

Minutes of the regular meeting of the Eva Town Council held on August 13, 1996, at 7:30 p.m. in the Eva Town Hall. Present: Mayor Livingston, Charles Nichols, James Fowler, Clarence Alexander, Bert Collins, and late arrival by Larry Smith due to meeting of East Morgan Industrial Development Board. After roll call by Mayor, Bert Collins opened the meeting with prayer.

After reading minutes of July 9, 1996, Mr. Fowler made motion to approve, Mr. Collins second, carried. After reading minutes of August 5, 1996, called meeting, Mr. Collins made motion to approve, Mr. Alexander, second, carried.

#### **FINANCE & EDUCATION - MR. NICHOLS**

Mr. Nichols advised that the sign is now installed at the library, no library report given. Clerk advised that Alabama Mountain Lake Tourist Assn. is no longer giving publicity on events or attractions for town memberships. The event or attraction itself will have to be members. After discussion, Mr. Nichols made motion that Town of Eva no longer has membership with AMLA since Eva Frontier Days will not be advertised, Mr. Alexander second, carried.

Mayor read letter of proposal from First Commercial Bank, by Jeanette Holmes, to obtain the checking accounts on Town of Eva. The proposal was 4% interest on check account for 100% of balance and competitive rates on certificates of deposit, no monthly service charge, first order of checks free, including deposit tickets (letter on file). Mayor will compare checking accounts rates and report to council.

#### **UTILITIES - MR. ALEXANDER**

Mr. Alexander advised that when the gas lines were laid on Eva Road (in front of Mr. Benner's house and Joe Hill's house) the pavement is raised. A representative of Cullman-Jefferson Gas Company thought that the pavement would go down, however, after many rains, it has not. Mr. Alexander suggested that a letter be written to the gas company concerning this matter. Mayor agreed that he would write the gas company concerning the pavement.

#### **STREETS, PARKS, & CEMETERIES - MR. FOWLER**

Mr. Fowler reported that the ditch on east side of the ball park on Gravel Ridge Road is still digging out and getting dangerous. Area needs repaired to prevent any liabilities. The walking trail has been sprayed with grass killer but the gravel has not been spread yet. Mr. Fowler asked Mayor if he had met with Mr. Sumerford concerning the Dennis Johnson road and clearing of road banks. Mayor advised that Mr. Sumerford has not been available each time he stopped at the county shop.

Mr. Alexander reported that the driveway is stopped up at the Willard Casey residence. Also, still large wash on Gravel Ridge Road. Mr. Fowler added that bulkheads are needed in several areas and because concrete is so expensive cross ties and post could be used to help prevent washing. Tommie Moore could assist two or three other people but one person could not perform the work. After lengthy discussion, Mr. Collins advised that he would contact Billy Woods to see if he could do this type work. Mayor will see Joe Sumerford on Wednesday, August 14, concerning the above-mentioned road problems.

*Over*

Mr. Collins reported that the Lions Club has mentioned their concern for a need for sidewalks from Eva School to the 4-way. They are concerned with children's safety and are willing work toward this project. Mr. Alexander added that the Lions Club has not voted to proceed on this project yet.

### **RECREATION & SANITATION - MR. COLLINS**

Mr. Collins reported that septic tanks have not been installed yet at the G.C. Childer's rental building due to the fact that he thinks the problem is resolved. Since the Cullman Water Department repaired a leak in front of his building, he assumes that was the problem. Mr. Alexander advised that a representative of the water department, while repairing the leak, made the comment that there is a sewer problem in that area because of the odor. Mayor advised that Mr. Childers made the statement that he (Mr. Childers) would get the septic tank problem fixed. Mayor added that if there is another sewer leakage, Mr. Childers will have it repaired.

Mr. Collins also added that garbage is being left beside of the building from The Hair Shoppe. He will ask Mr. Childers to have the garbage removed. Mr. Collins has asked Tommie Moore several times to remove it from the area.

Mayor added that he hasn't check into the Lions Club using an area in town for a recycling bin to sell aluminum cans for support of their many charity projects. He added that he would check into this.

Mr. Collins advised that C. J. Mooney thinks he has a good relationship with the park committee and Eva Activities. The garbage dumpster will be picked up. Next year there will be a concrete pad poured and three sides will be put around the bin to separate it from the concession area.

Mr. Collins stated that many residents have asked if Joe Wheeler, EMC plans to install a sub-station in the area since there are so many power outages lately? Mayor advised that he believes the sub-station will be at Oden Ridge. He also stated that Steve Oden, rep of Joe Wheeler, knows that Eva is a target for power outage is why they want a sub-station in the area.

Mr. Smith reported that East Morgan Industrial Board has agreed they would like to use the old dentists' office, when available, for a temporary office. However, they would like to build a permanent office in the Industrial Park. East Morgan IDB has discussed a spec building at the Industrial Park. Mayor advised that he would contact David Hutchinson of ADECA for availability of grants for this purpose. He also advised that the woodworking business is still a prospect.

Mr. Smith also reported that the Emu processing plant is still in the beginning stages. The plant will employ 27 people and this plant needs a sewer system. Three phase electricity is a requirement and Joe Wheeler, EMC gave them a price of \$25,000 for power. East Morgan IDB plans to assist this project and the IDB has also discussed the sewer project. Mayor advised Mr. Smith to contact Gonzalez-Webb Engineering for his opinion on a sewer project from the Emu plant to town merchant area.

### **NO REPORT FROM SPECIAL COMMITTEES**

### **HEARINGS ON PETITIONS, APPLCS, COMPLAINTS, APPEALS, COMMUC, ETC.**

Mayor advised that he is trying to contact a business in Decatur concerning their machine for spraying for mosquitos on the walking trail

**AUDITING ACCOUNTS**

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

**RESOLUTIONS, ORDINANCES, ORDERS & OTHER BUSINESS**

Councilmember Collins introduced Resolution # 96-9, Providing that only one person filed statement of candidacy for the office of Councilman Place #2, that name being Clarence C. Alexander. Councilman Smith 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 to be finally passed and adopted at this meeting. Councilmember Fowler seconded motion. The question put before council on roll call vote as follows:

Mayor Livingston - yea                      Councilmember Nichols - yea  
Councilmember Fowler - yea              Councilmember Alexander - yea  
Councilmember Smith - yea                Councilmember Collins - yea

Mayor Livingston declared the motion adopted by unanimous vote of the members present. Councilmember Collins moved that said Resolution #96-9, as introduced, be finally passed and adopted. Councilmember Smith seconded this motion. Mayor Livingston question final passage and the adoption of said resolution to vote of council, and on roll call the results as follows:

Mayor Livingston - yea                      Councilmember Nichols - yea  
Councilmember Fowler - yea              Councilmember Alexander - yea  
Councilmember Smith - yea                Councilmember Collins - yea

Mayor Livingston announced the result of the vote, and declared the resolution finally passed and adopted, reference Section 11-45-2, Code of Alabama, 1975, for the required vote on final passage.

Councilmember Smith introduced Resolution # 96-10, Providing that only one person filed a statement of candidacy for the office of Councilman Place #5, that name being Bert L. Collins. Councilman Fowler 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 to be finally passed and adopted at this meeting. Councilmember Nichols seconded motion. The question put before council on roll call vote as follows:

Mayor Livingston - yea                      Councilmember Nichols - yea  
Councilmember Fowler - yea              Councilmember Alexander - yea  
Councilmember Smith - yea                Councilmember Collins - yea

*over*

Mayor Livingston declared the motion adopted by unanimous vote of the members present. Councilmember Nichols moved that said Resolution #96-10, as introduced, be finally passed and adopted. Councilmember Smith seconded this motion. Mayor Livingston question final passage and the adoption of said resolution to vote of council, and on roll call the results as follows:

Mayor Livingston - yea	Councilmember Nichols - yea
Councilmember Fowler - yea	Councilmember Alexander - yea
Councilmember Smith - yea	Councilmember Collins - yea

Mayor Livingston announced the result of the vote, and declared Resolution # 96-10 finally passed and adopted, reference to Section 11-45-2, Code of Alabama, 1975.

Councilmember Collins introduced Resolution # 96-11, Providing that only one person filed statement of candidacy for the office of Councilman Place #3, that name being James A. Fowler. Councilman Nichols 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 to be finally passed and adopted at this meeting. Councilmember Smith seconded motion. The question put before council on roll call vote as follows:

Mayor Livingston - yea	Councilmember Nichols - yea
Councilmember Fowler - yea	Councilmember Alexander - yea
Councilmember Smith - yea	Councilmember Collins - yea

Mayor Livingston declared the motion adopted by unanimous vote of the members present. Councilmember Collins moved that said Resolution #96-11, as introduced, be finally passed and adopted. Councilmember Alexander seconded this motion. Mayor Livingston question final passage and the adoption of said resolution to vote of council, and on roll call the results as follows:

Mayor Livingston - yea	Councilmember Nichols - yea
Councilmember Fowler - yea	Councilmember Alexander - yea
Councilmember Smith - yea	Councilmember Collins - yea

Mayor Livingston announced the result of the vote, and declared the resolution # 96-11 finally passed and adopted, reference Section 11-45-2, Code of Alabama, 1975, for the required vote on final passage.

Councilmember Collins introduced Resolution # 96-12, Providing that only one person filed a statement of candidacy for the office of Councilman Place #4, that name being Larry J. Smith. Councilman Nichols 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 to be finally passed and adopted at this meeting. Councilmember Fowler seconded motion. The question put before council on roll call vote as follows:

Mayor Livingston - yea	Councilmember Nichols - yea
Councilmember Fowler - yea	Councilmember Alexander - yea
Councilmember Smith - yea	Councilmember Collins - yea

Mayor Livingston declared the motion adopted by unanimous vote of the members present. Councilmember Alexander moved that said Resolution #96-12, as introduced, be finally passed and adopted. Councilmember Fowler seconded this motion. Mayor Livingston question final passage and the adoption of said resolution to vote of council, and on roll call the results as follows:

Mayor Livingston - yea	Councilmember Nichols - yea
Councilmember Fowler - yea	Councilmember Alexander - yea
Councilmember Smith - yea	Councilmember Collins - yea

Mayor Livingston announced the result of vote, and declared the resolution finally passed and adopted, reference to Section 11-45-2, Code of Alabama, 1975.

Mayor advised that David Lovvin, Hartselle Medical Center, is sending a letter to the town listing all items that the hospital intends to remove from the Eva Medical Clinic, copy to their lawyer, and copy to Sherman Powell, town attorney, in order to complete settlement of ownership.

Mayor set work session for September 3, 1996, at 3:00 p.m. at Eva Town Hall

Mayor read a list of repairs needed at Eva Nutrition Site and list of requests for the new budget year. (Copy on file). Mayor will contact Randy Childers for the repairs and the requests will be considered by council.

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

- Appfoved /

Attest:

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Eva Town Clerk