June 26, 2007
Regular Council Meeting
14809 Gates Ave.
Magnolia Springs, Al.
5:00 P.M.

1. Call to Order
Mayor Houser called the Council Meeting to order at 5:05 p.m.

Present – Mayor Houser, Councilmember’s: Bob Holk, Joe Sankey, Reva Hinson and Kenny Laurendine. Also present: Town Clerk, Karen S. Bie, Legal Counsel, Shawn Alves and Brad Hicks.

2. Invocation and Pledge of Allegiance
Mayor Houser led Invocation and Pledge of Allegiance

3. Approval of minutes from the Council Workshop on May 8, 2007
Motion by Councilmember Sankey, 2nd by Councilmember Hinson to approve the minutes from the workshop on May 8, 2007. All in favor. Motion carried.

Councilmember Underwood joined the meeting at 5:12 p.m.

4. Approval of minutes from Regular Council Meeting on May 15, 2007
Motion by Councilmember Hinson, 2nd by Councilmember Sankey to approve the minutes from the Regular Council Meeting on May 15, 2007. All in favor. Motion carried.

5. Committee Reports
Finance Committee: Mayor Houser reported the Finance Committee met on June 4, 2007, Council had a copy of his report that was previously discussed at the work shop. He also mentioned signing the agreement with Stone, Grande and Crosby, P.C. for legal services at $140.00 per hour.

Public Safety: Councilmember Holk reported that himself, the Mayor and Councilmember Underwood met with Hoss Mack and his chief deputy, they discussed the speeding problem on Hwy 49 and Sheriff Mack would have more patrols designated in that area. They also discussed the vandalism and the Sheriff’s Department is aware of the problem. Also discussed was the new legislation passed that would allow a municipality and the sheriff’s department to enter into a contract for patrol in the municipality, which would also allow the sheriff’s department to enforce the towns ordinances in the municipal jurisdiction.

The cost factors are between $50,000 and $60,000 a year.

Parks, Recreation and Beautification: Councilmember Hinson stated that the council had a copy of the report that was previously discussed at the work shop. She also reported that on June 14th the PR&B Committee met with Brett Gaar at the Springs and discussed the plants, observation deck and the park the county will be doing. Brett Gaar will be submitting this information to the county for approval. He did hear from the county that there is an extension on the grant till July 1, 2008. Volker’s recommendation is to do the Land Disturbance, to get the Springs ready for planting. Councilmember Hinson went on to speak about the clean-up day on June 29th, she thanked the Community Association for donating all the food for the Birthday Celebration. For the clean-up, she stated that water, gloves and bags are needed.

Motion by Councilmember Laurendine, 2nd by Councilmember Sankey to approve the expenditure of up to and not to exceed $100.00 for supplies for the clean-up. All in favor. Motion carried.

6. Public Comment
No public comment from the citizens.

Legal Counsel, Shawn Alves mentioned the town’s concern for the health of the Magnolia River and the degradation/preservation issues. The Council expressed a desire to prevent any further degradation/pollution to the river and to restore it to its natural state. Mike Shelton, Water Shed Coordinator/Coastal Training Program Coordinator at Weeks Bay Reserve was present and presented the Council with a packet containing information on the value of protecting the river. The packet contained copies of model buffer ordinances, and literature on protecting stream and river corridors. He stated that riparian buffers and a good vegetative cover will help break-up surface run-off. He also suggested that the Town keep sewer and field lines as far away as possible from the river and to minimize the impact of development on the shore line. Mr. Shelton’s presentation sparked discussion and comment by the Council. The Mayor mentioned how over the years the river has lost fish, sea grass and other
vegetation and the concerns the council has in protecting the river from future pollutants. Councilmember Underwood stated that herbicides, pesticides and other pollution have decimated the submerged grass beds and with time maybe they will come back. Mr. Shelton stated that with the ongoing land disturbance it is a big impact on the river, he offered his assistance to the council if they had any further questions. Councilmember Sankey added, that he is asked often about the usability and protection of the river. He added that the river’s health greatly impacts the desirability and property values of the Town and that this information demonstrated the importance of protecting, preserving and restoring the river.

7. Approval of Treasurer’s Report
Clerks report: General Fund - Income - $13,799.84, Expenses - $5,949.24. Bank balance to date is $16,795.00. AlaTax collected for the month of June to date is $8,265.96. Clerk gave the council a detailed copy of the expenses for May. Also reported the Special Revenue income for June was $382.89. Motion by Councilmember Sankey, 2nd by Councilmember Underwood to accept the treasurer’s report and the expenditures for May. All in favor. Motion carried.

8. Approval of Resolution 2007-20 – Authorizing the Mayor to Obtain Surety Bonds
Mayor Houser explained that surety bonds on officers and employees that are authorized to handled the municipalities finances are required. It was discussed at the previous workshop. Motion by Councilmember Laurendine, 2nd by Councilmember Sankey to authorize the Mayor to obtain surety bonds on officers and employees. All in favor. Motion carried.

9. Approval of Volkert Work Order for Surveying Services on the Springs
Motion by Councilmember Laurendine, 2nd by Councilmember Underwood to approve the Volkert work order for surveying on the Springs in the amount of $1,400.00. Discussion: Councilmember Holt asked about the sharing of the cost, Councilmember Hinson said the Garden Club will be paying for half the cost of the work order. All in favor. Motion carried.

10. Approval of Emergency Management Committee
Motion by Councilmember Sankey, 2nd by Councilmember Hinson to form an Emergency Management Committee as a subcommittee of the Public Safety Committee. All in favor. Motion carried.

11. Approval of Roads and Right of Ways Committee
Motion by Councilmember Laurendine, 2nd by Councilmember Hinson to approve a Roads and Rights of Ways Committee with Councilmember Sankey as chair. All in favor. Motion carried.

12. Approval of Garden Club Proposals
Motion by Councilmember Hinson, 2nd by Councilmember Underwood to partnership with the Garden Club to reestablish the town as a bird sanctuary. All in favor. Motion carried.

Motion by Councilmember Hinson, 2nd by Councilmember Holt to partnership with the Garden Club to proceed with phase one, which is to determine a schedule on designating the Magnolia River as an Outstanding Alabama Waterway. All in favor. Motion carried.

Motion by Councilmember Sankey, 2nd by Councilmember Laurendine to approve the Garden Club going ahead with the purchasing four (4) town signs, with the design background as recommended by the artist. All in favor. Motion carried.

13. Council, Legal Counsel and Staff Comments
Mayor Houser: Web site – thanked Rob Koberg for getting his company involved, they worked fast and were easy to work with. He also thanked the clerk for all the work on getting the information on the web site. He also mentioned the newsletter, said he’s received some good comments on it and thanked everyone who contributed to it.

Councilmember Underwood: Asked for an update on the Town Hall renovations. Councilmember Holt stated that a work party was held and the outside of the building has its first coat of paint. The plumbing and electrical is complete and he is going to schedule an inspection and start the sheet rock soon. May schedule another work party in a couple of weeks.

Councilmember Hinson: Riviera Utilities will start trimming tree and will take 2-3 weeks to complete. Also invited everyone to attend the town’s birthday party.
Legal Counsel – Shawn Alves: River issues, he introduced Walter Ernest the Executive Director at Weeks Bay Reserve. Mr. Ernest gave the council a handout with information on riparian buffers, and suggested that the citizens might want to do a conservation easement. He offered the foundations assistance if needed. Shawn suggested the council look through all the documents that Mr. Shelton and Mr. Ernest gave them. He will take the all material and will draft an ordinance for the council to look at so they can base their decision on evidence and facts.

Board of Education Lease: Shawn gave the council a copy of the final draft for the lease of the property, he asked the council to look it over and he will get with the Mayor on the draft copy. He also suggested the town look into purchasing the property in the future.

Roads and Right of Ways: Shawn has spoken with the county and will meet with Councilmember Sankey who is chair of the Roads and Right of Ways Committee.

Councilmember Sankey: Asked legal counsel about the franchise agreements? He is working on the sewer franchise agreement, he has talked with the sewer company’s attorney and he has obtained a copy of the company’s agreement with another municipality. Councilmember Sankey also questioned the agreements with Riviera and EMC. Legal will hope to have a draft agreement Riviera and EMC for the next work session.

Mayor Houser: Had one closing comment, that he is glad that they are working on a potential ordinance for the protection of the river and this has been talked about even before the incorporation. He’s hopeful that it will protect the river against anything harmful to it, and the council and the citizens feel that the river is a very important part of this community.

Motion by Councilmember Laurendine, 2nd by Councilmember Sankey to adjourn. All in favor. Motion carried.

Meeting adjourned at 6:45 p.m.

Approved this the 24th day of July, 2007

ATTEST:

Karen S. Bie, Town Clerk

Charles S. Houser - Mayor