

Regular meeting of the Eva Town Council held on Tuesday, April 9, 1996, at 7:30 p.m. in the Eva Town Hall with the following present: Mayor Livingston, Charles Nichols, James Fowler, Clarence Alexander, Larry Smith, and Bert Collins. Guest: Eloise Livingston, Library Board Chairman.

After roll call, Mr. Collins opened with prayer. Mr. Collins made motion to dispense reading minutes until hear from quest, Mr. Alexander seconded.

Mrs. Livingston did not give a statistics report but advised the library will be needing a vast amount of reference books to update the material on hand. She added that she has worked since last council night trying to get information concerning a sign for the library. Companies will not send pictures or prices that she has requested but she also added that she needed to know what price range to work toward. Mayor advised that the insurance paid for the sign destroyed by a truck of \$340.00 so to stay within the budget amount allowed for the library no more than \$1000.00 should be spent. Mrs. Livingston also added that the heater at the library did not heat sufficiently and they did not like it.

After reading of minutes, Mr. Nichols made motion to approve minutes of March 12, Mr. Fowler seconded, carried. Mr. Collins made motion to approve minutes of called meeting March 19, MR.. Smith seconded, carried. Mr. Alexander made motion to approve minutes of called meeting of April 1, Mr. Fowler, seconded, carried.

Finance & Education - Mr. Nichols

Mr. Nichols ask the remaining amount of library budget, Mayor advised it must be around \$2000 since we purchased the furniture and books. Since there was revenue from increased in license the budget could possibly be amended since a big expense will be on road repair since the last ice storm.

Utilities - Mr. Alexander

Mr. Alexander advised that Joe Wheeler, EMC checked the security lights at the park ballfield. They advised that the light were not Joe Wheeler lights and belonged to Town of Eva. They advised repaired one fixture by the concession stand but there was not power to seven (7) of the lights.(Jeff Holt, Joe Wheeler rep advised clerk they would only charge for material used is they could repair the lights but since there was no power to lights they needed to be checked by an electrician.) Mayor was concerned that the underground wire could have been cut at the time playground equipment was installed between the ball fields. Mayor and Mr. Alexander will check out.

Mr. Alexander ask if the letter was written to the Cullman County Water Dept. concerning the bigger water line on Patton Road. Mayor advised that it had not but would draft one this week.

Mr. Alexander advised that the icemaker is installed and making 50 pounds of ice in 24 hours. He advised that at a large event, such as the volunteer meeting, lions dinners, and family gatherings, this would not provide enough ice. Wayne Bennett mentioned that he had a chest type freezer he would sell for \$339.00 if the town needed. Mr. Alexander advised that he asked Eva Art Guild if they would purchase it but did not get an answer yet from them.

Parks, Cemeteries, & Streets - Mr. Fowler

Mr. Fowler advised that it has been discussed previously but the roads do need repairs and striping.

understood that the art guild was going to trim shrubbery but he has not found any for Tommy to haul off yet. What could be done about walking trail this year since we always get gravel and have Ricky Frost spread it then only to wash off - could we possibly use half as much? Mayor mentioned that Ricky could possibly drag the trail with a blade and help spread the gravel there but county road department will haul the gravel and then get Ricky Frost to spread it. He added that people are still doing tail spins and digging done to the dirt. Could the deputy watch the area and possibly give tickets for this destruction. Also a dozier is needed for cleanup in the lower part between the walking trail. Tommy has got the limbs cleaned up and burned.

Mr. Fowler advised that siding matter is not settled concerning the bad siding on the concession building now with D & S Siding. Mayor advised that the new siding is purchased and ask Mr. Smith when it would be installed. Mr. Smith advised that there was labor problems and would be installed as soon as possible. Mayor advised that when the men begin installing the siding it needs to be kept picked up since the ball games have already started.

Police & Fire - Mr. Smith

Mr. Smith advised that he had talked with Mr. Bennich concerning the money left over from police contract and added to Morgan County Commission general fund. Mr. Bennich advised that he would check into the matter and advise Mr. Smith. Mr. Smith said he would call Mr. Bennich every two weeks until he has an answer.

Mr. Smith advised that Deputy Ferguson has been advised about the tail spins in the park but has not been able to catch anyone at this incident. Deputy substation is being set up now.

Mayor advised there is another fireman going for training of 160 hours which will make the third man on force a certified firefighter.

Recreation & Sanitation - Mr. Collins

Mr. Collins advised that county inmates picked trash up in the area last week and the county road department picked the garbage sacks up Monday. From now on, the Sheriff's Department will pick up the garbage at the time it is picked up instead of it being left laying around sacked up for several days.

Mr. Collins advised that sewer leak is still at Ross' Corner and G. C. Childers building. Mayor advised that he has discussed the problem at G. C. Childers building with the owner, G. C. Childers, and Mr. Childers stated that he would keep the septic tank pumped if it had to be done every month. The Health Department knows about the problem at Ross' Corner and letters have been written to the proper people. Mayor advised council he would handle the matter in the best possible way.

Mr. Collins advised that C. J. Mooney, Chairman of Parks & Recreation Board, has ordered the dumpster left and locked at the park near the concession stand. After discussion, Mr. Collins made motion for Mayor to enter contract agreement on a dumpster for the summer months only, so that proper payment can be made and Eva Activities reimburse the Town of Eva, Mr. Nichols seconded. Mayor, Mr. Nichols, Mr. Fowler, and Mr. Collins yea. Mr. Smith voted no and Mr. Alexander abstained. Mayor advised that if the matter is not settled with Eva Activities by end of summer, the gates will be locked and lights turned off.

No report from Special Committes or Officers

No hearings on petitions, applcs., complaints, appeals, commuc., etc

Auditing accounts

After reviewing the bills, Mr. Fowler made motion to pay bills, Mr. Collins seconded, carried. Mr. Collins made motion to transfer funds necessary and pay bills, Mr. Nichols seconded, carried.

Resolutions, ordinances, orders, & other business.

Mayor advised that League Convention reservations are paid for a councilman to attend and needed to know who that would be so that an alternate voting delegate for business session could be sent in by deadline. Mr. Smith advised that he will be able to attend, therefore, Mr. Smith was listed as alternate voting delegate.

Mayor advised that on Thursday, April 4, 1996, Mr. Nichols, Donald Morgan, Donna Ray, Bonnie Holmes, and himself was served with a subpoena for depositions on the Doctor's office building for April 9, 1996 in Sherman Powell's office. Friday, April 5, 1996, Tammy (Attorney, Sherman Powell's secretary) called the Eva Town Hall and advised that the deposition had been canceled since Mr. Powell would be in court on the date the depositions were set. The defending attorney's office should not have served the subpoena without contacting Mr. Powell first. Tammy also advised that the court date of April 29, 1996, would probably be in May but the matter could probably be settled out of court. Mayor Livingston will contact Mr. Powell at the end of this week.

Mayor advised that the Eva Church of Christ contacted him concerning purchase of a 30 foot strip of land connecting the church for additional parking. After discussion, Mayor advised that he would check into this matter more and advise council.

Mayor advised that he and Ronnie Ryan, Chairman of Eva IDB, met Saturday, April 6, 1996, with another prospect for the Industrial Park. This prospect is interested in 5 acres of land. He has discussed 3 phase power with Joe Wheeler, EMC and has called Tom Drake to see if he would help with site prep. Eva IDB will meet with East Morgan IDB this Thursday night. The new prospect is interested in land on the back side. Mayor advised that the land on west side did not look suitable for any business but probably be good for residential.

Mayor advised council that the Medical Board will meet Wednesday afternoon with Dr. Turner here at Eva Town Hall.

Mayor also advised that the Volunteer Meeting will be Saturday, 6:30 P.M. at the Nutrition site.

Mr. Collins made motion to adjourn, Mr. Fowler seconded, carried.

Approved /

5/14/96

Attest: