

Minutes of the called meeting of the Eva Town Council held on March 5, 2001, at 3:30 p.m., in the Eva Town Hall with the following present: Mayor Livingston, Councilmembers Clarence Alexander, C. C. Mosteller, Brian Brown, Bert Collins, Larry Smith and Clerk Judy Fortenberry.

After roll call Mayor called the meeting to order and explained that we had several items that needed attention.

First item of business-loan for the Fire Department in the amount of \$132,900. Mayor explained that we would like to keep from borrowing the money from Rural Development because we are so close to obtaining the sewer system, and we are looking to Rural Development for that loan. Mayor explained that we had talked with First Commercial Bank and terms offered for the loan on the fire truck is 5% interest for ten years with no penalty for early payoff, with town moving to First Commercial the towns general checking account. Eva Bank had also made an offer but at a higher rate.

Councilmember Brown made motion to move the General Account to First Commercial, Councilmember Mosteller second, carried.

Councilmember Smith made motion for Mayor Livingston to enter into a contract with First Commercial for the loan of \$132,900. at 5% interest for 10 years, with no penalty for early payoff, Councilmember Collins second, carried.

Resolution #01-02 – Title: Authorization for Mayor to enter Contractual Agreement with low bidder KME/NAFECO for the purchase of a new fire truck and to arrange financing in the best interest of the Fire Department, was introduced by Councilmember Mosteller and read at length.

Councilmember 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 Collins seconded this motion.

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

Mayor Livingston	Yea	Councilmember Mosteller	Yea
Councilmember Collins	Yea	Councilmember Alexander	Yea
Councilmember Brown	Yea	Councilmember Smith	Yea

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

Councilmember Alexander moved that the said Resolution #01-02 be finally passed and adopted as introduced.

Councilmember Brown seconded this motion.

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	Councilmember Mosteller	Yea
Councilmember Collins	Yea	Councilmember Alexander	Yea
Councilmember Brown	Yea	Councilmember Smith	Yea

Presiding officer Mayor Livingston announced the result of the vote, and declared the resolution finally passed and adopted.

Second Item: Mayor reported to the council that he had been to the mapping office and checked on the annexation of Martin Nelson and Kent Chambers. Maps show that instead of ten acres that the full 80 acres were annexed into the Town when Kent Chamber applied for annexation. The town can take care of this by amending the annexation papers and sending to Justice Department for approval. Martin Nelson will need to apply for annexation for the part of his property that is not inside the town limits. Mayor stated that anyone who has property inside the town limits and outside will get two tax bills, but that cost would be no more than if all were inside or out.

Mayor stated that we would take care of Kent Chambers and amend Ordinance and submit to Justice Department for approval.

Third Item: Mayor reported that the County will not enter into a resolution with the Town of Eva for a recreation board. County stated that this had been tried in the past and had not worked, and could see no reason to do this again. County recommended that town appoint a recreation board and appoint individuals that live outside town limits but live within Morgan County. See attached letter from William E. Shinn, Jr., Morgan County Attorney.

Fourth Item: Councilmember Brown reported that he had filed a report with the Sheriff's Department because of the vandalism at the recreation park.

Mayor reported that he had told Don Shaver to fix the roof of the dugouts at the ballpark. Also requested that he and Councilmember Brown get together and write specifications required for the lawn mower. Also informed the Council that after pricing commercial mowers an additional \$4,000. would be needed.

Fifth Item: Mayor reported all paper work for option to buy Alexander land had been taken to Larry Madison.

Reported that after checking with Howard Lee of Bud Cramer's office that we should go ahead and talk with Engineering firms, that several firms would seek grant funding for the system, if grant monies were obtained they would want engineering services part of

the contract if grant funds were not found then no cost to the town. Confirmed that this is legal. After discussion was decided that the Mayor and Councilmember Collins should meet with Joe Wheeler and work up the agreement between Joe Wheeler and the town. Was also discussed that the end of March on a Friday would be a good time to start negotiations with Engineering Firms.

Councilmember Alexander recommended that we hold a Town Meeting to bring the community members up to date on the progress we have made on the sewer. Date recommended is sometime between the 1st and 15th of April, hopefully we will have a monthly rate worked out with Joe Wheeler and can inform individuals of the cost per household and commercial.

Sixth Item: Mayor reported on his and Councilmember Mosteller meeting with library personnel. Was recommended that Athelia Woodall be given 10 additional paid hours a week until all books are entered into the computer, this will make it easier to track all books and number of books any individual has checkout. Mayor also presented a letter written on behalf of the town which the library will mail to all who have an overdue book. A list of persons with overdue books was present to the council. (see attachments)

Councilmember Mosteller made motion to grant Athelia Woodall ten hours a week with pay until all required data on library books are enter into the computer, Councilmember Collins second, carried.

Ordinance 01-1 – Title: An Ordinance Making It A Misdemeanor to Fail To Return Borrowed Eva Public Library Materials, Creating Presumptions As To Violations and Providing Penalties, was introduced by Councilmember Smith and read at length.

Councilmember Collins moved that all rules governing the council, which might, unless suspended, prevent the passage and adoption of the ordinance at this meeting, be and the same are hereby suspended for the purpose of permitting the said ordinance to be finally passed and adopted at this meeting.

Councilmember Alexander seconded this motion.

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

Mayor Livingston	Yea	Councilmember Mosteller	Yea
Councilmember Collins	Yea	Councilmember Alexander	Yea
Councilmember Brown	Yea	Councilmember Smith	Yea

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

Councilmember Mosteller moved that the said Ordinance # 01-1 as introduced, be finally passed and adopted as introduced.

Councilmember Brown seconded this motion.

Presiding Officer Mayor Livingston 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	Councilmember Mosteller	Yea
Councilmember Collins	Yea	Councilmember Alexander	Yea
Councilmember Brown	Yea	Councilmember Smith	Yea

Presiding officer Mayor Livingston announced the result of the vote, and declared the ordinance finally passed and adopted.

Mayor reported to council that the Medical Building Parking Lot is overflowing into the fire departments lot and that we need to plan on paving the back portion of the lot for parking.

Mayor also reported that Angela Holmes is doing a great job, and requested that she be allowed to work one day a week, setting the different accounts up in Quickbooks. All agreed as long as we do not overrun on budget for employees.

Motion was made by Councilmember Alexander that town subscribe to Decatur Daily so Clerk can keep up to date on local government, Councilmember Smith second, carried.

Councilmember Mosteller made motion to adjourn, Councilmember Brown second, carried.

Approved

Attest:

Hva Town Clerk

"We, the undersigned members of the Town Council of the Town of Eva, Alabama, hereby waive notice of Called Council meeting for the purpose to discuss Resolution 01-02, Ordinance 01-1, Engineering Services Sewer System and do consent that said meeting be held at the Town Hall in the Town of Eva, Alabama, at 3:30 p.m., on the 5 of March 2001.

~~Gary~~ L. Livingston, ~~Mayor~~

Clarence C. Alexander, Councilman

~~Bert~~ L. Collins, Councilman

~~Brian~~ Brown, Councilman

C. C. Mosteller, Councilman

Larry J. ~~Smith~~, Councilman