

CITY COUNCIL BUSINESS MEETING AGENDA
1705 MAIN STREET, DAPHNE, AL
MARCH 17, 2008
6:30 P.M.

- 1. CALL TO ORDER**
- 2. ROLL CALL/INVOCATION**
PLEDGE OF ALLEGIANCE

3. APPROVE MINUTES: Council Meeting minutes meeting held March 3, 2008
Amended minutes from the March 3, 2008 Council meeting / **NO ACTION**

PRESENTATION: Present Award from Arbor Day Foundation: 20th Year as a “Tree City” /
Anne Talton / Beautification Committee

PUBLIC HEARING: Revision to Zoning Map

4. REPORT STANDING COMMITTEES:

A . FINANCE COMMITTEE - Scott

Review minutes meeting held March 10th

1.) Ordinance:

a.) Lodging Tax Appropriation: Bay Front Park and May Day Park / **Ordinance 2008-28**

2.) Resolutions:

a.) Bid Awards:

1.) Hydro Mower / M & I Equipment & Engine / **Resolution 2008-10**

2.) Digital In-Car Video System / Kustom Signals, Inc. / **Resolution 2008-11**

3.) Athletic Field Marking Paint / Pioneer Mfg. Co. / **Resolution 2008-12**

b.) Prepaid Travel

1.) Dewayne Stephens / Mechanic / HEIL Factory Training / Fort Payne, AL
April 8-11, 2008 / \$140

2.) Leah Henry / Court Magistrate / Certification Training and Maintenance Training
Institute for Municipal Court Clerks and Magistrates / March 25-28, 2008 /
Tuscaloosa, AL / \$140

c.) Declare Surplus Equipment / **Resolution 2008-13**

3.) Motion:

1.) Authorize SARPC 1st half pro-rata payment of \$6,429

4.) Financial Reports:

1.) Treasurers Report / February 29, 2008

2.) Sales & Use Tax Collections / January 31, 2008

3.) Lodging Tax Collections / January 31, 2008

B. BUILDINGS & PROPERTY - Lake

C. PUBLIC SAFETY - Burnam

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE - Palumbo

E. PUBLIC WORKS COMMITTEE / SOLID WASTE AUTHORITY - Yelding

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments - Eady

Review minutes meeting held March 6th

B. Downtown Redevelopment Authority – Barnette

C. Industrial Development Board – Yelding

D. Library Board - Lake

Review minutes meeting held February 7th 1

E. Planning Commission – Barnette

Set Public Hearing date for April 21, 2008 to consider an Ordinance annexing property Located on Whispering Pines Road / Holy Trinity Lutheran Church/ Requested zoning R-3, High Density Single Family Residential District

F. Recreation Board - Palumbo

G. Utility Board - Scott

6. REPORTS OF OFFICERS:

A. Mayors Report

a.) *Parade Permit/Bayside Medical Missions / 5K & Fun Run / September 27, 2008*

B. City Attorney’s Report

C. Department Head Comments

7. PUBLIC PARTICIPATION:

8. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

- a.) **Prepaid Travel / Dewayne Stephens / Leah Henry...../Resolution 2008-09**
- b.) **Bid Award: Hydro Mower / M & I Equipment & Engine...../Resolution 2008-10**
- c.) **Bid Award: Digital In-Car Video System / Kustom Signals...../Resolution 2008-11**
- d.) **Bid Award: Athletic Field Marking Paint...../Resolution 2008-12**
- e.) **Declaring Certain Personal Property Surplus and Authorize Disposition...../Resolution 2008-13**

ORDINANCES:

2ND READ

- a.) **Appropriating Funds: Mobile NEP/Ordinance 2008-24**

1ST READ

- b.) **Revision to Zoning Map...../Ordinance 2008-25**
- c.) **Establishing District Lines for the City of Daphne...../Ordinance 2008-26**
- d.) **Establishing Voting Poll Places...../Ordinance 2008-27**
- e.) **Lodging Tax Appropriation...../Ordinance 2008-28**

9. COUNCIL COMMENTS

10. ADJOURN

**CITY OF DAPHNE
CITY COUNCIL MEETING**

ROLL CALL

CITY COUNCIL:

CALL VOTES

COUNCILMAN YELDING

PRESENT__ ABSENT__ __

COUNCILWOMAN BARNETTE

PRESENT__ ABSENT__

COUNCILMAN LAKE

PRESENT__ ABSENT__ __

COUNCILMAN BURNAM

PRESENT__ ABSENT__ __

COUNCILMAN SCOTT

PRESENT__ ABSENT__ __

COUNCILMAN NAGER

PRESENT__ ABSENT__ __

COUNCILMAN PALUMBO

PRESENT__ ABSENT__ __

MAYOR

MAYOR SMALL

PRESENT__ ABSENT__ __

CITY CLERK:

DAVID L. COHEN

PRESENT__ ABSENT__

CITY ATTORNEY:

CITY ATTORNEY JAY ROSS

PRESENT__ ABSENT

MINUTE NOTES:

**CITY COUNCIL MEETING
MINUTES**

NOTES:

COMMITTEE RECOMMENDATIONS

**MARCH 3, 2008
CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

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1. CALL TO ORDER

Council President Burnam called the meeting to order at 6:45 p.m.

2. ROLL CALL/INVOCATION/PLEDGE OF ALLEGIANCE

Councilman John Lake gave the invocation.

COUNCIL MEMBERS PRESENT: Bailey Yelding; Cathy Barnette; John Lake p.m.; Greg Burnam; Ron Scott; Eric Nager arrived at 7:03 p.m.; August Palumbo.

Also present: Mayor Small; David Cohen, City Clerk; Rebecca Hayes, Assistant City Clerk; Erick Bussey, Attorney; Kim Briley, Finance Director; David McKelroy, Recreation Director; Tonja Young, Library Director; Sharon Cureton, Human Resource Director; David Carpenter, Police Chief; James White, Fire Chief; Richard Merchant, Building Official; Sandra Morse, Civic Center Director; Melvin McCarley, Interim Public Works Director; Adrienne Jones, City Planner; Jane Robbins, Mayor's Assistant; Joey Holasz, Fire Dept.; Adam Byrd, Fire Department; Willie Robison, BZA; Al Guarisco, Village Point; Darrelyn Bender, Eastern Shore Chamber of Commerce.

Absent: Bill Eady, Planning Department Director; Jay Ross, City Attorney.

3. APPROVE MINUTES:

MOTION BY Councilwoman Barnette to adopt the Council meeting minutes meeting held February 6, 2008 with the amendment to add dialogue for the vote on Ordinance 2008-22. *Seconded by Councilman Palumbo.*

AYE Yelding, Barnette, Lake, Scott, Palumbo, Burnam NAY NONE OPPOSED

MOTION CARRIED

MOTION BY Councilwoman Barnette to adopt the minutes for the Special Called Council meeting held February 14, 2008. *Seconded by Councilman Palumbo.*

AYE Yelding, Barnette, Lake, Scott, Palumbo, Burnam NAY NONE OPPOSED

MOTION CARRIED

MOTION BY Councilwoman Barnette to adopt the minutes for the Council Work Session meeting held February 14, 2008. *Seconded by Councilman Palumbo.*

AYE Yelding, Barnette, Lake, Scott, Palumbo, Burnam NAY NONE OPPOSED

MOTION CARRIED

RECOGNIZE: Boy Scout Troop 87

Council President Burnam recognized the troop, and thanked them for coming to the meeting. Scout Master Stan Wiese stated that they are working on their citizenship and community badges.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE / Scott

The next meeting will be Monday, March 10th at 4:00 p.m. in the Council Chambers. Councilman Scott stated that they have gotten a preliminary report on the sales tax, and it continues to be under budget.

Councilwoman Barnette stated that they recently learned that there is more reserves that they thought they did, and she was hoping that they could elaborate on how they got there and what that is.

Councilman Scott reported: That the year ending amount is approximately \$10.1 million dollars. The Council was under the impression that this would be in the \$7-8 million dollar range. He asked Mrs. Briley to comment on the additional reserves.

Mrs. Briley stated:

- \$800,000 - a change in accounting principles regarding the way Ad Valorem revenues are recognized
- \$850,000 - Departmental appropriations not spent
- \$400,000 - Permit revenues
- \$370,000 - PILOT/Franchise Fee revenues
- \$200,000 - Higher interested that anticipated

Councilman Scott stated that he thinks that the Finance Committee will have some recommendations that will come out of next weeks meeting.

B. BUILDINGS AND PROPERTY COMMITTEE – Lake

The next meeting will be Friday. Councilman Lake gave a report from the Safety Committee. The Safety Committee has a monthly check list for the parks, which covers boardwalks to piers to how the playground equipment is checked for safety, and then there is a comprehensive yearly check list, and in doing the check list the May Day Park playground equipment was found to be in severe need of maintenance, (pictures were handed out of the playground equipment and is spread out upon these minutes) and the committee has asked that some of the playground equipment be removed from playground because it is so dangerous.

Council discussed the possibility of using some of the lodging tax to purchase new equipment since the park is on the bay front.

Councilman Palumbo stated that the Buildings and Property Committee also discussed improvements to Bay Front Park, for example restrooms and reconfiguring the parking lot, and the question is always the funding, and they discussed using lodging tax funds, and they did a cursory investigation which did show

that they could use the funds for purchase of the property or improvements of the property, and he thinks that will come under improvements to the property. He said that he thought that the committee had already referred it to the Finance Committee, and if not he would like it to be on the work session to discuss it. This along with the play ground equipment will be no new funds. The money is there, in fact it is earmarked for exactly these projects.

MOTION BY Councilman Lake to suspend the rules to consider a motion to authorize the Mayor to remove the defective playground equipment from May Day Park for the safety of the children. *Seconded by Councilman Scott.*

ROLL CALL VOTE

Yelding	Aye	Nager	Aye
Barnette	Aye	Palumbo	Aye
Lake	Aye	Burnam	Aye
Scott	Aye		

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Lake to authorize the Mayor to remove the defective playground equipment from May Day Park for the safety of the children. *Seconded by Councilman Scott.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

C. PUBLIC SAFETY COMMITTEE – Burnam

There is a resolution on the agenda for Police Officer Military Deployment, because there is a police officer who is in the National Guard and will be away on duty through 2010, and what the Police Department wants to do is to go ahead and put another police officer on the street in the mean time, and when the officer comes back from duty they will then have to make a position for the other officer, and this resolution establishes that position.

NOTE: Councilman Nager arrived at 7:03 p.m.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Palumbo

The committee did not meet last month, and because there is nothing on the agenda it will not meet this month.

E. PUBLIC WORKS COMMITTEE/SOLID WASTE AUTHORITY – Yelding

The committee met on February 28th and discussed the new truck that picks up the 96 gallon garbage cans. The city will really benefit from this new service. He saw it in action in his neighborhood, and they are covering a lot of neighborhoods so they have some good things going, and need to keep the good things going.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments – Eady

The board will meet Thursday at 6:00 p.m. to consider one (1) appeal.

B. Downtown Redevelopment Authority – Barnette

The next meeting will be Monday, March 10th at 5:30 p.m.

C. Industrial Development Board – Yelding

No report.

D. Library Board – Lake

The next meeting will be March 6th at 4:00 p.m. at the Library.

E. Planning Commission – Barnette

The Site Review meeting will be Wednesday, March 19th at 8:00 a.m. in the Council Chambers. The Planning Commission meeting will be next Thursday, March 27th at 6:00 p.m. in the Council Chambers.

F. Recreation Board – Palumbo

No report. The next meeting will be March 12th at 6:00 p.m.

G. Utility Board – Scott

The board met last Wednesday and the minutes will be in the next packet. The next meeting will be the last Wednesday of the month at 5:00 p.m. in the Council Chambers.

6. REPORTS OF THE OFFICERS:

A. Mayor's Report

- a.) *MOTION: Approve requests from Eastern Shore Chamber of Commerce for the 2008 Jubilee Festival*

MOTION BY Councilman Scott to approve the requests of the Eastern Shore Chamber of Commerce as outlined below for the 2008 Jubilee Festival:

- 1.) **Permission to block Main Street from Magnolia Avenue South to Dryer Avenue. The Closing of this area would still allow access by area residents and church visitors.**
- 2.) **Permission to use Centennial Park for KidsArt.**
- 3.) **Permission to allow children to paint on the back fence in Centennial Park.**
- 4.) **Assistance from Police and Street Department with street closings and barricades from Friday, September 26, 2008 after 5:00 p.m. until Sunday, September 28, 2008 after 6:00 p.m.**
- 5.) **Coordination by the Mayor with Riviera Utilities for additional electrical power access at the City Hall entrance utility pole.**
- 6.) **Permission to use City Hall as headquarters for the festival staff and volunteers.**

7.) Permission to place temporary banners to help promote the 20th Annual Jubilee Festival.
Specifics of the banners are as follows:

- Banners to read: Jubilee Festival, September 27th & 28th
- Banners to be posted two (2) weeks prior to event
- Size of Banners to be 120" x 34"
- Locations to include:
Santa Rosa & Main Street
Jubilee Mall
Lawson Road

7.) Permission to place banners within the site of the festival.

Seconded by Councilwoman Barnette.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

b.) MOTION: Special Care Facilities Finance Authority Appointment: Appoint Geri Moulton to fill the vacated position that was held by Carolyn McLaughlin

MOTION BY Councilman Yelding to appoint Geri Moulton to fill the vacated position that was held by Carolyn McLaughlin.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

B. City Attorney's Report

No report.

C. Department Head Comments

David Carpenter – Police Chief – reported that Daphne had their first bank robbery a week ago, and the suspect is in the Metro Jail. He stated that the Public Safety meeting will be Wednesday at 4:30 p.m.

David McKelroy – Recreation Director - reminded everyone that the Easter Egg Hunt will be March 15th from 12:00 noon – 3:00 p.m. at Lott Park. 10,000 eggs will be hidden.

Rebecca Hayes – Assistant City Clerk – reported to Council that the Mayor had vetoed Ordinance 2008-22. Mrs. Hayes read the letter from the Mayor stating the reasons for his veto (letter is spread out upon these minutes).

MOTION BY Councilwoman Barnette to override the Mayor's veto of Ordinance 2008-22. Seconded by Councilman Yelding.

Council discussed the ordinance before voting.

ROLL CALL VOTE

Yelding	Aye	Nager	Nay
Barnette	Aye	Palumbo	Nay
Lake	Nay	Burnam	Nay
Scott	Nay		

AYE Barnette, Yelding

NAY Lake, Scott, Nager, Palumbo, Burnam

MOTION FAILED

7. PUBLIC PARTICIPATION

Mr. Rod Drummond – Ridgewood Drive – stated that the country is in a recession and he was glad to see Ordinance 2008-22 vetoed.

Mrs. Karen Nady – 1301 Captain O’Neal Drive - spoke regarding not hearing any plan for the growth of the city.

Mr. Willie Robison – 560 Stuart Street – spoke regarding handling the growth of the city, and how proud he was that one of Daphne’s own is Police Chief in Foley. He said that it speaks well of the leadership in Daphne.

Mr. Al Guarisco – Randall Avenue – urged Council to look outside for help in planning for the growth in Daphne.

Mr. Stan Wiese – 906 Camellia Court – spoke regarding getting volunteers for the city.

8. RESOLUTIONS, ORDINANCES, ORDERS AND OTHER BUSINESS

RESOLUTIONS

a.) **Police Officer Military Deployment** /Resolution 2008-07

b.) **Approve Petition for Final Assessment of Certain Land Located within Renaissance Improvement District** /Resolution 2008-08

MOTION BY Councilwoman Barnette to adopt Ordinance 2008-21. *Seconded by Councilman Scott.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

ORDINANCE 2008-23 DIED FOR THE LACK OF A MOTION.

9. COUNCIL COMMENTS

Councilman Yelding stated: I know we did a lot of talking tonight, but there were some statements made like dumping on the future council, but I will say that we better have a vision for this city for what is coming in the near future with a \$40 billion job coming to Brookley Field, and we better believe that people will be coming to Daphne to live. We are going to have to have more than firemen. We will have to escalate everyone of the departments, so we better get ready for it instead of dumping on the future council. That happened to us from the last council. They let the Eastern Shore Center pass, and I don't know how it is doing, but they were shortsighted about this shopping center, because of the trouble with the Jubilee Square shopping center. People were upset with the way that deal took place, and they just backed away and were afraid to take the big shopping center in Malbis. All of that should be in Daphne right now. We cannot be shortsighted for the future. We are not dumping anything on anybody, but we have to look out for the future of the city.

Councilwoman Barnette read an e-mail from a constituent complementing the Police Department. Councilwoman Barnette stated: We have talked a lot about the Civic Center, and the acceptance of credit cards, and I don't think that we are there yet, so if Finance can work with Mrs. Morse to figure out what that hiccup is I think that it would serve the folks that are utilizing the Civic Center and going to the dances much better if they could move forward on that. As far as the fire issue I believe the emotion is absolutely merited. I do think that folks should go home tonight wondering about how well they are protected. Yes, there are other cities, but we are not them. Daphne is the best. I think that they have a responsibility to continue to be the best. As far as where we can find the money, this Council has been very lazy for what we have done. We have not planned, and we did not take the retreats and move forward and determine what our vision was. We took the easy way out and passed the budget when the years were doing well, and not asking questions, and this past budget cycle instead of going through line item and looking where we could cut things out, like cell phone, training, uniforms, dry cleaning, and a number of items, but we just said O.K. Mayor go cut nine percent. We were lazy. Now here we are, the city needs some personnel, and we say that we are not going to find the money. They just found out that there is \$800,000 extra in the budget. Yes, that is probably going to be the projected shortfall if we continue to manage the finances in the same way, so we will be \$100,000 short. We have more reserves than we thought, and there are ways to continue to cut, but it is funny that we can make priorities and not plan for things like Public Safety pay raises, we cannot plan the impact of proposing and adopting a Renaissance Center where we give tax rebates to the highest developable corridor in this area, yet when it comes to hiring six people to cover health, safety and welfare for the City of Daphne now we are going to decide to stop, take pause and determine how we are going to move forward. While I am extremely disappointed

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1705 MAIN STREET
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tonight, I do believe there is cause for alarm in how we are serving the city, and we do have a deficiency on Hwy. 181 for their response and time. This is not a disservice to the Daphne Fire Department, because they deserve the employees, equipment, the facilities, and the people to do the job we have asked them to do. The City of Daphne long ago decided to become a full-time Fire Department, and volunteers are a wonderful service, and we need to continue to use them, but they adopted a policy and a professionalism, and there is a perceived level of coverage and service that the City of Daphne provides, and right now I believe that we have fallen short. This is not any indication of the men in uniform, but on this Council's responsibility to service. Another point I would like to cover is that we have also taken the easy way out, we have put \$7.5 million here in this facility, we can fund dog parks, and we are going to look at this Mobile Bay NEP, and we need to stop spending any and all money until we determine how we are going to move forward.

Councilman Lake stated: One of the biggest problems we are going to be suffering from in the near future is congestion and traffic on the roadways. We need to start looking now, and planning now for that problem. It is going to become a problem. The roads are unsafe for bikers, and other alternative modes of transportation. We need to look at ways of making the roads more friendly for pedestrians, for biking, and other ways for people to get around in this community. We need to try to address those needs and to be creative about it. The Easter Egg Hunt will be March 15th, and the city has never recognized the individual that started this event, which was John Gonas who died this last year. I would like to see, if possible, if the city could do something to let his family know how much they appreciate what he did. Maybe we could give the family a plaque recognizing his contribution. I agree with Mrs. Barnette regarding retreats. We do need to have more retreats, and they should not just be one day, but multiple days, because in the past they have used retreats as mini work sessions or extended work sessions, and really retreats are supposed to be a time for them to look creatively and address solutions and problems long term.

Councilman Scott stated: I want to thank the Scouts for coming out tonight to see government in action, and I wish them good luck on their merit badges. I agree with Mrs. Barnette that we have been lazy in some ways, and I do feel that we have not had an opportunity to put forth our vision, and where we really want to take the city. It is not too late to try to sit down and put forth some type of a plan to say this is where we feel like these resources should go. I would encourage the Council President and Vice President to bring forth something to us at the work session with the possibility of having a retreat shortly.

Councilman Nager stated: Some of my fellow Council members are wisely looking to the future in terms of smart growth. Potentially, I like to look at the contract just won by Northrop Grumman as an opportunity for the Eastern Shore, and in particular the City of Daphne. I want to commend the bidders, the state politicians, and particularly the governor who helped win that contract, because Mobile was kind of the underdog, and Boeing was the favorite all along, and Northrop and their consortium wound up winning it, and he thinks it will be a boon to the area. The workers from that and related services will shop in Daphne's stores and eat in Daphne's restaurants, and it will be a good thing, he believes, for the community, and he just wants to applaud that.

Councilman Palumbo stated: I want to point out that we talk about increased public safety and firemen, and if we go to any planning stage on how to do it we need to include the Police Department. I do not believe they have actually increased the number of officers except for replacement personnel since this Council came in, and certainly you can see the growth of the city, not only from annexation, but they now have to send patrol cars all the way down Hwy 27 to Oldfield and back, and I think that the Police Department is stretched quite thin. If you want to go to officer.com on the internet you will find out that everyday a police officer is killed from working alone in a one man car, and one man cars have been around for quite a while, but they were originally designed for officers to handle non-dangerous calls, if there is such a thing, handling traffic accident, take a stolen bicycle report, but now that officer gets on the scene by his or her self, and the nearest patrol car may be five miles away. I think that any planning that we have needs to include the Police Department. I proposed hiring enough police officers to create a traffic division that would free up officers to do routine patrol, investigation work, and to follow up work, but as it is the patrol officers are out there on a fender bender. The city has not had the personnel to do that, and the city has certainly grown almost exponentially in the last several years, so any planning that we do so as far as the Fire Department, I think, we need to do it in tandem with taking a look at the Police Departments recommendation from the Chief. Two of the cities big events are coming up, one is Music Under the Stars in April, and then the Zydeco Festival in May. Music Under the Stars is totally free, and the city puts it on with the Recreation Department. There will be three nights of music in the plaza, and it has grown every year and will be bigger and better this year which is something great for the people to come out and see. The dates for that is April 18th, 19th, and 20th, and there are some great bands booked for it. The Zydeco Festival has about outgrown the facility, and that is the week of May 18th, and that is in conjunction with Community Day and the Flounder parade. I hope they can get some really good press coverage on this prior to the day of the event to let folks know what the city has going, these fine cultural events. I want to thank the Boy Scouts and the Scout Leaders for coming out. When you talk about volunteers and volunteerism the Boy Scouts are perfect examples of that.

Mayor Small stated: This has been his third year to be able to do this with the Scouts, and he really does enjoy them coming out, especially since they got to see government at work tonight. I do agree with everyone regarding the contract that is forthcoming with EADS and the aircraft industry. Hopefully, they will be known as the "aircraft industry hub of the United States" before it is over with. There are some great jobs there, and they need to kick off with the Industrial Development Board, because there will be a lot of people looking for places to put up businesses to support that. Hats off to the County Commission, Mayor Jones, and the City Council and everyone that has been working hard on that.

MARCH 3, 2008
CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
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10. ADJOURN

MOTION BY Councilwoman Barnette to adjourn. *Seconded by Councilman Lake.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

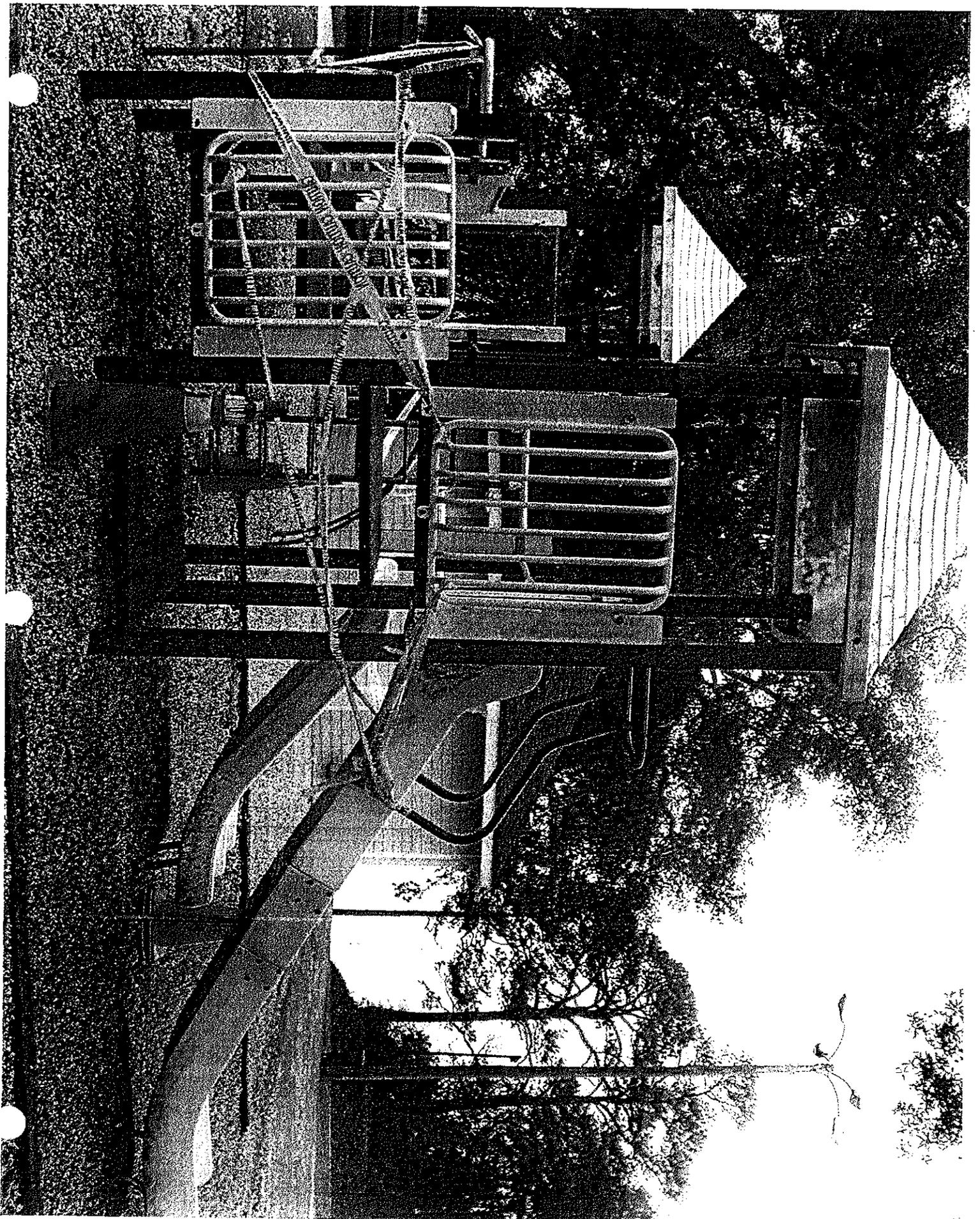
THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 8:30 P.M.

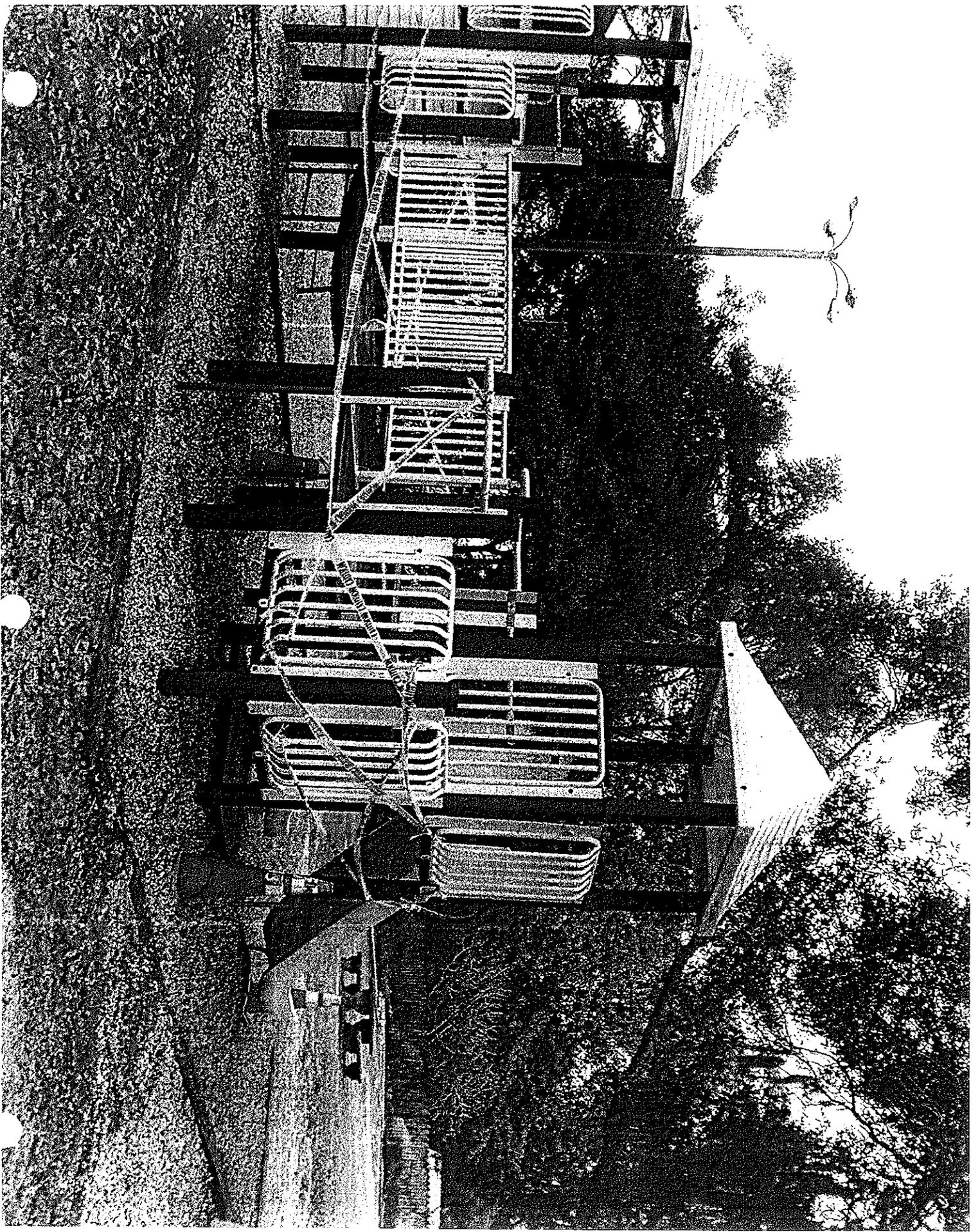
Respectfully submitted by,

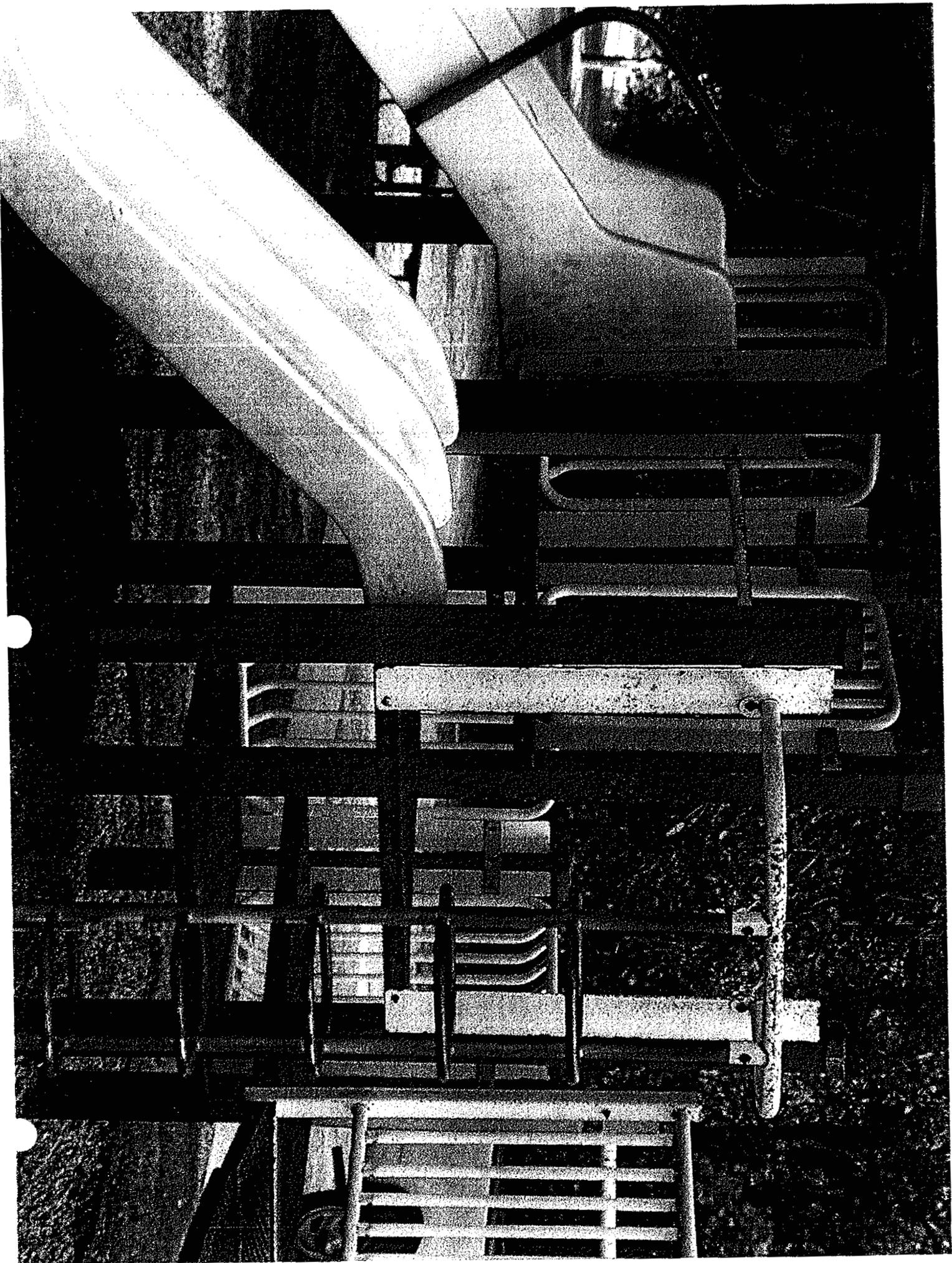
David L. Cohen,
City Clerk, MMC

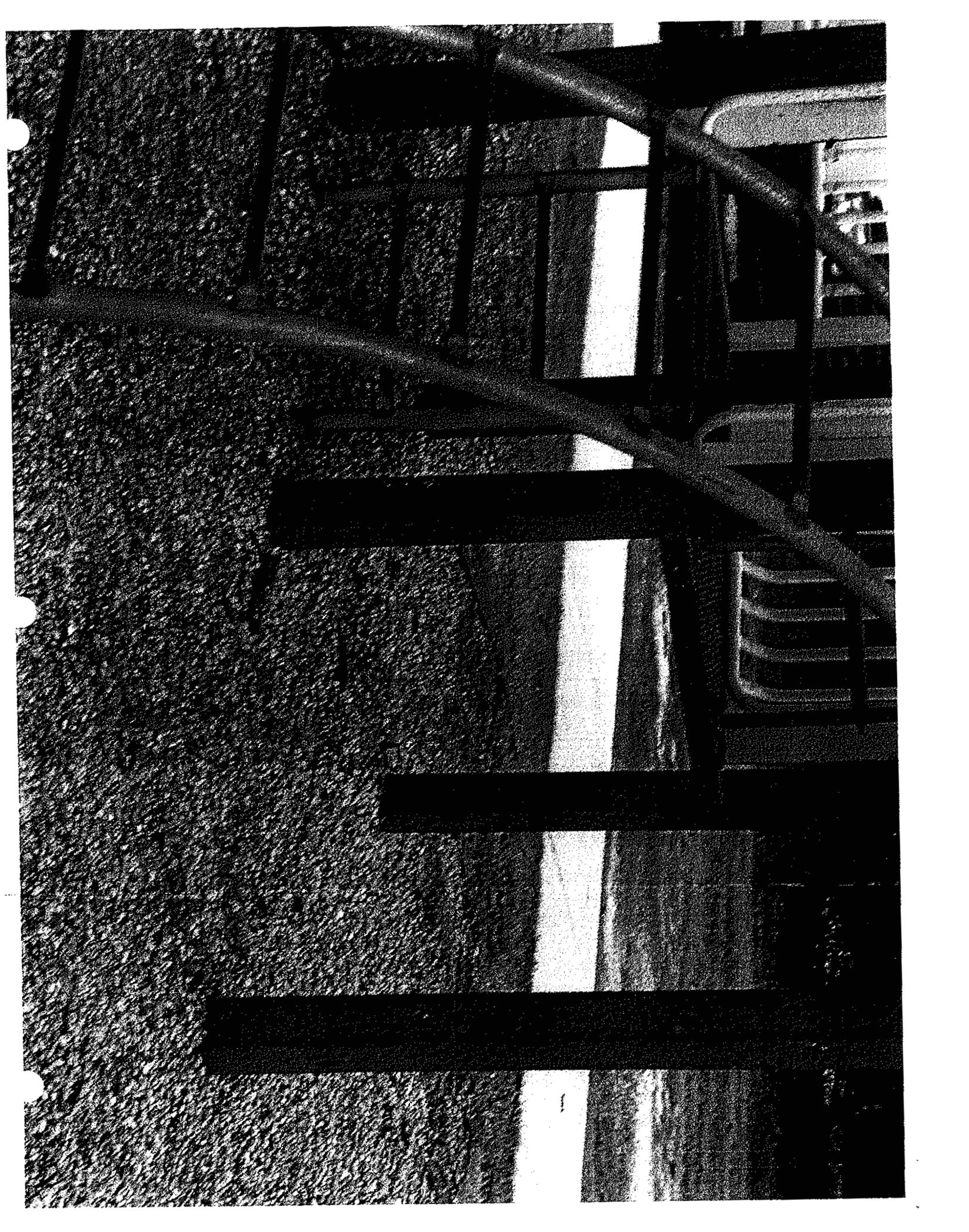
Certification of Presiding Officer:

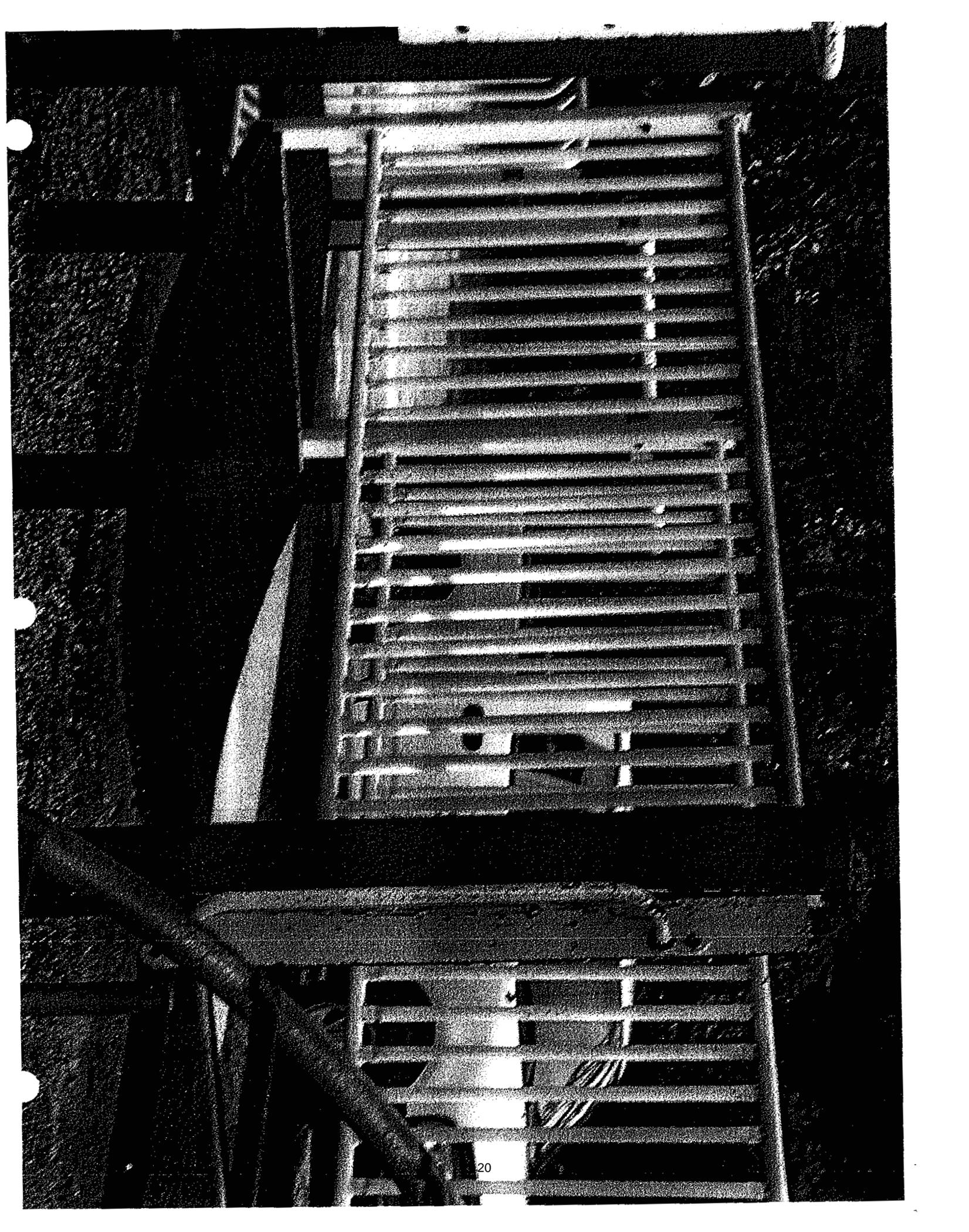
Greg Burnam, Council President
Date & Time Signed: _____

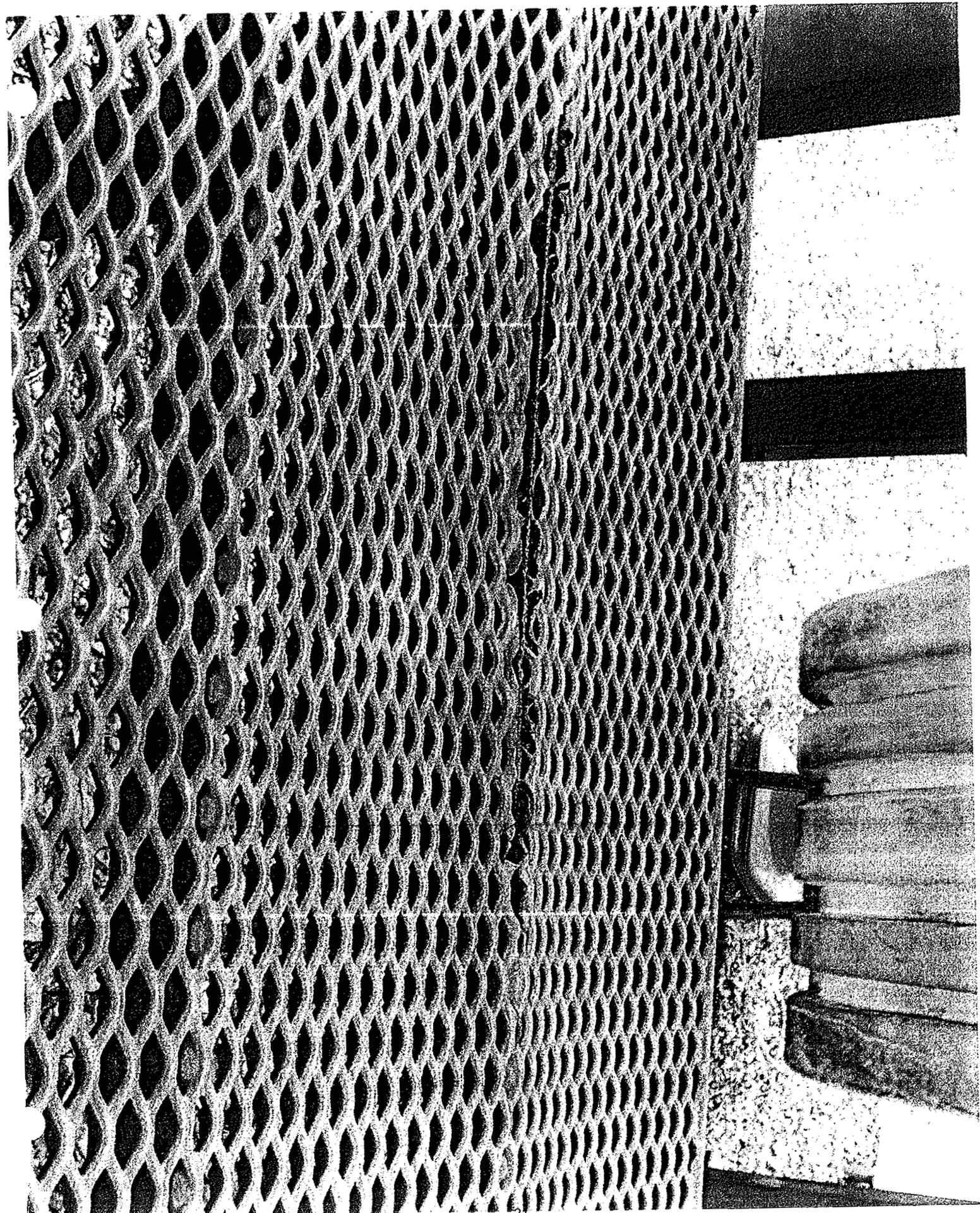


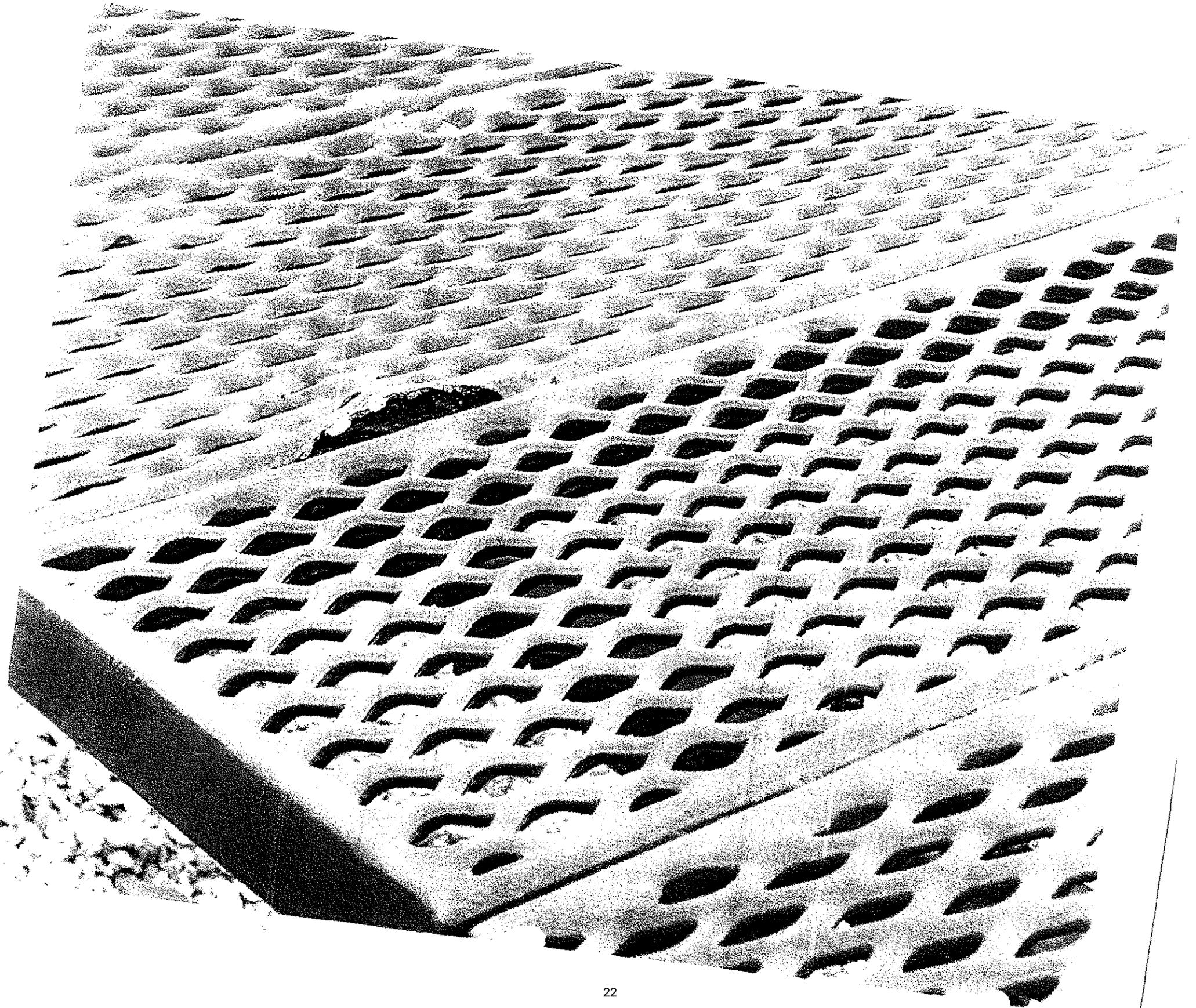


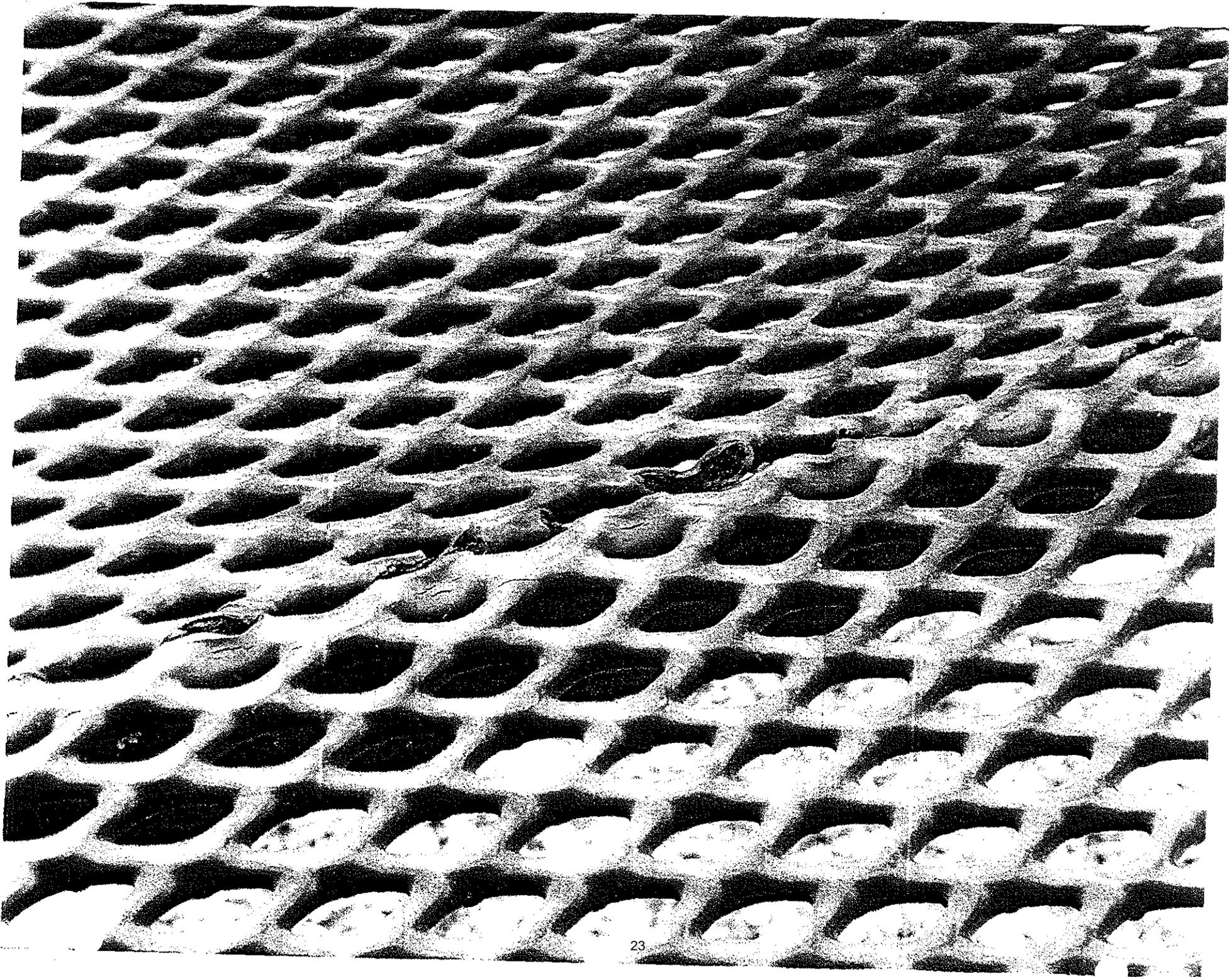




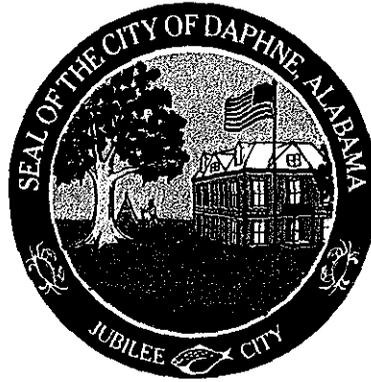








FRED SMALL
MAYOR
DAVID L. COHEN, MMC
CITY CLERK
KIMBERLY M. BRILEY
FINANCE DIRECTOR/TREASURER
DAVID B. CARPENTER II
CHIEF OF POLICE

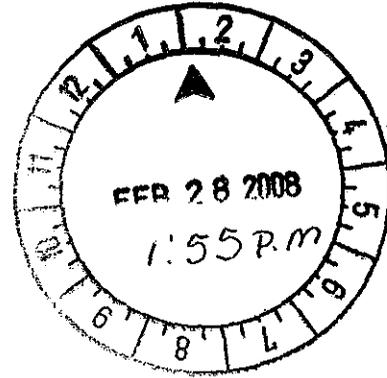


COUNCIL MEMBERS

BAILEY YELDING, JR.
DISTRICT 1
CATHY BARNETTE
DISTRICT 2
JOHN L. LAKE
DISTRICT 3
GREG W. BURNAM
DISTRICT 4
RON SCOTT
DISTRICT 5
REGINA LANDRY
DISTRICT 6
AUGUST A. PALUMBO
DISTRICT 7

MEMORANDUM

TO: City Clerk
FROM: Mayor Fred Small
DATE: February 27, 2008
RE: ORDINANCE 2008-22
FY 2008 Fire Personnel & Operating



This is a notice to you stating my veto of the above named ordinance (ORDINANCE 2008-22). I object to this ordinance because I have not received a written plan for the utilization of the fire department personnel. I believe six is the number requested although not spelled out in the ordinance. The appropriations for such personnel are \$192,564 which would begin in April of 2008 being only a half of a fiscal year reflecting a yearly budget of \$295,000 for labor alone.

I do agree with Chief White that he did request in the capital personnel in 2008 a total of six (6) fire fighters but as well we have all talked about the needs for additional staff in the library and other departments. As well I thought we all agreed to hold up on new personnel request because of short falls in the 2008 tax revenue.

Now with all of this said if we are going to open up a new station we can't forget that it is the utmost importance to give the citizens in the southeastern part of the city the same coverage as the rest of the city has which at this time they do not.

We still would have to purchase equipment to operate another station to the tune of over \$500,000 which I believe to be low for all the equipment that will be needed. I'm very much in approval of new stations as well as additional fire fighters per shift but with an extensive plan and without hurting City resources.

Page 2
Memorandum
Ordinance 2008-22
February 27, 2008

I would like to ask each Council Member are you ready to add an additional \$300,000 per year to the Personnel budget plus over \$500,000 which again I believe to be low for all the equip needed to open a new station without a solid plan of where the station will be built and to whom this station is to be designated to protect. I am not against public safety and definitely not against an additional fire station to cover Districts 1 and 2 or any other part of the City.

Now I would like to ask all Council Members to support me in this veto not as a rejection of the request, but because of the lack of time to provide proper planning which results in not spending the tax payer's money wisely and taking a chance of having an inferior product to offer.

**FEBRUARY 18, 2008
CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

*Amended minutes from the March 3, 2008
Council meeting. Include dialogue on the
vote for Ordinance 2008-22*

MOTION BY Councilwoman Barnette to waive the reading of Ordinance 2008-22. Seconded by Councilman Yelding.

Council President Burnam: There is a motion and a second to waive the reading of Ordinance 2008-22. Is there any discussion.

Councilman Palumbo: I agree that the six (6) firefighters were discussed, however, the first read amendment tonight, 2008-23 includes equipment to the tune of some \$400 odd thousand dollars which was not discussed.

Councilwoman Barnette: That is a separate ordinance.

Councilwoman Barnette: Agreed Mr. Palumbo, the capital is not included.

Councilman Palumbo: So we are pulling part of this ordinance.

Mr. Cohen: No, there are two separate ordinances. One breaks the personnel apart from the equipment.

Councilman Palumbo: So 2008-23 will remain a first read, is that correct.

Councilwoman Barnette: Yes.

Council President Burnam: We have a motion and a second to waive the reading of Ordinance 2008-22. Is there any discussion that has not already been discussed.

All in favor.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilwoman Barnette to adopt Ordinance 2008-22. Seconded by Councilman Yelding.

Council President Burnam: A motion and a second to adopt Ordinance 2008-22. Is there any discussion.

Councilwoman Barnette: Mr. Chairman, I will just remind folks that regardless of where we go with the station #1 district, these six (6) firefighters are needed to serve the City of Daphne. Obviously, I hope that inevitably they will serve Council Districts #1 and #2 down the road as we continue to adopt fire capital for that issue. But these men or women have been needed for a long time, and although we have a number of budget constraints, I think it is in our best interest and citizens best interests to hire these people today.

Councilman Scott: Mr. Chairman, could we ask the Mayor to offer your opinion on the necessity to do this now.

Mayor Small: I, personally, feel that there is no necessity at this particular time for this. We did have, or do have on our capital personnel appropriations which we pulled all personnel off when we saw what our budget year was running like, and just left it with capital. But we could use, if we needed anything with the Fire

**FEBRUARY 18, 2008
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*Amended minutes from the March 3, 2008
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vote for Ordinance 2008-22*

Department at this particular time, in my opinion, would be the three (3) Fire Medics to run our smaller EMT vehicle at all times. That would make it run every shift without having to depend on the Bat. Chief to be there at the Fire House. I do understand the concerns, all of a sudden people think that Fire Station #1 was manned all the time, and it was not, but I do think that we are jumping into something that we do not need to jump into at this particular time. This is a lot of money. Where are we going to put these, where are going to split them up. Number one we need Fire Station #5 worse that we need a Fire Station in this particular district now. We have very good numbers with response time in this district. So that is my opinion.

Council President Burnam: Any other discussion.

Councilman Palumbo: Aside from the need or lack of need for the firefighters, I am not sure it is wise to decide to spend this kind of money, and then two (2) weeks from now we will decide if we will buy them a truck to ride on. It seems to me like they go hand in hand, and they should be considered at the same time. The equipment that is needed is in excess, what is the total, yeah, I think that between hiring the firefighters and the equipment, we are looking at about \$800,000 that at our previous work session nobody could give us a funding source for, other than reserves, and it would jeopardize our bond rating, it doesn't do it immediately, but the next time we come up it will if we have to shorten the reserves. It is awfully tough, and it is a public safety issue, to say no and we don't have enough, but I don't know if we can spend money that we don't have. If someone, and I brought this up at the work session last week, if someone has a funding source that would fund this, even if we make it top priority, please come forward with it, if not I just don't know how we can spend money we don't have.

Councilman Lake: Mr. Chairman, I would like to state, I would like to say something. I am not against hiring the firemen or that, but I am concerned about the expense right now, and the cost of the operation. We are talking about having to outfit another Fire Station to the tune of, and the numbers are in the ordinance, \$519,780. We are talking about spending \$192,564 this year. Our city to the south of us, I know everybody hates to hear me use the F word, but Fairhope does not have a full time Fire Department, they still work off of volunteers. I have said in the past that that is something that we need to look at doing what we have to to improve our volunteer numbers, get people involved with our Volunteer Firemen. I think that the Volunteer Firemen that we have now have been raising money, or in the years past, and Mr. Scott brought it up at the work session, have raised money in the past for buying new equipment. I think that we need to look at the long term cost of this, and we need to start looking at what we have to do to tighten our budget. I personally don't think the budget is going to be as bad as it is. I am hoping that the January numbers show a little bit different from what December was, but I hope that everybody understands that if we do head into a recession, and I say the if word, if we do head into recession the numbers are going to look even worse, and we are going to have to look at ways of tightening our belt. It would be better to do it now than look back and say if only we had. We did that a year ago by giving certain raises to people that in retrospect, we might look back and say we might should have been a little more conservative on those numbers. I am asking everybody to look at that, and think about this, this might be conservative when you are looking close to a million dollars, when you look at the \$192,000 and you look at the \$516,000 you probably are going to be looking at a million dollars of cost to this budget this year. So I hope that everybody will look at that and consider the long term expense, and again I am going to say we need to pay more attention to our volunteers, our volunteer firemen. That used to be the backbone of our Fire Department, and it is not any longer. I don't think we have done a good at job recruiting, I am not condemning the Fire Department, they have done a great job, and when you need them they are a blessing to have in the community, and I don't want to cut them down for anything. I think they have done an admirable job in working at it, but I do think that we need to look at ways of reorganizing. We just had a new Fire Chief hired, so I think we should give him a little time to address this.

**FEBRUARY 18, 2008
CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

*Amended minutes from the March 3, 2008
Council meeting. Include dialogue on the
vote for Ordinance 2008-22*

Council President Burnam: Mr. Yelding.

Councilman Yelding: I hear what everyone is saying, and I hope that whatever you are saying now that we are going to be squeaky tight on our budget, 2008, we have a habit of being tight here and then something else comes down the pipe, and we find a way to find. So I want to remind all my fellow Council members now that if we are not going to spend any money on this then we need to put a freeze on everything, regardless of the severity of it. Keep that in mind. If we don't have it now, we shouldn't have it three (3) months down the road. That is all I have.

Council President Burnam: Mrs. Barnette.

Councilwoman Barnette: Mr. Chairman we've been told by the Fire Department that the standard recommendations are five (5) people per truck when they go out, and we have two (2).

Council President Burnam: I think it is four (4).

Councilwoman Barnette: We were told five (5) with our Fire Marshal at the Public Safety meeting, that the recommendation was five (5).

Fire Chief White: It is five (5), but four (4) is acceptable.

Councilwoman Barnette: So the standard is five (5) people a truck to go out and respond. We are serving at two (2). We have the southern part of the city that is responding from Fire Station #2. The response times are higher, they well may be acceptable, but they are higher than anywhere else in the city. We talk about the need for Fire Station #5, that is certainly an issue, perhaps we need to stop annexations if we cannot serve the areas on 181, because we are continuing to expand and grow without being able to provide our services here and now. Fire protection is one of the most basic city services. There is no debate that two (2) people per truck is an unacceptable level, and even adding six (6) people if we open Fire Station #1, we are still not serving, we are still going to be operating at below basic level. We need these six (6) people tonight, we need to look at Station #1. It is not fair that the rest of the city has quicker response times. When you talk about a fire, and your health and safety the fire is considered fully involved every 30 seconds, I guess, if I understand what the Fire Department told me a minute and a half difference to serve the south part of town coming from north Main Street is a significant difference to someone's health, safety and welfare, of which we all are charged to do. We talk about passing a non-smoking ordinance in the City of Daphne, we passed it and we should have, no debate about whether or not smoking is an issue. We are talking about livelihood, hearth and home, and we are now debating about whether or not we can afford \$192,564 for the remainder of this year, yet we can spend money on trucks, we can add COLA raises, we have to serve our citizens, that is what we are tasked to do. We've been discussing this since January 17th, it has been before us the first on January 22nd, and the Council needs to pass this tonight. It is a health and safety issue, and we owe it to the southern part Daphne's residents to serve them and provide them services.

Council President Burnam: Mr. Palumbo.

Councilman Palumbo: For information purposes would the Chief be able to tell us, or anyone from the Fire Department, what is the National Average Response Time for fires.

Chief White: Three (3) to four (4) minutes is the average time for a response.

**FEBRUARY 18, 2008
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Councilman Palumbo: OK, I am looking at the minutes for the Public Safety meeting this month, and it was brought out, I believe Captain Holasz stated that, we raise the question about how much was the response time, it was six (6) minutes, however, if the minutes are correct you stated that the response time on a real fire that that included routine calls, and response time on a real fire is approximately four (4) minutes for that district, so I submit that that is within the average time, and I suggest, not to put words in the Mayor's mouth, but I think that is what he is referring to. There is just not much of a disparity in the response time to that area now to warrant this type of expenditure. I like to point out also that although I think in the city administration, and the Council certainly, was surprised to know that Station #1 was not a functioning, full time functioning Fire Station. Last year when we went over all the Public Safety raises, and we were given reams and reams and reams of information from the Fire Department about why we should do the pay scale, and it was to help protect the city, and keep the firemen on the job, and so forth, but nothing was brought out about they needed more firemen to man Station #1. I am sure if they felt it was dangerous at the time we would have gotten at least some input then, but we haven't.

Council President Burnam: Can I ask a question on the response time Chief if you don't mind. I am just confused, because at the Public Safety meeting your words were "for the last year the survey done was six (6) minutes and two (2) seconds, and by National standards that is fantastic response time on a house fire, and then there is no delayed response" I believe those were your words. So is it four (4) minutes or six (6) minutes.

Chief White: Four (4) minutes is the standard.

Council President Burnam: OK

Chief White: I was saying that the average time is six (6) minutes this includes non-emergency runs, but fire call response time is four (4) minutes.

Councilman Scott: Mr. Chairman, I guess my question would be for the City of Daphne as a whole would we be better off hiring these three (3) people to put on to put on the EMT truck, does that help our overall coverage. If the Chief could answer that. The three EMT people that the Mayor has mentioned. What would that do for the overall fire protection of this city.

Chief White: My stand has not changed from day one. We requested six people in the budget from the beginning, and we came back at the beginning of December to request to request four (4) firefighters. We need more firefighters on the scene. Even if we respond in four (4) minutes I have only two (2) men on the truck, and there is very little they can do to mitigate the fire until help arrives.

Their response time when they first arrive one has to pump, one guy to stretch the hose, one guy has to be able to go inside if rescue is needed, we need more than two (2) firefighters per truck.

Councilman Scott: Now, if we put six (6) at this other station we still have two on the truck, is that the best use of those firemen.

Chief White: At least I would have four people on the scene, instead of waiting for help to come from Lawson Road.

Council President Burnam: Thank you Chief. Mr. Yelding.

**FEBRUARY 18, 2008
CITY COUNCIL MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

*Amended minutes from the March 3, 2008
Council meeting. Include dialogue on the
vote for Ordinance 2008-22*

Councilman Yelding: My question to Ron would be where would we get the money for three (3) Fire Medics if we can't get firefighters? Where is that money coming from. You asked the Mayor if that would be the appropriate thing to do, money is money, so how can we get money for medics and not get money for firefighters. Answer that question for me.

Councilman Scott: I was just looking to see where our best expenditure of those dollars would be. Obviously, three (3) people would cost us half of what... interrupted by Councilman Yelding.

Councilman Yelding: If we don't have it, we don't have the money you say so there is no best if you don't have it.

Council President Burnam: Hold it, let Mr. Scott finish.

Councilman Scott: I was just saying that would be half the expense, and I didn't know whether those three (3) guys on the EMT truck would free up our firefighters, and I got that answer Mr. Yelding. Thanks.

Councilwoman Barnette: One final comment, I guess, if we are talking about the minutes from our Public Safety meeting, we have Mr. Holasz, I know that I just butchered your name, made reference to the fire at Lake Forest Apartments almost losing four (4) firemen that night, he said he just did not have enough personnel to fight that fire with floors and roofs collapsing. As their supervisor he feels responsible, there is not price tag on a life. So for that reason he feels they need more firefighters on the fire trucks. I think that says it all.

Council President Burnam: Mr. Yelding.

Councilman Yelding: I would also like to say that we have been very fortunate in this city to not have a lot of big fires. We could really lose some lives with improper people. We have just been lucky with not having a lot of fires, getting by with what we have. We can't keep doing that because it has happened in the past that we haven't had any casualties, so we need to start preparing for the future not rely on what has happened in the past.

Council President Burnam: Any other discussion.

AYE Yelding, Barnette, Scott, Nager, Palumbo, Burnam

NAY Lake

MOTION CARRIED

PUBLIC HEARING LIST
FOR COUNCIL MEETING
MARCH 17, 2008

1.) Revision to Zoning Map

To: Office of the City Clerk
From: William H. Eady, Sr.,
Director of Community
Development (Adrienne Jones,
Planner)
Subject: The Revision ^{AE} to the City of
Daphne Zoning and Street Map
Date: January 25, 2008

MEMORANDUM

At the regular meeting of the City of Daphne Planning Commission, January 24, 2008, six members were present and the motion carried unanimously for the affirmative recommendation of the above-mentioned request.

Upon receipt of said documentation, please place on the appropriate agenda for action by the City Council. I have requested that the City Attorneys, Jay Ross and/or Misty Gray, prepare the resolution for the street map for adoption at the next City Council meeting and prepare the ordinance for the zoning map for publication by Wednesday, January 30, 2008.

If you should have any questions, please do not hesitate to contact the undersigned.

Thank you,

AJ/jd

cc: file

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2008-**

**Zoning District Map
Revision to Appendix H of the City of Daphne
Land Use and Development Ordinance**

WHEREAS, the Planning Commission of the City of Daphne, Alabama at their regular meeting held on January 24, 2008, favorably recommended to the City Council of the City of Daphne certain amendments to the Zoning District Map approved and adopted by the Daphne Land Use and Development Ordinance No. 2002-22, referenced in Appendix H "Exhibit A" thereof and amended by Ordinance No. 2003-06, Ordinance No. 2005-11, Ordinance No. 2006-24, Ordinance No. 2006-73 , Ordinance No. 2007-15; and Ordinance 2007-48 and

WHEREAS, said amendments are necessary due to various rezoning and annexation requests which have been approved since the adoption of Ordinance No. 2002-22, Ordinance 2003-06, Ordinance No. 2005-11, Ordinance No. 2006-24, Ordinance No. 2006-73, Ordinance No. 2007-15; and Ordinance 2007-48 and

WHEREAS, due notice of said proposed zoning map amendments has been provided to the public as required by law through publication and open display at the City of Daphne Public Library and City Hall; and

WHEREAS, a public hearing regarding the proposed Zoning District Map amendments was held by the City Council on March 17, 2008; and

WHEREAS, the City Council of the City of Daphne after due consideration and upon recommendation of the Planning Commission believe it in the best interest of health, safety and welfare of the citizens of the City of Daphne to amend said Zoning District Map as recommended;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF DAPHNE, ALABAMA, as follows:

SECTION I: ZONING DISTRICT MAP

The Zoning District Map referenced hereto as Exhibit "A" shall be the official zoning map of the City of Daphne, Alabama and shall be further designated in Appendix H of Exhibit A of the City of Daphne Land Use and Development Ordinance, as set forth in Ordinance No. 2002-22 and its amendments.

SECTION II: REPEALER

Ordinances Nos. 2002-22, Appendix H "Exhibit A", 2003-06, 2005-11, 2006-24, 2006-73 and 2007-15 and Ordinance 2007-48 are specifically repealed and any Ordinance(s), parts of Ordinance(s) or Resolution(s) conflicting with the provisions of this Ordinance are hereby repealed insofar as they conflict.

SECTION III: EFFECTIVE DATE

This Ordinance shall take effect and be in force from and after the date of its approval by the City of Daphne City Council and publication as required by law.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
DAPHNE, ALABAMA ON THE _____ DAY OF _____ 2008.**

**GREG BURNAM,
COUNCIL PRESIDENT**

Date and Time Signed: _____

**FRED SMALL,
MAYOR CITY OF DAPHNE**

Date and Time Signed: _____

ATTEST:

**DAVID L. COHEN,
CITY CLERK, MMC**

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2008- 25**

**Zoning District Map
Revision to Appendix H of the City of Daphne
Land Use and Development Ordinance**

WHEREAS, the Planning Commission of the City of Daphne, Alabama at their regular meeting held on January 24, 2008, favorably recommended to the City Council of the City of Daphne certain amendments to the Zoning District Map approved and adopted by the Daphne Land Use and Development Ordinance No. 2002-22, referenced in Appendix H “Exhibit A” thereof and amended by Ordinance No. 2003-06, Ordinance No. 2005-11, Ordinance No. 2006-24, Ordinance No. 2006-73 , Ordinance No. 2007-15; and Ordinance 2007-48 and

WHEREAS, said amendments are necessary due to various rezoning and annexation requests which have been approved since the adoption of Ordinance No. 2002-22, Ordinance 2003-06, Ordinance No. 2005-11, Ordinance No. 2006-24, Ordinance No. 2006-73, Ordinance No. 2007-15; and Ordinance 2007-48 and

WHEREAS, due notice of said proposed zoning map amendments has been provided to the public as required by law through publication and open display at the City of Daphne Public Library and City Hall; and

WHEREAS, a public hearing regarding the proposed Zoning District Map amendments was held by the City Council on March 17, 2008; and

WHEREAS, the City Council of the City of Daphne after due consideration and upon recommendation of the Planning Commission believe it in the best interest of health, safety and welfare of the citizens of the City of Daphne to amend said Zoning District Map as recommended;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF DAPHNE, ALABAMA, as follows:

SECTION I: ZONING DISTRICT MAP

The Zoning District Map referenced hereto as Exhibit “A” shall be the official zoning map of the City of Daphne, Alabama and shall be further designated in Appendix H of Exhibit A of the City of Daphne Land Use and Development Ordinance, as set forth in Ordinance No. 2002-22 and its amendments.

SECTION II: REPEALER

Ordinances Nos. 2002-22, Appendix H "Exhibit A", 2003-06, 2005-11, 2006-24, 2006-73 and 2007-15 and Ordinance 2007-48 are specifically repealed and any Ordinance(s), parts of Ordinance(s) or Resolution(s) conflicting with the provisions of this Ordinance are hereby repealed insofar as they conflict.

SECTION III: EFFECTIVE DATE

This Ordinance shall take effect and be in force from and after the date of its approval by the City of Daphne City Council and publication as required by law.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THE _____ DAY OF _____, 2008.

GREG BURNAM,
COUNCIL PRESIDENT

Date and Time Signed: _____

FRED SMALL,
MAYOR CITY OF DAPHNE

Date and Time Signed: _____

ATTEST:

DAVID L. COHEN,
CITY CLERK, MMC

**CITY COUNCIL MEETING
STANDING COMMITTEE RECOMMENDATIONS:**

FINANCE COMMITTEE REPORT

BUILDINGS & PROPERTY COMMITTEE REPORT

PLANNING/ZONING/CODE ENFORCEMENT COMMITTEE REPORT

PUBLIC SAFETY/ORDINANCE COMMITTEE REPORT

PUBLIC WORKS/BEAUTIFICATION/MUSEUM COMMITTEE REPORT

**CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
March 10, 2008
4:00 P.M.**

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 4:03 pm. Present were Chairman Ron Scott, Councilman Bailey Yelding, Finance Director Kim Briley, Senior Accountant Suzâne Henson and Accountant Donna Page.

Councilman Eric Nager arrived at 4:07.

Also in attendance were Fire Chief James White, Human Resources Director Sharon Cureton, Revenue Officer Cornell Smith, Recreation Director David McKelroy, and Police Captain Danny Bell.

II. PUBLIC PARTICIPATION

There was no public participation.

III. HUMAN RESOURCES BUSINESS

Ms. Sharon Cureton discussed the proposed city-wide IT position. She noted that the vacant, library IT position was changed to a part-time library aide, leaving some funds available for the new position, but noted there were not enough funds to entirely fund the new position. This position has been previously discussed but is currently not listed on the Capital/Personnel request list. Discussion continued that Ms. Cureton obtain the cost for this position and present at next month's meeting.

Ms. Cureton also discussed Civic Center Director Sandra Morse's requests to upgrade a Sales Assistant position to Event Coordinator and create an Operations Manager position to work directly under her. Further discussion was made that these were not approved positions, what the process would be to create these new job descriptions and the associated cost.

IV. ISSUES REQUIRING ACTION BY CITY COUNCIL

A. Appropriation Request

1. General Fund - SARPC First Half Pro-Rata Share - \$6,429

An invoice in the amount of \$6,429 from South Alabama Regional Planning Commission (SARPC) was presented. This is one-half of the \$12,858 annual pro-rata share due from the City for Fiscal Year 2008. It was noted \$20,000 has been budgeted for SARPC.

Motion by Mr. Yelding authorizing the Mayor to approve payment in the amount of \$6,429 to SARPC for one-half of the FY 2008 amount due. Seconded by Mr. Nager. All in favor.

2. Lodging Tax Fund – \$187,140
 - Bay Front Park – Parking Lot Improvements (\$96,140)
 - Restroom Facilities (\$60,000)
 - May Day Park – Playground Equipment (\$31,000)

It was discussed that Lodging Tax funds are to be used for the purchase, development, and maintenance of beachfront property. Ms. Briley noted that the balance available as of January 31, 2008, is \$960,946.75. Ms. Henson presented the plan for the Bay Front parking lot improvements from Hutchinson, Moore & Rauch.

Motion by Mr. Nager to recommend to Council to adopt an ordinance appropriating \$187,140 from the Lodging Tax Fund for Bay Front parking lot improvements and restroom facilities; and playground equipment for May Day Park. Seconded by Mr. Yelding. All in favor.

B. Bids

1. 2008-D-PW / Hydro Mower

Seven bid invitations were sent out with three sealed bids received, one being a no-bid. Mr. McCarley, Public Works Superintendent, recommends the low bid from M & I Equipment & Engine Inc. of \$97,953.11 for a New Holland T6000 Hydro Mower. Ms. Henson noted that since \$105,000 was budgeted for the mower, Mr. McCarley would like to use the remaining funds to purchase a trailer to haul the mower on.

Motion by Mr. Yelding to recommend to Council to adopt a resolution accepting the bid from M & I Equipment & Engine, Inc. in the amount of \$97,953.11 for a New Holland T6000 Hydro Mower. Seconded by Mr. Nager. All in favor.

2. 2008-E-PD / Digital In-Car Video Systems

Four bid invitations were sent out, with three sealed bids received. It was noted that these will be for the three new police vehicles budgeted. Police Captain Danny Bell noted the bids came in within budget. Captain Bell further discussed the use of the cameras and recommended the low bid from Kustom Signals, Inc. be accepted.

Motion by Mr. Yelding to recommend to Council to adopt a resolution accepting the bid from Kustom Signals, Inc. for three in-car video systems at a unit cost of \$4,500 for an overhead unit and \$4,825 for a modular unit. Seconded by Mr. Nager. All in favor.

3. 2008-F-Athletic Field Marking Paint

One bid invitation was sent out and received. Ms. Henson noted that there are typically very few bidders for this bid and that the bid received is from the current supplier. They have an increase of \$2.00 per five gallon can of paint and \$2.00 per case of aerosol can paint, due to fuel costs. Recreation Director David McKelroy stated that they have provided excellent service and product in the past and recommends the bid be awarded to them.

Motion by Mr. Yelding to recommend to Council to adopt a resolution accepting the bid from Pioneer Manufacturing Co. for field marking paint per the bid unit cost. Seconded by Mr. Nager. All in favor.

C. Prepaid Travel Requests

1. Dewayne Stephens, Mechanic – Heil Factory Training, Fort Payne, AL – March 25-28, 2008 - \$175

2. Leah Henry, Magistrate - Certification Training & Maintenance Training Institute, Tuscaloosa, AL, April 8-11, 2008 - \$140

Motion by Mr. Nager to recommend to Council to adopt a resolution approving the following prepaid travel:

1. Dewayne Stephens, Mechanic – Heil Factory Training, Fort Payne, AL – March 25-28, 2008 - \$175

2. Leah Henry, Magistrate – Certification Training & Maintenance Training Institute, Tuscaloosa, AL – April 8-11, 2008 - \$140

Seconded by Mr. Yelding. All in favor.

D. Surplus Equipment – Playground Equipment at May Day Park

Discussion was made that the equipment discussed earlier in the meeting that will be purchased from Lodging Tax Funds will replace the old playground equipment that has become unsafe for children to play on.

Motion by Mr. Yelding to recommend to Council to adopt a resolution declaring the playground equipment at May Day Park surplus and authorizing the Mayor to dispose of such equipment as scrap metal. Seconded by Mr. Nager. All in favor.

V. Current Business

A. Appropriation Request – Personnel & Capital for FY 08 - \$727,410

The Mayor's recommendations totaling \$727,410 for the remaining personnel and capital requests for FY 2008 were presented. The committee referred discussion to a work session of the Council. It was noted that the full appropriation for resurfacing was not expended in FY 2007 and that 220,000 was reserved to carry over to FY 2008 for that purpose.

B. Discuss City Judge and City Prosecutor's Pay Schedule

The committee appointed to study the salaries of the Mayor, City Council, City Judge and City Prosecutor made recommendations for the Judge and Prosecutor that have not yet been considered. Due to time deadlines, action has already been taken on the Mayor and City Council salaries. The Judge and Prosecutor positions have not had a salary increase since 1997. Ms. Briley noted that the court system takes in approximately \$250,000 per year. (operating expenses total 234,000) Mr. Yelding recommended referring this to a work session of the Council.

C. Discuss Acceptance of Credit Cards and Fees

The discussion of accepting credit cards continued. Ms. Henson reviewed the transaction fees that would be charged to the City and presented options for the City to pass this cost to the customer. Ms. Henson noted that for a \$700 transaction the City would be charged approximately \$13.12 and for a \$100 the fee would be \$1.96. Ms. Henson explained that legally, if a fee is charged to the customer, then a set fee (not a percentage) has to be established per location and that the range of transaction amounts would need to be considered before setting a fee. Further discussion was made that some locations like the Recreation department would be able to have a lower transaction fee due to their average fee being around \$50. Discussion continued that Recreation would most likely be the department with the highest volume of credit/debit card usage due to sports registrations. The recommendation from the bank representative for setting fees would be \$2.50 for Recreation and \$7.50 for Civic Center with other departments falling within that range. Ms. Henson also researched a third party setting up an ATM but the one cost received was expensive and the City does not meet the number of monthly transactions required. Ms. Henson also noted that these fees charged to the City will be required to be reconciled monthly to verify what location the fee originated from, what transactions the fee originated from, if the fee is correct, and then the fee will be recorded as a cost to that department. There will be additional time required and new duties assigned to staff in the Finance Department to reconcile these transactions. Therefore,

all departments could not begin accepting credit cards at the same time- recreation would be the first trial department. Additionally, it was noted that with the recent increase in civic center rental fees, the City's cost for the use of credit/debit cards would also increase. It was decided that staff should do more research of available options and the cost to the City and make a recommendation of appropriate fees to charge.

D. Baldwin County Economic Alliance - \$10,000

Ms. Briley presented a request from the Baldwin County Economic Alliance for \$10,000. Mr. Scott asked that it be referred to a Council work session.

E. Mechanical Shop Inventory

Ms. Briley discussed that after a physical inventory of parts at the Mechanical Shop was done for Fiscal Year 2006, an inventory account was set up in the financial statements. Ms. Briley explained the process of calculating the annual inventory using the beginning balance plus purchases less Repair Orders charged out to departments. Ms. Briley noted that when the physical inventory was done at the end of FY 07 and compared to the manual calculation of what the inventory should be, there is a discrepancy of \$97,000. Ms. Briley noted that she has met with Public Works and Mechanical supervisors to discuss the discrepancy. Some problems that are being resolved are issues with the software miscalculations, several Repair Orders that were not charged out, and several new items that were not included in the inventory because they need to be added to the software database. The City auditors have been consulted regarding the discrepancies. The Mechanical Shop will start taking a monthly inventory until the reporting agrees with the general ledger inventory and the parts room has been secured where only authorized personnel can enter. Mr. Scott stated that the Public Works Committee should be advised. Ms. Briley will report back after monthly inventories are reviewed.

F. Police Department Capital Requests –

- **Automated Fingerprint Palm Print ID System - \$37,000**
- **Police Dog Replacement - \$6,500**

Police Captain Danny Bell discussed the need for the fingerprint ID system to pick up information since the state and federal governments no longer provide this service and a new Police K-9 dog (which are both listed in Capital request). He also noted that the current K-9, Jago will have to be retired in June because they have been advised that he will not be physically able to pass certification due in July. Mr. Scott asked if any of the drug forfeiture funds could be used for this purpose. Ms. Briley stated that the unreserved fund balances in Federal Drug Recoveries of \$18,941.86 and State Drug Recoveries of \$41,432.57 could be considered for this type of purchase. Mr. Scott noted this will be discussed at the work session.

VI. FINANCIAL REPORTS

A. Treasurer's Report: February 29, 2008

The Treasurer's Report totaling \$23,597,999.06 was presented.

Motion by Mr. Yelding to accept the Treasurer's Report as of February 29, 2008, in the amount of \$23,597,999.06. Seconded by Mr. Nager. All in favor.

B. Sales and Use Taxes: January 31, 2008

Sales and Use Tax Collected for January 2008	- \$822,021
Sales and Use Tax Budgeted for January 2008	- <u>\$924,025</u>
Under Budget (for January)	- \$(102,004)

YTD Budget Collections Variance - Under Budget - \$(275,342)

C. Lodging Tax Collections, January 31, 2008

The Lodging Tax Collections report shows \$45,607.80 collected for January 2008.

D. Summary Statement of Revenues and Expenditures, September 30, 2007

Revenues Over Expenditures FY 07 as of 9/30/07 - \$1,136,699

Unreserved Fund Balance 9/30/07 - \$10,050,583

Ms. Briley noted the unreserved fund balance has been lowered by approximately \$130,000 from the prior report due to the accounting principles change in reporting ad valorem taxes.

Mr. Yelding left at 5:13.

E. Special Revenues Fund Balance Sheet, January 31, 2008

The Balance Sheet for Special Revenue Funds as of January 31, 2008 was presented.

F. Special Revenues Statement of Revenues, Expenditures & Changes, Jan 31, 2008

The Special Revenues Statement of Revenues, Expenditures & Changes as of January 31, 2008 was presented.

G. Report of New Business Licenses – February 2008

A list showing new businesses for the month of February was presented.

H. Bills Paid Reports – February 2008

The February Bills Paid Report was contained in Packet #2.

VII. ADJOURN

The meeting was adjourned at 5:30 p.m.

**General Fund
FY 2008**

Estimated Revenues>Appropriations	1,131,394
Ordinance 2007-50: Wilson Ave Extension	(2,500)
Ordinance 2008-02:3 Patrol Veh/Hydromower/garbage carts	(246,809)
Ordinance 2008-12: Daphne Museum	(3,475)
Ordinance 2008-20: COLA	(82,600)
Ordinance 2008- : Mobile Bay NEP	(5,000)
	<u>791,010</u>
Transfers In (To close these Construction Funds)	
Transfers from 1997 Construction Fund	5,200
Transfers from 2000 Construction Fund	61,200
	<u>66,400</u>

Available for Appropriation	857,410
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Appropriations

Personnel

3 FireMedics (effective May 2008)	(61,405)	Annual Cost 147,372
	<u>-</u>	
	(61,405)	

Operating

Training (3 New Firefighters)	(7,000)	
Immunizations (3 New Firefighters)	(750)	
Wellness Program (3 New Firefighters)	(350)	
Uniforms (3 New Firefighters)	(3,500)	
Equipment- Turnout Gear, Radios (3 New Firefighters)	(11,000)	
Maintenance Items: Civic/Rec/Library & Justice Center	(50,000)	(painting/parking lot resurfacing/restriping)
Gates @ Scenic Overlook	(1,000)	
Drug Dog	(6,500)	
	<u>-</u>	
	(80,100)	

Contributions

Boys & Girls Club	(8,000)
Baldwin County Trailblazers	(2,000)
	<u>(10,000)</u>

Capital

Front Counter Space- Revenue	(5,800)
Building Inspections Furniture	(22,379)
Laser Imaging System	(10,000)
Advanced Life Support Eqpt (St #4)	(20,000)
Replace Fire Dept 1990 Pickup	(21,000)
Replace Air Conditioning Units- Police	(60,800)
Fingerprint ID System	(37,000)
Resurfacing	(98,926)
Future Building Maintenance- roofs, etc	(300,000)
	<u>(575,905)</u>

Appropriations	(727,410)
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Estimated Revenues > Appropriations	130,000
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South Alabama Regional Planning Commission

Samuel L. Jones, Chairman • David E. Bishop, Vice-Chairman
William J. Lovett, Secretary • Larry W. White, Treasurer • Russell J. Wimberly, Executive Director

November 30, 2007

Honorable Fred Small
City of Daphne
P. O. Drawer 400
Daphne, AL 36526

DEADLINE
NOTICE

Dear Mayor Small:

Enclosed please find a statement for the FIRST half pro-rata share due the South Alabama Regional Planning Commission for Fiscal Year 2008.

Sincerely,


Larry W. White
Treasurer

/pm

Enclosure

cc: Mr. David Cohen, City Clerk
Pro-rata file

**SOUTH ALABAMA REGIONAL PLANNING COMMISSION
INVOICE**

TO: CITY OF DAPHNE
P. O. DRAWER 400
DAPHNE, AL 36441

DATE	DESCRIPTION	AMOUNT
11/30/07	PRO-RATA SHARE FOR FISCAL YEAR 2008	\$12,858.00
	AMOUNT DUE FOR FIRST HALF	6,429.00

PLEASE MAKE CHECK TO:

SOUTH ALABAMA REGIONAL PLANNING COMMISSION
P O BOX 1665
MOBILE ALABAMA 36633

THANK YOU!

HUTCHINSON, MOORE & RAUCH
ENGINEERS ♦ SURVEYORS ♦ LAND PLANNERS
ENGINEERING COST ESTIMATE

DAPHNE BAYFRONT PARK

FEBRUARY 2008

ITEM #	DESCRIPTION	UNIT	QTY	UNIT PRICE	AMOUNT
1	MOBILIZATION	LS	1	5,000.00	\$ 5,000.00
2	EROSION CONTROL	LS	1	3,000.00	\$ 3,000.00
3	EARTHWORK	LS	1	9,000.00	\$ 9,000.00
4	4" AGGREGATE (NO. 57) PARKING LOT	SY	2,000	10.00	\$ 20,000.00
5	CONCRETE CURB	LF	980	13.00	\$ 12,740.00
6	SIDEWALK	SF	600	4.00	\$ 2,400.00
7	FENCE	LF	160	25.00	\$ 4,000.00
8	LATTICE AROUND BOTTOM OF BUILDING	LS	1	10,000.00	\$ 10,000.00
9	LANDSCAPE & IRRIGATION	LS	1	30,000.00	\$ 30,000.00
TOTAL AMOUNT					\$ 96,140.00

Buildings and Prop Comm
2-1-08

stated that the City of Daphne is responsible for the removal. **Motion** by Councilman Palumbo to refer the request for the demolition to the full Council. **Seconded** by Mayor Small. **Motion Approved.**

Gates at Scenic Overlook-Refer to Finance Committee

The Committee stated that security gates need to be placed at the Scenic Overlook and that these gates should be locked at night. **Motion** by Councilman Palumbo to refer the request to the Finance Committee for funding of the project not to exceed \$1,000.00. **Seconded** by Mayor Small. **Motion Approved.**

Rework the parking lot at Bayfront Park-Refer to Finance Committee

The Committee discussed a plan to rework the parking at Bayfront Park. Mayor Small stated that it would be better and more economical for the City of hire a private company to perform the work. Ms. Pat Oberholtzer (guest) stated she thought that the plan was a good one, that Village Pointe Foundation would like to start a fundraising effort, and that Sam's had made a \$1,000.00 contribution to the Village Pointe Foundation. The Committee discussed adding restroom facilities at the park. David Cohen, City Clerk came to the meeting at 10:40 a.m. and discussed possible facilities with hot and cold water in a trailer format. Mr. Cohen also discussed a similar setup at Gulf Shores. The Committee also discussed the problem with the sewer lines which would require a pump. Ms. Pat Oberholtzer also mentioned there was not a fire hydrant on property.

parking lot ← **Motion** by Councilman Palumbo to send a request to the Finance Committee to approve \$90,540.00 plus the amount for adding rest room facilities on the property. These funds are to come from lodging taxes for waterfront development. **Seconded** by Mayor Small. **Motion Approved.** ↓ *how much \$?*

Civic Center Rates-Ordinance Amendment-Motion to Full Council

The Committee discussed increasing the rates at the Daphne Civic Center. Council Palumbo stated that the Civic Center rates have never been increased since 1999. **Motion** Mayor Small to send a recommendation to the full Council to increase and round up the Civic Center base rates and cleaning rates by 25% and increasing the per hour charge to \$20.00. This increase would amend Ordinance 2004-20. **Seconded** by Councilman Palumbo. **Motion Approved.**

Request for Civic Center Refund

The Committee considered a request from Ms. Theresa Yelding for a full refund of \$710.00 for rental of the Daphne Civic Center for a May 24, 2008 event. **Motion** by Council Palumbo to refund one half of the fees back as stated in Ordinance 2004-20. Councilman Palumbo stated that if the date rebooks the other one half of the fees that were paid will be refunded to Ms. Yelding. **Seconded** by Mayor Small. **Motion Approved.**

ORDINANCE NO 2000-34

Amending Use of Lodging Tax Proceeds

WHEREAS, Ordinance No. 2000-25 adopted July 17, 2000 amended the use of Lodging Tax proceeds as levied and imposed by Ordinance No. 1995-15 and 1997-28 adopted August 7, 1995 and December 8, 1997, respectively; and

WHEREAS, the City Council has determined that in order to meet existing debt service requirements, the Use of Proceeds section regarding contributions to the Industrial Development Board (IDB) must be amended.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that:

SECTION I: Section 1 of Ordinance 2000-25 repealing and replacing Section 10 of Ordinance 1995-15 is hereby amended as follows:

The use of taxes collected for the period of October 1, 2000 through September 30, 2004 are hereby divided as follows:

- 1) Ninety-five percent (95%) shall be used for the purpose of purchasing, developing, and maintaining beachfront property for the City of Daphne.
- 2) Five percent (5%) shall be used to the purpose of providing funding to the IDB for the implementation of strategies, action items, and tactics included in the Strategic Economic Development Plan as approved and adopted in Resolution 2000-31 by the Daphne City Council June 19, 2000.

All other provisions of Section 1 of Ordinance No. 2000-25 shall remain in full force and effect.

SECTION II: SEVERABILITY CLAUSE- The provisions of this ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, such declaration shall not affect the part that remains.

SECTION III: EFFECTIVE DATE- This Ordinance shall be in full force and effect upon its adoption by the City Council of the City of Daphne, Alabama, and upon publication as provided by law.

APPROVED AND ADOPTED by the City Council of the City of Daphne, Alabama, this 2nd day of October, 2000.

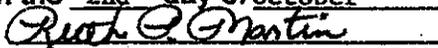

E. Harry Brown, Mayor

ATTEST:

Ruth P. Martin, City Clerk, CMC

STATE OF ALABAMA)
COUNTY OF BALDWIN)

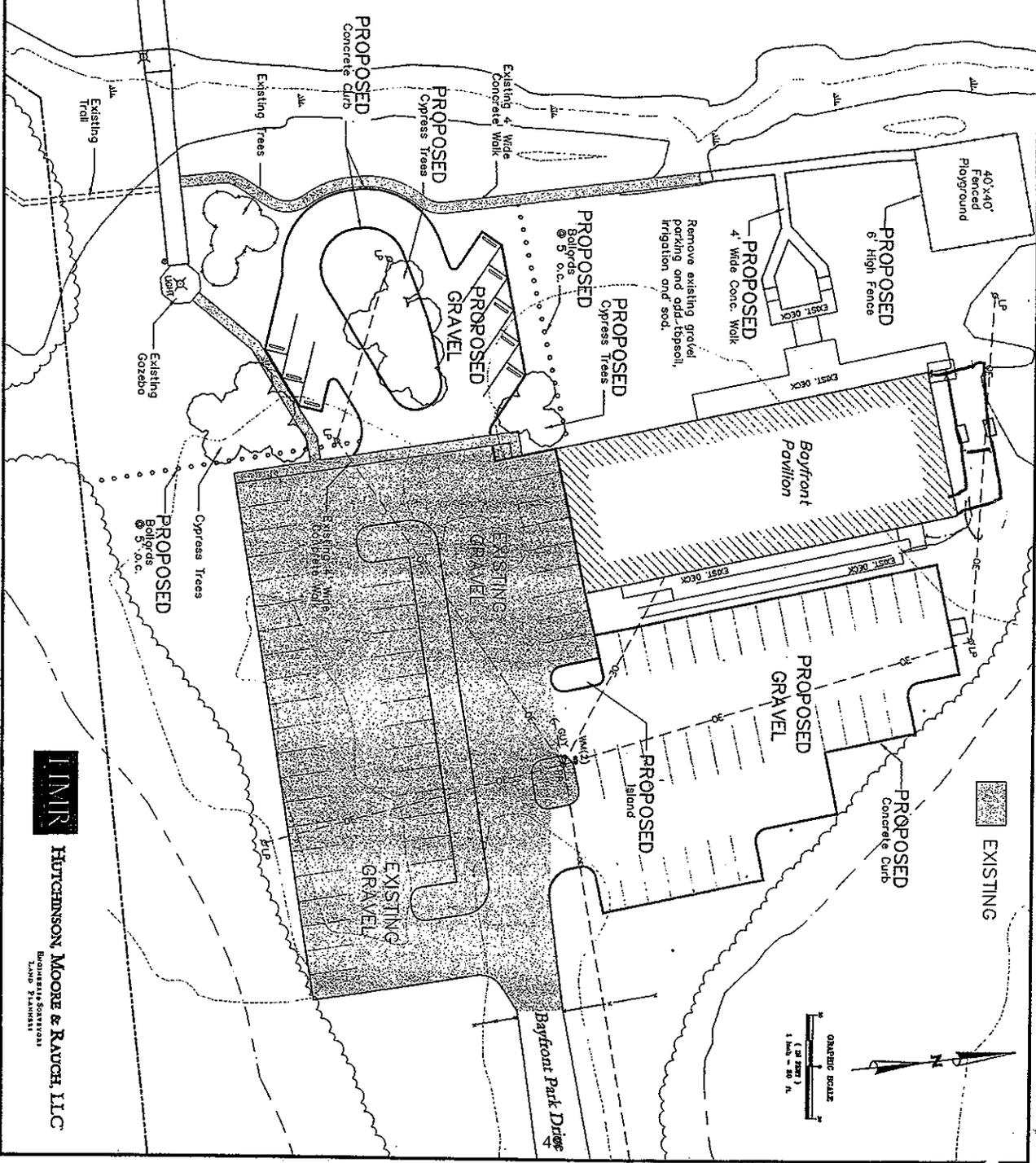
I, Ruth P. Martin, City Clerk of the City of Daphne, Alabama, do hereby certify the foregoing to be a true and exact copy of an Ordinance approved and adopted by the City Council of the City of Daphne, Alabama, at its meeting held on the 2nd day of October, 2000.


Ruth P. Martin, City Clerk, CMC

Scardamalia Parking

Daphne Bayfront Park
City of Daphne, Alabama

Mobile Bay - D'Olive Bay



LMIR
HUTCHINSON MOORE & RAUCH, LLC
ENGINEERS/ARCHITECTS
LAND PLANNERS

CITY OF DAPHNE

**BID OPENING MINUTES
BID DOCUMENT NO: 2008-D-PW/HYDRO MOWER
MARCH 7, 2008
11:30 A.M.
CITY HALL**

Those present were as follows:

**Ms. Suzanne Henson
Mr. Melvin McCarley
Mr. Duke Crutchfield**

**Sr. Accountant
Public Works Superintendent
Public Works Superintendent**

<u>VENDOR</u>	<u>BID BOND</u>	<u>UNIT COST</u>
Jerry Pate Turf & Irrigation		No Bid
M & I Equipment & Engine, Inc	Cert Ck (New Holland T6000)	\$ 97,953.11
Beard Equipment Company	Yes (JD 6420 w/Alamo Machette 21)	\$105,000.00

7 invitations to bid were mailed or picked up or e-mailed or faxed, 3 sealed bids were received.



Suzanne Henson, Sr. Accountant

*\$105,000 Budgeted

MEMORANDUM

CITY of DAPHNE - DIVISION OF PUBLIC WORKS

To: Suzanne Henson, Sr. Accountant
Finance Committee Members

From: Melvin McCarley, Superintendent *MM*
Divisions of Public Works & Maintenance

Date: March 10, 2008

Re: Recommendation for Bid Award – 2008-D PW Tractor with Mid Mounted Heavy Duty Hydraulic Boom Mower

The Finance Department and Public Works sent out requests for bids for the PW Tractor with Mid Mounted Heavy Duty Hydraulic Boom Mower. Two companies responded and met specifications. The low bidder for the contract was M & I Ford Industrial Power Products.

I therefore recommend to this Committee that we award the City of Daphne BID 2008-D- PW Tractor with Mid Mounted Heavy Duty Hydraulic Boom Mower to M & I Ford Industrial Power Products.

Please contact me should you have any questions regarding this bid award.

MM:swc

CITY OF DAPHNE

BID OPENING MINUTES

BID DOCUMENT NO: 2008-E-PD/DIGITAL IN-CAR VIDEO SYSTEMS

MARCH 7, 2008

11:30 A.M.

CITY HALL

Those present were as follows:

Ms. Suzânnne Henson

Sr. Accountant

Captain Danny Bell

Police

Mr. Duke Crutchfield

Mechanical Supervisor

4 bid invitations were mailed/picked up , 3 sealed bids were received.

Captain Bell opened the bid presented and the bids were read aloud as follows:

<u>VENDOR</u>	<u>BID BOND</u>	<u>TOTAL UNIT COST</u>
Watch Guard Video	Cert Ck	Overhead - \$5,020/ea Modular - \$5,375/ea
Kustom Signals, Inc.	Bid Bond	Overhead - \$4,500/ea (<i>Ion unit</i>) Modular - \$4,825/ea (<i>Eclipse unit</i>)
ICOP Digital, Inc	Cert Ck	Overhead - \$5,400/ea { \$4,800+\$300(PC Viewer Lite)+\$300 (Docking Station Kit)
		Modular - No Bid



Suzânnne Henson, Sr. Accountant

**Daphne Police
Department**



Internal Letter

To: Chief David Carpenter

From: Captain Daniel Bell 

Date: March 10, 2008

Subject: In-Car Video
Recommendation

I have reviewed the bids submitted for the In-Car Video systems. Three (3) companies submitted bids for consideration: Watch Guard, Kustom Signals, and ICOP. Specific information was compared from each bid and placed on a spread sheet. This spread sheet is attached for your review.

I recommend the bid be awarded to Kustom Signals for the purchase of the ION ECLIPSE. Kustom Signals has the lowest price of all three bidders, their product is versatile, and user friendly. Kustom Signals has been in business for 43 years and has proven to be a reliable company.

*To: Finance
From: Chief Carpenter
Date: March 10, 2008*

I concur with Captain Bell's recommendation that Kustom Signals receive the bid for the in car video systems. They came in as the low bidder and also have a better warranty.

CITY OF DAPHNE

BID OPENING MINUTES
BID DOCUMENT NO: 2008-F-ATHLETIC FIELD MARKING PAINT
MARCH 7, 2008
11:30 A.M.
CITY HALL

Those present were as follows:

Ms. Suzanne Henson	Sr. Accountant
Mr. David Mckelroy	Recreation Director
Mr. Melvin McCarley	PW Superintendent

1 bid invitations were mailed/picked up, 1 sealed bid were received.

Mr. Mckelroy opened the bids presented and the bids were read aloud as follows:

<u>VENDOR</u>		<u>TOTAL UNIT COST</u>
Pioneer Manufacturing Co	White Field Marking Paint	\$ 69.50 (5 Gallon Bucket)
	Gold Field Marking Paint	\$ 65.00 (5 Gallon Bucket)
	Purple Field Marking Paint	\$ 86.00 (5 Gallon Bucket)
	White Aerosol (22 oz)	\$ 43.00 (per case)
	Gold Aerosol (20 oz)	\$ 43.00 (per case)
	Purple Aerosol (20 oz)	\$ 49.00 (per case)



Suzanne Henson, Sr. Accountant

Fred Small
Mayor
David McKelroy
Parks & Recreation
Director



Dwayne Coley
Parks Supervisor
Mary Jensen
Seniors Program Coordinator
Megan Matrone
Recreation Programs Coordinator
Charlie McDavid
Athletic Coordinator

MEMO

TO: Finance Committee
FROM: David McKelroy, Parks and Recreation Director *WAM*
RE: Bid 2008-F - Athletic Field Marking Paint
DATE: March 7, 2008

It is my recommendation that the City of Daphne accept the bid form Pioneer Mfg. Co. The bid from Pioneer was the only bid returned, however they have provided excellent service and product in the past.

		<u>2008</u>	<u>2007</u>
Five (5) gallon cans -	White	\$ 69.50	\$ 67.50
	Purple	86.00	84.00
	Gold	65.00	63.00
Aerosol Cans (case) -	White	43.00	41.00
	Purple	49.00	47.00
	Gold	43.00	41.00

PREPAID TRAVEL REQUEST FORM	
EMPLOYEE NAME / TITLE	Dewayne Stephens
DEPARTMENT	Mech.
DATES OF TRAVEL	3-24 - 28
SCHOOL/ORGANIZATION	HEIL
LOCATION FOR TRAINING: CITY / STATE	Fort Payne, AL
REGISTRATION FEE	\$ 500. ⁰⁰
LODGING	\$ 433. ⁰⁰
TOTAL ADVANCE REQUESTED (\$35 x # OF DAYS)	\$ 175. ⁰⁰

A complete Expense Report with itemized receipts must be submitted upon return. The employee understands that proper itemized receipts must be submitted for all monies expended. Any remaining balance must be reimbursed to the City or this amount will be included as taxable income on the employee's W-2.

Employee Signature Dewayne Stephens

Mr. M. C. Carter 4288 167000 52211 _____
 Department Head Approval Vendor # Dept Org # Object # Proj#

***PREPAID TRAVEL IS APPROVED BY THE FINANCE COMMITTEE THEN COUNCIL - PLEASE SUBMIT IN TIME TO ALLOW SUFFICIENT TIME FOR THESE APPROVALS.**

***ATTACH A COPY OF THE BROCHURE/REGISTRATION FORM FOR TRAINING EVENT ATTENDING - THE ATTACHED COPY SHOULD DISPLAY PURPOSE, DATES, AND COST OF TRAINING EVENT.**



CONFIRMATION HEIL FACTORY TRAINING

STUDENT NAME: DEWAYNE STEPHENS

COMPANY: CITY OF DAPHNE

CLASS: Dura-Pack Python

CLASS DATES: 3/25/2008 thru 3/28/2008

CLASS LOCATION: Fort Payne, Al

Per Student : \$500.00

This is to confirm that DEWAYNE has been registered for the training class noted above.

Classes will start on Tuesday at 8:00 AM and finish up on Friday at 12:00 noon

Except the Rear Loader class, which finishes on Thursday at 4:30 PM.

Except the PLC Electronic Controls class, which finishes on Thursday at 4:30 PM.

Below is a listing of the hotels available in the Ft. Payne area. Most of them are within three miles of the Customer Support Care Center (CSCC).

Days Inn (256) 845-2085

Holiday Inn Express (256) 997-1020

Hampton Inn (256-304-2600)

Roadway Inn (256-845-2950)

Directions to the Ft. Payne facility are attached or can be accessed in the Heil web site library. Log on to the net at www.heilco.com. You will need to register then go to the **library**, pick **search** and **type in map** then click **find item**. Training classes are held in the Joseph F. Heil, Jr. Institute of Technology located next door to the manufacturing facility and across the street from the National Guard Post. Students are required to report directly to the classroom before 8:00 AM.

HEIL will provide lunch each day.

HEIL reserves the right to cancel any class with less than five (5) students and to reschedule the student(s) at a later time.

Thank you for choosing HEIL equipment. I look forward to seeing you in class.

Sincerely,

JOEL BARNES

Technical Training Lead

(256)-845-8370

(423)-596-2283 CELL



The Alabama Municipal Court Clerks' and Magistrates' Certification and Training Institute III

Sponsored by
The University of Alabama

Purpose

Effective August 28, 2002, the Alabama Supreme Court amended Rule 18, Alabama Rules of Judicial Administration, to require that each municipal court clerk and magistrate attend an orientation and certification program approved by the Administrative Office of Courts.

The purpose of the Certification and Training Institute is to improve the professional, technical, and administrative skills of the municipal court clerks and magistrates through a series of courses approved by the AOC. Because of the increasing complexity of municipal court administration, this program is designed to assist these municipal court officials in developing their management skills and in obtaining greater expertise and status in their profession as they serve their communities.

Requirements

1. Be properly appointed as a municipal court clerk or magistrate
2. Submit an approved application for enrollment into the program. An application fee is required and is used to defray the cost of establishing files on the applicant. This fee is not refundable or transferable.
3. Complete all four sessions of the Orientation Program for New Court Clerks and Magistrates before enrolling in the Certification Institutes.
4. Complete all courses in the curriculum within the allotted time frame.
5. Completion of a minimum of two years of administrative work experience as a municipal court clerk or magistrate.

All students enrolled in the Orientation and Certification Program are expected to be honorable and observe standards of conduct appropriate to judicial officials.

Program Content

The Orientation and Certification Program consists of a total of 116 hours of core curriculum courses and general curriculum courses.

Core curriculum courses are: Introduction and Overview of the Unified Judicial System and Municipal Courts; Records Management in the Municipal Court; Magistrate Duties and Issuing Arrest Warrants; Traffic Issues and the Department of Public Safety. These courses must be completed within three years of entry into the Certification Program.

Spring 2008 general curriculum courses are: Approved UJS Forms; Legal Aspects of Domestic Violence; Practical Aspects of Warrant Issuance; Court Referral Program: A Complete Review; and Bail, Bonds, and Forfeiture.

The four Certification Institutes which must be completed within four years of entry into the Orientation and Certification Program. These 2 ½ day sessions are held in the spring and fall of each year at The University of Alabama, Tuscaloosa. Each institute carries a total of 20 hours of credit. A maximum of 80 hours of credit are earned for completion of these four institutes. An exam is given at the end of the 2 ½ day session and must be passed with at least 70%.



THE UNIVERSITY OF
ALABAMA
CONTINUING STUDIES

Maintaining Certification

To maintain the status of "Certified Municipal Court Clerk/Magistrate," each municipal court clerk and magistrate must complete a minimum of 10 hours each education year.

Attendance

Participants who miss more than one class during a 2 ½ day session will not be given any credit for attending any of the institute.

Certification Information

If you attempt to register for a session that is full, you will need to register for another session. If you are unable to attend any of these sessions, these topics will be offered at future certification institutes. **REMEMBER**, you have four (4) years to complete the general curriculum of the institute.

Successful completion of all certification sessions will fulfill the educational requirement for the professional designation of Certified Municipal Court Clerk/Magistrate.

The fee is **\$205**. Please send the enclosed registration form for the April 9-11 program no later than March 25 or the registration form for the May 7-9 program no later than April 22. Phone in registration to (205) 348-3000 or FAX (205) 348-6614 to reserve your slot in the Institute.

If you register and find you cannot attend, please contact The University of Alabama 14 days prior to the program, and you will receive a full refund. If you are unable to give the full two-week notice, a \$50 administrative fee will be charged against your refund. Refunds cannot be made after a course has begun, however, a substitute participant may be designated in place of a registrant who cannot attend.

Maintenance Information

The Board of Directors of the Alabama Municipal Court Clerks and Magistrates Association (AMCCMA) and the Administrative Office of the Courts (A.O.C.) have approved your attendance at your choice of one of the Spring Phase 2006 Certification Institutes for Municipal Court Clerks and Magistrates to fulfill your annual certification maintenance requirement.

You will only be required to attend half of an Institute to meet your annual maintenance requirement of ten (10) hours. For example, you may attend a full day on April 9 and the half-day on April 10, or you may wish to attend a full-day on April 10 and a half-day on April 11. You will not be required to take the Institute examination.

Because you will only attend half of the program, we are offering a prorated registration fee of **\$135**. Please send the enclosed registration form and your check or purchase order two weeks before the program you wish to attend. MasterCard, VISA, and Discover registrations can be phoned in to (205) 348-3000 or FAX (205) 348-6614.

If you register and find you cannot attend, please contact The University of Alabama 14 days prior to the program, and you will receive a full refund. If you are unable to give the full two-week notice, a \$35 administrative fee will be charged against your refund. Refunds cannot be made after a course has begun; however, a substitute participant may be designated in place of a registrant who cannot attend.

Suzanne

From: Kim Briley [kmbriley@bellsouth.net]
Sent: Tuesday, March 04, 2008 11:14 AM
To: hensonsm@bellsouth.net
Subject: FW: Daphne Prosecutor Package

For Finance Comm packet.

From: ronscott5@bellsouth.net [mailto:ronscott5@bellsouth.net]
Sent: Tuesday, March 04, 2008 10:52 AM
To: Briley Kim
Cc: Yelding Bailey; Nager Eric
Subject: FW: Daphne Prosecutor Package

FYI

The City Judge and the City Prosecutor's pay schedule haven't changed since 1997. We will discuss at Monday's Finance meeting. Please have the attached file included in the packet.

Thanks to all

Ron

----- Forwarded Message: -----
From: "Christi" <cgivsel@bellsouth.net>
To: <ronscott5@bellsouth.net>
Cc: "Jim Scroggins" <jamesmscroggins@bellsouth.net>
Subject: Daphne Prosecutor Package
Date: Tue, 4 Mar 2008 15:21:39 +0000

Christina Givens
Assistant to
JAMES M. SCROGGINS, ESQ.
28311 N. Main Street, Suite B-200
Post Office Box 2370
Daphne, Alabama 36526
(251)626-2688

JAMES M. SCROGGINS, P.C.

JAMES MAURICE SCROGGINS
LAWYER

POST OFFICE BOX 2370
28311 NORTH MAIN STREET/SUITE B-200
DAPHNE, ALABAMA 36526

TELEPHONE 251.626.7725
FACSIMILE 251.626.2418
jamesmscroggins@bellsouth.net

March 4, 2008

Mr. Ron Scott
Daphne City Council
Daphne, Alabama

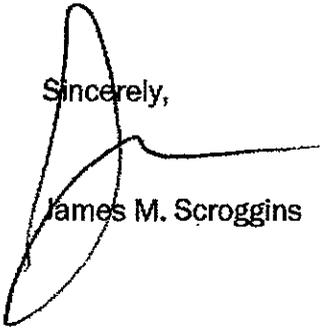
Re: Municipal Prosecutor Summary and Comparison

Dear Ron:

Attached is the spreadsheet that was current for the period September 1, 2005 through August 31, 2006. It is my understanding that the prosecutor compensation package in Foley and Gulf Shores has been adjusted upward since this report was compiled but I do not have the current figure. I trust this will be helpful in considering an adjustment to my present package.

Should you have any questions, please feel free to contact me at the above number or on my cell phone (251-605-5455).

Sincerely,


James M. Scroggins

JMS/cg

**GENERAL SUMMARY AND COMPARISON
MUNICIPAL PROSECUTORS**

CITY	CITY COURT BASE COMPENSATION PER MONTH	MUNICIPAL SESSIONS PER MONTH	ADDITIONAL COMPENSATION FOR CIRCUIT COURT APPEALS	* / ** CASES APPEALED TO CIRCUIT COURT	* CASE-RELATED FUNDS TO CITY FROM CIRCUIT COURT
DAPHNE	\$2,833.00	4	None	392	\$93,586.00
*** FAIRHOPE	N/A	2	N/A	86	\$6,700.00
FOLEY	\$3,000.00	3	\$100/HR	47	\$4,214.00
GULF SHORES	\$1,400.00	2	\$100/HR	20	\$3,789.00
ORANGE BEACH	\$150/HR	4	\$150/HR	89	\$22,179.00
ROBERTSDALE	\$1,600.00	2	\$100/HR	90	\$8,304.00

* September 1, 2005 through August 31, 2006

** Includes forfeitures and revocations

*** Prosecutor also city attorney

Suzanne

From: Kim Briley [kmbriley@bellsouth.net]
Sent: Monday, March 03, 2008 9:03 AM
To: hensonsm@bellsouth.net
Subject: FW: Position Evaluations: City Judge and City Prosecutor

Suzanne,

Please include this on the Finance Agenda.

Kim

From: ronscott5@bellsouth.net [mailto:ronscott5@bellsouth.net]
Sent: Monday, March 03, 2008 8:43 AM
To: Briley Kim
Cc: Yelding Bailey; Nager Eric
Subject: FW: Position Evaluations: City Judge and City Prosecutor

There is another attached file for the Judge that I've asked Ernie for a copy. Will send when I get it.

Ron

----- Forwarded Message: -----

From: ernestberger@bellsouth.net
To: ronscott5@bellsouth.net
Cc: Nady Louie <lnady@aol.com>,shorelinehwy98@bellsouth.net>hrdir@bellsouth.net
Subject: Position Evaluations: City Judge and City Prosecutor
Date: Thu, 4 Oct 2007 20:08:47 +0000

Dear Councilman Scott:

Attached are the completed evaluations for the positions of City Judge and Prosecutor. Willie Robison and I met today and finalized the evaluations with inputs from the City HR Office. Louie Nady is currently participating in the USA Olympic Trails.

Because of the magnitude of the "catch up" adjustments, we recommend the action be spread over three years with 50% of the increase taking place in the 2007-2008 budget year and 25% in each of the following two years.

Please call or email me if these attachments require further explanation. Likewise, I will be happy to meet with the Finance committee if required.

Sincerely,
 Ernest L. Berger
 Committee Chair
 President, The Elf Group, LLC

POSITION EVALUATION SUMMARY

DATE: October 4, 2007

POSITION: City Prosecutor

EMPLOYMENT STATUS: Independent Contractor

INCUMBENT: James M. Scroggins

GENERAL DESCRIPTION OF DUTIES: Prosecutes persons charges with misdemeanor & traffic violations in Daphne Municipal Court as well as cases appealed to Circuit Court or Court of Appeals. Creates case folder using non-city staff. Interviews police and others as required and coordinates case scheduling, pre-court resolution, prosecution and appeal with city officials, staff, city counsel, judges, and defense attorneys. Researches cases via web-based data sources and legal publications. Maintains case files and represents city at appeal.

MAJOR POSITION DRIVERS:

- Regional and City Population ages 16+
- Frequency of Municipal Court sessions from 2 to 4 during tenure
- Pre-trial resolution
- Case flow to appeal (impacted by ability to pay court costs and fines)*

CURRENT COMPENSATION: \$2833/mo, \$177 per hour, \$33,996 per year based on weekly court sessions of 4 hours per session. There is no additional compensation for use of council's own staff or participation in the appeals process. Pre-trial and appeals actions estimated at an additional 100% impact on hours required: 16 hours. \$91.00 hr effective hourly rate.

LAST COMPENSATION ACTION: 1997

POTENTIAL COMPROBLES COLLECTED:

Decatur: \$42,484-\$66,014 per year (midpoint: \$54,249, \$4520 per mo.)

Florence: \$35,959

Gadsden: \$75 hour

Foley: \$4800 mo. \$57,600 per year

Gulf Shores: \$24,000 per year (Note: seasonal population)

Orange Beach: \$75.00 hour (Note: Seasonal population)

Auburn: None:(Note: Seasonal university population)

AVERAGE SALARY FROM 3 USABLE DATA POINTS: \$49,269

CURRENT SALARY DIFFERENCE TO COMPARABLE AVERAGE: \$15,273

**RECOMMENDATION: INCREASE SALARY TO \$49,000 IN THREE STEPS:
2007: 50% \$7500, 2008: 25% \$3750, 2009 25% \$3750**

POSITION EVALUATION SUMMARY

DATE: October 4, 2007

POSITION: Municipal Judge

EMPLOYMENT STATUS: Appointed

INCUMBENT: Thomas Doyle

GENERAL DESCRIPTION OF DUTIES: Full responsibility for management of the municipal court and three direct reports with operating expenses of approximately \$240,352 per year. Administers oaths, issues arrest and search warrants, approves and declares bonds forfeited, reviews and responds to all court correspondence including inmate correspondence, motions to continue etc.

MAJOR POSITION DRIVERS:

- Regional and City Population ages 16+
- Frequency of Municipal Court (sessions increased from 2 to 4 during his tenure)
- Supervisory span of control (Daphne = 3 staff)
- Pre-trial motions/resolution
- Case flow to appeal (impacted by ability to pay court costs and fines)*

CURRENT COMPENSATION: \$24,470

LAST COMPENSATION ACTION: (At least 10 years)

POTENTIAL COMPROBLES COLLECTED:

Decatur: \$59,852-\$92,924 (midpoint: \$76,388)

Florence: \$40,409

Gadsden: \$75 hour

Foley: \$30,000

Gulf Shores: \$17,421 (Note: seasonal population)

Orange Beach: \$30,000 (Note: Seasonal population)

Auburn: \$80,000-\$90,000 (Note: Seasonal university population)

AVERAGE SALARY FROM 3 USABLE DATA POINTS: \$48,932

CURRENT SALARY DIFFERENCE TO COMPARABLE AVERAGE: \$24,462

RECOMMENDED ACTION: INCREASE SALARY TO \$49,000 IN THREE STEPS: 50% EFFECTIVE 2007: \$12,239, 25% 2008: \$6116, 25% 2009: \$6115

CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
November 8, 2007
5:00 P.M.

C. Discuss Credit Card Transaction Fees

It was discussed that the City does not currently accept debit/credit cards, but it would be an added convenience for the public. Ms. Briley noted that there is a bank charge for processing the credit card, which the City could absorb or it could be passed on to the consumers. Ms. Henson stated that if a fee is charged, it must be a flat fee, it cannot be a percentage, and only one fee may be charged per location. Ms. Henson explained that fees can be different by location (according to that departments average transaction amount – City will be charged a fee according to the transaction amount) but only one fee per location can be charged. Also, the fee amount must be posted. Information from Cassaundra Burks with Compass Bank was presented showing how the City's cost is calculated and Ms. Henson presented a fee analysis for the civic center showing annual collections and what the City's cost would be (a \$700 transaction would cost the City approximately \$13.12 / a \$300 transaction would cost the City \$5.68 – the average transaction cost would be \$7.50). It was discussed that this would not be beneficial for ticket sales. *Mr. McKelroy noted that there have been request at the Recreation Center to accept credit cards (average transaction at the Recreation Center is \$70 and a \$2.50 fee would cover the cost to the City). Ms. Henson noted that the Recreation Center would probably have the highest usage volume of all City departments due to sports signups. Discussion continued that perhaps a limit ought to be put on the payment amount the City accepts by credit card. Mr. Yelding recommended that this discussion be put on the next work session for the Council to review.*

CIVIC CENTER TRANSACTIONS - CREDIT CARD FEE ANALYSIS @ \$7.5

FACILITY RENTAL - ANNUAL

Actual Transactions	Flat Fee Charged	City's Fee (x.0186+.01)
410.00	7.50	7.73
360.00	7.50	6.80
50.00	7.50	1.03
710.00	7.50	13.31
190.00	7.50	3.63
710.00	7.50	13.31
710.00	7.50	13.31
335.00	7.50	6.33
360.00	7.50	6.80
935.00	7.50	17.49
535.00	7.50	10.05
145.00	7.50	2.80
135.00	7.50	2.61
2,085.00	7.50	38.88
3,610.00	7.50	67.25
260.00	7.50	4.94
435.00	7.50	8.19
410.00	7.50	7.73
710.00	7.50	13.31
120.00	7.50	2.33
355.00	7.50	6.70
710.00	7.50	13.31
910.00	7.50	17.03
15.00	7.50	0.38
160.00	7.50	3.08
360.00	7.50	6.80
710.00	7.50	13.31
3,055.00	7.50	56.92
350.00	7.50	6.61
275.00	7.50	5.22
725.00	7.50	13.59
725.00	7.50	13.59
235.00	7.50	4.47
450.00	7.50	8.47
510.00	7.50	9.59
910.00	7.50	17.03
3,475.00	7.50	64.74
720.00	7.50	13.49
710.00	7.50	13.31
2,720.00	7.50	50.69
15.00	7.50	0.38
1,360.00	7.50	25.40
85.00	7.50	1.68
580.00	7.50	10.89
350.00	7.50	6.61
710.00	7.50	13.31
30.00	7.50	0.66
710.00	7.50	13.31
240.00	7.50	4.56
35,375.00	367.50	662.88

EQUIPMENT RENTAL - MONTHLY

For comparison fee only listed on larger amounts where card would likely be used		City's Fee (x.0186+.01)
Actual Transactions	Flat Fee	
45.00		
35.00		
100.00	7.50	1.96
45.00		
130.00	7.50	2.52
60.00		
120.00	7.50	2.33
245.00	7.50	4.66
20.00		
10.00		
32.00		
45.00		
196.00	7.50	3.75
40.00		
70.00		
125.00	7.50	2.43
60.00		
80.00		
8.50		
115.00	7.50	2.24
40.00		
10.00		
20.00		
85.00		
20.00		
19.50		
30.00		
20.00		
30.00		
255.00	7.50	4.84
13.50		
120.00		
30.00		
70.00		
80.00		
20.00		
264.50	7.50	5.02
80.00		
33.00		
178.00	7.50	3.41
50.00		
25.00		
75.00		
110.00	7.50	2.15
90.00		
60.00		
75.00		
380.00	7.50	7.17
60.00		
3,880.00	90.00	42.46
	X 12	X 12
	1,080.00	509.57

ESTIMATED ANNUAL FEES	
	City's Fee
Facility Rentals	662.88
Equip Rentals	509.57
Total	1,172.44

Note: Debit Card used without a Pin# Is: Transaction Amount x \$.0137 + .15 Ex. \$700 x .0137 = \$9.59 + .15 = \$9.74 - Transaction Fee charged to the City

Fees will be required to be reconciled monthly to verify what location the fee originated from, what transaction the fee originated from, if the fee is correct, and then the fee will be recorded as a cost to that Department.

Suzanne

Subject: FW: RE: Compass Bank ATM machines



Cassandra
Burks3.vcf (446 B)

-----Original Message-----

From: Cassandra Burks [mailto:Cassandra.Burks@compassbank.com]
Sent: Monday, December 03, 2007 1:11 PM

Subject: Fwd: RE: Compass Bank ATM machines

Take a look below. Hopefully this answers some of your questions. I must admit. The cost is much more than I anticipated.

Cassandra Burks
Corporate Sales Representative
Merchant Financial Services
251-470-7338 office
251-421-2167 cell
205-297-6964 fax
cassandra.burks@compassbank.com

ATM Equipment Cost

>>> Robert Shaw 03/12/07 1:07 PM >>>

See cost listed below:

ATM equipment \$14,000 to \$30,000 (one time cost, cash dispense only vs. full service) ATM router \$3,000 (one time cost) Data circuit \$150 to \$300 per month (telecommunication cost) ATM Maintenance Agreement \$330 per month (service if the ATM breaks) ATM cash replenishment \$226 per month (service ATM with cash) ATM deposit removal \$600 per month ATM supplies \$75 to \$100 per month Cost of cash \$1,000 per year

We need approximately 2,000 to 3,000 transactions per month to justify an ATM at any location. The above gives you some information. If you have any questions, please give me a call.

Thanks,

Robert D. Shaw
Vice President, ATM Manager
Retail Planning Department
(205)297-5198 Work
(205)297-4914 Fax

>>> Katie Kramer 11/30/07 3:35 PM >>>

Robert Shaw is the one that handles everything with our atms. I have copied him on this email. He will be able to answer any questions you might have.

TREASURER'S REPORT

As of February 29, 2008

TO: FINANCE COMMITTEE

FROM: KIMBERLY BRILEY, FINANCE DIRECTOR/TREASURER

<u>ACCT TITLE</u>	<u>BANK</u>	<u>BALANCE</u>
GENERAL FUND & ENTERPRISE FUNDS		
MMA ACCT	COMPASS	\$12,904,313.93
OPERATING ACCT	COMPASS	(\$252,026.78)
PAYROLL ACCT	COMPASS	(\$2,330.57)
MUNICIPAL COURT	COMPASS	\$246,552.85
		<u>\$12,896,509.43</u>
SPECIAL REVENUES FUND		
SAIL SITE	FIRST GULF	\$2,234.11
4 CENT GAS TAX	FIRST GULF	\$169,383.06
7 CENT GAS TAX	FIRST GULF	\$254,132.69
		<u>\$425,749.86</u>
CAPITAL PROJECTS FUND		
CAPITAL RESERVE	WACHOVIA	\$4,012,954.84
97 WARRANT CONS	WACHOVIA	\$5,209.27
99 WARRANT CONS	REGIONS	\$16,350.38
2000 CONSTRUCTION	REGIONS	\$61,581.74
2006 CONSTRUCTION	WACHOVIA	\$3,592,206.82
		<u>\$7,688,303.05</u>
DEBT SERVICE FUND		
DEBT SERVICE	WACHOVIA	\$2,518,214.09
2006 DEBT SERVICE	FIRST GULF	\$69,222.63
		<u>\$2,587,436.72</u>
		<u>\$23,597,999.06</u>

SALES & USE TAXES

ACTUAL COLLECTIONS

	2002	2003	2004	2005	2006	2007	2008
October	671,699.04	636,482.64	697,830.58	833,700.71	932,634.66	944,542.36	867,190.18
November	650,308.98	646,534.10	710,788.74	814,666.03	901,512.38	918,837.95	915,890.97
December	858,086.66	892,208.68	941,151.87	1,091,073.78	1,168,443.68	1,182,584.39	1,120,005.09
January	639,638.85	590,727.65	697,083.68	771,837.83	887,468.11	914,876.33	822,020.87
February	602,215.06	632,654.31	688,421.54	788,825.08	878,123.66	877,975.60	-
March	710,960.77	705,390.20	848,156.86	917,832.17	1,081,774.83	1,071,598.38	-
April	629,853.17	692,148.44	752,039.55	863,144.81	968,760.72	960,140.54	-
May	668,867.28	702,692.15	757,610.49	867,446.44	1,000,424.48	1,021,498.14	-
June	731,684.73	752,668.04	818,209.20	982,863.46	1,024,091.07	1,066,433.92	-
July	679,602.58	721,790.90	803,051.14	908,576.13	941,407.68	993,216.66	-
August	657,027.91	739,993.63	745,320.33	869,818.11	950,539.01	954,421.57	-
September	644,827.41	715,641.36	830,260.80	998,476.08	967,616.16	965,107.35	-
Totals	8,144,772.44	8,428,932.10	9,289,924.78	10,708,260.63	11,702,796.44	11,871,233.19	3,725,107.11

FY 2007 BUDGET/ACTUAL COMPARISONS

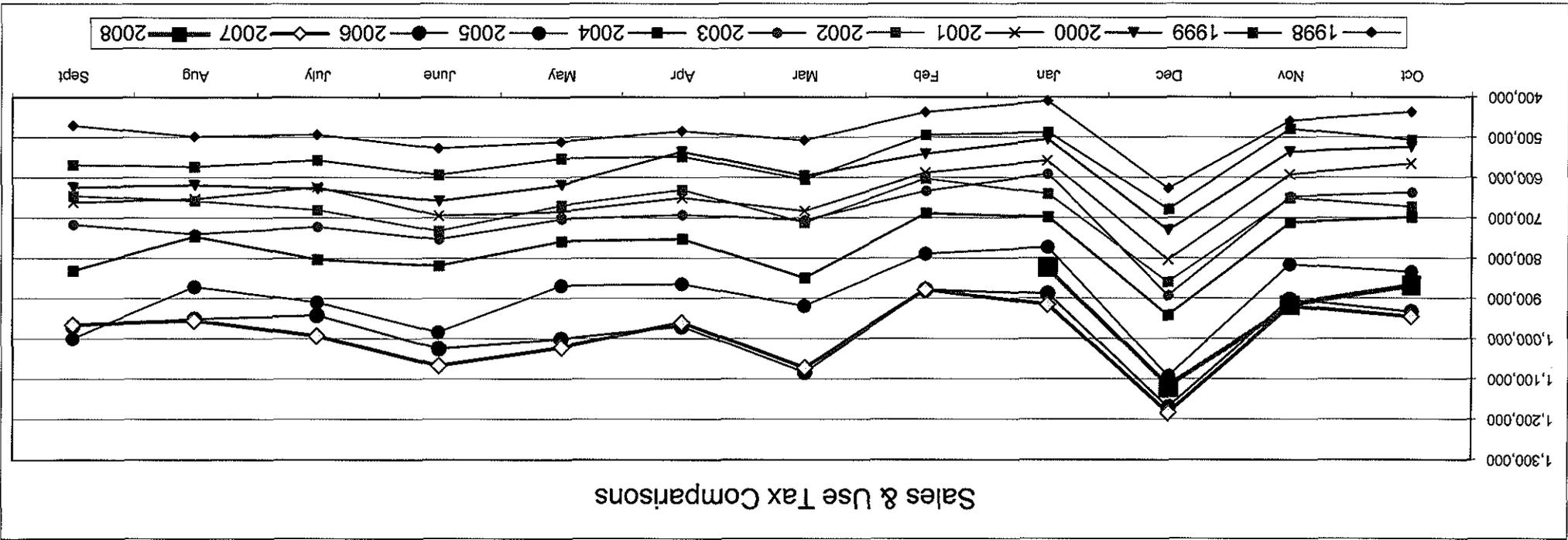
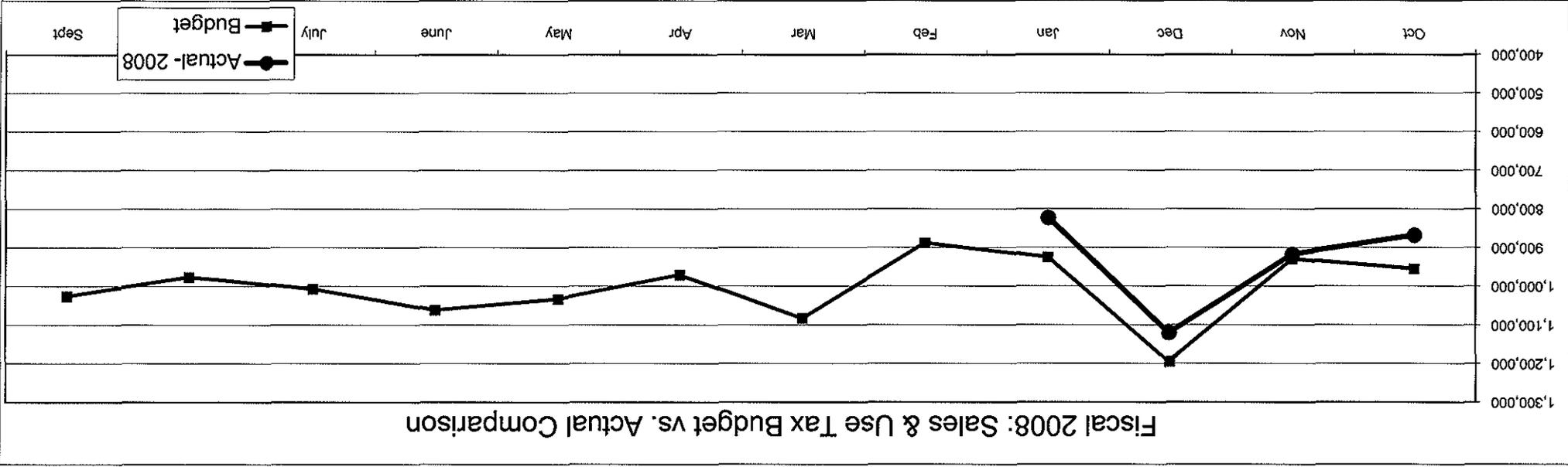
	Actual- 2008	Budget	Monthly Variance	YTD Variance	% of Budget
October	867,190.18	953,988	(86,797.82)	(86,797.82)	-9.10%
November	915,890.97	928,026	(12,135.03)	(98,932.85)	-1.31%
December	1,120,005.09	1,194,410	(74,404.91)	(173,337.76)	-6.23%
January	822,020.87	924,025	(102,004.13)	(275,341.89)	-11.04%
February	-	886,755	-	-	-
March	-	1,082,314	-	-	-
April	-	969,742	-	-	-
May	-	1,031,713	-	-	-
June	-	1,061,004	-	-	-
July	-	1,005,952	-	-	-
August	-	975,079	-	-	-
September	-	1,024,647	-	-	-
Totals	3,725,107.11	12,037,655	(275,341.89)		

FISCAL YEAR COMPARISONS

	<u>\$ Change</u>						<u>Percent Change</u>					
	2002-2003	2003-2004	2004-2005	2005-2006	2006-2007	2007-2008	2002-2003	2003-2004	2004-2005	2005-2006	2006-2007	2007-2008
October	(35,216.40)	61,347.94	135,870.13	98,933.95	11,907.70	(77,352.18)	-5.24%	9.64%	19.47%	11.87%	1.28%	-8.19%
November	(3,774.88)	64,254.64	103,877.29	86,846.35	17,325.57	(2,946.98)	-0.58%	9.94%	14.61%	10.66%	1.92%	-0.32%
December	34,122.02	48,943.19	149,921.91	77,369.90	14,140.71	(62,579.30)	3.98%	5.49%	15.93%	7.09%	1.21%	-5.29%
January	(48,911.20)	106,356.03	74,754.15	115,630.28	27,408.22	(92,855.46)	-7.65%	18.00%	10.72%	14.98%	3.09%	-10.15%
February	30,439.25	55,767.23	100,403.54	89,298.58	(148.06)	-	5.05%	8.81%	14.58%	11.32%	-0.02%	0.00%
March	(5,570.57)	142,766.66	69,675.31	163,942.66	(10,176.45)	-	-0.78%	20.24%	8.21%	17.86%	-0.94%	0.00%
April	62,295.27	59,891.11	111,105.26	105,615.91	(8,620.18)	-	9.89%	8.65%	14.77%	12.24%	-0.89%	0.00%
May	33,824.87	54,918.34	109,835.95	132,978.04	21,073.66	-	5.06%	7.82%	14.50%	15.33%	2.11%	0.00%
June	20,983.31	65,541.16	164,654.26	41,227.61	42,342.85	-	2.87%	8.71%	20.12%	4.19%	4.13%	0.00%
July	42,188.32	81,260.24	105,524.99	32,831.55	51,808.98	-	6.21%	11.26%	13.14%	3.61%	5.50%	0.00%
August	82,965.72	5,326.70	124,497.78	80,720.90	3,882.56	-	12.63%	0.72%	16.70%	9.28%	0.41%	0.00%
September	70,813.95	114,619.44	168,215.28	(30,859.92)	(2,508.81)	-	10.98%	16.02%	20.26%	-3.09%	-0.26%	0.00%
Annual \$ Change	284,159.66	860,992.68	1,418,335.85	994,535.81	168,436.75	(235,733.92)	3.49%	10.21%	15.27%	9.29%	1.44%	-1.99%

TOTAL collections: FY 07	11,871,233
TOTAL est. b'dgt coll: FY 08	12,037,655
Budgeted Dollar Variance 07/08	166,422
Budgeted Percent Variance 07/08	1.40%

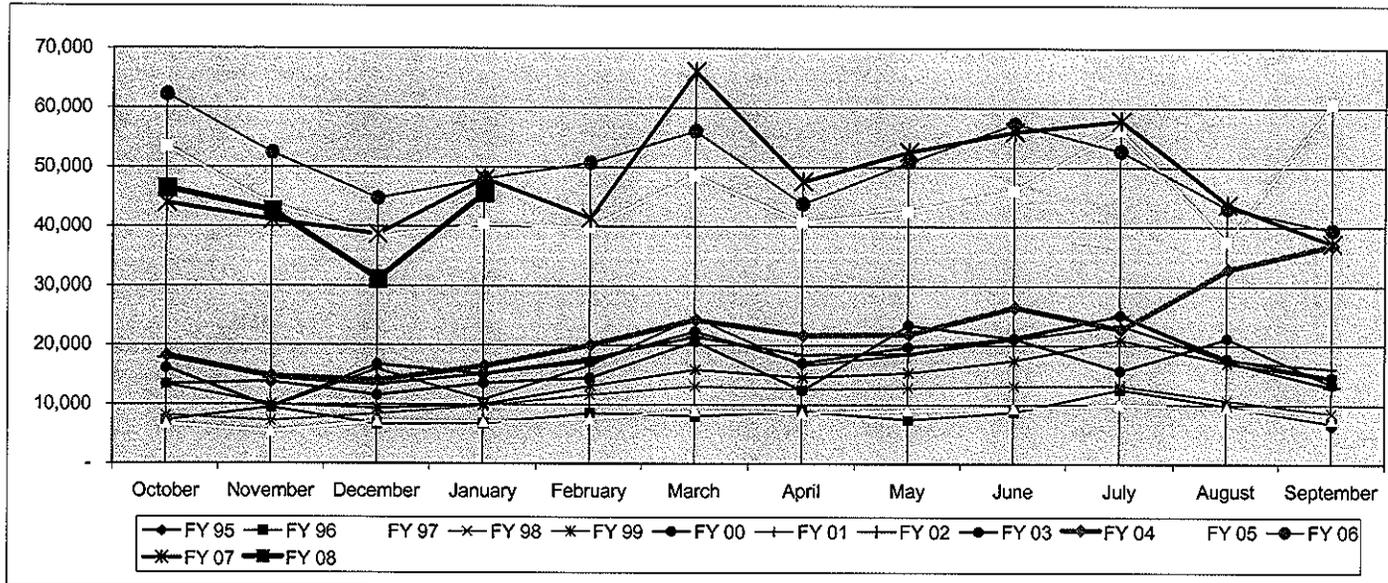
TOTAL collections: 1-31-08	3,725,107
Budgeted: 10-1-07 to 1-31-08	4,000,449
Actual Coll (<) Budget, 1-31-08	(275,342)
% Over/(Under) Budget, 1-31-08	-6.88%



Monthly Lodging Tax Collections

	<u>FY 95</u>	<u>FY 96</u>	<u>FY 97</u>	<u>FY 98</u>	<u>FY 99</u>	<u>FY 00</u>	<u>FY 01</u>	<u>FY 02</u>	<u>FY 03</u>	<u>FY 04</u>	<u>FY 05</u>	<u>FY 06</u>	<u>FY 07</u>	<u>FY 08</u>
October		7,228.60	6,701.69	8,042.55	13,241.96	13,344.97	16,021.98	17,757.16	16,103.81	18,110.90	53,490.95	62,191.49	43,874.01	46,360.47
November		9,371.57	5,419.99	7,156.30	9,963.87	13,712.88	9,378.73	14,346.00	9,488.82	14,652.46	43,652.17	52,326.23	41,028.15	42,599.84
December		6,580.10	7,076.44	8,327.51	9,303.23	11,505.34	15,885.37	13,257.40	16,693.64	13,940.92	38,197.96	44,694.55	38,605.47	31,081.14
January		6,765.39	6,990.72	9,704.80	9,934.03	13,517.89	10,802.39	15,150.55	15,089.26	16,416.20	40,334.81	48,014.80	48,012.19	45,607.80
February		8,466.36	7,536.69	11,579.98	13,024.87	14,425.61	16,482.91	17,680.30	17,174.37	19,952.91	39,797.68	50,684.11	41,381.78	
March		8,017.74	8,902.63	13,048.18	15,837.90	20,536.51	24,601.77	21,371.61	22,248.25	24,206.01	48,474.92	56,076.62	66,060.49	
April		8,802.85	8,533.40	12,559.65	14,513.45	12,327.50	16,532.24	18,354.06	16,974.57	21,626.29	40,666.33	43,813.91	47,594.84	
May		7,427.26	8,958.97	12,786.85	15,280.40	23,309.92	18,386.51	18,526.24	19,610.83	21,785.09	42,479.97	50,871.74	52,564.61	
June		8,672.68	9,359.82	13,101.68	17,379.01	21,073.57	20,948.57	21,322.07	21,031.35	26,336.81	46,037.59	57,338.25	55,924.22	
July		12,568.56	9,975.46	13,200.77	20,840.98	15,680.49	23,389.72	25,013.71	25,026.81	22,654.15	56,266.23	52,752.31	57,842.80	
August		9,721.13	9,549.66	10,730.24	17,009.26	21,117.00	17,432.39	17,223.03	17,749.12	32,788.35	37,501.21	43,139.77	43,701.41	
September	<u>6,371.27</u>	<u>6,806.02</u>	<u>7,400.70</u>	<u>8,586.97</u>	<u>14,397.17</u>	<u>13,393.86</u>	<u>16,116.04</u>	<u>12,997.60</u>	<u>14,563.86</u>	<u>36,847.13</u>	<u>60,635.33</u>	<u>39,398.90</u>	<u>37,180.99</u>	
Total	6,371.27	100,428.26	96,406.17	128,825.48	170,726.13	193,945.54	205,978.62	212,999.73	211,754.69	269,317.22	547,535.15	601,302.68	573,770.96	165,649.25

Ordinance 1997-28 adopted December 8, 1997 increased levy from 3% to 4%.



FY 2008 Budget
620,000
% Budget Collected,
12/31/2007
27%

UNAUDITED

GENERAL FUND

Summary Statement of Revenues, Expenditures, and
Changes in Fund Balance- Budgetary Basis
For the Month Ended September 30,

	GAAP Basis						Budgetary Basis	Amended Budget	Budgetary Variance	
	2002	2003	2004	2005	2006	2007			Over/(Under)	% Budget
Revenues										
Sales, Use, & luxury Taxes	8,593,728	8,918,504	9,806,455	11,277,480	12,288,352	12,465,597	12,465,597	12,454,975	10,622	0%
Payment in Lieu of Taxes	1,029,262	1,153,745	1,218,170	1,239,320	1,475,563	1,716,258	1,716,258	1,345,000	371,258	28%
Ad Valorem Taxes	2,546,138	2,669,631	2,935,349	3,015,895	3,496,126	3,703,278	3,833,565	3,331,000	502,565	15%
Licenses & Permits	710,195	1,641,990	1,590,786	1,811,698	2,015,129	2,434,848	2,434,848	1,888,300	546,548	29%
Other Revenues	1,258,336	1,343,111	1,348,152	1,225,379	1,881,621	1,733,464	1,733,464	1,369,462	364,002	27%
Total Revenues	14,137,660	15,726,980	16,898,912	18,569,772	21,156,792	22,053,444	22,183,731	20,388,737	1,794,994	9%
Expenditures										
General Government										
Personnel	1,232,025	1,279,929	1,389,961	1,478,445	1,591,656	1,743,498	1,743,498	1,903,220	(159,722)	-8%
Operating	756,861	812,081	873,542	901,943	1,016,114	1,084,191	1,077,911	1,228,187	(150,276)	-12%
Capital	181,907	85,904	32,088	47,287	385,151	289,663	61,500	62,000	(500)	-1%
	2,170,793	2,177,915	2,295,591	2,427,676	2,992,922	3,117,352	2,882,909	3,193,407	(310,498)	-10%
Public Safety										
Personnel	3,709,241	3,706,606	3,917,126	4,319,641	4,797,314	5,739,443	5,739,443	5,990,219	(250,776)	-4%
Operating	788,888	821,159	862,341	946,007	1,257,227	1,343,623	1,347,398	1,349,616	(2,218)	0%
Capital	91,751	574,740	457,881	316,302	382,399	497,153	419,834	422,834	(3,000)	-1%
	4,589,880	5,102,506	5,237,348	5,581,949	6,436,940	7,580,219	7,506,676	7,762,669	(255,993)	-3%
Public Works										
Personnel	1,742,683	1,747,597	1,824,638	2,016,411	2,085,262	2,263,382	2,263,382	2,428,537	(165,155)	-7%
Operating	1,101,349	1,013,271	1,156,045	1,219,722	1,219,925	1,326,219	1,320,717	1,411,051	(90,334)	-6%
Capital	198,174	466,323	304,805	514,648	1,474,150	628,614	866,880	845,873	21,007	2%
	3,042,205	3,227,191	3,285,489	3,750,781	4,779,337	4,218,216	4,450,980	4,685,461	(234,481)	-5%
Parks & Recreation										
Personnel	793,501	804,129	876,688	974,289	1,004,205	1,083,545	1,083,545	1,117,242	(33,697)	-3%
Operating	499,973	502,022	593,912	742,554	702,286	616,264	609,019	615,738	(6,719)	-1%
Capital	49,985	27,592	87,083	90,809	121,234	256,357	256,357	261,049	(4,692)	-2%
	1,343,458	1,333,743	1,557,684	1,807,653	1,827,725	1,956,166	1,948,921	1,994,029	(45,108)	-2%
Total Departmental										
Personnel	7,477,450	7,538,262	8,008,413	8,788,786	9,478,437	10,829,868	10,829,868	11,439,218	(609,350)	-5%
Operating	3,147,071	3,148,532	3,485,840	3,810,226	4,195,552	4,370,297	4,355,046	4,604,592	(249,546)	-5%
Capital	521,816	1,154,560	881,858	969,046	2,362,934	1,671,788	1,604,571	1,591,756	12,815	1%
	11,146,337	11,841,354	12,376,111	13,568,059	16,036,924	16,871,953	16,789,485	17,635,566	(846,081)	-5%
Other Financing Sources & Uses										
Debt Proceeds	160,524	589,292	6,738	-	-	-	-	-	-	-
Transfers to Debt Service	(2,117,358)	(2,319,414)	(1,950,980)	(1,962,965)	(2,483,006)	(2,668,795)	(2,668,795)	(2,668,795)	-	0%
Other Transfers & Uses	(978,963)	(665,696)	(2,070,089)	(1,044,618)	(165,796)	(1,375,997)	(1,438,452)	(1,257,714)	180,738	-14%
Total Other Financing Sources/Uses	(2,935,797)	(2,395,818)	(4,014,331)	(3,007,583)	(2,648,802)	(4,044,792)	(4,107,247)	(3,926,509)	180,738	-5%
Total Revenues Over Expenditures										
	55,526	1,489,808	508,470	1,994,130	2,471,065	1,136,699	1,286,998	(1,173,338)	2,460,336	
Unreserved Fund Balance, 10-01	2,381,054	2,386,488	3,825,172	4,106,801	5,968,130	8,795,401				
GAAP Basis Rev > Exp	55,526	1,489,808	508,470	1,994,130	2,471,065	1,136,699				
Prior Period Adjustment	-	-	-	-	310,590	-				
Increase in Reserve for Encumbrances	(52,730)	(51,124)	(226,841)	(156,668)	45,616	118,483				
Change in Designations	2,638	-	-	23,867	-	-				
Unreserved Fund Balance, 9-30	2,386,488	3,825,172	4,106,801	5,968,130	8,795,401	10,050,583				

SPECIAL REVENUES FUND
BALANCE SHEET
JANUARY 31, 2008

FUND:	<u>#4100</u>	<u>#4150</u>	<u>#4300</u>	<u>#4380</u>	<u>#4600</u>	<u>#4500</u>	<u>#4550</u>	<u>#4800</u>	<u>#4650</u>	<u>#4620</u>	<u>#4370</u>	<u>#4652</u>	<u>#4376</u>	<u>#4375</u>	
	<u>4 CENT</u>	<u>7 CENT</u>	<u>SAIL SITE</u>	<u>NON-MAJOR STORMS</u>	<u>LIBRARY</u>	<u>FED DRUG RECOVERIES</u>	<u>STATE DRUG RECOVERIES</u>	<u>LODGING TAX</u>	<u>MUNI CT: EQ/TRAINING</u>	<u>CONCESSION STAND</u>	<u>NRCS GRANT</u>	<u>CORRECTIONS/ COURT FUND</u>	<u>HURRICANE KATRINA</u>	<u>HURRICANE IVAN</u>	<u>TOTAL</u>
Assets															
Cash	165,096.05	248,875.30	11,144.80	-	-	-	-	-	-	-	-	-	-	-	425,116.15
Due From Other Funds	-	-	-	-	52,472.13	18,941.86	41,432.57	962,500.81	16,207.18	8,977.13	-	130,625.34	-	-	1,231,157.02
Due From Other Governments	4,001.31	5,181.74	-	-	-	-	-	-	-	-	-	-	13,361.43	-	22,544.48
Other Receivables	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Assets	169,097.36	254,057.04	11,144.80	-	52,472.13	18,941.86	41,432.57	962,500.81	16,207.18	8,977.13	-	130,625.34	13,361.43	-	1,678,817.65
Liabilities and Fund Balance															
Accounts Payable	-	-	1,031.43	-	-	-	-	1,554.06	-	-	-	-	-	-	2,585.49
Wages/Benefits Payable	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Due to Other Funds	-	353.91	9,668.90	-	-	-	-	-	-	-	-	-	13,361.43	-	23,384.24
Deferred Revenue	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Liabilities	-	353.91	10,700.33	-	-	-	-	1,554.06	-	-	-	-	13,361.43	-	25,969.73
Fund Balance, Unreserved	150,953.51	226,237.13	444.47	-	52,472.13	18,941.86	41,432.57	960,946.75	16,207.18	8,977.13	-	130,625.34	-	-	1,607,238.07
Fund Balance, Reserved for Encu	18,143.85	27,466.00	-	-	-	-	-	-	-	-	-	-	-	-	45,609.85
Total Fund Balance	169,097.36	253,703.13	444.47	-	52,472.13	18,941.86	41,432.57	960,946.75	16,207.18	8,977.13	-	130,625.34	-	-	1,652,847.92
Total Liabilities & Fund Balance	169,097.36	254,057.04	11,144.80	-	52,472.13	18,941.86	41,432.57	962,500.81	16,207.18	8,977.13	-	130,625.34	13,361.43	-	1,678,817.65

**SPECIAL REVENUES FUND
STATEMENT OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE
FOR THE MONTH ENDED JANUARY 31, 2008**

FUND:	# 4100	# 4150	# 4300	# 4380	# 4600	# 4500	# 4550	# 4800	# 4650	# 4620	# 4370	# 4652	# 4376	# 4375	TOTAL
	4 CENT	7 CENT	SAIL SITE	NON-MAJOR STORMS	LIBRARY	FED DRUG RECOVERIES	STATE DRUG RECOVERIES	LODGING TAX	MUNI CT: EQ/TRAINING	CONCESSION STAND	NRCS GRANT	CORRECTIONS/ COURT FUND	HURRICANE KATRINA	HURRICANE IVAN	
Revenues															
Fines & Forfeitures	-	-	-	-	7,180.90	-	13,735.72	-	1,585.00	-	-	26,051.77	-	-	48,553.39
Charges & Fees	-	-	-	-	1,662.00	12,523.23	-	-	-	361.00	-	-	-	-	14,546.23
Taxes	16,785.96	21,500.74	-	-	-	-	-	120,041.45	-	-	-	-	-	-	168,328.15
Intergovernmental	-	-	5,672.00	-	5,628.36	-	-	-	-	-	-	-	-	-	11,300.36
Grants	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Interest	1,298.31	1,982.15	-	-	-	-	24.04	-	204.41	-	-	1,561.86	-	-	5,070.77
Miscellaneous	-	-	2,584.00	-	5,933.58	-	-	-	-	-	-	-	-	-	8,517.58
	<u>18,084.27</u>	<u>23,482.89</u>	<u>8,256.00</u>	<u>-</u>	<u>20,404.84</u>	<u>12,523.23</u>	<u>13,759.76</u>	<u>120,041.45</u>	<u>1,789.41</u>	<u>361.00</u>	<u>-</u>	<u>27,613.63</u>	<u>-</u>	<u>-</u>	<u>246,316.48</u>
Expenditures															
Building/Equipmt Maintenance	-	-	102.16	-	582.25	-	-	-	-	-	-	1,484.21	-	-	2,168.62
Grant Expenditures	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Drainage	-	-	-	-	-	-	-	-	-	-	23,943.98	-	-	-	23,943.98
Street improvements	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Street Lighting/Traffic Control	-	960.98	-	-	-	-	-	-	-	-	-	-	-	-	960.98
Equipment Purchases	-	-	-	-	-	-	-	-	-	-	-	1,054.99	-	-	1,054.99
Equipment Lease/Rent	-	-	-	-	-	-	-	-	711.56	-	-	-	-	-	711.56
Vehicle Purchases	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Labor	-	-	11,300.51	-	3,868.16	-	-	-	-	-	-	-	-	-	15,168.67
Supplies	-	-	443.03	-	3,776.16	-	-	-	-	46.37	-	-	-	-	4,265.56
Prisoner Meals	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Contracted Services	-	-	-	-	300.00	-	-	-	-	-	-	-	-	-	300.00
Employee Support	-	-	-	-	238.90	-	-	-	-	-	-	-	-	-	238.90
Utilities	-	-	2,168.41	-	-	-	-	-	-	-	-	167.48	-	-	2,335.89
Property Purchased	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Costs of Debt issuance	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Miscellaneous	-	-	2,584.00	-	358.81	-	-	6,002.08	-	-	-	-	-	-	8,944.89
	<u>-</u>	<u>960.98</u>	<u>16,598.11</u>	<u>-</u>	<u>9,124.28</u>	<u>-</u>	<u>-</u>	<u>6,002.08</u>	<u>711.56</u>	<u>46.37</u>	<u>23,943.98</u>	<u>2,706.68</u>	<u>-</u>	<u>-</u>	<u>60,094.04</u>
Revenues Over (Under) Expenditures															
Before Other Financing Sources (Uses)	<u>18,084.27</u>	<u>22,521.91</u>	<u>(8,342.11)</u>	<u>-</u>	<u>11,280.56</u>	<u>12,523.23</u>	<u>13,759.76</u>	<u>114,039.37</u>	<u>1,077.85</u>	<u>314.63</u>	<u>(23,943.98)</u>	<u>24,906.95</u>	<u>-</u>	<u>-</u>	<u>186,222.44</u>
Other Financing Sources (Uses)															
General Long Term Debt Proceed	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Transfers to Other Funds	-	-	-	-	-	-	-	(73,876.68)	-	-	-	-	-	-	(73,876.68)
Transf from Other Funds	-	-	8,342.11	-	-	-	-	-	-	-	23,943.98	-	-	-	32,286.09
	<u>-</u>	<u>-</u>	<u>8,342.11</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(73,876.68)</u>	<u>-</u>	<u>-</u>	<u>23,943.98</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(41,590.59)</u>
Rev Over (Under) Expend	<u>18,084.27</u>	<u>22,521.91</u>	<u>-</u>	<u>-</u>	<u>11,280.56</u>	<u>12,523.23</u>	<u>13,759.76</u>	<u>40,162.69</u>	<u>1,077.85</u>	<u>314.63</u>	<u>-</u>	<u>24,906.95</u>	<u>-</u>	<u>-</u>	<u>144,631.85</u>
Fund Balance 10-1-07	151,013.09	231,181.22	444.47	-	41,191.57	6,418.63	27,672.81	920,784.06	15,129.33	8,662.50	-	105,718.39	-	-	1,508,216.07
Fund Balance 1-31-08	<u>169,097.36</u>	<u>253,703.13</u>	<u>444.47</u>	<u>-</u>	<u>52,472.13</u>	<u>18,941.86</u>	<u>41,432.57</u>	<u>960,946.75</u>	<u>16,207.18</u>	<u>8,977.13</u>	<u>-</u>	<u>130,625.34</u>	<u>-</u>	<u>-</u>	<u>1,652,847.92</u>

**CITY COUNCIL MEETING
REPORTS OF SPECIAL COMMITTEES**

NOTES:

BOARD OF ZONING ADJUSTMENTS REPORT:

DOWNTOWN REDEVELOPMENT AUTHORITY REPORT:

INDUSTRIAL DEVELOPMENT BOARD:

LIBRARY BOARD:

PLANNING COMMISSION REPORT:

RECREATION BOARD REPORT:

UTILITY BOARD REPORT:

**CITY OF DAPHNE
BOARD OF ZONING ADJUSTMENT MINUTES
REGULAR MEETING OF MARCH 6, 2008 - 6:00 P.M. DRAFT
COUNCIL CHAMBERS, CITY HALL**

The Chairman stated the number of members present constituted a quorum and the regular meeting of the Board of Zoning Adjustment was called to order at 6:00 p.m. First I would like to take a moment to welcome our newest member, Mr. Jim Moss to the Board of Zoning Adjustment. Mr. Moss is a hard worker, who studies the issues well. We welcome him aboard. The first order of business is the approval of the January 3rd minutes. Has everyone read the minutes? The Chair will entertain a motion to approve.

Approval of Minutes:

The minutes of the January 3, 2008 meeting were considered for approval.

A **Motion** was made by **Mr. Swaney** and **Seconded** by **Ms. Hargiss** to **approve the minutes as written.**

Upon roll call vote, **the Motion carried.**

Ms. Hargiss	Aye
Mr. Swaney	Aye
Mr. Mayhand	Aye
Mr. Moss	Abstained
Mr. Robison	Aye

The Chairman stated the next order of business is roll **call.**

Call of Roll:

Members Present:

Glen Swaney
Jeri Hargiss, Secretary
Willie Robison, Chairman
Billy Mayhand
Jim Moss

Member Absent:

Barry Taylor
Frank Lamb

Staff Present:

Adrienne Jones, City Planner
Pat Houston, Recording Secretary

Staff Absent:

**CITY OF DAPHNE
BOARD OF ZONING ADJUSTMENT MINUTES
REGULAR MEETING OF MARCH 6, 2008 - 6:00 P.M. DRAFT
COUNCIL CHAMBERS, CITY HALL**

William H. Eady, Sr., Director of Community Development

New Business:

Appeal #2008-01 - Kenneth & Jane Chambless

The Chairman stated next item on the agenda is Appeal #2008-01, Kenneth & Jane Chambless, a variance of the setback to allow the encroachment of the southwest setback line by five-feet. Ms. Jones, if you would, take us through it.

Ms. Jones displayed color transparencies of the house located at 102 Wildoak Drive. She stated as Mr. Robison has said this is a variance from Kenneth & Jane Chambless requesting an encroachment on the side yard setback line.

Mr. Swaney stated can you tell me if the house was built according to the Lake Forest Subdivision specifications?

Ms. Jones stated I can only assume that it was because I did not look at the plat, but in most cases similar to this they were developed outside of the City of Daphne Land Use Ordinance Zoning Regulations. It would have been built to the specs on the plat at that time. More than likely the answer would be yes. There is a representative for Mr. Chambless here, and I will yield the floor at this time.

The Chairman stated if you would, state your name for our record.

Ms. Briggs stated I am Lucinda Briggs with Remaxx by the Bay. I was the agent working with Mr. Chambless in purchasing this house. He purchased the house on December 7th of 2007, and we were to close on the 17th. The seller indicated that she had an existing survey which we were willing to accept. Over the next few days she was not able to find her survey so that is what brings us here today. She called and said she could not find it. So we hired a surveyor, had one done, and got it back two days before we were to close and found out about the encroachment. So neither, the buyer or the seller was aware that there was an encroachment. We had a situation by this time because we had sold his house in Stapleton and closed on it, and his furniture was on a moving truck. He felt like he had no choice, but to go ahead and close on the property. I had never been involved with an encroachment before so I called to see if we could get it done it two days and was told no that we had to get on an agenda. So we went ahead and closed and as soon as that happened we made an appointment to get on the agenda.

Ms. Briggs stated because Mr. Chambless was trying to do the right thing in wanting it corrected too. He had no idea neither did the

**CITY OF DAPHNE
BOARD OF ZONING ADJUSTMENT MINUTES
REGULAR MEETING OF MARCH 6, 2008 - 6:00 P.M. DRAFT
COUNCIL CHAMBERS, CITY HALL**

seller. So that is why we are here asking for a variance. Mr. Chambless was due to be here, and it is my guess that he probably cannot find the building, but he was supposed to be here as well.

Mr. Swaney stated I would like to ask a question just for my information really. Is the house built to the Lake Forest Subdivision setback standards?

Ms. Briggs stated I would have to honestly say I do not know.

Ms. Clark stated maybe I can answer that. She didn't have any real estate representation when she built the house. Obviously, I am not sure. They did not have a problem going before whom ever they went before at that time.

The Chairman stated excuse me. What year was this house built?

Ms. Clark stated in 2004.

Mr. Swaney stated I was just wondering.

The Chairman stated in 2004 Lake Forest would have been part of the City of Daphne. It was annexed in around the 80's. My question would be whether or not the surveyor messed up with the setbacks or the contractor. Somebody signed off on it with it being under the Land Use Ordinance for the City of Daphne. Somebody somewhere along the line messed up and built the house, to me, over the required ten foot setback, since it was built in 2004.

Ms. Clark stated was a survey required at that time?

The Chairman stated I am not sure, but if it was not then the builder should have known what the setbacks requirements were.

Ms. Jones stated if you look between the driveway and the house it is approximately off by ten-feet. It appears they shifted the house by that much.

Mr. Moss stated the lot lines are skewed, and it would be very easy to miss something if you did it that way. The lines are not parallel.

Ms. Jones stated right.

Mr. Moss stated but that would have been the responsibility of the contractor.

Ms. Jones stated I think it was the recommendation of Mr. Eady to approve this variance.

CITY OF DAPHNE
BOARD OF ZONING ADJUSTMENT MINUTES
REGULAR MEETING OF MARCH 6, 2008 - 6:00 P.M. DRAFT
COUNCIL CHAMBERS, CITY HALL

The Chairman stated any additional questions? If not, the Chair will entertain a motion. The motion must be in the affirmative.

A Motion was made by Mr. Swaney and Seconded by Ms. Hargiss to approve Appeal #2008-01, for a variance to allow the southwest corner of the residential structure located at 102 Wildoak Drive to encroach the side setback line by five-feet.

Upon roll call vote, the Motion carried unanimously.

Ms. Hargiss	Aye
Mr. Swaney	Aye
Mr. Mayhand	Aye
Mr. Moss	Aye
Mr. Robison	Aye

Ms. Briggs stated thank you very much.

The Chairman stated is this Mr. Chambless coming in now?

Ms. Briggs stated no.

The Chairman stated are you in opposition to this appeal? If so, it is too late we have already taken a vote.

Ms. Brunson stated thank you so much.

The Chairman stated when can they pick that up, Pat?

Ms. Houston stated first thing in the morning.

The Chairman stated around 9:15 a.m. You know where the Planning Department is?

Ms. Briggs stated yes, sir.

The Chairman stated if there is no other business the Chair will entertain a motion to adjourn.

Adjournment:

A Motion was made by Mr. Swaney and Seconded by Mr. Mayhand to adjourn.

The Motion carried unanimously.

CITY OF DAPHNE
BOARD OF ZONING ADJUSTMENT MINUTES
REGULAR MEETING OF MARCH 6, 2008 - 6:00 P.M. DRAFT
COUNCIL CHAMBERS, CITY HALL

There being no further business the meeting was adjourned at 6:31 p.m.

Respectfully submitted by:

Pat Houston, Recording Secretary

APPROVED: March 6, 2008

Willie Robison, Chairman

/ph

SET PUBLIC HEARING DATE

FOR

APRIL 21, 2008

- 1.) Annexation: Holy Trinity Lutheran Church / Property located on Whispering Pines Road / Requested zoning / R-3, High Density Single Family Residential District

To: Office of the City Clerk
From: William H. Eady, Sr., Director of **MEMORANDUM**
Community Development
Subj: Holy Trinity Lutheran Church
Date: March 6, 2008

At the regular meeting of the City of Daphne Planning Commission, February 28, 2008, six members were present and the vote carried unanimously for the affirmative recommendation of the above-mentioned annexation request. The recommendation was this parcel to be annexation as R-3, High Density Single Family Residential.

Upon receipt of said documentation, please place on the appropriate agenda for action by the City Council.

If you should have any questions, please do not hesitate to contact the undersigned.

Thank you,

WHE/jd

cc: file

STATE OF ALABAMA

COUNTY OF BALDWIN

PETITION FOR ANNEXATION OF CERTAIN PROPERTY
INTO THE CORPORATE LIMITS OF THE MUNICIPALITY
OF THE CITY OF DAPHNE, ALABAMA

(HOLY TRINITY LUTHERAN CHURCH)

The undersigned, HOLY TRINITY LUTHERAN CHURCH, files this petition with the Clerk of the City of Daphne requesting the property hereafter described commonly referred to as HOLY TRINITY LUTHERAN CHURCH to be annexed into the City of Daphne, a municipal corporation incorporated under the laws of the State of Alabama, and submits the following in support of its petition:

1. Description Of Property: The description of the property which Petitioner requests to be annexed into the City of Daphne is described in Exhibit "A" attached hereto and made a part of this Petition as if fully set out herein (the "Property").

2. Map Of Property: Attached hereto as Exhibit "B" and made a part of this Petition, is a map of the Property showing its relationship to the corporate limits of the municipality of the City of Daphne.

3. Owner: The Petitioner, HOLY TRINITY LUTHERAN CHURCH, is the owner of the Property hereby sought to be annexed into the corporate limits of the City of Daphne.

4. Specific Conditions: This Petition is conditioned upon the adoption of an ordinance, which shall include specifically the conditions requested below upon annexing the said Property into the corporate limits of the City of Daphne. Please state the requested zoning, if other than R-1, or any other conditions which may apply upon annexation:

R-3, HIGH DENSITY SINGLE FAMILY RESIDENTIAL

5. Code: This Petition is filed pursuant to the provisions of Article 21, Chapter 42, Title 11, Code of Alabama, 1975, as amended.

DATED this 1st day of February, 2008.

Respectfully submitted,

Holy Trinity Lutheran Church
Name of Corporation

By: Robert F. Patton

Its: President

STATE OF ALABAMA
COUNTY OF BALDWIN

I, the undersigned Notary Public in and for said State and County, hereby certify that Robert F. Patton whose name as president of Holy Trinity Lutheran Church Alabama corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he as such officer and with full authority, executed the same voluntarily on the day same bears date.

GIVEN under my hand and official seal on this the 1st day of February, 2008.

Allen Rudette (NOTARY SEAL)

NOTARY PUBLIC

My commission expires: June 4, 2008

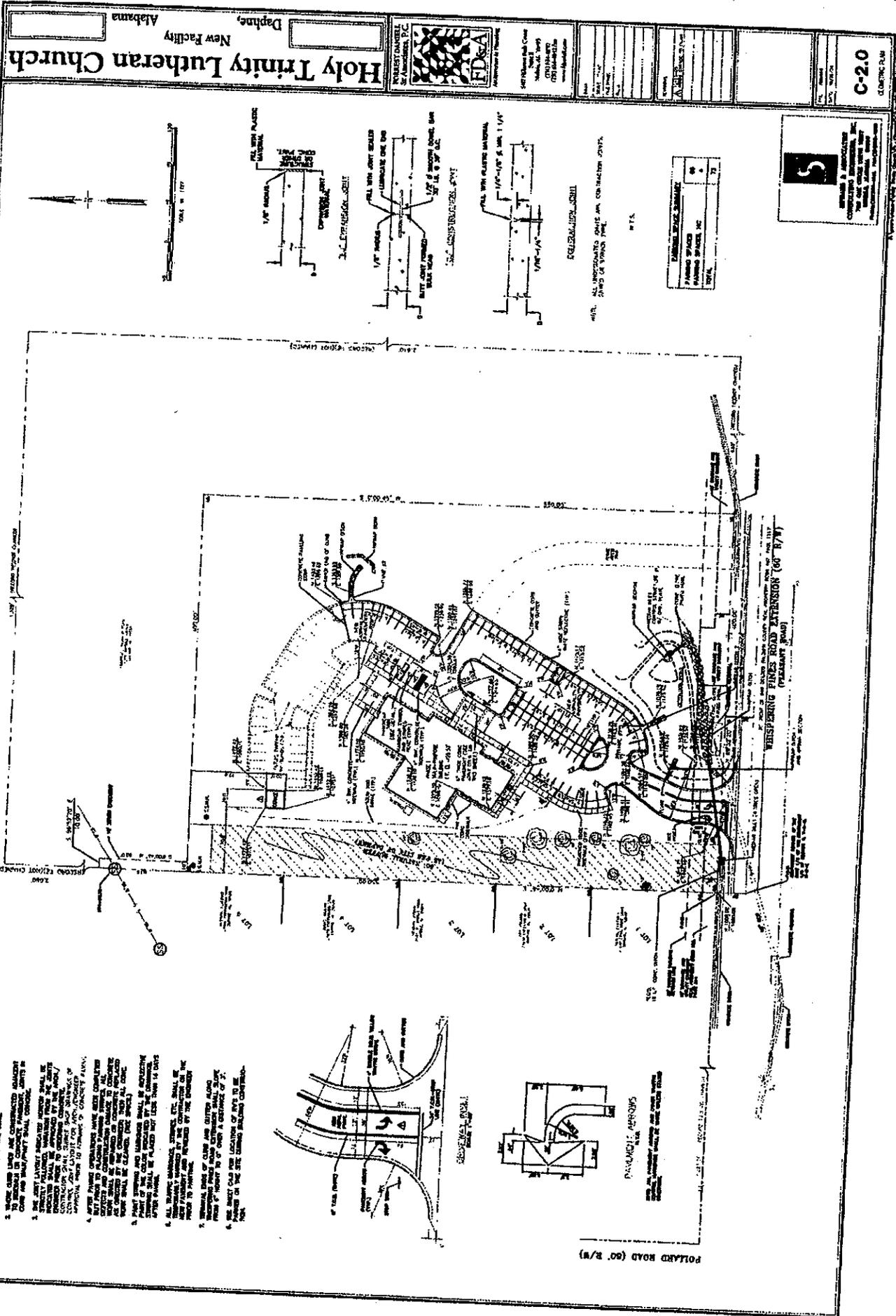
HOLY TRINITY LUTHERAN CHURCH LEGAL DESCRIPTION

EXHIBIT "A"

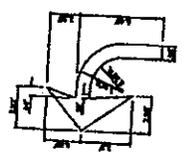
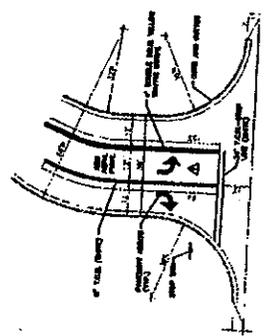
Commencing at the Southwest corner or the East Half of the Southwest Quarter of Section 9, Township 5 South, Range 2 East, Baldwin County, Alabama; thence run North 00 degrees 00 minutes 46 seconds East, 30 feet to a point on the North right-of-way line of Whispering Pines Road and the Point of Beginning of the property herein described; thence continue North 00 degrees 00 minutes 46 seconds East, along the East line of Creekside Subdivision Unit One, as recorded in Slide 1656B in the Office of the Judge of Probate, Baldwin County, Alabama, a distance of 550 feet to a point; thence run South 89 degrees 52 minutes 20 seconds East, 400 feet to a point; thence run South 00 degrees 00 minutes 46 seconds West, 550 feet to a point on the North line of said Whispering Pines Road; thence run North 89 degrees 52 minutes 20 seconds West, along said North line 400 feet to the point of beginning. Being also known as Lot 1, Julian Guarisco Subdivision, as per plat thereof recorded in Slide No. 2012-F of the records in the Office of the Judge of Probate, Baldwin County, Alabama. Said parcel contains 5.05 acres, more or less.

Lot 1, Julian Guarisco Subdivision

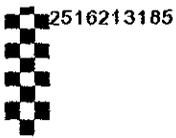
annexation
exhibit "B"



- NOTES:
1. DIMENSIONS SHOWN TO CENTER UNLESS OTHERWISE NOTED.
 2. THE CHURCH LAYOUT AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF DAPHNE, ALABAMA, ZONING ORDINANCE AND ALL APPLICABLE CODES.
 3. THE CHURCH LAYOUT SHALL BE IN ACCORDANCE WITH THE CITY OF DAPHNE, ALABAMA, ZONING ORDINANCE AND ALL APPLICABLE CODES.
 4. THE CHURCH LAYOUT SHALL BE IN ACCORDANCE WITH THE CITY OF DAPHNE, ALABAMA, ZONING ORDINANCE AND ALL APPLICABLE CODES.
 5. THE CHURCH LAYOUT SHALL BE IN ACCORDANCE WITH THE CITY OF DAPHNE, ALABAMA, ZONING ORDINANCE AND ALL APPLICABLE CODES.
 6. THE CHURCH LAYOUT SHALL BE IN ACCORDANCE WITH THE CITY OF DAPHNE, ALABAMA, ZONING ORDINANCE AND ALL APPLICABLE CODES.
 7. THE CHURCH LAYOUT SHALL BE IN ACCORDANCE WITH THE CITY OF DAPHNE, ALABAMA, ZONING ORDINANCE AND ALL APPLICABLE CODES.
 8. THE CHURCH LAYOUT SHALL BE IN ACCORDANCE WITH THE CITY OF DAPHNE, ALABAMA, ZONING ORDINANCE AND ALL APPLICABLE CODES.
 9. THE CHURCH LAYOUT SHALL BE IN ACCORDANCE WITH THE CITY OF DAPHNE, ALABAMA, ZONING ORDINANCE AND ALL APPLICABLE CODES.
 10. THE CHURCH LAYOUT SHALL BE IN ACCORDANCE WITH THE CITY OF DAPHNE, ALABAMA, ZONING ORDINANCE AND ALL APPLICABLE CODES.



POLLARD ROAD (60' R/W)



TO: FRED SMALL, MAYOR RICHARD MERCHANT, BUILDING OFFICIAL
CC: ROB MCELROY, UTILITIES BD CHIP MARTIN, FIRE MARSHAL

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF FEBRUARY 28, 2008 - 6:00 P.M.
COUNCIL CHAMBERS, CITY HALL

- 1. **CALL TO ORDER** DATE: MARCH 6, 2008
- 2. **CALL OF ROLL** WHE/JD
- 3. **APPROVAL OF MINUTES:** *The Regular Meeting of January 24, 2008.*
- 4. **NEW BUSINESS:**

A. PRELIMINARY/FINAL PLAT REVIEW:

- 1. **File SDPF08-03:** (TABLED)

Subdivision: Sportman's Marine

Location: On U. S. Highway 98 North of Gable Street
Area: 6.71 Acres ±, (5) lots
Owner: Hank Miner
Engineer: Hutchinson, Moore & Rauch - Christopher Baker

B. PRELIMINARY PLAT REVIEW:

- 1. **File SDP08-01:** (APPROVED)

Subdivision: Daphne Business Park, Unit III

Location: Southeast of U. S. Highway 98 and Stanton Road
Area: 31.12 Acres ±, (8) lots
Owner: Joe Johnson
Engineer: Jinright & Associates - Trey Jinright
- 2. **File SDP08-02:** (DENIED)

Subdivision: Paradiso

Location: Main Street
Area: 12.68 Acres ±, (17) lots
Owner: Herndon Oil Company
Engineer: Volkert & Associates - Steve Pumphrey

C. SITE PLAN REVIEW:

- 1. **File S08-03:** (TABLED)

Site: Sportman's Marine

Location: On U. S. Highway 98 North of Gable Street
Area: 0.81 Acres ±
Owner: Hank Miner
Engineer: Hutchinson, Moore & Rauch - Christopher Baker

ORDINANCE NO. 2008-

**FOR THE ANNEXATION OF CERTAIN PROPERTY TO THE CORPORATE LIMITS
OF THE MUNICIPALITY OF THE CITY OF DAPHNE, ALABAMA**

**Holy Trinity Lutheran Church Annexation
(Property located on Whispering Pine Road)**

**BE IT ORDAINED BY CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, AS
FOLLOWS:**

WHEREAS, the owners of the property described in Section 2 of this Ordinance have signed and filed a written petition with the City Clerk of the City of Daphne, Alabama, requesting that such property be annexed to the corporate limits of the City of Daphne, Alabama; and,

WHEREAS, all of such property is located and contained within an area contiguous to the corporate limits of the City of Daphne, Alabama and does not lie within the corporate limits or police jurisdiction of any other municipality; and,

WHEREAS, said petition contains an accurate description of the property or territory proposed to be annexed together with a map of said property showing its relationship to the corporate limits of the City of Daphne; and,

WHEREAS, said petition has been presented to the Planning Commission of the City of Daphne on February 28, 2008 and a affirmative recommendation was **approved** for the City Council to consider said request for annexation and said property **shall be zoned R-3, High Density Single Family Residential District**; and,

WHEREAS, after proper publication, a public hearing was held by the City Council on April 21, 2008 concerning the petition for annexation; and,

WHEREAS, the City Council of the City of Daphne, Alabama has determined that it is in the best interest of said City that the property described in Section 2 hereof be annexed to the corporate limits of the City of Daphne, and that all the requirements of Sections 11-42-21 through 11-42-24, Code of Alabama, 1975, as amended have been complied with by said Petitioner.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
DAPHNE, ALABAMA**, as follows:

SECTION 1: CONSENT TO ANNEXATION. The City Council of the City of Daphne, Alabama does by this Ordinance assent to the annexation of the property described in Section 2 of this Ordinance to the corporate limits of the City of Daphne, Alabama, and does by the adoption of this Ordinance, extend and rearrange said corporate limits to embrace and include such property.

SECTION 2: THE PROPERTY. That property requested to be annexed into the City of Daphne is described in Exhibit "A", attached hereto and made a part of this Ordinance as if fully set out herein.

SECTION 3: MAP OF PROPERTY. The property hereby annexed to the City of Daphne, Alabama, is set forth and described in Exhibit "B" and attached hereto a map of the property showing its relationship to the corporate limits of the municipality of the City of Daphne and made a part of this Ordinance.

SECTION 4: PUBLICATION. This Ordinance shall be published as required by Section 11-42-21, Code of Alabama, 1975, as amended, and the property described herein shall be annexed to the corporate limits of the City of Daphne, Alabama, upon such publication.

SECTION 5: PROBATE COURT. A description of the property described in this Ordinance shall be filed in the Office of the Judge of Probate of Baldwin County, Alabama, as required by Section 11-42-21, Code of Alabama, 1975, as amended.

"Exhibit A"

LEGAL DESCRIPTION:

Commencing at the Southwest corner or the East Half of the Southwest Quarter of Section 9, Township 5 South, Range 2 East, Baldwin County, Alabama; thence run North 00 degrees 00 minutes 46 seconds East, 30 feet to a point on the North right-of-way line of Whispering Pines Road and the Point of Beginning of the property herein described; thence continue North 00 degrees 00 minutes 46 seconds East, along the East line of Creekside Subdivision Unit One, as recorded in Slide 1656B in the Office of the Judge of Probate, Baldwin County, Alabama, a distance of 550 feet to a point; thence run South 89 degrees 52 minutes 20 seconds East, 400 feet to a point; thence run South 00 degrees 00 minutes 46 seconds West, 550 feet to a point on the North line of said Whispering Pines Road; thence run North 89 degrees 52 minutes 20 seconds West, along said North line 400 feet to the point of beginning. Being also known as Lot 1, Julian Guarisco Subdivision, as per plat thereof recorded in Slide No. 2012-F of the records in the Office of the Judge of Probate, Baldwin County, Alabama. Said parcel contains 5.05 acres, more or less.

Lot 1, Julian Guarisco Subdivision

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA on this _____ day of _____, 2008.

Greg Burnam
Council President
Date & Time Signed: _____

Fred Small
Mayor
Date & Time Signed: _____

ATTEST:

David L. Cohen
City Clerk, MMC

PLEASE Publish in the Bulletin Legal Section on Saturday,
March 22, 2008

FIRST NOTICE OF PUBLIC HEARING

Notice is hereby given the first time that the City Council of the City of Daphne will hold a Public Hearing on April 21, 2008 at 6:30 pm in the Council Chambers at City Hall, 1705 Main Street, Daphne, Alabama. The public is welcome to attend and offer comments opposing or favoring a proposed Ordinance annexing certain property as presented below. Any person with an American's with Disabilities Act disability must contact the City Clerk's office ten days prior to the Public Hearing, in order for accommodations to be made.

David L. Cohen, City Clerk, MMC

PROPOSED ORDINANCE:

ORDINANCE NO. 2008-

**FOR THE ANNEXATION OF CERTAIN PROPERTY TO THE CORPORATE
LIMITS
OF THE MUNICIPALITY OF THE CITY OF DAPHNE, ALABAMA**

**Holy Trinity Lutheran Church Annexation
(Property located on Whispering Pine Road)**

**BE IT ORDAINED BY CITY COUNCIL OF THE CITY OF DAPHNE,
ALABAMA, AS FOLLOWS:**

WHEREAS, the owners of the property described in Section 2 of this Ordinance have signed and filed a written petition with the City Clerk of the City of Daphne, Alabama, requesting that such property be annexed to the corporate limits of the City of Daphne, Alabama; and,

WHEREAS, all of such property is located and contained within an area contiguous to the corporate limits of the City of Daphne, Alabama and does not lie within the corporate limits or police jurisdiction of any other municipality; and,

WHEREAS, said petition contains an accurate description of the property or territory proposed to be annexed together with a map of said property showing its relationship to the corporate limits of the City of Daphne; and,

WHEREAS, said petition has been presented to the Planning Commission of the City of Daphne on February 28, 2008 and a affirmative recommendation was **approved** for the City

PLEASE Publish in the Bulletin Legal Section on Saturday, March 29, 2008

SECOND NOTICE OF PUBLIC HEARING

Notice is hereby given the second time, the first notice was published on March 22, 2008 that the City Council of the City of Daphne will hold a Public Hearing on April 21, 2008 at 6:30 pm in the Council Chambers at City Hall, 1705 Main Street, Daphne, Alabama. The public is welcome to attend and offer comments opposing or favoring an Ordinance annexing certain property as presented below. Any person with an American's with Disabilities Act disability must contact the City Clerk's office ten days prior to the Public Hearing, in order for accommodations to be made.

David L. Cohen, City Clerk, MMC

PROPOSED ORDINANCE:

ORDINANCE NO. 2008-

**FOR THE ANNEXATION OF CERTAIN PROPERTY TO THE CORPORATE
LIMITS
OF THE MUNICIPALITY OF THE CITY OF DAPHNE, ALABAMA**

**Holy Trinity Lutheran Church Annexation
(Property located on Whispering Pine Road)**

**BE IT ORDAINED BY CITY COUNCIL OF THE CITY OF DAPHNE,
ALABAMA, AS FOLLOWS:**

WHEREAS, the owners of the property described in Section 2 of this Ordinance have signed and filed a written petition with the City Clerk of the City of Daphne, Alabama, requesting that such property be annexed to the corporate limits of the City of Daphne, Alabama; and,

WHEREAS, all of such property is located and contained within an area contiguous to the corporate limits of the City of Daphne, Alabama and does not lie within the corporate limits or police jurisdiction of any other municipality; and,

WHEREAS, said petition contains an accurate description of the property or territory proposed to be annexed together with a map of said property showing its relationship to the corporate limits of the City of Daphne; and,

WHEREAS, said petition has been presented to the Planning Commission of the City of Daphne on February 28, 2008 and a affirmative recommendation was **approved** for the City Council to consider said request for annexation and said property **shall be zoned R-3, High Density Single Family Residential District**; and,

WHEREAS, after proper publication, a public hearing was held by the City Council on April 21, 2008 concerning the petition for annexation; and,

/END SYNOPSIS

**Daphne Public Library Board
February 7, 2008
Meeting Minutes**

In Attendance:

Library Director Tonja Young; Board Members Cassandra Day, Dee Gambill, and Gayle Robinson; Board Chairman Ron Allen; Foundation Committee Member Jan Blankenhorn; City Council Liaison Gus Palumbo.

1) Call to Order:

After a quorum was established, Board Chairman Ron Allen called the meeting to order at 4:00 pm.

2) Reading and Approval of the Minutes:

The minutes of the January 3, 2008 meeting were reviewed and approved. Motion made by Dee, second by Gayle. Motion passed.

3) Chairman's Update on Library Foundation Status:

Ron stated that he had filed the 501 (c)3 application papers for the foundation. He stated that the Board needed to complete a 'conflict of interest' form provided by the IRS to accompany the application. The form basically states that no Board member will profit from doing business with the foundation. Motion made by Cassandra, second by Gayle. Motion passed.

4) Discussion of Open Board Position:

It was discussed that Mary Riser's term had expired and that she had also failed to appear at three consecutive meetings. The Board discussed the nomination of a replacement for the fifth Board position. Jan Blankenhorn was nominated to be recommended to the council as the fifth Library Board of Trustees member. Motion by Gayle, second by Dee. Motion passed.

5) Reports

The statistical report for January, 2008 was presented by Tonja. Total circulation was 20,574 items compared to 21,199 items for January, 2007 or a drop of 2.95%. The number of people using the library was 17,261 compared to 17,016 for January, 2007 or an increase of 1.44%. The library processed 1,620 interlibrary loans and

added 173 new patrons to the system in January (40 junior, 133 adult). Volunteers worked 94.5 hours and 513 reference questions were answered. Total attendance for children's programs was 459; attendance for young adult programs was 11; attendance for adult programs was 46. Meeting room users totaled 726. Computer users totaled 1355. A total of 378 new items were cataloged in adult materials, while 120 new items were cataloged for children's collections.

Tonja announced that the new part time employees Catherine Anderson and Gwenda Peterson had begun working and their training was going well.

Upcoming events were discussed, including the Alabama Humanities Speaker, Frances Robb, scheduled for February 12 and the quilters of Gee's Bend scheduled for February 15 in the Civic Center.

Training of staff was discussed including the applications of Louise and Cathy for the online MLS program and the completion of their grant applications. Tonja stated that Louise had attended a YA Programming and Literature Workshop, and that Becky and Adele had attended a front desk management training course. It was announced that Louise, Cathy, and Rhonda would attend the State Children's and YA's Summer Program Workshop on February 26, and that Rhonda and Cathy would attend a storytelling workshop in Mobile on February 28.

Tonja stated that the first ads for the Public Awareness Campaign by ROC Group were scheduled to run in February.

7) Citizen Participation

Council Liaison Gus Palumbo stated that the library should coordinate with Joe Roh at DHS about the IB Program. This would allow the library to better serve the school's new program, as well as opening opportunities for funding reference and other materials.

9) Other Business

No other business.

10) Adjourned

The meeting was adjourned by Ron at 5:00 pm.

Respectfully submitted by T. Young, Feb 19, 2008

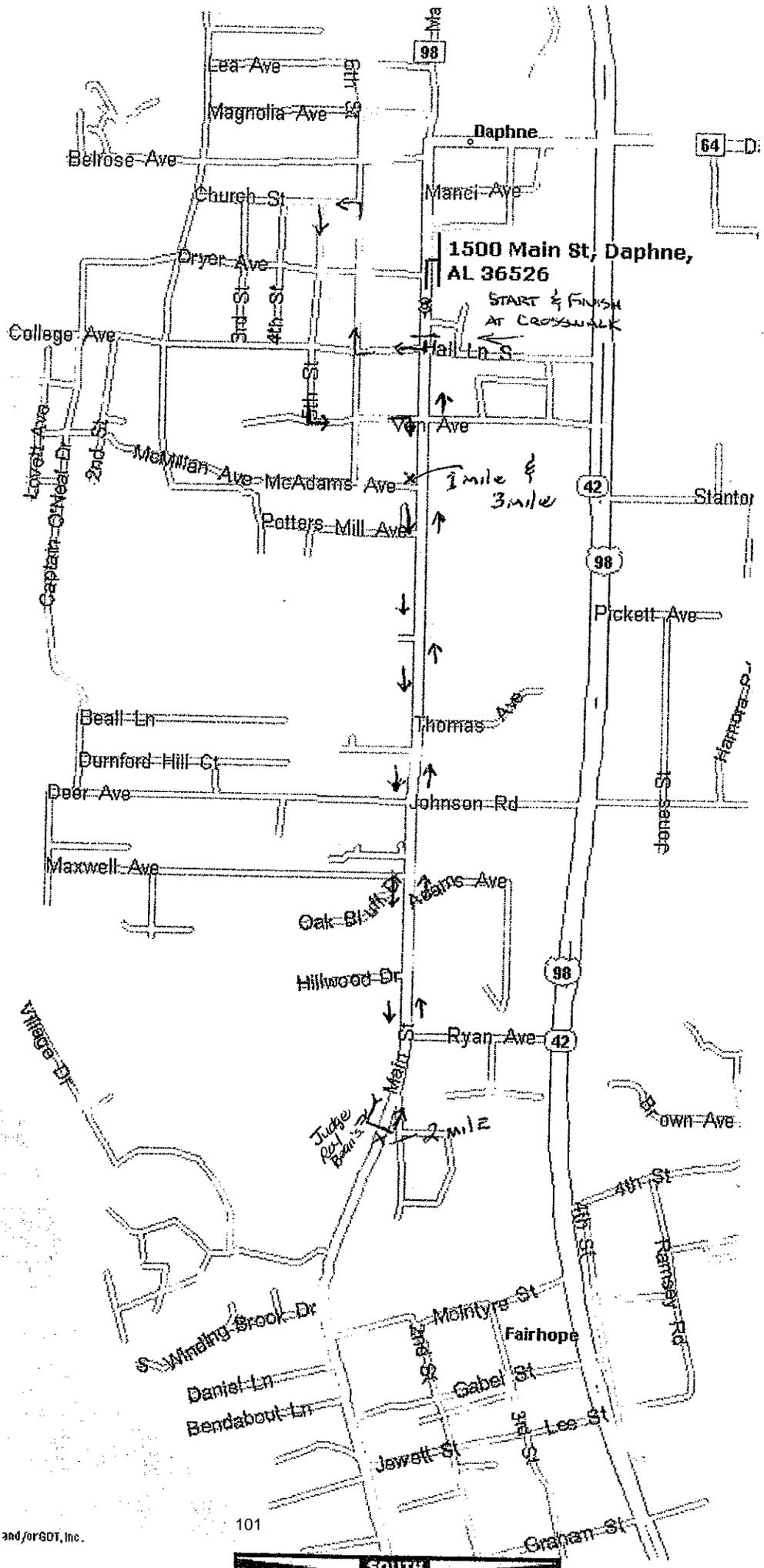
**CITY COUNCIL MEETING
MAYOR'S REPORT**

NOTES:

CITY OF DAPHNE PARADE PERMIT

ORGANIZATION:	<i>Bayside Medical Missions</i>
CONTACT PERSON:	<i>Robin McLain</i>
ADDRESS:	<i>20795 Lowry Drive Fairhope, AL</i>
PHONE NUMBER (HOME):	<i>928-9622</i>
PHONE NUMBER (BUSINESS):	
CELL NUMBER:	<i>391-9292</i>
TYPE OF PARADE:	<i>5K & 1 Mile Run</i>
DATE OF PARADE:	<i>September 27, 2008 - Saturday</i>
ROUTE TO BE TRAVELED:	<i>See Attached Map</i>
APPROXIMATE # OF PEOPLE & CARS:	<i>300</i>
START TIME:	<i>8:00 A.M.</i>
STOP TIME:	<i>11:00 A.M.</i>
ASSEMBLY AREA/STREET:	<i>Frame Corner on Main Street and College Avenue</i>
ASSEMBLY TIME:	<i>7:45 A.M.</i>
SPECIAL INSTRUCTIONS:	<i>Block off Course / Spoke w/Tracy Bishop</i>
DATE APPLIED:	<i>February 27, 2008</i>
APPROVAL	
POLICE: Chief David Carpenter:	<i>David Carpenter</i>
FIRE: Chief James White	<i>James White</i>
PUBLIC WORKS: Melvin McCarley	<i>Melvin McCarley</i>
CITY COUNCIL APPROVAL: 3-17-08	
SPECIAL INSTRUCTIONS:	
DATE ROUTED:	<i>February 27, 2008</i>
NOTIFICATION:	

M o b i l e B a y



Mobile Bay

CITY ATTORNEY'S REPORT

NOTES:

DEPARTMENT HEAD'S COMMENTS

**CITY COUNCIL MEETING
RESOLUTIONS, ORDINANCES, ORDERS & OTHER BUSINESS**

NOTES:

RECOMMENDATIONS

COUNCIL COMMENTS:

RESOLUTION 2008 – 09

PREPAID TRAVEL

**BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA
HEREBY AUTHORIZES THE FOLLOWING:**

prepaid travel expenses are approved for the purpose and amount indicated below for the following:

Leah Henry, Court Magistrate, Certification Training and Maintenance Training Institute for Municipal Court Clerks and Magistrates, March 25-28, 2008, Tuscaloosa, AL - \$140

Dewayne Stephens, Mechanic, HEIL Factory Training, Fort Payne, AL, April 8-11, 2008 - \$140

A complete expense summary with receipts will be submitted and approved by the Mayor upon return from the above.

APPROVED AND ADOPTED BY THE CITY COUNCIL, CITY OF DAPHNE, ALABAMA on this ___-__ day of _____, 2008.

Greg Burnam
Council President
Date & Time Signed: _____

Fred Small
Mayor
Date & Time Signed: _____

ATTEST:

David L. Cohen, City Clerk MMC

RESOLUTION NO. 2008- 10
2008-D-PW / HYDRO MOWER

WHEREAS, The City of Daphne is required under section 41-16-20 of the Code of Alabama to secure competitive bids for items in excess of \$7,500; and

WHEREAS, The City of Daphne acknowledges that the cost for the PW / HYDRO MOWER will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the PW / HYDRO MOWER and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the PW / HYDRO MOWER be awarded to M & I Equipment & Engine, Inc.; and

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, hereby accept the bid of M & I Equipment & Engine, Inc. for the amount of \$97,953.11 as specified in BID SPECIFICATION NO: 2008-D-PW / HYDRO MOWER.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2008.

Greg Burnam, Council President
Date & Time Signed:_____

Fred Small, Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen, City Clerk MMC

RESOLUTION NO. 2008 – 11

2008-E-PD/DIGITAL IN-CAR VIDEO SYSTEMS

WHEREAS, The City of Daphne is required under section 41-16-20 of the Code of Alabama to secure competitive bids for items in excess of \$7,500; and

WHEREAS, The City of Daphne acknowledges that the cost for the PD/DIGITAL IN-CAR VIDEO SYSTEMS will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the PD/DIGITAL IN-CAR VIDEO SYSTEMS and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the PD/DIGITAL IN-CAR VIDEO SYSTEMS be awarded to Kustom Signals, Inc.. .

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, hereby accept the bid of Kustom Signals, Inc.. for unit cost as bid herein and made a part hereof for BID SPECIFICATION NO. 2008-E-PD/DIGITAL IN-CAR VIDEO SYSTEMS.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2008.

Greg Burnam, Council President
Date & Time Signed:_____

Fred Small, Mayor
Date & Time Signed:_____

ATTEST:

David L. Cohen, City Clerk MMC

RESOLUTION NO. 2008 – 12

2008-F-ATHLETIC FIELD MARKING PAINT

WHEREAS, The City of Daphne is required under section 41-16-20 of the Code of Alabama to secure competitive bids for items in excess of \$7,500; and

WHEREAS, The City of Daphne acknowledges that the cost for the ATHLETIC FIELD MARKING PAINT will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the ATHLETIC FIELD MARKING PAINT and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the ATHLETIC FIELD MARKING PAINT be awarded to Pioneer Manufacturing Company.

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, hereby accept the bid of Pioneer Manufacturing Company for unit cost listed as follows:

White Field Marking Paint	\$ 69.50 (5 Gallon Bucket)
Gold Field Marking Paint	\$ 65.00 (5 Gallon Bucket)
Purple Field Marking Paint	\$ 86.00 (5 Gallon Bucket)
White Aerosol (22 oz)	\$ 43.00 (per case)
Gold Aerosol (20 oz)	\$ 43.00 (per case)
Purple Aerosol (20 oz)	\$ 49.00 (per case)

and made a part hereof for BID SPECIFICATION NO. 2008-F-ATHLETIC FIELD MARKING PAINT.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2008.

Greg Burnam, Council President

Date & Time Signed: _____

Fred Small, Mayor

Date & Time Signed: _____

ATTEST:

David L. Cohen, City Clerk MMC

RESOLUTION 2008 - 13

A RESOLUTION DECLARING CERTAIN PERSONAL PROPERTY SURPLUS AND AUTHORIZING DISPOSITION

WHEREAS, the Parks Department of the City of Daphne has determined that the Playground Equipment at May Day Park purchased in 1992 and can no longer be used due to safety concerns for public and municipal purposes; and

WHEREAS, the Playground Equipment at May Day Park is recommended for disposal.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Daphne that the Playground Equipment is no longer safe; and

1. Is hereby declared to be surplus property; and
2. The Mayor is authorized to direct the disposition of this equipment through cutting up the metal to sell as scrap metal.

ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, this _____ day of _____, 2008.

Greg Burnam, Council President

Date & Time Signed:_____

Fred Small, Mayor

Date & Time Signed:_____

ATTEST:

David L. Cohen, City Clerk MMC

ORDINANCE 2008 - 24

An Ordinance Appropriating Funds

Mobile Bay NEP

WHEREAS, Ordinance 2007-47 approved and adopted the Fiscal Year 2008 Budget October 15, 2007; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2008 budget, the City Council has determined that certain additional appropriations are required and should be approved and made a part of the Fiscal Year 2008 budget; and

WHEREAS, the Mobile Bay NEP has placed \$ 25,000 in their budget for engineering and project planning for a remediation and enhancement within the D'Olive Creek Watershed; and

WHEREAS, the proposed project will include extensive restoration of the Lake Forest Lake as well as many other enhancements; and

WHEREAS, the goal of such project is to reduce impacts to Mobile Bay through planned improvements, remedial activities, and control facilities installed along D'Olive and Tiawasee Creeks; and

WHEREAS, the estimated cost of such project is \$ 50,000- \$ 75,000; and

WHEREAS, the City Council of the City of Daphne has determined that participation in the watershed program will be beneficial to the City of Daphne.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that: 1), the City of Daphne does hereby appropriate \$ 5,000 for participation in the watershed program, and 2) the Mayor is hereby authorized to execute any documents required in order for the City of Daphne to participate in such watershed project.

APPROVED AND ADOPTED by the City Council of the City of Daphne, Alabama, this _____ day of _____, 2008.

Greg Burnam, Council President

Date & Time Signed:_____

Fred Small, Mayor

Date & Time Signed:_____

ATTEST:

David L. Cohen, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2008- 25**

**Zoning District Map
Revision to Appendix H of the City of Daphne
Land Use and Development Ordinance**

WHEREAS, the Planning Commission of the City of Daphne, Alabama at their regular meeting held on January 24, 2008, favorably recommended to the City Council of the City of Daphne certain amendments to the Zoning District Map approved and adopted by the Daphne Land Use and Development Ordinance No. 2002-22, referenced in Appendix H “Exhibit A” thereof and amended by Ordinance No. 2003-06, Ordinance No. 2005-11, Ordinance No. 2006-24, Ordinance No. 2006-73 , Ordinance No. 2007-15; and Ordinance 2007-48 and

WHEREAS, said amendments are necessary due to various rezoning and annexation requests which have been approved since the adoption of Ordinance No. 2002-22, Ordinance 2003-06, Ordinance No. 2005-11, Ordinance No. 2006-24, Ordinance No. 2006-73, Ordinance No. 2007-15; and Ordinance 2007-48 and

WHEREAS, due notice of said proposed zoning map amendments has been provided to the public as required by law through publication and open display at the City of Daphne Public Library and City Hall; and

WHEREAS, a public hearing regarding the proposed Zoning District Map amendments was held by the City Council on March 17, 2008; and

WHEREAS, the City Council of the City of Daphne after due consideration and upon recommendation of the Planning Commission believe it in the best interest of health, safety and welfare of the citizens of the City of Daphne to amend said Zoning District Map as recommended;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF DAPHNE, ALABAMA, as follows:

SECTION I: ZONING DISTRICT MAP

The Zoning District Map referenced hereto as Exhibit “A” shall be the official zoning map of the City of Daphne, Alabama and shall be further designated in Appendix H of Exhibit A of the City of Daphne Land Use and Development Ordinance, as set forth in Ordinance No. 2002-22 and its amendments.

SECTION II: REPEALER

Ordinances Nos. 2002-22, Appendix H "Exhibit A", 2003-06, 2005-11, 2006-24, 2006-73 and 2007-15 and Ordinance 2007-48 are specifically repealed and any Ordinance(s), parts of Ordinance(s) or Resolution(s) conflicting with the provisions of this Ordinance are hereby repealed insofar as they conflict.

SECTION III: EFFECTIVE DATE

This Ordinance shall take effect and be in force from and after the date of its approval by the City of Daphne City Council and publication as required by law.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THE _____ DAY OF _____, 2008.

GREG BURNAM,
COUNCIL PRESIDENT

Date and Time Signed: _____

FRED SMALL,
MAYOR CITY OF DAPHNE

Date and Time Signed: _____

ATTEST:

DAVID L. COHEN,
CITY CLERK, MMC

CITY OF DAPHNE

*Zone & Street Map
Edits*

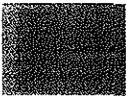
July 1, 2007 – January 1, 2008



The Jubilee City

*Prepared by: Nancy Anderson, GIS Technician, City of Daphne Community Development
January 15, 2008*

CITY OF DAPHNE ZONE MAP & STREET MAP CHANGES
July 1,2007 – January1, 2008



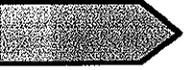
SUBDIVISIONS:

- #1) Audubon Park , Re-sub Lots 1,2 & 3, Resub Lot 2 – June 28, 2007
- #2) Pickett Subdivision – 2 Lots – July 26, 2007
- #3) Lake Forest, Resub portion of Unit 27 (lots 1-9 & 246-289) – July 26, 2007
- #4) Ward Subdivision – 2 lots – August 23, 2007
- #5) Shire Subdivision – 3 lots – August 23, 2007
- #6) TimberCrk Business Park, Unit 2, Re-sub Lots 1 & 2 – August 23, 2007
- #7) French Settlement 1A & 1B – 151 lots(combined total) – August 23,2007
- #8) St. Paul's Episcopal Church Additon -- N. Main St. – August 23, 2007
- #9) Walmart/Murphy Oil – Hwy 98- 2 Lots – October 25, 2007
- #10) Resub. Lots 7 & 8, Daphne Business Prk, Ph. 2 - October 25, 2007
- #11) TimberCrk Village - Resubdivision of Lot 1& T^oCrk Commercial, Re-sub Parcel A, Unit 3 & Re- sub Lot 3 - November 20, 2007
- #12) Edgewater Heights Resub Lot 12 – 2 lots N side of Bayfront Dr – November 20, 2007
- #13) Bayfront Subdivision - 2 lots Bayfront Dr near Mobile Bay – November 20, 2007
- #14) Via De La Rosa – E. of Capt. O'Neal – 8 lots – November 20, 2007
- #15) Klaas Property (North Fork) – 2 Lots S of Park Dr & W of 98
- #16) Fallen Oak Subdivision – 4 Lots off Tallent Ln. – December 20, 2007
- #17) Grande Pointe PUD – Lake Front Dr - 9.68 Acres –December 20, 2007



ANNEXATIONS:

- #18) Ordinance # 2007-40 - Audubon Park, Ph 2, 7.26 Acres – Cty Rd 64 & adjacent to Pollard Rd
- #19) Ordinance # 2007-41 - South of the corner of Pollard & Whispering Pines, 4.87 Acres



STREET ACCEPTANCE:

- #20) Resolution # 2007-82 – Acceptance of R.O.W., located at Cnty Rd 64 south to JonesboroRd - 2597 feet
- #21) Resolution # 2007-105- Renaissance Ctr Phase 1A & 2A – Frederick Blvd – 1,374 LF



REZONE:

- #22) Ordinance # 2007-30 Big Sandy, LLC – Rezone from R-2 & R-4 to B-2
- #23) Ordinance # 2007-51 Demaris Anderson Property – Rezone from R-2 to B-3
- #24) Ordinance # 2007-53 Bay Auto Glass(William Lange) – Rezone from B-1 to B-2
- #25) Ordinance # 2007-54 Veteran's Point(Barry Booth) – Rezone from B-1 to B-2

CITY OF DAPHNE ZONE MAP & STREET MAP CHANGES
July 1,2007 – January1, 2008

SUBDIVISIONS:

- #1) Audubon Park , Re-sub Lots 1,2 & 3, Resub Lot 2 – June 28, 2007
- #2) Pickett Subdivision – 2 Lots – July 26, 2007
- #3) Lake Forest, Resub portion of Unit 27 (lots 1-9 & 246-289) – July 26, 2007
- #4) Ward Subdivision – 2 lots – August 23, 2007
- #5) Shire Subdivision – 3 lots – August 23, 2007
- #6) TimberCrk Business Park, Unit 2, Re-sub Lots 1 & 2 – August 23, 2007
- #7) French Settlement 1A & 1B – 151 lots(combined total) – August 23,2007
- #8) St. Paul's Episcopal Church Additon – N. Main St. – August 23, 2007
- #9) Walmart/Murphy Oil – Hwy 98- 2 Lots – October 25, 2007
- #10) Resub. Lots 7 & 8, Daphne Business Prk, Ph. 2 - October 25, 2007
- #11) TimberCrk Village - Resubdivision of Lot 1& T'Crk Commercial, Re-sub Parcel A, Unit 3 & Re- sub Lot 3 - November 20, 2007
- #12) Edgewater Heights Resub Lot 12 – 2 lots N side of Bayfront Dr – November 20, 2007
- #13) Bayfront Subdivision - 2 lots Bayfront Dr near Mobile Bay – November 20, 2007
- #14) Via De La Rosa – E. of Capt. O'Neal – 8 lots – November 20, 2007
- #15) Klaas Property (North Fork) – 2 Lots S of Park Dr & W of 98 November 20, 2007
- #16) Fallen Oak Subdivision – 4 Lots off Tallent Ln. – December 20, 2007
- #17) Grande Pointe PUD – Lake Front Dr - 9.68 Acres –December 20, 2007

ANNEXATIONS:

- #18) Ordinance # 2007-40 - Audubon Park, Ph 2, 7.26 Acres – Cty Rd 64 & adjacent to Pollard Rd City Council 09/04/07
- #19) Ordinance # 2007-41 - South of the corner of Pollard & Whispering Pines, 4.87 Acres City Council 09/04/07

STREET ACCEPTANCE:

- #20) Resolution # 2007-82 – Acceptance of R.O.W., located at Cnty Rd 64 south to JonesboroRd - 2597 feet City Council 10/02/07
- #21) Resolution # 2007-105- Renaissance Ctr Phase 1A & 2A – Frederick Blvd – 1,374 LF City Council 12/18/07

REZONE:

- #22) Ord. # 2007-30 Big Sandy, LLC – from R-2 & R-4 to B-2 - City Council 07/16/07
- #23) Ord. # 2007-51 Demaris Anderson Property – from R-2 to B-3 City Council 12/18/07
- #24) Ord. # 2007-53 Bay Auto Glass(William Lange) – from B-1 to B-2 City Council 12/18/07
- #25) Ord. # 2007-54 Veteran's Point(Barry Booth) – from B-1 to B-2 City Council 12/18/07

MAP ACCEPTANCE:

- Ordinance 2007-48 - (Jan –July 2007) Zone Map acceptance – City Council 10/2/2007
- Resolution 2007-69 – (Jan – July 2007) Street Map acceptance – City Council 08/06/2007

4/17/08

REVISION

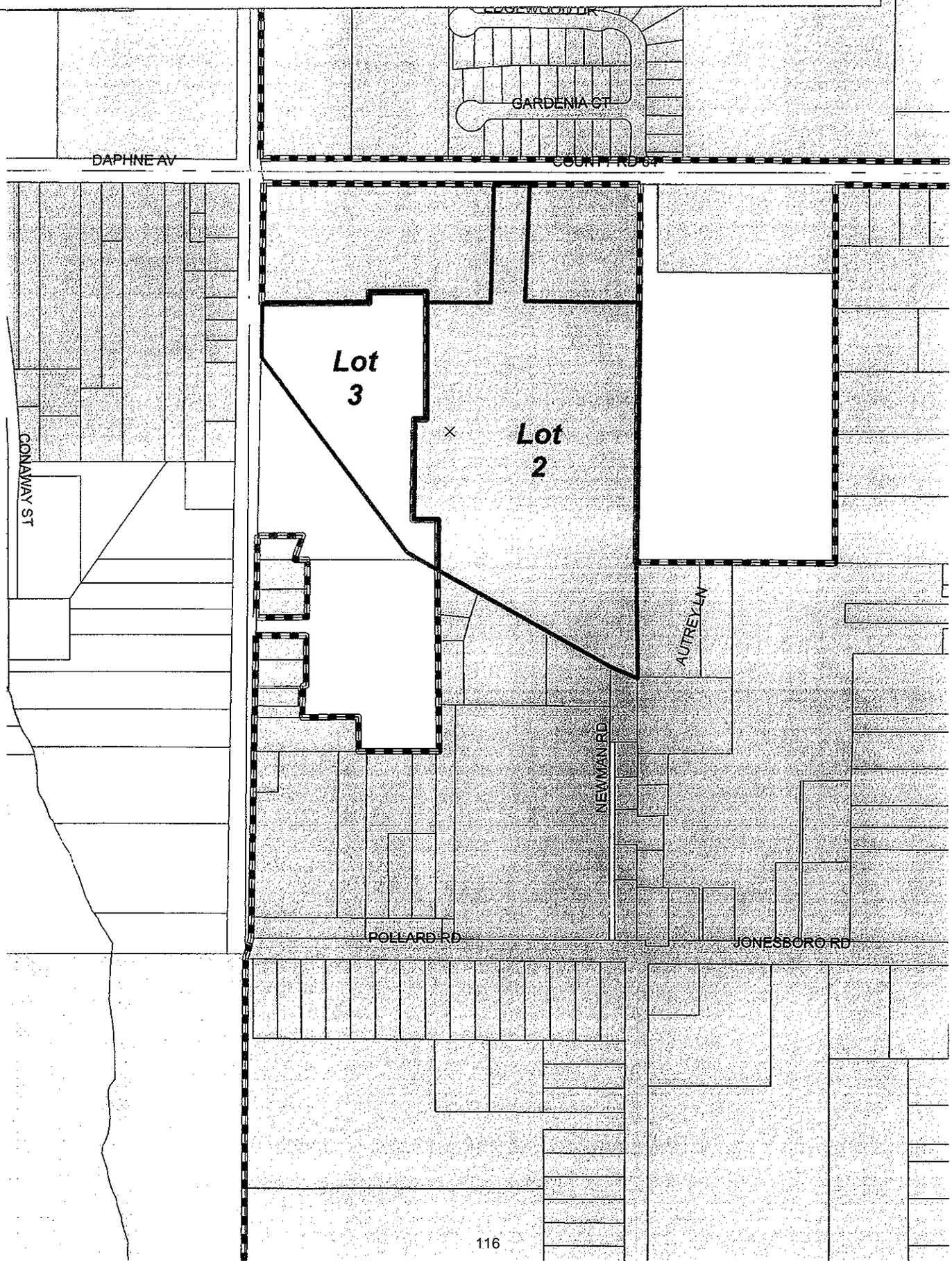
ADDED ORDINANCE & RESOLUTION DATES

*City of Daphne Zone Map
Edits*

SUBDIVISIONS

July 2007 – January 1, 2008

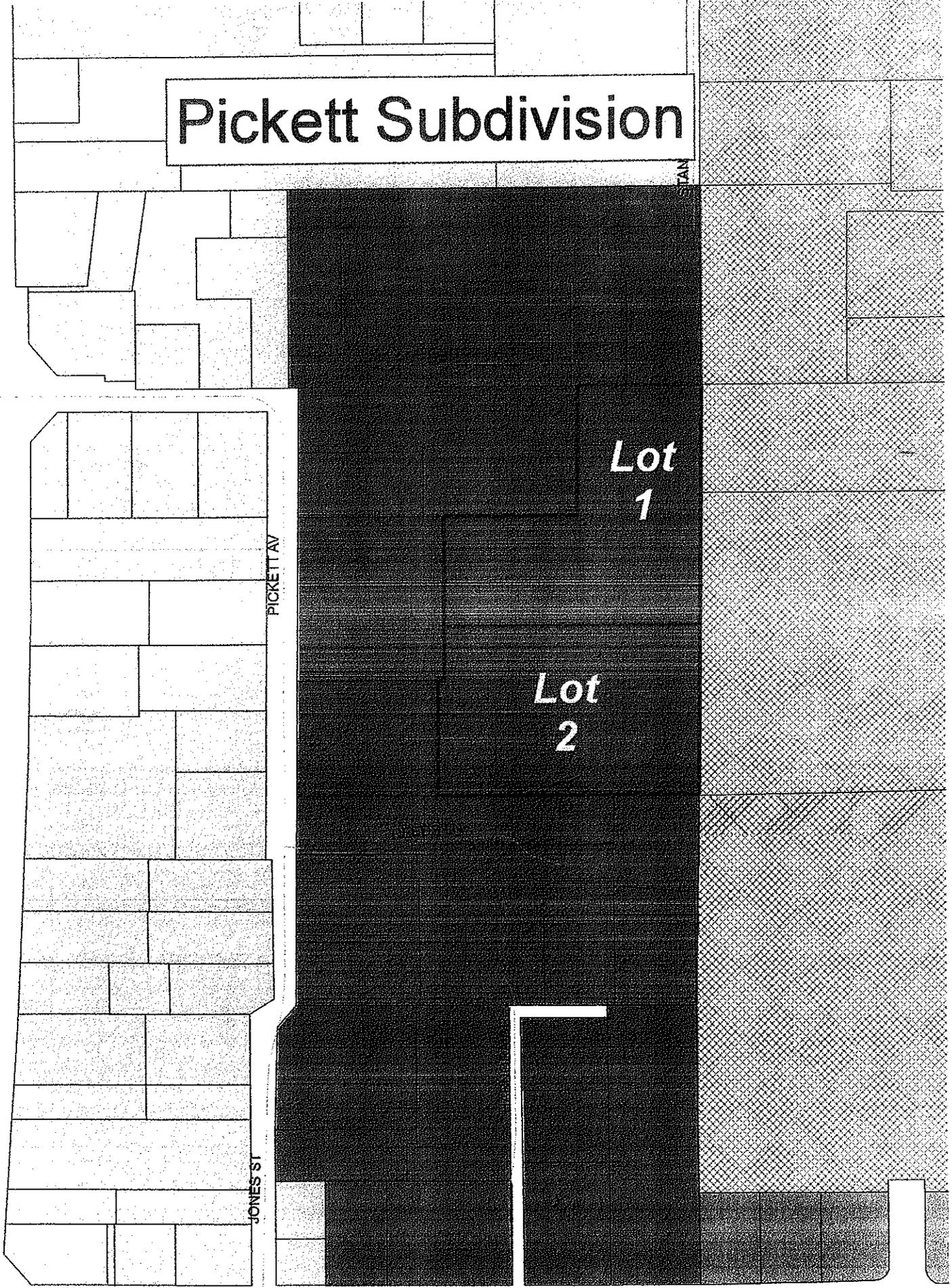
Audubon Park - Resub Lots 1-3 & Resub Lot 2



US HWY 98

US HWY 98

Pickett Subdivision



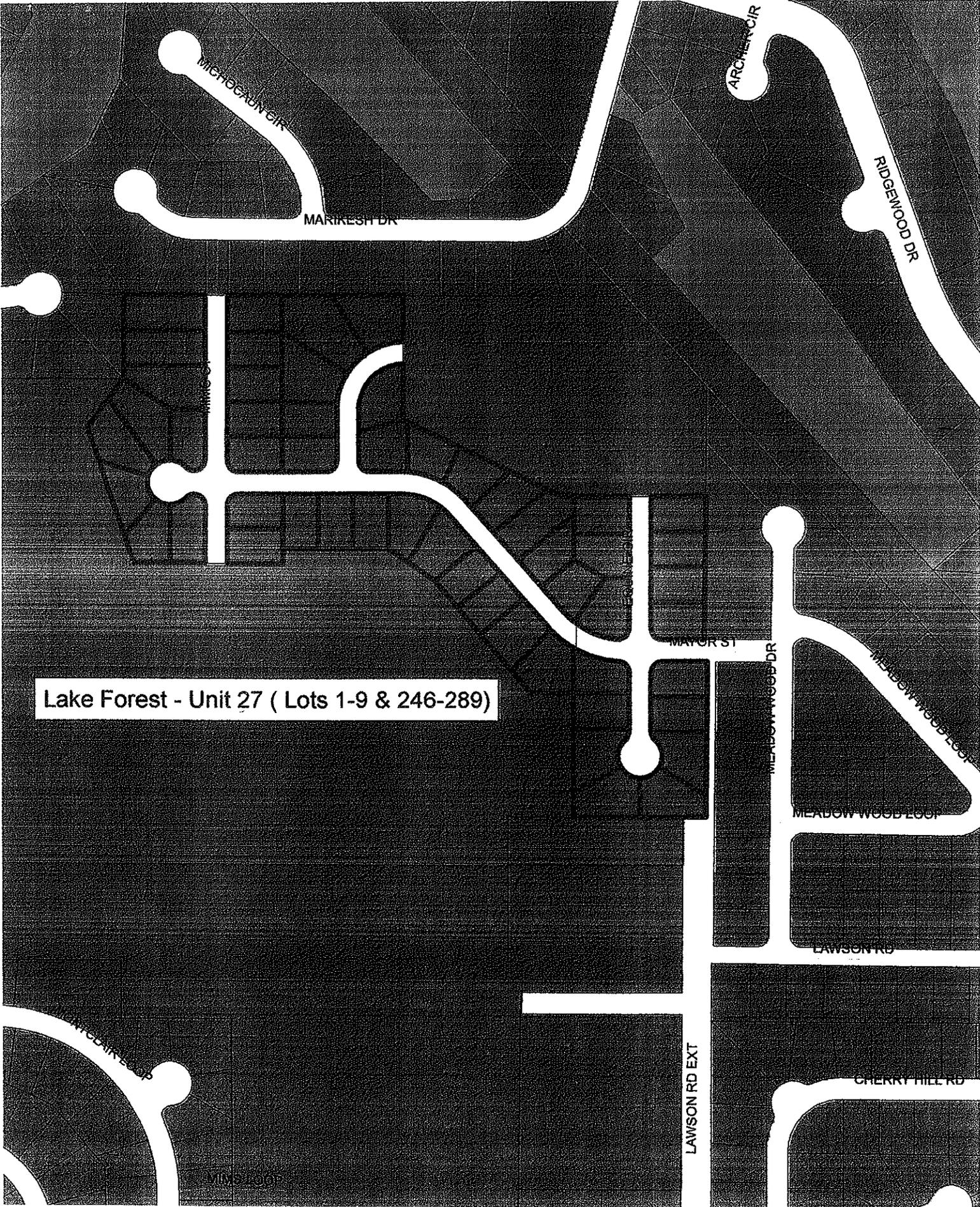
*Lot
1*

*Lot
2*

PICKETT AV

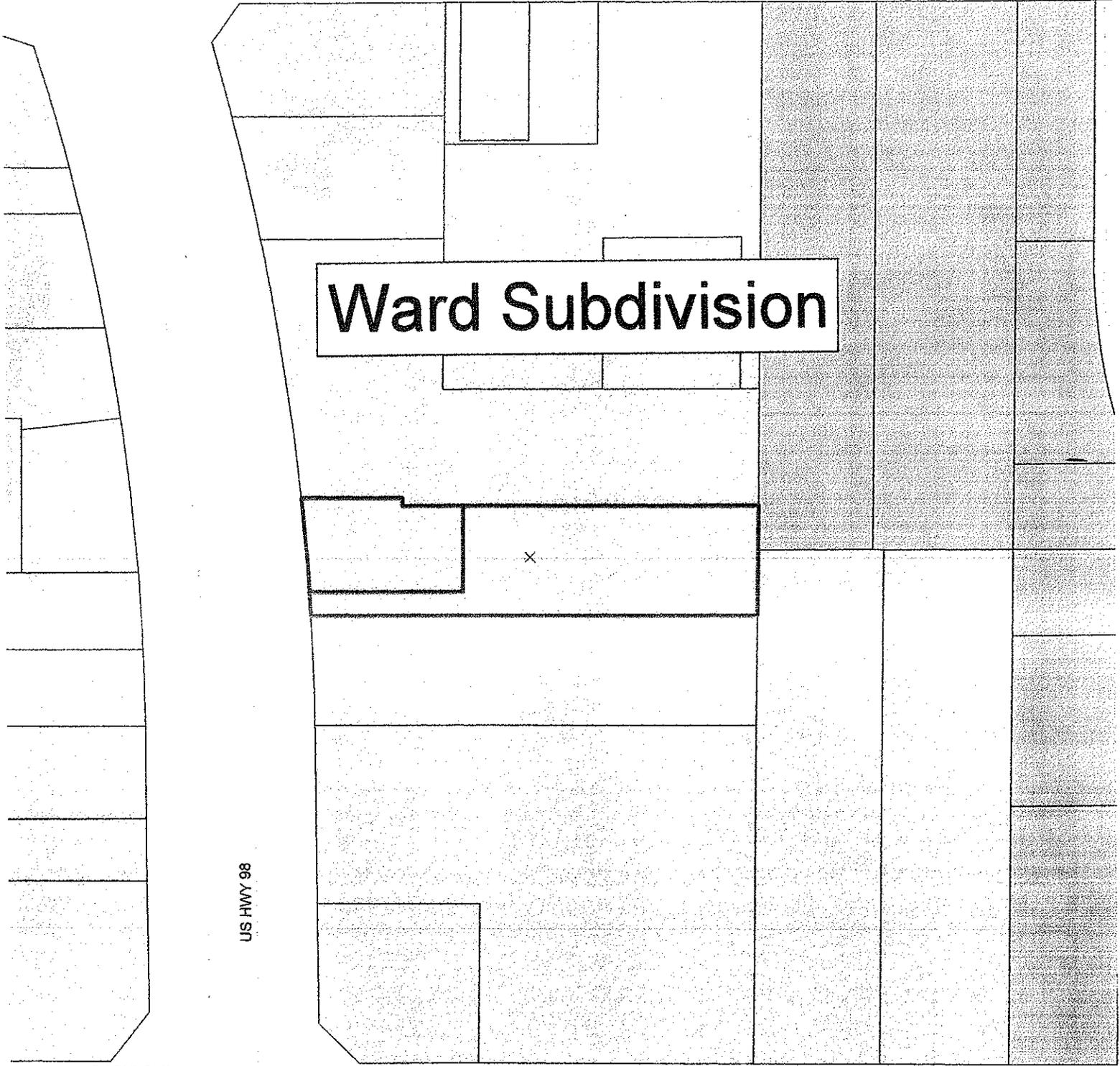
JONES ST

STAN



Lake Forest - Unit 27 (Lots 1-9 & 246-289)

Ward Subdivision



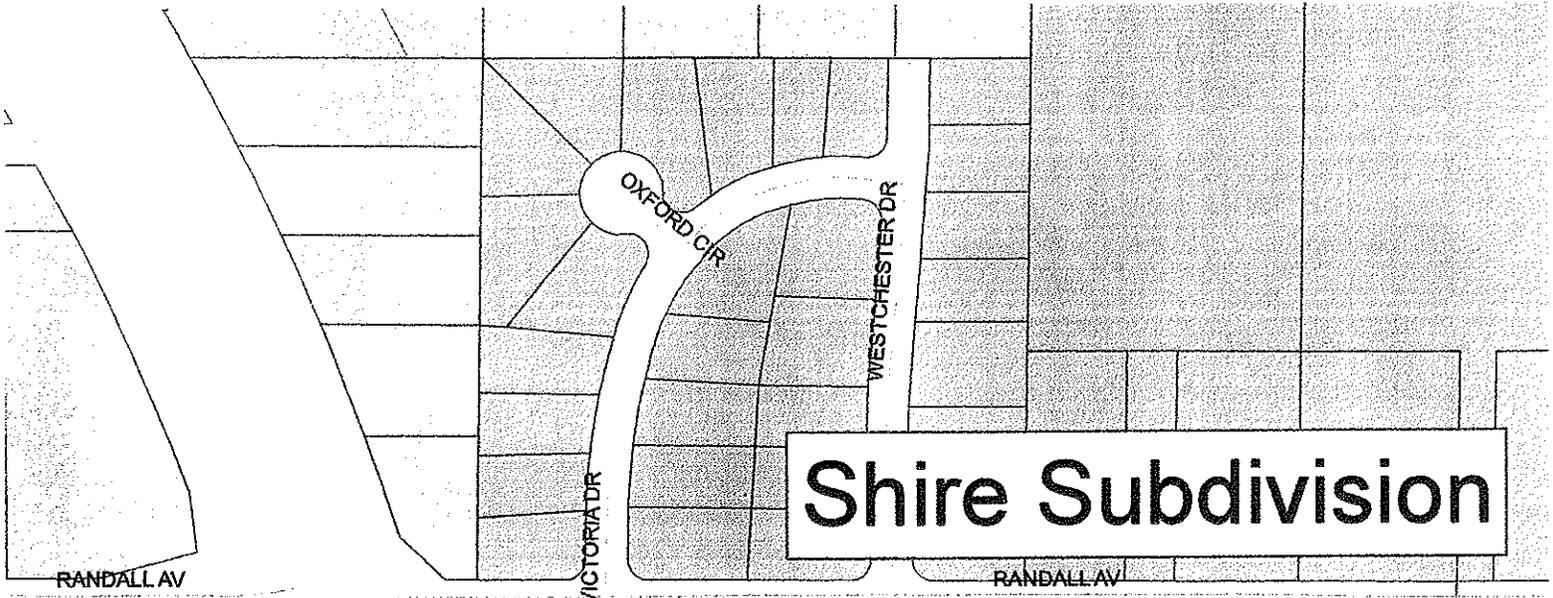
US HWY 98

DAPHNE AV

DAPHNE AV

US HWY 98

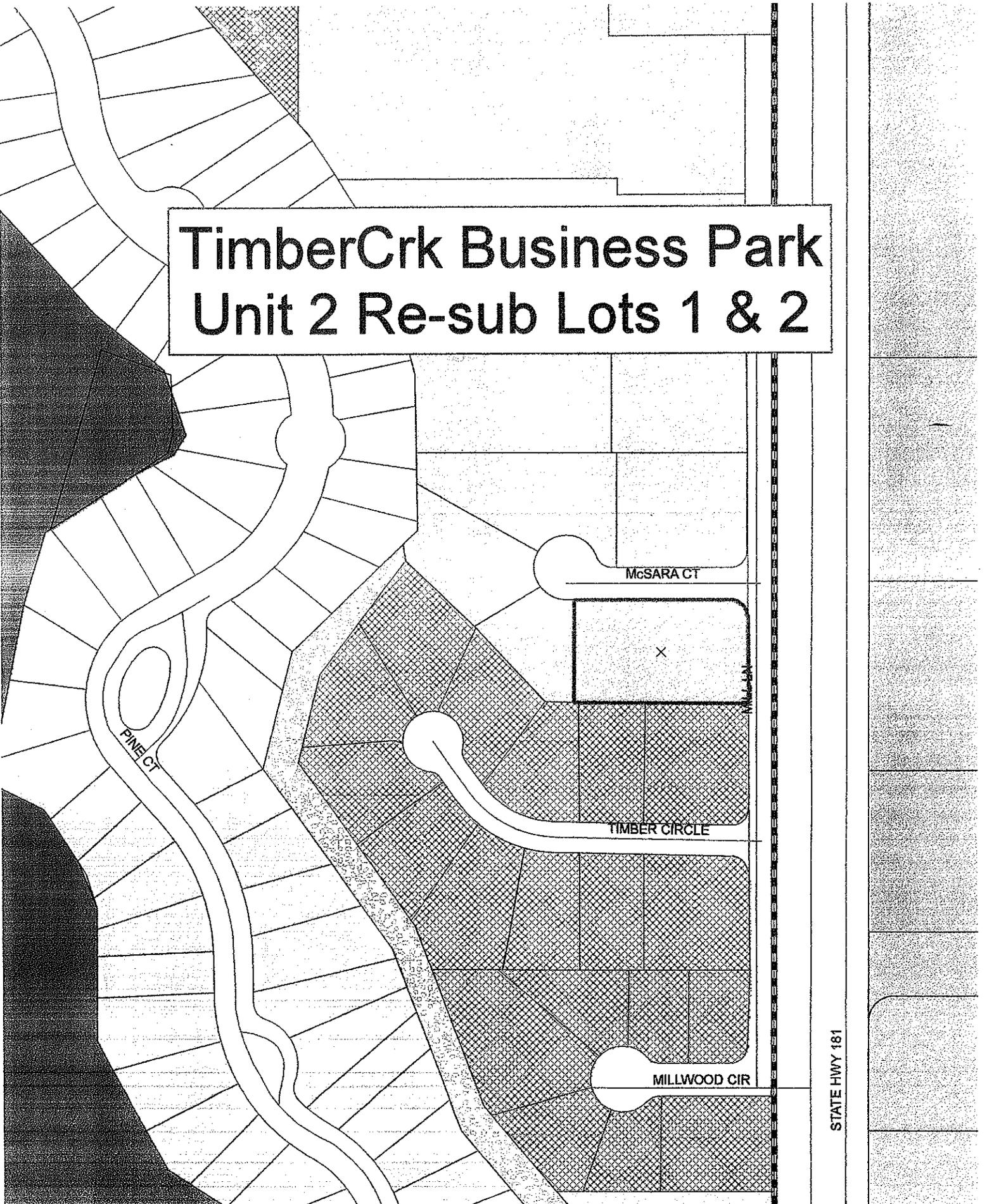
BAILEY ST

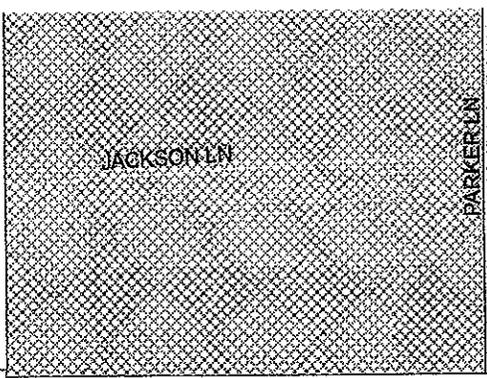
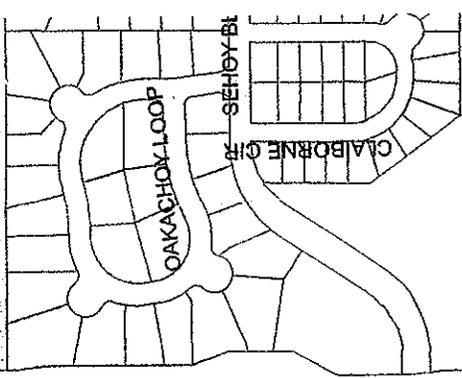


Shire Subdivision



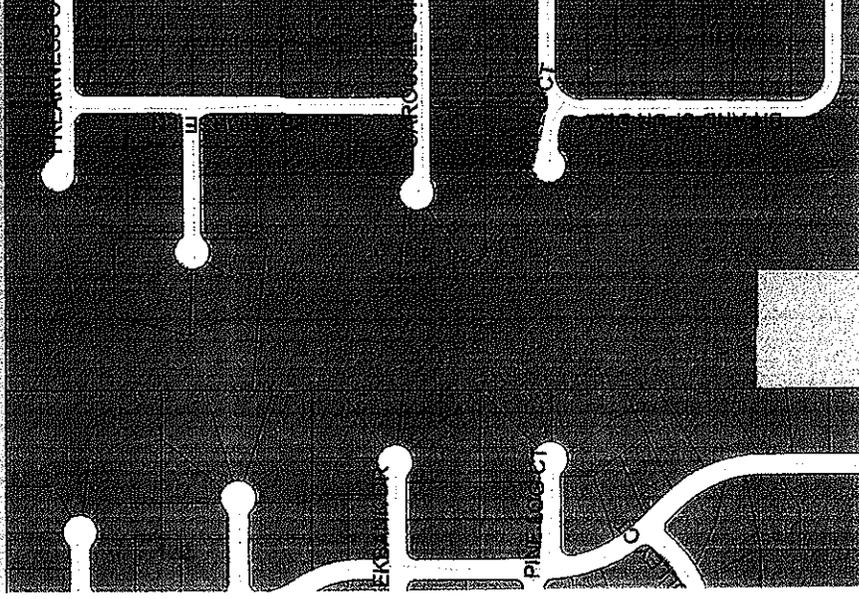
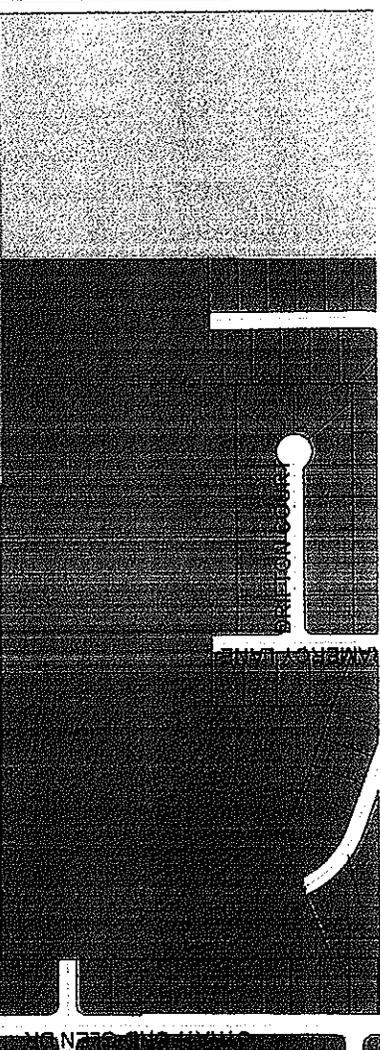
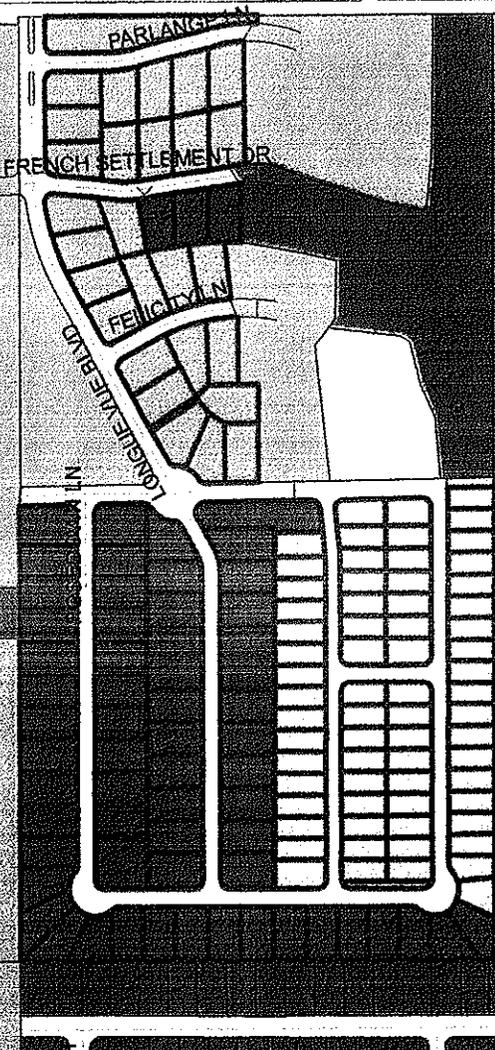
TimberCrk Business Park Unit 2 Re-sub Lots 1 & 2





GOVNTY RD 13

French Settlement 1A & 1B



GRANT ST

St. Paul's Episcopal Church Addition

LINCOLN ST

N MAIN ST

HARRISON ST

15 H19

VAN BUREN ST

EISENHOWER

BAYLINE DR

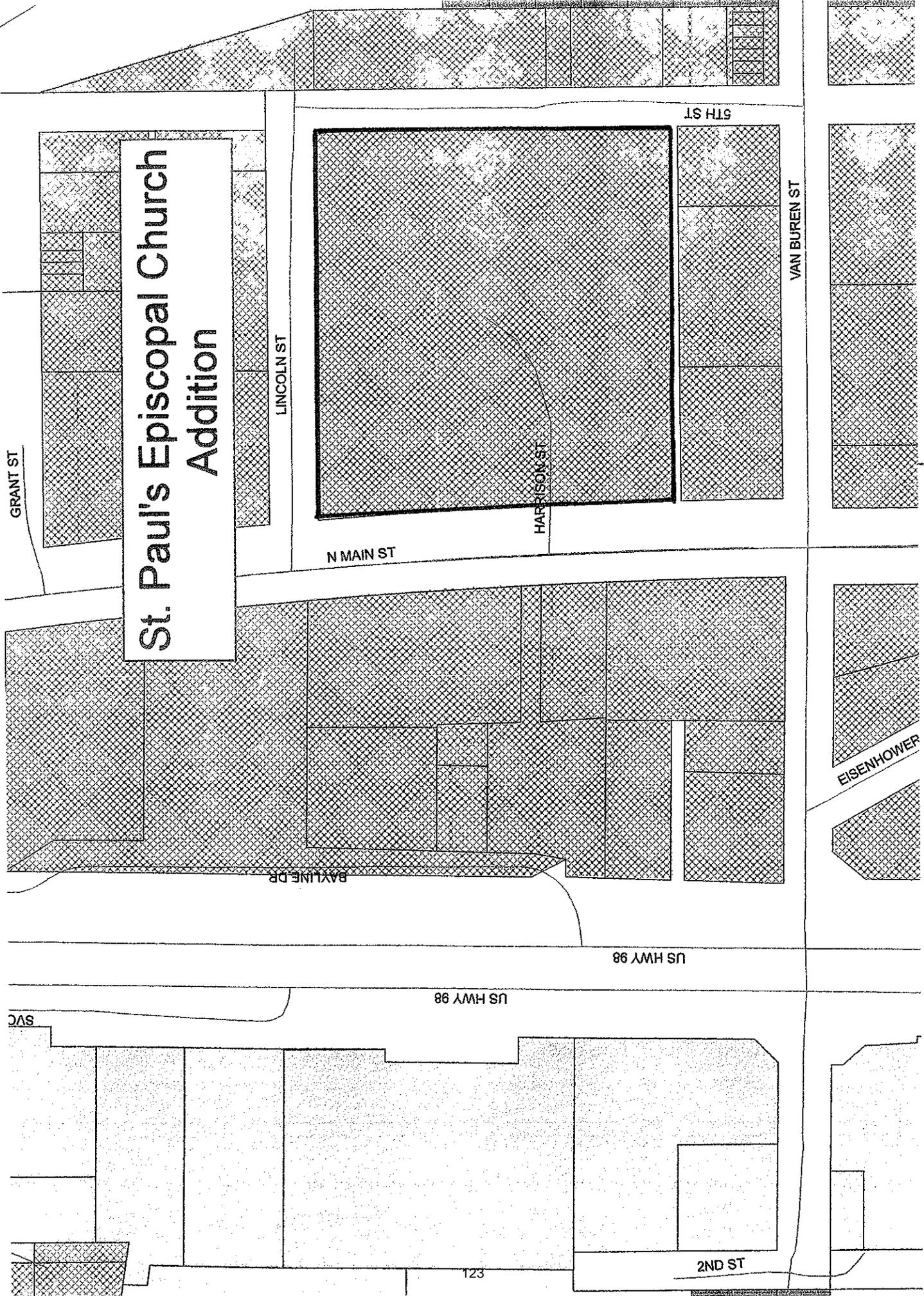
US HWY 98

US HWY 98

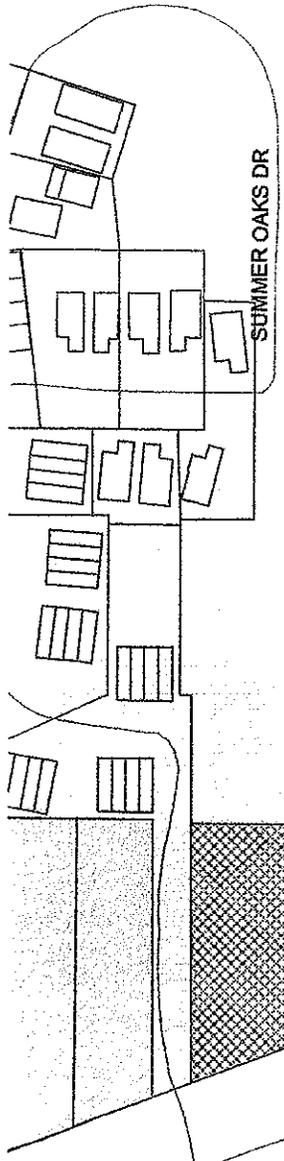
SVC

123

2ND ST



Walmart - Murphy Oil



US HWY 98

US HWY 98

ReSub. Lots 7 & 8, Daphne Business Park, Phase 2

STANTON RD

STANTON RD S

PROFFER DR

PICKETT AV

US HWY 98

US HWY 98

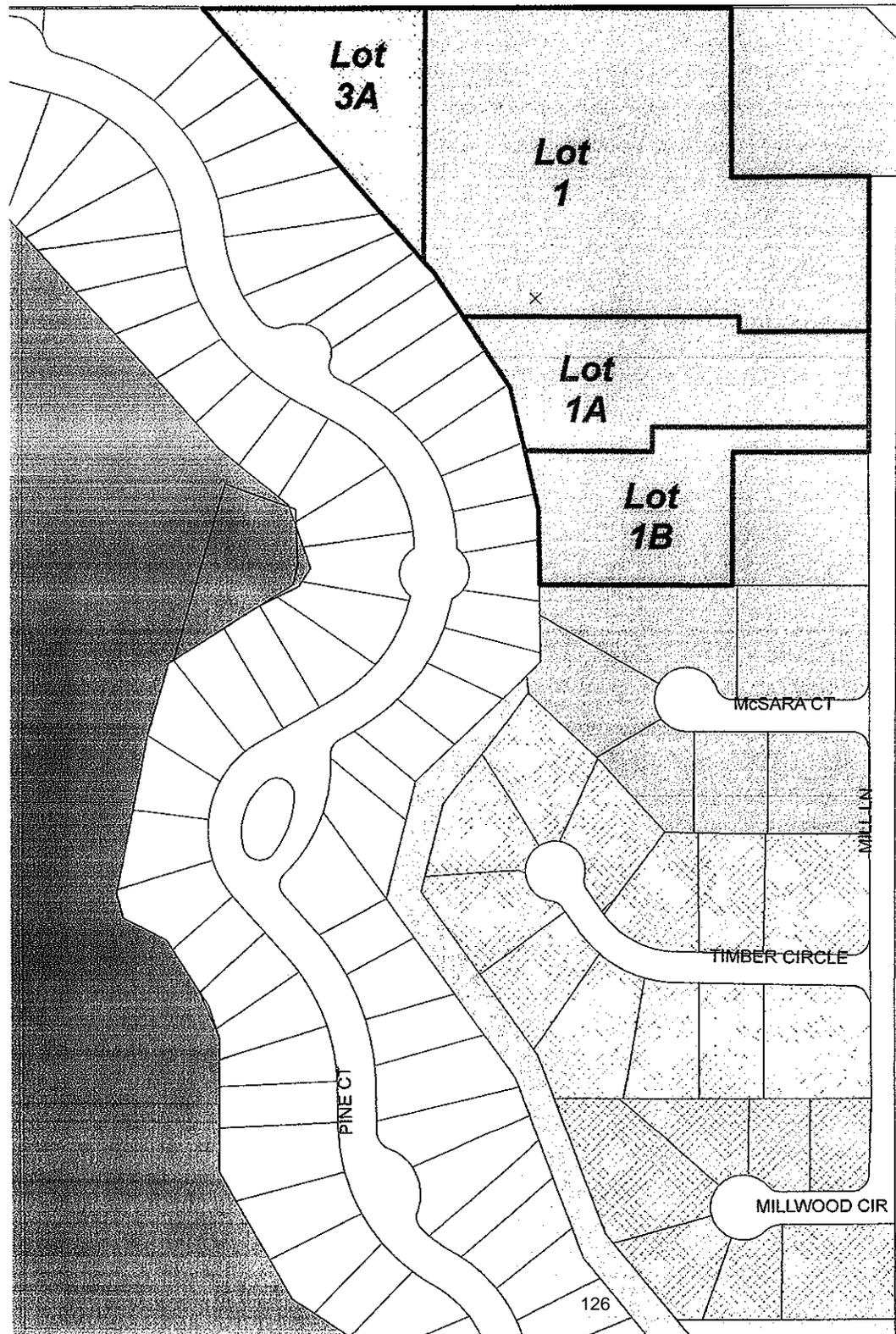
TimberCrk Village & T'Crk Commercial Resub Lots 1, Parcel A, Unit 3 & Lot 3

COMETT

JIMMY FAULKNER DR

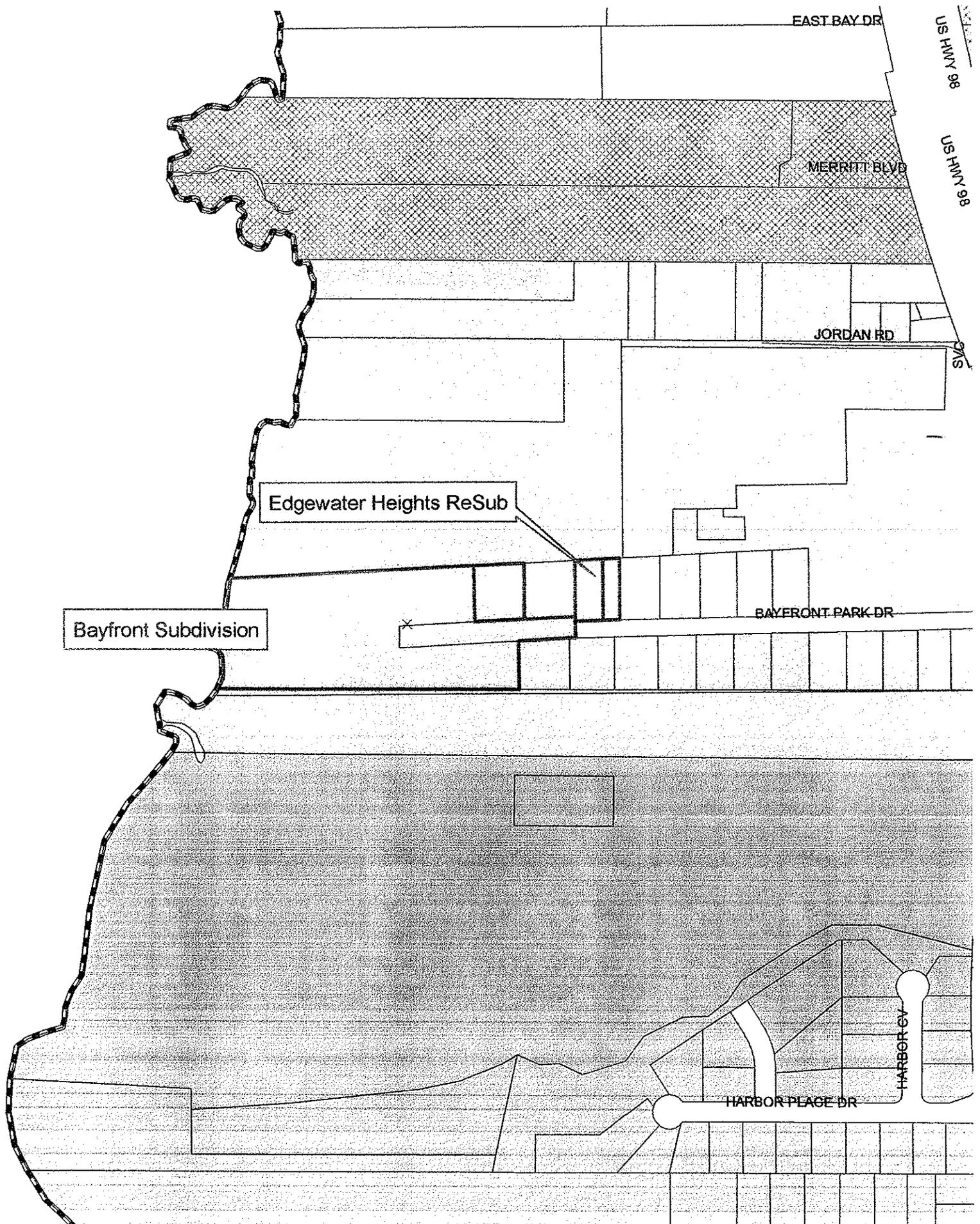
SPANISH FORT BLVD

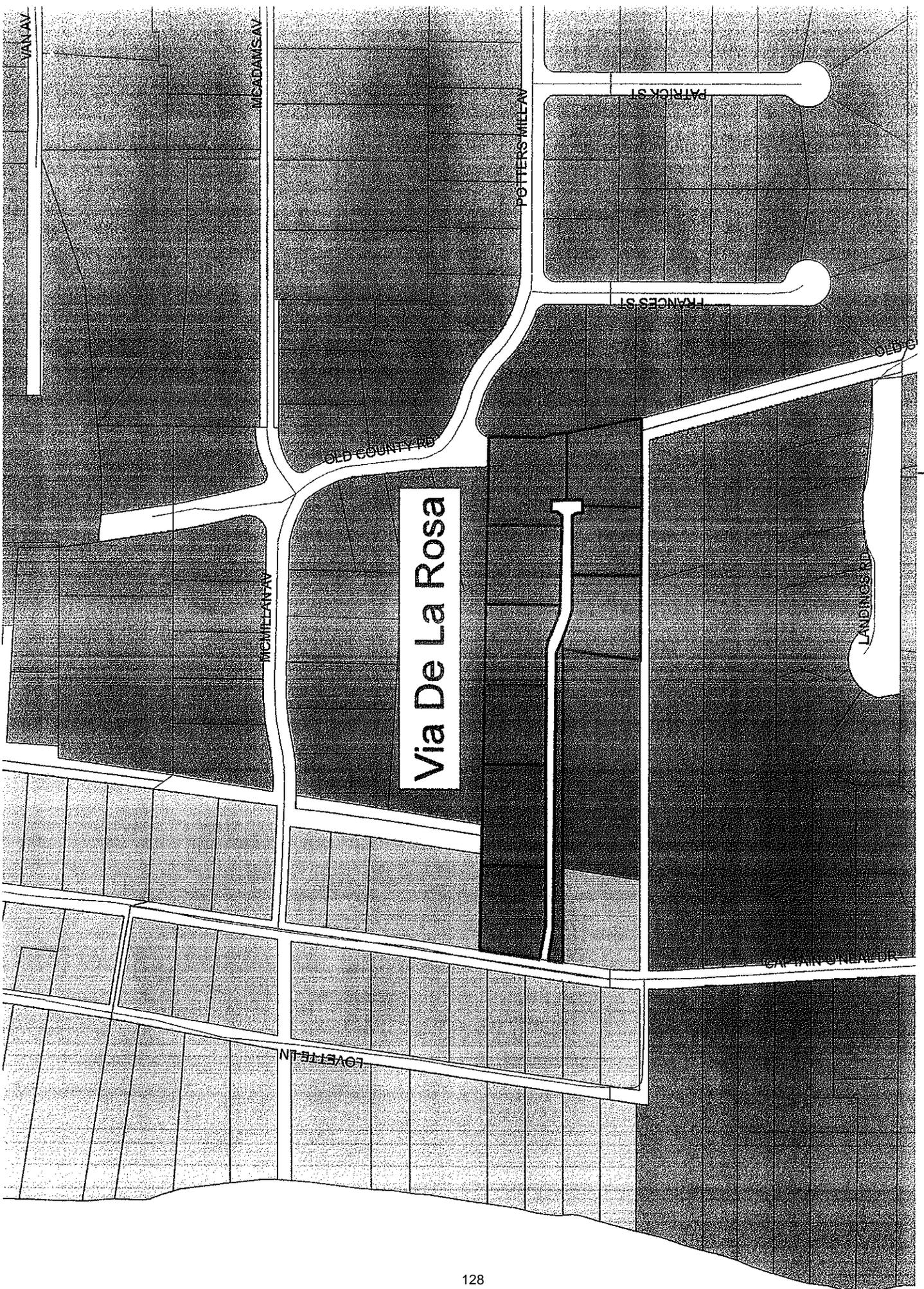
U S HWY 31



STATE HWY 181







Via De La Rosa

VAN AV

MCADAMS AV

POTTERS MILL AV

PATRICK ST

FRANCES ST

OLD COUNTY RD

OLD C

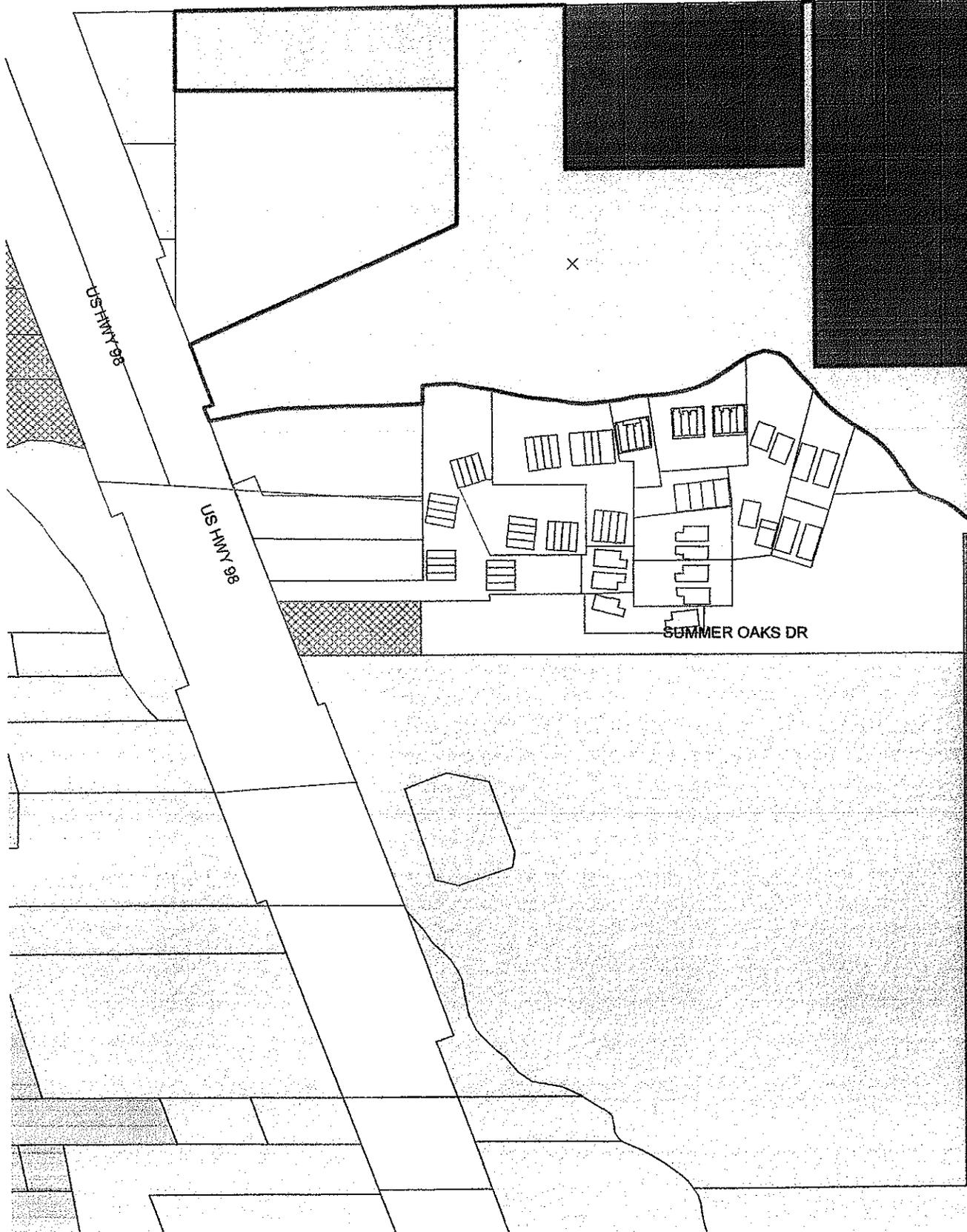
LANDINGS RD

CAPTAIN ONEAL DR

LOVETTE LN

Patrick Klaas Property (North Fork)

PARK DR

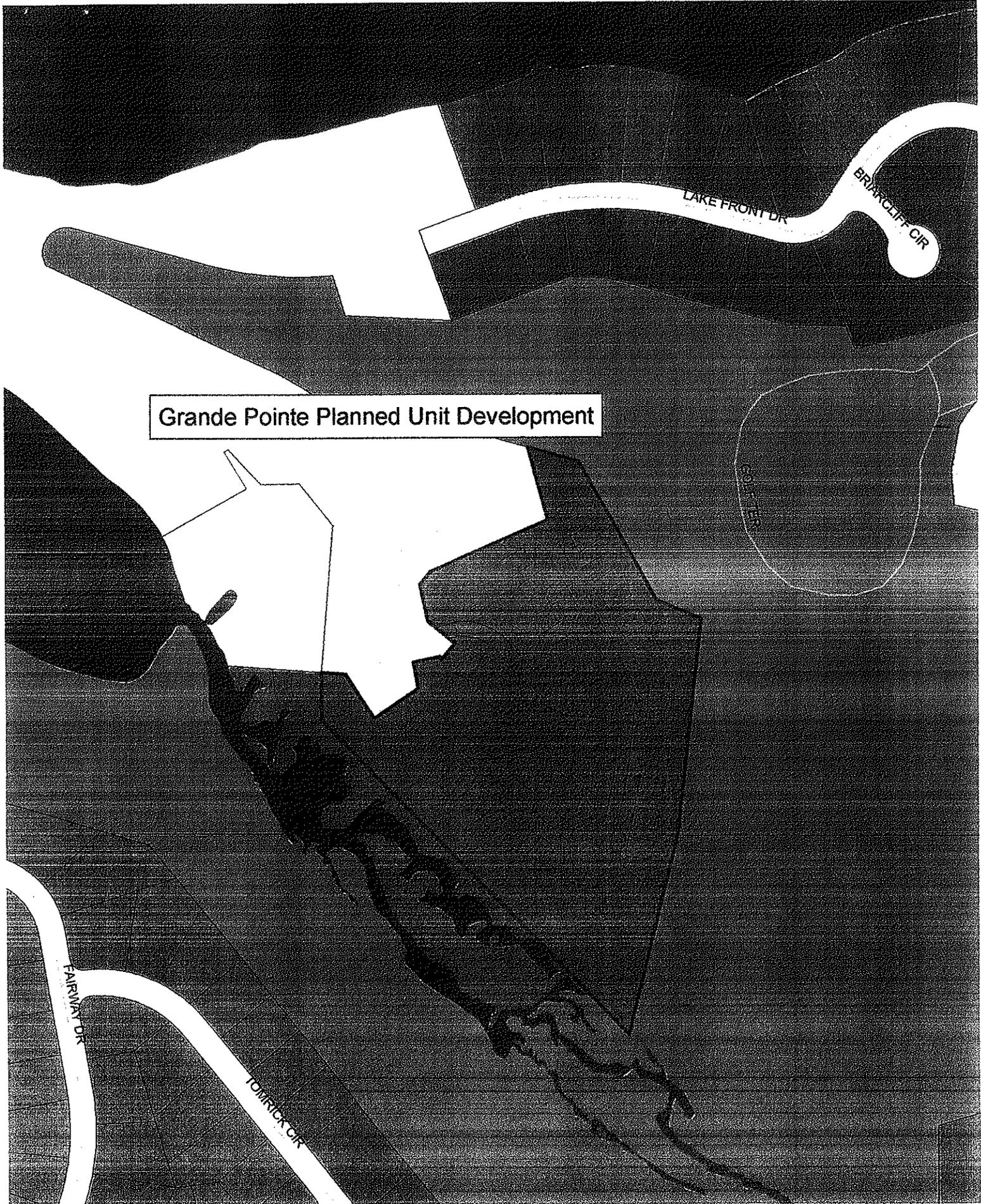


Fallen Oak Subdivision

PARK DR

PARK DR PARK RD

PARK DR



Grande Pointe Planned Unit Development

*City of Daphne Zone Map
Edits*

ANNEXATIONS

July 2007 – January 1, 2008

DAPHNE AV

EDGEWOOD DR

GARDENIA CT

COURT RD

Annexations

CONWAY ST

TIFFANY LN

Ord. # 2007-40

7.26 Acres

ORG. DATE:

9/4/07

X

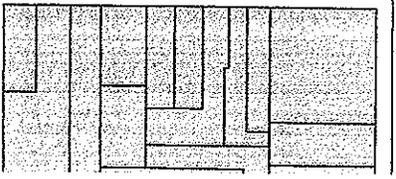
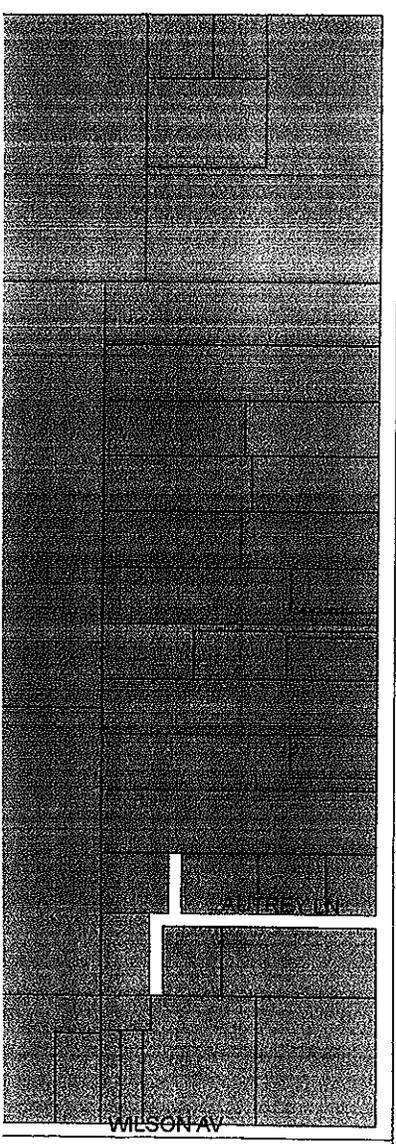
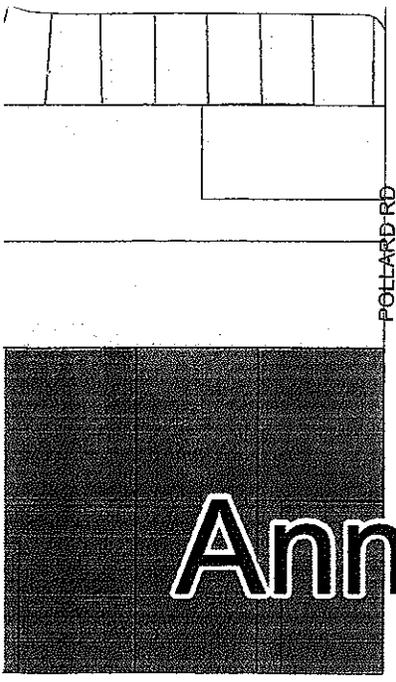
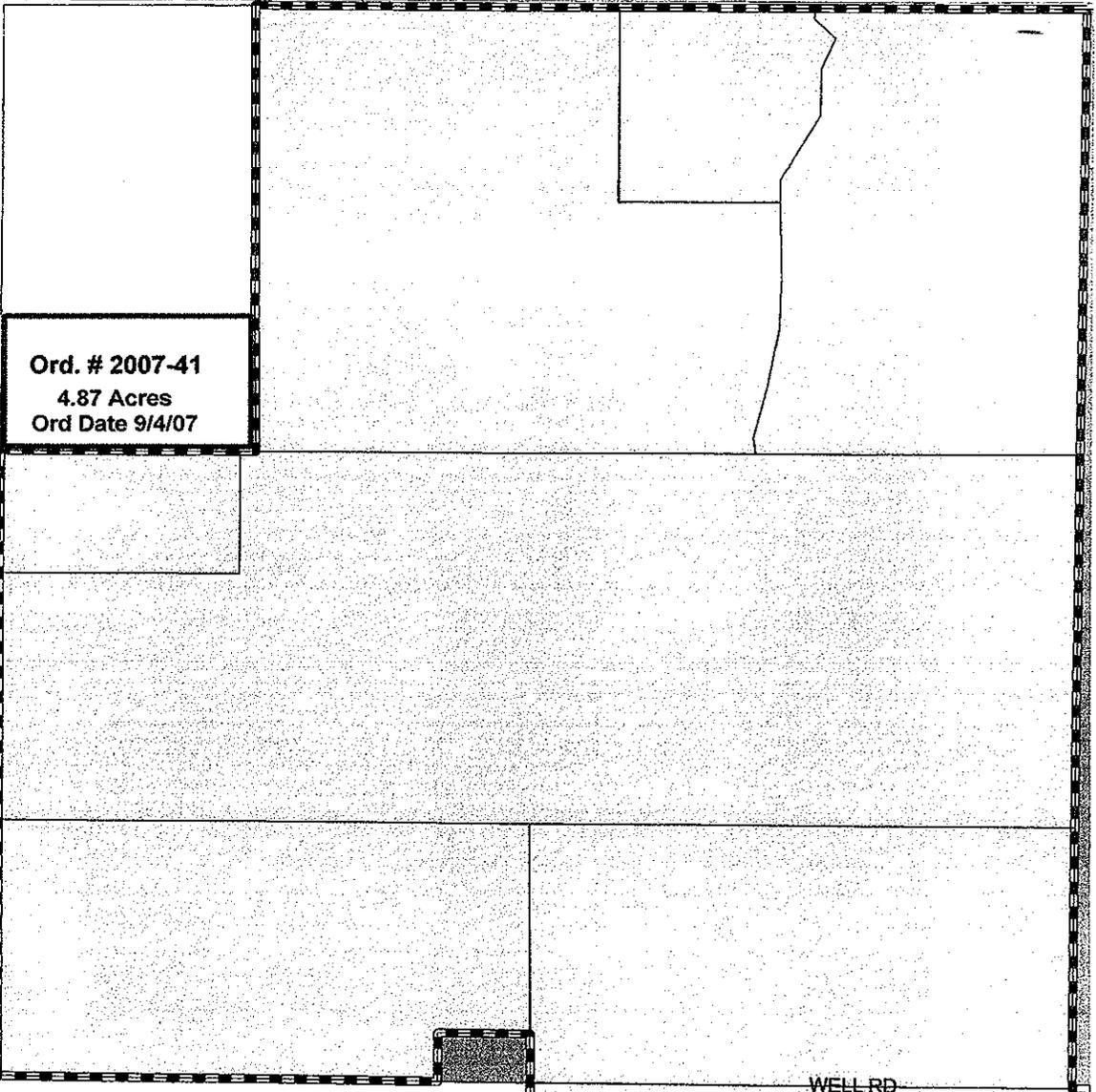
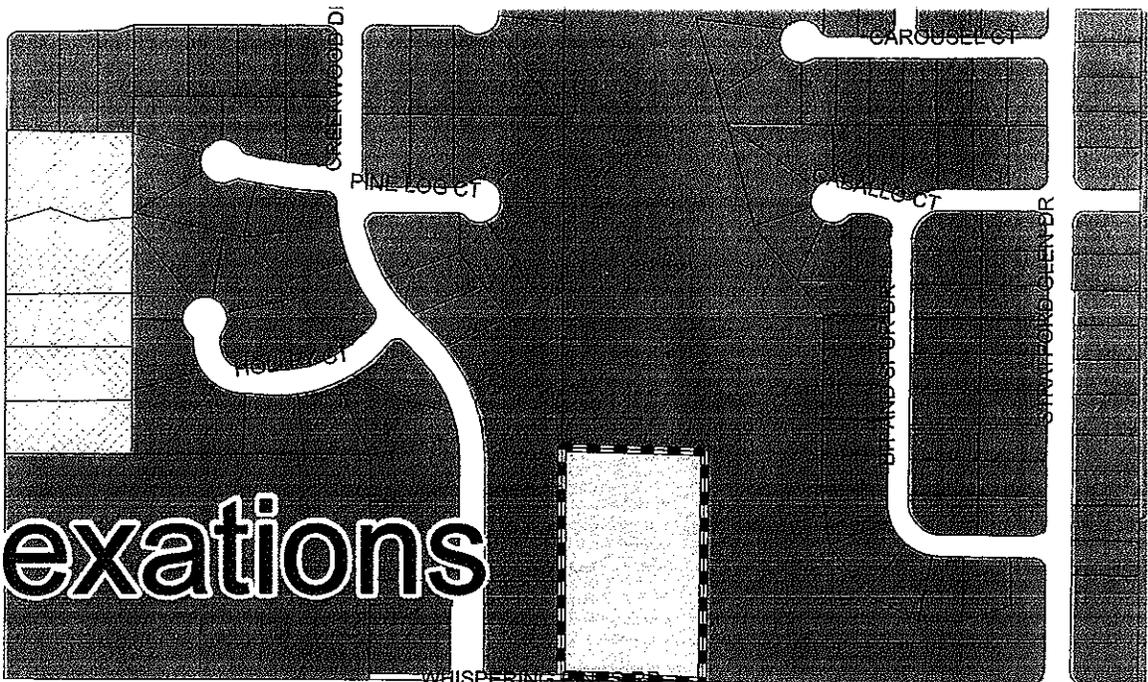
AUTREY LN

NEWMAN RD

JONESBORO RD

POLLARD RD

Annexations



*City of Daphne Zone Map
Edits*

*STREET
ACCEPTANCE*

July 2007 – January 1, 2008

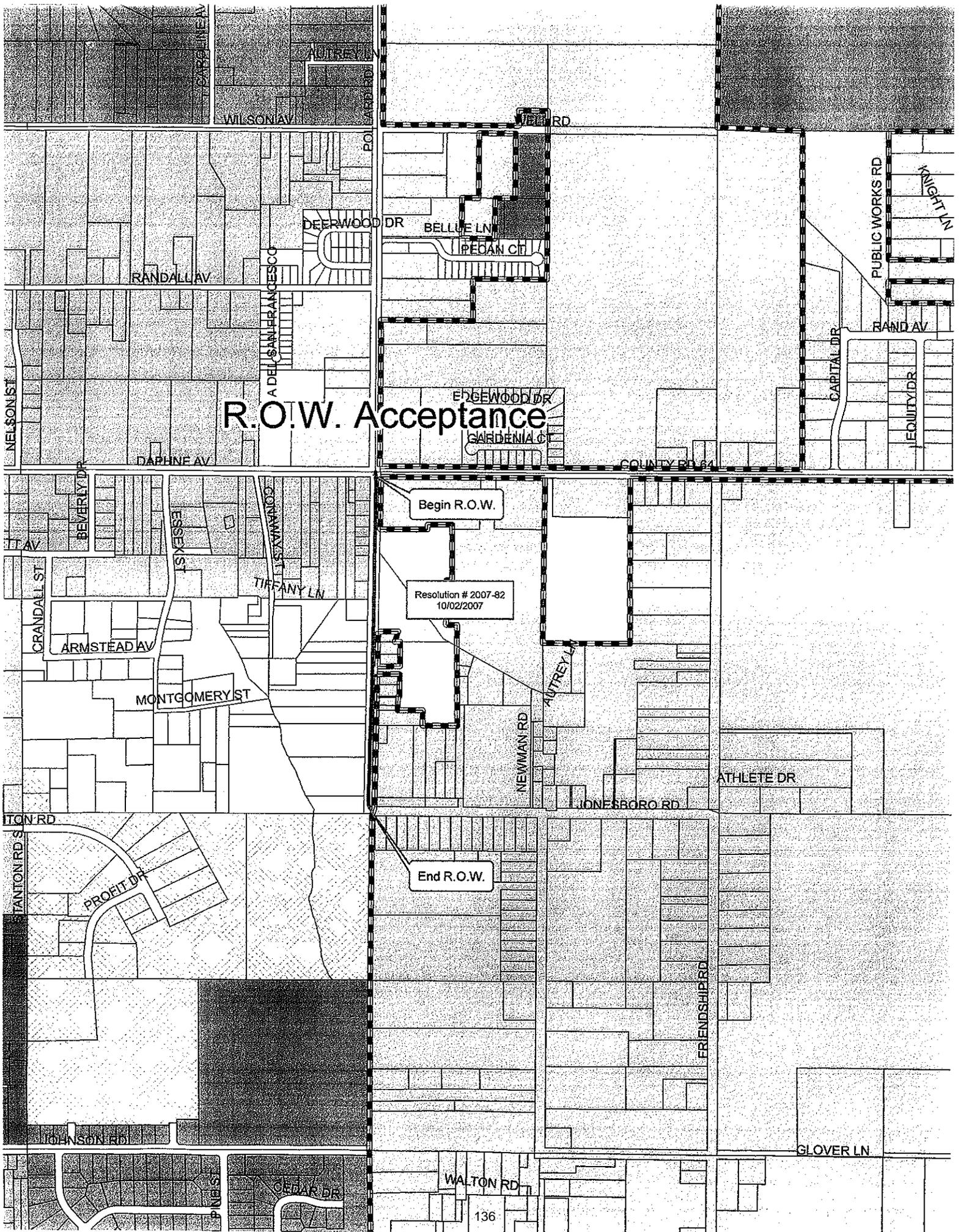
R.O.W. Acceptance

Begin R.O.W.

Resolution # 2007-82
10/02/2007

End R.O.W.

COUNTY RD 64



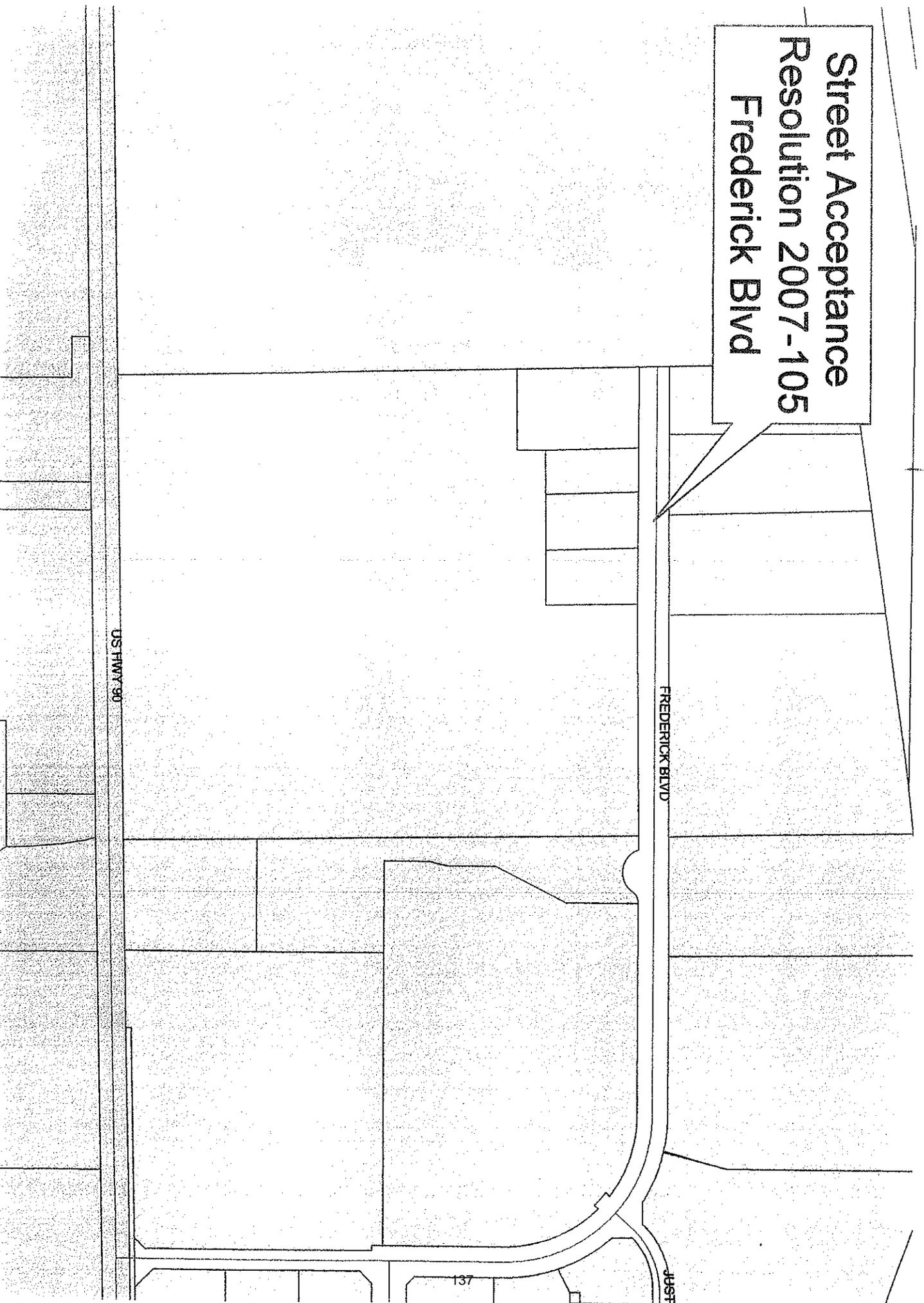
**Street Acceptance
Resolution 2007-105
Frederick Blvd**

FREDERICK BLVD

US HWY 90

JUST

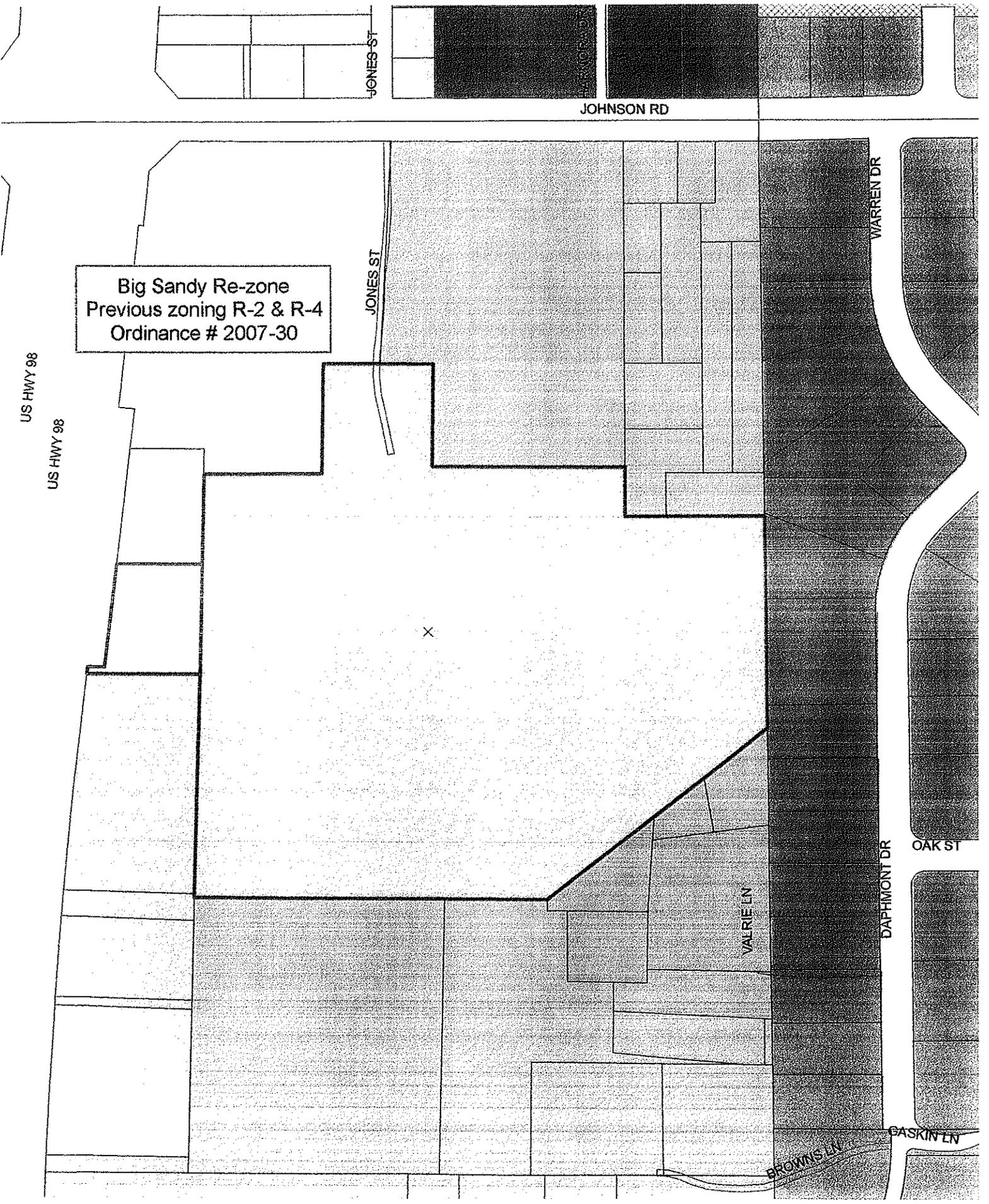
137



*City of Daphne Zone Map
Edits*

**ZONING
AMMENDMENT**

July 2007 – January 1, 2008



Big Sandy Re-zone
Previous zoning R-2 & R-4
Ordinance # 2007-30

US HWY 98

US HWY 98

JONES ST

JOHNSON RD

JONES ST

WARREN DR

X

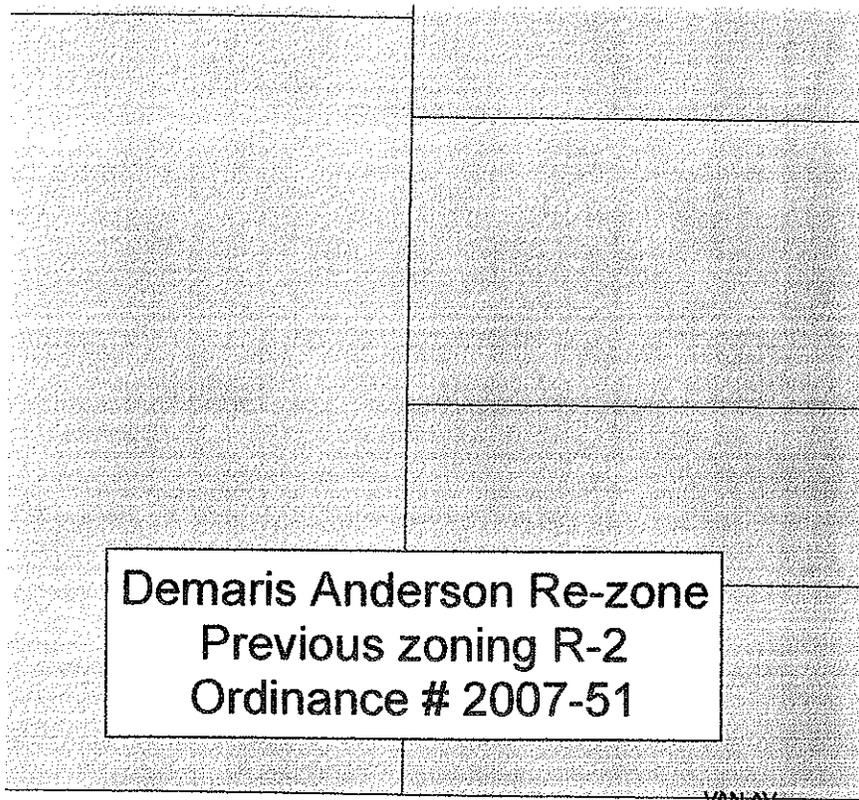
VALRIE LN

DAPHMONT DR

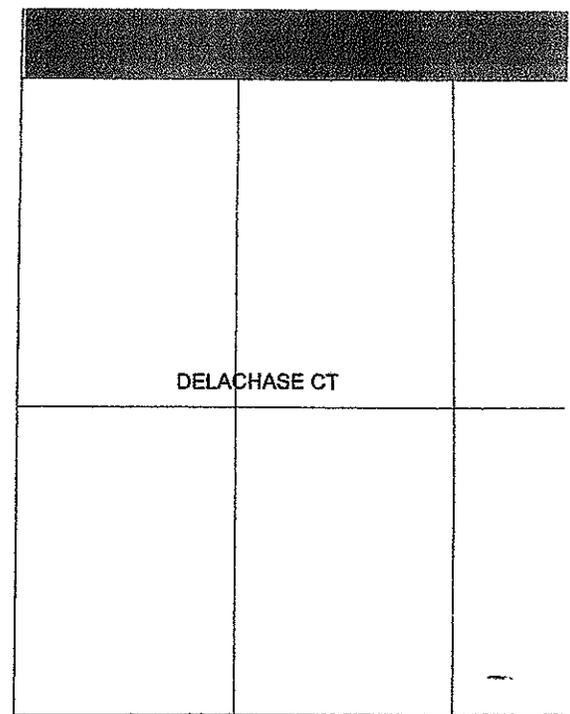
OAK ST

BROWNS LN

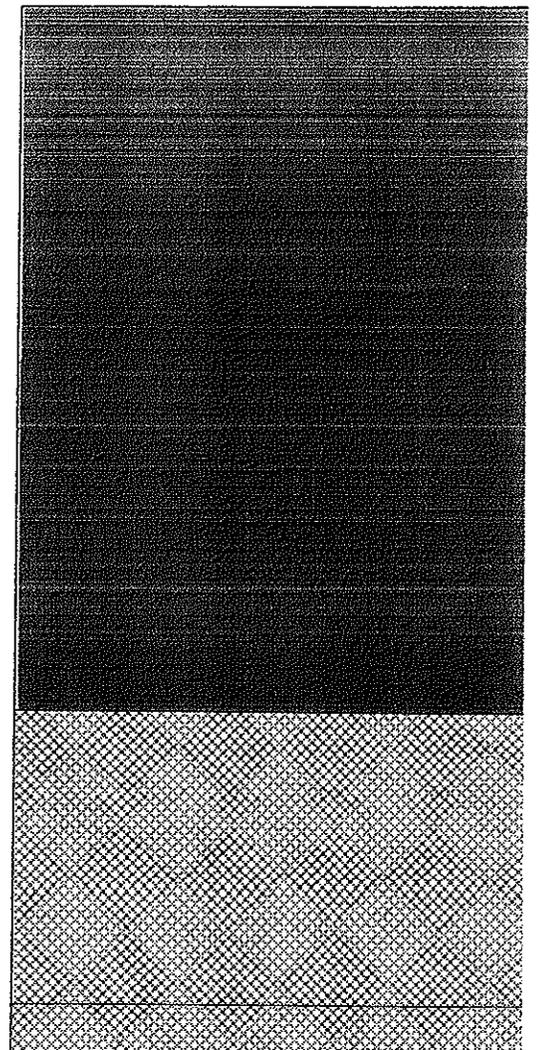
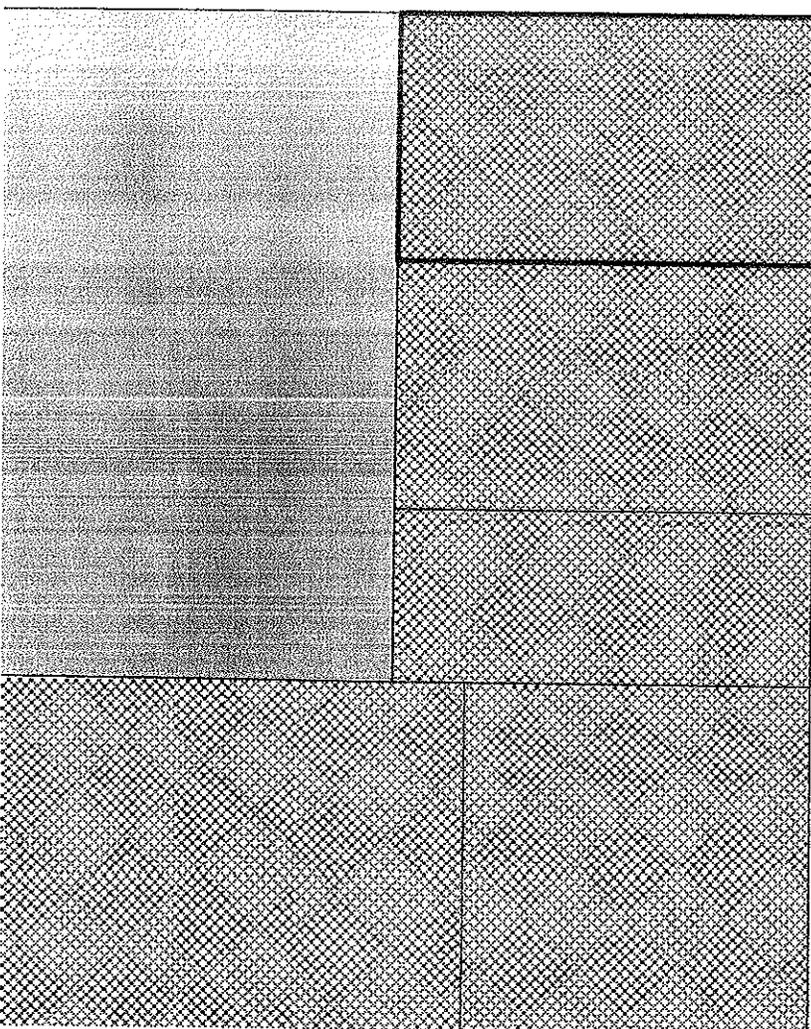
BASKIN LN

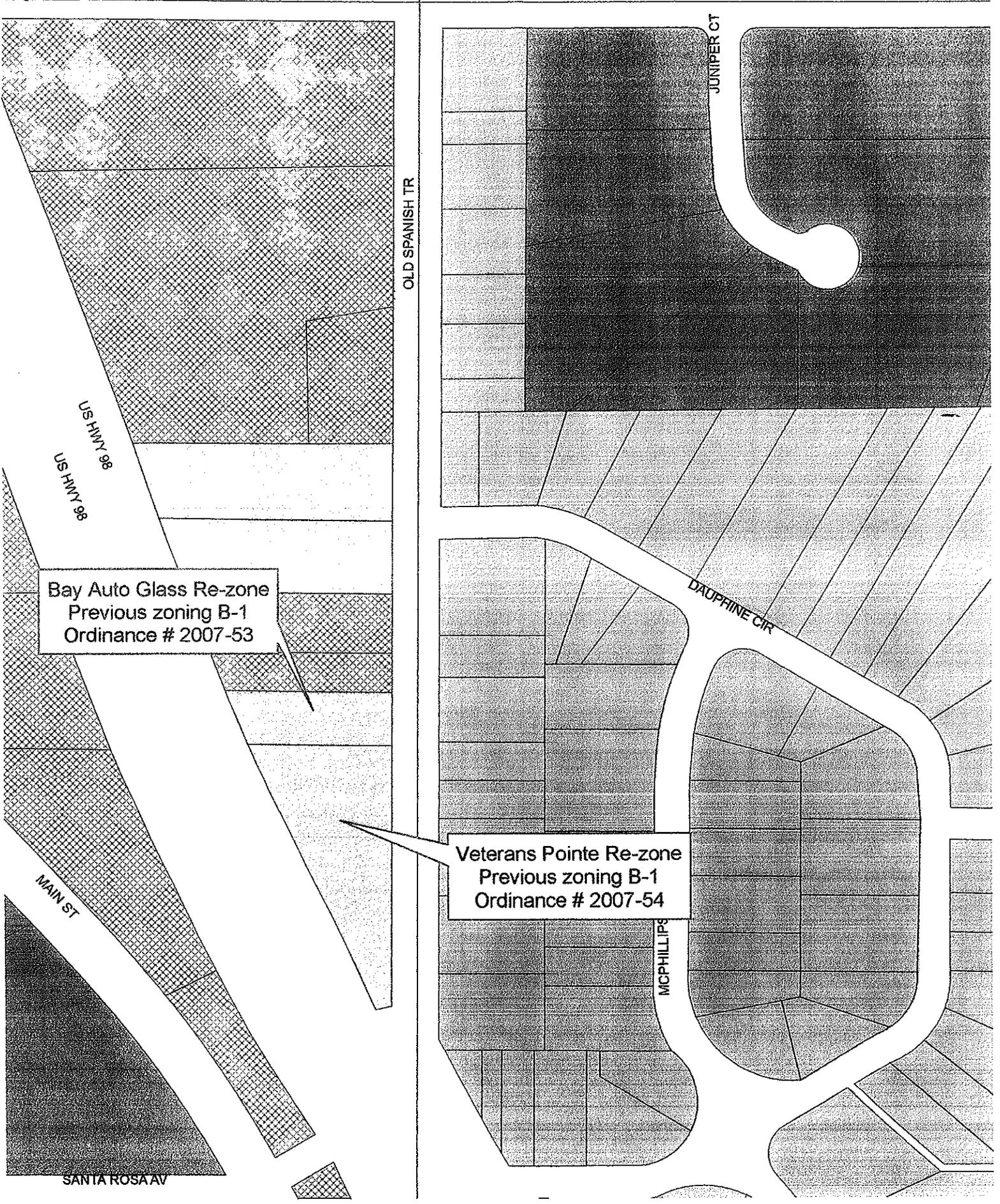


MAIN ST



VAN AV





Bay Auto Glass Re-zone
Previous zoning B-1
Ordinance # 2007-53

Veterans Pointe Re-zone
Previous zoning B-1
Ordinance # 2007-54

**CITY OF DAPHNE
ORDINANCE NO. 2008-26**

=====

**AN ORDINANCE ESTABLISHING DISTRICT LINES FOR
THE CITY OF DAPHNE, ALABAMA**

=====

WHEREAS, the City of Daphne, Alabama in order to encourage more active citizen participation in local government and to ensure equitable representation on the City Council in compliance with the Voting Rights Act of 1965, did pass Ordinance No. 1988-11, establishing seven (7) Single-Member Council Districts, which said district plan was approved by the United States Justice Department; and

WHEREAS, Act 1991-545, which governs the City of Daphne, incorporated the districting plan set out in Ordinance No. 1988-11, 1992-07 and said Act 1991-545, with the existing district lines, was approved by the United States Justice Department; and

WHEREAS, the 2000 Federal Decennial U.S. Census results have become final requiring an alteration to said district lines.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA AS FOLLOWS:

SECTION I: ENACTMENT

An Ordinance of the City of Daphne, Alabama, establishing Single-Member Council Districts for the purpose of electing Council representatives from each district, designating boundaries for each district based on current house count and current estimate of population, and prescribing a method for updating and amending the district boundaries on a periodic basis.

SECTION II: PURPOSE

The City of Daphne, Alabama, in order to encourage more active citizen participation in local government, to assure equitable representation on the City Council in compliance with the Voting Rights Act of 1965, as amended, and to promote the general welfare of all residents of the City, hereby ordains and enacts into law a Single-Member Council District Ordinance.

ORDINANCE NO. 2008-26
DISTRICTS LINES

SECTION III: AUTHORITY

The Ordinance set forth herein is hereby adopted pursuant to authority granted by Act Number 91-545 of the 1991 Alabama Legislature as signed by the Governor and approved by the United States Justice Department.

SECTION IV: ESTABLISHMENT OF DISTRICTS

The City of Daphne, Alabama is hereby divided into Single-Member Council Districts as listed and described below and as illustrated on the official Single-Member Council District Map which is hereby adopted and made a part of this Ordinance. The map shall be signed by the Mayor and attested to by the City Clerk. It shall be filed in the Office of the City Clerk and shall show thereon the date of adoption of this Ordinance. The Ordinance and Map shall, within five (5) days of the date of its adoption, be certified to the Judge of Probate of Baldwin County, Alabama.

SECTION V: LEGAL DESCRIPTION

See attached Exhibit "A", which is made a part hereof as fully as if set out completely herein.

SECTION VI: AMENDMENT

The City of Daphne, Alabama shall assess the population in the Single-Member Districts following each Decennial U.S. Census and shall make the minimum adjustments to the district boundaries that are necessary to maintain roughly equal populations within each district that are within the limits of deviation allowed by law as such may presently exist or be hereafter amended, and to assure Black representation on the City Council that generally approximates the Black proportion of the City's population.

SECTION VII: REPEALER

All City Ordinances or parts thereof in conflict with the provisions of this Ordinance is hereby repealed insofar as they conflict.

**ORDINANCE NO. 2008-26
DISTRICTS LINES**

SECTION VIII: SEVERABILITY

The provisions of this Ordinance are severable. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereof.

SECTION IX: EFFECTIVE DATE

This Ordinance shall become effective and be in force from and after the date of its approval and adoption by the City Council of Daphne, Alabama and publication as required by law.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA on this _____ day of _____, 2008.

Greg Burnam
Council President
Date & Time Signed: _____

Fred Small
Mayor
Date & Time Signed: _____

ATTEST:

David L. Cohen
City Clerk, MMC

EXHIBIT "A"

DISTRICT #1

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF MAIN STREET AND THE CENTERLINE OF DAPHNE AVENUE (COUNTY HIGHWAY NO. 64); THENCE RUN NORTH ALONG SAID CENTERLINE OF MAIN STREET TO A POINT OF INTERSECTION WITH THE CENTERLINE OF RANDALL AVENUE; THENCE RUN EAST ALONG SAID CENTERLINE OF RANDALL AVENUE TO A POINT OF INTERSECTION OF WITH THE CENTERLINE OF U.S. HIGHWAY NO. 98; THENCE RUN NORTH ALONG SAID CENTERLINE OF U.S. HIGHWAY NO. 98 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF WHISPERING PINES ROAD; THENCE RUN EAST ALONG SAID CENTERLINE OF WHISPERING PINES ROAD TO A POINT OF INTERSECTION WITH THE CENTERLINE OF COUNTY ROAD NO. 13; THENCE RUN SOUTH ALONG SAID CENTERLINE OF COUNTY ROAD NO. 13 TO A POINT OF INTERSECTION WITH EXTENSION OF THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-001.000; THENCE RUN WEST ALONG SAID EXTENSION OF THE SOUTH PROPERTY LINE AND THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-001.000 TO A POINT OF INTERSECTION WITH THE CENTER LINE OF PUBLIC WORKS ROAD; THENCE RUN SOUTH ALONG SAID CENTER LINE OF PUBLIC WORKS ROAD TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE NORTH PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-018.000; THENCE RUN EAST ALONG SAID EXTENSION OF THE NORTH PROPERTY LINE AND THE NORTH PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-018.000 TO THE NORTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-018.000; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-018.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-018.000; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE AND THE EXTENSION OF THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-018.000 TO THE INTERSECTION OF SAID EXTENSION OF THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-018.000 AND THE CENTER LINE OF PUBLIC WORKS ROAD; THENCE RUN SOUTH ALONG SAID CENTER LINE OF PUBLIC WORKS ROAD TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE NORTH PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-021.017; THENCE RUN EAST ALONG SAID EXTENSION OF THE NORTH PROPERTY LINE AND THE NORTH PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-021.017 TO THE NORTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-021.017 ALSO BEING THE NORTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-021.016; THENCE RUN EAST ALONG THE NORTH LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-021.016 TO THE NORTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-021.016 ALSO BEING THE NORTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-021.015; THENCE RUN ALONG THE NORTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-021.015 TO THE NORTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-021.015 ALSO BEING THE NORTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-

021.000; THENCE RUN EAST ALONG THE NORTH PROPERTY LINE AND THE EXTENSION OF SAID NORTH LINE OF TAX PARCEL NO. 43-05-16-0-000-021.000 TO A POINT OF INTERSECTION WITH SAID CENTERLINE OF COUNTY HIGHWAY NO. 13; THENCE RUN SOUTH ALONG SAID CENTERLINE OF COUNTY HIGHWAY NO. 13 TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE NORTH PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-022.000; THENCE RUN WEST ALONG SAID EXTENSION OF THE NORTH PROPERTY LINE AND THE NORTH LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-022.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-022.000; THENCE RUN SOUTH ALONG THE WEST PROPERTY LINE AND THE EXTENSION OF THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-022.000 TO A POINT OF INTERSECTION WITH THE SAID CENTERLINE OF DAPHNE AVENUE (COUNTY HIGHWAY NO. 64); THENCE RUN WEST ALONG SAID CENTERLINE OF DAPHNE AVENUE (COUNTY HIGHWAY NO. 64) TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE WEST PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-023.014; THENCE RUN NORTH ALONG SAID EXTENSION OF THE WEST PROPERTY LINE AND THE WEST PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-023.014 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-023.014 ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-023.013; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-023.013 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-023.013 ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-023.012; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-023.012 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-023.012 ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-023.011; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-023.011 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-023.011 ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-023.010; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-023.010 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-023.010 ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-023.009; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-023.009 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-023.009 ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-023.008; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-023.008 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-023.008 ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-023.007; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-023.007 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-023.007 ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-023.004; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-023.004 TO THE NORTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-023.004 SAID POINT BEING ON THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-001.000; THENCE RUN WEST ALONG SAID SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-001.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-001.000; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE AND

THE EXTENSION OF THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-001.000 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF WHISPERING PINES ROAD; THENCE RUN WEST ALONG SAID CENTERLINE OF WHISPERING PINES ROAD TO POINT OF INTERSECTION WITH SAID CENTERLINE OF WHISPERING PINES ROAD AND THE EXTENSION THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-002.001; THENCE RUN SOUTH ALONG SAID EAST PROPERTY LINE AND THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-002.001 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-002.001 ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 43-05-16-0-000-003.000; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-003.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-003.000; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE AND THE EXTENSION OF THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-003.000 TO THE INTERSECTION OF SAID EXTENSION SOUTH PROPERTY LINE WITH THE CENTERLINE OF POLLARD ROAD; THENCE RUN SOUTH ALONG SAID CENTERLINE OF POLLARD ROAD TO A POINT OF INTERSECTION WITH THE CENTERLINE OF WELL ROAD; THENCE RUN EAST ALONG SAID CENTERLINE OF WELL ROAD TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-028.015; THENCE RUN SOUTH ALONG SAID EXTENSION AND THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-028.015 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-028.015 ALSO BEING A POINT ON THE NORTH PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-028.005; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-028.015 ALSO BEING THE NORTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-028.005 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-028.005; THENCE RUN SOUTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-028.005 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-028.005; THENCE RUN EAST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-028.005 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-028.005; THENCE RUN NORTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-028.005 TO THE NORTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-028.005 ALSO BEING A POINT ON THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-028.006; THENCE RUN EAST ALONG THE SAID SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-028.006 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-028.006 ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-028.012; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE AND THE EXTENSION OF THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-028.012 TO A POINT OF INTERSECTION WITH SAID EXTENSION OF THE WEST PROPERTY LINE AND THE CENTERLINE OF WELL ROAD; THENCE RUN EAST ALONG SAID CENTERLINE OF WELL ROAD TO A POINT OF INTERSECTION OF SAID CENTERLINE AND THE EXTENSION OF THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-028.012; THENCE RUN SOUTH ALONG SAID EXTENSION OF THE EAST PROPERTY LINE AND THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-028.012 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-028.012 ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 43-05-16-0-000-028.007; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF TAX

PARCEL NO. 43-05-16-0-000-028.007 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-028.007 ALSO BEING THE NORTHEAST CORNER OF PECAN TRACE SUBDIVISION AS RECORDED ON SLIDE NO. 2178-D AND AMENDED ON SLIDE NO. 2202-D; THENCE RUN SOUTH ALONG THE EASE BOUNDARY LINE OF SAID PECAN TRACE SUBDIVISION TO THE SOUTHEAST CORNER OF SAID PECAN TRACE SUBDIVISION; THENCE RUN WEST ALONG THE SOUTH BOUNDARY LINE OF SAID PECAN TRACE SUBDIVISION TO A POINT ON SAID SOUTH BOUNDARY LINE ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 43-05-16-0-000-028.003; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-028.003 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-028.003 ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 43-05-16-0-000-028.019; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-028.019 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-028.019; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE AND THE EXTENSION OF THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-028.019 TO A POINT OF INTERSECTION WITH SAID EXTENSION OF THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-028.019 AND THE CENTERLINE OF POLLARD ROAD; THENCE RUN SOUTH ALONG SAID CENTERLINE OF POLLARD ROAD TO A POINT OF INTERSECTION WITH SAID CENTERLINE OF POLLARD ROAD AND THE CENTERLINE OF DAPHNE AVENUE (COUNTY HIGHWAY NO. 64); THENCE RUN EAST ALONG SAID CENTERLINE OF DAPHNE AVENUE (COUNTY HIGHWAY NO. 64) TO A POINT OF INTERSECTION OF SAID CENTERLINE OF DAPHNE AVENUE (COUNTY HIGHWAY NO. 64) AND THE EXTENSION OF THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-05-21-0-000-005.000; THENCE RUN SOUTH ALONG SAID EXTENSION OF THE EAST PROPERTY LINE AND THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-05-21-0-000-005.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-21-0-000-005.000 ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 43-05-21-0-000-005.002; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-21-0-000-005.002 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-21-0-000-005.002; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-21-0-000-005.002 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-21-0-000-005.002; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE AND THE EXTENSION OF THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-21-0-000-005.002 TO A POINT OF INTERSECTION WITH SAID EXTENSION OF THE WEST PROPERTY LINE AND THE CENTERLINE OF DAPHNE AVENUE (COUNTY HIGHWAY NO. 64); THENCE RUN WEST ALONG SAID CENTERLINE OF DAPHNE AVENUE (COUNTY HIGHWAY NO. 64) TO A POINT OF INTERSECTION WITH SAID CENTERLINE OF DAPHNE AVENUE (COUNTY HIGHWAY NO. 64) AND THE CENTERLINE OF POLLARD ROAD; THENCE RUN SOUTH ALONG SAID CENTERLINE OF POLLARD ROAD TO A POINT OF INTERSECTION WITH SAID CENTERLINE OF POLLARD ROAD AND THE EXTENSION OF THE NORTH PROPERTY LINE OF TAX PARCEL NO. 43-05-21-0-000-006.000; THENCE RUN EAST ALONG SAID EXTENSION OF THE NORTH PROPERTY LINE AND THE NORTH PROPERTY LINE OF TAX PARCEL NO. 43-05-21-0-000-006.000 TO THE NORTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-21-0-000-006.000; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-21-0-000-006.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-

21-0-000-006.000 ALSO BEING A POINT ON THE NORTH PROPERTY LINE OF TAX PARCEL NO. 43-05-21-0-000-020.000; THENCE RUN NORTHWESTERLY ALONG SAID NORTH PROPERTY LINE OF TAX PARCEL NO. 43-05-21-0-000-020.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-21-0-000-020.000 ALSO BEING A POINT ON THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-05-21-0-000-010.000; THENCE RUN SOUTH ALONG SAID EAST PROPERTY LINE OF TAX PARCEL NO. 43-05-21-0-000-010.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-21-0-000-010.000 ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 43-05-21-0-000-011.000; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-21-0-000-011.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-21-0-000-011.000; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-21-0-000-011.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-21-0-000-011.000; THENCE RUN NORTH AND WEST ALONG THE WEST PROPERTY LINE AND THE EXTENSION OF THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-21-0-000-011.000 TO A POINT OF INTERSECTION WITH SAID EXTENSION OF THE WEST PROPERTY LINE AND THE CENTERLINE OF POLLARD ROAD; THENCE RUN NORTH ALONG SAID CENTERLINE OF POLLARD ROAD TO A POINT OF INTERSECTION WITH SAID CENTERLINE OF POLLARD ROAD AND THE EXTENSION OF WEST PROPERTY LINE OF TAX PARCEL NO. 43-05-21-0-000-010.000; THENCE RUN EAST AND NORTH ALONG SAID EAST PROPERTY LINE OF TAX PARCEL NO. 43-05-21-0-000-010.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-21-0-000-010.000 ALSO BEING A POINT ON THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-05-21-0-000-007.000; THENCE RUN WEST ALONG SAID SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-05-21-0-000-007.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-21-0-000-007.000 ALSO BEING THE SOUTHEAST CORNER OF TAX PARCEL NO. 43-05-21-0-000-008.000; THENCE RUN NORTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-21-0-000-008.000 TO THE NORTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-21-0-000-008.000; THENCE RUN WEST ALONG THE NORTH PROPERTY LINE AND THE EXTENSION OF THE NORTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-21-0-000-008.000 TO A POINT OF INTERSECTION WITH SAID EXTENSION OF THE NORTH PROPERTY LINE AND THE CENTERLINE OF POLLARD ROAD; THENCE RUN SOUTH ALONG SAID CENTERLINE OF POLLARD ROAD TO THE NORTHEAST CORNER OF TAX PARCEL NO. 43-04-20-4-000-001.000; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-04-20-4-000-001.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-04-20-4-000-001.000 ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 43-04-20-4-000-015.000; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-04-20-4-000-015.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-04-20-4-000-015.000 ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 43-09-29-1-000-131.027; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-29-1-000-131.027 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-09-29-1-000-131.027 ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 43-09-29-1-000-141.000; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-29-1-000-141.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-09-29-1-000-141.000; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-29-1-000-141.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-09-29-1-000-

141.000 ALSO BEING THE SOUTHEAST CORNER OF TAX PARCEL NO. 43-09-29-1-000-143.000; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-29-1-000-143.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-09-29-1-000-143.000 ALSO BEING THE SOUTHEAST CORNER OF TAX PARCEL NO. 43-09-29-1-000-144.000; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-29-1-000-144.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-09-29-1-000-144.000 ALSO BEING THE SOUTHEAST CORNER OF TAX PARCEL NO. 43-09-29-1-000-145.000; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-29-1-000-145.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-09-29-1-000-145.000 ALSO BEING THE SOUTHEAST CORNER OF TAX PARCEL NO. 43-09-29-1-000-131.038; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE AND THE EXTENSION OF THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-29-1-000-131.038 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF DALE DRIVE SAID POINT BEING THE INTERSECTION OF SAID CENTERLINE OF DALE DRIVE AND THE EXTENSION OF THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-09-29-2-000-049.000; THENCE RUN WEST ALONG SAID EXTENSION OF THE SOUTH PROPERTY LINE AND THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-09-29-2-000-049.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL 43-09-29-2-000-049.000; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-29-2-000-049.000 TO A POINT ON SAID WEST PROPERTY LINE OF TAX PARCEL NO. 43-09-29-2-000-049.000, BEING THE SOUTHEAST CORNER OF TAX PARCEL NO. 43-09-29-2-000-050.000; THENCE RUN WEST ALONG SAID SOUTH PROPERTY LINE AND THE EXTENSION OF THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-09-29-2-000-050.000 TO A POINT OF INTERSECTION WITH WEST RIGHT-OF-WAY OF U.S. HIGHWAY NO. 98; THENCE RUN SOUTH ALONG SAID WEST RIGHT-OF-WAY OF HIGHWAY NO. 98 TO THE SOUTHEAST CORNER OF TAX PARCEL NO. 43-09-29-0-000-064.000; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-29-0-000-064.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-09-29-0-000-064.000; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-29-0-000-064.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-09-29-0-000-064.000; THENCE RUN EAST ALONG THE NORTH PROPERTY LINE SAID TAX PARCEL NO. 43-09-29-0-000-064.000 TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE WEST PROPERTY LINE OF TAX PARCEL NO. 43-09-29-0-000-021.000; THENCE RUN NORTH ALONG SAID EXTENSION OF THE WEST PROPERTY LINE AND THE WEST PROPERTY LINE OF TAX PARCEL NO. 43-09-29-0-000-021.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-09-29-0-000-021.000; THENCE RUN EAST ALONG THE NORTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-29-0-000-021.000 TO A POINT OF INTERSECTION WITH THE WEST PROPERTY LINE OF TAX PARCEL NO. 43-09-29-0-000-022.000; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-29-0-000-022.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-09-29-0-000-022.000 ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-09-29-0-000-005.000; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-29-0-000-005.000 TO A POINT OF INTERSECTION WITH THE SOUTH BOUNDARY LINE OF PINWOOD SUBDIVISION AS RECORDED IN MAP BOOK 12, PAGE 23 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN WEST ALONG SAID SOUTH BOUNDARY LINE OF PINWOOD SUBDIVISION AND THE

EXTENSION OF SAID SOUTH BOUNDARY LINE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF HOLY CROSS DRIVE; THENCE RUN SOUTH ALONG SAID CENTERLINE OF HOLY CROSS DRIVE TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-09-30-0-000-008.000; THENCE RUN WEST ALONG SAID EXTENSION OF THE SOUTH PROPERTY LINE AND THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-09-30-0-000-008.000 TO A POINT OF INTERSECTION WITH THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-09-30-0-000-010.000; THENCE RUN SOUTH ALONG SAID EAST PROPERTY LINE OF TAX PARCEL NO. 43-09-30-0-000-010.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-09-30-0-000-010.000; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE AND THE EXTENSION OF THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-30-0-000-010.000 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF MAIN STREET; THENCE RUN SOUTH ALONG SAID CENTERLINE OF MAIN STREET TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-09-30-0-000-011.000; THENCE RUN WEST ALONG SAID EXTENSION OF THE SOUTH PROPERTY LINE AND THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-09-30-0-000-011.000 TO THE SOUTHWEST CORNER OF SAID PARCEL NO. 43-09-30-0-000-011.000; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-30-0-000-011.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-09-30-0-000-011.000; THENCE RUN EAST ALONG THE NORTH PROPERTY LINE AND THE EXTENSION OF THE NORTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-30-0-000-011.000 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF MAIN STREET; THENCE RUN NORTH ALONG SAID CENTERLINE OF MAIN STREET TO A POINT OF INTERSECTION WITH THE CENTERLINE OF DAPHNE AVENUE (COUNTY HIGHWAY NO. 64) AND THE POINT OF BEGINNING.

DISTRICT #2

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF MAIN STREET AND THE CENTERLINE OF DAPHNE AVENUE (COUNTY HIGHWAY NO. 64); THENCE RUN SOUTH ALONG SAID CENTERLINE OF MAIN STREET TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-09-30-0-000-001.001; THENCE RUN WEST ALONG SAID EXTENSION OF THE SOUTH PROPERTY LINE AND THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-09-30-0-000-001.001 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-09-30-0-000-001.001; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-30-0-000-001.001 TO A POINT OF INTERSECTION WITH THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-09-42-0-001-040.000; THENCE RUN WEST ALONG SAID SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-09-42-0-001-040.000 TO A POINT OF INTERSECTION WITH THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-09-42-0-001-039.000; THENCE RUN SOUTH ALONG SAID EAST

PROPERTY LINE OF TAX PARCEL NO. 43-09-42-0-001-039.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-09-42-0-001-00-39.000; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-42-0-001-039.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-09-42-0-001-038.000 ALSO BEING THE SOUTHEAST CORNER OF TAX PARCEL NO. 43-09-42-0-001-038.000; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-42-0-001-038.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-09-42-0-001-038.000 ALSO BEING THE SOUTHEAST CORNER OF TAX PARCEL NO. 43-09-42-0-001-037.000; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-42-0-001-037.000 TO A POINT OF INTERSECTION WITH THE EASTERN BOUNDARY LINE OF MONTROSE VILLAGE AS RECORDED IN MAP BOOK 8, PAGE 108 IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH ALONG SAID EASTERN BOUNDARY LINE OF MONTROSE VILLAGE AND THE EXTENSION OF THE EASTERN BOUNDARY LINE TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF NORTH WINDING BROOK DRIVE; THENCE RUN WEST ALONG SAID NORTH RIGHT-OF-WAY OF NORTH WINDING BROOK DRIVE TO A POINT OF INTERSECTION WITH THE SOUTH BOUNDARY LINE OF WOODBRIDGE SUBDIVISION AS RECORDED IN MAP BOOK 9, PAGE 144 IN THE OFFICE OF THE PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN WEST ALONG SAID SOUTH BOUNDARY LINE OF WOODBRIDGE SUBDIVISION TO A POINT OF INTERSECTION WITH THE EAST MARGIN OF MOBILE BAY; THENCE RUN NORTH ALONG SAID EAST MARGIN OF MOBILE BAY TO A POINT OF INTERSECTION WITH THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-03-07-0-000-068.002; THENCE RUN EAST ALONG SAID SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-03-07-0-000-068.002 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-03-07-0-000-068.002; THENCE RUN NORTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-03-07-0-000-068.002 TO A POINT ON SAID TAX PARCEL NO. 43-03-07-0-000-068.002 ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-03-07-0-000-068.000; THENCE RUN EAST ALONG THE SOUTH PROPERTY LINE AND THE EXTENSION OF THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-03-07-0-000-068.000 TO A POINT OF INTERSECTION OF THE CENTERLINE OF MAIN STREET SAID POINT ALSO BEING THE INTERSECTION OF SAID CENTERLINE OF MAIN STREET AND WHISPERING PINES ROAD; THENCE RUN EAST ALONG SAID CENTERLINE OF WHISPERING PINES ROAD TO A POINT OF INTERSECTION WITH THE CENTERLINE OF U.S. HIGHWAY NO. 98; THENCE RUN SOUTH ALONG SAID CENTERLINE OF U.S. HIGHWAY NO. 98 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF RANDALL AVENUE; THENCE RUN WEST ALONG SAID CENTERLINE OF RANDALL AVENUE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF MAIN STREET; THENCE RUN SOUTH ALONG SAID CENTERLINE OF MAIN STREET TO A POINT OF INTERSECTION WITH THE CENTERLINE OF DAPHNE AVENUE (COUNTY HIGHWAY NO. 64) AND THE POINT OF BEGINNING.

DISTRICT #3

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF U.S. HIGHWAY NO. 98 AND THE CENTERLINE OF WHISPERING PINES ROAD; THENCE RUN WEST ALONG SAID

CENTERLINE OF WHISPERING PINES ROAD TO A POINT OF INTERSECTION WITH THE CENTERLINE MAIN STREET ALSO BEING THE INTERSECTION OF SAID MAIN STREET AND THE EXTENSION OF THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-03-07-0-000-068.000; THENCE RUN WEST ALONG SAID EXTENSION OF THE SOUTH PROPERTY LINE AND THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-03-07-0-000-068.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-03-07-0-000-068.000 BEING A POINT ON THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-03-07-0-000-068.002; THENCE RUN SOUTH ALONG SAID EAST PROPERTY LINE OF TAX PARCEL NO. 43-03-07-0-000-068.002 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-03-07-0-000-068.002; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-03-07-0-000-068.002 TO A POINT OF INTERSECTION WITH THE EAST MARGIN OF MOBILE BAY; THENCE RUN NORTH ALONG SAID EAST MARGIN OF MOBILE BAY AND THE EAST MARGIN OF D'OLIVE BAY TO A POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY OF INTERSTATE NO. 10; THENCE RUN NORTH TO A POINT OF INTERSECTION OF THE NORTH RIGHT-OF-WAY OF INTERSTATE NO. 10 AND THE EAST MARGIN D'OLIVE CREEK; THENCE RUN NORTH ALONG SAID EAST MARGIN OF D'OLIVE CREEK TO A POINT OF INTERSECTION WITH THE SOUTH MARGIN OF NORTH FORK CREEK; THENCE RUN EAST ALONG SAID SOUTH MARGIN OF NORTH FORK CREEK TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE NORTH PROPERTY LINE OF TAX PARCEL NO. 32-09-31-0-000-015.000; THENCE RUN EAST ALONG SAID EXTENSION OF THE NORTH PROPERTY LINE AND THE NORTH PROPERTY LINE OF TAX PARCEL NO. 32-09-31-0-000-015.000 THE SOUTHWEST CORNER OF TAX PARCEL NO. 32-09-31-0-000-008.000; THENCE RUN EAST ALONG THE SOUTH PROPERTY LINE AND THE EXTENSION OF THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 32-09-31-0-000-008.000 TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY OF U.S. HIGHWAY NO. 98; THENCE RUN SOUTH ALONG SAID EAST RIGHT-OF-WAY U.S. HIGHWAY NO. 98 AND THE EXTENSION OF SAID EAST RIGHT-OF-WAY TO A POINT OF INTERSECTION WITH THE CENTERLINE OF MAIN STREET; THENCE RUN SOUTH ALONG SAID CENTERLINE OF MAIN STREET TO A POINT OF INTERSECTION WITH THE CENTERLINE OF WINDSOR DRIVE; THENCE RUN EAST ALONG SAID CENTERLINE OF WINDSOR DRIVE TO A POINT OF INTERSECTION WITH CENTERLINE OF RIDGEWOOD DRIVE; THENCE RUN SOUTH AND EAST ALONG SAID CENTERLINE OF RIDGEWOOD DRIVE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF BRENTWOOD DRIVE; THENCE RUN SOUTH AND EAST ALONG SAID CENTERLINE OF BRENTWOOD DRIVE TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-03-71-0-002-015.000 (SAID PARCEL BEING LOT 132, LAKE FOREST, UNIT 16, MAP BOOK 7, PAGE 119 AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA); THENCE RUN SOUTH ALONG SAID EXTENSION OF THE EAST PROPERTY LINE AND THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-03-71-0-002-015.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-03-71-0-002-015.000 ALSO BEING THE SOUTHEAST CORNER OF SAID LAKE FOREST, UNIT 16 AND THE SOUTHWEST CORNER OF LAKE FOREST, UNIT 15, MAP BOOK 7, PAGE 114 AS RECORDED IN THE OFFICE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN EAST ALONG THE SOUTH BOUNDARY OF SAID LAKE FOREST, UNIT 15 TO A POINT OF INTERSECTION WITH THE WEST BOUNDARY LINE OF CHARLESTON OAKS SUBDIVISION AS RECORDED ON SLIDE NO. 1634-A, AS

RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH ALONG SAID WEST BOUNDARY LINE OF CHARLESTON OAKS SUBDIVISION TO THE SOUTHWEST CORNER OF SAID CHARLESTON OAKS SUBDIVISION; THENCE RUN EAST ALONG THE SOUTH BOUNDARY LINE OF SAID CHARLESTON OAKS SUBDIVISION TO A POINT OF INTERSECTION WITH THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-03-05-0-008-003.010; THENCE RUN SOUTH ALONG SAID EAST PROPERTY LINE OF TAX PARCEL NO. 43-03-05-0-008-003.010 TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY OF JAPONICA LANE; THENCE RUN EAST ALONG SAID NORTH RIGHT-OF-WAY OF JAPONICA LANE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF SAID JAPONICA LANE; THENCE RUN SOUTH ALONG SAID CENTERLINE OF JAPONICA LANE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF PARK ROAD; THENCE RUN EAST ALONG SAID CENTERLINE OF PARK ROAD TO A POINT OF INTERSECTION WITH THE; CENTERLINE OF POLLARD ROAD; THENCE RUN SOUTH ALONG SAID CENTERLINE OF POLLARD ROAD TO A POINT OF INTERSECTION WITH THE CENTERLINE OF WHISPERING PINES ROAD; THENCE RUN WEST ALONG SAID CENTERLINE OF WHISPERING PINES ROAD TO A POINT OF INTERSECTION OF MAIN STREET AND THE POINT OF BEGINNING.

DISTRICT #4

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF POLLARD ROAD AND THE CENTERLINE OF WHISPERING PINES ROAD; THENCE RUN NORTH ALONG SAID CENTERLINE OF POLLARD ROAD TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE NORTH BOUNDARY LINE OF BROOKSIDE PATIO HOMES, AS RECORDED ON SLIDE NO. 2189-F IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN EAST ALONG SAID EXTENSION OF THE NORTH BOUNDARY LINE AND THE NORTH BOUNDARY LINE OF BROOKSIDE PATIO HOMES TO THE NORTHEAST CORNER OF SAID BROOKSIDE PATIO HOMES ALSO BEING THE NORTHWEST CORNER OF CREEKSIDE SUBDIVISION, UNIT 2, AS RECORDED ON SLIDE NO. 1739-B IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN EAST ALONG THE NORTH BOUNDARY LINE OF SAID CREEKSIDE SUBDIVISION, UNIT 2 TO THE NORTHEAST CORNER OF SAID CREEKSIDE SUBDIVISION, UNIT 2 ALSO BEING THE NORTHWEST CORNER OF STRATFORD GLEN, PHASE THREE, AS RECORDED ON SLIDE NO. 2152-F IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN EAST ALONG THE NORTH BOUNDARY LINE OF SAID STRATFORD GLEN, PHASE THREE TO THE NORTHEAST CORNER OF SAID STRATFORD GLEN, PHASE THREE ALSO BEING THE NORTHWEST CORNER OF TAX PARCEL NO.43-02-09-0-000-008.000; THENCE RUN EAST ALONG THE NORTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-02-09-0-000-008.000 TO A POINT OF INTERSECTION WITH THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-02-09-0-000-001.000; THENCE RUN NORTH ALONG SAID EAST PROPERTY LINE OF TAX PARCEL NO. 43-02-09-0-000-001.000 TO A POINT OF INTERSECTION WITH THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-02-09-0-000-001.060; THENCE RUN WEST ALONG SAID SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-02-09-0-000-001.060 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-02-09-0-000-001.060; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-02-09-0-000-

001.060 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-02-09-0-000-001.060 ALSO BEING A POINT ON THE SOUTH BOUNDARY LINE OF LAKE FOREST, UNIT 12, AS RECORDED IN MAP BOOK 7, PAGE 118 IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN WEST ALONG SAID SOUTH BOUNDARY LINE OF LAKE FOREST, UNIT 12 TO THE SOUTHWEST CORNER OF SAID LAKE FOREST, UNIT 12 ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 43-03-08-0-000-001.000; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-03-08-0-000-001.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-03-08-0-000-001.000 ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 43-03-08-0-000-014.000; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE AND THE EXTENSION OF THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-03-08-0-000-014.000 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF PARK DRIVE; THENCE RUN WEST ALONG SAID CENTERLINE OF PARK DRIVE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF JAPONICA LANE; THENCE RUN NORTH ALONG SAID CENTERLINE OF JAPONICA LANE TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY OF SAID JAPONICA LANE; THENCE RUN WEST ALONG SAID NORTH RIGHT-OF-WAY OF JAPONICA LANE TO A POINT OF INTERSECTION WITH THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-03-05-0-008-003.010; THENCE RUN NORTH ALONG SAID EAST PROPERTY LINE OF TAX PARCEL NO. 43-03-05-0-008-003.010 TO A POINT OF INTERSECTION WITH THE SOUTH BOUNDARY LINE OF CHARLESTON OAKS SUBDIVISION, AS RECORDED ON SLIDE NO. 1634-A IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN WEST ALONG SAID SOUTH BOUNDARY LINE OF CHARLESTON OAKS SUBDIVISION TO THE SOUTHWEST CORNER OF SAID CHARLESTON OAKS SUBDIVISION; THENCE RUN NORTH ALONG THE WEST BOUNDARY LINE OF SAID CHARLESTON OAKS SUBDIVISION TO A POINT OF INTERSECTION WITH THE SOUTH BOUNDARY LINE OF LAKE FOREST, UNIT 15, AS RECORDED IN MAP BOOK 7, PAGE 114 IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN WEST ALONG SAID SOUTH BOUNDARY LINE OF LAKE FOREST, UNIT 15 TO THE SOUTHWEST CORNER OF SAID LAKE FOREST, UNIT 15 ALSO BEING THE SOUTHEAST CORNER OF LAKE FOREST, UNIT 16 AS RECORDED IN MAP BOOK 7, PAGE 119 IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH ALONG THE EAST BOUNDARY LINE AND THE EXTENSION OF THE EAST BOUNDARY LINE OF SAID LAKE FOREST, UNIT 16 TO A POINT OF INTERSECTION OF THE CENTERLINE OF BRENTWOOD DRIVE; THENCE RUN WEST AND NORTH ALONG SAID CENTERLINE OF BRENTWOOD DRIVE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF RIDGEWOOD DRIVE; THENCE RUN EAST ALONG SAID CENTERLINE OF RIDGEWOOD DRIVE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF BAYVIEW DRIVE; THENCE RUN NORTH ALONG SAID CENTERLINE OF BAYVIEW DRIVE TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-03-05-0-002-126.000; THENCE RUN SOUTHEASTERLY ALONG SAID EXTENSION AND THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-03-05-0-002-126.000 TO A POINT OF INTERSECTION WITH THE NORTH PROPERTY LINE OF TAX PARCEL NO. 43-03-05-0-002-120.000; THENCE RUN EAST AND SOUTH ALONG SAID NORTH PROPERTY LINE AND THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-03-05-0-002-120.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL

NO.43-03-05-0-002-120.000 ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 43-03-05-0-005-112.000; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE AND THE EXTENSION OF THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-03-05-0-005-112.000 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF BUENA VISTA DRIVE; THENCE RUN EAST AND SOUTH ALONG SAID CENTERLINE OF BUENA VISTA DRIVE TO A POINT OF INTERSECTION OF RIDGEWOOD DRIVE; THENCE RUN EAST ALONG SAID CENTERLINE OF RIDGEWOOD DRIVE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF VEGA DRIVE; THENCE RUN EAST ALONG SAID CENTERLINE OF VEGA DRIVE TO A POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF LAKE FOREST, UNIT 22 AS RECORDED IN MAP BOOK 8, PAGE 38 IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH ALONG SAID EAST BOUNDARY LINE AND THE EXTENSION OF THE EAST BOUNDARY LINE OF LAKE FOREST, UNIT 22 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF COUNTY HIGHWAY NO. 13; THENCE RUN SOUTH ALONG SAID CENTERLINE OF COUNTY HIGHWAY NO. 13 TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE NORTH BOUNDARY LINE OF SEHOY SUBDIVISION, PHASE 5 AS RECORDED ON SLIDE NO. 2219-C IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN EAST ALONG SAID EXTENSION OF THE NORTH BOUNDARY LINE AND THE NORTH BOUNDARY LINE OF SEHOY SUBDIVISION, PHASE 5 TO THE NORTHEAST CORNER OF SAID SEHOY SUBDIVISION, PHASE 5 ALSO BEING THE NORTHWEST CORNER OF SEHOY SUBDIVISION, PHASE 1 AS RECORDED ON SLIDE NO. 2068-C&D IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN EAST ALONG THE NORTH BOUNDARY LINE OF SAID SEHOY SUBDIVISION, PHASE 1 TO THE NORTHEAST CORNER OF SAID SEHOY SUBDIVISION, PHASE 1 ALSO BEING THE NORTHWEST CORNER OF SEHOY SUBDIVISION, PHASE 3 AS RECORDED ON SLIDE NO. 2119-D IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN EAST ALONG THE NORTH BOUNDARY LINE OF SAID SEHOY SUBDIVISION, PHASE 3 TO THE NORTHEAST CORNER OF SAID SEHOY SUBDIVISION, PHASE 3 ALSO BEING THE NORTHWEST CORNER OF SEHOY SUBDIVISION, PHASE 4 AS RECORDED ON SLIDE NO. 2179-B IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN EAST ALONG THE NORTH BOUNDARY LINE OF SAID SEHOY SUBDIVISION, PHASE 4 TO THE NORTHWEST CORNER OF SAID SEHOY SUBDIVISION, PHASE 4; THENCE RUN SOUTH ALONG THE EAST BOUNDARY LINE OF SAID SEHOY SUBDIVISION, PHASE 4 TO THE SOUTHEAST CORNER OF SAID SEHOY SUBDIVISION, PHASE 4; THENCE RUN WEST ALONG THE SOUTH BOUNDARY LINE OF SAID SEHOY SUBDIVISION, PHASE 4 TO THE SOUTHWEST CORNER OF SAID SEHOY SUBDIVISION, PHASE 4 ALSO BEING THE SOUTHEAST CORNER OF SAID SEHOY SUBDIVISION, PHASE 3; THENCE RUN WEST ALONG THE SOUTH BOUNDARY LINE OF SAID SEHOY SUBDIVISION, PHASE 3 TO THE SOUTHWEST CORNER OF SAID SEHOY SUBDIVISION, PHASE 3 ALSO BEING THE SOUTHEAST CORNER OF SAID SEHOY SUBDIVISION, PHASE 1; THENCE RUN WEST ALONG THE SOUTH BOUNDARY LINE OF SAID SEHOY SUBDIVISION, PHASE 1 TO A POINT OF INTERSECTION WITH THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-02-10-0-000-011.000; THENCE RUN SOUTH ALONG SAID EAST PROPERTY LINE AND THE EXTENSION OF THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-02-10-0-000-011.000 TO A POINT OF INTERSECTION OF THE CENTERLINE OF PARKER LANE; THENCE RUN WEST ALONG SAID CENTERLINE PARKER LANE TO A POINT

OF INTERSECTION WITH THE CENTERLINE COUNTY HIGHWAY NO. 13 ALSO BEING A POINT OF INTERSECTION OF SAID CENTERLINE OF COUNTY HIGHWAY NO. 13 AND THE EXTENSION OF THE NORTH PROPERTY LINE TAX PARCEL NO. 43-02-09-0-000-011.001; THENCE RUN WEST ALONG SAID EXTENSION AND THE NORTH PROPERTY LINE OF TAX PARCEL NO. 43-02-09-0-000-011.001 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-02-09-0-000-011.001; THENCE RUN SOUTH ALONG THE WEST PROPERTY LINE AND THE EXTENSION OF THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-02-09-0-000-011.001 TO A POINT OF INTERSECTION OF THE CENTERLINE OF WHISPERING PINES ROAD; THENCE RUN WEST ALONG CENTERLINE OF WHISPERING PINES ROAD TO THE POINT OF BEGINNING.

ALSO INCLUDING ALL OF THE LOTS IN ASHLEY PLACE SUBDIVISION AS RECORDED ON SLIDE NO. 1608-A IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA.

ALSO INCLUDING ALL OF THE LOTS IN OTTAWA SPRINGS SUBDIVISION, PHASE ONE AS RECORDED ON SLIDE NO. 2255-E AND OTTAWA SPRINGS SUBDIVISION, PHASE TWO AS RECORDED ON SLIDE 2355-F IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA.

ALSO INCLUDING TAX PARCEL NO. 43-08-27-0-000-004.000 AND ALL OF THE LOTS IN BELLATON SUBDIVISION, PHASE ONE AS RECORDED ON SLIDE NO. 2194-E AND BELLATON SUBDIVISION, PHASE TWO AS RECORDED ON SLIDE NO. 2294-B IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA.

ALSO INCLUDING ALL OF THE PROPOSED LOTS THAT ARE PLATTED AS OLD FIELD SUBDIVISION NOT YET RECORDED WHICH INCLUDE TAX PARCEL NO'S. 43-08-34-0-000-001.000 THROUGH 43-08-34-0-000-001.164.

ALSO INCLUDING TAX PARCEL NO'S. 43-07-26-0-000-011.000, 43-07-35-0-000-002.000, AND 43-07-35-0-000-003.000.

ALSO INCLUDING ALL OF THE LOTS IN KRYSTAL RIDGE ESTATES SUBDIVISION AS RECORDED ON SLIDE NO. 2283-F IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA AND TAX PARCEL NO. 43-02-03-0-000-002.223.

DISTRICT #5

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF MAIN STREET AND THE CENTERLINE OF WINDSOR DRIVE; THENCE RUN NORTH AND EAST ALONG SAID CENTERLINE OF MAIN STREET TO A POINT OF INTERSECTION WITH THE CENTERLINE OF U.S. HIGHWAY NO. 90; THENCE RUN EAST ALONG SAID CENTERLINE OF U.S. HIGHWAY 90 TO A POINT OF INTERSECTION WITH THE CENTERLINE EXTENSION OF BAY VIEW DRIVE; THENCE RUN EAST AND SOUTH ALONG SAID CENTERLINE OF BAY VIEW DRIVE

TO A POINT OF INTERSECTION WITH THE CENTERLINE EXTENSION OF RIDGEWOOD DRIVE; THENCE RUN WEST ALONG CENTERLINE OF RIDGEWOOD DRIVE TO A POINT OF INTERSECTION WITH THE EXTENSION OF RIDGEWOOD DRIVE AND THE CENTERLINE OF LAKE FOREST DRIVE; THENCE RUN NORTH ALONG SAID CENTERLINE OF LAKE FOREST DRIVE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF WINDSOR DRIVE; THENCE RUN WEST ALONG SAID CENTERLINE OF WINDSOR DRIVE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF MAIN STREET AND THE POINT OF BEGINNING.

DISTRICT #6

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF LAWSON ROAD AND THE CENTERLINE OF RIDGEWOOD DRIVE; THENCE RUN EAST ALONG SAID CENTERLINE OF LAWSON ROAD TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE WEST BOUNDARY LINE OF CANTERBURY PLACE, UNIT FOUR AS RECORDED ON SLIDE NO. 2013-E IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH ALONG SAID EXTENSION OF THE WEST BOUNDARY LINE AND THE WEST BOUNDARY LINE OF CANTERBURY PLACE, UNIT FOUR TO THE NORTHWEST CORNER OF SAID CANTERBURY PLACE, UNIT FOUR ALSO BEING THE SOUTHWEST CORNER OF CANTERBURY PLACE, UNIT THREE AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH ALONG THE WEST BOUNDARY LINE OF SAID CANTERBURY PLACE, UNIT THREE TO THE NORTHWEST CORNER OF SAID CANTERBURY PLACE, UNIT THREE; THENCE RUN EAST ALONG THE NORTH BOUNDARY LINE OF SAID CANTERBURY PLACE, UNIT THREE TO THE NORTHEAST CORNER OF SAID CANTERBURY PLACE, UNIT THREE; THENCE RUN SOUTH ALONG THE EAST BOUNDARY LINE OF SAID CANTERBURY PLACE, UNIT THREE TO THE SOUTH EAST CORNER OF SAID CANTERBURY PLACE, UNIT THREE ALSO BEING THE NORTHEAST CORNER OF CANTERBURY PLACE, UNIT TWO AS RECORDED ON SLIDE NO. 1639-A IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH ALONG THE EAST BOUNDARY LINE OF SAID CANTERBURY PLACE, UNIT TWO TO THE SOUTHEAST CORNER OF SAID CANTERBURY PLACE, UNIT TWO ALSO BEING THE NORTHEAST CORNER OF CANTERBURY PLACE, UNIT ONE AS RECORDED ON SLIDE NO. 1499-B IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH ALONG THE EAST BOUNDARY LINE AND THE EXTENSION OF THE EAST BOUNDARY LINE OF SAID CANTERBURY PLACE, UNIT ONE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF LAWSON ROAD; THENCE RUN WEST ALONG SAID CENTERLINE OF LAWSON ROAD TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-02-03-0-000-002.001; THENCE RUN SOUTH ALONG SAID EXTENSION OF THE EAST PROPERTY LINE AND THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-02-03-0-000-002.001 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-02-03-0-000-002.001; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-02-03-0-000-002.001 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-02-03-0-000-002.001 ALSO BEING THE SOUTHEAST CORNER OF TAX PARCEL NO. 43-02-03-0-000-002.0-131; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-02-

03-0-000-002.0-131 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-02-03-0-000-002.0-131; THENCE CONTINUE WEST TO THE SOUTHEAST CORNER OF TAX PARCEL NO. 43-02-03-0-000-002.003; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-02-03-0-000-002.003 TO A POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF LAKE FOREST SUBDIVISION, UNIT 22 AS RECORDED IN MAP BOOK 8, PAGE 38 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH ALONG SAID EAST BOUNDARY LINE OF LAKE FOREST SUBDIVISION, UNIT 22 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF VEGA DRIVE; THENCE RUN WEST ALONG SAID CENTERLINE OF VEGA DRIVE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF RIDGEWOOD DRIVE; THENCE RUN SOUTH AND WEST ALONG SAID CENTERLINE OF RIDGEWOOD DRIVE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF BUENA VISTA DRIVE; THENCE RUN NORTH ALONG SAID CENTERLINE OF BUENA VISTA DRIVE TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE WEST PROPERTY LINE OF LOT 133, LAKE FOREST SUBDIVISION, UNIT 9 AS RECORDED IN MAP BOOK 7, PAGE 96 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH ALONG SAID EXTENSION OF THE WEST PROPERTY LINE AND THE WEST PROPERTY LINE OF LOT 133, LAKE FOREST SUBDIVISION, UNIT 9 TO THE NORTHWEST CORNER OF SAID LOT 133, LAKE FOREST SUBDIVISION, UNIT 9 ALSO BEING THE SOUTHWEST CORNER OF LOT 2, LAKE FOREST SUBDIVISION, UNIT 18 AS RECORDED IN MAP BOOK 7, PAGE 155 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTHWESTERLY ALONG THE SOUTH LOT LINE OF LOTS 2 AND 1 OF SAID LAKE FOREST SUBDIVISION, UNIT 18 TO THE SOUTHWEST CORNER OF SAID LOT 1, LAKE FOREST SUBDIVISION, UNIT 18 ALSO BEING THE SOUTHEAST OF LOT 134, LAKE FOREST SUBDIVISION, UNIT 8 AS RECORDED IN MAP BOOK 7, PAGE 95 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTHWESTERLY ALONG THE SOUTH LINE OF LOTS 134, 133, AND 132 OF SAID LAKE FOREST SUBDIVISION, UNIT 8 TO A POINT OF INTERSECTION WITH THE EAST PROPERTY LINE OF LOT 39 OF SAID LAKE FOREST SUBDIVISION, UNIT 8; THENCE RUN SOUTH ALONG SAID EAST PROPERTY LINE OF LOT 39, LAKE FOREST SUBDIVISION, UNIT 8 TO THE SOUTHEAST CORNER OF SAID LOT 39, LAKE FOREST SUBDIVISION, UNIT 8; THENCE RUN NORTHWESTERLY ALONG THE SOUTH PROPERTY LINE AND THE EXTENSION OF THE SOUTH PROPERTY LINE OF SAID LOT 39, LAKE FOREST SUBDIVISION, UNIT 8 TO A POINT OF INTERSECTION OF THE CENTERLINE OF BAY VIEW DRIVE; THENCE RUN NORTH ALONG SAID CENTERLINE OF BAY VIEW DRIVE TO A POINT OF INTERSECTION WITH THE NORTH PROPERTY LINE OF LOT 53 OF SAID LAKE FOREST SUBDIVISION, UNIT 8; THENCE RUN EAST ALONG SAID NORTH PROPERTY LINE AND THE NORTH LINE OF SAID LOT 53, LAKE FOREST SUBDIVISION, UNIT 8 TO THE NORTHEAST CORNER OF SAID LOT 53, LAKE FOREST SUBDIVISION, UNIT 8 ALSO BEING THE NORTHWEST CORNER OF LOT 126, LAKE FOREST SUBDIVISION, UNIT 14 AS RECORDED IN MAP BOOK 7, PAGE 104 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN EAST AND NORTH ALONG THE BOUNDARY LINE OF SAID LAKE FOREST SUBDIVISION, UNIT 14 TO THE NORTHEAST CORNER OF LOT 98 OF SAID LAKE FOREST SUBDIVISION, UNIT 14 ALSO BEING THE NORTHWEST CORNER OF LOT 21, LAKE FOREST SUBDIVISION, UNIT 23 AS RECORDED IN MAP BOOK 8, PAGE 74 IN THE OFFICE OF THE JUDGE OF PROBATE,

BALDWIN COUNTY, ALABAMA; THENCE RUN EAST ALONG THE BOUNDARY LINE OF SAID LAKE FOREST SUBDIVISION, UNIT 23 TO THE SOUTHWEST CORNER OF LOT 6 OF SAID LAKE FOREST SUBDIVISION, UNIT 23; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE AND THE EXTENSION OF THE WEST PROPERTY LINE OF SAID LOT 6, LAKE FOREST SUBDIVISION, UNIT 23 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF SOUTH WINDGATE CIRCLE; THENCE RUN EAST ALONG SAID CENTERLINE OF SOUTH WINDGATE CIRCLE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF RIDGEWOOD DRIVE; THENCE RUN SOUTH AND EAST ALONG SAID CENTERLINE OF RIDGEWOOD DRIVE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF LAWSON ROAD AND THE POINT OF BEGINNING.

DISTRICT #7

BEGINNING AT INTERSECTION OF THE CENTERLINE OF RIDGEWOOD DRIVE AND THE CENTERLINE OF LAWSON ROAD; THENCE RUN NORTH AND WEST ALONG SAID CENTERLINE OF RIDGEWOOD DRIVE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF SOUTH WINDGATE CIRCLE; THENCE RUN WEST ALONG SAID CENTERLINE OF SOUTH WINDGATE CIRCLE TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE WEST PROPERTY LINE OF LOT 6, LAKE FOREST SUBDIVISION, UNIT 23 AS RECORDED IN MAP BOOK 8, PAGE 74 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH ALONG SAID EXTENSION OF THE WEST PROPERTY LINE AND THE WEST PROPERTY LINE OF LOT 6, LAKE FOREST SUBDIVISION, UNIT 23 TO THE SOUTHWEST CORNER OF SAID LOT 6, LAKE FOREST SUBDIVISION, UNIT 23; THENCE RUN EAST, SOUTH, AND WEST ALONG THE BOUNDARY LINE OF SAID LAKE FOREST SUBDIVISION, UNIT 23 TO THE NORTHWEST CORNER OF LOT 21 OF SAID LAKE FOREST SUBDIVISION, UNIT 23 ALSO BEING THE NORTHEAST CORNER OF LOT 98, LAKE FOREST SUBDIVISION, UNIT 14 AS RECORDED IN MAP BOOK 7, PAGE 104 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN WEST AND SOUTH ALONG THE BOUNDARY LINE OF SAID LAKE FOREST SUBDIVISION, UNIT 14 TO THE NORTHWEST CORNER OF LOT 126 OF SAID LAKE FOREST SUBDIVISION, UNIT 14 ALSO BEING THE NORTHEAST CORNER OF LOT 53, LAKE FOREST SUBDIVISION, UNIT 8 AS RECORDED IN MAP BOOK 7, PAGE 95 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN WEST ALONG THE NORTH PROPERTY LINE AND THE EXTENSION OF THE NORTH PROPERTY LINE OF SAID LOT 53, LAKE FOREST SUBDIVISION, UNIT 8 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF BAY VIEW DRIVE; THENCE RUN NORTH AND WEST ALONG SAID CENTERLINE OF BAYVIEW DRIVE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF U.S. HIGHWAY NO. 90; THENCE RUN WEST ALONG SAID CENTERLINE OF U.S. HIGHWAY NO. 90 TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE WEST PROPERTY LINE OF TAX PARCEL NO. 32-09-31-0-000-017.003; THENCE RUN NORTH ALONG SAID EXTENSION OF THE WEST PROPERTY LINE AND THE WEST PROPERTY LINE OF TAX PARCEL NO. 32-09-31-0-000-017.003 TO A POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY OF INTERSTATE NO. 10; THENCE RUN EAST ALONG SAID SOUTH RIGHT-OF-WAY OF INTERSTATE NO. 10 TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY OF STATE HIGHWAY NO. 181; THENCE RUN SOUTH ALONG SAID SOUTH RIGHT-

OF-WAY OF STATE HIGHWAY NO. 181 TO A POINT OF INTERSECTION WITH THE NORTH PROPERTY LINE OF TAX PARCEL NO. 32-08-34-0-000-002.019; THENCE RUN WEST ALONG SAID NORTH PROPERTY LINE OF TAX PARCEL NO. 32-08-34-0-000-002.019 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 32-08-34-0-000-002.019; THENCE RUN SOUTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-34-0-000-002.019 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO.32-08-34-0-000-002.019; THENCE RUN EAST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-34-0-000-002.019 TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY OF STATE HIGHWAY NO. 181; THENCE RUN SOUTH ALONG SAID WEST RIGHT-OF-WAY OF STATE HIGHWAY NO. 181 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF U.S. HIGHWAY NO. 90; THENCE RUN WEST ALONG SAID CENTERLINE OF U.S. HIGHWAY NO. 90 TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE EAST PROPERTY LINE OF TAX PARCEL NO. 32-08-33-0-001-018.012; THENCE RUN SOUTH ALONG SAID EXTENSION OF THE EAST PROPERTY LINE AND THE EAST PROPERTY LINE OF TAX PARCEL NO. 32-08-34-0-000-002.019 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 32-08-34-0-000-002.019 ALSO BEING THE NORTHEAST CORNER OF LAKE FOREST, UNIT 25 AS RECORDED IN MAP 8, PAGE 86 IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH ALONG THE EAST BOUNDARY LINE AND THE EXTENSION OF THE EAST BOUNDARY LINE OF SAID LAKE FOREST, UNIT 25 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF LAWSON ROAD; THENCE RUN WEST ALONG SAID CENTERLINE OF LAWSON ROAD TO THE POINT OF BEGINNING.

ALSO INCLUDING THE FOLLOWING:

BEGINNING AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY OF STATE HIGHWAY NO. 181 AND THE SOUTH RIGHT-OF-WAY OF U.S. HIGHWAY NO. 31; THENCE RUN SOUTH ALONG SAID WEST RIGHT-OF-WAY OF STATE HIGHWAY NO. 181 TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY OF INTERSTATE NO. 10; THENCE RUN WEST ALONG SAID NORTH RIGHT-OF-WAY OF INTERSTATE NO. 10 TO A POINT OF INTERSECTION WITH THE WEST PROPERTY LINE OF TAX PARCEL NO. 32-09-32-0-001-001.003; THENCE RUN NORTH ALONG SAID WEST PROPERTY LINE OF TAX PARCEL NO. 32-09-32-0-001-001.003 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 32-09-32-0-001-001.003; THENCE RUN EAST ALONG THE NORTH PROPERTY LINE OF SAID TAX PARCEL NO. 32-09-32-0-001-001.003 TO THE NORTHEAST CORNER OF SAID TAX PARCEL NO. 32-09-32-0-001-001.003 ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 32-08-28-3-002-084.000; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-28-3-002-084.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 32-08-28-3-002-084.000; THENCE RUN EAST ALONG THE NORTH PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-28-3-002-084.000 TO THE NORTHEAST CORNER OF SAID TAX PARCEL NO. 32-08-28-3-002-084.000 ALSO BEING THE NORTHWEST CORNER OF TIMBERCREEK, PHASE NINE AS RECORDED ON SLIDE NO. 2056-D IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN EAST AND NORTH ALONG THE WEST BOUNDARY LINE OF SAID TIMBERCREEK, PHASE NINE TO THE NORTHWEST CORNER OF SAID TIMBERCREEK, PHASE NINE ALSO BEING THE SOUTHWEST CORNER OF TIMBERCREEK, PHASE THREE AS RECORDED ON SLIDE NO. 1588-A IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA;

THENCE RUN NORTH ALONG THE WEST BOUNDARY LINE OF SAID TIMBERCREEK, PHASE THREE TO THE NORTHWEST CORNER OF SAID TIMBERCREEK, PHASE THREE ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 32-08-28-1-001-051.096; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-28-1-001-051.096 TO A POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY OF U.S.HIGHWAY NO. 31; THENCE RUN EAST ALONG SAID SOUTH RIGHT-OF-WAY OF U.S. HIGHWAY NO. 31 TO THE POINT OF BEGINNING.

ALSO INCLUDING THE FOLLOWING:

BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY OF INTERSTATE NO. 10 AND THE EAST RIGHT-OF-WAY STATE HIGHWAY NO. 181; THENCE RUN EAST ALONG SAID SOUTH RIGHT-OF-WAY OF INTERSTATE NO. 10 TO A POINT OF INTERSECTION WITH THE EAST PROPERTY LINE OF TAX PARCEL NO. 32-07-35-0-000-001.008; THENCE RUNSOUTH ALONG SAID EAST PROPERTY LINE OF TAX PARCEL NO. 32-07-35-0-000-001.008 TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY OF U.S. HIGHWAY NO. 90; THENCE RUN WEST ALONG SAID NORTH RIGHT-OF-WAY OF U.S. HIGHWAY NO. 90 TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY OF STATE HIGHWAY NO. 181; THENCE RUN NORTH ALONG SAID EAST RIGHT-OF-WAY OF STATE HIGHWAY NO. 181 TO THE POINT OF BEGINNING.

THENCE RUN NORTH ALONG SAID WEST PROPERTY LINE OF TAX PARCEL NO. 32-09-32-0-001-001.010 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 32-09-32-0-001-001.010 ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 32-09-32-0-001-003.001; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 32-09-32-0-001-003.001 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 32-09-32-0-001-003.001; THENCE RUN EAST ALONG THE NORTH PROPERTY LINE OF SAID TAX PARCEL NO. 32-09-32-0-001-003.001 TO A POINT OF INTERSECTION WITH THE WEST PROPERTY LINE OF TAX PARCEL NO. 32-09-32-0-001-003.000; THENCE RUN SOUTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 32-09-32-0-001-003.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 32-09-32-0-001-003.000; THENCE RUN EAST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 32-09-32-0-001-003.000 TO A POINT OF INTERSECTION WITH THE EAST PROPERTY LINE OF TAX PARCEL NO. 32-09-32-0-001-003.001; THENCE RUN SOUTH ALONG SAID EAST PROPERTY LINE OF TAX PARCEL NO. 32-09-32-0-001-003.001 TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY OF INTERSTATE NO. 10; THENCE RUN EAST ALONG SAID NORTH RIGHT-OF-WAY OF INTERSTATE NO. 10 TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE EAST PROPERTY LINE OF LOT 1, WILSON HEIGHTS, UNIT 4 AS RECORDED IN MAP BOOK 5, PAGE 193 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH ALONG SAID EXTENSION OF THE EAST PROPERTY LINE OF LOT 1, WILSON HEIGHTS, UNIT 4 TO THE SOUTHEAST CORNER OF SAID LOT 1, WILSON HEIGHTS, UNIT 4; THENCE RUN EAST ALONG THE SOUTH BOUNDARY LINE OF SAID WILSON HEIGHTS, UNIT 4 TO THE SOUTHEAST CORNER OF SAID WILSON HEIGHTS, UNIT 4; THENCE RUN NORTH ALONG THE EAST BOUNDARY LINE OF SAID WILSON HEIGHTS, UNIT 4 TO THE NORTHEAST OF SAID WILSON HEIGHTS, UNIT 4 ALSO BEING THE SOUTHEAST OF WILSON HEIGHTS, UNIT 5 AS RECORDED IN MAP BOOK 5, PAGE 236

IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH ALONG THE EAST BOUNDARY LINE OF SAID WILSON HEIGHTS, UNIT 5 TO A POINT OF INTERSECTION WITH THE SOUTH BOUNDARY LINE OF WILSON HEIGHTS, UNIT 7 AS RECORDED IN MAP BOOK 6, PAGE 1 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN EAST ALONG SAID SOUTH BOUNDARY LINE OF WILSON HEIGHTS, UNIT 7 TO THE SOUTHEAST CORNER OF SAID WILSON HEIGHTS, UNIT 7 ALSO BEING THE SOUTHWEST CORNER OF LOT 34, TIMBERCREEK, PHASE THREE AS RECORDED ON SLIDE NO. 1588-A IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH ALONG THE EAST BOUNDARY LINE OF SAID WILSON HEIGHTS, UNIT 7 ALSO THE WEST BOUNDARY LINE OF SAID TIMBERCREEK, PHASE THREE TO THE NORTHWEST CORNER OF LOT 35 OF SAID TIMBERCREEK, PHASE THREE; THENCE RUN EAST AND NORTH ALONG THE WEST BOUNDARY LINE OF SAID TIMBERCREEK, PHASE THREE TO THE NORTHWEST CORNER OF SAID TIMBERCREEK, PHASE THREE ALSO BEING THE SOUTHWEST CORNER OF TIMBERCREEK, PHASE ONE AS RECORDED ON SLIDE NO. 1371-B THRU 1373-B IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH ALONG THE WEST BOUNDARY LINE OF SAID TIMBERCREEK, PHASE ONE TO THE NORTHWEST CORNER OF SAID TIMBERCREEK, PHASE ONE ALSO BEING THE SOUTHWEST CORNER OF LOT 1, RECREATION AREA OF TIMBERCREEK AS RECORDED ON SLIDE NO. 1864-B AND 1980-A IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID LOT 1, RECREATION AREA IN TIMBERCREEK TO THE NORTHWEST CORNER OF SAID LOT 1, RECREATION AREA IN TIMBERCREEK ALSO BEING THE SOUTHWEST CORNER OF LOT 2, OF SAID RECREATION AREA IN TIMBERCREEK; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID LOT 2, RECREATION AREA IN TIMBERCREEK TO A POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY OF U.S. HIGHWAY NO. 31; THENCE RUN EAST ALONG SAID SOUTH RIGHT-OF-WAY OF U.S. HIGHWAY NO. 31 TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY OF STATE HIGHWAY NO. 181; THENCE RUN SOUTH ALONG SAID WEST RIGHT-OF-WAY OF STATE HIGHWAY NO. 181 TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY OF WOODROW LANE; THENCE RUN EAST LEAVING SAID POINT OF INTERSECTION TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY OF STATE HIGHWAY NO. 181; THENCE RUN SOUTH ALONG SAID EAST RIGHT-OF-WAY OF STATE HIGHWAY NO. 181 TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY OF INTERSTATE NO. 10; THENCE RUN EAST ALONG SAID NORTH RIGHT-OF-WAY OF INTERSTATE 10 TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE EAST PROPERTY LINE OF TAX PARCEL NO. 32-07-35-0-000-001.008; THENCE RUN SOUTH ALONG SAID EXTENSION OF THE EAST PROPERTY LINE AND THE EAST PROPERTY LINE OF TAX PARCEL NO. 32-07-35-0-000-001.008 TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY OF U.S. HIGHWAY NO. 90; THENCE RUN WEST ALONG SAID NORTH RIGHT-OF-WAY OF U.S. HIGHWAY NO. 90 TO A POINT OF INTERSECTION WITH THE OF THE EAST RIGHT-OF-WAY OF STATE HIGHWAY NO. 181; THENCE RUN NORTH ALONG SAID EAST RIGHT-OF-WAY OF STATE HIGHWAY NO. 181 TO A POINT OF INTERSECTION WITH THE NORTH LINE OF TAX PARCEL NO. 32-07-35-0-000-001.043; THENCE RUN WEST LEAVING SAID INTERSECTION TO A POINT ON THE WEST RIGHT-OF-WAY OF STATE HIGHWAY NO. 181; THENCE RUN NORTH ALONG SAID EAST

RIGHT-OF-WAY OF STATE HIGHWAY NO. 181 TO A POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY INTERSTATE NO. 10; THENCE RUN WEST ALONG SAID SOUTH RIGHT-OF-WAY OF INTERSTATE NO 10 TO A POINT THAT IS DUE SOUTH OF THE SOUTHWEST CORNER OF LOT 32, TIMBERCREEK, PHASE FOUR AS RECORDED ON SLIDE NO. 1627-B IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH LEAVING SAID POINT TO A POINT ON THE NORTH RIGHT-OF-WAY OF WOODROW LANE SAID POINT BEING THE SOUTHWEST CORNER OF LOT 32, TIMBERCREEK, PHASE FOUR; THENCE RUN WEST ALONG SAID NORTH RIGHT-OF-WAY OF WOODROW LANE TO A POINT INTERSECTION WITH THE EAST LINE OF TAX PARCEL NO. 32-08-28-4-001-012.000; THENCE RUN NORTH ALONG SAID EAST PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-28-4-001-012.000 TO THE NORTHEAST CORNER OF SAID TAX PARCEL NO. 32-08-28-4-001-012.000 ALSO BEING THE SOUTHEAST CORNER OF AUSTIN TOWN SUBDIVISION AS RECORDED IN MAP BOOK 6, PAGE 200 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH ALONG THE EAST BOUNDARY LINE OF SAID AUSTIN TOWN SUBDIVISION TO THE NORTHEAST CORNER OF SAID AUSTIN TOWN SUBDIVISION; THENCE RUN WEST ALONG THE NORTH BOUNDARY LINE OF SAID AUSTIN TOWN SUBDIVISION TO THE NORTHWEST CORNER OF SAID AUSTIN TOWN SUBDIVISION; THENCE RUN SOUTH ALONG THE WEST BOUNDARY LINE OF SAID AUSTIN TOWN SUBDIVISION TO A POINT BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 32-08-28-4-001-001.000; THENCE RUN WEST ALONG THE NORTH PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-28-4-001-001.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 32-08-28-4-001-001.000; THENCE RUN SOUTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-28-4-001-001.000 TO A POINT OF INTERSECTION WITH THE NORTH PROPERTY LINE OF TAX PARCEL NO. 32-08-28-4-001-008.000; THENCE RUN WEST ALONG SAID NORTH PROPERTY LINE OF TAX PARCEL NO. 32-08-28-4-001-008.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 32-08-28-4-001-008.000; THENCE RUN SOUTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-28-4-001-008.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 32-08-28-4-001-008.000 ALSO BEING THE NORTHWEST CORNER OF TAX PARCEL NO. 32-08-28-4-001-007.000; THENCE RUN SOUTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-28-4-001-007.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 32-08-28-4-001-007.000; THENCE RUN EAST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-28-4-001-007.000 TO A POINT OF INTERSECTION WITH THE WEST PROPERTY LINE OF TAX PARCEL NO. 32-08-28-4-001-010.000; THENCE RUN SOUTH ALONG SAID WEST PROPERTY LINE OF TAX PARCEL NO. 32-08-28-4-001-010.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 32-08-28-4-001-010.000 ALSO BEING THE NORTHWEST CORNER OF TAX PARCEL NO. 32-08-28-4-001-001.002; THENCE RUN SOUTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-28-4-001-001.002 TO A POINT OF INTERSECTION WITH THE NORTH PROPERTY LINE OF TAX PARCEL NO. 32-08-33-0-001-005.000; THENCE RUN WEST ALONG SAID NORTH PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-33-0-001-005.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 32-08-33-0-001-005.000; THENCE RUN SOUTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-33-0-001-005.000 TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY OF INTERSTATE NO. 10; THENCE RUN SOUTH LEAVING SAID POINT OF INTERSECTION TO A POINT ON THE SOUTH RIGHT-

OF-WAY OF SAID INTERSTATE NO. 10 ALSO BEING THE NORTHWEST CORNER OF TAX PARCEL NO. 32-08-33-0-001-012.000; THENCE RUN EAST ALONG SAID SOUTH RIGHT-OF-WAY OF INTERSTATE NO. 10 AND THE NORTH PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-33-0-001-012.000 TO THE NORTHEAST CORNER OF SAID TAX PARCEL NO. 32-08-33-0-001-012.000; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-33-0-001-012.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 32-08-33-0-001-012.000 ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 32-08-33-0-001-018.000; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-33-0-001-018.000 TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY OF U.S. HIGHWAY NO. 90; THENCE RUN SOUTH LEAVING SAID POINT OF INTERSECTION TO A POINT ON THE SOUTH RIGHT-OF-WAY OF SAID U.S. HIGHWAY NO. 90 SAID POINT BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 32-08-33-0-001-018.012; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-33-0-001-018.012 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 32-08-33-0-001-018.012 ALSO BEING THE NORTHEAST CORNER OF LAKE FOREST SUBDIVISION, UNIT 25 AS RECORDED IN MAP BOOK 8, PAGE 86 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH ALONG THE EAST BOUNDARY LINE AND THE EXTENSION OF THE EAST BOUNDARY LINE OF SAID LAKE FOREST SUBDIVISION TO A POINT OF INTERSECTION WITH THE CENTERLINE OF LAWSON ROAD AND THE POINT OF BEGINNING

ORDINANCE NO. 2008-27

**Ordinance to Amend City of Daphne
Ordinance No. 2004-17 *Establishing Voting Poll Places**

AN ORDINANCE adding/amending the following to the City of Daphne, Alabama, Ordinance No. 2004-17, adopted May 21, 2004.

WHEREAS, the City Council of the city of Daphne believes it to be in the be interest of its citizens to have four voting polls for the purpose of holding a Municipal Election to be held August 26, 2008 and October 7, 2008 Runoff Election, if necessary; and

WHEREAS, after due notice by publication as required by law, the voting poll places shall be changed for holding the Municipal Election of August 26, 2008 and October 7, 2008 Runoff Election, if necessary, pursuant to Act #95-327; and

WHEREAS, the Mayor and City Council of the City of Daphne, after due consideration deemed, that the amendment requested is proper and believe it to be in the best interest of the City that such amendment be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that the described amendment below to establish the voting poll locations for the City of Daphne seven Districts is hereby accepted as stated:

- | | | | | |
|------------|---|--------------------------------|---|------------------------|
| District 1 | - | Boys and Girls Club | - | 1317 Johnson Rd. |
| District 2 | - | Nicholson Center | - | College & Capt. O'Neal |
| District 3 | - | Daphne Civic Center | - | 2603 U.S. Hwy 98 |
| District 4 | - | Daphne Civic Center | - | 2603 U.S. Hwy 98 |
| District 5 | - | Daphne Civic Center | - | 2603 U.S. Hwy 98 |
| District 6 | - | Daphne High School Trojan Hall | - | 9078 Lawson Road |
| District 7 | - | Daphne High School Trojan Hall | - | 9078 Lawson Road |

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS ____ DAY OF _____, 2008.

**GREG BURNAM,
COUNCIL PRESIDENT**

Date & Time Signed: _____

**FRED SMALL,
MAYOR**

Date & Time Signed: _____

ATTEST:

**DAVID COHEN,
CITY CLERK, MMC**

ORDINANCE 2008 - 28

Lodging Tax Appropriation

WHEREAS, Ordinance 2007-47 approved and adopted the Fiscal Year 2008 Budget on October 15 , 2007; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2008 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2008 budget; and

WHEREAS, pursuant to Ordinance 2000-34, Lodging Tax funds may be used for the purchase, development, and maintenance of beachfront property; and

WHEREAS, certain improvements are necessary at May Day Park and Bay Front Park.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that the Fiscal Year 2008 Budget is hereby amended to include Lodging Tax appropriations in the amount of \$ 187,140 for maintenance at the following beachfront property locations:

Bay Front Park:

96,140: Parking Lot Improvements

60,000: Restroom Facilities

May Day Park:

31,000: Playground Equipment.

APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, this _____ day of _____ , 2008.

Greg Burnam, Council President

Date & Time Signed:_____

Fred Small, Mayor

Date & Time Signed:_____

ATTEST:

David L. Cohen, City Clerk MMC