

Minutes of the meeting of Eva Town Council held on August 11, 1994, at 7:30 p.m. at the Eva Town Hall. Present: Mayor Livingston, Bert Collins, Clarence Alexander, Larry Smith, Afton Fowler was not present. Guests present: Eloise Livingston, Library Board and Marigurette Alexander and Vonda Childers, members of the Eva Art Guild. Also present Cynthia Weaver.

After roll call by Mayor Livingston, Bert Collins opened with prayer.

Mr. Alexander made motion to dispense reading minutes until heard from guests, Mr. Nichols second, carried.

Mrs. Livingston gave Library report (copy on file with Clerk). Also stated that schrubby had not been replaced yet and the Library Board would like to have the sign by Frontier Days, last week in September. Also presented to Council was budget request from Library of \$3,000 which did not include the normal request from Wheeler Basin Library of \$1700.00.

Eva Art Guild members reported they would only need 2 tents for Frontier Days, approx. \$1200.00. Sheriff's Dept. would furnish 1 tent. No price yet for sound system, would need 225 bales of hay. All hay will be delivered on September 12th or 13th and placed in front of Medical Clinic. Mr. Smith reported that the port-o-lets would cost \$55.00 each from All American but would check on better price. Perry Holmes will be in charge of Street Dance. Larry Smith in charge of police protection. Mayor advised a work day would be set to make final arrangements for Frontier Days.

Mr. Alexander made motion to approve minutes, Mr. Nichols, second, carried.

1. FINANCE/EDUCATION - MR. NICHOLS

Since Library report had been given, council reviewed financial report. Council was advised that work session will be set in the near future for budget.

2. UTILITIES - Mr. Alexander

Mr. Alexander advised council that natural gas connection to Town Hall was a charge of \$125.00 and needed to be done at early light-up time and have all heaters checked out for change. Mr. Alexander made motion to connect Town Hall to natural gas, Mr. Collins second, carried. Mayor advised that all heaters would be checked out. Mr. Alexander advised that all street lights are repaired.

3. STREETS, PARKS & CEMETARIES - MR. FOWLER

Since Mr. Fowler was not present, Mayor advised council that Mr. Morgan wished to sell his property that adjoined the cemetery for a price of \$6,000. Mr. Nichols made motion to get other prices before decision was made. Mr. Collins second, carried. Mayor advised that he would check into this matter.

4. POLICE & FIRE - MR. SMITH

No report other than Police Protection contract was not renewed yet.

5. SANITATION/RECREATION - MR. COLLINS

Mr. Collins discussed at length with council all necessary items needed for Frontier Days.

6. No report from Special Committees

7. No report from Officers

8. PETITIONS, APPLCS., COMPLAINTS

No report

9. Mr. Alexander made motion to transfer funds and pay bills, Mr. Nichols, second, carried.

10. RESOLUTIONS, ORDINANCES OTHER BUSINESS

Mayor read to council proposal from Joe Wheeler, EMC for payment of License Fees which had been in litigation since 1992 (no payment has been made). Joe Wheeler would like to pay 1.9 percent of annual gross receipts in the town limits of Eva and settlement. Litigation process could take a number of years. (Copy of proposal attached) Joe Wheeler, EMC would be sending a draft ordinance for council approval. Mayor advised that upon receipt, it will be discussed with council.

Mayor advised that he would ask Library Board for recommendations to replace or appoint two expired terms for members Eloise Livingston and Bonnie Holmes. He would also ask for recommendations from Medical Board to replace Jamie Wallace and would ask for recommendations from Industrial Development Board for replacement of expired term for three of their members.

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

APPROVED:

9/8/94

Attest:

DONNA W. RAY, EVA TOWN CLERK

Notes from meeting of Clerk with Calvin Spurlin, Local Government Revenue Consultant, on August 3, 1994. Mr. Spurlin advised that the Town of Eva was loosing several thousand dollars per month due to the lack of a Sales Tax Ordinance. The Town could receive 2% of the tax which goes to Morgan County (Morgan County gets 3% of sales in Eva) without adding an additional 1% tax or a total of 8%. His firm retains an independent auditor that has found \$5,000 - \$6,000 revenue from tax that is not being reported in several small towns. He stated that this auditor would gladly meet with Mayor and Council to explain in detail how this tax money can be collected. One way when an ordinance is adopted for sales tax that it state "sales, use and excise tax." Since the Town of Eva has many contractors who do not buy their materials in Eva, then "Use Tax" is collected whereas now, sales tax is not collected from Contract sales. Unless an ordinance is adopted to collect Use or Excise Tax, the Town will never get revenue from Contractors, other than license. He suggested that Eva raise issuance fee since it had been past by the State Code. He also suggested that our 1964 License Ordinance be updated to comply with other towns.

The auditor that they retain is Richard Davis, Davis and Associates. Mr. Davis or Mr. Spurlin would be glad to meet with Mayor/Council and have a Town meeting to explain in detail to merchants the benefit of sales, use or excise tax to the Town of Eva. Their firm's fee is \$7.00 per account (per merchant) and if less than \$1.00 is reported in tax, then they do not charge for that account.

7/8/94

Donna W. Ray, Eva Town Clerk