May 27, 2008
Regular Council Meeting
12191 Magnolia Springs Hwy.
Magnolia Springs, Al.
5:00 P.M.

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

2. **Roll Call**
Councilmember’s present – Mayor Houser, Bob Holk, Joe Sankey, Ken Underwood, Reva Hinson and Kenny Laurendine. Also present: Town Clerk, Karen S. Biel – Legal Counsel, Brad Hicks.

3. **Invocation and Pledge of Allegiance**
Mayor Houser led the invocation and pledge.

4. **Approval of Minutes from Council Workshop on 4/8/2008 and Regular Council Meeting on 4/22/2008**
Councilmember Underwood had a change on the work shop minutes with the historic survey done in 1983, it should be 1986, and clerk will make the change.
Motion by Councilmember Hinson, 2nd by Councilmember Sankey to accept all minutes as corrected. All in favor. Motion carried.

5. **Committee Reports**

   **Finance:** Mayor Houser stated the council had received and reviewed the minutes at the previous workshop. He did mention that the finance committee did recommend approval to the council to accept the proposal from HMR for Christopher Baker to continue helping with the comprehensive plan.

   **Public Safety:** Councilmember Holk stated that he talked with Sheriff Mack and he did send the agreement to the County Commission for signing, which will be at their next meeting. Sheriff Mack did say that until we have our sheriff in place full time that the school deputy will be in Magnolia Springs two days, possibly three days a week. Sheriff Mack will set up a meeting with the town to go over some ground rules. Councilmember Holk also added that the court case on the dogs running at large has been postponed till August and in calling the clerks office he was able to get it set for until July 3rd.

   **EMA Committee:** No report.

   **PR&B:** Councilmember Hinson didn’t have anything new, but the committee would be discussing the fencing at their next meeting. She added that the town clean-up is June 28th and could use all the help we can get. She talked about the recommendation from the committee to the council that the town be responsible for Arbor Day with the garden clubs assistance where needed. She suggested that later in the meeting it should be voted on. Councilmember Hinson said the festival was a success and the garden club thanked the council for being there and working so hard. Mayor Houser also added the garden club did a great job and it was a great event. Councilmember Underwood stated he has been working on the parking at the springs and as soon as he gets it completed he will get it to the council for approval. Mayor Houser asked about the fencing and Councilmember Hinson stated they had a good estimate and will discuss it at the committee meeting and then present it to the council at the next meeting.

   **Public Works:** Councilmember Sankey had nothing new to report. He did remove the two ordinances from the agenda, that he and legal are still working on them and they may have them ready for workshop.

   **Planning Commission:** Mayor reported that the Planning Commission will hold a public hearing to amend the subdivision regulations to add RV Parks to the Mobile Home Park section. Mayor Houser also added that there are two subdivisions in our planning jurisdiction that are requesting a two year extension from the county. These subdivisions were approved by the county before we had our planning jurisdiction and the agreement was that anything approved before obtaining our planning jurisdiction would stay with the county. His question to legal was, does it have to be a two year extension or could it be six months or one year, not that we would have anything to do with it. Legal counsel will research.

   **Historic Preservation Commission:** Councilmember Underwood stated they have appointed a committee to work on architectural design standards, they hope to have them drafted and approved by the time we obtain the historical designation. They met with Mary Mason Shell, which was a good meeting; she had a lot of information. The requirements to become a Certified Local Government are resumes of all the members, which they are still working on, a resolution from the town, a letter from the mayor stating the interest in becoming a certified local government and designating a contact person. Only having one employee, the clerk would be designated as the contact person.

Motion by Councilmember Sankey, 2nd by Councilmember Holk to accept the minutes as submitted. All in favor. Motion carried.
6. Approval of financial reports and expenditures for April
Clerk stated the financial statements and expenditures for April are as follows:
General Fund: Bank Balance as of 4-30-08 was $23,454.10. Income - $22,133.09, Expenditures - $5,953.45. Vendor expenditures - $2,509.74. Money Market balance - $125,698.47. Special Revenue: Income - $374.76, with a balance of $5,840.27.
Motion by Councilmember Laurendine, 2nd by Councilmember Underwood to accept the financial reports and expenditures for the month of April. All in favor. Motion carried.

Mayor Houser requested a change in the agenda to move ahead to the proclamation for Jordan Hullett.

Mayor Houser read the proclamation and explained that Jordan Hullett is a resident of Magnolia Springs. After reading the proclamation the Mayor presented it to Jordan and pictures were taken. The Council congratulated Jordan Hullett.

8. Public Comment
Donna Esslinger: received information about a program called “The Year of Alabama Small Towns and Down Towns” that was instigated by Governor Riley, the Alabama’s Chambers of Commerce, League of Municipalities, and the Alabama State Council for the Arts and The Alabama Tourist Department. The town must designate a holiday during the calendar year of 2010 as “Homecoming”, which means you are celebrating your community. She stated that Magnolia Springs is the first town in the southern part of the state that is interested. If it is approved the town must do a resolution designating a holiday in 2010 as homecoming, she suggested the Fourth of July, and the town will receive an historical marker. Donna has drafted the text for the marker; deadline for the wording of the marker is 12/1/08. Councilmember Sankey asked that the wording for the marker be submitted to the next workshop for approval by the council. Will be on the workshop agenda along with a resolution in June.

10. Employee Handbook
Council had a copy of the manual and the clerk stated that she added the sections that legal counsel drafted.
Motion by Councilmember Hinson, 2nd by Councilmember Sankey to approve the Employee Handbook. All in favor. Motion carried.

11. HMR Proposal – to retain Christopher Baker as an extension of town staff
Mayor Houser stated that the finance committee recommended the council approve the proposal. He went on to say that Mr. Baker was hired as a liaison to assist in selection process of a firm to complete our Comprehensive Plan and feels that he would be of great assistance in the rest of the process. He also mentioned that Mr. Baker’s fee would not exceed $8,800.00 and when the final bid was in, it was just about $8,000.00 less, which covers Mr. Baker’s fee.

Motion by Councilmember Underwood, 2nd by Councilmember Hinson to authorize the Mayor to sign the agreement with HMR for Christopher Baker’s assistance as an extension of the town staff in facilitating work of the Comprehensive Plan not to exceed $8,800.00. All in favor. Motion carried.

The council also had a list of names that will be on the Advisory Committee for the Comprehensive Plan. The mayor explained that the Advisory Committee will be the liaisons between the residents and the engineering firm. The Mayor stated that it will take about six months to complete, it’s a big expense and the biggest undertaking the council will take. There will a lot of time put into it and there will be several community meetings that will be open for discussion.

12. Ordinance 2008-06 – Yard/Garage Sale
Mayor explained the ordinance for regulating yard/garage sales within the town limits of Magnolia Springs. He did explain that “Surplus/Inventory Sale” was added as discussed at the workshop.

Motion by Councilmember Laurendine, 2nd by Councilmember Holk for immediate consideration of Ordinance 2008-06. Roll Call vote: Councilmember Holk – Aye, Councilmember Sankey – Aye, Mayor Houser – Aye, Councilmember Underwood – Aye, Councilmember Hinson – Aye and Councilmember Laurendine – Aye. All in favor. Motion carried.

Motion by Councilmember Underwood, 2nd by Councilmember Sankey to waive the reading of Ordinance 2008-06. All in favor. Motion carried.
Motion by Councilmember Laurendine, 2nd by Councilmember Holk to adopt Ordinance 2008-06.
Discussion: Councilmember Hinson asked about estate sales, the Mayor stated that it was discussed at
the workshop, estate sales would fall under surplus/inventory sales and the professional hired to run the
sale would have to have a business license. Roll Call vote: Councilmember Holk – Aye,
Councilmember Sankey – Aye, Mayor Houser – Aye, Councilmember Underwood – Aye,
Councilmember Hinson – Aye and Councilmember Laurendine – Aye. All in favor. Motion carried.

13. Council, Legal Counsel and Staff Comments
Councilmember Hinson had a motion.
Motion by Councilmember Hinson that the Town of Magnolia Springs be responsible for the
annual Arbor Day beginning February 2009 in collaboration with the Magnolia Springs Garden
Club, providing assistance where needed. There was no second on the motion, motion died.
Mayor Houser suggested discussing the town’s responsibility for Arbor Day at a workshop.
Councilmember Hinson stated she withdrew her motion and will discuss it at the next workshop.

14. Any other business that might come before the meeting
No other business

Motion by Councilmember Sankey, 2nd by Councilmember Underwood to adjourn the meeting.
All in favor. Motion carried.

Meeting adjourned at 6:45 p.m.

Approved this the 24th day of June, 2008

Charles S. Houser – Mayor

ATTEST:
Karen S. Biel – Clerk