

Minutes of the regular meeting of the Eva Town Council held on 10 August 2021 at 6:30 PM at the Eva Town Hall.
Present: Mayor Gary Livingston, Council Members: Kent Chambers, Edsel Childers, Martin Nelson, Johnny Persall, and Town Clerk Kathy Nelson. Council Member Ripley Fowler was not in attendance.

Guests: David Andrews; William Hague; CEO Tillman Infrastructure, Dave Hargrove; Regional Director AT&T, Andy Rotenstreich; Baker Donelson Attorneys at Law, Jamey Harris; SBA-Harris & Harris, Tres Westbrook; SBA-Harris & Harris, Terry Childers, Tony Holcomb, SDE Childers, Greg Holmes, Joe Hill, and Roger Burrow

Mayor called the meeting to order; After roll call Mayor Livingston informed all present that we open our meetings with prayer, if anyone objects, we will abstain from this practice at tonight's meeting. No one objected, Mayor Livingston asked Mr. Nelson to lead in prayer.

Mayor Livingston requested a motion to approve the minutes of the 13 July 2021, Regular Council Meeting, Mr. Persall so motioned; Mr. Childers seconded-All ayes; motion carried.

A. FINANCE, EDUCATION & LIBRARY- MR. CHAMBERS

- Stated the need for a work session tentatively set for August 23 at 4:00 PM to discuss budget for new year and employees' salaries

B. UTILITIES & STREETS - MR. CHILDERS

- Mentioned planned road paving projects and the difficulty of getting paving materials

C. PARKS, RECREATION & CEMETERIES - MR. PERSALL

- Updated the council on the status of grant for marsh land drainage correction. \$3,500 will be coming to the town to correct the drainage issues next month with the grant award.

D. POLICE, FIRE & GRANTS - MR. FOWLER

- In the absence of Mr. Fowler, Mayor stated previous approval of new county police support vehicle and the lack of available cars to purchase.

E. SANITATION & BUILDINGS - MR. NELSON

- Shared recent sewer pump replacements and the aging of other pumps and price increases for parts

F. HEARINGS ON PETITIONS, COMPLAINTS, APPEALS, COMMUNICATIONS, ETC.

- Mayor recognized David Andrews from Center for Municipal Solutions to read and answer questions regarding pending Resolution #21-01 and the cellphone tower build application received from Tillman Infrastructure.
- Mayor recognized Andy Rotenstreich from Baker Donelson representing Tillman Infrastructure and AT&T who presented case for cellphone tower to remain in place. (Presentation attached)
- Mayor recognized Jamey Harris from Harris and Harris representing SBA Towers that has a previously built tower in town limits who presented case against Tillman Infrastructure being allowed to keep tower in place. (Presentation attached)
- Mr. Andrews, Mr. Hague, Mr. Rotenstreich, Mr. Harris, Mr. Westbrook, and Mr. Hargrove left the meeting immediately after Resolution #21-01 was passed.

G. AUDITING ACCOUNTS - MOTION TO TRANSFER FUNDS & PAY BILLS

Mayor requested a motion to pay town bills. Mr. Persall so motioned; Mr. Nelson seconded-All ayes; motion carried

H. RESOLUTIONS, ORDINANCES, ORDERS & OTHER BUSINESS - Mayor Livingston

Mayor presented Resolution #21-01 - Titled: Approving a Special Use Permit for the Construction of a New Wireless Telecommunication Facility to be located at 3911 Eva Road.

Council Member Nelson moved that all rules governing the council which might unless suspended, prevent the passage and adoption of the Resolution at this meeting, be and the same are hereby suspended for the purpose of permitting the said Resolution #21-01 to be finally passed and adopted at this meeting.

That Councilmember Persall seconded this motion.

That the presiding officer put the question of final passage and the adoption of said Resolution to vote of the council, and on call of the roll the results were as follows:

Mayor Livingston	Yea	Council Member Childers	Yea
Council Member Persall	Yea	Council Member Chambers	Yea
Council Member Nelson	Yea	Council Member Fowler	Absent

That the presiding officer declares the motion adopted by unanimous vote of the members present.

Council Member Chambers moved that the said Resolution #21-01 be finally passed and adopted as introduced.

That Council Member Nelson seconded this motion.

That the presiding officer put the question of final passage and adoption of said Resolution to vote of the council, and on call of the roll the results were as follows:

Mayor Livingston	Yea	Council Member Childers	Yea
Council Member Persall	Yea	Council Member Chambers	Yea
Council Member Nelson	Yea	Council Member Fowler	Absent

The presiding officer announced the result of the vote and declared the Resolution #21-01 finally passed and adopted.

I. NEW BUSINESS - Mayor Livingston

Requested motion from council to allow mayor to make a town Covid 19 policy should Gov. Kay Ivey release a statewide proclamation, Mr. Chambers so motioned; Mr. Childers seconded-All ayes; motion carried.

Mayor Livingston requested a motion to adjourn, Mr. Childers so motioned, Mr. Persall seconded, motion carried.

APPROVED:

Mayor

ATTEST:

Town Clerk