

Minutes of the regular meeting of the Eva Town Council held on May 10, 2005, at 6:30 p.m. in the Eva Town Hall. Present: Mayor Gary Livingston; Council Members: Bert Collins, Clarence Alexander, James Henderson, Johnny Persall and Clerk Judy Fortenberry. Council member Kent Chambers was absent due to work commitment.

Guests: Pamela and Tom Blanton, Elizabeth and James Wright, Jeff Harville, and Jamey Wright (arrived at 6.45) with the Eva Amateur Radio Club, Joe Hill Eva Community, and Athelia Gibbs with the Eva Public Library.

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 abstain with minutes until after hearing from our guest, Mr. Alexander second, carried.

Mayor thanked everyone for coming out, and turned the meeting over to Athelia Gibbs with the Eva Library. Ms. Gibbs gave a report on the library (see attached report Circulation Statistics Eva Public Library), also reported on the additional tasks the library will be assuming October 1, 2005. Mayor Livingston asked that they get their numbers together and turn into the Clerk to start work on the budget in August.

Athelia Gibbs left the meeting at 6:50 p.m...

Mayor turned the meeting over to Elizabeth Wright with the Eva Amateur Radio Club, Ms. Wright had a letter that was presented to the Council requesting the use of the Park on Saturday June 24 starting at 12:00 p.m. and going through 12:00 p.m. Sunday June 26. Ms. Wright stated the club has 15 members, and they will use generators for power. Mayor asked if they could use the Center, but stated they prefer to be outside. They would like to use the pavilion with the restroom facilities. This is a nation wide activity for the public to visit on Saturday afternoon; this Club will help provide assistance with the Red Cross, Homeland Security in case of a disaster. They will be under FCC and ARL Safety Regulations.

Mr. Persall motion to issue a permit to the Eva Amateur Radio Club to use the park on the requested dates, Mr. Collins seconded, carried.

Mayor Livingston asked if everyone had read the minutes of the Regular Council Meeting on April 12, 2005. Mr. Alexander motion to approve the minutes, Mr. Persall seconded, motion carried.

A. FINANCE, EDUCATION & LIBRARY– Mr. Chambers

Mayor reported that we have a CD in the amount of \$25,000 up for renewal on May 16, 2005 for the General Fund.

Mr. Collins motion to renew at the best rate, Mr. Henderson seconded, carried.

Mayor reported that the Local Government Health Insurance Program with the State of Alabama would insure only one employee; he went over the rates with the Council.

Mr. Collins motion to go with the Local Government Health Insurance Program, Mr. Alexander seconded, carried. Clerk will fill out application.

Mayor reported that we have the report back on State Retirement, but that we will hold until Mr. Chambers is present before voting on this item.

B: UTILITIES & STREETS – MR. ALEXANDER

Mr. Alexander reported Cullman County Water Department will be cleaning the water tank above his house this coming month.

Mr. Alexander also reported Morgan County is working on Gravel Ridge Road.

PARKS, RECREATION & CEMETERIES – MR. PERSALL

Mr. Persall reported that Tommy Shickles had requested a trailer, compressor, toolbox, leaf blower and uniforms. Mayor asked if they had any of the items at the Surplus Store, Mr. Persall stated they had a couple of compressors but they were not that good. Stated that he would check with Mike Hopper and see what they have at the store. Mayor stated that he needed the compressor but that the other items should be tabled at this time. Mayor also stated that uniforms were not part of the benefits offered in this position.

Mr. Persall reported a dead pine tree near the playground, he stated that it is close enough to the pavilion that it could do some damage if we had a storm. Mr. Persall will see about getting the tree cut.

Mr. Persall presented a letter from the Art Guild requested permission to place a covered swing near the playground.

After discussion Mr. Persall motion to allow the Art Guild to purchase a swing after the final construction is completed near the playground, Mr. Collins seconded, carried.

The Art Guild had also requested permission to use the land at the old car wash as a place for the car show for Frontier Days 2005; Mayor suggested that they see Artis Oden about using the Methodist Church parking lot for the show.

Mr. Persall presented a request from Patrick McCauley of Huntsville, AL requesting permission to place trees at the Eva Cemetery on Town owned property. Mr. Persall stated that he would like to know what kind of tree and how many he planned to plant. Clerk will set up a date for Mr. Persall, Mr. Alexander and Mr. McCauley to meet and discuss this project.

D. POLICE, FIRE & GRANTS – MR HENDERSON

Me. Henderson asked if we could put a sign up at the entrance to Murphrees Road stated "Future Home of the Eva Sewer Plant.

E. SANITATION & BUILDINGS- MR. COLLINS

Mr. Collins reported that the Medical Clinic had placed a storage building at the back of the Medical Building, and that we had a leak on the outside water facet.

Reported the brush pile at the sewer plant site had been burned with the help of Joe Hill, and Morgan County District Three Shop.

Reported that the UCI Permit will be coming within 4-6 weeks, and presented a time schedule for the sewer plant as purposed by Ladd Environmental. Also reported that we will need to complete the road going into the plant site and we will need an electrical pole at the site.

Mayor reported that we might have to pay county employees to work on Friday to complete the required road at this site.

Mr. Collins motion to pay overtime to County Employees if necessary, Mr. Persall seconded, carried.

REPORT OF SPECIAL COMMITTEES & OFFICERS

No Report

HEARINGS ON PETITIONS, APPOLCs. 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

New business:

Johnny Brown requested two load of dirt from the Industrial Park, Mayor reported that the dirt does not belong to the Town but to Morgan County. Mr. Brown will need to call Kelvin Murphy at District Three Shop.

Mayor reported that he had been talking with Clark about mosquito equipment, and that he would be calling them back about a quote.

Clerk reported that a Gentleman had come by the office and requested a License to sell fireworks within the Town limits. Clerk informed him that we have an Ordinance against selling fireworks within the Town limits. He asked if he could meet with the Council and discussion this Ordinance, he was informed of the Council Meeting and informed he could address the Council at this meeting. For the record he did not attend this meeting.

For the record Mr. Collins motion not to change Ordinance 88-3 - That no license will be issued for the sale of fireworks within the corporate limits of Eva, Alabama, Mr. Persall seconded, carried.

Mayor Livingston presented Resolution #99-3 Amendment #1 Title: Uniform Participation in the Town of Eva Solid Waste Disposal Program and for the Levy and Collection of Fee and Other

Charges for Collection Services.

Council member Persall moved that all rules governing the council, which might, unless suspended, prevent the passage and adoption of the resolutions at this meeting, be and the same are hereby suspended for the purpose of permitting the said resolutions 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 Henderson moved that the said resolutions, Resolutions 99-3 Amendment #1 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 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 resolutions passed and adopted.

Mr. Persall motion to go into excessive session, Mr. Collins seconded, carried.

Mr. Collins motion to end excessive session, Mr. Persall seconded, carried.

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

ATTEST:


Town Clerk

APPROVED:


Mayor