

Minutes of the regular meeting of the Eva Town Council held on October 11, 2005, at 6:30 p.m. in the Eva Town Hall. Present: Mayor Gary Livingston; Councilmember's: Kent Chambers, Bert Collins, Clarence Alexander, James Henderson, Johnny Persall and Clerk Judy Fortenberry.

Guests: Joe Hill, Tommy Shickles

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.

Mayor Livingston asked if everyone had read the minutes of the Regular Council Meeting on September 11, 2005, Mr. Collins motion to approve the minutes, Mr. Persall seconded, motion carried.

A. FINANCE, EDUCATION & LIBRARY- MR. CHAMBERS

Mr. Chambers reported that we have two CD's up for renewal. Mr. Chambers's motion for Clerk to find best interest rate and renew, Mr. Alexander seconded, carried.

Mr. Chambers reported a CD for the amount of \$15,000 was purchased for the Recreation Park at 4.0% for 6 months, and one for the Fire Department in the amount of \$30,000 at 4.5% for 1 year.

Mr. Chambers presented the Budget for 2005-2006 for the General Account (See Attached). Mr. Chambers motion to approve the Budget as presented, Mr. Persall seconded, carried.

Mr. Chambers presented the Budget for 2005-2006 for the Eva Volunteer Fire Department (See Attached). Mr. Chambers motion to approve the budget as presented, Mr. Collins seconded, carried.

Mr. Chambers presented the Budget for 2005-2006 for the Eva Activities Association (See Attached). Mr. Chambers motion to approve the budget as presented, Mr. Alexander seconded, carried.

Mr. Chambers presented to the Council the contract from Morgan County Commission for the collection of sales local one cent sales tax. Charge for collecting the tax decreased from 7% to 5%. Mr. Chambers's motion to approve the contract, Mr. Collins seconded, carried. Mayor signed the contract.

Discussion on what to do with any funds remaining from 2004-2005 budget. Several items were discussed; one was for setting aside \$25,000 for Sewer Project, one of setting aside \$10,000-15,000 for the sidewalk project. This item was tabled for the time being.

Brian Brown arrived at 6:50 p.m.

B: UTILITIES & STREETS – MR. ALEXANDER

Mr. Alexander reported that the culverts were installed today in front of Eva School, stated the County did a great job on the area surrounding the culverts.

Mr. Alexander stated that the field lines at the Community Center is coming to the surface. He pointed out that one of the commodes run from Saturday Night until Sunday afternoon, which could have cause the problem. After discussion Mr. Collins motion for Joe Hill to repair the field lines, Mr. Alexander second, carried.

C. PARKS, RECREATION & CEMETERIES – MR. PERSALL

Mr. Persall reported that the trees at the cemetery have been taken care of. Mayor reported that he had talked with Mr. McCauley this dated and only one row of trees to be planted and water line should be 18" under the road.

Mr. Persall reported that that inventory for the tools at the maintenance shop had been taken, and he has a list of items needed. He also stated that two of the items requested by Mr. Shickles, leaf blower and chain saw, are in stock at the Alabama State Surplus Store and that Mr. Shickles should come by and look at them. He said we could get both items for around \$50.00.

Mr. Persall requested that we start on the drainage problem at the park as soon as possible. Mayor stated that he had talked with Chuck Chitwood with CDG Engineers about the problems, and Mr. Chitwood had been by to look at the area. He suggested that we do riprap rather than flumes, that the flumes would cause a bigger problem. Clerk to call Mr. Chitwood for a price on design for the drainage.

Mr. Persall suggested that we proceed with planting winter rye and fertilizing all areas in the park at this time. If we wait for spring we run into the problem with the children on the playing fields. Clerk will call Federer Fertilizer Inc. for quote. Hopefully the seed can be mixed with the fertilizer and spread this month before the rainy season.

D. POLICE, FIRE & GRANTS – MR HENDERSON

Mr. Henderson reported we are still without a Deputy for the town, and some feel we do not have police protection.

Mr. Henderson reported that the Fire Department received \$615.00 from the car show on Frontier Days.

Mr. Henderson reported that he had talked with Chief Holmes and that the firemen are not interested in building on the land on Hwy 55 East at this time. He suggested that we build on to the existing building toward the Medical Building to be used by Town Hall. He presented a drawing to the Council on what he proposes for the addition (see attached). After a lengthy discussion Mr. Collins motion to get pricing on the addition for the existing building, Mr. Persall seconded, carried.

Mr. Henderson also reported that if the Town would put up \$10,000 for the sidewalks he would

put in \$1,000 of his personnel money for the project.

Mr. Henderson reported on the class which he and Mr. Collins attended, concerning the waste treatment plant.

E. SANITATION & BUILDINGS—MR. COLLINS

Mr. Collins reported that the Bid Opening date for the Wastewater Treatment Plant is set of November 15, 2005 at 10:00 A.M. at the Eva Town Hall.

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

No Report

AUDITING ACCOUNTS -- MOTION TO TRANSFER FUNDS & PAY BILLS

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

RESOLUTIONS, ORDINANCES, ORDERS & OTHER BUSINESS

Mr. Collins reported that Mr. Shickles was scheduled to attend training In Lincoln since the class in Ider did not make. Mr. Shickles asked if he would get paid for his meals when he went for training. After discussion Mr. Chamber's motion to pay \$8.00 for meals if a person is gone more than six hours, Mr. Persall seconded, carried.

Mayor Livingston reported that since winter is coming on and the grass will not need to be mowed, he recommended that Mr. Shickles work hours be set from 7:30 a.m. until 4:00 p.m. with a thirty minute lunch. Mr. Chambers's motion to set this time, Mr. Persall seconded, carried.

Council member Chambers introduced Resolution 05-06 Titled: Authorization for Mayor to authorize Ladd Environmental Consultants, Inc. to proceed with the acquisition of the Waste Treatment System for the Town of Eva and read at length.

Council member Henderson moved that all rules governing the council which might, unless suspended, prevent the passage and adoption of Resolution 05-06 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 Chambers	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 Resolutions 05-06 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 resolutions to vote of the council, and on call of the roll the results were as follows:

Mayor Livingston	Yea	Council Member Chambers	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 05-06 passed and adopted.

Council member Chambers introduced Ordinance 05-03 Titled: An Ordinance Establishing A Policy For Notice To The News Media And Public of Meetings of the Town Council and Boards, Bodies, Commissions and Instrumentalities of The town of Eva, Alabama Subject to The Notice Requirements of ACT No. 3005-40 Of The Alabama Legislature, Also Know as The Alabama Open Meeting Act and read at length.

Council member Henderson moved that all rules governing the council which might, unless suspended, prevent the passage and adoption of Ordinance 05-03 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 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 Chambers	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 resolutions, Ordinance 05-03 be finally passed and adopted as introduced.

Council member Persall seconded this motion.

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

Mayor Livingston	Yea	Council Member Chambers	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

05-03 passed and adopted.

Mayor Livingston reported to the Council that the Library would hold its 25 Years Celebration November 6, 2-4:00 p.m. at the Library.

Mayor Livingston presented the following names to be approved for:

Library Board: Athelia Gibbs – September 30, 2007
Lease Maze – September 30, 2008
Eloise Oden – September 30, 2009

Mr. Chambers Motion to approve the names presented to the Library Board, Mr. Persall seconded, carried.

Mayor Livingston presented the following names to be approved for:

Eva Industrial Development Board: Mike Hopper – September 30, 2009
Robert Smith – September 30, 2009
Donald Allison – September 30, 2009

Mr. Collins motion to approve the names presented to the Eva Industrial Development Board, Mr. Persall seconded, carried.

Mayor Livingston presented the following names to be approved for:

Eva Recreation Board: Anthony Long – September 30, 2009

Mr. Alexander motion to approve name presented to Eva Recreation Board, Mr. Chambers seconded, carried.

Mayor Livingston asked if anyone else had anything to bring before the Council. Mr. Brown stated that he would like to complain about the littering inside the Town Limit's he was upset about the paper that is delivered to residents that or not ordered. Most of these papers are advertisements and most of the people do not pick them up out of their drive ways or from the side of the road.

Mr. Collin's motion to adjourn, Mr. Alexander second, carried.

APPROVED:

Mayor

ATTEST:

Town Clerk