

Minutes of the regular meeting of the Eva Town Council held on April 14, 1998, at 6:30 P.M. in the Eva Town Hall. Present: Mayor Livingston, C. C. Mosteller, James Fowler, Clarence Alexander, Larry Smith, and Bert Collins. Guests present: Lynn Gibbs, President of Friends of Eva Library, Eloise Livingston, Chairman of the Eva Public Library Board; additional members present from Friends of Eva Library; Athelia Gibbs, Pat and Bob Hager, Leisel Maze, Carolyn Holmes, Bonnie Holmes, Gwen and James Shaw, Johnny Johnson and Jim Barr, partners of Johnson Emu, Inc, and their financial advisor, Bill Nugent. Eva residents present: Steven Henderson and James Campbell.

After roll call, Mayor Livingston asked if any objection for opening with prayer. Since there was none, Mr. Mosteller led the prayer. Mr. Collins made motion to dispense reading minutes until hearing from all guests present, Mr. Fowler second, carried.

Mr. Lynn Gibbs, President of Friends of Eva Library presented objective plans to raise necessary funds by their organization to build an addition to Eva Public Library. In this presentation, he advised that Eva Public Library Board has approved this project, Friends of Eva Public Library have approved this project, and they need the approval of Eva Town Council in the very near future before they begin any steps to raise the necessary funds. Mr. Gibbs informed council of the following plans.

1. Schedule meetings to form teams to raise funds for covered areas such as Fairview, Vinemont, and Holly Pond. Form a steering committee to administer the project and locate someone to supervise the project.
2. Raise \$50,000 for the building addition with special projects such as walk-a-thons, benefit auctions, and going door-to-door. Plan to monitor the budget and perform internal audits.
3. Have a ground breaking by October 1, propose January 1 to award a contract, and occupy the addition by summer 1999. It will not need plumbing only the four walls with open end and partitions. Plan also to add central heat and air conditioning.

Mayor Livingston gave his appreciation for the very well organization of the presentation. He advised that if the project is over \$20,000 there must be sealed bids for contracts. Bob Hager asked if an architect must draw and approve. Mayor added that plans must be certified by an architect with certified job supervision, Since this will be done with donations, it will be discussed with the architect which Mr. Smith is in contact with on the proposed medical office building. In addition, the architect rate is usually 6 1/2% fees. Following discussion concerning the structure of building which Mr. Gibbs advised that they plan for siding with brick to match the existing structure. At this time, Harold Eddleman is sketching the addition for review.

Mr. Smith advised that Curtis Kirsch, Architect, has an Attorney General opinion that will allow him to supervise the Eva medical office project that can be done in stages. This may be possible with the library addition. Then, Mr. Mosteller, made motion to approve the Friends of Eva Public Library to start fund raisers and project for addition to the Eva Library with council being informed of progress. Mr. Fowler second, carried.

Next, Bill Nugent, financial advisor for Johnson Emu, Inc., requested the Eva Town Council to adopt a resolution applying for a loan through the Alabama Economic Development to complete the plant and necessary equipment for operation.. This type loan is only for economic development of industry which will bring jobs into the community which they project to hire 53 people. The state has approved a process to change fat to oil. Also the state has approved that Town of Eva can start an application for Section 108 loan of \$2 million dollars. This loan must be co-sponsored by a county, city or state. The Town of Eva would have no responsibility and no recommendations in the operation. In addition, the oil rendering process plant in the next 1 - 1-1/2 years would hire 200 people. Over the state of Alabama, it will create 500 - 600 jobs. Mr. Alexander questioned whether they would hire Hispanics. Mr. Johnson stated that



they plan to do fair hiring and he knows that the Hispanic community will work at lower wages. Since this is HUD funding the wage rate is minimum. If the project does not come to pass they do have a qualified board to handle the project. They feel it will be a plus for the town. He added that if the loan is not paid off, then the town plans to apply for a loan, ADECA will first look at the amount that was not paid off before lending to the town. Mr. Mosteller advised that what he understood above the lending process is that if the State of Alabama received \$30 million to lend and \$1 million is not paid back then the state only received \$29 million the next year.

Mr. Johnson advised that Senator Shelby and Congressman Cramer has approve this project. He feels it will be asset in the economic development of Eva. If this funding must come about, then possibly the oil rendering plant facility could be located in the Eva Industrial Park. They have also considered storing equipment at the spec building now being built in the industrial park. The Emu processing has been approved for a sewer system in this funding at that location.

Mayor Livingston stated that he will discuss this project with Mr. Owen and Mrs. Loftin. Mr. Owen stated he would let Mayor know if this project was approved but Mr. Owen has not called.

Mr. Nugent advised that Mrs. Loftin will administer the funds paid by the State then the town council will review paid invoices. Johnson-Emu, Inc. will pay Mrs. Loftin from this funding and all cash will be spent on the Emu plant. In addition, Mr. Nugent urged that Town of Eva sponsor this project since it will put jobs into the community.

Then, Mayor asked if Mrs. Loftin, Mr. Owen, and Mr. Garner would meet with him (Mayor) to go over this project in detail. Mr. Owen did promise to call him when they start this process.

At that point, Mr. Johnson stated that he understands there is a problem in the community with producing at the plant. Mayor advised that in his discussions the problem is with processing tuna at the plant. Mr. Johnson advised that he is approved to process tuna and it will be done. There will be no odor in addition, should there be one, inspectors would close them down. Mayor then advised that there is also a problem with their trucks in the road. Mr. Johnson then stated they would try to do better but the roads were a problem. Mayor then advised there is no zoning since it is still a country town.

Then, resident Steve Henderson asked what is the negative impact since they have stated all the positive impact. Mr. Barr advised there is no waste with this product. Mr. Johnson advised that the road was a negative issue. Cars travel 70 mph on this road which is poorly designed. He used his bulldozer to clean the sides. He expressed there is a dangerous situation and someone will be killed. There will be big trucks (tractor-trailer rigs) delivering over 200 birds per truck.

Mr. Henderson then asked if the plant would produce any solid liquid, gas or waste, would there be any smoke entering the air? Mr. Johnson advised there would be none, then added, a rendering plant will not emit anything in the air - no cancer causing particles or offensive odors - FDA will control. Mr. Johnson added that he did not want any problems and ask if there would be any? Mr. Henderson stated that he understands that when industry starts it always brings in crime. Mr. Johnson said he would stand behind any force to stop crime should it begin. Mayor then advised council will take all this into consideration before approving a resolution.

After reading minutes Mr. Fowler made motion to approve, Mr. Alexander second, carried.

FINANCE & EDUCATION - MR. MOSTELLER

Since a library report and request had been given, Mr. Mosteller asked Mayor if the certificates of

insurance had been re-invested and Mayor confirmed they had at best rate with time necessary at 5.5% First Commercial Bank.

UTILITIES - MR. ALEXANDER

Mr. Alexander advised that a street light has been malfunctioning at the entrance to Bobby's Restaurant which makes a dark place for traffic turning in. They had requested a 250 watt bulb so it would be brighter. The clerk called and reported it to Joe Wheeler, EMC.

Mayor Livingston told Mr. Alexander that he appreciated very much his input over the weekend to get the water back on. Mr. Alexander advised that there is a different attitude in the water department than in previous years. The weekend answering service was very cooperative.

STREETS, PARKS, & CEMETERIES - MR. FOWLER

Mr. Fowler mentioned that highway 55 is in dire need of repairs. He also advised that Mr. Don Stisher, Morgan County Commissioner Dist. #3 has advised that it will be next after they work on the concrete pad and gravel for the park. Mayor advised that he and council need to discuss highway 55 with Mr. Stisher.

Mr. Fowler then advised that the Nutrition Site is very concerned about the other three doors not closing. Mr. Smith will check on sizes and replacement at the earliest convenience. Mr. Mosteller added that the exit lights are out again and Mayor advised Mr. Fowler to call L & N Electric for that repair.

Mr. Collins stated that the park tractor still has a problem with the tire that was flat. Mr. Fowler will call Mr. Taylor that worked on it previously.

POLICE & FIRE - MR. SMITH

Mr. Smith advised that the truck is now repaired and since the certificate of deposit is re-invested for truck and insurance payments, he asked if anything had been received on the warning system? Mayor advised that it may be another two weeks.

Mr. Smith reported that the Drug Task Force met April 2 at Bobby's Restaurant and he and Mr. Fowler attended. The officer reported that arrests had been made on Wilhite Road that has slowed down some problems. Next meeting of the Drug Task Force will again be at Bobby's Restaurant in Eva.

RECREATION & SANITATION - MR. COLLINS

Mr. Collins reported that the County Road Department will start the tennis/basketball courts when it is possible. He added that the light project needs to be moving and he will try again to contact Representative Tom Drake and Senator Don Hale for a meeting concerning some state funding.

He added that the tire shop lot is not cleaned up yet. Then asked Mayor concerning sewer project for the town. Mayor advised that the town does not qualify for the 51% low income to qualify for grant money and neither did the Emu processing plant make the town qualify through industry.

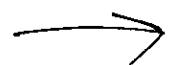
NO REPORTS FROM SPECIAL COMMITTEES

HEARINGS ON PETITIONS, APPLCS., COMPLAINTS, APPEALS, COMMUNC., ETC.

Clerk reported extreme complaints about the Emu plant trucks parking on the side of the road and even equipment pulling out in front of people. Mayor advised the road problem will be resolved.

AUDITING ACCOUNTS

After reviewing the bills, Mr. Collins made motion to transfer necessary funds to GTF \$.07 to pay bills, Mr. Smith second, carried. Mr. Alexander made motion to pay all bills, Mr. Fowler second, carried.



RESOLUTIONS, ORDINANCES, ORDERS & OTHER BUSINESS

Mayor reported that it would not be necessary to adopt an ordinance for a "No Smoking" order in restaurants with minimum seating of 200 people since the town has no enforcement to carry out this law. The owners will have to handle the matter themselves.

Mayor then reported that the Alabama League Convention is May 1 - May 5 in Mobile. He and clerk will be attending May 3 - May 5.

Mr. Mosteller advised that the Nutrition Site guidelines need to be reviewed concerning difference fund raisers for the Lions Club. Mayor advised that he and Mr. Mosteller will look at them on Thursday.

Mr. Smith reported to council that Mr. Glenn Sisk, Asst. Administrator of Cullman Regional Hospital called the clerk on this day wishing to discuss the Medical Building with someone. Mr. Smith returned call to Mr. Sisk. At the time also, Jimmy Schaefer who was going to buy the X-ray machine came to pick it and the miscellaneous items up that he agreed to purchase. Mr. Smith left the X-ray machine in the office unit of CWF. CRMC wishes to place Dr. James Speaker, MD in the Medical Office at the time it is complete. If the x-ray machine can be used, Mr. Smith has an estimate from W. W. Equipment to move and repair for operation of approximately \$9000.00 (\$2,000 included for moving it). A rebuilt machine like this would cost \$18,000.00 for a 1983 model. This machine which in town possession is a 1975, would have a one year warranty on the replacement parts but if the machine went down, it could not be replaced. A new machine would cost \$35,000.00. All this will be discussed at a later date after meeting with Mr. Sisk and Dr. Speaker on Wednesday, April 22, 2:30 P.M. in the Eva Town Hall.

Mr. Smith then advised that Curtis Kirsch, Architect had called him that day advising that he has an Attorney General opinion that he could handle bids, supervise and inspect the Medical Building. The project could also be built in phases if Mr. Kirsch handled the project. An approximate cost to complete would be a 4000 sq. Ft. building @ \$60.18 ft. Or \$240,732.00 for construction. Mr. Kirsch feels he can save the town some money on the project. His fee would be 6-1/2% for the project and would handle all the plans, etc. Mr. Smith suggested to get moving on this project. Mayor advised council that a called meeting would be Tuesday, April 21 at 2:00 P.M. in the town hall. Since the clerk has local government classes on Monday, Mayor advised he will put out the necessary notices.

Mr. Smith asked if the machine was moved where would it be stored? Mr. Mosteller reminded council that it was agreed to leave the unit in the office trailer of CWF until the Medical Building was built. Mr. Smith then advised that the trailer would have to be moved to begin the construction. He added that the septic tank and field lines are behind the trailer which would have to be dug up to begin site preparation will begin. Mayor and Mr. Smith will look at the matter.

Mr. Collins made motion to adjourn, Mr. Alexander second, carried.

Approved:

5/13/98

Attest: