

Minutes of the regular meeting of the Eva Town Council held on July 8, 1997, at 7:30 P.M. in the Eva Town Hall. Present: Mayor Livingston, C. C. Mosteller, James Fowler, Clarence Alexander, Bert Collins, and Larry Smith absent due to family vacation. Guests present: Ruth Livingston, Director of Eva Nutrition Site and Michael Hudson, Morgan County deputy replacement for Jim Ferguson recently retired. Also present Steve Henderson, new resident to Eva.

After roll call, Mr. Mosteller opened with prayer. Mr. Fowler made motion to dispense reading minutes until hearing from guests, second by Mr. Collins, carried.

Mrs. Livingston advised council that she had to make immediate major decisions in a unique situation concerning rental by Johnson Emu Farm emphasizing. Johnson Emu Farm owners have rented the site several times on Saturdays registered as organizational meetings. During this past month on Friday afternoon a gentlemen came into the site and asked for a place to put an extension cord. She advised him the only place was where she plugged up the hot box for senior citizen's food to be kept for lunch. Then she discovered he had unloaded a chest freezer on south entrance of building. In addition, extension cords cannot be placed on the floor at the site due to the site's liability insurance. After asking what the purpose, he advised that Emu Farm sold meat from it at the meetings. She advised he could not sell at the meetings due to town council regulations. He advised that they have been selling meat in the past at the meetings. After conversation with him, she discovered they are also selling supplies and contracts for birds at this organizational meeting. She advised they cannot sell on the premises unless they sign a different agreement stating that they are selling for profit, make a \$100 deposit, furnish documentation of liability insurance, and submit 10% of the proceeds to the Nutrition Site. Mayor advised he was not aware of this agreement and will discuss this matter with Mr. John Johnson, owner of Emu farm. Clerk advised that privilege license will be required for selling their products in town limits. Council advised Mrs. Livingston to continue in the guidelines necessary to operate the Nutrition Site as required.

Deputy Michael Hudson was introduced to all council members and welcomed to the town. Mayor advised that he was greatly appreciated and to use the town hall as needed for his work.

After reading minutes, Mr. Collins made motion to approve minutes of June 10, 1997, Mr. Alexander second, carried.

FINANCE & EDUCATION - MR. MOSTELLER

Mr. Mosteller advised that the roof in now completed at the library and assumed it was the correct color as chosen. Since there is another certificate to mature for medical board Mr. Mosteller made motion for Mayor Livingston to re-invest the funds at the best rate and financial institution with the agreement that if the funds are needed that it can be withdrawn early, Mr. Fowler seconded, carried.

Mayor advised that the insurance coverage on the dentist office is \$21,500 which is more than the value. Since the insurance will only cover replacement cost he did think it is necessary to carry that much coverage. After discussion, Mr. Mosteller made motion to reduce coverage to total of \$5,000 on the dentist office, Mr. Collins second, carried.

After discussion concerning obtaining an attorney for legal assistance, Mr. Mosteller made recommendation to hire an attorney for advise advise when it is necessary. Mayor advised that he has discussed a rate with an attorney, Mr. Larry Madison, concerning representing the town. He is presently representing Town of Falkville and attends their council meetings. Mr. Madison's fee is normally \$75.00 to \$100.00 per hour but he also understands the condition of our town's budget. Therefore, he agreed to \$65.00 per hour for Town of Eva. Mr. Mosteller made motion for Mayor

Livingston to enter one year renewable contract with Mr. Larry Madison, attorney, at a rate of \$65.00 per hour, Mr. Collins second, carried.

Mayor advised he will call a meeting in August for council to make final decisions on a medical office building. Mr. Mosteller suggested that if Mrs. Eloise Livingston has no answer from Dr. Weathers by this time concerning leasing the present medical office, the council should go ahead and sell the building as previously agreed. Mr. Alexander advised that the air conditioner is not cooling the office. Since the clerk is storing files there, he will check it on Wednesday.

UTILITIES - MR. ALEXANDER

Mr. Alexander advised he has not talked with Mr. Baker at the Cullman County Water Department concerning the broken concrete near Edsel Childer's property. He looked at the area but is not sure what can be done.

Mr. Alexander also advised due to Jerry Livingston's health, he is not sure if he will be able to move any of the shrubbery around the medical office.

STREETS, PARK, AND CEMETERIES - MR. FOWLER

Mr. Fowler advised that Brad Norris has built a new house. Since he had concrete poured in his driveway, the water backs up across the main road which could be dangerous. He would also like to have two tiles installed at the property that he purchased from John Ryan (Eva Car Wash site). Mayor advised that he would have Don Stisher, Morgan County Commissioner, to look at his driveway but the town will only supply one load of gravel - no tiles. Mr. Fowler asked if the ditch can be mowed on the right-of-way in front of the car wash. The weeds are very tall and all that Tommie Moore can do since it is so steep is weed eat it. Mr. Collins advised that the sale is not final yet.

Mr. Fowler advised that he looked at the reported problem at Dennis Johnson's drive but did not see the problem. Mayor advised it is next to the Eva School driveway which joins Dennis Johnson's so he will also ask Don Stisher about that project.

In addition, Mr. Fowler stated he did not know what can be done to repair the washes at the walking trail other than paving it. The blade the county uses does not do a very good job. Mayor advised that Tommie Moore could use the box blade to fill up the washes.

After discussion concerning the Jean Deese sub-division of paving of Edgewood Street, Mr. Fowler made motion for Mayor to enter a contract with Shelby Contracting for paving the road for \$11,000 estimate since Mr. Deese has submitted the funds for that purpose, Mr. Collins second, carried.

Mayor advised that Darrel Haga, president of Eva Activities, received a grant of \$3250.00 from United Way toward basketball courts at the recreation park. Mayor asked Mr. Fowler if he would look at the area for basketball and tennis courts so that an estimate can be obtained. Mayor advised the town can fund the balance from the recreation park budget.

Mr. Collins asked if the roadbanks down highway 55 east will be cut. Mayor stated that Don Stisher said the county always starts on the east side of 55 for mowing. This year they started on the west side and will get to it as soon as possible since they are backed up at the present time.

Mr. Collins advised there is very deep water standing at the corner of Rickey Mason's property where it flows under the road from Eva School drains. Also, Mr. Alexander advised that water runs down Geraldine Miner's property and stands across the Eva Road. It does not run down into the tile and

then it is a problem on the road. Mayor advised he will also advise Don Stisher of these matters.

POLICE & FIRE - MR. SMITH

Since Mr. Smith was absent, Mayor advised that the fire chief is waiting to purchase radios until he knows how much their insurance for 97/98 will be. Mayor advised he redeemed the \$10,000 certificate of deposit for the fire department to apply to their insurance due in August. Hopefully they will have \$5,000 left to re-invest. Mr. Fowler made motion for Mayor Livingston to re-invest balance at the best rate and financial institution, Mr. Alexander second, carried.

RECREATION & SANITATION - MR. COLLINS

Mr. Collins stated that Darrell Haga, president of Eva Activities reported they have approximately \$9,000 balance in their account. The work around the dumpster will be completed then they will make some repair to the ballfields. Mayor stated the activity association has worked very hard to overcome the past financial problems.

Mr. Collins advised that Bobby Smith, not Rev. Robert Smith, is working to clean up the debris left from the tire shop fire. That area needs to be cleaned up before Frontier Days since there is also a lot of mosquitos around the old tires. He also advised there is still a sewer leak at G. C. Childers' building next to Picket Fence Florist. Mayor will again discuss this with Mr. Childers.

Mayor added that Joe Wheeler, EMC is working on a project at Cedar Cove Estates which involves a new kind of sewer system. It is independent septic tanks that contain two pumps with grinders in them. Ultraviolet rays clean and purify the water. Each house has a separate system. He will be discussing this further with Steve Oden, representative of Joe Wheeler, EMC.

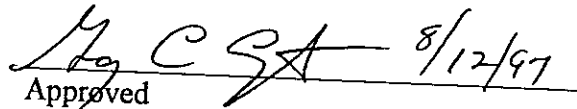
NO REPORTS FROM SPECIAL COMMITTEES OR HEARINGS ON PETITIONS, APPLCS, COMPLAINTS, APPEALS, COMMUNC. ETC.

AUDITING ACCOUNTS

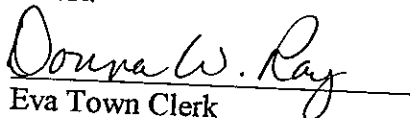
Mr. Mosteller made motion to transfer necessary funds from General Fund T. Account to Gasoline Tax Fund \$.07 to pay bills, Mr. Collins seconded, carried. Mr. Fowler made motion to pay bills, Mr. Alexander second, carried.

After discussing the recent approach from Morgan County Sheriff's Department concerning a drug task force located in Eva several days per week, Mr. Collins made motion for Mayor Livingston to enter an agreement with Morgan County Commission and Morgan County Sheriff's Department so that this service can be provided in Eva, Mr. Alexander second, carried.

Mayor stated that a worksession to plan for budget year 1997/98 will be set the week of July 15th - July 20th. Mr. Fowler made motion to adjourn, Mr. Collins second, carried.


Approved

Attest:


Eva Town Clerk