

Minutes of the regular meeting of the Eva Town Council held on June 13, 2006 at 6:30 p.m. at the Eva Town Hall. Present: Mayor Gary Livingston; Councilmember's: Bert Collins, Clarence Alexander, James Henderson, Johnny Persall and Clerk Judy Fortenberry. Councilmember Chambers was absence due to work commitment.

Guests: Chief Dennis Holmes

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

Mr. Persall motion to dispense with the minutes until after hearing from our Guest, Mr. Henderson seconded, carried.

Mayor Livingston turned the meeting over to Chief Holmes. Chief Holmes stated that he was present to request permission to go out for specification for a tanker truck. Chief Holmes stated that the present tanker is the oldest in the fleet and we are in need of a larger truck. The truck he is looking at is 30' long and will hold 3,000 gallons of water. A rough estimate at this time is \$291,356 hopefully he can get this price down \$20,000 or more. He stated that if he should go out for help with the specifications then go out for bids on the truck, that he is looking for a delivery date around February of 2007. He stated that at present he has \$115,000 set aside for the purchase, hopefully by delivery he will be able to pay for half the cost and finance the remaining amount. He is looking to pay the loan off within five years, maybe before.

After discussion Mr. Henderson motion for Chief Holmes to proceed with obtaining specifications and go out for bids and for Mayor to obtain needed financing, Mr. Collins seconded, carried.

Chief Holmes left the meeting at 6:50 p.m.

Mayor Livingston asked if everyone had read the minutes of the Regular Council Meeting on May 16, 2006 at the Eva Community Center. Mr. Collins motion to approve the minutes, Mr. Persall seconded, motion carried.

A. FINANCE, EDUCATION & LIBRARY- MR. CHAMBERS

Mayor reported we need to set a date for the work session to work on the budget. After discussion the date is July 6, 2006 at 4:30 at Town Hall.

Mayor reported that Mr. Chambers requested the July Council Meeting be on Monday July 10 instead of July 11 as scheduled. Mr. Chambers requested the change because he has a work commitment. Mr. Collins motion to change date for the July Council Meeting to Monday July 10, 2006, Mr. Alexander seconded, carried.

B: UTILITIES & STREETS- MR. ALEXANDER

Mr. Alexander reported the County had replaced two of the culverts at the Cemetery Road and Highway 35, stated that we need to put a grate on the north end of this culvert to keep out the trash.

Mayor reported that the County Engineer came out and gave us a price on the cul-de-sac on Courtney Drive, the price to chip seal plus rock would be \$3,000 - \$5,000. Mayor stated we would probably have to move the gas line; Clerk will call Cullman-Jefferson Counties Gas and see about the cost of moving the line. Mayor stated that he did not think we could help do the new street that Mr. Deese would have to take care of the design and cost. 3,500.⁰⁰

C. PARKS, RECREATION & CEMETERIES – MR. PERSALL

Mr. Persall reported that baseball season is almost over and that we should discuss the drainage work at the work session on July 6.

Also, Mayor suggested that we look at the cost of new bleachers at the work sessions.

D. POLICE, FIRE & GRANTS – MR HENDERSON

Mr. Henderson recommend we notify anyone going to build a subdivision about the Morgan County Subdivision Standards that we have adopted, then go to Morgan County and see if they will oversee any construction of these subdivisions. Mayor will talk with John Glasscock, County Commissioner and see what can be worked out.

E. SANITATION & BUILDINGS– MR. COLLINS

Mr. Collins reported the Contract for the Wastewater Treatment Facility has been signed, and forwarded to Hokes Bluff Construction Company, Inc.

Mr. Collins also reported that Brindley has not cleaned up the area where trees were cut, and that the creek is stopped up with brush.

Mayor asked Clerk to call Larry Whitley to come over and look at the site and see if we need to do any grading before the contractor starts work.

Mr. Collins reported that Chris Ryan had talked with him about the cost of the electrical upgrades that will be required to hook on the pump.

HEARINGS ON PETITIONS, APPOLOCS, COMPLAINTS, APPEALS, COMMUC. ETC

No Report

AUDITING ACCOUNTS – MOTION TO TRANSFER FUNDS & PAY BILLS

Motion to pay bills – Mr. Alexander motioned to pay bills, Mr. Henderson seconded, carried.

RESOLUTIONS, ORDINANCES, ORDERS & OTHER BUSINESS

Council member Henderson introduced Ordinance 06-03 Titled: An ordinance to exempt certain "Covered Items" from the municipal sales and use tax during the first full weekend of August 2006, as authorized by ACT 2006-574 of the Alabama Legislature, generally referred to as the

Sate Sales Tax Holiday Legislation.

Council member Collins moved that all rules governing the council which might, unless suspended, prevent the passage and adoption of Ordinance 06-03 at this meeting, be and the same are hereby suspended for the purpose of permitting the resolution to be finally passed and adopted at this meeting.

Council member Persall seconded this motion.

The question was put before the council and on roll call the vote was as follows.

Mayor Livingston	Yea		
Council Member Collins	Yea	Council Member Alexander	Yea
Council Member Persall	Yea	Council Member Henderson	Yea

Mayor Livingston presiding officer declared the motion adopted by unanimous vote of the members present.

Council member Alexander moved that the said Ordinance 06-03 be finally passed and adopted as introduced.

Council member Collins seconded this motion.

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

Mayor Livingston	Yea		
Council Member Collins	Yea	Council Member Alexander	Yea
Council Member Persall	Yea	Council Member Henderson	Yea

Presiding officer Mayor Livingston announced the result of the vote, and declared the Ordinance 06-03 passed and adopted.

Council member Collins introduced Resolution 06-02 Titled: Authorization for Mayor to enter into an agreement with the State of Alabama Department of Transportation for the construction of sidewalks along County Road 55, Morgan County, AL.

Council member Persall moved that all rules governing the council which might, unless suspended, prevent the passage and adoption of Resolution 06-02 at this meeting, be and the same are hereby suspended for the purpose of permitting the resolution to be finally passed and adopted at this meeting.

Council member Collins seconded this motion.

The question was put before the council and on roll call the vote was as follows.

Mayor Livingston	Yea		
Council Member Collins	Yea	Council Member Alexander	Yea

Council Member Persall Yea Council Member Henderson Yea

Mayor Livingston presiding officer declared the motion adopted by unanimous vote of the members present.

Council member Collins moved that the said Resolution 06-02 be finally passed and adopted as introduced.

Council member Alexander seconded this motion.

Mayor Livingston 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 Collins	Yea	Council Member Alexander	Yea
Council Member Persall	Yea	Council Member Henderson	Yea

Presiding officer Mayor Livingston announced the result of the vote, and declared the Resolution 06-02 passed and adopted.

Council member Henderson introduced Resolution 06-03 Titled: Authorization for the Mayor to enter into a contractual agreement with CDG Engineers and Associates, Inc. for engineering services and consultation performed relative to the construction of FY2006 Transportation Enhancement, sidewalks along County Highway 55, in the Town of Eva, ALDOT Project No. STPTE-TE-6 (910).

Council member Henderson moved that all rules governing the council which might, unless suspended, prevent the passage and adoption of Resolution 06-03 at this meeting, be and the same are hereby suspended for the purpose of permitting the resolution to be finally passed and adopted at this meeting.

Council member Persall seconded this motion.

The question was put before the council and on roll call the vote was as follows.

Mayor Livingston	Yea		
Council Member Collins	Yea	Council Member Alexander	Yea
Council Member Persall	Yea	Council Member Henderson	Yea

Mayor Livingston presiding officer declared the motion adopted by unanimous vote of the members present.

Council member Henderson moved that the said Resolution 06-03 be finally passed and adopted as introduced.

Council member Collins seconded this motion.

Mayor Livingston presiding officer put the question of final passage and the adoption of said Resolution 06-03 to vote of the council, and on call of the roll the results were as follows:

Mayor Livingston Yea
Council Member Collins Yea Council Member Alexander Yea
Council Member Persall Yea Council Member Henderson Yea

Presiding officer Mayor Livingston announced the result of the vote, and declared the Resolution 06-03 passed and adopted.

New Business:

Town Clerk brought before the Council the need to annex into the Town of Eva Limits 12 acres purchased from Garold C. Carnell in February 2003. After discussion Councilmember Collins motion for Mayor Livingston to sign the Petition: Annexation to Town of Eva for the 12 acres Mr. Persall seconded carried.

Mayor read a letter from Patrick McCauley, of Huntsville, Alabama concerning the Eva Cemetery, Mr. McCauley has suggested furthering enhancing the Cemetery by building a small chapel with a garden, not within the cemetery bounds but on land lying between the cemetery perimeter road and the small pond to the north. (See attached letter) It should be noted that the land mentioned belongs to the Earwoods and not to the town.

Mayor suggested that we might look into doing a gazebo in the area between the Highway 35 and the cemetery. This location is owned by the town and could be used for concerts by the Eva/Brewer Schools as well as the people visiting the cemetery. At this location the town could maintain the grounds. Clerk will look at cost for a gazebo and talked with Mr. McCauley about the cost.

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

APPROVED:

Mayor

ATTEST:

Town Clerk