

Minutes of the regular meeting of the Eva Town Council held on March 14, 2006 at 6:30 p.m. in the Eva Town Hall. Present: Mayor Gary Livingston; Councilmember's: Bert Collins, Clarence Alexander, James Henderson, Johnny Persall and Clerk Judy Fortenberry. Kent Chambers was absence due to work commitment.

Guests: Shirley and Loyd West, Danny McDaniel and Mike Corley

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. Collins motion to dispense with reading of the minutes until after hearing from our guest, Mr. Persall seconded, carried.

Mayor asked if the West's would like to address the group, Mr. West stated that he wanted to discuss the ball park and the same problem that they had had in the past. Older teenagers and adults are using the ball field that was intended to be used by smaller children for t-ball, and the baseballs are coming over into their yard. Mr. West stated that his guests cannot park their vehicles in the front of the house due to the problems with the base/soft balls. He made the suggestion that we redesign the field and put home plate on their side of the field and have the balls going toward the parking lot, he feels that if the balls were hit in the direction of their own cars then they would not use this field. Mr. Persall suggested that we lock the gate to this field and not let anyone use it except for games and practice for the younger players. Mayor asked if they would give us a chance to put up a sign and lock the gate and see how this went before we go the expense of redesigning the ball field. Mr. West stated that this past Sunday the older boys were using the field and hit a ball into his driveway. Mayor asked if he called the deputies on Sunday and he said no. He made the statement that the boys were using the batting machine and that the small field is the only field that machine can be used on. Mr. West agreed to give us time to see if we can take care of this problem. Mayor apologized for the Activities Association and told him we would address this problem with them.

Mr. and Ms. West left the meeting at 6.45 p.m.

Mayor asked Chief Deputy Mike Corley if he had anything to bring before the council. Deputy Corley stated he was out to make sure that we were happy with our new deputy, and to bring us up to date on some of the things that are going on within the Sheriffs Department. He stated that the towns budget is in good shape, that the Sheriffs Department were looking at their budget on April 1 and they may have to layoff six deputies. He stated that they had got a grant to update the department's helicopter.

Chief Corley and Deputy McDaniel left the meeting at 7:08 p.m.

Mayor Livingston asked if everyone had read the minutes of the Regular Council Meeting on February 14, 2005, Mr. Collins motion to approve the minutes, Mr. Persall seconded, motion carried.

#### **A. FINANCE, EDUCATION & LIBRARY- MR. CHAMBERS**

Mayor reported that CD #5128 is up for renewal in the amount of \$15,000 for the recreation park. Clerk to get best interest rate and renew.

Clerk reported that the fire department has asked about the rate of per diem while in travel status. After discussion Mr. Henderson motion to set \$30.00 a day, Mr. Collins seconded, carried.

#### **B: UTILITIES & STREETS- MR. ALEXANDER**

Mr. Alexander reported that we need to get with the Kevin Murphy County Commissioner and County Engineer and look at the 4-way, so we can take care of this area when we do the sewer lines and the sidewalk. After discussing a date of Friday morning at 9:00 am at the 4-way if Mr. Murphy could make that date. Clerk to call and set up date with Mr. Murphy and let everyone else know the time and date.

Mr. Alexander reported that he and Mr. Murphy had looked at the problems on Hwy 35 (Eva Road) and that the County will take care of them.

Mr. Alexander reported that he had meet with Jerry Miner on Tuesday night of this week, and that East Morgan County Industrial Board is ready to talk with us about purchasing old town hall back. This was discussed; Mayor will call George Crawford and get with him on a price.

#### **C. PARKS, RECREATION & Mr. CEMETERIES - MR. PERSALL**

Mr. Persall reported that the climber has been delivered but not installed. Also, that ball season will start with a tournament on March 25. Egg hunt is schedule for April 15, at 10:00 a.m.

Mr. Persall stated that we need to schedule a meeting with the Activities and Recreation Board to discuss some of the problems we are having.

#### **D. POLICE, FIRE & GRANTS - MR HENDERSON**

Mr. Henderson reported that the green SUV has been moved from the parking lot at the 4-way.

Mr. Henderson asked that we have the May meeting at the Community Center and make an effort to encourage all community residence to attend. Mayor stated that this is the regular council meeting that will be moved to the third Tuesday due to the Alabama League Meeting in Mobile. All agreed that this would be a good time to encourage the community to come out due to the construction of the sewer project.

Mr. Henderson asked if Mayor had talked with the County Engineer about the cul-de-sac. Mayor had not called them.

#### **E. SANITATION & BUILDINGS- MR. COLLINS**

Mr. Collins reported that the bids were opened for Contract No. 1 for the wastewater treatment system. Hokes Bluff is the low bidder with a bid of \$299,620.00. Ladd Environmental

Consultants, Inc. sent a letter to the Mayor recommending that the Town of Eva award the re-bid of contract no. 1 to Hokes Bluff Construction Company, Inc. of Gadsden, Alabama.

Council member Collins introduced Resolution 06-01 Titled: Authorization for Mayor to authorize Ladd Environmental Consultants, Inc. to precede with the procurement of the Waste Treatment System for the Town of Eva from the low bidder Hokes Bluff Construction Company.

Council member Persall moved that all rules governing the council which might, unless suspended, prevent the passage and adoption of Resolution 06-01 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 Alexander 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 06-01 be finally passed and adopted as introduced.

Council member Henderson 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 Resolution 06-01 passed and adopted.

**HEARINGS ON PETITIONS, APPOLES. COMPLAINTS, APPEALS, COMMUC. ETC**

No Report

**AUDITING ACCOUNTS – MOTION TO TRANSFER FUNDS & PAY BILLS**

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

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

New Business: Mayor reported that he had talked with George Brindley Logging, LLC about the trees on the land for the sewer plant. Mr. Brindley gave a price of \$4.00 per ton on timber to be

extracted from the property. Mayor reported that he had asked Moody Logging to quote, and they reported that we did not have enough timber for them to bid on.

Mayor will get with Brindley Logging and make sure they will cleanup when they furnish with the timber.

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

APPROVED:

Mayor

ATTEST:

Town Clerk