

September 13, 2016
 Council Workshop
 12191 Magnolia Springs Hwy.
 Magnolia Springs, Al.
 5:00 P.M.

1. Call to Order

Mayor Underwood called the meeting to order at 5:00 p.m.

2. Roll Call

Members present – Mayor Ken Underwood - Council Members: Dotty Johnson, Jim May, Bob Holk, Donna Esslinger and Ben Dykema. Also present: Town Clerk - Karen S. Biel and Legal Counsel – Brad Hicks

3. Invocation and Pledge – Mayor Underwood

4. Discussion of Minutes – August 2016

Workshop – 08/09/2016

Regular Meeting – 08/30/2016

Mayor Underwood had a correction that the clerk will make to the August 30th minutes

5. Discussion of Financials and Expenditures – August 2016

The Mayor reported: Balances as of 8/31/2016 - General Fund - \$104,018.54. Income - \$22,442.02, Expenses - \$26,359.38. Money Market – \$264,419.25. CD - \$54,219.11. Special Revenue 4, 5, & 7¢ Gas Tax – Income \$330.77 – Balance \$22,225.21. The Mayor added that the paving of County Rd. 49 has been paid. The labor cost was \$10,608.00 which was paid out of the gas tax account and the material cost of \$54,396.00 as paid out of the Money Market account.

6. Deputy Smith

Reported – 155 Traffic Stops – 28 Citations – 72 Written Warnings – 55 Verbal Warnings

7. Public Comment

Ron Chamberlin inquired about the claim he submitted to the town for the damages his home sustained with the Bay Street Paving. The town has not received any information from the insurance company. The town clerk will contact the insurance company to make sure they have the correct contact information for Mr. Chamberlin.

Vickie Smith & Lolly Turner representing the Magnolia Springs Public Library, submitted to the council two different budget proposals. One proposal was for \$29,019.00 which would increase the librarian's salary from \$6,000.00 to \$15,000.00 and eliminate some other expenses the town was paying for. The other proposal was for \$25,000, which the town has paid in the past. This proposal would increase the salary from \$6,000.00 to \$10,991.00 and would also eliminate some other expenses.

8. Discussion - Resolution – Baldwin County Sheriff Department Law Enforcement Contract

Brad Hicks stated that he will review the contract before the next regular meeting. The Town Clerk stated that the only changes she had seen in the new contract was that the contract was for one year instead of two years and the monthly charge went from \$4,600 to \$5,500 per month. Councilmember Holk stated that he and the Mayor met with Sheriff Mack about the contract. The new contract originally requested a \$19,000 increase per year. Councilmember Holk added that in negotiating with the Sheriff he agreed to go with half of the increase they were requesting and review it again next year.

9. Discussion – Resolution – 2016/2017 General Fund Budget

The council had a copy of the proposed budget from the Finance Committee. There were no questions or comments on the proposed budget.

10. Committee Reports

a. **Finance & Audit** – The clerk informed the council that Grant, Sanders and Taylor will start the audit in October.

b. **Public Works & Safety** – Councilmember Holk reported that County Road 49 is completed with striping and reflectors.

c. **Public Lands** – Councilmember Dykema stated that Hodivsky's Fence has completed the work at the Springs and Bay Street. He added that he is meeting with Harold Sherman about adding ladders at Magnolia Landing and Bay Street to make it easier for people to get in their kayaks. Councilmember Holk suggested a platform over the vegetation down to the water because you need to walk it into the water. Councilmember Holk suggested asking Harold about the platform.

- d. **Tree & Streetscape** – Mayor Underwood stated that Gary’s Tree Service has started the tree trimming.
- e. **Planning Commission** – Councilmember Holk stated that he met with a DR Horton environmental representative and they will be taking care of the runoff that has been happening at the sites. They also discussed the tree line along the driveway areas.
- f. **Historic Preservation Commission** – Mayor Underwood discussed the kiosk at Magnolia Landing and what information it will contain.

11. Council, Legal Counsel and Staff Comment

Legal counsel Brad Hicks suggested the council go into executive session.

Motion was made by Councilmember Esslinger, 2nd by Councilmember May to go into executive session to discuss with the town attorney the legal ramifications of and legal options for pending litigation. Brad Hicks stated that he is an attorney licensed to practice law in the Alabama and this exception, Section 36-25A-7(a)(3) is applicable to the planned discussion. He also stated that the council will need to reconvene the meeting.

Roll call vote: Councilmember Johnson – Yea, Councilmember May – Yea, Mayor Underwood – Yea, Councilmember Holk, Yea, Councilmember Esslinger-Yea and Councilmember Dykema-Yea. Mayor Underwood stated that the Council will reconvene the meeting after the executive session.

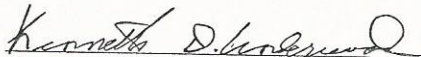
Council adjourned at 5:35 p.m. to go into executive session.
Council reconvened at 6:08 p.m.

Mayor Underwood called the meeting back to order. Brad Hicks stated that at the Mayor’s request there will be a Special Council Meeting on Thursday (9/15/16) at 9:00 a.m. and asked the clerk to post notice immediately after the workshop to insure 24 hour notice. The notice is to state ‘to approve the town attorney to file appropriate responsive pleadings and discovery in the pending election contest’. It should also state that the council may go into executive session to discuss these matters if necessary. Brad Hicks added that the minutes should reflect that Councilmember Holk did not participate in the executive session.

Motion by Councilmember Esslinger, 2nd by Councilmember May to adjourn the workshop. All in favor. Motion carried.

Meeting ended at 6:11 pm

Approved this the 25th day of October, 2016


Kenneth D. Underwood – Mayor

ATTEST:


Karen S. Biel – Town Clerk