

## Regular Council Meeting Agenda

Tuesday, May 26, 2020, 5:00 p.m.

Town Hall - Cisco Webex

12191 Magnolia Springs Highway  
 Magnolia Springs, AL 36555

1. Call to Order
2. Roll Call
3. Invocation and Pledge
4. **Approval of Council Minutes:**.....1
  - Council Workshop, April 15, 2020
  - Regular Council Meeting, April 28, 2020
6. **Approval of Financials and Expenditures:**.....2
  - Financials and Expenditures, April 2020
7. Public Comment
8. **Resolutions:**.....3
  - Resolution No. 2020-12 – Annual Participation in the “Back-to-School Sales Tax Holiday”
9. **State of Alabama Alcoholic Beverage Control Board - Alcohol License Application:** .....4  
 Cougar Oil Inc. – 14748 US Highway 98, Foley, AL 36535
10. **Discussion:**
  - Coronavirus (COVID-19)
  - Bridge Contract
  - Baldwin County Sewer Service System Franchise Agreement
11. Council, Legal Counsel and Staff Comments
12. Any Other Business That Might Come Before the Meeting
13. Adjourn

**This agenda is provided for information only and is subject to change.**

**APPROVAL OF COUNCIL MINUTES**

- Council Workshop, April 15, 2020
- Regular Council Meeting, April 28, 2020

April 15, 2020  
 Council Workshop  
 12191 Magnolia Springs Hwy.  
 Magnolia Springs, Alabama 36555

1. Call to Order:  
 Mayor Kim Koniar called meeting to order at 5:00 pm.
  
2. Roll Call:  
 Present: Mayor Kim Koniar; Mayor Pro Tempore Ben Dykema;  
 Councilmember Andrew Monaghan (Cisco WebEx); Councilmember Steve Mobley;  
 Councilmember Marley Gardner; Councilmember Nick Shields (Cisco WebEx).  
 Also, present: Town Clerk/Treasurer Jenny Opal White; and Assistant Town Clerk Hannah Driskell (Cisco WebEx).
  
3. Invocation and Pledge:  
 Councilmember Steve Mobley led invocation and pledge.
  
4. Council Minutes:  
 Mayor Kim Koniar asked Council to review Council Workshop of March 10, 2020, Special Council Meeting of March 10, 2020, Emergency Special Meeting of March 16, 2020, Regular Council Meeting of March 24, 2020 and Emergency Special Meeting of March 30, 2020. Mayor Kim Koniar asked Council to contact Town Clerk/Treasurer Jenny Opal White for additional comments or corrections.
  
5. Financials and Expenditures, March 2020:  
 Mayor Kim Koniar asked Council to review Financials and Expenditures from March 2020. Mayor Kim Koniar stated that \$10,000 in the Contractual Agreements account was to the Magnolia Springs Volunteer Fire Department. Town Clerk/Treasurer Jenny Opal White stated there is a credit to the Contractual Agreements account from AMIC. Mayor Kim Koniar asked for the AMIC credit to be moved to account number 5070 Insurance. Mayor Kim Koniar asked Town Clerk/Treasurer Jenny Opal White to email Council a year-to-date balance sheet compared to budget for review.
  
6. Deputy Derek Boone, Monthly Report, March 2020:  
 No arrests made.  
 Traffic Stops: 118  
 Citations: 27  
 Warnings: 88  
 Verbal: 19  
 Harassment complaint in Village Green. No report requested.  
 Report taken on a welfare concern on Moriah Drive.  
 Theft report taken on Live Oak Avenue.  
 Mayor Pro Tempore Ben Dykema thanked Deputy Derek Boone for working the past weekend.  
 Deputy Boone stated he tries to work one Saturday a month currently and plans to continue  
 Page 793  
  
 throughout the summer months. Mayor Kim Koniar mentioned that there have been complaints of people accessing the closed pier at the Bay Street public pier. Deputy Derek Boone stated he has been patrolling the Bay Street pier and will continue to patrol. Deputy Derek Boone stated that the Marine Police is patrolling the Magnolia River, as well. Mayor Kim Koniar stated that she has received complaints on golf carts in the Town. Mayor Kim Koniar reminded citizens that it is Alabama State Law to have a tag on golf carts.
  
7. Public Comment:  
 No public comment.
  
8. Resolutions:
  - Resolution No. 2020-09 – Naming Members of Zoning Board of Adjustment – Mayor Kim Koniar stated that the terms have expired for the Zoning Board of Adjustment. Mayor Kim Koniar



- stated that the terms are rotating 3-year, 2-year, or 1-year terms which were not currently rotating. Mayor Kim Koniar stated that supernumeraries are on 3-year terms. Mayor Kim Koniar asked Town Clerk/Treasurer Jenny Opal White to put on calendar for next March to reappoint or add a new member to the Board of Adjustments for that expiring term.
  - Resolution No. 2020-10 – Naming Members of Historic Preservation Commission – Mayor Kim Koniar stated that Liz Ramsey could take the place of Burt Henson, who no longer wanted to serve on the Historic Preservation Commission. Mayor Kim Koniar asked Town Clerk/Treasurer Jenny Opal White to put on calendar for next March to reappoint or add a new member to the Historic Preservation Commission for that expiring term.
9. Discussion:
- Coronavirus – Mayor Kim Koniar asked Councilmember Steve Mobley, Public Works and Safety Chairman, about PPE or other safety concerns relating to Coronavirus for Town employees. Councilmember Steve Mobley stated that essential employees such as public works and Town Clerk are working by themselves and limiting exposure to others. Mayor Kim Koniar stated that the Librarian and Assistant Town Clerk are working from home to limit exposure. Mayor Kim Koniar asked Town Clerk/Treasurer Jenny Opal White about installing Plexiglass between the Clerk's office and the entranceway. Jenny Opal White responded with agreement and requested a drop box and doorbell be installed outside. Councilmember Steve Mobley will remind public works employee to wear disposable gloves while collecting trash.
10. Committee/Commission Reports:
- Ad Hoc Committee, Kim Koniar, Chairman – Mayor Kim Koniar stated that the Ad Hoc Committee did not meet because of Coronavirus. Mayor Kim Koniar reported that the survey on the property at the corner of Gates Avenue and Magnolia Springs Highway was returned showing a discrepancy. Mayor Koniar stated the discrepancy is on lot dimensions and will be clarified before closing. Mayor Koniar stated that closing will be within ten days.
  - Finance & Audit Committee, Kim Koniar, Chairman – Mayor Kim Koniar stated the Finance and Audit Committee did not meet due to Coronavirus. Mayor Kim Koniar stated the Finance and Audit Committee will meet soon via teleconferencing.
  - Public Works & Safety Committee, Steve Mobley, Chairman – Councilmember Steve Mobley stated the Public Works & Safety Committee did not meet due to Coronavirus. Mayor Kim Koniar reported on the completion of the tow-away signs. Deputy Derek Boone stated to contact the Sheriff's Office if someone is parked in the tow-away or no parking zone.
  - Public Lands & Beautification Committee, Ben Dykema, Chairman – Mayor Kim Koniar stated that Public Lands & Beautification did not meet due to Coronavirus.
  - Tree & Streetscape Committee, Nick Shields, Chairman – Councilmember Nick Shields stated that the Tree & Streetscape Committee did not meet. Councilmember Nick Shields reported that there was a broken limb hanging in a tree at the corner of Island Avenue and Magnolia Avenue that the Fire Department removed.
11. Council, Legal Counsel and Staff Comments:
- Councilmember Steve Mobley observed that Baldwin County Solid Waste did not pick-up garbage cans underneath tree limbs. Councilmember Steve Mobley stated that there must be 15 feet clearance underneath tree limbs for the garbage truck to pick up and dump the cans. Mayor Kim Koniar stated she has received complaints of the no-wake-zone buoys that were moved. Mayor Koniar contacted Alabama Marine Police and was told they were moved west of Bemis Bay due to a complaint. Mayor Kim Koniar stated she has not heard back from Riviera Utilities about Underground Utilities. Councilmember Steve Mobley reported that the Pure Station is under new ownership and is making changes. Mayor Kim Koniar asked about dumpsters around the Shell Station and if there is an ordinance against it. Councilmember Steve Mobley stated that Assistant Town Clerk Hannah Driskell has been conducting research and has not found anything yet. Town Clerk/Treasurer Jenny Opal White reported several historic COAs and preapplications for new construction submitted, several land use applications, a few golf cart permits and a reduced



number of business licenses. Town Clerk/Treasurer Jenny Opal White reported an application for a new business in the Town for the Planning Commission, but unable to proceed until the ability to hold a public hearing. Town Clerk/Treasurer Jenny Opal White reminded Council and Mayor about the April 30 deadline on completing the Statement of Economic Interest.

12. Any Other Business That Might Come Before the Meeting:

No other business.

13. Adjourn:

Mayor Pro Tempore Ben Dykema made motion to adjourn meeting. Second, by Councilmember Marley Gardner. All in favor. Motion passed. Meeting adjourned at 5:54 pm.

Approved this 26th day of May 2020.

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Submitted by:  
Hannah Driskell  
Assistant Town Clerk

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Kim Koniar, Mayor

ATTEST:

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Jenny Opal White, Town Clerk/Treasurer

April 28, 2020  
 Regular Council Meeting  
 12191 Magnolia Springs Hwy.  
 Magnolia Springs, Alabama 36555

1. Call to Order:  
 Mayor Kim Koniar called meeting to order at 5:00 pm.
2. Roll Call:  
 Present: Mayor Kim Koniar; Mayor Pro Tempore Ben Dykema;  
 Councilmember Andrew Monaghan (Cisco WebEx); Councilmember Steve Mobley;  
 Councilmember Marley Gardner; Councilmember Nick Shields (Cisco WebEx).  
 Also, present: Town Clerk/Treasurer Jenny Opal White; and Assistant Town Clerk Hannah Driskell.
3. Invocation and Pledge:  
 Councilmember Steve Mobley led invocation and pledge.
4. Proclamation:
  - National Safe Boating Week, Flotilla Coastal Region 0810306, Fairhope, Alabama – Mayor Kim Koniar stated that May 16-22, 2020 is National Safe Boating Week urging all boaters to wear life jackets, personal flotation devices and practice safe boating habits. Councilmember Marley Gardner made motion to approve and adopt Proclamation for National Safe Boating Week. Second, by Councilmember Steve Mobley. All in favor. Motion carried.
5. Approval of Council Minutes:  
 Mayor Kim Koniar asked for approval of Council Workshop, March 10, 2020, Special Council Meeting, March 10, 2020, Emergency Special Meeting, March 16, 2020, Regular Council Meeting, March 24, 2020 and Emergency Special Meeting, March 30, 2020. Mayor Pro Tempore Ben Dykema made motion to approve council minutes as presented. Second, by Councilmember Marley Gardner. All in favor. Motion carried.
6. Approval of Financials and Expenditures, March 2020:  
 Mayor Kim Koniar asked for approval of Financials and Expenditures for March 2020. Councilmember Marley Gardner made motion to approve Financials and Expenditures as presented. Second, by Mayor Pro Tempore Ben Dykema. All in favor. Motion carried.
7. Public Comment:  
Casey Fulford – Casey Fulford, with Alabama Association of Conservation Districts, discussed the Alabama Coastal Area Management Program grant. Casey Fulford stated that Dr. Yucheng Feng with Auburn University agreed to be the grant holder. Dr. Yucheng Feng will be doing the testing in her lab allowing more samples within the same budget of \$21,000. Casey Fulford stated that she has been able to secure \$10,000 in match. Casey Fulford asked the Town Council for a commitment of \$8,000. Mayor Pro Tempore Ben Dykema made a motion for the Town of Magnolia Springs to coordinate a letter with Casey Fulford expressing commitment to the Alabama Coastal Area Management program grant and agree to \$8,000 match. Second, by Councilmember Steve Mobley. All in favor. Motion carried.
8. Resolutions:
  - Resolution No. 2020-09 – Naming Members to the Zoning Board of Adjustment – Mayor Kim Koniar stated that the Zoning Board of Adjustment is an essential function of the Town and it can be voted on at this time. Councilmember Marley Gardner made motion to adopt Resolution No. 2020-09. Second, by Mayor Pro Tempore Ben Dykema. All in favor. Motion carried.
  - Resolution No. 2020-10 – Naming Members to the Historic Preservation Commission– Mayor Kim Koniar stated that the Historic Preservation Commission is an essential function of the Town and it can be voted on at this time. Councilmember Steve Mobley made motion to adopt Resolution No. 2020-10. Second, by Councilmember Nick Shields. All in favor. Motion carried.



9. Discussion:

- Coronavirus – Mayor Kim Koniar stated that with Governor Ivey’s newest directive that was released earlier in the day, it still limits gathering to 10 people or less. Which would limit Council Meetings to 10 people in the room. Town Clerk/Treasurer Jenny Opal White stated that Public Works employee enters Town Hall without PPE. Councilmember Steve Mobley stated he will discuss PPE requirements with Public Works employee. Mayor Kim Koniar stated that Assistant Town Clerk, Hannah Driskell, may continue to work from home. Mayor Kim Koniar stated that Librarian Elise Nodar is working half of her normal hours but does not feel comfortable handling books from the public. Councilmember Steve Mobley suggested keeping the Town’s public docks closed until May 15, 2020. Councilmember Andrew Monaghan agreed that the closing of the public docks be kept in place until further direction from the Governor. Mayor Pro Tempore Ben Dykema stated that the tape that was placed on the public docks to indicate they are closed, needs to be redone. Mayor Kim Koniar stated that Town Hall will remain closed until more guidance from the Governor and League of Municipalities. Mayor Kim Koniar and Town Council discussed the need for Town employees to complete a cleaning and sanitation online class. Councilmember Ben Dykema noted that the Town of Magnolia Springs is responsible for the cleanliness of the polls during election. Mayor Kim Koniar stated more research will be conducted. Town Clerk/Treasurer Jenny Opal White asked Councilmember Steve Mobley to document during Safety Meetings to receive credit from AMIC. Mayor Kim Koniar noted the increasing traffic at the Bay Street public dock and kayak launch. Discussion on whether to ask the Baldwin County Sheriff’s Office to move up their patrolling from May 23. Agreement amongst Council to wait to see how upcoming weekend will be impacted by traffic. Deputy Derek Boone stated he will be working this upcoming Saturday. Deputy Boone stated if a vehicle is parked in the no parking zone, they could receive a ticket or be towed. Deputy Boone stated any vehicle parked in the roadway or parked in the area of the no parking signs could be towed, as well.
- Bridge Contract – Mayor Kim Koniar stated she received three (3) quotes to provide maintenance on the Magnolia River Bridge on Magnolia Springs Highway. Mayor Kim Koniar asked Council to authorize the Mayor to be able to negotiate cost. Mayor Pro Tempore Ben Dykema made motion to empower the Mayor to negotiate the contract as proposed for addition to the bridge and reconstitution of products on the bridge not to exceed \$44,000 with approval of Council and Town Attorney Brad Hicks. Second, by Councilmember Marley Gardner. All in favor. Motion passed.

10. Council, Legal Counsel and Staff Comments:

Councilmember Andrew Monaghan discussed the nuisance on Live Oak Avenue. Councilmember Andrew Monaghan stated that the property owner filed Chapter 7 Bankruptcy and the house will be foreclosed on by the bank. Councilmember Andrew Monaghan stated that it would be in the Town’s best interest to let the bank to proceed with nuisance.

Mayor Kim Koniar reported that the Town has not closed on the property at the corner of Gates Avenue and Magnolia Springs Highway. Mayor Kim Koniar stated that she received the final survey today and should be closing this week.

Councilmember Marley Gardner reported that she has received concerns from citizens about a Dollar General coming into the Town. Mayor Kim Koniar stated that those are rumors right now since the Planning Commission has not been able to meet.

Councilmember Marley Gardner reported that she has been asked about the Town putting in a red-light at the intersection of Magnolia Springs Highway and Highway 98. Councilmember Steve Mobley stated if a business were to build at that intersection, the Town may be able to split costs of a red-light at that intersection.

Councilmember Marley Gardner asked about the Town not having a noise ordinance.

Councilmember Marley Gardner to research other municipalities for their noise ordinances.

Councilmember Marley Gardner asked Deputy Derek Boone about a complaint of vehicles racing down Oak Street. Deputy Boone reported that those individuals were found, and the issue was addressed.

Town Clerk/Treasurer Jenny Opal White reported the activities of the Clerk’s Office. The Town has issued 18 Land Use Certificates since January 1, 2020, with 7 in the month of April. The Town has issued 11 Historic COA since January 1, 2020, with 5 in the month of April. The Town has processed 442 Business Licenses since January 1, 2020, with 4 being processed in April.



Town Clerk/Treasurer reported on sales tax the Town has received since January 1, 2020:

January – \$18,250.24  
February – \$15,702.68  
March – \$16,304.07  
April – \$12,647.40

Town Clerk/Treasurer Jenny Opal White thanked Councilmember Steve Mobley for the drop-box that was installed outside the front door at Town Hall.

Councilmember Steve Mobley stated that he received a complaint from a citizen about a ditch that needs to be cleared due to the dumping of leaves and debris into it. Councilmember Steve Mobley suggested the placement of a “No Dumping” sign in the area that the dumping is occurring.

Councilmember Steve Mobley states there has been citizens questioning the placement of streetlights on Oak Street. Councilmember Marley Gardner stated that there has not been a majority supporting streetlights on Oak Street.

11. Any Other Business That Might Come Before the Meeting:

No other business.

12. Adjourn:

Councilmember Marley Gardner made motion to adjourn meeting. Second, by Councilmember Steve Mobley. All in favor. Motion passed. Meeting adjourned at 6:14 pm.

Approved this 26th day of May 2020.

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Submitted by:  
Hannah Driskell  
Assistant Town Clerk

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Kim Koniar, Mayor

ATTEST:

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Jenny Opal White, Town Clerk/Treasurer

**APPROVAL OF FINANCIALS AND EXPENDITURES**

- Financials and Expenditures, April 2020

**Town of Magnolia Springs General Fund  
Income Statement  
April 2020**

	Apr 20	Oct '19 - Apr 20
<b>Ordinary Income/Expense</b>		
<b>Income</b>		
4000 · General Fund Income		
4865 Local Assessment Fee Trans	0.00	8.63
4300 · Business License Fees	306.84	58,297.95
4305 · Beer Tax	1,876.16	12,693.41
4310 · Wine Tax	66.17	486.97
4320 · Sales & Use Tax	14,966.53	112,413.83
4325 · Ad Valorem Tax	1,075.16	65,666.97
4326 · Financial Institution ExciseTax	0.00	177.89
4330 · Auto License, Reg. & Tag Tax	136.10	907.92
4332 · Local Gax Tax	152.00	14,633.07
4339 · Sales/Use Tax - Motor Vehicles	590.98	4,938.69
4340 · Ad Valorem - Auto Sales	312.97	2,957.43
4380 · Interest Income	223.53	1,188.51
4385 · Property Income	0.00	0.00
4400 · Planning/Zoning Income	0.00	1,250.00
4401 · Copies-Sub-Reg's & Zoning Ord.	0.00	8.50
4410 · Land-Use Fees	175.00	750.00
4630 · Golf Cart Permit Fee	50.00	325.00
4650 · Permit Fees	40.00	170.00
4655 · Citation Revenue	265.50	3,836.96
4700 · Miscellaneous Income	0.00	2.85
<b>Total 4000 · General Fund Income</b>	<b>20,236.94</b>	<b>280,714.58</b>
<b>4800 · Special Revenue Income</b>		
4810 · 4 & 5 Cent Gas Tax Income	147.59	1,082.18
4820 · 7 Cent Gas Tax Income	170.53	1,250.58
4840 · Capital Improvement Fund	7,951.70	8,449.94
4850 · Rebuild Alabama Act	930.57	5,970.90
<b>Total 4800 · Special Revenue Income</b>	<b>9,200.39</b>	<b>16,753.60</b>
<b>Total Income</b>	<b>29,437.33</b>	<b>297,468.18</b>
<b>Gross Profit</b>	<b>29,437.33</b>	<b>297,468.18</b>
<b>Expense</b>		
<b>5000 · General Government Department</b>		
5005 · Council Pay	250.00	4,650.00
5010 · Salaries	11,188.50	58,647.28
5011 · Payroll Taxes	1,098.96	5,460.14
5012 · Employee Retirement	144.84	694.99
5013 · Employee Insurance	622.00	7,474.00
5014 · Workers Compensation Fund, Inc.	0.00	899.00
5015 · Travel & Hotels	0.00	980.28
5020 · Bank Charges	25.00	93.00
5021 · Recording Fees	16.00	32.00
5025 · Office Supplies	977.04	6,876.77
5030 · Postage Expense	110.00	1,042.90
5035 · Telephone Expense	251.54	1,771.89
5036 · Electric Expense	146.92	1,597.55
5037 · Trash Collection	0.00	48.00
5038 · Building Maintenance	0.00	787.60
5050 · Training & Education	(350.00)	502.00
5060 · Office Equipment/Furniture	0.00	639.79
5063 · CPA-Audit	0.00	7,579.00
5065 · Prof/Attorney Fees	2,766.20	14,994.75



**Town of Magnolia Springs General Fund  
Income Statement  
April 2020**

	Apr 20	Oct '19 - Apr 20
5066 · Consultant Fees	250.00	250.00
5067 · Dues & Membership	8.32	4,730.36
5070 · Insurance	0.00	8,784.00
5081 · Computer Expense	84.22	3,830.79
5085 · Town Hall Lease	700.00	4,900.00
5090 · Contractual Agreements	5,184.00	6,890.00
5091 · Special Contracts-Fire Dept	0.00	10,000.00
5092 · Land Purchase	120,676.01	126,426.01
5093 · Mileage Reimbursement	0.00	142.81
5095 · Miscellaneous	0.00	315.60
5096 · COVID-19 Expense	1,270.43	1,270.43
<b>Total 5000 · General Government Department</b>	<b>145,419.98</b>	<b>282,310.94</b>
5200 · Planning Commission		
5210 · Advertising	0.00	206.10
5220 · Postage	0.00	290.10
<b>Total 5200 · Planning Commission</b>	<b>0.00</b>	<b>496.20</b>
5300 · Library Expense		
5301 · Rent Expense	852.25	5,965.75
5302 · Electric Expense	64.53	525.64
5303 · Telephone Expense	154.36	1,083.87
5304 · Trash Expense	0.00	96.00
5307 · B.C. Cooperative Fee	0.00	435.00
<b>Total 5300 · Library Expense</b>	<b>1,071.14</b>	<b>8,106.26</b>
6000 · Public Works		
6011 · Equipment Expense	252.11	10,007.24
6012 · Fuel expense	67.57	1,103.99
6015 · Street Sign Expense	100.00	1,855.37
6020 · Street & ROW Repair	0.00	24,977.25
6025 · Bridge Expense	0.00	3,480.00
6070 · Miscellaneous	0.00	715.90
6073 · Brush/Yard Waste	14.22	250.24
<b>Total 6000 · Public Works</b>	<b>433.90</b>	<b>42,389.99</b>
66000 · Payroll Expenses	2,351.50	3,991.33
7000 · Public Safety		
7005 · Police Protection	5,500.00	38,500.00
<b>Total 7000 · Public Safety</b>	<b>5,500.00</b>	<b>38,500.00</b>
7500 · Tree Committee		
7501 · Tree Trimming	0.00	3,895.00
<b>Total 7500 · Tree Committee</b>	<b>0.00</b>	<b>3,895.00</b>
8000 · Public Lands & Beautification		
8003 · Arbor Day Expense	0.00	85.87
8005 · Supplies	65.66	1,211.19
8007 · Signage	0.00	155.00
8010 · Riviera-Water Meter	87.31	718.61
8011 · Riviera-Lights	127.71	21,004.78
<b>Total 8000 · Public Lands &amp; Beautification</b>	<b>280.68</b>	<b>23,175.45</b>
9000 · Historic Preservation Comm.		
9040 · Membership Fees	75.00	125.00
<b>Total 9000 · Historic Preservation Comm.</b>	<b>75.00</b>	<b>125.00</b>
<b>Total Expense</b>	<b>155,132.20</b>	<b>402,990.17</b>
<b>Net Ordinary Income</b>	<b>(125,694.87)</b>	<b>(105,521.99)</b>
<b>Net Income</b>	<b>(125,694.87)</b>	<b>(105,521.99)</b>

**Town of Magnolia Springs General Fund**  
**Balance Sheet**  
As of April 30, 2020

	Apr 30, 20	Apr 30, 19
<b>ASSETS</b>		
<b>Current Assets</b>		
<b>Checking/Savings</b>		
1110 · General Fund - United Bank	127,394.86	218,242.09
1150 · Tiered Money Market	219,466.53	133,307.56
1160 · CD #344255	2.48	54,723.89
1161 · CD #355610	204,843.37	202,387.35
1170 · 4 & 5 Cent Gas Tax	16,056.04	0.00
1180 · 7 cent gas tax - United Bank	9,505.14	0.00
1185 · Capital Improvement Fund	15,769.13	0.00
1190 · Rebuild Alabama Act Bank Act	5,972.61	0.00
<b>Total Checking/Savings</b>	599,010.16	608,660.89
<b>Other Current Assets</b>		
15000 · Accounts Receivable - Taxes	14,323.78	14,323.78
1510 · Grant Recievable	11,225.51	11,225.51
18000 · Prepaid Insurance	2,901.24	2,901.24
<b>Total Other Current Assets</b>	28,450.53	28,450.53
<b>Total Current Assets</b>	627,460.69	637,111.42
<b>Fixed Assets</b>		
1900 · Fixed Assets		
1910 · Roads	1,255,630.00	1,255,630.00
1920 · Bridge	344,370.00	344,370.00
1930 · Land	390,000.00	275,000.00
1940 · Leashold Improvements	36,911.00	36,911.00
1950 · Accumulated Depreciation	(419,058.55)	(419,058.55)
<b>Total 1900 · Fixed Assets</b>	1,607,852.45	1,492,852.45
<b>Total Fixed Assets</b>	1,607,852.45	1,492,852.45
<b>TOTAL ASSETS</b>	<b>2,235,313.14</b>	<b>2,129,963.87</b>
<b>LIABILITIES &amp; EQUITY</b>		
<b>Liabilities</b>		
<b>Current Liabilities</b>		
<b>Accounts Payable</b>		
20000 · Accounts Payable	10,868.31	10,868.31
<b>Total Accounts Payable</b>	10,868.31	10,868.31
<b>Other Current Liabilities</b>		
2100 · Payroll Liabilities		
2101 · Federal W/H & PR Taxes Payable	(206.86)	(495.88)
2102 · State W/H Payable	432.40	(61.72)
2103 · Retirement Payable	(222.15)	(203.06)
2105 · Alabama Child Support	(1,380.00)	0.00
2100 · Payroll Liabilities - Other	1,792.83	0.00
<b>Total 2100 · Payroll Liabilities</b>	416.22	(760.66)
<b>Total Other Current Liabilities</b>	416.22	(760.66)
<b>Total Current Liabilities</b>	11,284.53	10,107.65
<b>Total Liabilities</b>	11,284.53	10,107.65
<b>Equity</b>		
3000 · Unrestricted Fund Balance	2,289,962.03	2,181,411.72
3100 · Restricted Funds	39,588.57	0.00
Net Income	(105,521.99)	(61,555.50)
<b>Total Equity</b>	2,224,028.61	2,119,856.22
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>2,235,313.14</b>	<b>2,129,963.87</b>

## **RESOLUTIONS**

- Resolution No. 2020-12 – Annual Participation in the “Back-to-School Sales Tax Holiday”





## RESOLUTION NO. 2020-12

### RESOLUTION PROVIDING FOR THE TOWN OF MAGNOLIA SPRINGS, ALABAMA ANNUAL PARTICIPATION IN THE "BACK-TO-SCHOOL SALES TAX HOLIDAY" AS AUTHORIZED BY 40-23-210 THROUGH 40-23-213, CODE OF ALABAMA 1975

**WHEREAS**, 40-23-210 through 40-23-213, Code of Alabama 1975, provides for a Sales Tax Holiday for the exemption of the state sales and use tax for certain non-commercial purchases related to school clothing and supplies; and

**WHEREAS**, 40-23-213, Code of Alabama 1975 authorizes the Town of Magnolia Springs, Alabama to provide for an exemption of sales and use taxes for purchases of certain items covered during the same time period in which the state sales and use tax exemption is in place, provided a resolution to that effect is adopted at least thirty (30) days prior to the sales tax holiday; and

**WHEREAS**, the Town of Magnolia Springs, Alabama has affirmatively voted to grant the exemption of sales and use taxes on purchases covered by 40-23-210 through 40-23-213, Code of Alabama 1975, during the third full weekend of July, beginning at 12:01 a.m. on Friday, July 17, 2020 and ending at twelve midnight on Sunday, July 19, 2020; and

**WHEREAS**, Code of Alabama 1975, § 11-51-210(e) requires that the Town of Magnolia Springs, Alabama notify the Alabama Department of Revenue of any new local tax or amendment to an existing local tax levy at least thirty (30) days prior to the effective date of the change; and

**WHEREAS**, the exemption of certain sales and use taxes for the time period herein adopted by the Town of Magnolia Springs, Alabama is an amendment to the sales and use tax levy warranting notice to the Alabama Department of Revenue as provided in Code of Alabama 1975, § 11-51-210(e);

**WHEREFORE BE IT RESOLVED BY THE TOWN OF MAGNOLIA SPRINGS, ALABAMA** that it does hereby provide for an exemption of the sales and use tax on purchases of items covered by 40-23-210 through 40-23-213, Code of Alabama 1975, beginning at 12:01 a.m. on Friday, July 17, 2020 and ending at twelve midnight on Sunday, July 19, 2020.

**BE IT FURTHER RESOLVED** that a copy of this resolution be spread upon the minutes of the May 26, 2020 Regular Council Meeting of the Town of Magnolia Springs, Alabama and be

immediately forwarded to the Alabama Department of Revenue in compliance with Code of Alabama 1975, § 11-51-210(e).

**IN WITNESS WHEREOF**, the Town of Magnolia Springs, Alabama has caused this Resolution to be executed in its name and on its behalf by its Mayor Kim Koniar on this the 26th day of May 2020.

Adopted the 26th day of May 2020

**ATTEST:**

\_\_\_\_\_  
**Kim Koniar, Mayor**

\_\_\_\_\_  
**Jenny Opal White, Town Clerk/Treasurer**



Jenny Opal White

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**From:** Reese, Laura <Laura.Reese@revenue.alabama.gov>  
**Sent:** Tuesday, April 28, 2020 11:16 AM  
**To:** clerkms@gulftel.com  
**Subject:** 2020 Back-to-School Sales Tax Holiday

April 28, 2020

## 2020 “Back-to-School” Sales Tax Holiday July 17-19, 2020

**Deadline to notify ADOR: June 17, 2020**

The 2020 “Back-to-School” Sales Tax Holiday begins at 12:01 a.m. on Friday, July 17, 2020, and ends at twelve midnight on Sunday, July 19, 2020. As required by Rule 810-6-3-.65, a participating county or municipality shall submit a certified copy of their adopted resolution or ordinance providing for the Sales Tax Holiday, and any subsequent amendments thereof, to the Alabama Department of Revenue before June 17, 2020. The Department will compile this information into a list of all counties and municipalities participating in the “Back-to-School” Sales Tax Holiday and issue a current publication of the list on its website at: <https://revenue.alabama.gov/sales-use/sales-tax-holidays/>. Notification of participation in the sales tax holiday may not be included in the published list if received after June 17, 2020.

**Retail businesses and the public need to know whether or not your locality will participate in the 2020 “Back-to-School” Sales Tax Holiday. Please put it on your calendar to discuss and vote on this matter soon and notify the ADOR of the decision.**

**IMPORTANT**

**RESPONSE REQUIRED**

**IMPORTANT**

**Participating?** Send a certified copy of any resolution, ordinance, or amendment adopted by your locality.

**Not Participating?** Send an email, fax or letter (with signature line) stating: “The (City/Town/County) of \_\_\_\_\_ will not be participating in the 2020 Back-to-School Sales tax holiday.” It is important that you inform us of that fact, otherwise, retailers and the public wonder if you are participating and forgot to notify the Department of Revenue.

Retailers and the public rely on the list provided by the Department of Revenue and the Department cannot post a locality’s participation status based on assumption; notification of nonparticipation or a copy of the resolution/ordinance from the locality is required.

Notification can be faxed, mailed or emailed:

**FAX:** 334-242-8916

**EMAIL:** [laura.reese@revenue.alabama.gov](mailto:laura.reese@revenue.alabama.gov)

**QUESTIONS:** 334-242-1443

**MAIL:** ALABAMA DEPARTMENT OF REVENUE  
ATTN: Laura Reese  
Sales & Use Tax Division  
Post Office Box 327900  
Montgomery, Alabama 36132-7900



**STATE OF ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD  
ALCOHOL LICENSE APPLICATION**

- Cougar Oil Inc. – 14748 US Highway 98, Foley, AL 36535





**STATE OF ALABAMA  
ALCOHOLIC BEVERAGE CONTROL BOARD  
ALCOHOL LICENSE APPLICATION**



**Confirmation Number: 20200505154057640**

If applicant is leasing the property, is a copy of the lease agreement attached? **YES**  
 Name of Property owner/lessor and phone number: **COUGAR OIL INC 334-410-2346**  
 What is lessors primary business? **OIL COMPANY**  
 Is lessor involved in any way with the alcoholic beverage business? **NO**  
 Is there any further interest, or connection with, the licensee's business by the lessor? **NO**

Does the premise have a fully equipped kitchen? **NO**  
 Is the business used to habitually and principally provide food to the public? **NO**  
 Does the establishment have restroom facilities? **YES**  
 Is the premise equipped with services and facilities for on premises consumption of alcoholic beverages? **NO**

Will the business be operated primarily as a package store? **NO**  
 Building Dimensions Square Footage: **1200** Display Square Footage:  
 Building seating capacity: **0** Does Licensed premises include a patio area? **NO**  
 License Structure: **ONE STORY** License covers: **ENTIRE STRUCTURE**  
 Location is within: **POLICE JURISDICTION** Police protection: **CITY**

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of any law violation(s)?

Name:	Violation & Date:	Arresting Agency:	Disposition:





**STATE OF ALABAMA**  
**ALCOHOLIC BEVERAGE CONTROL BOARD**  
 Confirmation Number: 20200505154057640



**NOTICE OF TRANSFER OF ABC LICENSED BUSINESS**

**NOTE: A Copy of Operating Agreement Must be Attached To Application**

CURRENT LICENSEE:  
 JAMIL ALI HAIFA  
 Address: 14748 US HWY 98  
 MAGNOLIA SPRINGS, AL 36555  
 Telephone: 251-965-7393

NEW APPLICANT:  
 NARAYANI 1 LLC  
 Address: 14748 US HWY 98  
 FOLEY, AL 36535  
 Telephone: 251-965-7393

Current License No: 050-010260902-410  
 070-010260902-410

LICENSED PREMISES ADDRESS: 14748 US HWY 98 FOLEY, AL 36535

**THE AFORENAMED HEREBY SERVE NOTICE TO THE ABC BOARD OF THE ATTACHED CONTRACTUAL AGREEMENT GOVERNING THE CONTINUATION OF SALES OF ALCOHOLIC BEVERAGES ON THE LICENSED PREMISES.**

The Parties to this agreement hereby acknowledge and affirm that the New (Applicant) Licensee will, at all times, act as the AGENT for the Current (Named) Licensee, and the Current Licensee shall act as PRINCIPAL for the purposes of the attached Agreement. The Principal shall be bound by all acts and/or omissions of the Agent in the operation of the licensed premises.

The Current Licensee is now and shall remain liable for any violations of ABC Rules and Regulations or other Alabama Law for the duration of the attached Agreement; and, further, that the Current Licensee has the right and authority, under Alabama Law, to surrender the ABC License to the ABC Board at any time.

The parties acknowledge that the operation of the licensed premises shall remain subject to inspection by ABC Enforcement, and must comply with all State and Local regulations and Laws, and that the local ABC Enforcement District Office must be immediately notified of any change in the attached Agreement.

**THE CURRENT LICENSE WILL NOT BE RENEWED.**

WITNESS our hands and seals on this the 6<sup>th</sup> day of May, 2020.

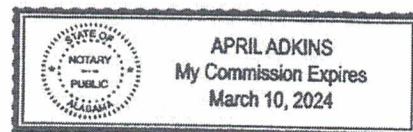
CURRENT LICENSEE (NAMED ON LICENSE)

NEW LICENSEE (APPLICANT)

\_\_\_\_\_  
 Print Name: Jamil Ali Haifa  
 Title: Owner

\_\_\_\_\_  
 Print Name: Jigar Mayankbhai Patel  
 Title: Member

WITNESS: (By ABC Enforcement)  
 Revised 9/08







**STATE OF ALABAMA**  
**ALCOHOLIC BEVERAGE CONTROL BOARD**  
**ALCOHOL LICENSE APPLICATION**  
**Confirmation Number: 20200505154057640**



**Initial each**

**Signature page**

JWP

In reference to law violations, I attest to the truthfulness of the responses given within the application.

JWP

In reference to the Lease/property ownership, I attest to the truthfulness of the responses given within the application.

JWP

In reference to ACT No. 80-529, I understand that if my application is denied or discontinued, I will not be refunded the filing fee required by this application.

N/A

In reference to Special Retail or Special Events retail license, I agree to comply with all applicable laws and regulations concerning this class of license, and to observe the special terms and conditions as indicated within the application.

N/A

In reference to the Club Application information, I attest to the truthfulness of the responses given within the application.

JWP

In reference to the transfer of license/location, I attest to the truthfulness of the information listed on the attached transfer agreement.

JWP

In accordance with Alabama Rules & Regulations 20-X-5-.01(4), any social security number disclosed under this regulation shall be used for the purpose of investigation or verification by the ABC Board and shall not be a matter of public record.

JWP

The undersigned agree, if a license is issued as herein applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages.

The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the license premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him or her in connection with said licensed premises. The undersigned hereby understands that he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.

JWP

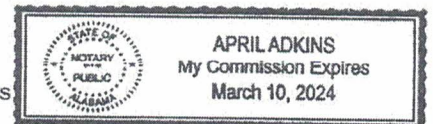
I hereby swear and affirm that I have read the application and all statements therein and facts set forth are true and correct, and that the applicant is the only person interested in the business for which the license is required.

Applicant Name (print): JIGAR PATEL

Signature of Applicant: *Jigar Patel*

Notary Name (print): April Adkins

Notary Signature: *April Adkins* Commission expires



**Application Taken:** App. Inv. Completed:  
**Submitted to Local Government:**  
**Received in District Office:** Reviewed by Supervisor:

**Forwarded to District Office:**  
**Received from Local Government:**  
**Forwarded to Central Office:**

Receipt Confirmation Page

Receipt Confirmation Number: 20200505154057640  
Application Payment Confirmation Number: 58731342

Payment Summary	
Payment Item	Fee
Transfer Fee for License 050 and License 070	\$100.00
<b>Total Amount to be Charged</b>	<b>\$100.00</b>

Application Type

Application Type: TRANSFER

Applicant Information

License Type 1: 050 - RETAIL BEER (OFF PREMISES ONLY)  
License Type 2: 070 - RETAIL TABLE WINE (OFF PREMISES ONLY)  
License County: BALDWIN  
Business Type: LLC  
Trade Name: COUGAR MINI MART  
Applicant Name: NARAYANI 1 LLC  
Location Address: 14748 US HWY 98  
FOLEY, AL 36535  
Mailing Address: 14748 US HWY 98  
FOLEY, AL 36535  
Contact Person: JIGAR PATEL  
Contact Home Phone: 251-965-7393  
Contact Business Phone: 251-965-7393  
Contact Fax:  
Contact Cell Phone: 251-644-0401  
Contact Email Address:  
Contact Web Address:

RAYMOND LOVELL  
Chairman  
PAUL MUELLER  
Vice Chairman  
BILLY PAPPAS  
Secretary/Treasurer

JOBY SMITH  
Director



P.O. BOX 924, ROBERTSDALE, ALABAMA 36567  
251-947-3911

CHARLIE JONES  
DAVID WILSON  
ALAINNA ELLIOTT  
AL TOLBERT

MARK D. RYAN  
General Counsel

## ADDRESS VERIFICATION FORM

OWNER: Cougar Oil Inc

ADDRESS: 14748 U S Highway 98, Foley AL 36535

PROPERTY TAX PARCEL NUMBER: 55-08-28-0-000-045.000

COMMENTS: Magnolia Heights / Blk-A / lot 1

If you have any questions please feel free to contact our office at (251) 947-5911.

Notice sent by: *Samantha Roberts*

Date: 5/5/2020