

December 13, 2011
Council Workshop
12191 Magnolia Springs Hwy.
Magnolia Springs, Al.
5:00 P.M.

1. Call to Order

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

2. Roll Call

Members present – Mayor Charles S. Houser. Council Members; Bob Holk, Rick Odess, Brett Gaar, and Kenny Laurendine. Also present: Town Clerk - Karen S. Biel and Legal Counsel – Brad Hicks. Not present: Councilmember Ken Underwood.

3. Invocation and Pledge of Allegiance

Invocation and Pledge by Councilmember Laurendine

4. Matt Taylor – Grant, Sanders and Taylor – 2010-2011 audit

Mr. Taylor presented the final audit to the Council, and reviewed a few areas. He also added that because of limited size of the town's staff, there is a limited segregation of duties. The clerk has the Mayor or Mayor Pro-Temp sign each check when paying any invoices, which is a good practice, so that one individual does not handle each transaction. Councilmember Holk asked if there were any additional safeguards that he could recommend implementing and Mr. Taylor stated that there is a good amount of oversight from the Mayor and Council on a day to day basis. Mayor Houser added that every check that he signs has an invoice attached to it.

5. Discussion of minutes – 11/07/11 Workshop – 11/21/11 Meeting

There were no corrections or additions.

6. Discussion of financials and expenditures for 11/2011

The Mayor reported: General Fund Balance 11/30/11 - \$50,340.06 - Income - \$22,779.38 – Expenses - \$24,754.59. Loan balance – turn lane is \$37,000.00 which started at \$52,000.00. Money Market - \$102,389.04. CD - \$52,793.28. Deepwater Horizon - \$226,376.41. Councilmember Gaar asked when the \$34,900 would be transferred from the Deepwater account to the General Fund, and the clerk stated that she is just waiting on the signed Reallocation Agreement before she transfers the money. Special Revenue 4, 5, & 7¢ Gas Tax – Income \$278.12 – Balance \$4,251.60.

7. Public Comment

No public comment

8. Discussion – County Debris Removal

The clerk stated that she received a call from Baldwin County; it is time for them to bid out for emergency debris removal and wanted to know if the Town would be interested in piggy-backing with them. The clerk reminded the Council that last year we could not piggy-back on theirs because in the original county bidding the town was not included. The town went forward with their own bidding process and entered into a three year agreement with Unified. The Mayor and Council agreed that is what they decided last year and saw no benefit in changing that decision.

9. Discussion – RFP – Management services for the Wetlands/BP project

The Mayor stated that the Council could elect to go out for a request for proposal for the management services of the project or since it is under \$50,000 the Town could stay with HMR, who helped design the project and write the grant request. Mayor Houser suggested a committee to review the agreement submitted by HMR – the committee consists of Mayor Houser, Councilmember's Odess and Gaar.

10. Discussion – Ordinance 2011-01 – Rezoning – Sherman property

Mayor Houser stated that legal counsel has revised the original ordinance with a few changes in wording. Legal counsel, Brad Hicks stated that this ordinance did not have the sunset provision that the Council had talked about and if the Council determines that they want the sunset provision then they must decide on a time frame for the Conditional Use Application to be made. The clerk stated that if the sunset provision is inserted then another public hearing must be held, due to that change. Harold Sherman asked about the sunset provision and Mayor Houser explained that the rezoning would become effective after the Conditional Use application was approved by the Planning Commission.

Councilmember Holk asked Mr. Sherman if he would only be applying for a conditional use as the property stands now and Mr. Sherman answered yes. The Council discussed the sunset provision time frame and legal counsel stated that a time frame is added so that the ordinance is not held in abeyance for ten years, and if a date is not set then the Town forgets that the ordinance even exists. Councilmember Holk asked Mr. Sherman how he felt about one year, and Mr. Sherman did not have a problem with that. Mayor Houser stated that it would be better to approve or deny this ordinance with this current administration instead of a new administration and suggested using November 1, 2012 because of the municipal election. Legal counsel agreed, and will add the sunset provision to the ordinance to have it ready for the meeting in January. The Town Council can have a first reading of the ordinance or vote on the ordinance.

11. Discussion – Chamber representative for the Board of Directors

Mayor Houser stated that the South Baldwin Chamber is asking the Town to appoint a Board Member and asked Councilmember Laurendine if he would like to continue being the Town's appointment, and Councilmember Laurendine said if no one else wanted it. Councilmember Holk said he is a member of the Chamber and that Kenny's has done a good job at being the Town's representative.

12. Committee reports

Finance: Mayor Houser stated that the finance committee is recommending the clerk's compensation be changed from \$38,000 to \$39,140.00 per year.

Public Safety: Councilmember Holk said that he is now the president of the Fire Department. Mayor Houser asked Officer Gandy if he has noticed any changes in the traffic speeding since the radar signs have been installed, and Officer Gandy said he has noticed people slowing down. Councilmember Gaar said that the data can be downloaded from the radar signs to see if they are slowing traffic down. He also added that it was strongly recommend too have a police presence at the signs.

Parks & Recreation: No report

Public Works: Councilmember Gaar stated that he met with Tom Granger, and the projects that were proposed for paving came back high, so they decided not to do Rose and Holly Street in the first phase and to pave Jessamine and Bay Street only.

Planning Commission: Councilmember Holk stated that the Subdivision Regulations are revised and there will be a public hearing at the January meeting and ready for adoption.

Historic Preservation: No report

Environmental Protection Committee: No report

11. Council, legal counsel and staff comments

No comments

With no other business:

Motion by Councilmember Laurendine, 2nd by Councilmember Holk to adjourn the workshop meeting. All in favor. Motion carried

Meeting ended at 6:26 pm

Approved this the 24th day of January, 2012


Kenneth Underwood – Mayor Pro Tempore

ATTEST:


Karen S. Biel – Town Clerk