JANUARY 16, 2007
TOWN COUNCIL MEETING
MAGNOLIA SPRINGS COMMUNITY CENTER
14775 OAK STREET
MAGNOLIA SPRINGS, ALABAMA
5:00 P.M.

1. CALL TO ORDER
Mayor Houser called the meeting to order at 5:00 p.m. and welcomed everyone.
Councilmember present: Mayor Houser, Bob Holk, Joe Sankey, Ken Underwood, Reva Hinson and Kenny Laurendine. Also present Karen S. Biel, Town Clerk.

2. INVOCATION AND PLEDGE OF ALLEGIANCE
Mayor Houser led in the Invocation and Pledge to the Flag.

3. MAYOR EXPLAINED COUNCIL MEETING PROCEDURES
Mayor asked that visitors sign in and that if you wish to speak there are sign up sheets to be filled out and giving to the clerk before the meeting starts. Speakers will be heard during public comment.

4. APPROVAL OF MINUTES FROM DECEMBER 19, 2006 COUNCIL MEETING
Motion by Sankey, 2nd by Underwood to approve minutes from the Dec. 19, 2006 Council Meeting. Mayor did bring up about the news letter and said that it would be discussed at another meeting. All in favor. Motion carried.

5. APPROVAL OF MINUTES FROM JANUARY 4, 2007 WORKSHOP
Motion by Hinson, 2nd by Sankey to approve minutes from the January 4, 2007 workshop. All in favor. Motion carried.

6. APPROVAL OF MINUTES FROM JANUARY 9, 2007 WORKSHOP
Motion by Sankey, 2nd by Underwood to approve the minutes form the January 9, 2007 workshop. All in favor. Motion carried.

7. COMMITTEE REPORTS
Mayor gave a report on the finance committee. Committee was formed at the December 14, 2007 meeting, Bob Holk, Joe Sankey, Chris Winter, Bob Zeanah and Mayor Houser. A finance meeting is set for January 24, 2007 at 4:00 P.M.

Councilmember Hinson stated that the Parks, Recreation and Beautification committee is herself, Ken Underwood, Kenny Laurendine, Harry Dwyer and Sheila Turner and there is a meeting January 30, 2007 at 5:00 P.M. at the fire house.

8. APPROVAL OF THE TREASURES REPORT
Clerk reported that the account started out with $4025.49 which was donated from the Incorporation Committee, expenses were $6,515.73 leaving a balance of $1509.76. She also reported that she has mailed out twenty-eight (28) business licenses, $3255.00, also started receiving beer tax, $2,656.99 which will be reflected on next months treaures report. Mayor asked about how many business license applications were mailed out and she reported about 280.

Motion by Sankey, 2nd by Holk to approve the treasurer’s report. All in favor. Motion carried.

9. PUBLIC COMMENT
Ray Reeves – Laurel Sub-division: asked the Council for their help in preventing this sub-division. There are four (4) houses per acre, he talked about the paving of roads, drainage, more traffic, fire department, low income housing, policing the area and water run-off problems. Councilmember Laurendine asked Mr. Reeves where he lived in proximity to the sub-division. Mr. Reeves also stated that Riviera set backs are 15 ft. and the plans state 10 ft. set backs. Councilmember Holk stated that the last time they addressed it, the dirt road on Lipscomb Road would need to be paved to Hwy 98, he also talked about the drainage and retention in that area. Councilmember Holk said that the last time it was presented it was turned down. Councilmember Underwood had some concerns about the stormwater, when they release it, it will be going across private property and crossing Lipscomb Road
Todd Underwood – also commented on the traffic control and the vehicle clearance, when the crop duster flies off his own property on Lipscomb.

Mayor Houser closed Public Comment
10. ORDINANCE 2007-01 – LEVYING AN AD VALOREM TAX, 5 MILS
Motion by Hinson, 2nd by Sankey to waive the reading of Ordinance 2007-01. All in favor. Motion carried.
Motion by Holk, 2nd by Underwood to adopt Ordinance 2007-01. Discussion: Councilmember Laurendine stated that it didn’t have to be passed till May and questioned waiting till then. Councilmember’s Sankey, Hinson, Holk and Underwood had no problem going ahead and adopting the ordinance. Voted on, five (5) Aye’s and one (1) Nay. Roll Call Vote: Councilmember Holk – Aye, Councilmember Sankey – Aye, Mayor Houser – Aye, Councilmember Underwood – Aye, Councilmember Hinson – Aye and Councilmember Laurendine – Nay. Motion carried.

11. RESOLUTION 2007-01 – ALATAX AGREEMENT COLLECTING SALES/USE TAX
AlaTax collecting our sales/use tax at the rate of $2.50 or 1.85% which ever is lower on each collection. The State’s fee is $3.71 or 2% which ever is lower.
Motion by Laurendine, 2nd by Underwood to adopt Resolution 2007-01. All in favor. Motion carried.

12. RESOLUTION 2007-02 – PARTICIPATION IN LOCAL GOVERNMENT HEALTH INSURANCE
Motion by Sankey, 2nd by Hinson to adopt Resolution 2007-02. All in favor. Motion carried.

Changing last sentence to read “deemed necessary by the Town Council”
Motion by Underwood, 2nd by Laurendine to adopt Resolution 2007-03. All in favor. Motion carried.

Change name from “Operating Account” to “General Fund” and one signature required on checks less than $250.00.
Motion by Sankey, 2nd by Hinson to adopt Resolution 2007-04. All in favor. Motion carried

15. RESOLUTION 2007-05 – ESTABLISHING TWO (2) NEW BANK ACCOUNTS
Establishing two (2) new bank accounts – 4/6 cent gas tax and 7 cent gas tax.
Motion by Underwood, 2nd by Laurendine to adopt Resolution 2007-05. All in favor. Motion carried.

16. RESOLUTION 2007-06 – AMENDMENT TO RESOLUTION 2006-06 – EXTENDING MORATORIUM
Extending the moratorium on the issuance of building permits for another thirty (30) days, from Feb.10, 2007 through March 10, 2007. The Council feels by that time they should have the Zoning completed.
Motion by Holk, 2nd by Underwood to adopt Resolution 2007-06. All in favor. Motion carried.

17. ALABAMA MUNICIPAL INSURANCE CORPORATION – O’NEAL AGENCY
Annual premium - $2,927.00, three year premium - $2,870.00. Half of premium due in 30 days, balance due in 60 day.
Motion by Sankey, 2nd by Laurendine to pay the annual premium of $2,927.00. All in favor. Motion carried.

18. APPROVAL OF LAND USE CERTIFICATE
Councilmember Holk stated that we should add an additional sheet requesting a list of the contractors which would be good to cross reference with the business license.
Motion by Underwood, 2nd by Laurendine to approve the Land Use Certificate. All in favor. Motion carried.

19. APPROVAL OF ANNEXATION FORMS
Motion by Underwood, 2nd by Hinson to approve annexation forms.
Councilmember Laurendine thinks we should add to the application “List of Utility Providers”. Amend motion to include the addition. All in favor. Motion carried.

20. LETTER TO COUNTY COMMISSION
Letter to the County Commission asking the County to continue issuing building permits.
Motion by Laurendine, 2nd by Sankey to approve the letter to the County Commission. All in favor. Motion carried.

21. LAUREL’S SUB-DIVISION PUBLIC HEARING
Mayor asked if anyone on the Council would be able to attend the public hearing on January 18, 2007 at 6:00 P.M. Councilmember Holk said that he was going to attend the public hearing. No one else could attend.

22. COUNCIL COMMENTS
Mayor talked about moving the Council meetings to the temporary Town Hall, it would make it easier, and we would have every thing there that would be needed. All were in agreement.
Motion by Sankey, before a 2nd Councilmember Laurendine asked “wouldn’t we have to amend the original ordinance”. Motion withdrawn, Amendment to be added to February workshop meeting.
Motion to adjourn
Approved: February 20, 2007

[Signature]
Karen S. Blel – Town Clerk

[Signature]
Charles S. Houser - Mayor