October 12, 2010
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 and Legal Counsel – Brad Hicks

3. **Invocation and Pledge of Allegiance**
   Invocation and Pledge by Mayor Houser

4. **Discussion of minutes – 09/14/10 Workshop – 09/28/10 regular meeting**
   No corrections or additions.

5. **Discussion of financials and expenditures for September**
   The clerk reported: General Fund - Income - $73,601.24 - Expenses - $31,641.25. Money Market - $102,150.34. CD - $52,091.67. Deepwater Horizon - $227,938.72. Special Revenue 4, 5 & 7¢ Gas Tax - Income - $425.72. Balance: $8,696.88. Mayor Houser reported that he is working on an amended grant request for the BP money. He stated that if the council didn’t have any objection he was going to request the funds for $200,000 on the purchase of the school property. Councilmember Gaar suggested $180,000 on property and $40,000 for sampling equipment. He added that Mike Shelton said it would be $28,000 for the equipment and about $12,000 to hire a testing assistant, and if we could add that to the scope it would be great, if not the state would probably take care of it. Councilmember Odess suggested listing a few project. Mayor Houser will draft the grant application to get to Baldwin EMA so that it can be sent to Alabama EMA. The clerk gave the council a copy of the last fiscal year budget vs actual, just for their information.

6. **Public Comment**
   No public comment

7. **Discussion – Public hearing and annexation ordinance for Family Dollar**
   Mayor Houser informed the council that the public hearing for the annexation of the Family Dollar property will be at the regular meeting. FDMS, LLC is requesting a B2 zoning and the ordinance will be on the agenda after the public hearing. **Will be on the agenda.**

8. **Committee reports**
   **Finance:** The council agreed on a budget of $4,000 for contractual agreements for 2010/2011. Alida Given is requesting a donation of $850.00 for the 501(c)3 for the library. With that request it would make the contractual agreements go over budget. Councilmember Gaar reminded the clerk that the council decided on cutting United Way from $750 to $500, which would allow for the library expenditure. Mayor Houser also stated that the library board would have to submit a contract because the town can not make donations.

   **Public Safety:** Councilmember Holk stated that the Fire Dept. will be making a final payment on the fire house this month. He attended a meeting on public safety at public meetings and was given some literature on different aspects of a public meeting, such as the sunshine law, who can speak, how long they can speak, how to keep a public meeting orderly, and that you can limit public input. Councilmember Gaar stated that after reading it he suggested that a law enforcement officer be at the public meetings. The council requested that the Mayor talk to Deputy Gandy and request that he attend the workshops and regular council meetings. Councilmember Holk was asked about the fire rating and he that they were rated a 6, but now it could be a 4.

   **Parks & Recreation:** Councilmember Laurendine reported that the pavers have been ordered. He and the Mayor will meet at the Springs to line out the sidewalk and they should get started in about ten days, and take about one week to complete. Mayor Houser added that he attended a seminar in Montgomery, and was staying at the Renaissance, and they had a sidewalk in the same brick color and pattern that the town selected and it looked really good.

   **Public Works:** Councilmember Gaar stated that he received the updated roadway inspection reports and the committee will recommend paving projects according to the road scores and engineering cost estimates to pave. He also submitted to the council two estimates; $1,974.00 for cleaning the crossdrain on Gates
Ave. and $5,792.70 for installing a crossdrain and ditch work at Richards Lane. The town needs to send a letter to the County Commission requesting that the work order be placed on the agenda. The clerk will take care of getting the letter to the Commission. He also talked to Allen Collins, with the county, and as soon as it rains a little, he will grade the dirt roads. Dwayne Tyson will be making the $175.00 repairs to the pier soon.

**Planning Commission:** Mayor Houser reported that the Commission is still working on the Subdivision Regulations. There are two items on the agenda for the meeting, family subdivision and the Magnolia R.V. Park. Councilmember Holk also stated that a variance is going before the Board of Adjustments on a new pharmacy building on Hwy 49 north, across from United Bank.

**Historic Preservation:** Councilmember Underwood stated that three members are going to attend some training in Monroeville. Mayor Houser asked if he had heard from David Schneider about the National Registry and Councilmember Underwood stated he has heard nothing but will get in contact with David. The Commission is also anticipating a request for demolition of a boat house and house from B.J. Blanchard. Councilmember Underwood did say that he would have to submit a development plan before he could get a demolition permit. The town or commission has not heard from him yet.

**Environmental Protection Committee:** Councilmember Odess stated that he attended an annual meeting of the Alabama Water Watch, who is a repository for our water quality data. Any monitors that have had any water quality issues could attend and could bring forth those issues.

9. **Council, legal counsel and staff comments**

Council and staff had no comments. Mayor Houser asked Brad Hicks, legal counsel if there was a need to go into executive session, and Brad stated yes. Motion by Councilmember Laurendine, 2nd by Councilmember Gaar to go into executive session to discuss with the attorney the legal ramifications and legal options of pending litigation and the meeting will not reconvene after the executive session. Brad Hicks stated that he is an attorney licensed to practice law in the State of Alabama; this exception is applicable to plan discussion under Section 36-25A-7(a)(3) of the Code of Alabama 1975 and the meeting will not reconvene as stated in the motion. All in favor. Motion carried.

Workshop ended at 5:55 pm

Approved this the 23rd day of November, 2010

Charles S. Houser – Mayor

ATTEST:

Karen S. Biel – Town Clerk