AUGUST 14, 2007
SPECIAL COUNCIL MEETING
14809 GATES AVE,
MAGNOLIA SPRINGS, AL.
4:30 P.M.

1. Call to Order
Mayor Houser called the Special Council Meeting to order at 4:35 p.m.
Present at the meeting – Mayor Houser, Council Members: Bob Holk, Joe Sankey, Reva Hinson and Kenny Laurendine. Not present – Ken Underwood. Also present: Town Clerk - Karen S. Biel and Legal Counsel – Shawn Alves

2. Invocation and Pledge of Allegiance
Mayor Houser led the invocation and pledge to the flag.

3. Franchise Agreement with Riviera Utilities and Ordinance 2007-12 – Granting a Non-Exclusive Franchise to the Utilities Board of the City of Foley, Alabama
Franchise Agreement: Motion by Councilmember Hinson, 2nd by Councilmember Holk to authorize the Mayor to sign the franchise agreement with Riviera Utilities. Discussion: Councilmember Sankey mentioned a typo in 2nd paragraph, he also talked about there not being any provisions in the agreement for Riviera to notify the Town when they begin to work in our right-of-ways. Legal Counsel suggested that the Council consider passing an ordinance for Right-of Way Permits. Legal Counsel and Clerk will get a draft copy of a Right-of-Way Permit and form for the Council to review and pass at the next Council Meeting. Vote: All in favor. Motion carried.

Motion by Councilmember Holk, 2nd by Councilmember Sankey to adopt Ordinance 2007-12. No discussion. ROLL CALL VOTE: Councilmember Holk – Aye, Councilmember Sankey – Aye, Mayor Houser – Aye, Councilmember Hinson – Aye, and Councilmember Laurendine – Aye. All in favor. Motion carried.

4. Ground Lease between Baldwin County Board of Education and Town of Magnolia Springs
Legal Counsel noted some changes, Section 2.03 – justifying the Town has the right to first refusal – Article 13 – for the Town to be reimbursed for expenses, and Shawn will address that issue. Motion by Councilmember Sankey, 2nd by Councilmember Hinson to authorize the Mayor to sign the agreement as outlined, pending amendments. Discussion: Councilmember Holk stated when and if the Town starts thinking about building on the property they should think about purchasing the property. Vote: All in favor. Motion carried.

Motion by Councilmember Hinson, 2nd by Councilmember Sankey to adjourn the special council meeting.

Meeting adjourned at 4:55 P.M.

Approved this the 25th day of September, 2007

ATTEST:

Karen S. Biel - Town Clerk

Charles S. Houser - Mayor