

**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.**

Ordinance 2007-12: Motion by Councilmember Sankey, 2nd by Councilmember Laurendine for immediate consideration of Ordinance 2007-12. **ROLL CALL VOTE:** Councilmember Holk – Aye, Councilmember Sankey – Aye, Mayor Houser – Aye, Councilmember Hinson – Aye, and Councilmember Laurendine – Aye. 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

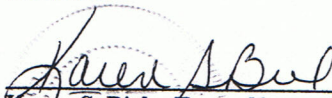
Legal Counsel noted some changes, Section 2.03 – justifying the Town has the right to first refusal – Article 13 – for the Town to be reimbursed for expenses, and Shawn will address that issue. **Motion by Councilmember Sankey, 2nd by Councilmember Hinson to authorize the Mayor to sign the agreement 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