

Minutes of the called meeting of the Eva Town Council held on Thursday, October 24, 1996, at 3:30 P.M. in the Eva Town Hall. Present: Mayor Livingston, C. C. Mosteller, James Fowler, Clarence Alexander, Larry J. Smith, and Bert Collins.

After roll call, Mayor advised purpose of meeting is to discuss and vote on the proposed ownership agreement of the Eva Medical Clinic from National Healthcare of Hartselle, Inc. to the Town of Eva. This settlement agreement refers to Civil Action CV-94-221 that the town filed since the National Healthcare did not transfer ownership after five years in operation. Settlement agreement agrees to, and herein does, transfer title to the Town: One Mobile Home (known as the clinic trailer); waiting room furniture, One telephone system; cabinets and office furniture; and miscellaneous exam room furniture. David Loving, Administrator of National Healthcare of Hartselle, Inc., known as Hartselle Medical Center, advised that the x-ray equipment would remain in the Eva Clinic. Agreement also indicates that any property remaining in the Clinic Trailer after the date agreement is approved by Eva Town Council will become property of the Town. (Copy of agreement on file with town clerk). Mayor also advised that settlement agreement, when agreed upon by council, must be kept in the strictest confidence and shall not be subject to disclosure. Mayor advised that he and Councilman Alexander met with town attorney on this case, Sherman Powell, Jr., for explanation on agreement. He advised that it was a simple language agreement and he did not see any problems with it. Mr. Powell also advised that the statues of limitations had run out for any claims. If there should be any claims, they would be with previous doctors. After discussion, Mr. Alexander made motion to accept this agreement from National Heathcare of Hartselle, Inc. Mr. Fowler second, carried.

Mr. Fowler made motion to adjourn, Mr. Collins second, carried.

Approved

11/12/96

Attest:

Eva 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 of discussing and voting on litigation agreement from National Healthcare vs. Town of Eva (ownership of Eva Medical Clinic) Thursday, October 24, 1996, 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 24th day October, 1996.

*Gary L. Livingston*, Mayor

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Clarence C. Alexander, Councilman

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Bert L. Collins, Councilman

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James A. Fowler, Councilman

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C. C. Mosteller, Councilman

*Larry J. Smith*, Councilman