykema added that a quote of $6,000 was received to enlarge the Bay Street pier. His concern is, in which direction should the pier be enlarged. According to the zoning ordinance the town might be encroaching on some riparian rights.

Tree & Streetscape – no report

Planning Commission – no report

Historic Preservation – Mayor Underwood reported that a lady professor from Auburn University is going to write a book about four editors in Alabama and one of them is Gould Beech. They have offered to come to Magnolia Springs and present a program at not cost to the town. No definite plans have been made yet, but the Mayor will keep the council informed.

11. Council, Legal Counsel and Staff Comments

Legal counsel – Brad stated that he has been working on the reply brief in the Rock Street case. Councilmember Holk asked about maintaining the area on Rock Street. Brad said that it was agreed not to do anything outside of the norm until the case has been decided. He added that the town is trying to protect its right to be able to build out into the water if they so choose too and also to regulate parking on Rock Street.

Mayor Underwood stated that he met with Dr. Lee and discussed potential uses for the school property. Mayor Underwood added that we will update the council at the next workshop on the conversations with Dr. Lee. Councilmember Dykema asked who is “we”? Mayor Underwood stated that Bob Stoddard will be giving a presentation. Councilmember Dykema asked why the council was excluded when it was discussed in the past that a few council members might meet and go to lunch with Dr. Lee. He also wanted to know if Percy Bebeaux was there and Mayor Underwood said there were a couple people there. Councilmember Johnson asked for a hint on whether it would be given to the town or would the town have to purchase the property. Mayor Underwood stated they discussed three options, lease, buy or donate and that a proposal from the council will be submitted to the school board.

Mayor Underwood asked Councilmember Holk to report on any contacts he has had with Baldwin County Sewer representatives or any representatives of the developer of Magnolia Farm Estates. Councilmember Holk stated that he has had no contact. Brad stated that he has talked with D.R. Horton’s attorney and they feel the subdivision will fall under county jurisdiction. Brad said that he has not talked to the sewer company. D.R. Horton feels that the sewer lines are not in violation because they were installed on private property and not in the right-of-way. Brad said that he forwarded one of the emails to the Mayor and Councilmember Holk and asked that they send it to the engineers since he did not have their contact information. Councilmember Holk said he was out of town, did not have the contact information and asked the mayor to forward it. Mayor Underwood said that he did not send that email to the engineers but would forward it to them.

Motion by Councilmember Johnson, 2nd by Councilmember Webb to adjourn the workshop. All in favor. Motion carried.

Workshop ended at 7:24 pm

Approved this the 24th day of September, 2013.

Kenneth D. Underwood – Mayor

ATTEST:

Karen S. Biel – Town Clerk