

**CITY COUNCIL BUSINESS MEETING AGENDA**  
**1705 MAIN STREET, DAPHNE, AL**  
**APRIL 16, 2007**  
**6:30 P.M.**

**1. CALL TO ORDER**

**2. ROLL CALL/INVOCATION  
PLEDGE OF ALLEGIANCE**

- 3. APPROVE MINUTES:** Council minutes meeting held April 2, 2007  
Work Session minutes meeting held April 12, 2007

**PUBLIC HEARING:** International Building Code

**4. REPORT STANDING COMMITTEES:**

**A. FINANCE COMMITTEE / Scott**

Review minutes meeting held April 9<sup>th</sup>

**a.) Prepaid Travel / Resolution 2007-29**

- 1.) Leah Henry, Magistrate / Certification Training & Maintenance Training Institute / Tuscaloosa, AL / May 8-11, 2007 / \$140.00
- 2.) Billy Crutchfield / Mechanical Maintenance Supervisor / Waste Expo / Atlanta, GA / May 6-11, 2007 / \$210
- 3.) Clement Conaway / Solid Waste Supervisor, Waste Expo / Atlanta GA / May 6-11, 2007 / \$210
- 4.) Donna Page / Accountant / Governmental Accounting & Financial Reporting / Texas Tech / Tallahassee, FL / June 3-6, 2007 / \$140
- 5.) Lisa White / Accountant / Governmental Accounting & Financial Reporting / Texas Tech / Tallahassee, FL / June 3-6, 2007 / \$140

**b.) Resolutions:**

- 1.) Bid Award: Disaster Debris Removal / IED, Inc. / Resolution 2007-32
- 2.) FY 2007 Contribution SARPC \$ 12,361 / Resolution 2007-31
- 3.) Declare Surplus Equipment / Resolution 2007-28
- 4.) Declare 2007 Sales Tax Holiday / Resolution 2007-30

**c.) Motions:**

- 1.) Authorize Mayor to secure cost proposals for the Lake Forest Water Shed Hydraulic and Feasibility Study and report the results back to the Finance Committee for funding consideration.

**d.) Financial Reports**

- 1.) Treasurers Report / March 31, 2007
- 2.) Sales Tax Collection Graphs / February 28, 2007
- 3.) Lodging Tax Collections / February 28, 2007

**B. BUILDINGS & PROPERTY - Lake**

Review minutes meeting held April 6<sup>th</sup>

**MOTION:** To set a special Council meeting date of April 23, 2007 6:00 p.m. to consider the Bid Award for the Civic Center dance floor.

**C. PUBLIC SAFETY - Burnam**

Review minutes meeting held April 3<sup>rd</sup>

**MOTION:** To reclassify a Captain's position into two (2) Lieutenant positions with one Lieutenant over Support Services and Lieutenant over the Patrol Division.

- D. CODE ENFORCEMENT/ORDINANCE COMMITTEE - Landry**
- E. PUBLIC WORKS COMMITTEE / SOLID WASTE AUTHORITY - Yelding**

**5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:**

- A. Board of Zoning Adjustments - Eady**  
Review minutes meeting held April 5<sup>th</sup>
- B. Downtown Redevelopment Authority – Barnette**
- C. Industrial Development Board - Yelding**
- D. Library Board - Lake**  
Review minutes meeting held April 9<sup>th</sup>
- E. Planning Commission – Barnette**  
Set Public Hearing date for May 21, 2007 to consider the following:
  - a.) Rezoning: Arthur and Pina Witherington / Property located on the NE Corner of Whispering Pines Road and Parker Road / Requested zoning from R-5, Mobile Home Residential District to B-1, Local Business District
  - b.) Amendment to the Land Use and Development Ordinance / Sign Provisions / Electronic Signs
- F. Recreation Board - Palumbo**  
Review minutes meeting held March 21<sup>st</sup>
- G. Utility Board - Scott**

**6. REPORTS OF OFFICERS:**

- A. Mayors Report**
  - a.) Parade Permit / S.E.E.D.S. / Annual 5K & Fun Run / March 1, 2008
  - b.) MOU / Columbia Southern University
  - c.) ABC License / Super Stop #406 / In front of Lowe’s / 070- Retail Table Wine (Off Premises Only) / 050- Retail Beer – (Off Premises Only)
- B. City Attorney’s Report**
- C. Department Head Comments**

**7. PUBLIC PARTICIPATION:**

**8. RESOLUTIONS & ORDINANCES:**

**RESOLUTIONS:**

- a.) Declaring Certain Property Surplus and Authorize Mayor to Dispose of Such Property...../Resolution 2007-28
- b.) Prepaid Travel / Henry/Crutchfield/Conaway/Page/White...../Resolution 2007-29
- c.) Participate in Sales Tax Holiday...../Resolution 2007-30
- d.) FY 2007 Community Contributions / SARPC...../Resolution 2007-31

e.) Bid Award: Disaster Debris Removal & Disposal Services ...../Resolution 2007-32

f.) Consenting to a Petition for Annexation. .... /Resolution 2007-33

g.) Support for an Access Management Plan Study for AL State Highway 181. .... /Resolution 2007-34

**ORDINANCES:**

**2<sup>nd</sup> READ**

b.) Annexation: Vilai Marino Trust / Property located on SE of the Intersection of Pollard Road and County Road 64. .... /Ordinance 2007-17

c.) Annexation: Old Field Subdivision / Property located on AL Hwy 181. .... /Ordinance 2007-18

d.) Rezoning: Property located on SW corner of the intersection of Lawson Road and County Road 13 / Malbis Plantation. .... /Ordinance 2007-19

e.) Highway 90 Sewer Assessment. .... /Ordinance 2007-20

f.) Consent by Council to Transfer Real Property / Utility Board. .... /Ordinance 2007-21

**1<sup>ST</sup> READ**

g.) Consenting to the Sale by the Utilities Board of the City of Daphne of Certain Personal Property Surplus. .... /Ordinance 2007-22

**9. COUNCIL COMMENTS**

**MOTION:** By Councilwoman Cathy Barnette: To compel the Mayor to provide all detailed financial information requested by the City Clerk from the City Treasurer. (*See attached letter*)

**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\_\_ \_\_

COUNCILWOMAN LANDRY

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

APRIL 2, 2007  
CITY COUNCIL MEETING  
1705 MAIN STREET  
DAPHNE, AL  
6:30 P.M.

1

**1. CALL TO ORDER**

Council President Burnam called the meeting to order at 6:30 p.m.

**2. ROLL CALL/INVOCATION/PLEDGE OF ALLEGIANCE**

Mr. Eady gave the invocation.

**COUNCIL MEMBERS PRESENT:** Bailey Yelding; Cathy Barnette; John Lake arrived at 6:39 p.m.; Greg Burnam; Ron Scott; Regina Landry; August Palumbo.

Also present: Mayor Small; David Cohen, City Clerk; Jay Ross, City Attorney; Betsy Turner, Attorney; Bill Eady, Planning Department Director; Melvin McCarley, Public Works Supervisor; Tonja Young, Library Director; David Carpenter, Police Chief; Kenneth Hanak, Fire Chief; Kim Briley, Finance Director; David McKelroy, Recreation Director; Sandra Morse, Civic Center Director; Sharon Cureton, Human Resource Director; Richard Merchant, Building Official; Suzanne Henson, Senior Accountant; Marshal Parsons, Grounds Dpt.; Rob McElroy, Utilities Director; Al Guarisco, Village Point; Lon Johnston, Utility Board.

**3. APPROVE MINUTES:**

**MOTION BY Ms. Landry to approve the Council meeting minutes meeting held March 19, 2007. *Seconded by Mr. Scott.***

**AYE Yelding, Barnette, Scott, Landry, Palumbo, Burnam**

**NAY NONE OPPOSED**

**MOTION CARRIED**

**PRESENTATION:** Eastern Shore Chamber of Commerce / Mr. Greg Loughlin

**Mr. Greg Loughlin**, Eastern Shore Chamber of Commerce Business Development, Economic Development and Blue Print for Tomorrow portion, gave the Council an update on their progress and stated that the Transit Task Force is in the process of hiring a consultant to do a transit study on the Eastern Shore, and is in the final stages.

**PUBLIC HEARINGS:**

- 1.) Annexation: Vilai Marino Trust / Property located SE of the intersection of Pollard Road & County Road 64 Requested Zoning – B-2, General Business District**

**Mr. Marino** gave a presentation and answered question from the Council.

*Council President Burnam* opened the Public Hearing at 6:36 p.m.

No one spoke for or against the proposed annexation.

*Council President Burnam* closed the Public Hearing at 6:36½ p.m.

**2.) Annexation: Old Field Subdivision / Property located  
on AL State Hwy 181 / Requested Zoning B-1, Local Business  
District**

*Mr. David Diehl* stated that this parcel was not included in the first annexation of the residential section, and Mr. Eady asked that they come back and include this parcel.

*Mrs. Barnette* stated that this was a unanimous recommendation from the Planning Commission, and it was a part of the master plan and somehow it was left out.

*Council President Burnam* opened the Public Hearing at 6:37 p.m.

No one spoke for or against the proposed annexation.

*Council President Burnam* closed the Public Hearing at 6:37 p.m.

**3.) Rezoning: Malbis Plantation / Property located on SW  
Corner of the Intersection of Lawson Road & County  
Road 13 / 14 Acres / Requested Zoning was B-2, General  
Business District, but at the meeting changed their request  
to B-1, Local Business District**

*Mr. Chris Baker* gave a presentation explaining that the developers are planning to develop a commercial corner at the rear of Lake Forest at the corner of Lawson Road.

*Mrs. Barnett* stated that the original request was for a B-2 zoning, but at the meeting the Commission asked that they come back with a B-1 zoning request, and the Commission voted unanimously for the B-1, Local Business zoning.

*Mr. Baker* answered questions from the Council.

*Council President Burnam* opened the Public Hearing at 6:40 p.m.

*Mr. David McKelroy – 103 Grove Circle* – stated that he was in favor of the re-zoning but was concerned that his property backs up to the back of the commercial property, and asked that the developers be sensitive to that fact, as regards keeping a buffer zone when they start building.

*Council President Burnam* closed the Public Hearing at 6:43 p.m.

**4. REPORT OF STANDING COMMITTEES:**

**A. FINANCE COMMITTEE – Scott**

The next meeting will be Monday at 4:00 p.m.

**MOTION BY Mr. Scott to extend the bid with Crowder Gulf for the Disaster Debris Removal & Disposal through June 5, 2007.**

Mr. Shawn Alves, representing IED, the low bidder, spoke regarding the re-bidding of the contract, and the effect that will have on his client's bid.

Mr. Ross discussed the issue with Council explaining that his opinion was to reject all the bids and to re-bid, because the changes from FEMA could be material. He stated that he has been told by the Finance staff that the charge could be as much as \$17,000 to \$200,000, and he feels that on a \$1.6 million contract that this much money is material, and that is the primary reason for his opinion to reject all bids and go back out for re-bid.

*Seconded by Mrs. Barnette.*

**AYE ALL IN FAVOR      NAY NONE OPPOSED      MOTION CARRIED**

**MOTION BY Mrs. Barnette to table the decision on Disaster Debris Removal & Disposal Bid for IED until the next Council meeting. *Seconded by Mr. Scott.***

**AYE ALL IN FAVOR      NAY NONE OPPOSED      MOTION CARRIED**

*Mr. Scott* asked Mr. Alves to come to the Finance meeting Monday.

**B. Buildings and Property Committee – Lake**

The next meeting will be Friday.

**C. PUBLIC SAFETY COMMITTEE – Burnam**

The next meeting will be tomorrow at 4:30 p.m. in the Council Chambers and the public is invited to come.

**D. CODE ENFORCEMENT/ORDINANCE COMMITTEE** – Landry

The committee will meet tomorrow after the Public Safety meeting to consider two (2) ordinances.

**E. PUBLIC WORKS COMMITTEE/SOLID WASTE AUTHORITY** – Yelding

The committee met March 23<sup>rd</sup> and discussed the sidewalk projects which are progressing nicely. The next meeting will be April 27<sup>th</sup> at 8:00 a.m. in the Council Chambers.

**5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:**

**A. Board of Zoning Adjustments** – Eady

There will be a meeting on April 5<sup>th</sup> at 6:00 p.m. with one (1) appeal, a special exception for a home day care in Daphmont. Mr. Eady stated that the Council needs to re-appoint Mr. Swaney to the Board.

**MOTION BY Mrs. Barnette to re-appoint Mr. Glen Swaney to the Board of Zoning Adjustments with term ending April, 2010. *Seconded by Mr. Scott.***

**AYE ALL IN FAVOR                      NAY NONE OPPOSED                      MOTION CARRIED**

**B. Downtown Redevelopment Authority** – Barnette

The minutes for the March 23<sup>rd</sup> meeting are in the packet. Mrs. Barnette stated that there are two re-appointments to be made.

**MOTION BY Mrs. Barnette to re-appoint Mr. Starke Irvine and Mr. Kit Smith to the Downtown Redevelopment Authority with terms ending April, 2010. *Seconded by Mr. Scott.***

**AYE ALL IN FAVOR                      NAY NONE OPPOSED                      MOTION CARRIED**

**C. Industrial Development Board** – Yelding

No report.

**D. Library Board** – Lake

No report.

**E. Planning Commission** – Barnette

No report.

**F. Recreation Board** – Palumbo

**Mr. Palumbo** reported that the board met at a rescheduled meeting, and that the engineer is proceeding with the development of a master plan, and he understands that Mr. Eady has been given copies, and is being given copies of all revisions. He stated that there is still an opening on the board that needs to be filled. The next meeting will be April 11<sup>th</sup>.

**G. Utility Board – Scott**

*Mr. Scott* stated that at the last meeting the board passed a 60¢ increase for water and a 60¢ increase for sewer.

*Mr. Rob McElroy, Utility Director*, explained a new program they are trying to start called Helping Hands, where the community can help assist them in assisting Daphne citizens that may need help with their utility bill. He said that with this program citizens can take their bill, and this will be optional, and round it off to the next whole dollar. He stated that just those few pennies can go into a fund that could help make adjustments to peoples utility bills that are in dire need. *Mr. McElroy* stated that need will be evaluated by Ecumenical Ministries, so that they are properly investigated and so that there is no abuse tied back to Utilities. He said that they are excited about the program and helping people in the community that are in need.

*Mr. Scott* stated that there is an ordinance in the packet where the Council gives approval for a land swap with Riviera Utilities.

*Mr. McElroy* stated that the property *Mr. Scott* referred to is behind the Daphne Utilities main office, and that once Riviera has vacated the site, it is now just some crushed stone and a chain link fence left, it is the intention of the Utilities to make that area a green space for the city, and provide some additional parking spaces on Trione for the community restaurants and for other activities in the area. He said that they plan to put a mini-park with a water feature in that area and some other things for the City of Daphne.

**6. REPORTS OF THE OFFICERS:**

**A. Mayor's Report**

- a.) Prepaid Travel for Sandra Cushway and Tony Cross / Public Works Dpt. / Attend Environmental Resource Center – Hazardous Waste Management Conference / New Orleans, LA / April 16-18, 2007 / \$105 / Resolution 2007-27*

This will be covered under Resolutions and Ordinances.

- b.) ABC License / Top of the Bay / 010 – Lounge Retail Liquor – Class I*

**MOTION BY Ms. Landry to approve the ABC License for Top of the Bay / 010 – Lounge Retail Liquor – Class I. *Seconded by Mr. Lake.***

**AYE ALL IN FAVOR      NAY NONE OPPOSED      MOTION CARRIED**

*c.) The Nautilus / 020 – Restaurant Retail Liquor*

**MOTION BY Mrs. Barnette to approve the ABC License for The Nautilus / 020 – Restaurant Retail Liquor. *Seconded by Ms. Landry.***

**AYE ALL IN FAVOR                      NAY NONE OPPOSED                      MOTION CARRIED**

*d.) ABC License / Jubilee Stop, Inc. / 170 Retail Table Wine – (Off Premises Only) / 050 – Retail Beer (Off Premises Only)*

**MOTION BY Mrs. Barnette to approve the ABC License for Jubilee Stop, Inc. 170 Retail Table Wine – (Off Premises Only) / 050 – Retail Beer (Off Premises Only. *Seconded by Mr. Yelding.***

**AYE ALL IN FAVOR                      NAY NONE OPPOSED                      MOTION CARRIED**

*Mayor Small* reported that the first meeting regarding the proposed annexation into the City of Daphne will be Monday, April 9<sup>th</sup> in the lunch room of Daphne High School at 7:00 p.m. He stated that the meeting has been advertised.

***B. City Attorney’s Report***

No report.

***C. Department Head Comments***

*David Carpenter – Police Chief* – reported that Officer John Leach graduated from the AL Law Enforcement Academy, and was presented with the Director’s Award which is the best of the best of 85 recruits.

*David McKelroy – Recreation Director* – reported that the Easter Egg Hunt went well, and that all the eggs were found. He also reported that Dixie Youth started tonight at Lott Park, Girls Softball starts tomorrow at Trione, and Dixie Boys started last week at Trione. He announced that Music Under the Stars will be April 20<sup>th</sup>, 21<sup>st</sup>, & 22<sup>nd</sup>.

*Tonja Young – Library Director* – reported that the Library feasibility study is under way for the Library addition. She stated that she would like to bring Ms. Chaplin to the next meeting to introduce her to the Council.

*David Cohen – City Clerk* – reported that he received a quote from Riviera Utilities in the amount of \$10,000 to run all utilities underground, and hook up the lighting system at May Day Park. He said that this is part of the original budget item on the grant for Recreational Trails. The actual total of the budget is \$11,000, and they will not be able to afford to do the decorative lighting, because the cost over-run of the boardwalk, which Council approved six (6) or seven (7) months ago. He said it is

above the original budget item because the actual boardwalk itself, when the Council approved it, was roughly \$25,000 - \$30,000 above. Mr. Cohen said that the project needs Council approval in order for Riviera to get started with the project.

**MOTION BY Mr. Scott to authorize Mr. Cohen to go ahead and complete the May Day Park project so that the city will be eligible for further ADECA grants. *Seconded by Mr. Yelding.***

**AYE ALL IN FAVOR                      NAY NONE OPPOSED                      MOTION CARRIED**

*Mr. Cohen* reported on the annexation process stating that it is state law that Council adopt a resolution requesting that this be placed before the Legislature. The proposed annexation will be advertised for four (4) consecutive weeks, and at which time it will be allowed to come before the Legislature. He said then they will have 13-14 days left in the Legislature process which they may or may not get to it, and if not, it will have to wait until the next session or special session. The legislature meets through mid-June or possibly later, they set their own schedule, and they have 30 days to complete their process, and they generally meet Tuesday's and Thursday's. He said the local delegation has been alerted, and they will be present at the April 9<sup>th</sup> meeting. He stated that if it is approved in the Legislative session, it will go before the Governor, and hopefully, he will sign it, and then the city would get it back and present it to the Probate Judge, who in turn would then advertise for an election. Mr. Cohen stated that if the Council chooses to, he will have a resolution prepared, and he would highly recommend that if they want to proceed with this process they need to approve it at the next council meeting, because it is imperative to go ahead and start the advertising process which will take exactly 23 days to complete.

Council discussed concerns regarding changing boundaries after the meeting on April 9<sup>th</sup> and looking at what the annexation will cost the city.

**7. PUBLIC PARTICIPATION**

No one spoke.

**8. RESOLUTIONS, ORDINANCES, ORDERS AND OTHER BUSINESS**

**RESOLUTIONS**

- a.) Acceptance of Streets & Drainage /  
    Located in the Eastern Shore Park Subdivision. . . . . /Resolution 2007-25
- b.) Safety Award Program for Employees of the City of Daphne. . . . . /Resolution 2007-26
- c.) Prepaid Travel / Cushway / Cross . . . . . /Resolution 2007-27

MOTION BY Mr. Scott to waive the reading of Resolutions 2007-25, 2007-26 and 2007-27. *Seconded by Ms. Landry.*

AYE ALL IN FAVOR                      NAY NONE OPPOSED                      **MOTION CARRIED**

MOTION BY Mr. Scott to adopt Resolution 2007-25.                      *Seconded by Mrs. Barnette.*

AYE ALL IN FAVOR                      NAY NONE OPPOSED                      **MOTION CARRIED**

MOTION BY Mr. Scott to adopt Resolution 2007-26. *Seconded by Ms. Landry.*

Council discussed having cash incentives and the Safety Committee's involvement with this process.

Mr. Scott amended the Resolution taking out the words cash and Safety Committee.  
Ms. Landry seconded the amendment.

AYE Lake, Scott, Landry, Palumbo, Burnam                      NAY Barnette, Yelding

**MOTION CARRIED**

MOTION BY Mr. Scott to adopt Resolutions 2007-27. *Seconded by Ms. Landry.*

AYE ALL IN FAVOR                      NAY NONE OPPOSED                      **MOTION CARRIED**

**ORDINANCES:**

2<sup>ST</sup> READ

- a.) Amending Ordinance 2006-47 Which Re-established Policy and Procedure for Improving Sewer Service for the Citizens of Daphne, AL. .... /Ordinance 2007-16

1<sup>ST</sup> READ

- b.) Annexation: Vilai Marino Trust / Property located on SE of the Intersection of Pollard Road and County Road 64 ..... /Ordinance 2007-17

- c.) **Annexation: Old Field Subdivision / Property located on AL Hwy 181...../Ordinance 2007-18**
- d.) **Rezoning: Property located on SW corner of the intersection of Lawson Road and County Road 13 / Malbis Plantation. .... /Ordinance 2007-19**
- e.) **Highway 90 Sewer Assessment ...../Ordinance 2007-20**
- f.) **Consent by Council to Transfer Real Property / Utility Board...../Ordinance 2007-21**

**MOTION BY Mr. Scott to waive the reading of Ordinance 2007-16. *Seconded by Mrs. Barnette.***

**AYE ALL IN FAVOR                      NAY NONE OPPOSED                      MOTION CARRIED**

**MOTION BY Mr. Scott to adopt Ordinance 2007-16. *Seconded by Ms. Landry.***

**AYE ALL IN FAVOR                      NAY NONE OPPOSED                      MOTION CARRIED**

**Ordinances 2007-17, 2007-18, 2007-19, 2007-20 and 2007-21 WERE MADE A FIRST READ.**

**9. COUNCIL COMMENTS**

*Mr. Yelding* said that he concurs with Mr. Lake in that the Safety Committee should fall under some type of Council Committee, and that the Council should receive minutes from that meeting in the Council packet just as required of every other committees in the city. He said that it needs to be put under some other committee whether it is Finance or Buildings and Property or some other one so that Council will know what is going on in the Human Resource department.

*Mr. Scott* thanked the Beautification Committee for coming out to Gator Alley and cleaning up all the trash and debris in the area this weekend, and that the Public Works department did a great job. He stated that he is in favor of expanding the city's extraterritorial area out to Highway 181. He feels that if it is left to it's own devices it will not be as well developed as it could be under the guidance of the City of Daphne. He stated that there are people living in Chamberlain and other areas that the city needs to show what benefits there are for them in having a 15 mil tax, which equates to for a \$350,000 house that is \$450 per year, to come into the City of Daphne. They need to be shown the benefits of all the different things that the departments do, like fire, and police and what kind of protection that

means to them. Mr. Scott said that a lot of those people are already participating in the city's recreational programs and the Library, and are not necessarily having to pay directly, certainly not from ad valorem tax purposes. He said that they need to be ready to point these plus's out about why it is great to be a citizen of our great city. He stated that he is looking forward to the Council helping out and point out some of the things they have accomplished in a positive way.

*Mr. Palumbo* stated that he agrees with Mr. Scott's statements, however, he feels that they do need to take a hard look considering the city's current revenues, making sure that they can convince not only the folks that may come into the city, but convince themselves that they can fund the additional services required. He said that in the long run it is a no-brainer, but in the short run it becomes more problematic, because right along the border-line you have the four-laning of Highway 181 which may preclude any commercial development for a while, and does not include a whole lot of retail sales tax revenue at this time. So, primarily, from what the city will be taking on immediately, the city would only have ad valorem taxes, so maybe they need to do a little studying to see if the ad valorem taxes will equal up to the services the city will have to provide.

**10. ADJOURN**

**MOTION BY Mrs. Barnette to adjourn. *Seconded by Mr. Lake.***

**AYE ALL IN FAVOR                      NAY NONE OPPOSED                      MOTION CARRIED**

**THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 8:18 P.M.**

Respectfully submitted by,

\_\_\_\_\_  
David L. Cohen

**Certification of Presiding Officer:**

\_\_\_\_\_  
Greg Burnam  
Council President  
Date & Time Signed: \_\_\_\_\_

**APRIL 12, 2007**  
**CITY COUNCIL WORK SESSION**  
**1705 MAIN STREET**  
**DAPHNE, AL**  
**6:30 P.M.**

1

**COUNCIL MEMBERS PRESENT:** Bailey Yelding, John Lake; Greg Burnam; Ron Scott; August Palumbo.

**ABSENT:** Cathy Barnette; Regina Landry

Also present: David Cohen, City Clerk; Rebecca Hayes, Assistant City Clerk; Betsy Turner, Attorney; Kim Briley, Finance Director; Mr. Eady, Planning Director; Chief Kenneth Hanak, Fire Dpt.; Captain Joey Holasz, Fire Dpt.; Captain Scott Taylor, Police Dpt.; Lt. Danny Bell, Police Dpt.;

Absent: Mayor Fred Small; Jay Ross, City Attorney

### **1. CALL TO ORDER**

*Council President Burnam* called the meeting to order at 6:30 p.m.

### **2. NEW LOGO FOR MARKETING THE CITY**

Ms. Jane Robbins gave a presentation explaining that the new logo is titled “Opportunity for Community” and that there are two versions of the logo. One version can be interchangeable for different departments to add their name. She stated that the new logo is for marketing of the city only, and that the city seal will still be used for government business.

Council discussed that they liked the new logo saying that it was very in the present and modern.

### **2. SETTING A SPECIAL COUNCIL MEETING TO CONSIDER A BID AWARD FOR A NEW DANCE FLOOR FOR THE CIVIC CENTER**

Council discussed that this bid needed to be awarded before the Zydeco Festival, otherwise, they will have to spend around \$3,000 to rent one. Council agreed on Monday, April 23, 2007 at 6:00 for the meeting. A motion will be made at the Council meeting Monday to set the date.

### **3. CONVERSION OF POSITIONS IN POLICE DEPARTMENT**

Captain Scott Taylor explained that they wanted to take the Captain position held by Randy Bishop and divide it into two (2) lieutenant positions. One position will be over Support Services and the other will be over the Patrol Division. Captain Taylor stated that by doing this it also opens the way up for some promotions. The combined salaries will be \$1,536.08 less than that paid for the Captain’s position. He stated that the money is already budgeted for the Captain’s position.

Council President Burnam stated that this request is in the Public Safety minutes and will be on the agenda for Monday night.

#### **4. FIRE CHIEF POSITION**

Council discussed different ways to handle the hiring process for the Fire Chief position. One way suggested was to have a committee of neighboring Fire Chiefs screen applications to narrow the choices down, or have the applicants send a video giving a narrative of themselves and answering a couple of questions related to running a Fire Department. The majority of the Council did not like the idea of other Fire Chiefs saying what the qualifications should be for running Daphne's Fire Department. They continued to discuss options for the process. Council agreed that Mrs. Cureton should use the job description qualifications and eliminate any applicants who did not meet the qualifications listed and then e-mail the Council as to how many applicants did qualify. After this process they will consider how to proceed with the interview process.

#### **5. HIGHWAY 181 CORRIDOR**

Mr. Eady stated that several weeks ago he met with Mayor Tim Kant, of Fairhope, Greg Mims, Planning Director for Fairhope, Ronnie Poiroux, with ALDOT and some others to discuss the Access Management Plan for State Highway 181 study. The study is an analysis on how to manage particular developments access along and across Highway 181. There is 17.6 miles between Highway 90 and Highway 98, and approximately six (6) to seven (7) miles is in Daphne. The study will evaluate recommended locations for median openings, consolidation of access potential, parallel frontage road opportunities, permitted U-Turns location. The analysis is intended as a partnership with the City of Fairhope, the City of Daphne, Baldwin County and the Alabama Department of Transportation. Mr. Eady stated that they will look at installing traffic lights on Highway 181 at Us Highway 90, Lawson Road, Pleasant Road, County Road 64, State Route 104, Gayfer Road, County Road 98, Windmill Road, Twin Beech Road, County Road 34, County Road 32, County Road 24 and US Highway 98. He stated that right now the estimated cost will be \$30,000 to \$40,000 per jurisdiction, but they will not know the total cost until they negotiate a contract. He stated that Fairhope is taking the lead in the project and would like a resolution of support and commitment from the city.

Council agreed that the study needs to be done, but they were reluctant to commit to any money as yet until total costs are known.

Council President Burnam instructed the City Clerk to prepare a non-monetary committal resolution for the agenda Monday night.

**APRIL 12, 2007  
CITY COUNCIL WORK SESSION  
1705 MAIN STREET  
DAPHNE, AL  
6:30 P.M.**

3

**6. ADJOURN**

There being no further business to discuss the meeting adjourned at 7:40 p.m.

Respectfully submitted by,

---

David L. Cohen,  
City Clerk, MMC

Certification of Presiding Officer:

---

Greg Burnam,  
Council President  
Date & Time Signed: \_\_\_\_\_

**PUBLIC HEARING:**

**APRIL 16, 2007**

**PUBLIC HEARING**

**International Building Code**

**CITY OF DAPHNE**  
**ORDINANCE NO: 2006-\_\_\_\_\_**

**AN ORDINANCE PROVIDING FOR THE REPEAL OF ORDINANCE NO. 1996-12;  
PROVIDING FOR THE ADOPTION OF CERTAIN TECHNICAL CODES BY  
REFERENCE**

**WHEREAS**, the City Council of the City of Daphne desires to promote the health, safety and welfare of the citizens of the City of Daphne by establishing uniform rules and regulations for the building, constructing and all other related activities within the city of Daphne; and

**WHEREAS**, the City Council of the City of Daphne recognizes that the procedures set forth hereafter will protect both the City of Daphne and its citizens and the owners of properties coming under the jurisdiction of this ordinance and made the subject of these procedures, and

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

Ordinance No. 1996-12 is hereby repealed in its entirety and is replaced by the following ordinance:

**SECTION I: TECHNICAL CODES- ADOPTED BY REFERENCE**

(a) For the purposes of establishing uniform rules and regulations, the Council hereby adopts by reference the following codes and subsequent amendments issued thereto:

- 1.) ICC International Building Code, 2006 edition
- 2.) ICC International Residential Code, 2006 edition
- 3.) ICC International Fuel Gas Code, 2006 edition
- 4.) ICC International Mechanical Code, 2006 edition
- 5.) ICC International Plumbing Code, 2006 edition

Copyrights 2006 by the International Code Council Incorporated, and;

- 6.) National Electrical Code, 2005 edition

Copyright 2004 by the National Fire Prevention Association Incorporated.

b.) ICC International Building Code, 2006 edition, ICC International Fuel Gas Code, 2006 edition, ICC International Mechanical Code, 2006 edition, ICC International Plumbing Code, 2006 edition, National Electrical Code, 2005 edition, and ICC International Residential Code, 2006 edition are hereby adopted and incorporated as if fully set out in this section, with additions, deletions and changes to the ICC International Residential Code, 2006 edition, as prescribed in subsections (c) and (d), and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling in the construction or alteration, or repair of all buildings and other structures therein contained within the corporate limits of the City.

c.) The following section of the International Residential Code, edition 2006, is hereby revised in its entirety to read as follows:

R. 106.1 **Submittal documents.** Construction documents, special inspection and structural observation programs and other data shall be submitted in two sets with each application for a permit the construction documents shall be prepared by a registered design professional when the square footage meets or exceeds 2500 sq ft. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

**EXCEPTION:** The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

905.2.3.1.1.1 **Underlayment.** Roofing underlayment shall be of a synthetic tear resistant polypropylene, polyester or fiberglass fabric certified by an approved testing agency or ICC-ES report. The building official may approve an equal or higher performing product. Asphalt felt roofing underlayment shall not be installed as a roof covering underlayment. Roof underlayment shall be fastened in accordance with the manufacturer's installation instructions.

**905.2.6 Attachment.** Asphalt shingles shall have the minimum numbers of fasteners required by the manufacturer. For normal application, asphalt shingles shall be secured to the roof with not less than six fasteners per strip shingle or two fasteners per individual shingle. Where the roof slope exceeds twenty (20) units horizontal (167% slope), special methods of fastening are required.

d.) The above referenced technical codes are hereby adopted as the International Building Code of the City of Daphne.

e.) Copies of the above referenced codes are on file in the office of the city clerk.

**SECTION II: CONFLICT WITH OTHER ORDINANCES**

That any Ordinance heretofore adopted by the council, which is in conflict with this Ordinance is hereby repealed to the extent of such conflict.

**SECTION III: EFFECT OF REPEAL**

- (a) The repeal of Ordinance No. 1996-12 does not revive any previously repealed ordinance.
- b.) The repeal of Ordinance No. 1996-12 does not effect any punishment or penalty incurred before the repeal took effect, nor does such repeal effect any suit, prosecution or proceeding pending at the time of the repeal.

**SECTION IV: 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 portions hereof.

**SECTION V: EFFECTIVE DATE**

This Ordinance shall be in full force and effect upon its adoption by the City Council of the City of Daphne and publication as required by law.

**APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2006.**

\_\_\_\_\_  
**GREG BURNAM**  
**COUNCIL PRESIDENT**  
DATE/TIME SIGNED: \_\_\_\_\_

\_\_\_\_\_  
**FRED SMALL, MAYOR**  
DATE/TIME SIGNED: \_\_\_\_\_  
**ATTEST:**

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

**CITY OF DAPHNE  
RESOLUTION NO: 2007-17**

**A RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER THE  
ADOPTION OF CERTAIN TECHNICAL CODES BY REFERENCE**

**WHEREAS**, the city of Daphne shall heretofore by Ordinance adopt the 2006 Edition of the International Building Code, 2006 Edition of the International Residential Mechanical code, 2006 Edition of the International Plumbing Code, and the 2005 Edition of the National Electrical Code: and

**WHEREAS**, the International Code Council Incorporated has published the 2006 Edition of the International Building Code, 2006 Edition of the Residential Code, 2006 Edition of the International Fuel Gas Code, 2006 Edition of the International Mechanical Code, and the 2006 Edition of the International Plumbing Code, and the National Fire Prevention Association has published the 2005 Edition of the National Electric Code; and

**WHEREAS**, Section 11-45-8© provides of the adoption of codes in book form upon compliance with the requirements of such Section; and

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

1. That a public hearing shall be held on April 16, 2007, concerning the adoption of an Ordinance for the 2006 edition of the International Building Code, 2006 Edition of the International Residential Code, 2006 Edition of the International Fuel Gas Code, 2006 Edition of the International Mechanical Code, 2006 Edition of the National Electric Code and all amendments thereof.
2. Said Ordinance shall provide for the amendment, deletion, and changes to the International Residential Code, Edition 2006, as follows:
  - a. The following section of the International Residential Code, edition 2006 is hereby revised in its entirety to read as follows:

R. 106.1 Submitted documents. Construction documents, special inspection and structural observation programs and other data shall be submitted in two sets with each application for a permit the construction documents shall be prepared by a registered design professional when the square footage meets or exceeds 2500 sq ft. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

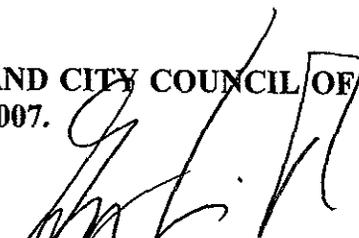
**EXCEPTION:** The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

905.2.3.1.1.1 Roofing underlayment shall be of a synthetic tear resistant polypropylene, polyester or fiberglass fabric certified by an approved testing agency or ICC-ES report. The building official may approve an equal or higher performing product. Asphalt felt roofing underlayment shall not be installed as a roof covering underlayment. Roof underlayment shall be fastened in accordance with the manufacturer's installation instructions.

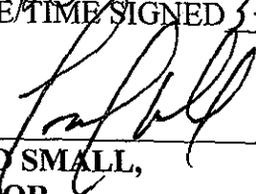
905.2.6.1.1.1 **ATTACHMENT.** Asphalt shingles shall have the minimum numbers of fasteners required by the manufacturer. For normal application, asphalt shingles shall be secured to the roof with not less than six fasteners per strip shingle or two fasteners per individual shingle. Where the roof slope exceeds twenty (20) units horizontal (167% slope), special methods of fastening are required.

3. That this resolution be published once a week for two consecutive weeks prior to said hearing.
4. That three copies of said Codes shall be filed for not less than fifteen (15) days prior to the holding of public hearing for use and examination by the public in the Office of the City Clerk.

APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, this 19<sup>th</sup> day of March, 2007.

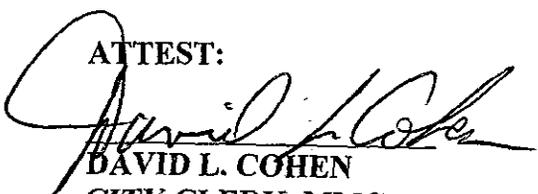
  
\_\_\_\_\_  
GREG BURNAM,  
COUNCIL PRESIDENT

DATE/TIME SIGNED 3-19-07 9:05 P.M.

  
\_\_\_\_\_  
FRED SMALL,  
MAYOR

DATE/TIME SIGNED 3-20-07 14:54

ATTEST:

  
\_\_\_\_\_  
DAVID L. COHEN  
CITY CLERK, MMC

**CITY OF DAPHNE**  
**ORDINANCE NO: 2007-\_\_\_\_\_**

**AN ORDINANCE PROVIDING FOR THE REPEAL OF ORDINANCE NO. 1996-12;  
PROVIDING FOR THE ADOPTION OF CERTAIN TECHNICAL CODES BY  
REFERENCE**

**WHEREAS**, the City Council of the City of Daphne desires to promote the health, safety and welfare of the citizens of the City of Daphne by establishing uniform rules and regulations for the building, constructing and all other related activities within the city of Daphne; and

**WHEREAS**, the City Council of the City of Daphne recognizes that the procedures set forth hereafter will protect both the City of Daphne and its citizens and the owners of properties coming under the jurisdiction of this ordinance and made the subject of these procedures, and

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

Ordinance No. 1996-12 is hereby repealed in its entirety and is replaced by the following ordinance:

**SECTION I: TECHNICAL CODES- ADOPTED BY REFERENCE**

(a) For the purposes of establishing uniform rules and regulations, the Council hereby adopts by reference the following codes and subsequent amendments issued thereto:

- 1.) ICC International Building Code, 2006 edition
- 2.) ICC International Residential Code, 2006 edition
- 3.) ICC International Fuel Gas Code, 2006 edition
- 4.) ICC International Mechanical Code, 2006 edition
- 5.) ICC International Plumbing Code, 2006 edition

Copyrights 2006 by the International Code Council Incorporated, and;

- 6.) National Electrical Code, 2005 edition

Copyright 2004 by the National Fire Prevention Association Incorporated.

b.) ICC International Building Code, 2006 edition, ICC International Fuel Gas Code, 2006 edition, ICC International Mechanical Code, 2006 edition, ICC International Plumbing Code, 2006 edition, National Electrical Code, 2005 edition, and ICC International Residential Code, 2006 edition are hereby adopted and incorporated as if fully set out in this section, with additions, deletions and changes to the ICC International Residential Code, 2006 edition, as prescribed in subsections (c) and (d), and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling in the construction or alteration, or repair of all buildings and other structures therein contained within the corporate limits of the City.

c.) The following section of the International Residential Code, edition 2006, is hereby revised in its entirety to read as follows:

R. 106.1 **Submittal documents.** Construction documents, special inspection and structural observation programs and other data shall be submitted in two sets with each application for a permit the construction documents shall be prepared by a registered design professional when the square footage meets or exceeds 2500 sq ft. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

**EXCEPTION:** The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

905.2.3.1.1.1 **Underlayment.** Roofing underlayment shall be of a synthetic tear resistant polypropylene, polyester or fiberglass fabric certified by an approved testing agency or ICC-ES report. The building official may approve an equal or higher performing product. Asphalt felt roofing underlayment shall not be installed as a roof covering underlayment. Roof underlayment shall be fastened in accordance with the manufacturer's installation instructions.

**905.2.6 Attachment.** Asphalt shingles shall have the minimum numbers of fasteners required by the manufacturer. For normal application, asphalt shingles shall be secured to the roof with not less than six fasteners per strip shingle or two fasteners per individual shingle. Where the roof slope exceeds twenty (20) units horizontal (167% slope), special methods of fastening are required.

d.) The above referenced technical codes are hereby adopted as the International Building Code of the City of Daphne.

e.) Copies of the above referenced codes are on file in the office of the city clerk.

**SECTION II: CONFLICT WITH OTHER ORDINANCES**

That any Ordinance heretofore adopted by the council, which is in conflict with this Ordinance is hereby repealed to the extent of such conflict.

**SECTION III: EFFECT OF REPEAL**

- (a) The repeal of Ordinance No. 1996-12 does not revive any previously repealed ordinance.
- b.) The repeal of Ordinance No. 1996-12 does not effect any punishment or penalty incurred before the repeal took effect, nor does such repeal effect any suit, prosecution or proceeding pending at the time of the repeal.

**SECTION IV: 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 portions hereof.

**SECTION V: EFFECTIVE DATE**

This Ordinance shall be in full force and effect upon its adoption by the City Council of the City of Daphne and publication as required by law.

**APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2007.**

\_\_\_\_\_  
**GREG BURNAM**  
**COUNCIL PRESIDENT**  
DATE/TIME SIGNED: \_\_\_\_\_

\_\_\_\_\_  
**FRED SMALL, MAYOR**  
DATE/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**  
**April 9, 2007**  
**4:00 P.M.**

**I. CALL TO ORDER/ROLL CALL**

The meeting was called to order at 4:05 pm. Present were Councilman Bailey Yelding, Councilwoman Regina Landry, Finance Director Kim Briley, Senior Accountant Suzânn Henson, and Accountant Donna Page.

Chairman Ron Scott was absent.

Also in attendance were Mayor Fred Small, Public Works Superintendent Melvin McCarley, Revenue Officer Cornell Smith, Fire Department Administrative Assistant Denise Penry, and City Attorney Jay Ross.

**II. PUBLIC PARTICIPATION**

Mr. David Green with IED and Mr. Shawn Alves, attorney for IED, discussed the disaster debris bid submitted to the City. They asked the City to accept their bid as the lowest bid and to work with them on resolving any contractual issues. Discussion continued on re-bidding in order to clarify the bid specs concerning stump removal. Ms. Henson noted that according to Mr. Michael Johnson with EMA this section of the bid included verbiage that was not clear. Mr. Green stated that in the case of Disaster Contracts that the contract cannot contain information to cover every issue. Mr. Greene gave examples where his company had to address cleanup issues not addressed in the contract but they complied with FEMA regulations and completed the job. Mr. Greene stated that you have to consider that natural disasters are changing things. Mr. Greene and Mr. Alves assured the Finance Committee that they understood that the Hazardous Stump section on the bid cost sheet would only refer to stumps that required specialty equipment for the removal of the stump and backfill of dirt and that he understands that FEMA Eligibility regulations would have to be followed for all stump removals. Mr. Greene stated that this isn't stumps you just drive down the road and pick-up, they are a very minuet part of the cleanup which require city personnel and FEMA designated monitors' prior approval. Mr. Yelding asked the City's attorney, Mr. Jay Ross, to meet with Finance Director Ms. Kim Briley to review the issues and make a recommendation to Council.

**III. ISSUES REQUIRING ACTION BY CITY COUNCIL**

**A. Appropriation Requests**

**1. Feasibility Study for the Lake Forest Water Shed – not to exceed \$40,000**

The Committee considered a request from the Planning Commission to authorize the Mayor to establish a feasibility study for the Lake Forest water shed.

***Motion by Ms. Landry to recommend to Council to authorize the Mayor to secure cost proposals for the Lake Forest Water Shed hydraulic and feasibility study and report the results back to the Finance Committee for funding consideration. Seconded by Yelding.***

**2. South Alabama Regional Planning Commission – pro-rata share \$12,361 – first half due - \$6,180.50**

It was discussed that the City's Fiscal Year 2007 requested contribution of \$12,361 is less than the \$20,000 appropriated for the SARPC.

***Motion by Ms. Landry to recommend to Council to adopt a resolution authorizing the Mayor to make the Fiscal 2007 payment to the South Alabama Regional Planning Commission in the amount of \$12,361.00. Seconded by Mr. Yelding.***

## **B. Prepaid Travel**

- 1. Leah Henry, Magistrate** – Certification Training & Maintenance Training Institute, Tuscaloosa, AL May 8 – 11, 2007 - \$140.00
- 2. Clement Conaway, Solid Waste Supervisor** - Waste Expo, Atlanta, GA, May 6 – 11, 2007 - \$210.00
- 3. Billy Crutchfield, Mechanical Supervisor** - Waste Expo, Atlanta, GA, May 6 -11, 2007 - \$210.00
- 4. Donna Page, Accountant** - Governmental Accounting & Financial Reporting – Texas Tech, Tallahassee, FL, June 3 – 6, 2007 - \$140.00
- 5. Lisa White, Accountant** - Governmental Accounting & Financial Reporting – Texas Tech, Tallahassee, FL, June 3 – 6, 2007 - \$140.00

***Motion by Ms. Landry to recommend to Council to adopt a resolution approving the following prepaid travel:***

- 1. Leah Henry, Magistrate - Certification Training & Maintenance Training Institute, Tuscaloosa, AL May 8 – 11, 2007 - \$140.00***
- 2. Clement Conaway, Solid Waste Supervisor - Waste Expo, Atlanta, GA, May 6 – 11, 2007 - \$210.00***
- 3. Billy Crutchfield, Mechanical Supervisor - Waste, Expo, Atlanta, GA, May 6 -11, 2007 - \$210.00***
- 4. Donna Page, Accountant - Governmental Accounting & Financial Reporting – Texas Tech, Tallahassee, FL, June 3 – 6, 2007 - \$140.00***
- 5. Lisa White, Accountant - Governmental Accounting & Financial Reporting – Texas Tech, Tallahassee, FL, June 3 – 6, 2007 - \$140.00***

***Seconded by Mr. Yelding.***

## **C. Declare Equipment Surplus**

It was discussed that the following items on Schedule A should be considered for surplus: John Deere 2355 Tractor, 6' Bush Hog, Ford 5610 Tractor, 12' Bush Hog, and 1995 Troy Built Tiller.

***Motion by Ms. Landry to recommend to Council to adopt a resolution declaring the following items as surplus property and authorizing the Mayor to dispose of such property: John Deere 2355 Tractor, 6' Bush Hog, Ford 5610 Tractor, 12' Bush Hog, and 1995 Troy Built Tiller. Seconded by Mr. Yelding.***

## **D. 2007 Sales Tax Holiday**

The Committee discussed that the City participated in the sales tax holiday last year and that this year's dates would be August 3 through August 5, 2007.

***Motion by Mr. Yelding to recommend to Council to adopt a resolution declaring a sales tax holiday August 3 - 5, 2007. Seconded by Ms. Landry.***

#### **IV. Current Business**

##### **A. Blueprint for Tomorrow - \$35,000.00**

An invoice in the amount of \$35,000.00 from Blueprint for Tomorrow, an initiative of the Eastern Shore Chamber of Commerce was presented. It was discussed that this should be reviewed by the full Council at the work session.

##### **B. Bids: 2007-N - Civic Center Dance Floor – Bid opens 04-23-07 – Request for a Special Council Meeting 04-23-07 or 04-24-07 and bid be placed under Mayor’s Report.**

Ms. Sandra Morse, Civic Center Director submitted a memo requesting the Dance Floor bid be awarded in time to receive the new Dance Floor prior to the Zydeco Festival. Discussion continued that the bid would open on 04-23-07 and the Council would need to meet within the next few days to award to allow enough time for delivery of the Dance Floor before the festival. If a new dance floor is not ordered in enough time to be delivered before the festival then a floor will have to be rented at an estimated cost in excess of \$3,000.00. Discussion continued that full Council should consider setting a Special Meeting to award this bid.

##### **C. Reschedule June’s Finance Meeting**

Discussion was made that the June Finance meeting needs to be rescheduled due to staff being out of town on training. A new date for the meeting would be determined at a later date.

#### **V. FINANCIAL REPORTS**

##### **A. Treasurer’s Report: March 31, 2007**

The Treasurer’s Report total is \$25,424,522.46. Ms. Briley noted that this was down \$1,752,033.86 from last month’s: \$1.1 million in debt service payments have been made along with \$500,000 in construction payments.

***Motion by Ms. Landry to accept the Treasurer’s Report as of March 31, 2007, in the amount of \$25,424,522.46. Seconded by Mr. Yelding.***

##### **B. Sales and Use Taxes: February 28, 2007**

Sales and Use Tax collected for February, 2007 - \$877,976  
Sales and Use Tax Budgeted for February, 2007 - ~~\$895,686~~  
Under Budget (for February) -(\$ 17,710)

YTD Budget Collections Variance (Under Budget) - (\$24,729) (2.47% )

##### **C. Lodging Tax Collections, February 28, 2007**

The Lodging Tax Collections report shows \$48,382 collected for February, 2007 (\$50,684 was collected for February 2006).

##### **D. Report of New Business Licenses – March 2007**

A list showing new businesses for the month of March was presented. Mr. Smith noted that no businesses reported closing in March.

#### **E. Bills Paid Reports – March 2007**

The Bills Paid Report for March 2007 was contained in Packet #2.

#### **V. ADJOURN**

The meeting was adjourned at 5:15 p.m.

<b>PREPAID TRAVEL REQUEST FORM</b>	
EMPLOYEE NAME / TITLE	Leah Henry / Magistrate
DEPARTMENT	Court
DATES OF TRAVEL	May 8-11, 2007
SCHOOL/ORGANIZATION	University of Alabama
LOCATION FOR TRAINING: CITY / STATE	Tuscaloosa
REGISTRATION FEE	\$ 195.00
LODGING	\$ 296.37 (3 nights)
TOTAL ADVANCE REQUESTED (\$35 x # OF DAYS)	\$ 140.00

A complete Expense Report with itemized receipts must be submitted within one week of 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 Leah Henry


 Department Head Approval \_\_\_\_\_ Vendor # 4909 Dept Org # CT122200 Object # 52211 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.**

REGISTRATION FORM

# Certification Training & Maintenance Training Institute

PLEASE REGISTER ME FOR THE INSTITUTE INDICATED BELOW

- |   |                 |            |
|---|-----------------|------------|
| <input type="checkbox"/> Certification (04-111-07:CERT) | March 7-9, 2007 | Fee: \$195 |
| <input type="checkbox"/> Maintenance (04-111-07:MAIN)   | March 7-9, 2007 | Fee: \$125 |
| <input type="checkbox"/> Certification (04-113-07:CERT) | May 9-11, 2007  | Fee: \$195 |
| <input type="checkbox"/> Maintenance (04-113-07:MAIN)   | May 9-11, 2007  | Fee: \$125 |

Name:  Ms.  Mrs.  Mr.

For multiple registrations, please duplicate this form

Leah Henry D  
Name First Last MI

Leah Henry

Preference on Nametag Social Security # (for records only)

Daphne Municipal Court 251-621-2824 251-621-3192  
Company/Organization Name Company Phone/Company Fax

Magistrate  
E-mail Address Job Title

Confirmation Mailing Address

Daphne Al 36526  
City State Zip

Daphne Municipal Court Judge Doyle  
Billing Mailing Address Attn:

1502 Hwy 98  
Address

Daphne Al 36526  
City State Zip

**METHOD OF PAYMENT**

- Enclosed is a check in the total amount of \$\_\_\_\_\_ made payable to: THE UNIVERSITY OF ALABAMA  
 Charge Fee \$\_\_\_\_\_ to my  Personal Card  Business Card  MasterCard  Visa  Discover  
 AMEX

Card# \_\_\_\_\_ Exp. Date/\_\_\_\_\_/\_\_\_\_\_

Authorizing Signature \_\_\_\_\_

**FOUR CONVENIENT WAYS TO REGISTER**

**Mail form and fee to:**  
 Registration Services, College of Continuing Services  
 The University of Alabama  
 Box 870388  
 Tuscaloosa, AL 35487-0388

**Phone in registration to:**  
 (205) 348-3000  
 **FAX registration form to:**  
 (205) 348-6614

**Register Online at** <http://pmdp.ccs.ua.edu>

FAX or phone-in registrations must have a credit card number or a purchase order number.

**JOHN G. BURTON ENDOWMENT FUND SCHOLARSHIPS** John G. Burton Endowment Fund Scholarships are being offered to Certification Institute applicants. Applicants must be municipal court clerks or magistrates.

Criteria include, but are not limited to, financial need and if the applicant will be a first-time participant. Participants already enrolled in the program are eligible if they demonstrate strong financial need. Scholarships in the amount of \$300.00 each are available. Scholarship monies must be used for the Institute registration fee and associated travel costs. To receive a scholarship application form or additional information regarding the Institute, call Tommy Pow at (205) 348-9066 or Stephanie Sharp (205) 348-9937 (ssharp@ccs.ua.edu). You may write him at The University of Alabama, College of Continuing Studies, Box 870388, Tuscaloosa, AL 35487-0388.

DEPT ORG# 122200 - 5221  
 OBJECT# 3-11-07 PROJECT# \_\_\_\_\_  
 DATE / / DEPT HEAD APPROVAL \_\_\_\_\_

<b>PREPAID TRAVEL REQUEST FORM</b>	
EMPLOYEE NAME / TITLE	CLEMENT CONAWAY - SW SUPERVISOR
DEPARTMENT	SOLID WASTE
DATES OF TRAVEL	May 6 - 11
SCHOOL/ORGANIZATION	WASTE EXPO
LOCATION FOR TRAINING: CITY / STATE	ATLANTA, GA
REGISTRATION FEE	\$
LODGING	\$
TOTAL ADVANCE REQUESTED (\$35 x # OF DAYS)	\$ 210 <sup>00</sup>

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 Clement Conaway

[Signature] Department Head Approval      Vendor #      164000 Dept Org #      52211 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.**

<b>PREPAID TRAVEL REQUEST FORM</b>	
EMPLOYEE NAME / TITLE	BILLY CRUTCHFIELD - SUPERVISOR
DEPARTMENT	MECHANICAL
DATES OF TRAVEL	May 6 - 11
SCHOOL/ORGANIZATION	WASTE EXPO
LOCATION FOR TRAINING: CITY / STATE	ATLANTA, GA
REGISTRATION FEE	\$
LODGING	\$
TOTAL ADVANCE REQUESTED (\$35 x # OF DAYS)	\$ 210 <sup>00</sup>

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 Billy D. Crutchfield

[Signature]  
Department Head Approval

Vendor # \_\_\_\_\_

164000 52211  
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.**

# PREPAID TRAVEL REQUEST FORM

<b>EMPLOYEE NAME / TITLE</b>	Donna Page / Accountant
<b>DEPARTMENT</b>	Finance
<b>DATES OF TRAVEL</b>	June 3-6, 2007
<b>SCHOOL/ORGANIZATION</b>	Texas Tech University
<b>LOCATION OF TRAINING: CITY / STATE</b>	Tallassee, FL
<b>REGISTRATION FEE</b>	\$695.00
<b>LODGING</b>	\$209.85
<b>TOTAL ADVANCE REQUESTED (\$35 x # OF DAYS)</b>	\$140.00

A complete Expense Report with itemized receipts must be submitted within one week of 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 Donna Page

Kim Bailey  
Department Head Approval

<b>Vendor #</b>

<b>121000</b>
Org #

<b>52211</b>
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**

# PREPAID TRAVEL REQUEST FORM

EMPLOYEE NAME / TITLE	Lisa White / Accountant
DEPARTMENT	Finance
DATES OF TRAVEL	June 3-6, 2007
SCHOOL/ORGANIZATION	Texas Tech University
LOCATION OF TRAINING: CITY / STATE	Tallasse, FL
REGISTRATION FEE	\$695.00
LODGING	\$209.85
TOTAL ADVANCE REQUESTED (\$35 x # OF DAYS)	\$140.00

A complete Expense Report with itemized receipts must be submitted within one week of 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 \_\_\_\_\_

*Lisa B White*

Department Head Approval

*Kim Bailey*

Vendor #

121000
Org #

52211
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**



# Governmental Accounting & Financial Reporting

This course—organized as outlined below—integrates and illustrates the essentials of currently effective GASB standards and other relevant authoritative guidance. The logic and methods of deriving contemporary financial statements and schedules—and the comprehensive annual financial report (CAFR)—are discussed and illustrated throughout.

This three-day program covers basic and intermediate-level concepts, standards, methods, and procedures of state and local government (SLG) accounting and financial reporting. Practical day-to-day accounting methods and financial reporting—and complying with Generally Accepted Accounting Principles (GAAP)—are addressed throughout the seminar, and participants are afforded numerous opportunities to ask questions, seek clarifications, and further discuss points of particular interest.

### After attending this 3-day course, you should be able to:

- Read, understand, and apply current and future GASB standards.
- Better understand state and local government financial statements.
- Understand the entries you may have been making (perhaps for several years).
- Derive the government-wide financial statements.
- Explain the essentials of municipal accounting and financial reporting to elected officials, non-accountant managers, and the media.
- Help new accounting employees understand and apply contemporary generally accepted accounting principles (GAAP).
- Recommend this course to a colleague, friend, or acquaintance.



### PARTICIPANT COMMENTS:

- DALLAS - This is a great course for both new accountants and seasoned professionals wanting a comprehensive review. Course content and delivery is brilliant—a must for governmental accountants.
- AUSTIN - This class far exceeded my expectations.
- SCOTTSDALE - Dr. Freeman is an excellent instructor. I left the class wanting to learn much more about governmental accounting. I am now able to understand the concept of governmental funds. I wish I would have taken this class seven years ago. The class/seminar was great! Materials are excellent. I like the use of real financial statements as examples. I appreciate the clear and concise information Dr. Freeman provides.
- S. PADRE ISLAND - Extremely informative...useful to my current job/position in county government.

### 1. Introduction

- Environment and the Role of SLG Accounting and Reporting
- Objectives of SLG Accounting and Financial Reporting
- The SLG GAAP Hierarchy
- Overview of the Authoritative GASB, FASB, and AICPA Literature
- Other Sources of GAAP Guidelines

### 2. SLG Accounting Principles

- GASB's "Basic Principles"
- Other GASB Principles, Statements, Interpretations, and Codification—including:
  - Investments (GASBS 31 & 40)
  - Risk Financing and Insurance (GASBS 10)
  - Nonexchange Transactions (GASBS 33)
  - Reporting Model (GASBS 34, as amended)

### 3. Governmental Accounting Equations and Procedures: Preview and Overview

### 4. General Fund & Special Revenue Funds

### 5. Capital Projects Funds

### 6. Debt Service Funds

### 7. Permanent Funds

### 8. General Capital Assets and General Long-Term Liabilities

### 9. Internal Service Funds

### 10. Enterprise Funds

### 11. Fiduciary Funds

- Investment Trust Funds
- Private-Purpose Trust Funds
- Pension Trust Funds
- Agency Funds

### 12. Summary of Interfund Transactions and Relationships

### 13. Designing and Preparing "Major Fund" Basic Financial Statements (BFS)

### 14. Adjusting/Converting the Fund Data to Derive the "Government-Wide" Basic Financial Statements (BFS)

- Comprehensive Annual Financial Report (CAFR)
  - (1) Introduction, (2) Management's Discussion and Analysis (MD&A), (3) Basic Financial Statements (BFS), (4) Notes to the BFS, (5) Required Supplementary Information, (6) Combining and Individual Fund Financial Statements and Schedules, (7) Narrative Explanations, (8) Statistical Section (GASBS 44)
- Related Topics, including Reporting Entity, Component Units, and Joint Ventures



Course Level:	Basic, Intermediate
Prerequisites:	None
Delivery Method:	Group—Live

Call 800-690-3020 or 806-2742-3170 or visit our website (<http://www.cpd.ba.ttu.edu>) to register today.



# Registration

**Fast, Easy Registration**  
**Our seminars fill up fast. Avoid disappointment. Sign up today!**

**REGISTRATION:**

**By Telephone:** CALL 806-742-3170 or 800-690-3020

**Online:** <http://www.cpd.ba.ttu.edu>

**By Mail:** Print online registration form at:  
<http://www.cpd.ba.ttu.edu>, complete,  
and MAIL to:  
Center for Professional Development  
Rawls College of Business  
Box 42102  
Lubbock, TX 79409-2102

**By Fax:** Print online registration form at:  
<http://www.cpd.ba.ttu.edu>, complete,  
and FAX to 806-742-1093

**HOTEL:** Participants must arrange and pay for their hotel accommodations and any incidentals, including parking fees, where applicable. Group rates have been arranged with the hotels, and some extend government rates. **To obtain the group rate, you must refer to the Texas Tech Governmental Seminar.** Hotels will release the Texas Tech room blocks 30-45 days prior to the seminar. At this point reservations will be accepted based on space/group rate availability.

Visit our **NEW** website: <http://www.cpd.ba.ttu.edu> or contact the Center for Professional Development regarding detailed hotel, travel, and other information.

**CANCELLATION POLICY:** We realize that plans may change. Therefore, a registrant may substitute another person in his or her place at any time or transfer to another city by calling 806-742-3170 or 800-690-3020, preferably at least 3 working days prior to the seminar. Cancellations received at least six working days PRIOR to the program date will be refunded in full. Registrants who give less than six working days notice are subject to an administrative charge of \$100. Cancellations on the day of the program and failures to cancel are subject to no refund or credit. Should it be necessary to cancel a program, Texas Tech's liability is limited to the program fee paid.

**COMPLAINT RESOLUTION POLICY:** For more information regarding administrative policies such as complaints and refunds, please contact our office at 806-742-3170.

**SEMINAR FEES:** \$695 registration fee for Governmental Accounting, Auditing & Financial Reporting (3-days), and \$375 for the UPDATE (1-day). Save \$75 by attending both seminars at a reduced rate of \$995. Seminar fees include comprehensive 600-700 page manuals of the most current information available, expert instruction, continental breakfast, morning and afternoon breaks with refreshments, and a buffet lunch. Hotel accommodations are NOT included in the registration fee.

*Payable to*  
*8:30 AM*

Payment is due before the seminar date. Seating will not be guaranteed until payment is received. Make checks payable to TEXAS TECH UNIVERSITY.

**SCHEDULE:**

- On-Site Registration and Sign-In begins at 8:00 a.m. on the first day of each seminar.
- Each seminar begins at 8:30 a.m. and concludes at 4:45 p.m. daily.

**ON-SITE REGISTRATION:** We attempt to accommodate on-site registrants, but cannot guarantee participation due to room size and seating limitations.

**CONCERNING CPE CREDIT:**

- Both seminars qualify as Governmental Accounting and Auditing CPE under GAO Government Auditing Standards.
- The Texas Tech Center for Professional Development is a Registered Sponsor (103020) of professional education programs with the Texas State Board of Public Accountancy.
- The seminars also meet the standards and procedures to qualify for Continuing Professional Education (CPE) credit with other state boards and are conducted in accordance with individual state CPE rules and regulations.



The Texas Tech University Center for Professional Development is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors, 150 Fourth Avenue North, Nashville, TN, 37219-2417. NASBA phone number: 615-880-4200. Web site: [www.nasba.org](http://www.nasba.org)

**On-Site Seminars Also Available**

Do you have a sizable group that would benefit from these seminars? Consider a special in-house presentation for your organization at a time and place convenient for you. You save on tuition and travel costs, and an on-site seminar allows you to tailor the sessions to your needs and discuss sensitive issues in a confidential environment. For more information, contact the GA/GAU Program Manager at 806-472-3170 or 800-690-3020.

**Call 800-690-3020 or 806-742-3170 or visit our website (<http://www.cpd.ba.ttu.edu>) to register today.**



### Who Should Attend

Both seminars are directed to state and local government finance officers, controllers, auditors, and related personnel and to Independent Public Accountants with state and local government auditing or consulting practices, as well as accountants who are interested in developing a government practice.

The 3-day seminar—**Governmental Accounting & Financial Reporting**—is recommended for both those who have little or no formal training in governmental accounting and as a refresher course for all governmental accountants and auditors.

The 1-day seminar—**Update: Governmental Accounting, Reporting & Auditing**—is designed for experienced governmental accountants, auditors, and finance officers; independent public accountants; and those who have attended the 3-day seminar.

Participants attending **both** seminars are extended a **25% discount** on the 1-day **update** registration fee.

### What You Should Bring

**Comprehensive Annual Financial Report (CAFR)** — Bring a CAFR. You will benefit from reviewing a CAFR of your government or auditee government as the seminar proceeds, particularly during the 3-day Governmental Accounting & Financial Reporting seminar.

**Casual clothes** — but bring a sweater or jacket since meeting room temperatures may vary.

### About the Seminars

Dr. Freeman's seminars have been an invaluable source of the most current information and technical training for more than 25 years. Over 17,000 financial officers and public accountants have benefited from his expertise by attending these programs.

Each seminar includes a comprehensive 600-700 page manual of the most current information available, expert instruction, continental breakfast, morning and afternoon breaks with refreshments, and a buffet lunch.

## SEMINAR DATES & LOCATIONS

**May 21-24, Scottsdale, AZ**  
Scottsdale Plaza Resort  
7200 North Scottsdale Road  
Scottsdale, Arizona 85253  
480-948-5000 or 800-832-2025

**June 4-7, Tallahassee, FL**  
Ramada Conference Center  
2900 North Monroe Street  
I-10 and Exit 199 US Hwy. 27  
Tallahassee, FL 32303  
850-386-1027 or 800-272-6232

**June 11-14, South Padre Island, TX**  
Sheraton South Padre Island  
Beach Hotel and Condominiums  
310 Padre Boulevard  
South Padre Island, TX 78597  
956-761-6551 or 800-325-3535

**June 18-21, Columbia, SC**  
Columbia Marriott  
1200 Hampton Street  
Columbia, South Carolina 29201  
803-771-7000 or 800-228-9290

**June 25-28, Orlando, FL**  
The Rosen Plaza Hotel  
9700 International Drive  
Orlando, Florida 32819  
407-996-9700 or 800-627-8258

**July 9-12, Houston, TX**  
Omni Houston Hotel  
Four Riverway  
Houston, Texas 77056  
713-871-8181 or 800-843-6664

**July 23-26, Santa Fe, NM**  
Inn and Spa at Loretto  
211 Old Santa Fe Trail  
Santa Fe, New Mexico 87501  
505-988-5531 or 800-727-5531

**July 23-26, Columbus, OH**  
Hyatt Regency Columbus  
350 North High Street  
Columbus, Ohio 43215  
614-463-1234 or 800-233-1234

**July 30-Aug 2, Palm Beach, FL**  
Jupiter Beach Resort and Spa  
5 North A1A  
Jupiter, Florida 33477  
561-746-2511 or 877-389-0571

**August 6-9, Austin, TX**  
Omni Austin Hotel at Southpark  
4140 Governor's Row  
Austin, Texas 78744  
512-448-2222 or 800-648-4462

**August 13-16, Dallas, TX**  
Adam's Mark Hotel Dallas  
400 North Olive Street  
Dallas, Texas 75201  
214-922-8000 or 800-444-2326

**August 13-16, Gatlinburg, TN**  
Park Vista Hotel  
705 Cherokee Orchard Road  
Gatlinburg, Tennessee 37738  
865-436-9211 or 800-421-7275

**August 20-23, Destin, FL**  
Sandestin Golf and Beach Resort  
9300 Emerald Coast Parkway, West  
Sandestin, Florida 32550  
850-267-8200 or 800-320-8115

Call 800-690-3020 or 806-742-3170 or visit our website (<http://www.cpd.ba.ttu.edu>) to register today.

**BID TABULATION SHEETS  
FOR  
2007 DEBRIS REMOVAL & DISPOSAL SERVICES**

A.	ITEM	DESCRIPTION OF SERVICE	UNIT	CRWDR-GULF COST	JAMES BROS. COST	WATERFR.T. COST	ASHBRITT COST	OMNI PINN. COST	IED, INC. COST	DRC EMERG. COST	ASPLUNDH COST	SRS COST	D & J ENTER. COST
	1	Mobilization and Demobilization (Lump Sum)	LS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$10,000.00	\$0.00	\$0.00	\$0.00	\$5,000.00
	2	Debris Removal from Public Property (right-of-way) and Hauling to Temporary Debris Storage and Reduction Site (TDSRS) 0-15	CY	\$8.00	\$7.47	\$7.85	\$9.75	\$7.65	\$5.90	\$7.62	\$7.59	\$7.37	\$8.00
	3	Debris Removal from Public Property (right-of-way) and Hauling to Temporary Debris Storage and Reduction Site (TDSRS) 16-30 one way miles	CY	\$9.00	\$8.07	\$8.50	\$10.25	\$8.70	\$6.90	\$8.48	\$8.81	\$8.37	\$8.50
	4	Debris Removal from Temporary Debris Storage and Reduction Site (TDSRS) and Hauling to Final Disposal Site 0-15 one way miles	CY	\$3.75	\$2.95	\$5.00	\$4.25	\$2.90	\$4.00	\$3.50	\$4.63	\$3.00	\$7.00
	5	Debris Removal from Temporary Debris Storage and Reduction Site (TDSRS) and Hauling to Final Disposal Site 16-30 one way	CY	\$4.50	\$3.75	\$5.00	\$4.50	\$3.10	\$5.00	\$4.00	\$5.65	\$3.37	\$7.50
	6	Debris Removal from Public Property (right-of-way) and Hauling directly to Final Disposal Site 0-15 one way miles	CY	\$8.00	\$11.43	\$7.90	\$9.75	\$7.65	\$7.25	\$7.87	\$7.59	\$7.37	\$8.00
	7	Debris Removal from Public Property (right-of-way) and Hauling directly to Final Disposal Site 16-30 one way miles	CY	\$9.00	\$11.93	\$8.90	\$10.25	\$8.70	\$8.75	\$8.92	\$8.81	\$8.30	\$8.50
	8	Management of TDSRS	CY	\$1.25	\$1.09	\$1.25	\$2.00	\$1.15	\$0.90	\$0.95	\$1.50	\$1.25	\$1.50
	9	Processing (Grinding/Chipping) of Debris at TDSRS or Final Disposal	CY	\$3.25	\$2.69	\$2.00	\$1.95	\$2.65	\$2.00	\$3.00	\$2.75	\$1.95	\$2.25
	10	Processing (Burning) of Debris at TDSRS or Final Disposal Site	CY	\$1.40	\$1.89	\$1.25	\$1.65	\$2.50	\$1.50	\$2.68	\$3.50	\$1.65	\$2.00
	11	Pick up and Haul of White Goods to Disposal Site within County (NOTE)	UNIT	\$35.00	\$45.00	\$35.00	\$60.00	\$45.00	\$80.00	\$75.00	\$35.00	\$32.00	\$100.00
	12	Pick up and Disposal of Hazardous Material	LB	\$4.00	\$3.99	\$2.50	\$22.50	\$2.00	\$2.50	\$7.50	\$50.00	\$3.20	\$25.00
	13	Freon Management and Recycling	UNIT	\$60.00	\$75.00	\$35.00	\$55.00	\$45.00	\$200.00	\$75.00	\$75.00	\$50.00	\$75.00
	14	Dead Animal Collection, Transportation and Disposal	LB	\$1.00	\$1.00	\$1.00	\$8.50	\$1.00	\$1.50	\$1.94	\$3.25	\$0.50	\$4.00

**HAZARDOUS WASTE REMOVAL & HAULING TO DISPOSAL SITE**

	15	6 in. Diameter to 11.99 in. Diameter	STUMP	\$0.00	\$0.00	\$50.00	\$0.00	\$0.00	\$60.00	\$150.00	\$50.00	\$0.00	\$75.00
	16	12 in. Diameter to 23.99 in. Diameter	STUMP	\$200.00	\$95.00	\$110.00	\$0.00	\$0.00	\$100.00	\$275.00	\$75.00	\$90.00	\$100.00
	17	24 in. Diameter to 47.99 Diameter	STUMP	\$400.00	\$295.00	\$205.00	\$425.00	\$200.00	\$200.00	\$400.00	\$240.00	\$275.00	\$450.00
	18	48 in. Diameter and Greater	STUMP	\$550.00	\$495.00	\$280.00	\$700.00	\$375.00	\$400.00	\$600.00	\$393.00	\$475.00	\$800.00

THE FOLLOWING ITEMS SHALL BE BILLED ON A TIME AND MATERIAL BASIS ACCORDING TO THE SCHEDULING ON THE FOLLOWING PAGES:

	19	Emergency Road Clearance	N/A										
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**BID TABULATION SHEETS  
FOR  
2007 DEBRIS REMOVAL & DISPOSAL SERVICES**

<b>A.</b>	<b>ITEM</b>	<b>DESCRIPTION OF SERVICE</b>	<b>UNIT</b>	<b>CRWDR-GULF COST</b>	<b>JAMES BROS. COST</b>	<b>WATERFRT. COST</b>	<b>ASHBRITT COST</b>	<b>OMNI PINN. COST</b>	<b>IED, INC. COST</b>	<b>DRC EMERG. COST</b>	<b>ASPLUNDH COST</b>	<b>SRS COST</b>	<b>D &amp; J ENTER. COST</b>
	20	Debris Removal from Water Bodies (Bays, Rivers, Streams, Canals, Lakes)	N/A										
	21	Debris Removal from Private Property (right-of-entry program) and Publicly Owner Property (other than right-of-way)	N/A										
	22	Leaning Trees/Hanging Limbs/Tree-off Program	N/A										
	23	Demolition of Structures	N/A										
	24	Disaster event Generated hazardous Wastes Abatement; Biohazardous Wastes Abatement	N/A										
	25	Pre-event Training for Client Personnel	N/A										
		Mobilization and Demobilization (Lump Sum From the Top)		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$10,000.00	\$0.00	\$0.00	\$0.00	\$5,000.00
		<b>TOTAL</b>		<b>\$1,298.15</b>	<b>\$1,061.26</b>	<b>\$766.15</b>	<b>\$1,325.35</b>	<b>\$713.00</b>	<b>\$1,086.20</b>	<b>\$1,631.46</b>	<b>\$972.08</b>	<b>\$968.33</b>	<b>\$1,682.25</b>
<b>B.</b>		Construction of Inspection Tower Cost (1)	Material	\$0.00	\$400.00	\$7,500.00	\$0.00	\$2,800.00	\$0.00	\$0.00	\$996.00	\$995.00	\$1,500.00
			Labor	\$0.00	\$480.00		\$0.00	\$800.00	\$0.00	\$0.00	\$800.00	\$1,200.00	\$513.00
		Total Tower Cost		\$0.00	\$880.00	\$7,500.00	\$0.00	\$3,600.00	\$0.00	\$0.00	\$1,796.00	\$2,195.00	\$2,013.00

- NOTES: 1. Tipping fee at final disposal site(s) will be the responsibility of the City.  
2. For a multi-year contract, the prices shown above would be adjusted on the anniversary date of the contract according a percentage equal to the percent change in the Consumer Price Index as published U.S. Department of Labor, Bureau of Labor Statistics.

**BID TABULATION SHEETS  
FOR  
2007 DEBRIS REMOVAL & DISPOSAL SERVICES**

C.	LAST FIVE COMPLETED PROJECTS & DOLLAR VALUE OF CONTRACTS	DATE	CRWDR-GULF COST	JAMES BROS. COST	WATERFRONT COST	ASHBRITT COST	OMNI PINN. COST	IED. INC. COST	DRC EMERG. COST	ASPLUNDH COST	SRS COST	D & J ENTER. COST
1	US Coast Guard - Jackson, Harrison & Hancock Counties, MS	2006	\$9,000,000.00									
2	Erie & Genesee County, NY	2006	\$3,000,000.00									
3	City of Fort Lauderdale, FL	2005	\$33,051,000.00									
4	City of Wilton Manors, FL	2005	\$1,135,000.00									
5	City of Daphne, AL/ Baldwin Co., AL/ AL Dept of Conservation & Natural Resources	2004	\$230,000,000.00									
1	City of Spanish Fort, AL	2005										
2	City of Fairhope, AL	2004										
3	Hernando County, FL	2004										
4	City of Spanish Fort, AL	1998										
5	City of Fairhope, AL	1997										
1	Gulf Shores, AL	2 yr.			\$124,846.48							
2	New Orleans, LA	2005			\$3,100,000.00							
3	United States Army Corps of Engineers, Cameron Parish	2005			\$740,425.10							
4	United States Army Corps of Engineers, Lafayette Parish	2005			\$75,963.22							
5	Mobile, AL	2005			\$66,826.25							
1	United States Army Corps of Engineers, MS	2005				\$20,100,000.00						
2	Collier County, AL	2005				\$1,300,000.00						
3	City of Coral Gables, FL	2005				\$270,000.00						
4	City of Miami Beach, FL	2005				\$205,000.00						
5	St. Lucie County, FL	2005				\$160,000.00						
1	Baton Rouge, LA	2006										
2	City of New Orleans, LA	2005										
3	St. Tammany Parish Government, LA	2005										
4	Royal Palm Beach, AL	2004										
5	Jacksonville, FL	2004										
1	Franklinton, LA	2005						\$7,150,000.00				
2	Franklinton, LA	2005						\$64,700,000.00				
3	Town of Summerdale, AL	2004-05						\$885,000.00				
4	City of Foley, AL	2004-05						\$4,700,000.00				
5	Town of Elberta, AL	2004-05						\$1,450,000.00				
1	Williamsville, NY	2006							\$12,000,000.00			
2	Baton Rouge, LA	2005-06							\$100,000,000.00			
3	Key West, FL	2005-06							\$15,000,000.00			
4	Pensacola, FL	2004-06							\$50,000,000.00			
5	Stuart, FL	2004-06							\$25,000,000.00			

**BID TABULATION SHEETS  
FOR  
2007 DEBRIS REMOVAL & DISPOSAL SERVICES**

<b>C</b>	<b>LAST FIVE COMPLETED PROJECTS &amp; DOLLAR VALUE OF CONTRACTS</b>	<b>DATE</b>	<b>CRWDR-GULF COST</b>	<b>JAMES BROS. COST</b>	<b>WATERFRFT. COST</b>	<b>ASHBRITT COST</b>	<b>OMNI PINN. COST</b>	<b>IED. INC. COST</b>	<b>DRC EMERG. COST</b>	<b>ASPLUNDH COST</b>	<b>SRS COST</b>	<b>D &amp; J ENTER. COST</b>
	1 Kountze, TX	2005-06								\$17,370,347.00		
	2 Lake Charles, LA	2005-06								\$22,877,375.82		
	3 Miami, FL	2005-06								\$15,376,237.29		
	4 Yorktown, VA											
	5 Durham, NC	2002								\$4,200,000.00		
	1 City of North Tonawanda, NY	2006									\$2,160,000.00	
	2 MS State Parks	2006									\$20,000.00	
	3 Moss Point, MS	2006									\$300,000.00	
	4 Newton County, TX	2006									\$500,000.00	
	5 Forrest County, MS	2005-06									\$4,733,032.82	
	6 Stone County, MS	2005									\$8,537,329.49	
	1 Town of Tonawanda, NY	2006										\$1,960,000.00
	2 Village of Kenmore, NY	2006										\$172,699.00
	3 Ocean Springs, Gulfport, & Waveland, MS	2005-06										\$60,000,000.00
	4 Miami Gardens & Del Ray Beach, FL	2005-06										\$9,658,727.00
	5 United States Army Corps of Engineers, TX	2005-06										\$121,679,403.00



**CITY OF DAPHNE - 2007-H-DISASTER DEBRIS REMOVAL & DISPOSAL SERVICES**  
**COMPARISON WITH QUANTITIES FROM:** **HURRICANE IVAN**  
**HURRICANE IVAN QUANTITY COMPARISON**  
(See Bid Cost Sheet for #1 - 18 Descriptions)

**HURRICANE IVAN QUANTITY COMPARISON**

SRS		IED Inc		Omni Pinn		DRC		Waterfrt	
1	IVAN QTY	1	IVAN QTY	1	IVAN QTY	1	IVAN QTY	1	IVAN QTY
	\$2,195.00		\$10,000.00		\$3,600.00		\$0.00		\$7,500.00
2	\$1,063,513.11	2	\$951,387.70	2	\$1,103,917.95	2	\$1,099,588.86	2	\$1,132,778.55
8	\$192,720.00	8	\$138,756.40	8	\$177,302.40	8	\$146,467.20	8	\$192,720.00
9	\$300,643.20	9	\$308,352.00	9	\$408,566.40	9	\$462,528.00	9	\$308,352.00
5	\$116,076.28	5	\$172,220.00	5	\$106,776.40	5	\$137,776.00	5	\$172,220.00
7	\$67,180.20	7	\$70,822.50	7	\$70,417.80	7	\$72,198.48	7	\$72,036.60
15	\$0.00	15	\$56,760.00	15	\$0.00	15	\$150.00	15	\$50.00
16	\$42,570.00	16	\$47,300.00	16	\$0.00	16	\$275.00	16	\$110.00
17	\$103,950.00	17	\$75,600.00	17	\$75,600.00	17	\$400.00	17	\$205.00
18	\$34,200.00	18	\$28,800.00	18	\$27,000.00	18	\$600.00	18	\$280.00
	\$1,923,047.79		\$1,760,000.60		\$1,973,180.95		\$2,384,933.54		\$2,082,587.15

SRS		IED Inc		Omni Pinn		DRC		Waterfrt	
1	IVAN QTY	1	IVAN QTY	1	IVAN QTY	1	IVAN QTY	1	IVAN QTY
	\$2,195.00		\$10,000.00		\$3,600.00		\$0.00		\$7,500.00
2	\$1,063,513.11	2	\$951,387.70	2	\$1,103,917.95	2	\$1,099,588.86	2	\$1,132,778.55
8	\$192,720.00	8	\$138,756.40	8	\$177,302.40	8	\$146,467.20	8	\$192,720.00
9	\$300,643.20	9	\$308,352.00	9	\$408,566.40	9	\$462,528.00	9	\$308,352.00
5	\$116,076.28	5	\$172,220.00	5	\$106,776.40	5	\$137,776.00	5	\$172,220.00
7	\$67,180.20	7	\$70,822.50	7	\$70,417.80	7	\$72,198.48	7	\$72,036.60
15	\$0.00	15	\$56,760.00	15	\$0.00	15	\$150.00	15	\$50.00
16	\$42,570.00	16	\$47,300.00	16	\$0.00	16	\$275.00	16	\$110.00
17	\$103,950.00	17	\$75,600.00	17	\$75,600.00	17	\$400.00	17	\$205.00
18	\$34,200.00	18	\$28,800.00	18	\$27,000.00	18	\$600.00	18	\$280.00
	\$1,923,047.79		\$1,760,000.60		\$1,973,180.95		\$2,384,933.54		\$2,082,587.15

SRS		IED Inc		Omni Pinn		DRC		Waterfrt	
1	IVAN QTY	1	IVAN QTY	1	IVAN QTY	1	IVAN QTY	1	IVAN QTY
	\$2,195.00		\$10,000.00		\$3,600.00		\$0.00		\$7,500.00
2	\$1,063,513.11	2	\$951,387.70	2	\$1,103,917.95	2	\$1,099,588.86	2	\$1,132,778.55
8	\$192,720.00	8	\$138,756.40	8	\$177,302.40	8	\$146,467.20	8	\$192,720.00
9	\$300,643.20	9	\$308,352.00	9	\$408,566.40	9	\$462,528.00	9	\$308,352.00
5	\$116,076.28	5	\$172,220.00	5	\$106,776.40	5	\$137,776.00	5	\$172,220.00
7	\$67,180.20	7	\$70,822.50	7	\$70,417.80	7	\$72,198.48	7	\$72,036.60
15	\$0.00	15	\$56,760.00	15	\$0.00	15	\$150.00	15	\$50.00
16	\$42,570.00	16	\$47,300.00	16	\$0.00	16	\$275.00	16	\$110.00
17	\$103,950.00	17	\$75,600.00	17	\$75,600.00	17	\$400.00	17	\$205.00
18	\$34,200.00	18	\$28,800.00	18	\$27,000.00	18	\$600.00	18	\$280.00
	\$1,923,047.79		\$1,760,000.60		\$1,973,180.95		\$2,384,933.54		\$2,082,587.15

SRS		IED Inc		Omni Pinn		DRC		Waterfrt	
1	IVAN QTY	1	IVAN QTY	1	IVAN QTY	1	IVAN QTY	1	IVAN QTY
	\$2,195.00		\$10,000.00		\$3,600.00		\$0.00		\$7,500.00
2	\$1,063,513.11	2	\$951,387.70	2	\$1,103,917.95	2	\$1,099,588.86	2	\$1,132,778.55
8	\$192,720.00	8	\$138,756.40	8	\$177,302.40	8	\$146,467.20	8	\$192,720.00
9	\$300,643.20	9	\$308,352.00	9	\$408,566.40	9	\$462,528.00	9	\$308,352.00
5	\$116,076.28	5	\$172,220.00	5	\$106,776.40	5	\$137,776.00	5	\$172,220.00
7	\$67,180.20	7	\$70,822.50	7	\$70,417.80	7	\$72,198.48	7	\$72,036.60
15	\$0.00	15	\$56,760.00	15	\$0.00	15	\$150.00	15	\$50.00
16	\$42,570.00	16	\$47,300.00	16	\$0.00	16	\$275.00	16	\$110.00
17	\$103,950.00	17	\$75,600.00	17	\$75,600.00	17	\$400.00	17	\$205.00
18	\$34,200.00	18	\$28,800.00	18	\$27,000.00	18	\$600.00	18	\$280.00
	\$1,923,047.79		\$1,760,000.60		\$1,973,180.95		\$2,384,933.54		\$2,082,587.15

SRS		IED Inc		Omni Pinn		DRC		Waterfrt	
1	IVAN QTY	1	IVAN QTY	1	IVAN QTY	1	IVAN QTY	1	IVAN QTY
	\$2,195.00		\$10,000.00		\$3,600.00		\$0.00		\$7,500.00
2	\$1,063,513.11	2	\$951,387.70	2	\$1,103,917.95	2	\$1,099,588.86	2	\$1,132,778.55
8	\$192,720.00	8	\$138,756.40	8	\$177,302.40	8	\$146,467.20	8	\$192,720.00
9	\$300,643.20	9	\$308,352.00	9	\$408,566.40	9	\$462,528.00	9	\$308,352.00
5	\$116,076.28	5	\$172,220.00	5	\$106,776.40	5	\$137,776.00	5	\$172,220.00
7	\$67,180.20	7	\$70,822.50	7	\$70,417.80	7	\$72,198.48	7	\$72,036.60
15	\$0.00	15	\$56,760.00	15	\$0.00	15	\$150.00	15	\$50.00
16	\$42,570.00	16	\$47,300.00	16	\$0.00	16	\$275.00	16	\$110.00
17	\$103,950.00	17	\$75,600.00	17	\$75,600.00	17	\$400.00	17	\$205.00
18	\$34,200.00	18	\$28,800.00	18	\$27,000.00	18	\$600.00	18	\$280.00
	\$1,923,047.79		\$1,760,000.60		\$1,973,180.95		\$2,384,933.54		\$2,082,587.15

Crowder Gulf		Asplundh		James Bros		D & J Enter		Ashbritt	
1	IVAN QTY	1	IVAN QTY	1	IVAN QTY	1	IVAN QTY	1	IVAN QTY
	\$0.00		\$1,796.00		\$680.00		\$7,013.00		\$0.00
2	\$1,154,424.00	2	\$1,095,259.77	2	\$1,077,943.41	2	\$1,154,424.00	2	\$1,406,954.25
8	\$192,720.00	8	\$231,264.00	8	\$168,051.84	8	\$231,264.00	8	\$308,352.00
9	\$501,072.00	9	\$423,984.00	9	\$414,733.44	9	\$346,896.00	9	\$300,643.20
5	\$154,998.00	5	\$194,608.90	5	\$129,165.00	5	\$258,330.00	5	\$154,998.00
7	\$72,846.00	7	\$71,308.14	7	\$96,561.42	7	\$68,799.00	7	\$82,963.50
15	\$0.00	15	\$47,300.00	15	\$0.00	15	\$141,900.00	15	\$0.00
16	\$94,600.00	16	\$35,475.00	16	\$44,935.00	16	\$130,075.00	16	\$0.00
17	\$151,200.00	17	\$90,720.00	17	\$111,510.00	17	\$151,200.00	17	\$160,650.00
18	\$39,600.00	18	\$28,296.00	18	\$35,640.00	18	\$43,200.00	18	\$50,400.00
	\$2,361,460.00		\$2,220,011.51		\$2,079,420.11		\$2,533,101.00		\$2,464,960.95

Crowder Gulf		Asplundh		James Bros		D & J Enter		Ashbritt	
1	IVAN QTY	1	IVAN QTY	1	IVAN QTY	1	IVAN QTY	1	IVAN QTY
	\$0.00		\$1,796.00		\$680.00		\$7,013.00		\$0.00
2	\$1,154,424.00	2	\$1,095,259.77	2	\$1,077,943.41	2	\$1,154,424.00	2	\$1,406,954.25
8	\$192,720.00	8	\$231,264.00	8	\$168,051.84	8	\$231,264.00	8	\$308,352.00
9	\$501,072.00	9	\$423,984.00	9	\$414,733.44	9	\$346,896.00	9	\$300,643.20
5	\$154,998.00	5	\$194,608.90	5	\$129,165.00	5	\$258,330.00	5	\$154,998.00
7	\$72,846.00	7	\$71,308.14	7	\$96,561.42	7	\$68,799.00	7	\$82,963.50
15	\$0.00	15	\$47,300.00	15	\$0.00	15	\$141,900.00	15	\$0.00
16	\$94,600.00	16	\$35,475.00	16	\$44,935.00	16	\$130,075.00	16	\$0.00
17	\$151,200.00	17	\$90,720.00	17	\$111,510.00	17	\$151,200.00	17	\$160,650.00
18	\$39,600.00	18	\$28,296.00	18	\$35,640.00	18	\$43,200.00	18	\$50,400.00
	\$2,361,460.00		\$2,220,011.51		\$2,079,420.11		\$2,533,101.00		\$2,464,960.95

Crowder Gulf		Asplundh		James Bros		D & J Enter		Ashbritt	
1	IVAN QTY	1	IVAN QTY	1	IVAN QTY	1	IVAN QTY	1	IVAN QTY
	\$0.00		\$1,796.00		\$680.00		\$7,013.00		\$0.00
2	\$1,154,424.00	2	\$1,095,259.77	2	\$1,077,943.41	2	\$1,154,424.00	2	\$1,406,954.25
8	\$192,720.00	8	\$231,264.00	8	\$168,051.84	8	\$231,264.00	8	\$308,352.00
9	\$501,072.00	9	\$423,984.00	9	\$414,733.44	9	\$346,896.00	9	\$300,643.20
5	\$154,998.00	5	\$194,608.90	5	\$129,165.00	5	\$258,330.00	5	\$154,998.00
7	\$72,846.00	7	\$71,308.14	7	\$96,561.42	7	\$68,799.00	7	\$82,963.50
15	\$0.00	15	\$47,300.00	15	\$0.00	15	\$141,900.00	15	\$0.00
16	\$94,600.00	16	\$35,475.00	16	\$44,935.00	16	\$130,075.00	16	\$0.00
17	\$151,200.00	17	\$90,720.00	17	\$111,510.00	17	\$151,200.00	17	\$160,650.00
18	\$39,600.00	18	\$28,296.00	18	\$35,640.00	18	\$43,200.00	18	\$50,400.00
	\$2,361,460.00		\$2,220,011.51		\$2,079,420.11		\$2,533,101.00		\$2,464,960.95

Crowder Gulf		Asplundh		James Bros		D & J Enter		Ashbritt	
1	IVAN QTY	1	IVAN QTY	1	IVAN Q				

**SOUTH ALABAMA REGIONAL PLANNING COMMISSION  
INVOICE**

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

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DATE	DESCRIPTION	AMOUNT
12/11/06	PRO-RATA SHARE FOR FISCAL YEAR 2007	\$12,361.00
	AMOUNT DUE FOR FIRST HALF	6,180.50

**PAST DUE**

PLEASE MAKE CHECK TO:

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

THANK YOU!

## Finance Committee

Kim

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**From:** Lee, Deborah [Deborah.Lee@revenue.alabama.gov]  
**Sent:** Monday, April 02, 2007 12:24 PM  
**To:** kmbriley@bellsouth.net  
**Subject:** 2007 Sales Tax Holiday



### State of Alabama Department of Revenue

50 North Ripley Street  
 Montgomery, Alabama 36132

April 2, 2007

**To:** All Counties and Municipalities in Alabama

**Subject:** 2007 Sales Tax Holiday

Pursuant to Act No. 2006-574, beginning at 12:01 a.m. on Friday, August 3, 2007, and ending at twelve midnight on Sunday, August 5, 2007, Alabama will hold its second annual Sales Tax Holiday, exempting certain school supplies, computers, and clothing from state sales or use tax. A county or municipality may, by resolution or ordinance adopted at least 30 days prior to the Sales Tax Holiday, provide for the exemption of "covered items" from county or municipal sales or use taxes during the same time period, under the same terms, conditions, and definitions as provided for the state Sales Tax Holiday.

The first annual Sales Tax Holiday in August 2006 was a great success. From all reports, the holiday went smoothly with very little confusion. Contributing to the success was the prompt action taken by local governments in notifying the Department of whether their county or city would participate, and the quick dissemination of this and other pertinent information to retailers and consumers in the state.

Most of the counties and municipalities participated in the 2006 Sales Tax Holiday by resolutions or ordinances that were adopted for August 4-6, 2006 only. For these counties and municipalities to participate in the 2007 Sales Tax Holiday, another resolution or ordinance must be adopted at least 30 days prior to the Sales Tax Holiday. A county or municipality is prohibited from providing for a Sales Tax Holiday during any period other than the first full weekend in August. As required by Sales Tax Holiday Rule 810-6-3-.65 and Code of Alabama 1975, §11-51-210(e), a participating county or municipality shall submit a certified copy of their adopted resolution or ordinance providing for the Sales Tax Holiday, and any subsequent amendments thereof, to the Alabama Department of Revenue before July 3, 2007. The Department will compile this information into a list of all counties and municipalities participating in the Sales Tax Holiday and issue a current publication of the list on its website at:

[www.revenue.alabama.gov/salestax/STholiday.htm](http://www.revenue.alabama.gov/salestax/STholiday.htm)

To help the Department provide timely information and assistance to the retailers and customers in your county or municipality, **please provide notification to the Department as to whether your locality will participate.** If your decision is to participate, **include with the notification a certified copy of any pertinent resolution, ordinance, or amendment.** Notification can be faxed to 334-353-7666 or mailed to:

ALABAMA DEPARTMENT OF REVENUE

Attention: Deborah Lee, Room 4311

Sales, Use & Business Tax Division

Post Office Box 327900

Montgomery, Alabama 36132-7900

On the Department's website, [www.revenue.alabama.gov](http://www.revenue.alabama.gov), you will find helpful links to Act No. 2006-574, Sales Tax Holiday Rule 810-6-3-.65, and Sales Tax Holiday Quick Reference Sheet of Exempt Items. Again this year, the Department of Revenue and the Alabama Retail Association in cooperation with the Chamber of Commerce Association of Alabama are organizing a series of Sales Tax Holiday Seminars throughout the state beginning in May 2007. A list of seminar dates and locations will be posted on the Department's website soon.

If we can be of assistance, please contact Local Tax Unit, Deborah Lee (334-353-9133), Tina Emfinger (334-242-1499), or James Mayberry (334-353-7718).

**MOTION TO BE MADE UNDER THE  
PLANNING COMMISSION REPORT  
AT THE  
MARCH 19, 2007  
COUNCIL MEETING**

- a.) ***MOTION:*** Request by Planning Commission that the City Council authorize mayor to proceed to establish *a hydraulic and feasibility study for the Lake Forest Water Shed not to exceed the amount of \$40,000.*

# TREASURER'S REPORT

As of March 31, 2007

TO: FINANCE COMMITTEE

FROM: KIMBERLY BRILEY, FINANCE DIRECTOR/TREASURER

<u>ACCT TITLE</u>	<u>BANK</u>	<u>BALANCE</u>
<b>GENERAL FUND &amp; ENTERPRISE FUNDS</b>		
MMA ACCT	COMPASS	\$9,809,107.01
OPERATING ACCT	COMPASS	(\$166,374.96)
PAYROLL ACCT	COMPASS	(\$475.09)
MUNICIPAL COURT	COMPASS	<u>\$226,156.82</u>
		\$9,868,413.78
<b>SPECIAL REVENUES FUND</b>		
SAIL SITE	FIRST GULF	\$3,656.05
4 CENT GAS TAX	FIRST GULF	\$117,894.85
7 CENT GAS TAX	FIRST GULF	<u>\$219,495.90</u>
		\$341,046.80
<b>CAPITAL PROJECTS FUND</b>		
CDBG LOAN REPAY	COMPASS	\$720.57
CAPITAL RESERVE	WACHOVIA	\$3,782,645.61
97 WARRANT CONS	WACHOVIA	\$5,110.10
99 WARRANT CONS	REGIONS	\$35,147.07
2000 CONSTRUCTION	REGIONS	\$91,039.12
2006 CONSTRUCTION	WACHOVIA	<u>\$10,104,093.41</u>
		\$14,018,755.88
<b>DEBT SERVICE FUND</b>		
DEBT SERVICE	WACHOVIA/FIRST GULF	\$1,196,306.00
		<u>\$25,424,522.46</u>

## SALES & USE TAXES

### ACTUAL COLLECTIONS

	2001	2002	2003	2004	2005	2006	2007
October	565,075.77	671,699.04	636,482.64	697,830.58	833,700.71	932,634.66	944,542.36
November	591,377.80	650,308.98	646,534.10	710,788.74	814,666.03	901,512.38	918,837.95
December	803,488.81	858,086.66	892,208.68	941,151.87	1,091,073.78	1,168,443.68	1,182,584.39
January	557,344.42	639,638.85	590,727.65	697,083.68	771,837.83	887,468.11	914,876.33
February	587,990.90	602,215.06	632,654.31	688,421.54	788,825.08	878,123.66	877,975.60
March	682,504.29	710,960.77	705,390.20	848,156.86	917,832.17	1,081,774.83	
April	649,639.77	629,853.17	692,148.44	752,039.55	863,144.81	968,760.72	
May	684,188.67	668,867.28	702,692.15	757,610.49	867,446.44	1,000,424.48	
June	693,747.71	731,684.73	752,668.04	818,209.20	982,863.46	1,024,091.07	
July	622,924.98	679,602.58	721,790.90	803,051.14	908,576.13	941,407.68	
August	652,404.99	657,027.91	739,993.63	745,320.33	869,818.11	950,539.01	
September	660,492.09	644,827.41	715,641.36	830,260.80	998,476.08	967,616.16	
<b>Totals</b>	<b>7,751,180.20</b>	<b>8,144,772.44</b>	<b>8,428,932.10</b>	<b>9,289,924.78</b>	<b>10,708,260.63</b>	<b>11,702,796.44</b>	<b>4,838,816.63</b>

### FY 2007 BUDGET/ACTUAL COMPARISONS

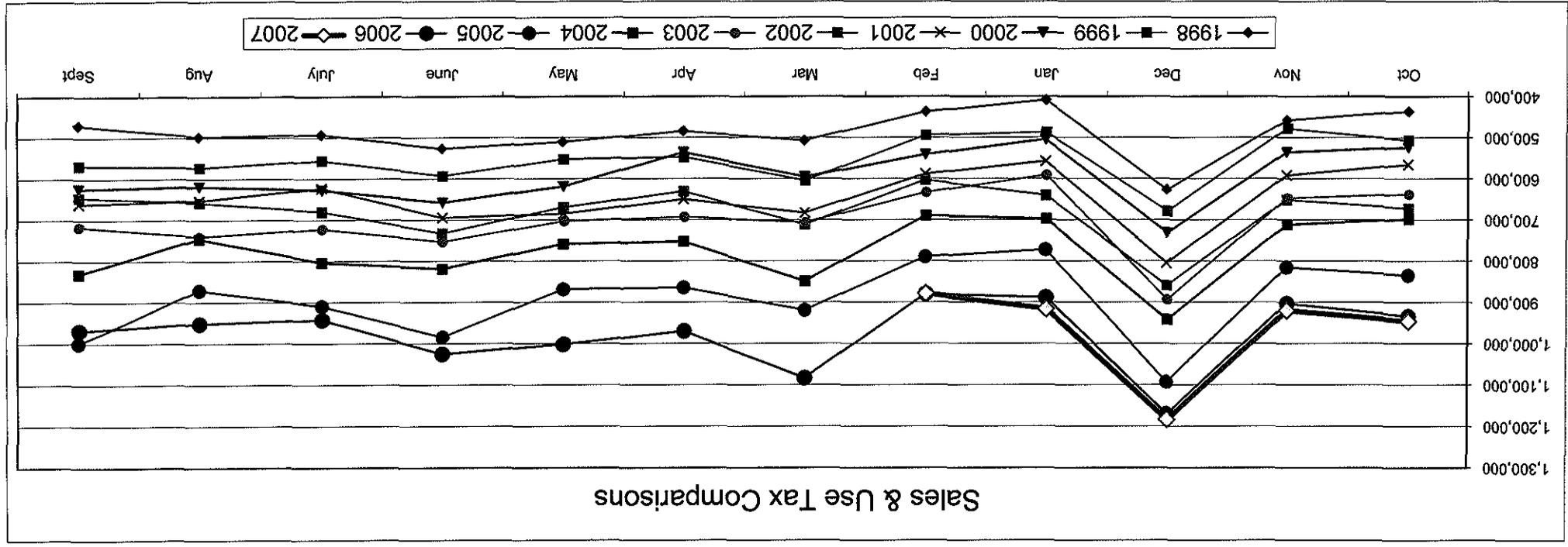
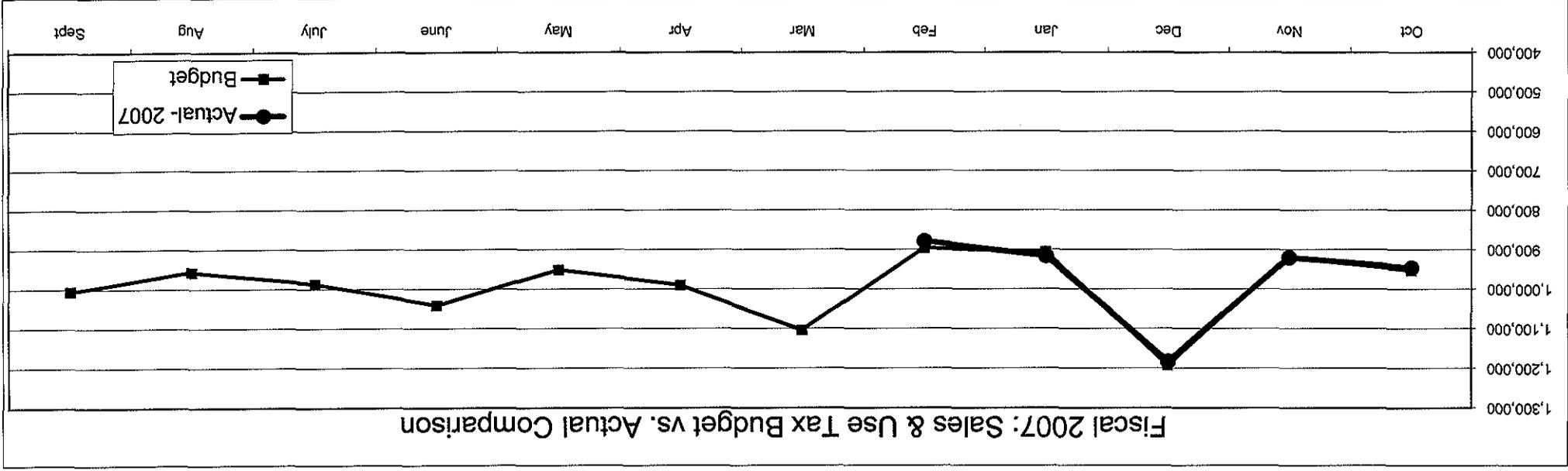
	Actual- 2007	Budget	Monthly Variance	YTD Variance	% of Budget
October	944,542.36	951,287	(6,744.64)	(6,744.64)	-0.71%
November	918,837.95	919,543	(705.05)	(7,449.69)	-0.08%
December	1,182,584.39	1,191,813	(9,228.61)	(16,678.30)	-0.77%
January	914,876.33	905,217	9,659.33	(7,018.97)	1.07%
February	877,975.60	895,686	(17,710.40)	(24,729.37)	-1.98%
March		1,103,410			0.00%
April		989,020			0.00%
May		950,447			0.00%
June		1,040,098			0.00%
July		986,131			0.00%
August		955,866			0.00%
September		1,004,457			0.00%
<b>Totals</b>	<b>4,838,816.63</b>	<b>11,892,975</b>	<b>(24,729.37)</b>		

### FISCAL YEAR COMPARISONS

	<u>\$ Change</u>						<u>Percent Change</u>					
	2001-2002	2002-2003	2003-2004	2004-2005	2005-2006	2006-2007	2001-2002	2002-2003	2003-2004	2004-2005	2005-2006	2006-2007
October	106,623.27	(35,216.40)	61,347.94	135,870.13	98,933.95	11,907.70	18.67%	-5.24%	9.64%	19.47%	11.87%	1.28%
November	58,931.18	(3,774.88)	64,254.64	103,877.29	86,846.35	17,325.57	9.97%	-0.58%	9.94%	14.61%	10.66%	1.92%
December	54,597.85	34,122.02	48,943.19	149,921.91	77,369.90	14,140.71	6.80%	3.98%	5.49%	15.93%	7.09%	1.21%
January	82,294.43	(48,911.20)	106,356.03	74,754.15	115,630.28	27,408.22	14.77%	-7.65%	18.00%	10.72%	14.98%	3.09%
February	14,224.16	30,439.25	55,767.23	100,403.54	89,298.58	(148.06)	2.42%	5.05%	8.81%	14.58%	11.32%	-0.02%
March	28,456.48	(5,570.57)	142,766.66	69,675.31	163,942.66		4.17%	-0.78%	20.24%	8.21%	17.86%	
April	(19,786.60)	62,295.27	59,891.11	111,105.26	105,615.91		-3.05%	9.89%	8.65%	14.77%	12.24%	
May	(15,321.39)	33,824.87	54,918.34	109,835.95	132,978.04		-2.24%	5.06%	7.82%	14.50%	15.33%	
June	37,937.02	20,983.31	65,541.16	164,654.26	41,227.61		5.47%	2.87%	8.71%	20.12%	4.19%	
July	56,677.60	42,188.32	81,260.24	105,524.99	32,831.55		9.10%	6.21%	11.26%	13.14%	3.61%	
August	4,622.92	82,965.72	5,326.70	124,497.78	80,720.90		0.71%	12.63%	0.72%	16.70%	9.28%	
September	(15,664.68)	70,813.95	114,619.44	168,215.28	(30,859.92)		-2.37%	10.98%	16.02%	20.26%	-3.09%	
<b>Annual \$ Change</b>	<b>393,592.24</b>	<b>284,159.66</b>	<b>860,992.68</b>	<b>1,418,335.85</b>	<b>994,535.81</b>	<b>70,634.14</b>	<b>Annual % Change</b>	<b>5.08%</b>	<b>3.49%</b>	<b>10.21%</b>	<b>15.27%</b>	<b>9.29%</b>

TOTAL collections: FY 06	11,702,796
TOTAL est. bdgt coll: FY 06	11,892,975
Budgeted Dollar Variance 06/07	190,179
Budgeted Percent Variance 06/07	1.63%

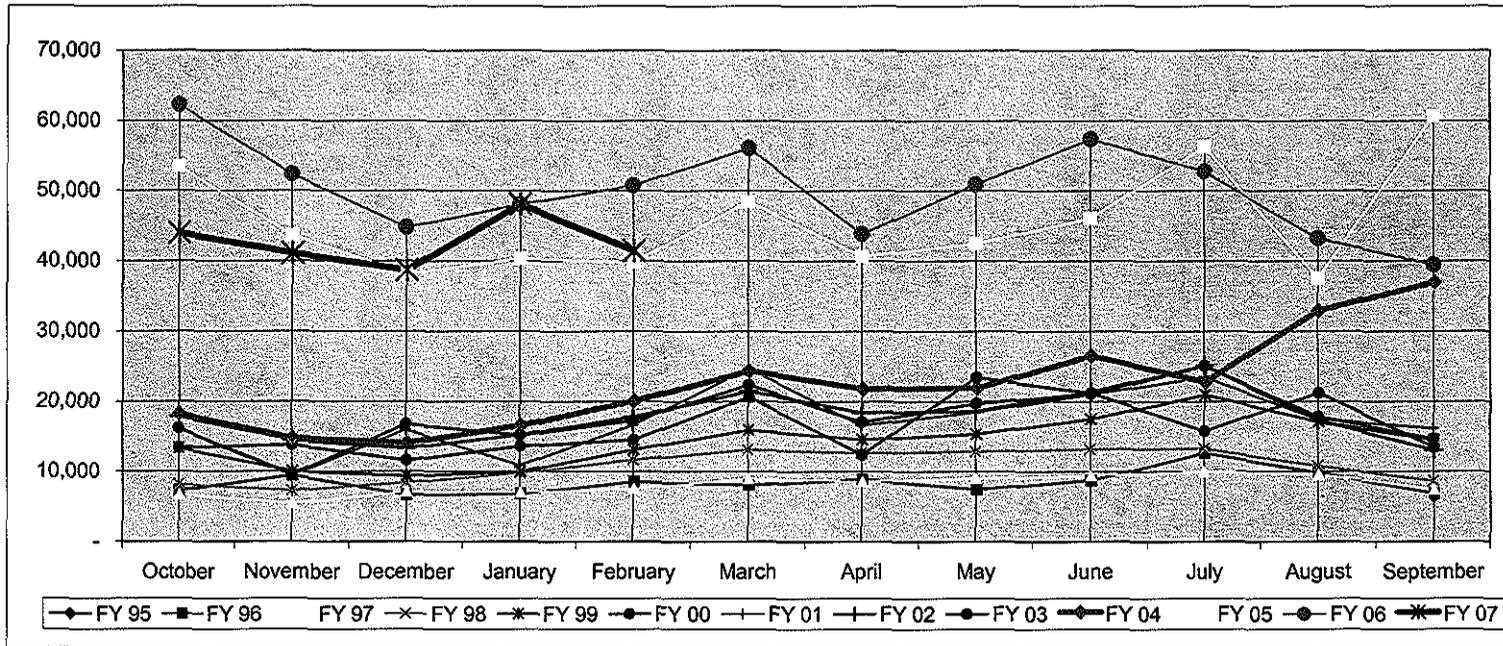
TOTAL collections: 2-28-07	4,838,817
Budgeted: 10-1-06 to 2-28-07	4,863,546
Actual Coll > (<) Budget, 2-28-07	(24,729)
% Over/(Under) Budget, 2-28-07	-0.51%



### 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>
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
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
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
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
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	
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	
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	
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	
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	
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	
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>	
<b>Total</b>	<b>6,371.27</b>	<b>100,428.26</b>	<b>96,406.17</b>	<b>128,825.48</b>	<b>170,726.13</b>	<b>193,945.54</b>	<b>205,978.62</b>	<b>212,999.73</b>	<b>211,754.69</b>	<b>269,317.22</b>	<b>547,535.15</b>	<b>601,302.68</b>	<b>212,901.60</b>

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



<b>FY 2007 Budget</b>
620,000
<b>% Budget Collected</b>
<u>2/28/2007</u>
34%

# NEW BUSINESSES

March-07

CITY LIMITS		CONTRACTORS	
VANTEL PEARLS	1	QUALITY CABINETS & WOODWORKS	1
KITCHENS BY DESIGN, LLC	1	GREGORY L HOBBS	1
SI LONG OU	1	VILLE CONSTRUCTION INC	1
IT'S MY PARTY	1	CLAY CITY TRACTOR WORK	1
MCA ARCHITECTS, INC	1	NEW DAWN SERVICES, INC	1
THE CELL SHOP	1	MASTER BUILDER INC	1
SUNSET MORTGAGE LP	1	SCHREINER	1
CREATIVE TRIBUTE	1	CORLEY'S ELECTRICAL SERVICE	1
TAYLOR, BEAN & MORTGAGE, CORP	1	RICKIE CONSTANT	1
G P ENTERPRISES	1	P-K CONSTRUCTION	1
SPLASH POOLS & SPAS, LLC	1	WILSON, GIBBY	1
WALLACE, CHRISTOPHER	1	LILLIAN FENCE	1
COUNTRYWIDE HOME LOANS	1	LAN-COAST, LLC	1
ANGIE ALLEN & ASSOCIATES	1	ESE SERVICE	1
COLOR ALL OF LA	1	FULL THROTTLE PUMPING INC	1
HEALTHYARD.COM	1	PARAGON LIMITED INC	1
FIX IT NOW APPLIANCE REPAIR	1	<b>TOTAL CONTRACTORS</b>	<b>26</b>
<b>TOTAL CITY LIMITS</b>	<b>17</b>		
OUTSIDE CITY LIMITS		INSURANCE	
ARVATO SERVICES LLC	1	MERITPLAN INSURANCE CO	1
G & K SERVICES UG LLC	1	DARWIN NATIONAL ASSURANCE CO	1
KIMBALL MIDWEST	1	DISCOVER PROPERTY CASUALTY	1
TECHNET INTERNATIONAL, INC	1	ST PAUL MERCURY INSURANCE	1
JEREMY'S LAWN MAINTENANCE	1	SECURITY LIFE OF DENVER INS	1
BALDWIN LIGHT FIXTURES LLC	1	SETTLERS LIFE INC CO	1
DURALEE FABRICS	1	AMERICAN MEDICAL SECURITY LIFE	1
THOMSON PROFESSION & REGULATORY	1	FORT DEARBORN LIFE INSURANCE	1
EL MAIZAL OF ALABAMA INC	1	METLIFE INVESTORS USA INS	1
WORLD ACCEPTANCE CORP	1	GARRISON PROPERTY AND CASUALTY	1
KYSOR PANEL SYSTEMS	1	AMERICAN BANKERS LIFE ASSURANCE	1
SUPERIOR FURNITURE	1	PERICO LIFE INSURANCE COMPANY	1
J A DAWSON & CO INC	1	JOHN HANCOCK LIFE INS	1
<b>TOTAL OUTSIDE CITY LIMITS</b>	<b>13</b>	NATIONAL SPECIALTY INSURANCE	1
CONTRACTORS		UNITED TEACHER ASSOCIATES INS CO	1
CUMMING INC	1	MUTUAL SAVINGS LIFE INS	1
GOODBRAD IRON WORKS	1	ARCH INSURANCE CO	1
POE ELECTRIC	1	AXIS SURPLUS INS CO	1
NELSON PLUMBING CONTRACTORS	1	FIDELITY NATIONAL PROPERTY & CAS	1
GULF COAST CONCRETE, LLC	1	JEFFERSON PILOT FINANCIAL INS	1
BILCO A/C & HEATING	1	GENWORTH LIFE & HEALTH INS	1
SOUTHEASTERN EQUIPMENT	1	CONTINENTAL LIFE INS CO	1
THEADORE CHASTANG JR	1	PROBUILDERS SPECIALTY INS	1
PLUMBING & PIPING LLC	1	<b>TOTAL NEW INSURANCE</b>	<b>23</b>
INTEGRITY REMODELING SERVICE	1	<b>TOTAL NEW BUSINESSES</b>	<b>79</b>

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INTEROFFICE MEMORANDUM

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**TO:** SUZANNE HENSON, FINCANCE DEPARTMENT  
**FROM:** SANDRA MORSE, DIRECTOR, DAPHNE CIVIC CENTER  
**SUBJECT:** DANCE FLOOR  
**DATE:** 4/6/2007  
**CC:** FINANCE COMMITTEE, MAYOR SMALL

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THE BUILDINGS AND PROPERTY COMMITTEE MET TODAY APRIL 6, 2007. THE COMMITTEE DISCUSSED THE PURCHASE OF THE DANCE FLOOR AND IF IT WOULD BE DELIVERED IN TIME FOR THE FESTIVAL MAY 18-19, 2007. I INFORMED THEM THAT THE BIDS FOR THE DANCE FLOOR WILL BE OPENED ON APRIL 23, 2007. ALSO, HOW IMPORTANT IT IS TO GET THE DANCE FLOOR DELEVERED TO THE CIVIC CENTER BY MAY 15, 2007 FOR THE GULF COAST ZYDECO MUSIC & CRAWFISH FESTIVAL AND DAPHNE COMMUNITY DAY. I INFORMED THE COMMITTEE THAT THE VENDORS ARE CONCERNED THAT IF WE CAN NOT ORDER THE FLOOR BY APRIL 24, 2007 THEY WILL BE UNABLE TO GUARENTTEE THE ORDER IN TIME FOR THE FESTIVAL. THIS WILL MEAN THAT WE WILL NEED TO RENT DANCE FLOOR WHICH WOULD COST WELL OVER \$3,000.00.

**A MOTION WAS MADE AT THE APRIL 6, 2007 MEETING OF THE BUILDING AND PROPERTY COMMITTEE BY CHAIRMAN LAKE TO REQUEST THAT THE FINANCE COMMITTEE AT THEIR APRIL 9, 2007 MEETING RECOMMEND AT THE NEXT COUNCIL MEETING THAT A SPECIAL CALLED MEETING OF THE FULL COUNCIL BE ASSEMBLED ON APRIL 23 OR 24, 2007 TO REVIEW AND APPROVE THE BID FOR THE DANCE FLOOR. THIS MOTION WAS SECONDED BY COUNCILMAN PALUMBO. THE MOTION WAS APPROVED.**

PUBLIC NOTICE WILL HAVE TO BE MADE FOR THE CALLED MEETING. THIS ACTION WILL ALLOW THE DANCE FLOOR TO ARRIVE JUST IN TIME FOR THE FESTIVAL IF THIS IS AGREEABLE.

THANK YOU.

## Buildings and Property Committee Minutes

April 6, 2007  
10:00 a.m.  
City of Daphne  
Council Chambers

Committee  
Councilman John Lake, Chairman  
Mayor Fred Small  
Councilman August A. Palumbo

Sandra Morse, Director Daphne Civic Center Richard Merchant, Buildings Inspector Frank Barnette, Building Department Jeff Hudson, Hatch Mott MacDonald Candy Lake

The meeting opened at 10:07 a.m. with a discussion concerning the importance of planning for future use when building new facilities or expanding city buildings by Mr. Frank Barnett of the Public Works Department. Mr. Barnett stated as examples how the Civic Center and Library in response to community needs hold various events that need electrical and water outside the facilities and beyond what was allocated for the buildings.

Councilman Palumbo discussed the agenda item of placing a fence behind the Scenic Overlook building for privacy purposes. The adjacent property owner has stated that he would pay for one half the cost of the fence. Mr. Barnette stated that he would research what a fence would cost and report back to the Committee at the next meeting. Mayor Small discussed possibly adding a gate at the entrance of the property so that it can be closed at night. This would keep people from entering the property when it is closed for various reasons.

The Committee revisited the need for roof repair to the Scenic Overlook building. The Committee reviewed the lease agreement between the City of Daphne and the Chamber of Commerce. The lease states that the Chamber is responsible for all repairs. The Committee discussed the fact that the building belongs to the City of Daphne and that the Buildings and Property Committee would prefer that Mr. Frank Barnette, of the Public Works Department be involved in the selection of the contractor and what actually would

be done to the roof. This would protect the City's interests and provide assistance to the Chamber in the process.

The Committee discussed two requests for fee waivers. The first request was from the Baldwin County Public Schools requesting a waiver of a cancellation fee in the amount of \$217.50. Motion by Chairman Lake to waive the fee. Seconded by Mayor Small. Motion Approved.

The second waiver request was from the Sunset Riders Mardi Group. This group booked the Richard Scardamalia Pavilion and wanted to cancel usage of the Bayfront facility and book at the Civic Center. Motion by Mayor Small to transfer their funds to the Civic Center. Seconded by Councilman Palumbo. Motion Approved.

Mr. Jeff Hudson of Hatch Mott MacDonald presented preliminary plans for upgrading the Eastern Star facility on Old Spanish Trail Road for possible usage as a college campus by Huntingdon College. Mr. Hudson also presented a proposal for agreement for professional services for review. The facility would be a two-story 30'x50' structure with elevator and all necessary built-ins for ADA requirements. Mr. Hudson stated that the facility has a relatively new roof which was installed about five years ago. The Committee discussed parking concerns and solutions. The Committee requested that Ms. Candy Lake, representing Huntingdon College acquire from the school a written commitment. Chairman Lake discussed having the City Clerk look into a grant for a sidewalk from the proposed school to a local business for parking. The Committee discussed the fact that the college will begin classes at the Recreation Department in a month.

The Committee discussed the property at Highway 98 and Johnson Road that is owned by the City of Daphne and the time lost in the Public Works Department because equipment is not centrally located. Mayor Small stated that he would put together costs of the lost time and present it to the Buildings and Property Committee.

The Committee discussed the dance floor for the Civic Center and that to have it in time for major upcoming events it would be necessary for the Council to have a special called meeting to approve the bid. The bid would open on April 23, 2007. The order would have to be placed

on or about the time of the opening of the bid to ensure proper delivery.

A Motion was made by Chairman Lake to request that the Finance Committee at their April 9, 2007 meeting recommend at the next Council meeting that a special called meeting of the full Council be assembled on April 23 or 24, 2007 to review and approve the bid for the dance floor. Seconded by Councilman Palumbo. Motion Approved.

The meeting adjourned at 11:35 a.m.

# City of Daphne

## Permit Activity Report

Friday, March 30, 2007

Permit Code: **BL**                      **BUILDING PERMIT**

### Residential - NEW - R3 BL Permits

Txpld - Loc#	Contractor Name / Location Name	Permit # / Project #	Master Permit #	Job Location Address	Paid	Status	Issue Date	App Date	Job Value/Cost	Permit Fee
3173-1	MITCHELL HOMES	07-390		10179 ESTIA ST.	Yes	A	03/30/2007	03/30/2007	\$106,920.00	\$550.00
	MITCHELL HOMES	07-AO		DAPHNE, AL 36526					Sub Division: HISTORIC MALBIS	
3173-1	MITCHELL HOMES	07-389		8792 DRIFTON CT.	Yes	A	03/30/2007	03/30/2007	\$176,520.00	\$900.00
	MITCHELL HOMES	07-AN		DAPHNE, AL 36526					Sub Division: BROOKHAVEN	
1288-1	DAVID STAPLETON BUILDERS	07-369		30861 PINE CT	Yes	A	03/23/2007	03/23/2007	\$173,790.00	\$885.00
	DAVID STAPLETON BUILDERS			DAPHNE, AL 36526					Sub Division: TIMBERCREEK	
482-1	BENCHMARK HOMES, INC.	07-349		7709 AVERY LANE	Yes	A	03/20/2007	03/20/2007	\$116,130.00	\$600.00
	BENCHMARK HOMES, INC.	07-AM		DAPHNE, AL 36526					Sub Division: MADISON PLACE	
84-1	ADAMS HOMES, LLC	07-336		8059 BROOKSIDE LANE	Yes	A	03/16/2007	03/16/2007	\$128,520.00	\$660.00
	ADAMS HOMES, LLC			DAPHNE, AL 36526					Sub Division: BROOKSIDE	
482-1	BENCHMARK HOMES, INC.	07-309		7723 AVERY LANE	Yes	A	03/13/2007	03/13/2007	\$110,730.00	\$570.00
	BENCHMARK HOMES, INC.	07-AL		DAPHNE, AL 36526					Sub Division: MADISON PLACE	
4901-1	JERRY SMITH HOME BUILDERS	07-303		682 DEER AVE	Yes	A	03/12/2007	03/12/2007	\$204,125.00	\$1,040.00
	JERRY SMITH HOME BUILDERS	07-AJ		DAPHNE, AL 36526					Sub Division:	
3173-1	MITCHELL HOMES	07-299		8779 DRIFTON CT	Yes	A	03/09/2007	03/09/2007	\$175,470.00	\$895.00
	MITCHELL HOMES	07-AI		DAPHNE, AL 36526					Sub Division: BROOKHAVEN	
3173-1	MITCHELL HOMES	07-298		27045 GRAMERCY LANE	Yes	A	03/09/2007	03/09/2007	\$176,160.00	\$900.00
	MITCHELL HOMES	07-AH		DAPHNE, AL 36526					Sub Division: BROOKHAVEN	
4906-1	JOHN LASSITER HOME CONSTRUC	07-296		9843 BELLATON AVE	Yes	A	03/12/2007	03/09/2007	\$250,350.00	\$1,250.00
	JOHN LASSITER HOME CONSTRUC	07-AK		DAPHNE, AL 36526					Sub Division: BELLATON	
5256-1	WILSON GIBBY	07-286		27655 JENKINS LANE	Yes	A	03/08/2007	03/08/2007	\$136,980.00	\$700.00
	WILSON GIBBY			DAPHNE, AL 36526					Sub Division:	
2857-1	LUCKIE, STEVEN ANDREW	07-274		171 FAIRWAY DRIVE	Yes	A	03/07/2007	03/07/2007	\$120,960.00	\$620.00
	LUCKIE, STEVEN ANDREW	07-AG		DAPHNE, AL 36526					Sub Division: LAKE FOREST	
5254-1	STEVEN SCHNEIDER BUILDER	07-269		8851 NORTH CT	Yes	A	03/06/2007	03/06/2007	\$377,880.00	\$1,905.00
	STEVEN SCHNEIDER BUILDER			DAPHNE, AL 36526					Sub Division: TIMBERCREEK	
<b>Total Residential - NEW - R3 BL Permit(s)</b>							<b>13</b>		<b>\$2,254,535.00</b>	<b>\$11,475.00</b>
<b>Total Residential - NEW BL Permit(s)</b>							<b>13</b>		<b>\$2,254,535.00</b>	<b>\$11,475.00</b>
<b>Total Residential BL Permit(s)</b>							<b>13</b>		<b>\$2,254,535.00</b>	<b>\$11,475.00</b>

# City of Daphne

## Permit Activity Report

Friday, March 30, 2007

### Non Residential - NEW - B2 BL Permits

TxpId - Loc#	Contractor Name / Location Name	Permit # / Project #	Master Permit #	Job Location Address	Paid	Status	Issue Date	App Date	Job Value/Cost	Permit Fee
5268-1	PARAGON LIMITED INC	07-357		6830 HWY 90	Yes	A	03/21/2007	03/21/2007	\$427,000.00	\$2,562.00
	PARAGON LIMITED INC			DAPHNE, AL 36526			Sub Division: STARBUCK'S - SHELL ONLY			
5255-1	SP & L GENERAL CONTRACTORS	07-271		9789 TIMBER CIRCLE	Yes	A	03/06/2007	03/06/2007	\$321,795.00	\$1,932.00
	SP & L GENERAL CONTRACTORS	07-AF		DAPHNE, AL 36526			Sub Division: TIMBERCREEK COMMERCIAL PA			
<b>Total Non Residential - NEW - B2 BL Permit(s)</b>								2	\$748,795.00	\$4,494.00
<b>Total Non Residential - NEW BL Permit(s)</b>								2	\$748,795.00	\$4,494.00
<b>Total Non Residential BL Permit(s)</b>								2	\$748,795.00	\$4,494.00
<b>Total BL Permit(s)</b>							15	\$3,003,330.00	\$15,969.00	
<b>Grand Totals</b>							15	\$3,003,330.00	\$15,969.00	

# Revenue Summary Report By Type and Code

3/30/2007

Transaction Date Between: 03/01/2007 And 03/30/2007

Type	Code	Code Description	Gross Revenue	Remitted Disc.	Net Revenue
Permit	BL	BUILDING PERMIT	\$24,151.00	\$0.00	\$24,151.00
	EL	ELECTRICAL PERMIT	\$5,336.00	\$0.00	\$5,336.00
	PL	ELECTRICAL PERMIT	\$75.00	\$0.00	\$75.00
	EL	MECHANICAL PERMIT	\$110.00	\$0.00	\$110.00
	ME	MECHANICAL PERMIT	\$3,060.00	\$0.00	\$3,060.00
	BL	PLUMBING PERMIT	\$1,080.00	\$0.00	\$1,080.00
	PL	PLUMBING PERMIT	\$3,230.00	\$0.00	\$3,230.00
<b>Total For Permit(s)</b>			<b>\$37,042.00</b>	<b>\$0.00</b>	<b>\$37,042.00</b>
<b>Grand Total</b>			<b>\$37,042.00</b>	<b>\$0.00</b>	<b>\$37,042.00</b>

# General Ledger Account Proof Report Summary By Account

Paid Date Between 03/01/2007 And 03/30/2007

03/30/2007

Account Number	Account Description	Amount
41210	BUILDING PERMITS	
	Total For Session : 03/01/2007	\$100.00
	Total For Session : 03/02/2007	\$80.00
	Total For Session : 03/05/2007	\$420.00
	Total For Session : 03/06/2007	\$4,412.00
	Total For Session : 03/07/2007	\$745.00
	Total For Session : 03/08/2007	\$1,380.00
	Total For Session : 03/09/2007	\$5,095.00
	Total For Session : 03/12/2007	\$2,440.00
	Total For Session : 03/13/2007	\$1,235.00
	Total For Session : 03/14/2007	\$285.00
	Total For Session : 03/15/2007	\$315.00
	Total For Session : 03/16/2007	\$815.00
	Total For Session : 03/20/2007	\$2,065.00
	Total For Session : 03/21/2007	\$2,662.00
	Total For Session : 03/22/2007	\$55.00
	Total For Session : 03/23/2007	\$1,250.00
	Total For Session : 03/26/2007	\$55.00
	Total For Session : 03/27/2007	\$25.00
	Total For Session : 03/28/2007	\$45.00
	Total For Session : 03/29/2007	\$102.00
	Total For Session : 03/30/2007	\$1,650.00
	Total Credits 41210	\$25,231.00
41214	ELECTRICAL PERMITS	
	Total For Session : 03/05/2007	\$110.00
	Total For Session : 03/06/2007	\$110.00
	Total For Session : 03/07/2007	\$860.00
	Total For Session : 03/08/2007	\$20.00
	Total For Session : 03/12/2007	\$475.00
	Total For Session : 03/13/2007	\$330.00
	Total For Session : 03/14/2007	\$110.00
	Total For Session : 03/15/2007	\$1,358.00
	Total For Session : 03/16/2007	\$430.00
	Total For Session : 03/19/2007	\$90.00
	Total For Session : 03/21/2007	\$630.00
	Total For Session : 03/22/2007	\$220.00
	Total For Session : 03/23/2007	\$130.00
	Total For Session : 03/26/2007	\$110.00
	Total For Session : 03/27/2007	\$275.00
	Total For Session : 03/28/2007	\$110.00
	Total For Session : 03/30/2007	\$78.00
	Total Credits 41214	\$5,446.00
41215	MECHANICAL PERMITS	

Account Number	Account Description	Amount
	Total For Session : 03/02/2007	\$30.00
	Total For Session : 03/05/2007	\$430.00
	Total For Session : 03/07/2007	\$110.00
	Total For Session : 03/08/2007	\$220.00
	Total For Session : 03/09/2007	\$110.00
	Total For Session : 03/13/2007	\$110.00
	Total For Session : 03/15/2007	\$980.00
	Total For Session : 03/20/2007	\$160.00
	Total For Session : 03/21/2007	\$110.00
	Total For Session : 03/22/2007	\$220.00
	Total For Session : 03/26/2007	\$430.00
	Total For Session : 03/28/2007	\$150.00

Total Credits 41215 \$3,060.00

41217 PLUMBING PERMITS

Total For Session : 03/02/2007	\$45.00
Total For Session : 03/06/2007	\$220.00
Total For Session : 03/08/2007	\$195.00
Total For Session : 03/09/2007	\$350.00
Total For Session : 03/12/2007	\$95.00
Total For Session : 03/13/2007	\$1,120.00
Total For Session : 03/14/2007	\$110.00
Total For Session : 03/16/2007	\$30.00
Total For Session : 03/19/2007	\$330.00
Total For Session : 03/20/2007	\$110.00
Total For Session : 03/21/2007	\$220.00
Total For Session : 03/22/2007	\$110.00
Total For Session : 03/23/2007	\$110.00
Total For Session : 03/27/2007	\$150.00
Total For Session : 03/29/2007	\$110.00

Total Credits 41217 \$3,305.00

Total Credits \$37,042.00

110-0001 CASH - GENERAL FUND

Total For Session : 03/01/2007	\$100.00
Total For Session : 03/02/2007	\$155.00
Total For Session : 03/05/2007	\$960.00
Total For Session : 03/06/2007	\$4,742.00
Total For Session : 03/07/2007	\$1,715.00
Total For Session : 03/08/2007	\$1,815.00
Total For Session : 03/09/2007	\$5,555.00
Total For Session : 03/12/2007	\$3,010.00
Total For Session : 03/13/2007	\$2,795.00
Total For Session : 03/14/2007	\$505.00
Total For Session : 03/15/2007	\$2,653.00
Total For Session : 03/16/2007	\$1,275.00
Total For Session : 03/19/2007	\$420.00
Total For Session : 03/20/2007	\$2,335.00

Account Number	Account Description	Amount
	Total For Session : 03/21/2007	\$3,622.00
	Total For Session : 03/22/2007	\$605.00
	Total For Session : 03/23/2007	\$1,490.00
	Total For Session : 03/26/2007	\$595.00
	Total For Session : 03/27/2007	\$450.00
	Total For Session : 03/28/2007	\$305.00
	Total For Session : 03/29/2007	\$212.00
	Total For Session : 03/30/2007	\$1,728.00
	Total Debits 110-0001	\$37,042.00
	<b>Total Debits</b>	<b>\$37,042.00</b>

# Revenue Detail Report

03/30/2007

Session Closing Date Between: 03/01/2007 And 03/30/2007

Transaction Type: **Permit**

Code	Session	TaxpayerID	Loc#	Taxpayer Name	Trans Date	Revenue Amt	Discount Amt	Issue Fee	Penalty Amt	Interest Amt	Fees 1-5	Trans Total	Invoice
BL	03/01/2007	4846	1	HOME OWNER	03/01/2007	\$50.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$50.00	No
BL	03/01/2007	4846	1	HOME OWNER	03/01/2007	\$50.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$50.00	No
BL	03/02/2007	1643	1	FOLKERS WINDOW CO.	03/02/2007	\$80.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$80.00	No
BL	03/05/2007	1325	1	DEEP SOUTH GUNITE PO	03/05/2007	\$225.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$225.00	No
BL	03/05/2007	2568	1	KAISER POOLS	03/05/2007	\$150.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$150.00	No
BL	03/05/2007	4912	1	OWNER	03/05/2007	\$45.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$45.00	No
BL	03/06/2007	4912	1	OWNER	03/06/2007	\$400.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$400.00	No
BL	03/06/2007	5254	1	STEVEN SCHNEIDER BUI	03/06/2007	\$1,980.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,980.00	No
BL	03/06/2007	5255	1	SP & L GENERAL CONTR	03/06/2007	\$2,032.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,032.00	No
BL	03/07/2007	4684	1	WESTERN GATE CONST	03/07/2007	\$50.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$50.00	No
BL	03/07/2007	2857	1	LUCKIE, STEVEN ANDRE	03/07/2007	\$695.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$695.00	No
BL	03/08/2007	5257	1	LILLIAN FENCE	03/08/2007	\$85.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$85.00	No
BL	03/08/2007	5258	1	LANCO CONSTRUCTION,	03/08/2007	\$390.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$390.00	No
BL	03/08/2007	2718	1	LANGAN CONSTRUCTION	03/08/2007	\$45.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$45.00	No
BL	03/08/2007	2089	1	HOME LIFE WINDOW & R	03/08/2007	\$85.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$85.00	No
BL	03/08/2007	5256	1	WILSON GIBBY	03/08/2007	\$775.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$775.00	No
BL	03/09/2007	4862	1	ROBERTS CUSTOM BUIL	03/09/2007	\$3,100.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,100.00	No
BL	03/09/2007	482	1	BENCHMARK HOMES, IN	03/09/2007	\$50.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$50.00	No
BL	03/09/2007	3173	1	MITCHELL HOMES	03/09/2007	\$975.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$975.00	No
BL	03/09/2007	3173	1	MITCHELL HOMES	03/09/2007	\$970.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$970.00	No
BL	03/12/2007	4901	1	JERRY SMITH HOME BUI	03/12/2007	\$1,115.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,115.00	No
BL	03/12/2007	4906	1	JOHN LASSITER HOME C	03/12/2007	\$1,325.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,325.00	No
BL	03/13/2007	4950	1	K & K ENTERPRISES	03/13/2007	\$170.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$170.00	No
BL	03/13/2007	1033	1	CONSOLIDATED FENCE	03/13/2007	\$35.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$35.00	No
BL	03/13/2007	838	1	CECIL PARMER	03/13/2007	\$385.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$385.00	No
BL	03/13/2007	482	1	BENCHMARK HOMES, IN	03/13/2007	\$645.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$645.00	No
BL	03/14/2007	4912	1	OWNER	03/14/2007	\$20.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$20.00	No
BL	03/14/2007	5122	1	CHARLOTTE'S ROOFING	03/14/2007	\$45.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$45.00	No
BL	03/14/2007	4846	1	HOME OWNER	03/14/2007	\$65.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$65.00	No
BL	03/14/2007	3960	1	SEARS HOME IMPROVEM	03/14/2007	\$155.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$155.00	No
BL	03/15/2007	4846	1	HOME OWNER	03/15/2007	\$315.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$315.00	No
BL	03/16/2007	84	1	ADAMS HOMES, LLC	03/16/2007	\$735.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$735.00	No
BL	03/16/2007	4888	1	HORIZON SUNROOMS OF	03/16/2007	\$50.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$50.00	No
BL	03/16/2007	5263	1	COASTAL FRAMING	03/16/2007	\$30.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$30.00	No
BL	03/20/2007	5264	1	MAJOR HOME IMPROVE	03/20/2007	\$65.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$65.00	No
BL	03/20/2007	4912	1	OWNER	03/20/2007	\$55.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$55.00	No



EL	03/22/2007	4293	1	TATE ELECTRIC	03/22/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
EL	03/22/2007	3845	1	RONCO ELECTRIC	03/22/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
EL	03/23/2007	3871	1	PROGRESSIVE ELECTRI	03/23/2007	\$20.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$20.00	No
EL	03/23/2007	5074	1	I & A ELECTRICAL SERVI	03/23/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
EL	03/26/2007	107	1	AFFORDABLE ELECTRIC	03/26/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
EL	03/27/2007	4293	1	TATE ELECTRIC	03/27/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
EL	03/27/2007	3840	1	RON HODGES ELECTRIC,	03/27/2007	\$165.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$165.00	No
EL	03/28/2007	611	1	BOWDEN & ASSOCIATES	03/28/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
EL	03/30/2007	346	1	BAGBY & RUSSELL ELEC	03/30/2007	\$78.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$78.00	No
ME	03/02/2007	1866	1	GRAYSON AIR CONDITIO	03/02/2007	\$30.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$30.00	No
ME	03/05/2007	1557	1	ESTES HEATING & AIR C	03/05/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
ME	03/05/2007	1557	1	ESTES HEATING & AIR C	03/05/2007	\$320.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$320.00	No
ME	03/07/2007	3233	1	MULLENAX, KENNETH	03/07/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
ME	03/08/2007	1557	1	ESTES HEATING & AIR C	03/08/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
ME	03/08/2007	1557	1	ESTES HEATING & AIR C	03/08/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
ME	03/09/2007	30	1	A-C CONTRACTING CO. I	03/09/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
ME	03/13/2007	2020	1	HEAD'S HEATING & AIR C	03/13/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
ME	03/15/2007	1904	1	GULF COAST AIR AND P	03/15/2007	\$980.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$980.00	No
ME	03/20/2007	5266	1	BILCO HEATING & AIR	03/20/2007	\$160.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$160.00	No
ME	03/21/2007	2020	1	HEAD'S HEATING & AIR C	03/21/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
ME	03/22/2007	668	1	BRUNSON AIR CONDITIO	03/22/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
ME	03/22/2007	1866	1	GRAYSON AIR CONDITIO	03/22/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
ME	03/26/2007	1758	1	GATLIN HEATING & AIR C	03/26/2007	\$320.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$320.00	No
ME	03/26/2007	1758	1	GATLIN HEATING & AIR C	03/26/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
ME	03/28/2007	2611	1	KEN MULLENAX HEATING	03/28/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
ME	03/28/2007	4934	1	PEAVY'S HEATING & AIR	03/28/2007	\$40.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$40.00	No
PL	03/02/2007	4981	1	ERNEST PICKETT	03/02/2007	\$20.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$20.00	No
PL	03/02/2007	5185	1	AAA CLIMATE CONTROL	03/02/2007	\$25.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$25.00	No
PL	03/06/2007	4449	1	TRAWICK PLUMBING	03/06/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
PL	03/06/2007	498	1	BEST PLUMBING	03/06/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
PL	03/08/2007	2913	1	MANLEY PLUMBING	03/08/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
PL	03/08/2007	4981	1	ERNEST PICKETT	03/08/2007	\$20.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$20.00	No
PL	03/08/2007	3439	1	PERSONS SERVICE CO.	03/08/2007	\$65.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$65.00	No
PL	03/09/2007	4609	1	WAGNER PLUMBING CO.	03/09/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
PL	03/09/2007	2960	1	MARVIN CORNELIUS, JR.	03/09/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
PL	03/09/2007	4846	1	HOME OWNER	03/09/2007	\$20.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$20.00	No
PL	03/09/2007	4609	1	WAGNER PLUMBING CO.	03/09/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
PL	03/12/2007	2888	1	MAC'S ELECTRIC	03/12/2007	\$75.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$75.00	No
PL	03/12/2007	1476	1	EASTERN SHORE PLUMB	03/12/2007	\$20.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$20.00	No
PL	03/13/2007	3439	1	PERSONS SERVICE CO.	03/13/2007	\$450.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$450.00	No
PL	03/13/2007	5260	1	PLUMBING & PIPING, LL	03/13/2007	\$300.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$300.00	No
PL	03/13/2007	4912	1	OWNER	03/13/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No

PL	03/13/2007	593	1	BOLTON CONSTRUCTION	03/13/2007	\$20.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$20.00	No
PL	03/13/2007	226	1	AMORE PLUMBING	03/13/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
PL	03/13/2007	3439	1	PERSONS SERVICE CO.	03/13/2007	\$20.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$20.00	No
PL	03/13/2007	226	1	AMORE PLUMBING	03/13/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
PL	03/14/2007	3345	1	P & G PLUMBING	03/14/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
PL	03/16/2007	5135	1	ADAMS DRAIN AND SEW	03/16/2007	\$30.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$30.00	No
PL	03/19/2007	4929	1	M & G PLUMBING	03/19/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
PL	03/19/2007	1486	1	ED DISMUKES PLUMBING	03/19/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
PL	03/19/2007	1486	1	ED DISMUKES PLUMBING	03/19/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
PL	03/20/2007	3731	1	RICKY N. FLYNN	03/20/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
PL	03/21/2007	4990	1	COMPLETE PLUMBING LL	03/21/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
PL	03/21/2007	2913	1	MANLEY PLUMBING	03/21/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
PL	03/22/2007	3731	1	RICKY N. FLYNN	03/22/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
PL	03/23/2007	498	1	BEST PLUMBING	03/23/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
PL	03/27/2007	3439	1	PERSONS SERVICE CO.	03/27/2007	\$150.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$150.00	No
PL	03/29/2007	498	1	BEST PLUMBING	03/29/2007	\$110.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	No
Total Net Revenue / Discount / Net Revenue For Permit(s)									\$37,042.00	\$0.00	\$37,042.00		
Grand Total Gross Revenue / Discount / Net Revenue									\$37,042.00	\$0.00	\$37,042.00		

City of Daphne

Periodic Report of Permits Issued by Improvement

03/30/2007

		Code	Permit Count	# Of Units	Valuation	Permit Fee
<b>BUILDING PERMIT</b>						
<b>Residential</b>						
DECK	R3	BL	1		\$2,500.00	\$30.00
REINSPECTION FEE	R3	BL	4			\$200.00
SITE	R3	BL	2			\$100.00
SCREEN PORCH	R3	BL	3		\$18,200.00	\$140.00
NEW	R3	BL	13		\$2,254,535.00	\$11,475.00
REMODEL	R3	BL	3		\$79,000.00	\$440.00
RE-ROOF	R3	BL	5		\$23,300.00	\$200.00
FENCE	R3	BL	3		\$18,929.00	\$145.00
ADDITION	R3	BL	3		\$66,500.00	\$380.00
POOL	R3	BL	3		\$99,900.00	\$545.00
SUNROOM	R3	BL	2		\$20,856.00	\$135.00
MISCELLANEOUS	R3	BL	3		\$114,630.00	\$620.00
<b>Non-Residential</b>						
NEW	B2	BL	2		\$748,795.00	\$4,494.00
REMODEL	B2	BL	7		\$638,600.00	\$3,872.00
<b>Total - BUILDING PERMIT</b>			<b>54</b>		<b>\$4,085,745.00</b>	<b>\$22,776.00</b>
<b>Grand Total</b>			<b>54</b>	<b>0.00</b>	<b>\$4,085,745.00</b>	<b>\$22,776.00</b>

# CERTIFICATE OF OCCUPANCY

MARCH

2007

<u>OWNER</u>	<u>ADDRESS</u>	<u>SUBDIVISION</u>	<u>PERMIT</u>	<u>DATE CLOSED</u>
JIMMY TAYLOR	30386 D'OLIVE RIDGE	TIMBERCREEK	06-689	3/5/2007
JUBILEE RIDGE LLC	8354 COUNTY RD 64 BLDG 1000	JUBILEE RIDGE	06-545	3/1/2007
JAMES RAY BUILDERS	30122 LOBLOLLY CIRCLE	TIMBERCREEK	06-1188	3/2/2007
MITCHELL HOMES	29961 ST. HELEN STREET	HISTORIC MALBIS	06-1147	3/6/2007
HYMAN HOMES	30770 PINE COURT	TIMBERCREEK	06-1130	3/6/2007
WESTERN GATE CONST	294 RIDGEWOOD DRIVE	LAKE FOREST	06-1181	3/7/2007
MITCHELL HOMES	8791 DRIFTON COURT	BROOKHAVEN	06-1395	3/7/2007
DOBBINS HOMES	157 BAYVIEW DRIVE	LAKE FOREST	06-1438	3/7/2007
BENCHMARK HOMES	206 N GREENBRIAR CIR.	LAKE FOREST	06-305	3/9/2007
G E HOMES	9576 MARCHAND AVENUE	SEHOY	06-1321	3/9/2007
COUNTRY WIDE HOMES	27900 MAIN ST STE B	COMMERCIAL	07-203	3/9/2007
GREG STANLEY	388 RIDGEWOOD DRIVE	LAKE FOREST	05-1759	3/9/2007
MIKE REYNOLDS	1011 DOGWOOD AVE	DAPHNE	06-825	3/12/2007
PAUL CANALE	26149 CAPITAL DRIVE	SHELL STRUCTURE ONLY	06-1058	3/12/2007

<u>OWNER</u>	<u>ADDRESS</u>	<u>SUBDIVISION</u>	<u>PERMIT</u>	<u>DATE CLOSED</u>
PAUL CANALE	26149 CAPITAL DRIVE STE 1		06-1058	3/12/2007
JAMES H. CORNELL	1B YACHT CLUB DRIVE	DAPHNE	06-1275	3/14/2007
DELTA BUILDERS	27864 OAKACHOY LOOP	SEHOY	06-1044	3/14/2007
MITCHELL HOMES	27025 GRAMERCY LANE	BROOKHAVEN	06-1394	3/15/2007
JUBILEE RIDGE LLC	8254 COUNTY RD 64 #3200	COMMERCIAL	06-544	3/15/2007
R A LAMBERT	9658 BELLA DRIVE	BELLATON	05-1340	3/21/2007
BENCHMARK HOMES	27269 ELISE COURT	MADISON PLACE	06-1685	3/23/2007
BENCHMARK HOMES	27248 ELISE COURT	MADISON PLACE	07-026	3/23/2007
BENCHMARK HOMES	27236 ELISE COURT	MADISON PLACE	06-1686	3/23/2007
TCD, LLC	30475 MIDDLECREEK CIRCLE	TIMBERCREEK	06-895	3/29/2007
MITCHELL HOMES	29961 ST SIMON STREET	HISTORIC MALBIS	06-1152	3/29/2007
JOHN WHITMAN	9546 HACKBERRY CT.	TIMBERCREEK	06-1097	3/30/2007
COASTAL CARPENTRY	30128 LOBLOLLY CIRCLE	TIMBERCREEK	06-918	3/30/2007

# Permit Inspection Listing

Friday, March 30, 2007 2:34:17 PM

Permit #	Job Address	Issue Date	Contractor	Inspection	Date	Approved	Owner
06-1188	30122 LOBLOLLY CIR	08/23/2006	JAMES RAY BUILDERS, INC.	FINAL	3/2/2007	Yes	JAMES RAY BUILDERS
<b>Proposed Use:</b>	NEW RESIDENTIAL HOME						
06-1664	106 RAINIER CIR	12/14/2006	J 5 LEGACY BUILDERS INC.	FINAL	3/2/2007	Yes	PARNELL & JONES
<b>Proposed Use:</b>	CARPORT						
06-1147	29961 ST. HELEN ST.	08/15/2006	MITCHELL HOMES	FINAL	3/5/2007	Yes	MITCHELL HOMES
<b>Proposed Use:</b>	NEW RESIDENTIAL HOME						
06-672	7235 CYPRESS AVE. W.	05/09/2006	SMART HOMES	FINAL	3/5/2007	No	SMART HOMES
<b>Proposed Use:</b>	NEW RESIDENTIAL HOME						
06-689	30386 D'OLIVE RIDGE	05/10/2006	CHRIS LEIGH HOMES, INC.	FINAL	3/5/2007	Yes	CHRIS LEIGH HOMES
<b>Proposed Use:</b>	NEW RESIDENTIAL HOME						
06-1394	27025 GRAMERCY LANE	10/05/2006	MITCHELL HOMES	FINAL	3/5/2007	No	MITCHELL HOMES
<b>Proposed Use:</b>	NEW RESIDENTIAL						
06-1395	8791 DRIFTON CT	10/05/2006	MITCHELL HOMES	FINAL	3/5/2007	Yes	MITCHELL HOMES
<b>Proposed Use:</b>	NEW RESIDENTIAL						
06-544	8254 CO. RD. 64 #3200	04/12/2006	REED CONSTRUCTION LLC	FINAL	3/6/2007	No	REED CONSTRUCTION
<b>Proposed Use:</b>	NEW RESIDENTIAL						
06-1130	30770 PINE CT	08/14/2006	HYMAN HOMES, INC.	FINAL	3/6/2007	Yes	HYMAN HOMES
<b>Proposed Use:</b>	NEW RESIDENTIAL HOME						
06-1438	157 BAYVIEW DR	10/16/2006	DOBBINS HOMES, INC.	FINAL	3/7/2007	Yes	DOBBINS HOMES, INC.
<b>Proposed Use:</b>	NEW RESIDENTIAL HOME						
06-1181	294 RIDGEWOOD DRIVE	08/21/2006	WESTERN GATE CONSTRUCTION	FINAL	3/7/2007	Yes	WESTERN GATE CONSTRUCTION
<b>Proposed Use:</b>	RESIDENTIAL PERMIT						
06-918	30128 LOBLOLLY CIR.	06/28/2006	COASTAL CARPENTRY	FINAL	3/7/2007	No	COASTAL CARPENTRY
<b>Proposed Use:</b>	NEW RESIDENTIAL HOME						
06-1275	1B YACHT CLUB DR	09/11/2006	USA HOME BUILDERS, INC.	FINAL	3/8/2007	No	CORNELL
<b>Proposed Use:</b>	NEW RESIDENTIAL HOME						
06-967	7618 PARK DR	07/10/2006	HOME OWNER	FINAL	3/8/2007	No	ALLEN RENTZ
<b>Proposed Use:</b>	NEW RESIDENTIAL HOME						
07-203	27900 MAIN ST STE. B	02/13/2007	BAY POINTE DRYWALL	FINAL	3/8/2007	Yes	COUNTRY WIDE HOME LOANS
<b>Proposed Use:</b>	ALTERATIONS						
06-1314	30922 PINE COURT	09/19/2006	ROBERT MULLEN BUILDERS, INC.	FINAL	3/8/2007	No	ROBERT MULLEN BUILDERS
<b>Proposed Use:</b>	NEW RESIDENTIAL						
06-1058	26149 CAPITAL DR	07/26/2006	BES, INC.	FINAL	3/8/2007	Yes	BES, INC.
<b>Proposed Use:</b>	NEW COMMERCIAL BUILDING						
06-305	206 N. GREENBRIAR CIR.	02/24/2006	BENCHMARK HOMES, INC.	FINAL	3/8/2007	No	BENCHMARK HOMES
<b>Proposed Use:</b>	NEW RESIDENTIAL HOME						

Permit #	Job Address	Issue Date	Contractor	Inspection	Date	Approved	Owner
06-825	1011 DOGWOOD AVE W	06/06/2006	SOUTHERN HERITAGE BUILDERS	FINAL	3/9/2007	No	MIKE REYNOLDS
<b>Proposed Use:</b>	NEW RESIDENTIAL						
06-305	206 N. GREENBRIAR CIR.	02/24/2006	BENCHMARK HOMES, INC.	FINAL	3/9/2007	Yes	BENCHMARK HOMES
<b>Proposed Use:</b>	NEW RESIDENTIAL HOME						
05-1759	388 RIDGEWOOD DR	12/02/2005	HOME OWNER	FINAL	3/9/2007	Yes	GREG STANLEY
<b>Proposed Use:</b>	NEW RESIDENTIAL HOME						
06-1321	9576 MARCHAND AVENUE	09/20/2006	G.E. HOMES	FINAL	3/9/2007	Yes	G.E. HOMES
<b>Proposed Use:</b>	NEW RESIDENTIAL						
06-825	1011 DOGWOOD AVE W	06/06/2006	SOUTHERN HERITAGE BUILDERS	FINAL	3/12/2007	Yes	MIKE REYNOLDS
<b>Proposed Use:</b>	NEW RESIDENTIAL						
06-1394	27025 GRAMERCY LANE	10/05/2006	MITCHELL HOMES	FINAL	3/13/2007	No	MITCHELL HOMES
<b>Proposed Use:</b>	NEW RESIDENTIAL						
06-1275	1B YACHT CLUB DR	09/11/2006	USA HOME BUILDERS, INC.	FINAL	3/13/2007	Yes	CORNELL
<b>Proposed Use:</b>	NEW RESIDENTIAL HOME						
06-544	8254 CO. RD. 64 #3200	04/12/2006	REED CONSTRUCTION LLC	FINAL	3/14/2007	Yes	REED CONSTRUCTION
<b>Proposed Use:</b>	NEW RESIDENTIAL						
06-1044	27864 OAKACHOY LOOP	07/21/2006	DELTA BUILDERS	FINAL	3/14/2007	Yes	DELTA BUILDERS
<b>Proposed Use:</b>	NEW RESIDENTIAL						
06-1394	27025 GRAMERCY LANE	10/05/2006	MITCHELL HOMES	FINAL	3/15/2007	Yes	MITCHELL HOMES
<b>Proposed Use:</b>	NEW RESIDENTIAL						
05-1340	9658 BELLA DRIVE	10/17/2005	R.A. LAMBERT, INC.	FINAL	3/15/2007	No	R.A. LAMBERT
<b>Proposed Use:</b>	NEW RESIDENTIAL HOME						
06-1602	28850 HWY 98 STE 100	11/27/2006	OWNER	FINAL	3/15/2007	No	CAPONES
<b>Proposed Use:</b>	REMODEL						
07-142	28850 HWY 98 STE 100	01/31/2007	OWNER	FINAL	3/16/2007	No	RYAN LANTAFF
<b>Proposed Use:</b>	TENANT BUILD OUT						
06-1602	28850 HWY 98 STE 100	11/27/2006	OWNER	FINAL	3/16/2007	Yes	CAPONES
<b>Proposed Use:</b>	REMODEL						
06-1607	100 TIMBERLINE CT	11/28/2006	MCVAY CONSTRUCTION CO. INC.	FINAL	3/19/2007	No	MCVAY CONSTRUCTION
<b>Proposed Use:</b>	NEW RESIDENTIAL HOME						
05-1340	9658 BELLA DRIVE	10/17/2005	R.A. LAMBERT, INC.	FINAL	3/21/2007	Yes	R.A. LAMBERT
<b>Proposed Use:</b>	NEW RESIDENTIAL HOME						
06-1097	9546 HACKBERRY CT	08/07/2006	ADCOCK FINE HOMES	FINAL	3/22/2007	No	ADCOCK FINE HOMES
<b>Proposed Use:</b>	NEW RESIDENTIAL						
06-1686	27236 ELISE CT	12/19/2006	BENCHMARK HOMES, INC.	FINAL	3/23/2007	Yes	BENCHMARK HOMES
<b>Proposed Use:</b>	NEW RESIDENTIAL						
07-26	27248 ELISE CT	01/09/2007	BENCHMARK HOMES, INC.	FINAL	3/23/2007	Yes	BENCHMARK INC
<b>Proposed Use:</b>	NEW RESIDENTIAL						

Permit #	Job Address	Issue Date	Contractor	Inspection	Date	Approved	Owner
06-1284	27978 OAKACHOY LOOP	09/13/2006	MCVAY CONSTRUCTION CO. INC.	FINAL	3/23/2007	No	MCVAY CONSTRUCTION
<b>Proposed Use:</b>	NEW RESIDENTIAL HOME						
06-1685	27269 ELISE CT	12/19/2006	BENCHMARK HOMES, INC.	FINAL	3/23/2007	Yes	BENCHMARK HOMES
<b>Proposed Use:</b>	NEW RESIDENTIAL						
06-1152	29961 ST. SIMON ST.	08/15/2006	MITCHELL HOMES	FINAL	3/26/2007	No	MITCHELL HOMES
<b>Proposed Use:</b>	NEW RESIDENTIAL HOME						
06-1607	100 TIMBERLINE CT	11/28/2006	MCVAY CONSTRUCTION CO. INC.	FINAL	3/27/2007	No	MCVAY CONSTRUCTION
<b>Proposed Use:</b>	NEW RESIDENTIAL HOME						
06-895	30475 MIDDLECREEK DRIVE	06/21/2006	TCD, LLC	FINAL	3/27/2007	No	TCD, LLC
<b>Proposed Use:</b>	NEW RESIDENTIAL						
06-1284	27978 OAKACHOY LOOP	09/13/2006	MCVAY CONSTRUCTION CO. INC.	FINAL	3/27/2007	No	MCVAY CONSTRUCTION
<b>Proposed Use:</b>	NEW RESIDENTIAL HOME						
06-403	7910 CREEKBANK DRIVE	03/16/2006	JOHN ECKENSTALER BUILDERS	FINAL	3/28/2007	No	ECKENSTALER BUILDERS
<b>Proposed Use:</b>	NEW RESIDENTIAL HOME						
06-1097	9546 HACKBERRY CT	08/07/2006	ADCOCK FINE HOMES	FINAL	3/29/2007	No	ADCOCK FINE HOMES
<b>Proposed Use:</b>	NEW RESIDENTIAL						
05-1424	27575 HARBOR COVE	10/31/2005	NEWTON CONSTRUCTION, INC.	FINAL	3/29/2007	No	NEW TON CONSTRUCTION
<b>Proposed Use:</b>	NEW RESIDENTIAL HOME						
06-895	30475 MIDDLECREEK DRIVE	06/21/2006	TCD, LLC	FINAL	3/29/2007	Yes	TCD, LLC
<b>Proposed Use:</b>	NEW RESIDENTIAL						
06-918	30128 LOBLOLLY CIR.	06/28/2006	COASTAL CARPENTRY	FINAL	3/30/2007	Yes	COASTAL CARPENTRY
<b>Proposed Use:</b>	NEW RESIDENTIAL HOME						
06-1097	9546 HACKBERRY CT	08/07/2006	ADCOCK FINE HOMES	FINAL	3/30/2007	Yes	ADCOCK FINE HOMES
<b>Proposed Use:</b>	NEW RESIDENTIAL						
07-190	412 VILLAGE DR	02/12/2007	LANGAN CONSTRUCTION CO.	FINAL	3/30/2007	No	HARRY POND
<b>Proposed Use:</b>	FIRE DAMAGE - REPAIRS						

# PLANNING/ZONING/BUILDING DEVELOPMENT OUTLINE FOR MARCH 2007

SUBDIVISIONS CORPORATE LIMITS	NUMBER OF LOTS	NO. RESIDENTIAL AND COMMERCIAL PERMITS ISSUED
ASHLEY PLACE, PHASE ONE	20	
AUSTIN PLACE, PHASE ONE	14	
AUSTIN PLACE, PHASE TWO	9	
BELLATON, PHASE ONE	59	3
BELLATON, PHASE TWO		1
BLACKSHER PLACE, PHASE ONE	8	
BRISTOL CREEK, PHASE ONE	40	
BROOKHAVEN, PHASE ONE	52	
BROOKSIDE, PHASE ONE		
CANTERBURY PLACE, PHASE ONE	36	
CANTERBURY PLACE, PHASE TWO	34	
CANTERBURY PLACE, PHASE THREE	40	
CANTERBURY PLACE, PHASE FOUR	13	
CHARLESTON OAKS, PHASE ONE	24	
CHATEAUGUAY SQUARE, PHASE ONE	12	
CREEKSIDE, PHASE ONE	37	
CREEKSIDE, PHASE TWO	50	
CREEKSIDE, PHASE THREE	5	
DAPHNE COMMERCIAL PARK, PHASE ONE	25	
DELACHASE SQUARE, PHASE ONE	6	
DEERWOOD SQUARE	26	
EAGLE CREEK, PHASE ONE	32	
EAGLE CREEK, PHASE TWO	42	
FRANKLIN SQUARE, PHASE ONE	17	
FRENCH SETTLEMENT, PHASE ONE	31	
HARBOR PLACE, PHASE ONE	25	
HIDDEN CREEK, PHASE ONE	9	
HISTORIC MALBIS, PHASE ONE	122	
HISTORIC MALBIS, PHASE TWO, PART A	101	
HISTORIC MALBIS, PHASE TWO, PART B	69	
HISTORIC MALBIS, PHASE THREE, PART A	8	1
HWY 64 COMMERCIAL PARK, PHASE ONE	15	
JACKSON SQUARE, PHASE ONE	29	
KAYLAR PLACE		
KRYSTAL RIDGE, PHASE ONE	10	

## PLANNING/ZONING/BUILDING DEVELOPMENT OUTLINE FOR MARCH 2007

LACASA DI SAN FRANCESCO, PHASE ONE	24	
LACASA DI SAN FRANCESCO, PHASE TWO	13	
LAKE FOREST		1
LAUREL PLACE, PHASE ONE	15	
MADISON PLACE, PHASE ONE	67	
MADISON PLACE, PHASE TWO		2
OAK CREEK, PHASE ONE	34	
OAKSTONE, PHASE ONE	12	
OTTAWA SPRINGS, PHASE ONE	64	
PECAN TRACE, PHASE ONE	29	
POLO TRACE, PHASE ONE	18	
POTTERS MILL, PHASE THREE	24	
SAINT CHARLES PLACE, PHASE ONE	22	
SEHOY, PHASE ONE	75	
SEHOY, PHASE TWO	32	
SEHOY, PHASE THREE	57	
SEHOY, PHASE FOUR	53	
SEHOY, PHASE FIVE	29	
STRATFORD GLEN, PHASE ONE	34	
STRATFORD GLEN, PHASE ONE B	17	
STRATFORD GLEN, PHASE TWO	29	
STRATFORD GLEN, PHASE THREE	47	
SUNSET BAY VILLAS		
TIAWASEE TRACE, PHASE ONE	51	
TIMBERCREEK, PHASE ONE	191	1
TIMBERCREEK, PHASE TWO	81	1
TIMBERCREEK, PHASE THREE	54	
TIMBERCREEK, PHASE FOUR	55	
TIMBERCREEK, PHASE FIVE	26	
TIMBERCREEK, PHASE SIX	85	
TIMBERCREEK, PHASE SEVEN	72	
TIMBERCREEK, PHASE EIGHT	52	
TIMBERCREEK, PHASE NINE	93	
TIMBERCREEK, PHASE TEN	31	
TRACE CROSSING, PHASE ONE	14	
VAN AVENUE, PHASE ONE	8	

# PLANNING/ZONING/BUILDING DEVELOPMENT OUTLINE FOR MARCH 2007

VICTORIA SQUARE, PHASE ONE		
WOOD FOREST, PHASE ONE	26	
YANCEY BRANCH, PHASE ONE	28	

## **Public Safety Committee**

*Tuesday, April 3, 2007*

Councilman Greg Burnam, Chairman  
Councilman Gus Palumbo  
Councilwoman Regina Landry  
Interim Fire Chief Kenny Hanak  
PW Sup. Melvin McCarley

Police Chief David Carpenter  
Captain Scott Taylor  
Captain Daniel Bell  
  
Michele Hanson - Secretary

### **Committee Members Attending:**

Councilman Greg Burnam, Councilman Gus Palumbo, Chief David Carpenter, Capt. Scott Taylor, Interim Fire Chief Kenny Hanak.

Also Present: Mayor Small, Betsy

### **CALL TO ORDER**

Mr. Burnam **convened** the meeting at 4:35 p.m.

### **PUBLIC PARTICIPATION**

### **APPROVAL OF MINUTES FROM PREVIOUS MEETING**

#### **Minutes from March 6, 2007 Meeting**

*Motion by Mr. Palumbo* to adopt the minutes as presented. *Seconded by Mr. Burnam.* The minutes were adopted.

### **FIRE DEPARTMENT**

#### **A. New Business**

##### **1. Statistics for February 2007**

Interim Chief Hanak reviewed the stats for February 2007. He stated there were 7 residential structure fires in February. Mr. Palumbo asked for an update on hiring additional personnel for EMT vehicle. Chief Hanak stated the first round of interviews were held yesterday and 2<sup>nd</sup> round will be Thursday.

#### **B. Old Business**

### **POLICE DEPARTMENT**

#### **A. New Business**

##### **1. Statistics for February 2007**

Chief Carpenter reviewed the stats for February 2007. Chief Carpenter stated accidents were down, however warrants were up. Mr. Palumbo asked when the dispatching contract with Spanish Fort will expire. Chief stated the contract will come up for review in a couple of months. He further stated that the jail contracts will need to be reviewed.

Currently Daphne is housing prisoners for Spanish Fort, Loxley and Silverhill as well as its own. We are starting to get over crowded in the jail, so a decision will need to be made on whether or not to renew their contracts, which are due to come up in May. Mr. Burnam asked how many will the jail hold. Chief Carpenter stated 42 and each city pays \$25 a day per prisoner whereas the county charges \$36 per day. Chief Carpenter commented that it will need to be addressed especially with each city bringing more prisoners and with Daphne annexing more property.

Chief Carpenter announced that John Leach graduated from the Academy with honors and received the Director's Award, which is the best of the best. Maia Lewis has one more task, firearms qualification, and she will be done. We've hired 2 more which are due to start April 12<sup>th</sup>, which will make the department 5 short.

## **2. Jail Report**

Mr. Palumbo commended the department on the latest jail inspection report. Chief Carpenter stated Don Bell has been doing an excellent job during Randy Bishop's absence.

## **3. D-Runs**

Chief Carpenter reviewed the D-runs for February. Mr. Burnam asked what prompted these D-runs. Chief stated either through a citizen or a councilperson calling in.

## **4. Reclassification of Captain's Position**

Chief Carpenter reviewed the request for reclassifying the captain's position. This request will reclassify the captain's position to a lieutenant and create a lieutenant, which will make a lieutenant over Support Services and a lieutenant over Patrol. This reclass will streamline the department's operational structure and will cost less than keeping the one captain's position.

***Motion by Mr. Palumbo*** to favorably recommend to the council to reclassify the captain's position to lieutenant over support services and to create a lieutenant over patrol for the department.  
***Seconded by Mr. Burnam.***      **Motion carries.**

## **B. Old Business**

### **1. Amendment to Animal Control Ord.**

Mr. Palumbo updated the committee on the status of the animal control amendments. Betsy Turner, city attorney, will be revising this ordinance and will present it at the next meeting. The changes included adding a paragraph to (d) Condition of Premises, deleting everything that pertains to a tether and now requires dogs be kept in an enclosure of chain link, wooden fence or similar type material of a 10X15 space, 150 square feet. Mr. Palumbo wanted a time limit of 90 days to come into compliance after the ordinance is passed; he also wanted the fines to be set at 1<sup>st</sup> offense - \$100, 2<sup>nd</sup> offense - \$300, 3<sup>rd</sup> offense - court.

Mr. Palumbo discussed with the committee the adoption policy that Capt. Wilson had proposed. This policy would require persons adopting adult cats and dogs to have them

sterilized in accordance with State law within 30 days of the adoption. The City would collect a \$75 fee for dogs and a \$50 fee for cats that will be rendered to Baldwin County Humane Society which will be responsible for having the animals spayed or neutered and paying the veterinarian bill.

## **OTHER BUSINESS**

### **1. Light at TimberCreek Blvd & Hwy 31**

ALDOT submitted a request to the City for its consideration of funding for a traffic light at the intersection of TimberCreek Blvd. and Highway 31. This request was initially presented to ALDOT by the TimberCreek Property Owners Association. Mr. Nelson, TCPOA president, asked the City for their help and support to install a traffic signal at this intersection. Mr. Burnam asked if the State would allow the City to do their own traffic study and requested that Mr. McCarley check with the State on this issue. Mr. Nelson asked to be notified on the status of the traffic study.

## **ADJOURN**

There being no further business to discuss, Mr. Burnam **adjourned** the meeting at 5:05 p.m. The next meeting will be **Tuesday, March 6, 2007 at 4:30 p.m. at City Hall Council Chambers.**

Respectfully submitted,

Daphne Public Safety Committee

**CITY OF DAPHNE**  
**FIRE DEPARTMENT MONTHLY REPORT**  
**Report Period: February 2007**

	<b>Current:</b>	<b>FY to Date:</b>
<b>Suppression:</b>		
<b>1-Fire/Explosion:</b>		
10-Fire, Other	1	1
11-Structure Fire/Commercial	1	4
11-Structure Fire/Residential	7	13
12-Fire in Mobile Property used as fixed structure	0	0
13-Mobile Property (vehicle) Fire	0	6
14-Natural Vegetation Fire	4	13
15-Outside Rubbish Fire	0	0
16-Special Outside Fire	0	1
17-Cultivated Vegetable Crop Fire	0	1
<b>2-Overpressure Rupture:</b>	<b>0</b>	<b>1</b>
<b>3-Rescue Call and Emergency Medical Service Incidents:</b>	<b>114</b>	<b>593</b>
<b>4-Hazardous Conditions (No fire):</b>	<b>4</b>	<b>17</b>
<b>5-Service Call:</b>	<b>6</b>	<b>50</b>
<b>6-Good Intent Call:</b>	<b>7</b>	<b>56</b>
<b>7-False Alarm &amp; False Call:</b>	<b>6</b>	<b>47</b>
<b>8-Severe Weather &amp; Natural Disaster:</b>	<b>0</b>	<b>1</b>
<b>9-Other Situation:</b>	<b>1</b>	<b>5</b>
<b>Total Emergency Calls:</b>	<b>139</b>	<b>712</b>
<b>Monthly Total Calls:</b>	<b>151</b>	<b>808</b>
<b>Response Time:</b>		
<b>Highest:</b>	<b>14</b>	<b>25</b>
<b>Lowest:</b>	<b>1</b>	<b>1</b>
<b>Average (Minutes/Seconds) :</b>	<b>4/38</b>	<b>4/30</b>
<b>Miscellaneous Reports:</b>		
<b>Training Hours</b>	<b>300</b>	<b>1378.5</b>
<b>Property Loss - \$</b>	<b>\$35,050</b>	<b>\$108,551</b>
<b>Fire Personnel Injuries by Fire/Civilian Injuries by Fire</b>	<b>0/0</b>	<b>0/0</b>
<b>Advance Life Support Rescues</b>	<b>50</b>	<b>213</b>
<b>Child Passenger Safety Seat Inspections/Installations</b>	<b>1</b>	<b>44</b>
<b>Fire Prevention Awareness/Education:</b>		
<b>Classes</b>	<b>2</b>	<b>25</b>
<b>Persons Attending</b>	<b>248</b>	<b>1943</b>
<b>Bureau of Fire Prevention:</b>		
<b>Plan Reviews</b>	<b>8</b>	<b>34</b>
<b>Final/Certificate of Occupancy</b>	<b>0</b>	<b>7</b>
<b>General/Annual Inspections</b>	<b>106</b>	<b>798</b>
<b>General/Re-Inspections (Violation Follow-up - Annual)</b>	<b>81</b>	<b>241</b>
<b>Business Licenses</b>	<b>10</b>	<b>53</b>
<b>Consultations</b>	<b>0</b>	<b>0</b>
<b>All Other/Misc. Activities</b>	<b>0</b>	<b>8</b>
<b>Total Activities:</b>	<b>205</b>	<b>1128</b>

Authorized by:

*Kenneth Hanak*

Kenneth Hanak

Daphne Police Department			Monthly Report			FEBRUARY 2007					
Patrol Division		Detective Division:		JAIL:		Drug Report - Routine Patrol & Special Ops:		Crimes Reported This Month:			
(Capt. Bell)		(Capt. Bell)		(CCO Don Bell)		(Capt. Taylor)					
						YTD					
# Complaints	1,191	# New Cases Received:	48	Total Arrestees Received & Processed:	153	871	# Misd. Marijuana Arrest	0	Arson	0	
# Misd. Arrests	16	# Previous Unsolved Cases:	149	Arrestees by Agency:			# Felony Marijuana Arrest	0	Burglary – Commercial	0	
# Felony Arrests	7	# Cases Solved:	38	Daphne PD	102	559	# Controlled Substance Arrest:	0	Burglary – Residence	3	
# Citations	169	Resulting in Total Arrests:		BCSO	6	46	# Drug Paraphernalia Arrest	0	Burglary - Vehicle	2	
# Close Patrols	153	Felonies:	3	Loxley PD	26	134			Criminal Mischief	8	
# Warnings	128	Misdemeanors:	3	Silverhill PD	8	39	Vehicles Searched	3	Disorderly Conduct	0	
# Motorist Assist	189	Houses Searched	0	Spanish Fort PD	10	64			Domestic Disturbance	12	
# Alias Warrants	36			Troopers	0	14	Drugs Seized:	0	False Info to Police	0	
# Roadway Accidents	65			INS	0	0	Money Seized	\$0	Felony Assault	0	
# Private Prop. Accidents	15	<b>Warrants:</b>		Other Agencies	1	15	Vehicles Seized	0	Felony Theft	18	
# DUI's	13	Bettner Served	59						Harassment	11	
Traffic Homicide	0	Officer Served	30	Highest	41		<b>Animal Control</b>		Identity Theft	3	
		Recalls (Pd Fines)	21	Lowest	30		#Complaints	75	Indecent Exposure	0	
		Total Warrants Served	110				#Follow-ups	92	Kidnapping	0	
				Meals Served	2,642	13,928	#Citations	16	Menacing	0	
		<b>Sex Offender:</b>		Medical Cost	\$2,894.20	\$17,596.64	#Warnings	7	Misdemeanor Assault	0	
		New Registration:	0	Worker Inmate Hours	1,022	3,856	#Felines Captured	21	Misdemeanor Theft	12	
		Contact Verification	0				#Canines Captured	47	Murder	0	
		Total # registered in Daphne	4				#Other Captured	8	Other Death Investigations	1	
		<b>DARE:</b>					#Returned to Owner	22	Public Intoxication	0	
		# Hours Report Writing:	6				#Adopted Out	19	Public Lewdness	0	
		# Students Instructed SRO	100				#Euthanized	34	Receiving Stolen Property	0	
		# Students Instructed DARE	475						Reckless Endangerment	0	
		# Police Reports by SRO	3						Resisting Arrest	0	
		# Arrest by SRO	0						Robbery	0	
									Sex Crime Investigations	0	
		<b>CODE ENFORCEMENT:</b>							Suicide	1	
		Wanings:	6						Suicide, attempted	2	
		Citations	3						Theft of Services	0	
		Warning Compliance	1						Unauthorized Use of Services	1	
		Follow – Up	7						Weapon Offenses	0	
									White Collar Crimes	1	
<i>Approved by:</i>		<i>David Carpenter</i>		<i>David Carpenter, Chief of Police</i>							

**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:**

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**CITY OF DAPHNE  
BOARD OF ZONING ADJUSTMENT MINUTES  
REGULAR MEETING OF APRIL 5, 2007 - 6:00 P.M. DRAFT  
COUNCIL CHAMBERS, CITY HALL**

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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 6:06 p.m.

Call of Roll:

Members Present:

Willie Robison  
Billy Mayhand, Vice Chairman  
Frank Lamb  
Jeri Hargiss

Members Absent

Glen Swaney, Chairman  
Walt Crimmins, Secretary  
Barry Taylor

Staff Present:

William H. Eady, Sr., Director of Community Development  
Pat Houston, Recording Secretary  
Tony Hoffman, BZA Attorney

The Vice Chairman stated there are only four Board members here tonight, so we want to make note that it will take a yes vote, from all four members, to pass this appeal. The first order of business is the approval of the minutes from the last meeting. Hopefully, everyone has to read the minutes, if so the Chair will entertain a motion to accept the minutes as written.

**Approval of Minutes:**

The minutes of the March 1, 2007 meeting were considered for approval.

A **Motion** was made by **Mr. Lamb** and **Seconded** by **Mr. Robison** to **approve the minutes as written.**

Upon roll call vote, **the Motion failed due to lack of a fourth aye vote.**

<b>Mr. Robison</b>	<b>Aye</b>
<b>Mr. Mayhand</b>	<b>Aye</b>
<b>Mr. Lamb</b>	<b>Abstained</b>
<b>Ms. Hargiss</b>	<b>Aye</b>

**CITY OF DAPHNE  
BOARD OF ZONING ADJUSTMENT MINUTES  
REGULAR MEETING OF APRIL 5, 2007 - 6:00 P.M. DRAFT  
COUNCIL CHAMBERS, CITY HALL**

---

Mr. Hoffman stated Mr. Chairman, since there are only three votes to approve the minutes we may need to approve them next month.

The Vice Chairman stated okay, since we had one to abstain.

Mr. Lamb stated I abstained because I was not here.

Mr. Hoffman stated that is correct. I just want to make sure of that.

The Vice Chairman stated okay, let the minutes reflect that we will revisit that motion in the next meeting.

**New Business:**

**Appeal #2007-06 - Terranda Mitchell**

The Vice Chairman stated the first order of business is Appeal #2007-06. Mr. Eady, if you would please.

Mr. Eady stated displayed color transparencies of 1402 Maple Drive. He stated a request has been made by Ms. Terranda Mitchell, of 1402 Maple Drive, which is in an R-1 Low Density Single Family Residential zone in the Daphmont Subdivision. She is asking for a special exception to keep children ranging in age from six weeks to five years old. The home daycare is allowed in this zone with the Board of Zoning Adjustment approval. These are slides of the home, and we do not go inside the house to measure anything. As you can see there is a dog tied to the pole.

Mr. Lamb stated is that on the property itself?

Mr. Eady stated yes, sir. That is a broken down fence between the two homes, which belongs to the neighbors next door. You have a report in your packets which says conditions listed below are not acceptable for a home daycare for children. It says there are two automobiles that do not move on their own power. There is no loading and unloading zone for the children. We do not have a fenced playground area or at least a grassed area for them to play on. There are two bulldogs in the backyard, one in the fenced area, and one tied to a pole, and dog waste is on the ground. As I already mention the yard fence is collapsed, and it is not theirs but it will need to be fixed if children are going to be playing out there. The yard in the back does not have any grass and it is really not suitable for a playground for the children. The playground equipment I showed you was all that I saw at the home.

**CITY OF DAPHNE  
BOARD OF ZONING ADJUSTMENT MINUTES  
REGULAR MEETING OF APRIL 5, 2007 - 6:00 P.M. DRAFT  
COUNCIL CHAMBERS, CITY HALL**

---

The Vice Chairman stated thank you, sir. You have heard the presentation by Mr. Eady, are there any questions or comment? Are the homeowners here? Ms. Mitchell, if you would please?

Ms. Mitchell stated am I just suppose to start?

The Vice Chairman stated if you do not mine, would you please state your name and address?

Ms. Mitchell stated my name is Terranda Mitchell. I live at 1402 Maple Drive. I know he showed you pictures of the front where the red thing is, well from the corner of the house back to the driveway is going to be the fenced playground area. I am not going to use the back yard.

The Vice Chairman stated are you talking about that side?

Ms. Mitchell stated no, sir, the whole front yard.

The Vice Chairman stated oh, the whole front yard.

Ms. Mitchell stated I have gotten an estimate for the fence. The lady from DHR said that I can use the front yard as long as I had it fenced, and it had to be a five foot fence, as long as it does not come out to the road.

Mr. Robison stated could you point out where it is coming out to with the pointer.

Ms. Mitchell stated from this side of the house all the way across the yard. The dogs are boxers. The pen where the black one is in is for both of them. She just was not in it that day.

The Chairman stated are you referring to the one that was on the chain?

Ms. Mitchell stated yes. The both go in that pen. She just was not in it that day. The broke down fence hanging over our yard, even though it is not ours, we are going to have it fixed, and this car is sold and we are waiting for them to come and pick it up. The white car back there I am having hauled off. As soon as the guy finishes working on the house I am going to have the fence started on.

The Vice Chairman stated thank you, Ms. Mitchell. Does any of the Board members have any additional questions or comments?

Mr. Lamb stated can you put a fence in the front yard? Are there any subdivision regulations against it?

**CITY OF DAPHNE  
BOARD OF ZONING ADJUSTMENT MINUTES  
REGULAR MEETING OF APRIL 5, 2007 - 6:00 P.M. DRAFT  
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Mr. Eady stated yes, sir, you can put a fence in the front yard as long as it does not come out past the driveway line.

The Vice Chairman stated would the fence extend out to the other one there on the right or would it stop at the end of the house?

Ms. Mitchell stated it would stop at the end of the house. It only has to be so many feet. She said that would be plenty of space.

Mr. Lamb stated has the State come to look at the property?

Ms. Mitchell stated DHR came. She was the one who told me about the fence.

Mr. Lamb stated the fencing was okay with them.

Ms. Mitchell stated yes. The fence has to be five-feet.

The Vice Chairman stated did she say anything about the animals?

Ms. Mitchell stated she said as long as they were not pit bulls or any dog that is known to be real aggressive. The dogs that we have are boxers, and she said they will have to be in their pen any time the daycare is open.

The Vice Chairman stated any other questions?

Ms. Hargiss stated when I by the property to view it there was one dog on a chain out of the pen. During the day when children are there will they both be in that fenced area?

Ms. Mitchell stated yes, madam. She said any time the daycare is open the dogs must be in the pen. So both of them will be in the pen.

Mr. Lamb stated we are concerned, although this is a special exception to our Ordinance. We are always concerned about the welfare of the children. Of course, it is the State's responsibility to make sure that everything is adequate for the protection of the children. Of all of the special exceptions that I have been involved in and we have approved, I am sorry to say this, but this is the least satisfactory that I have seen. Most of them have already fenced in the yard with a gate, and they have play equipment. They are pretty well setup already for a home daycare. I am sorry to say that this does not look like it is setup for a daycare. I am not just worried about the dogs. You do not want a child wondering off and getting hurt.

Ms. Hargiss stated where will your extra parking be with a fenced in yard there?

**CITY OF DAPHNE  
BOARD OF ZONING ADJUSTMENT MINUTES  
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---

Ms. Mitchell stated where the driveway is to there. We are getting the driveway redone after the man comes and does the fencing. It will go straight from here all the way to the back. All of that is going to be paved and it is going to start right there after the guy finishes all of the repairs that are being done. Eventually, we are going to carry it all the way to the back for a parking lot. You keep saying it is not suitable and stuff but we had to wait because this is my Mom's house, and we are remodeling to be equipped for a daycare and stuff. That is why the guy is on the picture he is working on different stuff in the house.

Mr. Robison stated am I to understand that all of the work that is going to be done will be predicated upon the fact of you receiving the special exception for a daycare.

Ms. Mitchell stated yes.

Mr. Robison stated so all of this will be done in the future based on the fact of your receiving this tonight.

Ms. Mitchell stated yes.

Mr. Robison stated so all of this will be based on the decision tonight you will not put up a fence, you will not have that driveway asphalted or concreted.

Ms. Mitchell stated from my understanding whenever I got the zone or whatever, after you have voted. Then she said I would have to go to the City of Daphne for an actual license. Well, before she can come out again all of that has to be done. Then she told me that I had to make sure that I had all of the stuff that she has already told me done before she could give me a license. I need to get a license, but you cannot get a license if you do not have the right playground equipment and everything that you need in the front yard to appear that a daycare is there. Well you see the dogs and all of this stuff has to be done before you can get a daycare license, period.

Mr. Robison stated so all of the dogs have to be taken care of, the fence has to be put up, and the driveway has to be done before they will even consider approving you for the license.

Ms. Mitchell stated before they will approve me.

Mr. Eady stated the City will not issue a license until it meets all of the State's specifications.

Mr. Robison stated until the State agrees it meets all if their specifications.

**CITY OF DAPHNE  
BOARD OF ZONING ADJUSTMENT MINUTES  
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Mr. Eady stated yes, sir.

Mr. Robison stated okay. Thank you.

The Vice Chairman stated let me get this straight. The City cannot issue a license until the State issues you a license.

Ms. Mitchell stated DHR cannot issue a license until you issue one, but unless you approve me for the zoning I cannot just go to the City and say I want license for this business, not until the zoning is issued for it. Once the zoning is issued then I can go to the City and ask for a license. DHR will not even come out and tell me that I need some more of this or I need to do some more of that for the daycare license until all of the stuff they have already told me to do is done. They will not even open your chapter unless this stuff is done. This has got to be done.

The Vice Chairman stated okay. Mr. Eady, this question is for you. Can they put up a fence before this Board approves anything?

Mr. Eady stated they can put up a fence any time they want to.

The Vice Chairman stated at this point?

Mr. Eady stated yes, sir. The State will not issue her a license until the City has issued her a license. The City will not issue her a license until it has met safe standards, and that is kind of where we are right now.

The Vice Chairman stated so the point that I am trying to get here is does all of this work need to be done before approval is given here. Because I would like to see a lot of that work done before I approve anything.

Mr. Eady stated yes, sir. We recommend that it be done before you approve it because something might happen and it may not get done. We cannot allow one to go in under these present conditions.

The Vice Chairman stated I agree.

Mr. Robison stated I know in the pass we had one similar to where, I forgot which one it was, we cannot tell you whether something will be approved or whether it will not be approved if you do this or that, but some suggestions of what you might do. If would like to come back, perhaps postpone our ruling on this for a month and then come back and ask for the special exception, but if you withdraw it now you cannot come back for a year. Is that correct?

**CITY OF DAPHNE  
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---

Mr. Hoffman stated if it is denied, she cannot come back for a year.

Mr. Robison stated okay. If it is denied you cannot come back for a year, but if you withdraw and come back in the next month or two month from now it might be better.

Mr. Hoffman stated if it is withdrawn then they will have to go back through the process with Mr. Eady. What you have done with the individual is that you can table it for discussion until next month and then she brings the same thing back before you. Procedurally, if she withdraws then she would go back through Mr. Eady.

Mr. Lamb stated does the recommendation of the Community Development Department that we have remain?

Mr. Eady stated yes, sir.

Mr. Lamb stated if she withdraws and resubmits after she has done the required things that we have seen that needs to be done does she have to pay all of the fees all over again?

Mr. Eady stated yes, sir, because we have to re-advertise it and everything.

The Vice Chairman stated okay. To help you try and get what we are saying here, I think it would be mindful, before we take a vote, just so that you understand, that you may consider this, but it is up to you.

Ms. Mitchell stated withdraw it.

The Vice Chairman stated withdraw and come back at a later date when we feel that some of these items have been corrected.

Ms. Mitchell stated will I have a list of the items? Do you know what I am saying? Where I can know what needs to be done.

The Vice Chairman stated we cannot provide you with a list of items.

Ms. Mitchell stated I need to know.

Mr. Eady stated what he is saying is that you can withdraw it and go do these things that you are planning to do to meet the State specifications and come back whenever you get them finished. However, if they vote on it and deny it then you cannot come back under any circumstances for a year.

**CITY OF DAPHNE  
BOARD OF ZONING ADJUSTMENT MINUTES  
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Ms. Mitchell stated I understand that part, but can I get something in hand saying what needs to be done.

The Vice Chairman stated you told us what has to be done.

Ms. Mitchell stated yes, I understand that but is that all that you all see that needs to be done. The fence and the dogs.

The Vice Chairman stated well, I am saying the dogs, of course, and fence.

Mr. Eady stated you are going to have to meet State standards. When you get it to the point where they will accept it then we will accept it as well.

Ms. Mitchell stated if you are saying go by the State, well they are not going to look at it until you accept it. Do you see what I am saying?

Mr. Robison stated I think what we are trying to say is, correct me if I am wrong, you already know what you have to do before the State will come out, and you already know what you have to do before the City will issue you a license so you need to do those things. The State has already told you what you need to do. Is that correct?

Ms. Mitchell stated yes, sir.

Mr. Robison stated you must have the fence, etc. So if you do those things then you come back and the special exception could possibly be granted. I do not know. I cannot say whether it would or would not, but I would not feel comfortable tonight saying yes to the special exception and as Mr. Eady said it may not ever get done because something could take place that would cause it to fall through. Then we have a situation where a special exception has been granted and it puts us in a bad situation. Now that is the way I understand it.

Ms. Mitchell stated the only thing that I am saying is in order for me to go to the State I have to have my zoning. So all that I am saying is after I have done all of the stuff that you have already pointed out is there anything else besides these things that you feel needs to be done so that when I do come back after having done all of these things that you do not say well you need to do something else.

Mr. Lamb stated you do not want any surprises.

Ms. Mitchell stated that is right. I do not want any surprises after having done all of this. So is there anything else?

CITY OF DAPHNE  
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The Vice Chairman stated I understand your concern I am sure if you do what the State has said for you to do you will not have any surprises. We have told you our concerns we are not holding anything back. If there was something else that we had a concern about we would mention it.

Ms. Mitchell stated okay. I withdraw and I will just come back.

The Vice Chairman stated thank you.

Mr. Robison stated thank you.

The Vice Chairman stated is there any other business before the Board tonight? If not, the Chairman will entertain a motion to adjourn.

**Adjournment:**

A **Motion** was made by **Mr. Lamb** and **Seconded** by **Ms. Hargiss** to adjourn. **The Motion carried unanimously.**

There being no further business the meeting was adjourned at 6:32 p.m.

**Respectfully submitted by:**

\_\_\_\_\_  
Pat Houston, Recording Secretary

**APPROVED:** May 3, 2007

\_\_\_\_\_  
Glen Swaney, Chairman

/ph

**Daphne Public Library Board  
April 9, 2007  
Meeting Minutes**

**In Attendance:**

Library Director Tonja Young; Board Member Gayle Robinson; Board Chairman Ernie Seckinger, and Vice Board Chairman Ron Allen; FODL President Karen Kyzar; City Council Liaison Gus Palumbo.

**Call to Order:**

After a quorum was established, Board Chairman Ernie Seckinger called the meeting to order at 4:45 pm.

**Reading and Approval of the Minutes:**

The minutes of the March 12, 2007 meeting were reviewed and approved.

**Monthly Statistical Report:**

The monthly report was not prepared in time for presentation at the meeting due to unexpected staff issues.

**Public Participation:**

None.

**Old Business of the Board:**

Funding the Library addition/renovation was discussed and Council Liaison Gus Palumbo commented on possible funding avenues. The current economy was discussed, as well as implications for the building project funding. The Board discussed the timeframe for the feasibility study and the fact that the final report should be issued around May 1, 2007. Possible additional contacts were discussed and Council Liaison Palumbo stated that he would contact Ruth with some information that might be helpful. The Director stated that the fundraisers would return this week and had appointments with some foundations and other larger groups.

The Director presented the newest version of the Library plans for the Board to review and discussed some other requested changes. The Board members present approved the plans and coming changes. The Director requested that any suggestions, issues, or comments on the plans be presented to her. The Board Chair stated that the plans looked great for meeting our current needs, but speculated that in several years' time the Library would again be running out of space. This issue was discussed and it was stated that expected future growth was one of the reasons the Director and Board wanted to go for as large an expansion as possible because we may not get another chance to enlarge the present facility.

#### **New Business of the Board:**

The Library Board Chair discussed the evaluation process for the current Library Director. He will write up a review and email it for approval or comments to the other Board members, then email to the Director prior to submittal to the City.

The Library Director presented information on the American Library Association Convention in June 2007 and the Board voted to allow the Director to use funds to attend the meeting in Washington, D.C.

The Board also discussed the budget-making process for June 2007 and the Board would like to see the budget and have some input on the budgeting process. Discussions included adding more funds for professional development and training across the board for the Library staff, as well as adding funds for pre-approved travel and other training costs.

#### **Capital Campaign Foundation Committee**

The Library Director explained that the feasibility study was still in progress and that preliminary results indicate that most citizens feel the City should be paying for more of the addition/renovation project for the Library.

#### **Library Director:**

The Director again asked for any input or suggestions on the plans or feasibility study issues from the Board, Council, or Friends.

#### **Closing Comments:**

The Library Board is anxious to get the results of the feasibility study, although several members feel that the city should be funding more of the project.

Everyone agreed that the Library sorely needs the added space to continue offering a high quality of service to the community.

**Adjourn:**

The meeting adjourned at 6:00pm.

Respectfully submitted by Tonja Young, Library Director, April 10, 2007.

# SET PUBLIC HEARING DATE

FOR

MAY 21, 2007

- a.) Rezoning: Arthur and Pina Witherington / Property located on the NE Corner of Whispering Pines Road and Parker Road / Requested zoning from R-5, Mobile Home Residential District to B-1, Local Business District
- b.) Amendment to the Land Use and Development Ordinance / Sign Provisions / Electronic Signs

To: Office of the City Clerk  
From: William H. Eady, Sr.,  
Director of Community  
Development  
Subject: Arthur & Pina Witherington  
Parker Lane  
Date: March 27, 2007

## MEMORANDUM

At the regular meeting of the City of Daphne Planning Commission, March 22, 2007, eight members were present and the vote carried unanimous for the affirmative recommendation of the above-mentioned request. The recommendation was for B-1, Local Business, rather than B-2, General Business as indicated on the owners petition.

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

**THE CITY OF DAPHNE**  
**PLANNING DEPARTMENT**  
**APPLICATION FOR ZONING AMENDMENT**

Application Number: 207-04

Date Plat Submitted: Feb. 22, 2007

Date Presented: March 22, 2007

Name of Owner: Arthur & Gina Witherington

Address: PO Box 716 Daphne, AL 36526 Telephone# 251-626-2369  
(Street or P.O. Box) (City) (State) (Zip Code) 076

Name of Authorized Agent, if other than owner: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone# \_\_\_\_\_  
(Street or P.O. Box) (City) (State) (Zip Code)

Subdivision: \_\_\_\_\_

Lot(s): \_\_\_\_\_ Unit \_\_\_\_\_

1 Two (2) copies of legal description of the subject property.

on survey Two (2) copies of subdivision plat or site plan drawn to scale,  
(28" x 36").

✓ List of the names and mailing addresses for the adjacent property  
owners (Date Submitted: 02-21-07).

Meeting Dates:

Chuck Witherington  
7427 Whispering Pines Rd  
Daphne, AL 36526

Brenda Labram  
27055 Parker Lake  
Daphne, AL 36526

Planning Commission: march 22, 2007

City Council: \_\_\_\_\_

Reason(s) for requesting the Zoning Amendment:

We did not realize the gym (Home & Fun Fitness) was zoned  
as trailer parks years ago when we were annexed into the  
City and we would like to get it changed,  
since it has been a business since Oct 1987

Arthur Witherington & Gina Witherington  
**SIGNATURE OF OWNER OR AUTHORIZED REPRESENTATIVE**

(Application for a Zoning Amendment information shall be that of the owner of the subject property).

Revised: March 18, 2004

APPLICATION FOR ZONING AMENDMENT

STATE OF ALABAMA)  
COUNTY OF BALDWIN)  
CITY OF DAPHNE)

This is to certify that I (we) the undersigned am the owner(s) of said property and do hereby request the City of Daphne to grant a Zoning Amendment for said property for the reasons outlined herein:

1) Description of property for which amendment is requested:

- a) Address 2705 Parker Lane  
Daphne, Al 36526
- b) Name of Subdivision Tam & Tam Fitness Gym
- c) Lot numbers involved in change 1 1/2 acres
- d) Total acreage of change 1 1/2
- e) Recorded in Map Book \_\_\_\_\_ Page \_\_\_\_\_
- f) Owned in whole by the undersigned? Pina H. Witherington
- g) If owned in part, name(s) of co-owner(s):  
Pina H. Witherington / Arthur  
Witherington

2) Zoning change requested:

- a) Present classification of property R-5 Trailer Park
- b) Reclassification desired B-2 General Purp
- c) Character of neighborhood quiet, good reputation

3) Certifications:

- a) Owner's Name Arthur or Pina Witherington
- b) Address PO Box 716, Daphne, Al.
- c) Telephone Number 251-626-2369
- d) Date 2-21-2007

Pina H. Witherington  
Signature of Property Owner

Arthur Witherington  
Signature of Property Owner

**AGREEMENT**

**...ALLOWING THE CITY OF DAPHNE TO POST PUBLIC NOTICE SIGNS ON THE PROPERTY FOR WHICH AN APPLICATION FOR A ZONING AMENDMENT HAS BEEN SUBMITTED TO THE CITY COUNCIL.**

I hereby agree to allow the City of Daphne to post on my property, for which an application for a zoning amendment has been submitted to the City Council, a sign or sign(s) notifying the general public of said request. I understand the City of Daphne shall erect and maintain said sign(s) for the prescribed period of time and remove the same.

2-21-2007  
Date

Arthur Witherington  
Dina Witherington  
Signature of Property Owner

Arthur & Pina Witherington  
Zoning Amendment  
Adjacent Property Owners List

1. Chuck Witherington  
7427 Whispering Pines Road  
Daphne, AL 36526
2. Brenda Labram  
27055 Parker Lane  
Daphne, AL 36526

reference: Tone & Tan Fitness Gym

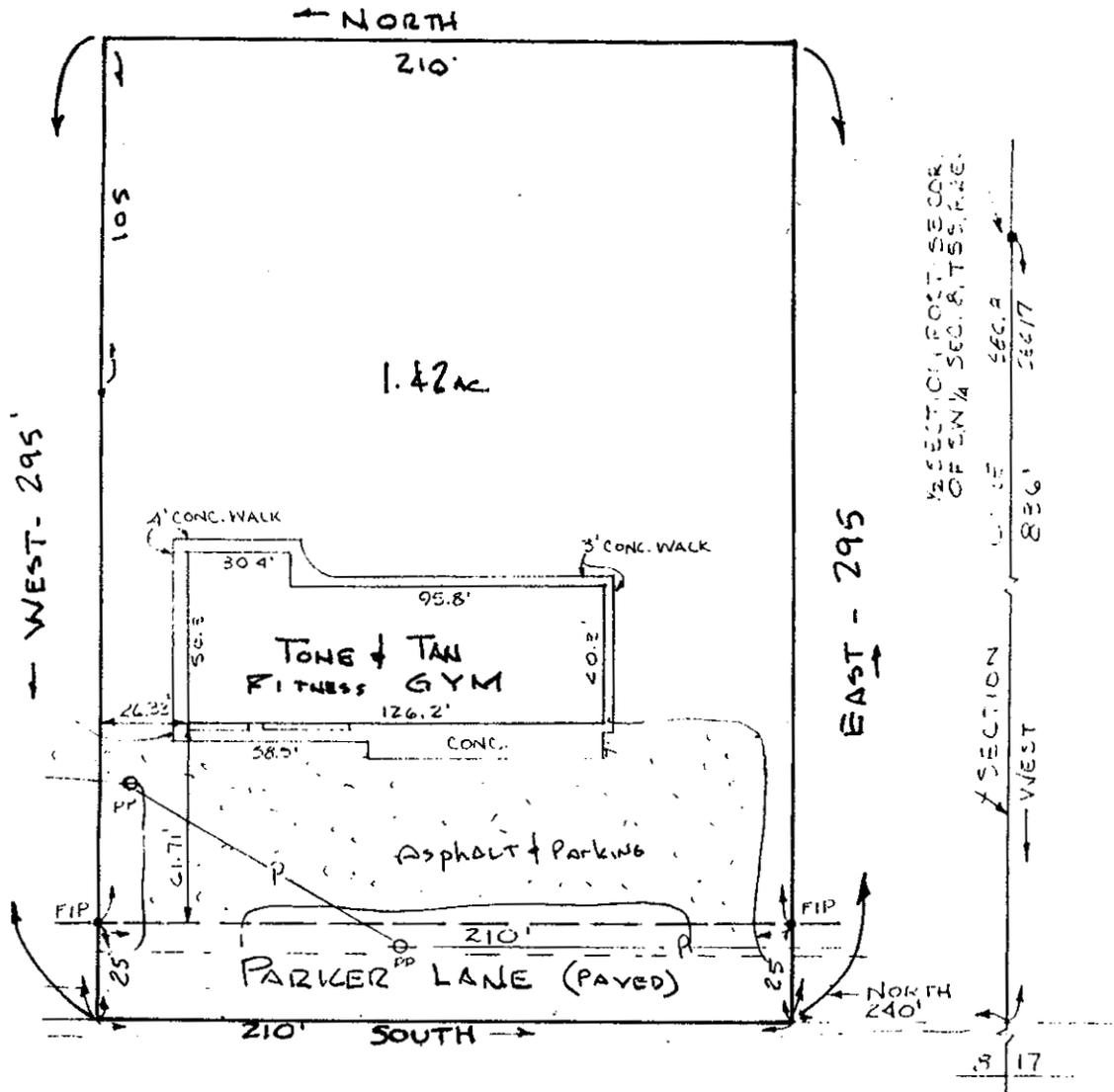
ARTHUR & PINA WITHERINGTON  
ZONING AMENDMENT

EXHIBIT "A"

LEGAL DESCRIPTION:

STARTING AT THE HALF-SECTION POST ON THE SECTION LINE DIVIDING SECTIONS 8 AND 17, RUN THENCE WEST ALONG SAID SECTION LINE, 836 FEET TO A POINT; RUN THENCE NORTH 240 FEET TO THE POINT OF BEGINNING; RUN THENCE EAST 295 FEET TO A POINT; RUN THENCE NORTH 210 FEET TO A POINT; RUN THENCE WEST 295 FEET TO A POINT; RUN THENCE SOUTH 210 FEET TO THE POINT OF BEGINNING. SAID PARCEL OF LAND CONTAINS 1.42 ACRES, MORE OR LESS, AND LIES IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 8, T5S, R2E, BALDWIN COUNTY, ALABAMA.

REFERENCE: TONE & TAN



**DESCRIPTION:**

Starting at the Half-section post on the Section line dividing Sections 8 and 17, run thence West along said Section line, 836 feet to a point; run thence North 240 feet to the Point of Beginning; run thence East 295 feet to a point, run thence North 210 feet to a point; run thence West 295 feet to a point; run thence South 210 feet to the Point of Beginning. Said parcel of land contains 1.42 acres, more or less, and lies in the SE 1/4 of the SW 1/4 of Fractional Section 8, T5S, R2E, Baldwin County, Alabama

EXHIBIT "B"

SCALE: 1"=40'  
WITHERINGTON PROPERTY

PLOT PLAN  
TONE & TAN  
DAPHNE, AL.

**ORDINANCE NO. 2007 - \_\_\_\_**

**Ordinance to Rezone Property Located on the Northeast Corner of  
Whispering Pines Road and Parker Lane (1.5 Acres)  
Arthur and Pina Whitherington**

**WHEREAS**, the owners of certain real property within the City of Daphne, Alabama, have requested that said property be rezoned from R-5, Mobile Home Residential District, to B-1, Local Business District, to said property is located on the Northeast Corner of Whispering Pines Road and Parker Lane, being more particularly described as follows:

**Legal Description:**

LEGAL DESCRIPTION:

STARTING AT THE HALF-SECTION POST ON THE SECTION LINE DIVIDING SECTIONS 8 AND 17, RUN THENCE WEST ALONG SAID SECTION LINE, 836 FEET TO A POINT; RUN THENCE NORTH 240 FEET TO THE POINT OF BEGINNING; RUN THENCE EAST 295 FEET TO A POINT; RUN THENCE NORTH 210 FEET TO A POINT; RUN THENCE WEST 295 FEET TO A POINT; RUN THENCE SOUTH 210 FEET TO THE POINT OF BEGINNING. SAID PARCEL OF LAND CONTAINS 1.42 ACRES, MORE OR LESS, AND LIES IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 8, T5S, R2E, BALDWIN COUNTY, ALABAMA.

REFERENCE: TONE & TAN

**WHEREAS**, the Planning Commission of the City of Daphne on March 22, 2007 has considered said request and set forth an affirmative recommendation to the City Council of the City of Daphne that said property be rezoned; and,

**WHEREAS**, after proper publication, a public hearing was held by the City Council on Monday, May 21, 2007 concerning the requested rezoning.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA**, that said property described above is hereby rezoned from R-5, Mobile Home Residential District, to B-1, Local Business District and that the zoning ordinance and zoning map be amended to reflect the said zoning change.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS \_\_\_\_ day of \_\_\_\_\_, 2007.**

\_\_\_\_\_  
**Greg Burnam, Council President**

Date & Time Signed:\_\_\_\_\_

\_\_\_\_\_  
**Fred Small, Mayor**

Date & Time Signed:\_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
**David L. Cohen**  
City Clerk, MMC

To: Office of the City Clerk  
From: William H. Eady, Sr.,  
Director of Community  
Development  
Subject: Amendment to the City of  
Daphne Land Use and  
Development Ordinance - Sign  
Provisions, Section 33-10 (j)  
(1)

## MEMORANDUM

Date: March 27, 2007

At the regular meeting of the City of Daphne Planning Commission on March 22, 2007, eight members were present and the motion carried for the affirmative recommendation of the above-mentioned ordinance.

Upon receipt thereof, please place on the City Council agenda to set the public hearing and 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

**CITY OF DAPHNE, ALABAMA**

**ORDINANCE NO. 2007- \_\_\_\_\_**

---

**AN ORDINANCE TO AMEND SECTION 33-10(j)(1) OF ARTICLE XXXIII, SIGN PROVISIONS, OF THE LAND USE AND DEVELOPMENT ORDINANCE OF THE CITY OF DAPHNE, ALABAMA**

---

**WHEREAS**, the Planning Commission of the City of Daphne at their regular meeting held on March 22, 2007, considered a certain amendment to the City of Daphne Land Use and Development Ordinance and set forth an affirmative recommendation to the City Council of the City of Daphne that said amendment should be affirmed; and,

**WHEREAS**, due notice of the said amendment has been presented 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 in regard to said amendment to the City of Daphne Land Use and Development Ordinance was held on \_\_\_\_\_, 2007; and,

**WHEREAS**, the Mayor and City Council of the City of Daphne, after due consideration, deemed that the amendment requested are proper and believe it to be in the best interest of the City that said amendment be affirmed.

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

**SECTION 1: AMENDMENT**

Section 33-10-(j)(1) of Article XXXIII, Sign Provisions, of the Land Use and Development Ordinance is hereby repealed in its entirety and replaced with the following:

**Section 33-10:**

**(j) Electronic Signs:**

**(1) General Prohibition:**

Electronic signs are prohibited within the corporate limits of the City of Daphne with the following exception(s):

Public entities, limited to the Daphne Civic Center, Recreation Center and Library Complexes shall be allowed to maintain a electronic sign on the premises of such entities for the sole purpose of providing (1) information regarding onsite activities, or (2) community information of general public interest such as City Council meeting, P.S.A. meetings, and the like, provided however, that such signage shall otherwise comply with the following requirements:

(a) Size:

- (1) Signs shall be of the monument style.
- (2) Signs shall not exceed twelve (12) feet in height.
- (3) Sign area shall not exceed sixty-five (65) square feet.
- (4) Electronic display area shall not exceed fifty (50) square feet.

(b) Electronic Display Method:

Information shall be displayed via simple fade in/fade out manner.

(c) Time:

- (1) Each message must be displayed for a minimum of twenty (20) seconds.

(d) No other temporary signs will be allowed on this site.

and Schools of the Baldwin County School System shall be allowed to maintain electronic signs on the premises of such entities for the sole purpose of providing (1) information regarding onsite activities, or (2) community information of general public interest such as City Council meeting, P.S.A. meetings, and the like, provided however, that such signage, excluding municipal properties, shall otherwise comply with the following requirements:

(a) Size:

- (1) Signs shall be of the monument style.
- (2) Signs shall not exceed ten (10) feet in height.
- (3) Sign area shall not exceed fifty (50) square feet.

- (4) Electronic display area shall not exceed thirty (30) square feet.
- (b) Electronic Display Method:  
Information shall be displayed via simple fade in/fade out manner.
- (c) Time:
  - (1) Each message must be displayed for a minimum of twenty (20) seconds.

**SECTION 2: REPEALER**

All other City Ordinances or parts thereof in conflict with the provisions of this Ordinance, in so far as they conflict, are hereby repealed.

**SECTION 3: SEVERABILITY**

If any part, section or subdivision of this Ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

**SECTION 4: EFFECTIVE DATE**

This ordinance shall take effect upon its adoption and publication as required by law.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF  
DAPHNE, ALABAMA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007.**

\_\_\_\_\_  
**GREG BURNAM**  
**Council President**

\_\_\_\_\_  
Date and time signed:

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**FRED SMALL**  
**Mayor**

---

Date and time signed:

**ATTEST:**

---

**DAVID COHEN**  
**City Clerk, MMC**

**City of Daphne Recreation Board Minutes**  
**1705 Main Street**  
**Daphne, AL**  
**March 21, 2007**  
**6:00 p.m.**

**Members Present:** Chairman Ed Nelson, Erick Smith, Matt Cunningham

**Members Absent:** James Foster, Rick Cleveland, Kit Smith, John Peterson

**Advisory Staff Present:** David McKelroy, Director of Recreation, Councilman Gus Palumbo, Councilman Greg Burnam, Coach Glenn Vickery

**Others Present:** Mayor Fred Small, Brandon Adams, Scott Hutchison, Robyn Andrews and Linda Tipp

**Call to Order**

The meeting was called to order by Chairman Ed Nelson at 6:05 p.m.

**Review and Approval of Minutes**

Carried over until April meeting.

**Business**

1. Board Member Replacement (James Foster)

Councilman Palumbo gave an update on the Board member replacement for Mr. James Foster. At the February meeting, Councilman John Lake advised the Board that he had a recommendation for a new Board member, and would advise the Board of the status in March. Mr. Palumbo advised the Board that Councilman Lake had been unable to contact the nominee and nominations from citizens in District 3, or any other interested Daphne citizens, would now be accepted for review. Mr. Palumbo also advised that as the Recreation Board ordinance is written, Coach Vickery is a voting member of the board by virtue of his contract with the City. His presence can apprise a quorum should it become necessary.

2. Master Plan-New Recreation Complex

- a. Joe Warrington and Patrick Collins were not present at this meeting as indicated in the agenda.
- b. Mayor Small reported that he did speak with the School Board Representative concerning the use of the five acre tract of land adjacent to and south of Trione Park. The City has been given a verbal commitment for the land use, but there has been no official written communication to date. However, the School Board

legal team is working on the written document and the Mayor was advised to proceed with plans to use the land.

Mayor Small also advised that he would like to have four to six dusk to dawn lights installed at Trione Park to illuminate the walkway in the front of the park for safety reasons, and to illuminate the back of the park to deter vandalism.

- c. Report/Update: National Resource Conservation Service  
Report held over until next meeting due to absence of John Peterson
  
- d. Report/Update: Grant possibilities  
David McKelroy reported that he spoke with David Cohen concerning grant possibilities. David Cohen advised that we would have to have a Master Plan in place to apply for grants, and all previous grants have to be completed before obtaining new ones.
- e. Report/Update: Water Retention Process/ Update from HMR  
Scott Hutchison reported that the permitting process may prove to be very costly for the City. There is a possibility that the permit could run as much as \$300 per linear foot, which would mean the permit for this property could cost well over \$300,000. It may be that we may want to reconsider a more viable use of this area.  
Brandon Adams and Scott Hutchison handed out edited drawings of the Trione Sports Complex, Lott Park Tennis Center, and the Tallent property that incorporated the suggestions from the February meeting. Discussion was held on all three and several new changes were suggested and revisions will be made and shown at the April meeting.  
Councilman Burnam and Palumbo reiterated that as we draft edited versions of the Master Plan, we need to give a copy to Mr. Eady with the Planning and Zoning group. Scott stated that Mr. Eady has been given a copy of every revision thus far.

Chairman Ed Nelson asked for verification of the process the Board will use to submit the Master Plan. Erick Smith stated that he understood from our conversation in the February meeting that we would create the Master Plan, along with several phases and or alternatives and state what we need approvals for at the different junctures.

Scott Hutchison suggested that we might want to look at a different option that is presently being used in some cities. In lieu of the established standard of designating land for recreational use in new subdivisions, cities allow the developer to build on the designated recreational land in return for a dollar amount that will go to the city for recreation. Chairman Nelson asked Linda Tipp to draft a document to amend the land use ordinance. Scott said he will get with his legal folks to see if there is a template we could use to assist Linda. It will be presented at the April meeting.

3. Nicholson Center Utilization

Chairman Nelson handed out a report on the Nicholson Center and asked all members to review and to look at options that would generate the highest and best use for this facility. It was mentioned that there would have to be some modifications to the center to make it ADA compatible. Mr. Nelson said we could look at the options generated and if one is decided on, we would look at the modifications that would be necessary to make the option feasible.

4. Baseball & Soccer facility utilization

Participation in both of these sports in Daphne is at maximum levels reported Director David McKelroy. He would like to use the Boys & Girls Club facility on Johnson Road as a fully utilized facility next year for the Dixie Boys Baseball facility. Currently it is being used as a practice facility for that program and is being maintained by the Parks Department.

Chairman Nelson said that a recommendation by the Board to the Council to use the Boys & Girls facility on Johnson Road on a full time basis can be made before the season starts next year.

Comments from Recreation Director

Mr. David McKelroy mentioned that we need to work on the Dog Park Rules for the Dog Park at Trione Sports Complex. He suggested that we might want to get Ken Jacobs and his group involved on suggested rules. Chairman Nelson made a motion to ask Ken Jacobs and his group to assist in developing the Dog Park rules. Erick Smith seconded the motion and the motion carried. David will get with Ken to start on the project.

Comments from Board Members

Mr. Ed Nelson distributed several reports from the Recreation Department Director that speaks to Recreation Department personnel, the Nicholson Center, and area basketball programs. He asked that Board members review the reports, and as mentioned earlier in the meeting, generate options for the use of the Nicholson Center and discuss at the next Board meeting.

On the personnel issue, Mayor Small mentioned to the Board that Director McKelroy will resume responsibility from Public Works, the maintenance of all the city parks (Recreation, Playgrounds and Sports fields) along with supervision of three Parks Department employees that had been assigned to Public Works.

Comments from Advisors/Councilman

Councilman Palumbo advised the members that the boundless playground equipment will be installed at Centennial Park by March 31.

**6. Adjourn**

The meeting adjourned at 7:50 p.m.

**CITY COUNCIL MEETING  
MAYOR'S REPORT**

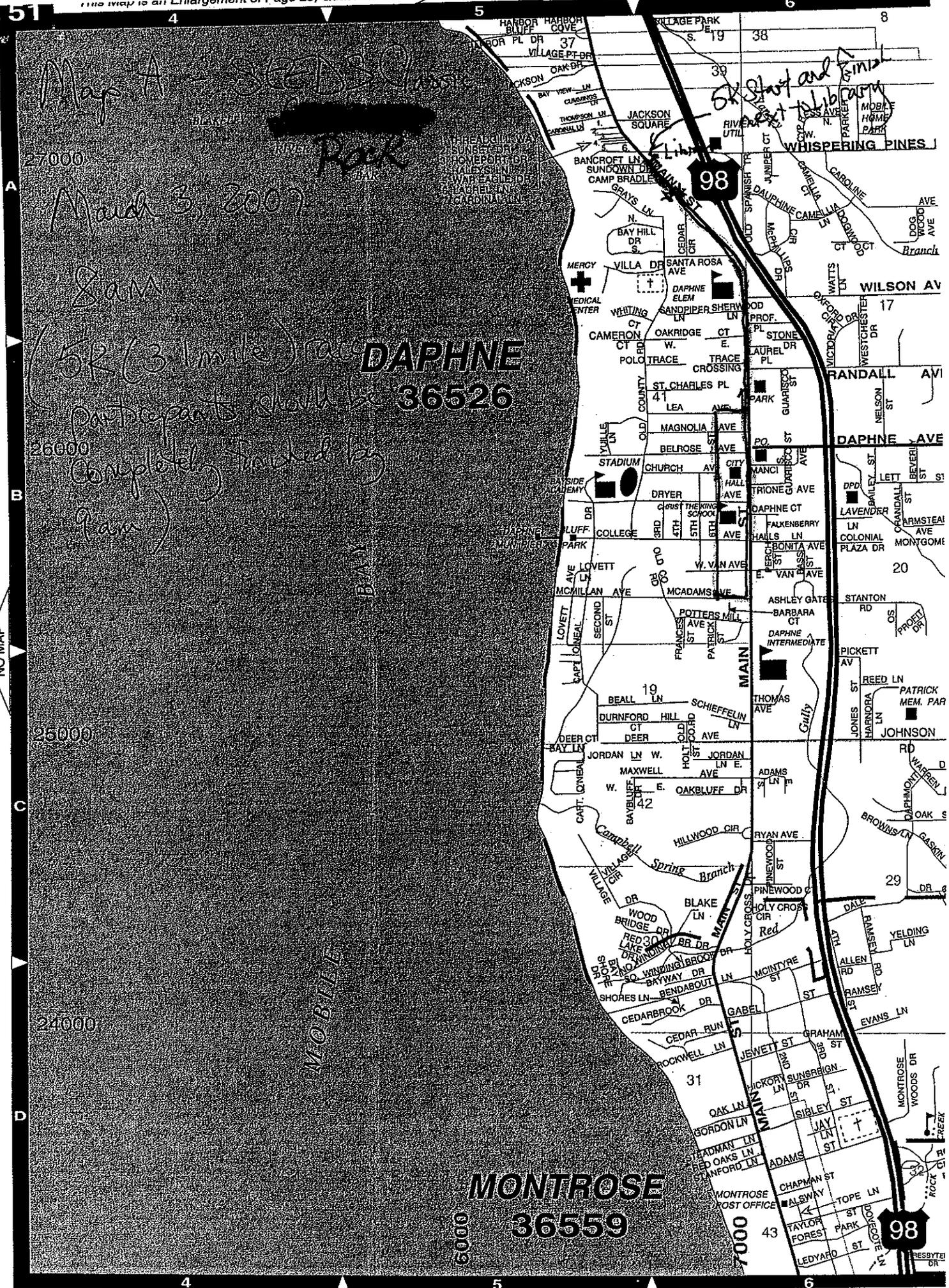
**NOTES:**

# CITY OF DAPHNE PARADE PERMIT

04-02-07P01:17 RCVD

<b>ORGANIZATION:</b>	<b>S.E.E.D.S.</b>
<b>CONTACT PERSON:</b>	<i>Denise D'Oliveira</i>
<b>ADDRESS:</b>	<i>P.O. Box 460 Daphne, AL 36526</i>
<b>PHONE NUMBER (HOME):</b> <b>PHONE NUMBER (BUSINESS):</b> <b>CELL NUMBER:</b>	<i>626-9966 626-7333      Cell# 605-8777</i>
<b>TYPE OF PARADE:</b>	<i>Annual 5K &amp; Fun Run</i>
<b>DATE OF PARADE:</b>	<i>March 1, 2008    Saturday</i>
<b>ROUTE TO BE TRAVELED:</b>	<i>"See attached"</i>
<b>APPROXIMATE # OF PEOPLE &amp; CARS:</b>	<i>900    Total for both events</i>
<b>START TIME:</b>	<i>8:00 a.m.    5K 9:00 a.m.    Fun Run</i>
<b>STOP TIME:</b>	<i>9:00 a.m.    5K 9:30 a.m.    Fun Run</i>
<b>ASSEMBLY AREA/STREET:</b>	<i>5K - Civic Center - Recreation Complex Fun Run - In front of City Hall</i>
<b>ASSEMBLY TIME:</b>	<i>7:15 a.m.    5K 8:30 a.m.    Fun Run</i>
<b>APPROVAL</b>	
<b>POLICE:</b> Chief David Carpenter:	<i>[Signature]</i>
<b>FIRE:</b> Chief Kenny Hanak	<i>[Signature]</i>
<b>PUBLIC WORKS:</b>	<i>[Signature]</i>
<b>CITY COUNCIL:</b>	
<b>SPECIAL INSTRUCTIONS:</b>	
<b>DATE ROUTED:</b>	<i>March 22, 2007</i>
<b>NOTIFICATION:</b>	

NOTE: This permit is being submitted early so that they can start plans for next years Run.



Map A  
 27000  
 March 3, 2009  
 8am  
 (5K (3.1 mile) race)  
 participants should be completely finished by 9am

OK Start and finish at Mobile Home Park

**DAPHNE**  
 36526

**MONTROSE**  
 36559

MOBILE BAY

NO MAP

A  
 B  
 C  
 D

4 5 6

4 5 6

98

98

Map B

36526

March 3, 2007

Classic Rod Run

9 AM  
Completed by  
finished by  
9/25-9/30

**DAPHNE**  
36526

**MONTROSE**  
36559

27000

26000

25000

24000

6000

7000

NO MAP

SEE 49

4 5 6

HARBOR BLUFF COVE VILLAGE PARK

HARBOR PL DR 37 VILLAGE PT DR OAK DR

BAY VIEW LN GARDENS DR JACKSON SQUARE RIVERA UTIL

THOMPSON LN CARROLL LN BANCROFT LN SUNDOWN LN CAMP BRADY

GRAYS LN BAY HILL DR S CEDAR CIR

MERCY VILLA DR SANTA ROSA AVE DAPHNE ELEM SANDPIPER SHER LN

MEDICAL CENTER WHITING CT OAKRIDGE CT PL STONE W. TRACE LAUREL DR

CAMERON CT POLO TRACE CROSSING ST. CHARLES PL LEA AVE

VILLE LN OLD COUNTY ST MAGNOLIA AVE BELROSE ST

STADIUM CHURCH AV CITY HALL TRONE AVE DAPHNE CT

BAYSIDE ACADEMY DR LUFF COLLEGE 3RD 4TH 5TH 5TH AVE

LOVETT AVE L. LOVETT AVE W. VAN AVE FALKENBERRY HALLS LN

MCMILLAN AVE MCADAMS AVE POTTERS MILL BARBARA CT

BEALL LN SCHIEFFELIN LN DURNFORD HILL CT DEER

DEER CT JORDAN LN W. JORDAN LN E. ADAMS LN

MAXWELL AVE W. W. BLUFF DR E. OAKBLUFF DR

HILLWOOD CIR RYAN AVE. HILLWOOD CIR

VILLAGE DR BLAKE LN WOOD BRIDGE DR

RED 30 LAKE DR WINDING BROOK DR BAYWAY DR

SHORES LN BENDABOUT DR CEDARBROOK DR

CEDAR RUN LN ROCKWELL LN JEWETT ST

GORDON LN STEADMAN LN RED OAKS LN STANFORD LN

MONTROSE POST OFFICE CHARMAN ST MONTROSE POST OFFICE

TAYLOR FORES LEDYARD ST

EVANS LN

**COLUMBIA SOUTHERN UNIVERSITY  
LEARNING PARTNERSHIP-MEMO OF UNDERSTANDING  
WITH  
THE CITY OF DAPHNE, ALABAMA  
THROUGH IT=S FIRE DEPARTMENT**

---

**WHEREAS, COLUMBIA SOUTHERN UNIVERSITY**, located at 25236 Canal Road, Orange Beach, Alabama, an Alabama corporation, (hereinafter sometimes referred to as **ACSU@**), desires to enter into a learning partnership with the **City of Daphne, Alabama**, an Alabama municipal corporation, through its **Fire Department**; and

**WHEREAS**, the **City of Daphne Fire Department** wishes to enhance and expand the learning and knowledge of its employees through participation and completion of academic degree programs in career appropriate disciplines; and

**WHEREAS, CSU** desires to enroll more students in undergraduate and graduate programs that will enhance and expand their knowledge in career appropriate disciplines; and

**WHEREAS**, the **City of Daphne Fire Department** and **CSU** desire to join in a learning partnership that will result in the achievement of these mutual goals and with this learning partnership and hereby agree as follows:

- A. The **City of Daphne** through its **Fire Department** will:
1. Officially designate **CSU** as a learning partner;
  2. Inform all **City of Daphne Fire Department** employees of this learning partner relationship;
  3. Provide opportunities for the **City of Daphne Fire Department** employees to view **CSU** marketing materials and become acquainted with **CSU**;
  4. Provide information on training courses taken by the **City of Daphne Fire Department members** for evaluation by **CSU** for the possible transfer of academic credit to **CSU**.

**LEARNING PARTNERSHIP  
PAGE TWO**

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- B. CSU will provide the following:
1. The designation of **The City of Daphne Fire Department** as a learning partner on the CSU Web site;
  2. Display the **City of Daphne Fire Department logo** or the name of **Daphne Fire Department** on the CSU Web site with flyers and linking the logo or name to information about the **CSU-Daphne Fire Department** discount, and CSU enrollment information and forms for the **City of Daphne Fire Department** employees;
  3. Evaluate training courses and programs recommended by the **City of Daphne Fire Department** as possible Academic transfer programs;
  4. Provide on-line application forms specifically designed for the **City of Daphne Fire Department** employees. The **City of Daphne Fire Department** employees will however be required to meet the entrance requirements for the degree for which they apply;
  5. Provide The **City of Daphne Fire Department** employees, with a ten (10%) percent discount for all courses and programs taken at CSU;
  6. Provide the **City of Daphne Fire Department** with needed information about employee accounts and status.
- C. The **City of Daphne Fire Department** will designate a qualified person to act as direct liaison with CSU and to work with CSU on fulfilling the above agreement and all related issues.
- D. This Learning Partnership will be in effect from the date of signing, and will remain in effect unless terminated by written notice of either party.

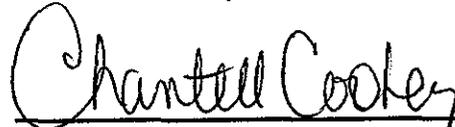
This Memorandum Agreement is agreed to and signed on this the 26<sup>th</sup> day of March, 2007.

**LEARNING PARTNERSHIP  
PAGE THREE**

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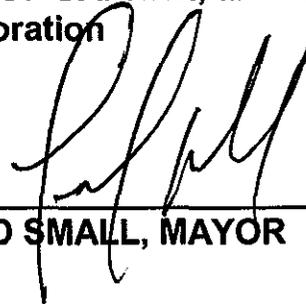
Adopted and Approved on this the 26<sup>th</sup> day of March, 2007.

**COLUMBIA SOUTHERN UNIVERSITY, an  
Alabama Corporation**



**CHANTELL M. COOLEY, VICE PRESIDENT  
PARTNERSHIP DEVELOPMENT**

**CITY OF DAPHNE, an Alabama Municipal  
Corporation**



**FRED SMALL, MAYOR**

**ATTEST:**

---

**DAVID COHEN, City Clerk, CMC**

CASE NO. 2007-5

ABC LICENSE ROUTING

DATE RECEIVED BY REVENUE DIV. 4/5/07 (initial) YCS  
 DATE FORWARDED TO POLICE DEPT. 4/5/07 YCS  
 DATE RECEIVED BY POLICE DEPT. 4/6/07  
 DATE: APPROVED  DISAPPROVED

POLICE DEPT SIGNATURE \_\_\_\_\_

DATE RETURNED TO REVENUE DIV. [Signature] 4/6/07 YCS  
 DATE FORWARDED TO CITY CLERK \_\_\_\_\_  
 DATE RECEIVED BY CITY CLERK 4/09/07 RAH  
 SCHEDULED DATE ON AGENDA 4/16/07 RAH

Council Action:  APPROVED  DISAPPROVED  TABLED

COMMENTS: \_\_\_\_\_

Rescheduled for Council Agenda Date: \_\_\_\_\_

Council Action:  APPROVED  DISAPPROVED  TABLED

COMMENTS: \_\_\_\_\_

DATE RETURNED TO REVENUE DIV.: \_\_\_\_\_

DATE RETURNED TO TAXPAYER \_\_\_\_\_  
OR TO ABC FIELD OFFICE \_\_\_\_\_ (per taxpayer request)

STATE OF ALABAMA, ALCOHOLIC BEVERAGE CONTROL BOARD, MONTGOMERY, ALABAMA

Date Refused \_\_\_\_\_ TYPE APPLICATION Date Approved \_\_\_\_\_  
 By: \_\_\_\_\_ 070 - Retail Table Wine - (Off Premises Only) By: \_\_\_\_\_

Name of Applicant (s) Deweese Enterprises, INC  
 Circle One: Ind. Part. Assoc. Corp. LLC

Name and address of individual, partners and members, association, corporate officers, etc.,:

Name	D.L. # Title	Date of Birth Place of Birth	Present Residence Address	Length at Residence
Carl Douglas Deweese	MS 426047560 C.E.O.	9-8-1959 Lauderdale MS	1839 Country Club Drive Meridian MS 39305	21 years
Timothy N. Putnam	MS 001661359 President	4-10-1946 Florida U.S.A.	600 Old Country Club Dr. Meridian MS 39305	16 years
Micheal Wayne Horne	MS 433530129 Vice- President	4-11-1968 Hinds MS	642 Natures Way Meridian MS 39305	6 YEARS
Susan M. Hawkins	MS 428025693 Vice- President	11-25-1956 Lauderdale MS	6206 17th Ave Meridian MS 39305	7 years

Corporate Information: MS Corp. Authorized in AL Date 8-4-1967 County Montgomery  
 (Enter book and page or document info.) (Incorporation or Authority)

Trade Name Super Stop # 406  
 Location 29626 State Hwy 181 Daphne AL 36526 County Baldwin  
 Mailing Address P.O. Box 5338 Meridian MS 39302  
 (Include Street or Post Office Box Address, City, State, and Zip Code)

Previous Licensee Information  Transferee

Licensee Name n/a Type \_\_\_\_\_ Year \_\_\_\_\_

Trade Name \_\_\_\_\_ License Number \_\_\_\_\_  
 Location (location transfer only) N/A

Has applicant complied with ABC Regulation # 20-X-5-14 regarding financial responsibility? Y N  
 Does the ABC Board have any actions pending against the current licensee? (If Yes, explain in Investigation Section) Y N  
 Has ANYONE, including manager or applicant, had a Federal/State permit or license suspended, revoked or declined? Y N  
 Has a liquor, wine, malt or brewed beverage license for these premises ever been denied, suspended or revoked? Y N  
 Are the applicant(s) named above, in any manner, interested in the business sought to be licensed? Y N  
 These premises are located in the: Corporate Limits Police Jurisdiction of Daphne, Alabama (Enter N/A if not located in either)  
 Are any of the applicants, whether individual, member of partnership or association, or officers and directors of corporation or the corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this Act? Y N  
 Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage or distilled liquors permit or license issued under authority of this Act? Y N  
 Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate of another licensee, or from any firm, association or corporation operating under or regulated by the authority of this Act? Y N  
 What is the applicants' primary source of funding?  Loan  Inheritance  Individual(s)  Business  Other (explanation attached)

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of ANY law violation? Y N  
 (If Yes, explain in Investigation Section) Signature of applicant Timothy N. Putnam

The undersigned agree, if a license is issued as herein above applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages. The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the Board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the licensed premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him in connection with said licensed premises. The undersigned hereby understands that should he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.

STATE OF ALABAMA Signed Timothy N. Putnam  
 COUNTY OF Baldwin Title C.E.O. Date 4/3/07

The undersigned Tim Putnam President of Deweese Enterprises, INC  
 (Name of applicant or member if Partnership or Association of Name and Title of Officer, if a Corporation)  
 applicant for the Alcoholic Beverage license requested, hereby swears and affirms that he/she has read said application and all statements therein and the facts set forth are true and correct, and that the applicant is the only person interested in the business for which license is requested.

Sworn to and subscribed before me this 3<sup>rd</sup> day of April, 2007

Signature of Notary Public \_\_\_\_\_ Signature of Affiant Timothy N. Putnam  
 Notary Public, State at Large My commission expires \_\_\_\_\_ Business Phone (601) 483-8291 Home Phone (601) 482-4757  
 FAX (601) 693-5319 Other (601) 483-8291

(For Central Office Use Only) License No: \_\_\_\_\_ Date of Issue \_\_\_\_\_ Amount of fees \_\_\_\_\_ Total \_\_\_\_\_

**GENERAL APPLICATION INFORMATION**

Contact Person: Susan M. Hawkins

Phone Numbers: Home: (601) 482-4757 Business: (601) 483-8291

Fax: (601) 693-5319 Pager: \_\_\_\_\_ Other: (601) 483-8291

Internet/Web Address: \_\_\_\_\_ Email Address: \_\_\_\_\_

Does the premises have a fully equipped and operational kitchen? Y  N  NA

Does the establishment have restroom facilities? Y  N

Is place of business habitually and principally used for providing food to the public? Y  N  Snacks Only  NA

Are these premises equipped with services and facilities for on premise consumption of alcoholic beverages? Y  N

Will this business be operated PRIMARILY as a package store? Y  N

If a COMMON CARRIER, does each vehicle seat 10 or more persons? Y  N  NA

**INVESTIGATION SECTION OF APPLICATION (To be completed by investigating ABC Agent)**

Will applicant engage in the sale of tobacco products? Y  N  If yes, type of business: n/a

Number of tobacco vending machines present: 0

Neighborhood investigation waived in accordance with Application Guidelines

Building seating capacity 6 License premises includes patio area Y  N

Building Dimensions: Length 70' Width 50' Square Footage 3500 Sales and Display Square Footage 1900

License covers:  Entire structure  Portion of:  Top Floor  Bottom Floor  Other \_\_\_\_\_

License Structure:  One Story  Two Story  Multi-Story  Single Structure  Shopping Center  Motel/Hotel

Structure Material:  Wood  Brick/Block  Metal/Pre-Fab  Other \_\_\_\_\_

Is location within city limits? Y  N  Police Protection: County  City

Number of licenses issued in vicinity:  0  1-5  6-10  more than 10 Nearest: 2 miles

Nearest:  School  Church  Private Residence

within 2 blocks  within 2 blocks  within 2 blocks  
 within 1/2 mile  within 1/2 mile  within 1/2 mile  
 Exceeds Above  Exceeds Above  Exceeds Above

**EXPLANATION OF LAW VIOLATIONS**

List below the court records for law violations, if any, of each person interested in this application, including manager whether as a sole applicant, partner, officer, or member. (Do not include traffic violations, except DUI and Reckless Driving)

Name	Date	Violation	Jurisdiction	Disposition
I certify no member of this corporation has a criminal record.				

**FILING FEE ACKNOWLEDGEMENT**

In reference to ACT NO. 80-529, I understand that if my application is denied or discontinued, I will not be refunded the filing fee required by this application.

Signature of Applicant: [Signature]

**TRANSFER AGREEMENT** License Type: \_\_\_\_\_ License # \_\_\_\_\_

I, \_\_\_\_\_ This is not a License Transfer, as \_\_\_\_\_ holding current ABC License at \_\_\_\_\_ (Name) (Title)

this location, hereby authorize the ABC Board to transfer the license(s) to APPLICANT as appears on front of application, provided that this applicant obtains approval from the appropriate local governing body and meets all requirements of the ABC Board. I understand that I am responsible for the operation of this licensed establishment until the applicant obtains a re-issued license from the ABC Board. I also understand that if for any reason this transfer is not approved by the local governing body or the ABC Board, I must take over complete control, operation, and responsibility of these licensed premises. If I do not continue operation of this licensed establishment, I will relinquish my ABC License to the local ABC Board office, or local Agent.

Licensee \_\_\_\_\_ Date 4/3/07

Applicant \_\_\_\_\_ Date 4/3/07

**LEASE/PROPERTY OWNERSHIP**

If applicant OWNS property, is copy of recorded deed attached? Y  N

If applicant has CONTRACT TO PURCHASE, is a copy of the recorded sales contract attached? Y  N

If applicant is LEASING the property, is a copy of the lease agreement attached? Y  N

A: Name of Property Owner/Lessor: Deweese Enterprises, INC Contact #: (601) 483-8291

B: What is the LESSOR'S primary business? Convenience Store

C: Is LESSOR involved in any way with the Alcoholic Beverage business? Y  N  (If yes, explain on an attached sheet)

D: Is there any further interest in, or connection with, the licensee's business by the LESSOR? Y  N  (If yes, explain on an attached sheet)

Applicant attests to the truthfulness of the above responses. (Applicant's Initials) [Signature]

Agent/ID [Signature] Supervisor [Signature]

(Note: If applicant or licensee is a partnership, ALL partners must sign this agreement)

AGENT: Application taken: 4/3/07 Application/Investigation completed: 4/3/07 Forwarded to D.O.: 1/1

LOCAL GOVERNMENT: Submitted: 4/3/07 Received from: 1/1

SUPERVISOR: Received in District Office: 1/1 Reviewed: 1/1 Forwarded to C.O.: 1/1

STATE OF ALABAMA, ALCOHOLIC BEVERAGE CONTROL BOARD, MONTGOMERY, ALABAMA

Date Refused \_\_\_\_\_ TYPE APPLICATION Date Approved \_\_\_\_\_  
 By: \_\_\_\_\_ 050 - Retail Beer - (Off Premises Only) By: \_\_\_\_\_

Name of Applicant (s) Deweese Enterprises, INC  
 Circle One: Ind. Part. Assoc. Corp. LLC

Name and address of individual, partners and members, association, corporate officers, etc.:

Name	D.L. # Title	Date of Birth Place of Birth	Present Residence Address	Length at Residence
Carl Douglas Deweese	MS 426047560 C.E.O.	9-8-1959 Lauderdale MS	1839 Country Club Drive Meridian MS 39305	21 years
Timothy N. Putnam	MS 001661359 President	4-10-1946 Florida U.S.A.	600 Old Country Club Dr. Meridian MS 39305	16 years
Micheal Wayne Home	MS 433530129 Vice- President	4-11-1968 Hinds MS	642 Natures Way Meridian MS 39305	6 YEARS
Susan M. Hawkins	MS 428025693 Vice- President	11-25-1956 Lauderdale MS	6206 17th Ave Meridian MS 39305	7 years

Corporate Information: MS Corp. Authorized in AL Date 8-4-1967 County Montgomery  
 (Enter book and page or document info.) (Incorporation or Authority)

Trade Name Super Stop # 406  
 Location 29626 State Hwy 181 Daphne AL 36526 County Baldwin

Mailing Address P.O. Box 5338 Meridian MS 39302  
 (Include Street or Post Office Box Address, City, State, and Zip Code)

Previous Licensee Information  Transferee

Licensee Name n/a Type \_\_\_\_\_ Year \_\_\_\_\_

Trade Name \_\_\_\_\_ License Number \_\_\_\_\_

Location (location transfer only) N/A

Has applicant complied with ABC Regulation # 20-X-5-.14 regarding financial responsibility? Y N  
 Does the ABC Board have any actions pending against the current licensee? (If Yes, explain in Investigation Section) \_\_\_\_\_ Y N  
 Has ANYONE, including manager or applicant, had a Federal/State permit or license suspended, revoked or declined? \_\_\_\_\_ Y N  
 Has a liquor, wine, malt or brewed beverage license for these premises ever been denied, suspended or revoked? \_\_\_\_\_ Y N  
 Are the applicant(s) named above, the only person(s), in any manner, interested in the business sought to be licensed? \_\_\_\_\_ Y N  
 These premises are located in the: Corporate Limits Police Jurisdiction of Daphne, Alabama (Enter N/A if not located in either)  
 Are any of the applicants, whether individual, member of partnership or association, or officers and directors of corporation or the corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this Act? Y N  
 Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage or distilled liquors permit or license issued under authority of this Act? \_\_\_\_\_ Y N  
 Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate of another licensee, or from any firm, association or corporation operating under or regulated by the authority of this Act? \_\_\_\_\_ Y N  
 What is the applicants' primary source of funding?  Loan  Inheritance  Individual(s)  Business  Other (explanation attached)  
 Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of ANY law violation? \_\_\_\_\_ Y N  
 (If Yes, explain in Investigation Section) Signature of applicant Timothy N. Putnam

The undersigned agree, if a license is issued as herein above applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages. The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the Board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the licensed premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him in connection with said licensed premises. The undersigned hereby understands that should he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.

STATE OF ALABAMA Signed Timothy N. Putnam  
 COUNTY OF Baldwin Title C.E.O. Date 4/3/07

The undersigned Tim Putnam President of Deweese Enterprises, INC  
 (Name of applicant or member if Partnership or Association of Name and Title of Officer, if a Corporation)

applicant for the Alcoholic Beverage license requested, hereby swears and affirms that he/she has read said application and all statements therein and the facts set forth are true and correct, and that the applicant is the only person interested in the business for which license is requested.

Sworn to and subscribed before me this 3rd day of April 2007.

Signature of Notary Public \_\_\_\_\_ Signature of Affiant Timothy N. Putnam  
 Notary Public, State at Large My commission expires \_\_\_\_\_ Business Phone (601) 483-8291 Home Phone (601) 482-4757  
 FAX (601) 693-5319 Other (601) 483-8291

(For Central Office Use Only) License No. \_\_\_\_\_ Date of Issue \_\_\_\_\_ Amount of Fees \_\_\_\_\_ Total \_\_\_\_\_

**GENERAL APPLICATION INFORMATION**

Contact Person: Susan M. Hawkins

Phone Numbers: Home: (601) 482-4757 Business: (601) 483-8291

Fax: (601) 693-5319 Pager: Other: (601) 483-8291

Internet/Web Address: Email Address:

Does the premises have a fully equipped and operational kitchen? Y  N  NA

Does the establishment have restroom facilities? Y  N

Is place of business habitually and principally used for providing food to the public? Y  N  Snacks Only  NA

Are these premises equipped with services and facilities for on premise consumption of alcoholic beverages? Y  N

Will this business be operated PRIMARILY as a package store? Y  N

If a COMMON CARRIER, does each vehicle seat 10 or more persons? Y  N  NA

**INVESTIGATION SECTION OF APPLICATION (To be completed by investigating ABC Agent)**

Will applicant engage in the sale of tobacco products? Y  N  If yes, type of business: 41 - Convenience Store

Number of tobacco vending machines present: 0

Neighborhood Investigation waived in accordance with Application Guidelines

Building seating capacity 6 License premises includes patio area Y  N

Building Dimensions: Length 70' Width 50' Square Footage 3500 Sales and Display Square Footage 1900

License covers:  Entire structure  Portion of:  Top Floor  Bottom Floor  Other

License Structure:  One Story  Two Story  Multi-Story  Single Structure  Shopping Center  Motel/Hotel

Structure Material:  Wood  Brick/Block  Metal/Pre-Fab  Other

Is location within city limits? Y  N  Police Protection: County  City

Number of licenses issued in vicinity:  0  1-5  6-10  more than 10 Nearest: 2 miles

Nearest:  School  Church  Private Residence

within 2 blocks  within 2 blocks  within 2 blocks

within 1/2 mile  within 1/2 mile  within 1/2 mile

Exceeds Above  Exceeds Above  Exceeds Above

**EXPLANATION OF LAW VIOLATIONS**

List below the court records for law violations, if any, of each person interested in this application, including manager whether as a sole applicant, partner, officer, or member. (Do not include traffic violations, except DUI and Reckless Driving)

Name	Date	Violation	Jurisdiction	Disposition
I certify no member of this corporation has a criminal record.				

**FILING FEE ACKNOWLEDGEMENT**

In reference to ACT NO. 80-529, I understand that if my application is denied or discontinued, I will not be refunded the filing fee required by this application.

Signature of Applicant: [Signature]

TRANSFER AGREEMENT License Type: License #

I, [Name] (Name) as [Title] (Title) holding current ABC License at this location, hereby authorize the ABC Board to transfer the license(s) to APPLICANT as appears on front of application, provided that this applicant obtains approval from the appropriate local governing body and meets all requirements of the ABC Board. I understand that I am responsible for the operation of this licensed establishment until the applicant obtains a re-issued license from the ABC Board. I also understand that if for any reason this transfer is not approved by the local governing body or the ABC Board, I must take over complete control, operation, and responsibility of these licensed premises. If I do not continue operation of this licensed establishment, I will relinquish my ABC License to the local ABC Board office, or local Agent.

Licensee: \_\_\_\_\_ Date: 4/3/07

Applicant: \_\_\_\_\_ Date: 4/3/07

(Note: If applicant or licensee is a partnership, ALL partners must sign this agreement)

**LEASE/PROPERTY OWNERSHIP**

If applicant OWNS property, is copy of recorded deed attached? Y  N

If applicant has CONTRACT TO PURCHASE, is a copy of the recorded sales contract attached? Y  N

If applicant is LEASING the property, is a copy of the lease agreement attached? Y  N

A: Name of Property Owner/Lessor: Dewesse Enterprises, INC Contact #: (601) 483-8291

B: What is the LESSOR'S primary business? Convenience Store

C: Is LESSOR involved in any way with the Alcoholic Beverage business? Y  N  (If yes, explain on an attached sheet)

D: Is there any further interest in, or connection with, the licensee's business by the LESSOR? Y  N  (If yes, explain on an attached sheet)

Applicant attests to the truthfulness of the above responses. (Applicant's Initials) [Signature]

Agent/ID James L. Maloy 114 Supervisor [Signature] (Review includes complete application packet)

AGENT: Application taken: 4/3/07 Application/Investigation completed: 4/3/07 Forwarded to D.O.: 1/1

LOCAL GOVERNMENT: Submitted: 4/3/07 Received from: 1/1

SUPERVISOR: Received in District Office: 1/1 Reviewed: 1/1 Forwarded to C.O.: 1/1

**CITY ATTORNEY'S REPORT**

**NOTES:**

**DEPARTMENT HEAD'S COMMENTS**

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

**NOTES:**

RECOMMENDATIONS

**COUNCIL COMMENTS:**

**RESOLUTION 2007 - 28**

**A RESOLUTION DECLARING CERTAIN PERSONAL PROPERTY SURPLUS AND AUTHORIZING THE MAYOR TO DISPOSE OF SUCH PROPERTY**

**WHEREAS**, the Department Heads of the City of Daphne have determined that the items listed below are no longer required for public or municipal purposes; and

**WHEREAS**, the items listed below are recommended for disposal.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Daphne that

1- The property listed below is hereby declared to be surplus property, and

44	John Deere 2355 Tractor	CD4239D735086
215	Bush Hog - 6'	12-07497
42	Ford 5610 Tractor	EONN42OHA
213	Bush Hog - 12'	12-10623
	1995 Troy Built Tiller	135292

2- The Mayor is authorized to advertise and accept bids through Govedeals.com as contracted for the sale of such personal property, and

3- The Mayor is authorized to sell said property to the highest bidder and deposit any and all proceeds to the General Fund. The Mayor is further authorized to direct the disposition of any property which is not claimed by any bidder.

**ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA**, this \_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**Greg Burnam, Council President**  
Date & Time Signed:\_\_\_\_\_

\_\_\_\_\_  
**Fred Small, Mayor**  
Date & Time Signed:\_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
David L. Cohen, City Clerk CMC

**RESOLUTION 2007- 29  
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, Magistrate, Certification Training & Maintenance Training Institute, Tuscaloosa, AL, May 8-11, 2007 - \$140***

***Billy Crutchfield, Mechanical Maintenance Supervisor, Waste Expo, Atlanta, GA, May 6-11, 2007 - \$210***

***Clement Conaway, Solid Waste Supervisor, Waste Expo, Atlanta, GA, May 6-11, 2007 - \$210***

***Donna Page, Accountant, Governmental Accounting & Financial Reporting – Texas Tech, Tallahassee, FL, June 3-6, 2007 - \$140***

***Lisa White, Accountant, Governmental Accounting & Financial Reporting – Texas Tech, Tallahassee, FL, June 3-6, 2007 - \$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 \_\_\_\_\_, 2007.**

\_\_\_\_\_  
**Greg Burnam, Council President**

Date & Time Signed:\_\_\_\_\_

\_\_\_\_\_  
**Fred Small, Mayor**

Date & Time Signed:\_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
David L. Cohen, City Clerk MMC

**RESOLUTION NO. 29**

**A RESOLUTION APPROVING THE CITY OF DAPHNE'S  
PARTICIPATION IN THE STATE OF ALABAMA SALES  
TAX HOLIDAY AS AUTHORIZED BY ACT NO. 2006-574  
FOR THE YEAR 2007.**

**BE IT RESOLVED**, by the City Council of the City of Daphne, Alabama as follows:

Section 1. Section 4 of Alabama Act No. 2006-574 grants municipal governments authority to provide for the exemption of certain covered items from the payment of municipal sales tax during a period commencing at 12:01 a.m. on the first Friday in August of each year and ending at twelve midnight the following Sunday under the same terms, conditions and definitions as provided for the state sales tax holiday.

Section 2. The City of Daphne grants approval for the exemption of certain covered items from the payment of municipal sales tax for the period commencing at 12:01 a.m. Friday, August 3, 2007 and ending at twelve midnight Sunday, August 5, 2007 under the same terms, conditions and definitions as provided for by Act No. 2006-574 and Alabama Department of Revenue Rule 810-6-3.65.

Section 3. This Resolution shall become effective upon adoption.

**APPROVED AND ADOPTED** by the City Council of the City of Daphne, Alabama, this the \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**Greg Burnam, Council President**  
Date & Time Signed:\_\_\_\_\_

\_\_\_\_\_  
**Fred Small, Mayor**  
Date & Time Signed:\_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
David L. Cohen, City Clerk, MMC

**RESOLUTION 2007- 31**

**Fiscal 2007 Community Contributions: SARPC**

**WHEREAS**, the City Council of the City of Daphne recognizes the health, safety, and welfare benefits derived by the citizens of Daphne through the services performed by community agencies and the promotion of the City of Daphne fostered by community events; and

**WHEREAS**, the City of Daphne has made appropriations in its Fiscal 2007 Budget for the benefit of certain community agencies and events.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Daphne that the Mayor and City Clerk are hereby authorized to execute the agreement necessary for the City to make a contribution to the South Alabama Regional Planning Commission in the amount of \$ 12,361 as appropriated in the Fiscal Year 2007 Budget.

**APPROVED AND ADOPTED** by the City Council of the City of Daphne, Alabama, this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**Greg Burnam, Council President**  
Date & Time Signed:\_\_\_\_\_

\_\_\_\_\_  
**Fred Small, Mayor**  
Date & Time Signed:\_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
David L. Cohen, City Clerk, MMC

**Resolution 2007- 32**

**RESOLUTION: 2007-H-DISASTER DEBRIS REMOVAL & DISPOSAL SERVICES**

**WHEREAS**, the City of Daphne is required under section 39-1-1(E) of the Code of Alabama to secure competitive bids for public works contracts in excess of \$ 50,000; and

**WHEREAS**, the City of Daphne acknowledges that in the event of a natural disaster the cost for the DISASTER DEBRIS REMOVAL & DISPOSAL will exceed \$ 50,000; and

**WHEREAS**, the City of Daphne did receive and review bids for the DISASTER DEBRIS REMOVAL & DISPOSAL and has determined that the bid as presented is reasonable; and

**WHEREAS**, the City of Daphne acknowledges that in the event of a declared emergency disaster that FEMA Eligibility requirements will have to be met to receive any type of reimbursement and these requirements must be followed by the City and the awarded Contractor and his subcontractors; and

**WHEREAS**, staff recommends the bid for DISASTER DEBRIS REMOVAL & DISPOSAL be awarded to IED, 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 IED, Inc. for unit cost as attached herein and made a part hereof for BID SPECIFICATION NO. 2007-H-DISASTER DEBRIS REMOVAL & DISPOSAL SERVICES.

**APPROVED AND ADOPTED** by the City Council of the City of Daphne, Alabama, this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**Greg Burnam, Council President**  
Date & Time Signed:\_\_\_\_\_

\_\_\_\_\_  
**Fred Small, Mayor**  
Date & Time Signed:\_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
**David L. Cohen, City Clerk MMC**

# City of Daphne

## 2007-H DISASTER DEBRIS REMOVAL & DISPOSAL SERVICES

Bids may be inspected in the purchasing division offices during normal business hours after tabulation by the Finance Department. If you desire a copy of the bid tabulation or if you desire a copy of the bid tabulation to be mailed to you, you must enclose a self-addressed stamped envelope with your bidding documents.

ATTACHMENT 2

### BIDDING SCHEDULE FOR DEBRIS REMOVAL & DISPOSAL SERVICES

ITEM	DESCRIPTION OF SERVICE	COST	UNIT
1			
2	Debris Removal from Public Property (right-of-way) and Hauling to Temporary Debris Storage and Reduction Site (TDSRS) 0-15 one way miles	5.90	CY
3	Debris Removal from Public Property (right-of-way) and Hauling to Temporary Debris Storage and Reduction Site (TDSRS) 16-30 one way miles	6.90	CY
4	Debris Removal from Temporary Debris Storage and Reduction Site (TDSRS) and Hauling to Final Disposal Site 0-15 one way miles	4.00	CY
5	Debris Removal from Temporary Debris Storage and Reduction Site (TDSRS) and Hauling to Final Disposal Site 16-30 one way miles	5.00	CY
6	Debris Removal from Public Property (right-of-way) and Hauling directly to Final Disposal Site 0-15 one way miles	7.25	CY
7	Debris Removal from Public Property (right-of-way) and Hauling directly to Final Disposal Site 16-30 one way miles	8.75	CY
8	Management of TDSRS	.90	CY
9	Processing (Grinding/Chipping) of Debris at TDSRS or Final Disposal	2.00	CY
10	Processing (Burning) of Debris at TDSRS or Final Disposal Site	1.50	CY
11	Pick up and Haul of White Goods to Disposal Site within County (NOTE)	80.00	UNIT
12	Pick up and Disposal of Hazardous Material	2.50	LB
13	Freon Management and Recycling	200.00	UNIT
14	Dead Animal Collection, Transportation and Disposal	1.50	LB
<b>HAZARDOUS STUMP REMOVAL &amp; HAULING TO DISPOSAL SITE</b>			
15	6 in. Diameter to 11.99 in. Diameter	60.00	STUMP
16	12 in. Diameter to 23.99 in. Diameter	100.00	STUMP
17	24 in. Diameter to 47.99 Diameter	200.00	STUMP
18	48 in. Diameter and Greater	400.00	STUMP
<b>THE FOLLOWING ITEMS SHALL BE BILLED ON A TIME AND MATERIAL BASIS ACCORDING TO THE SCHEDULING ON THE FOLLOWING PAGES:</b>			
19	Emergency Road Clearance		N/A
20	Debris Removal from Water Bodies (Bays, Rivers, Streams, Canals, Lakes)		N/A
21	Debris Removal from Private Property (right-of-entry program) and Publicly Owner Property (other than right-of-way)		N/A
22	Leaning Trees/Hanging Limbs/Tree-Off Program		N/A

# City of Daphne

## 2007-H DISASTER DEBRIS REMOVAL & DISPOSAL SERVICES

23	Demolition of Structures		N/A
24	Disaster event Generated hazardous Wastes Abatement; Biohazardous Wastes Abatement		N/A
25	Pre-event Training for Client Personnel		N/A

NOTES: 1 Tipping fee at final disposal site(s) will be the responsibility of the City  
2 For a multi-year contract, the prices shown above would be adjusted on the anniversary date of the contract according a percentage equal to the percent change in the Consumer Price Index as published U S Department of Labor, Bureau of Labor Statistics

PRICES FOR ITEMS NINETEEN THROUGH TWENTY FIVE ARE AVAILABLE UPON REQUEST. IT SHOULD BE NOTED THAT TIME AND MATERIALS PRICING FOR SUCH ITEMS ARE GENERALLY NOT REIMBURSABLE BY FEMA, WITH FEW EXCEPTIONS. IED RECOMMENDS A NEGOTIATED CHANGE ORDER TO ACCOMODATE THESE ITEMS AFTER AWARD.

# City of Daphne

## 2007-H DISASTER DEBRIS REMOVAL & DISPOSAL SERVICES

**The following documents must be provided along with the Bid Schedule:**

- Past experience setting up, managing, and operating a disaster debris reduction site.
- Certificates of insurance as required in paragraph V of RFP.
- List of company officials.
- List of proposed subcontractors and equipment to be used.
- List of references.
- Detailed cost data for construction of inspection tower. Submit breakdown of labor and materials on a separate sheet.

NOTE: Selected bidder(s) must be able to obtain a Performance Bond in the amount of 100% of the bid price regarding both labor/materials and performance.

### BID PROPOSAL SIGNATURE

IED, Inc. hereby proposes to furnish all labor, supervision, transportation, tools, equipment, services and expertise required to perform debris removal and disposal services as specified by bid specification # 2007-H-DISASTER and the contract specifications.

DEBRIS REMOVAL & DISPOSAL SERVICES

**NOTE: RETURN 2 COMPLETE COPIES OF PROPOSAL AND SUPPORTING MATERIAL.  
MARK OUTSIDE OF BID ENVELOPE AS FOLLOWS:**

**SEALED BID FOR SPEC. 2007-H-DISASTER DEBRIS REMOVAL & DISPOSAL SERVICES**

Company Name

IED, Inc.

Street Address or P.O. Box

21602 DOC MCDUFFIE  
P.O. BOX 1886

City, State Zip Code

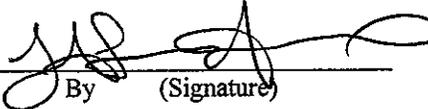
FOLEY, AL 36535

Telephone

251-971-2210

Employer's Federal I.D. Number  
or Social Security Number

58-1902454

  
By (Signature)

J.S. LAWRENCE GREEN  
(Print Name)

PRESIDENT  
(Title)

MARCH 1, 2007  
(Date)

**CITY OF DAPHNE  
RESOLUTION NO. 2007- 33**

**A RESOLUTION FOR THE PUBLIC HEALTH AND GOOD REQUIRE THE  
ANNEXATION OF PROPERTY LOCATED FROM THE DAPHNE CITY  
LIMITS OUT TO PROPERTY WEST OF HIGHWAY 181**

**WHEREAS**, the City Council of the City of Daphne, Alabama, has determined that the public health and good require the annexation of the territory described in Exhibit "A" attached hereto; and

**WHEREAS**, the City Council of the City of Daphne, Alabama, has determined that it is wise, expedient, and economical for the annexation to be accomplished by the passage of a local law; and

**WHEREAS**, a bill to incorporate the territory has been drafted and is attached hereto as Exhibit "B" and is incorporated herein by reference; and

**WHEREAS**, the City of Daphne has drafted proposed maps showing the legal defined area, proposed zoning and voting district referenced by following: Exhibit "C" Legal Description Map, Exhibit "D" Zoning Map and Exhibit "E" Voting District Map.

**BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA**, that the Mayor of the City of Daphne is directed to cause notice of the application for passage of such local law to be published for four (4) consecutive weeks in the newspaper published in the county; and

**BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA**, that the City Clerk prepare a copy of the local bill for delivery to the local state legislative delegation, and certificate from the publisher reflecting the dates of publication, and that the costs of publishing have been paid.

**APPROVED AND ADOPTED** on this the \_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**GREG BURNAM**  
**COUNCIL PRESIDENT**  
Date & Time Signed: \_\_\_\_\_

\_\_\_\_\_  
**FRED SMALL**  
**MAYOR**  
Date & Time Signed: \_\_\_\_\_

**ATTEST:**

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

**EXHIBIT "A"**

BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY OF U.S. HIGHWAY 90 AND THE EAST LINE OF TAX PARCEL NO. 32-07-35-0-000-001.008; THENCE RUN SOUTH TO A POINT ON THE SOUTH RIGHT-OF-WAY OF SAID U.S. HIGHWAY 90; THENCE RUN WEST ALONG SAID SOUTH RIGHT-OF-WAY OF U.S. HIGHWAY 90 TO THE INTERSECTION OF SAID SOUTH RIGHT-OF-WAY OF U.S. HIGHWAY 90 AND THE EXTENSION OF THE EAST LINE OF TAX PARCEL NO. 32-07-35-0-000-002.000; THENCE RUN SOUTH ALONG THE EXTENSION OF THE EAST LINE OF SAID TAX PARCEL NO. 32-07-35-0-000-002.000 AND THE EAST LINE OF SAID TAX PARCEL TO THE SOUTHEAST CORNER OF SAID TAX PARCEL; THENCE RUN WEST ALONG THE SOUTH LINE OF SAID TAX PARCEL NO.32-07-35-0-000-002.000 TO EAST RIGHT-OF-WAY OF STATE HIGHWAY 181; THENCE RUN SOUTH ALONG SAID EAST RIGHT-OF-WAY OF STATE HIGHWAY 181 TO THE INTERSECTION OF SAID EAST RIGHT-OF-WAY OF STATE HIGHWAY 181 AND THE NORTH RIGHT-OF-WAY OF RIGSBY ROAD; THENCE RUN WEST ALONG THE NORTH RIGHT-OF-WAY OF RIGSBY ROAD TO THE INTERSECTION OF SAID NORTH RIGHT-OF-WAY OF RIGSBY ROAD AND THE EAST RIGHT-OF-WAY OF RIGSBY ROAD; THENCE RUN SOUTH ALONG SAID EAST RIGHT-OF-WAY OF RIGSBY ROAD TO THE INTERSECTION OF SAID EAST RIGHT-OF-WAY OF RIGSBY ROAD AND THE EXTENSION OF THE NORTH BOUNDARY OF MANCI'S COUNTRYSIDE ESTATES AS RECORDED ON SLIDE NO'S. 1304 A & 1319 B IN THE OFFICE OF JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN WEST ALONG SAID EXTENSION AND THE NORTH BOUNDARY OF SAID MANCI'S COUNTRYSIDE ESTATES TO THE NORTHWEST CORNER OF SAID MANCI'S COUNTRYSIDE ESTATES ALSO BEING THE NORTHEAST CORNER OF BELGROVE ESTATES SUBDIVISION AS RECORDED ON SLIDES NO'S. 1708 A & 1708 B IN THE OFFICE OF JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE CONTINUE WEST ALONG THE NORTH BOUNDARY OF SAID BELGROVE ESTATES SUBDIVISION TO THE NORTHWEST CORNER OF SAID SUBDIVISION ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 43-06-14-0-000-003.004; THENCE CONTINUE WEST ALONG THE NORTH LINE OF SAID NORTH LINE OF SAID TAX PARCEL NO. 43-06-14-0-000-003.004 TO THE EAST RIGHT-OF-WAY OF STATE HIGHWAY 181; THENCE RUN SOUTH ALONG SAID EAST RIGHT-OF-WAY OF STATE HIGHWAY 181 TO THE INTERSECTION OF SAID EAST RIGHT-OF-WAY OF STATE HIGHWAY 181 AND OF THE NORTH LINE OF TAX PARCEL NO. 43-06-14-0-000-009.000; THENCE RUN EAST ALONG SAID NORTH LINE OF SAID TAX PARCEL NO. 43-06-14-0-000-009.000 TO THE NORTHEAST CORNER OF SAID TAX PARCEL; THENCE RUN SOUTH ALONG THE EAST LINE OF SAID TAX PARCEL NO. 43-06-14-0-000-009.000 AND THE EAST LINE OF TAX PARCEL NO'S. 43-06-14-0-000-008.002, 43-06-14-0-000-010.000, AND 43-06-14-0-000-015.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-06-14-0-000-015.000, ALSO BEING A POINT ON THE NORTH RIGHT-OF-WAY ON BALDWIN COUNTY HIGHWAY NO. 64; THENCE RUN SOUTH TO THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY OF BALDWIN COUNTY HIGHWAY NO. 64 AND THE NORTHEAST CORNER OF TAX PARCEL NO. 43-06-23-0-000-014.000; THENCE CONTINUE SOUTH ALONG THE EAST LINE OF SAID TAX PARCEL NO. 43-06-23-0-000-014.000 AND THE EAST LINE OF TAX PARCEL NO'S. 43-06-23-0-000-020.000, 43-06-23-0-000-

020.006, 43-06-23-0-000-020.004, AND 43-06-23-0-000-020.001 TO A POINT ON THE NORTH RIGHT-OF-WAY OF REBEL ROAD; THENCE RUN WEST ALONG SAID NORTH RIGHT-OF-WAY OF REBEL ROAD TO THE INTERSECTION OF SAID NORTH RIGHT-OF-WAY OF REBEL ROAD AND THE EXTENSION OF THE EAST LINE OF TAX PARCEL NO. 43-06-23-0-000-026.011; THENCE RUN IN A SOUTHEASTERLY DIRECTION ALONG THE NORTH LINE OF SAID TAX PARCEL NO. 43-06-23-0-000-026.011 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL, ALSO BEING A POINT ON THE SOUTH RIGHT-OF-WAY OF REBEL ROAD; THENCE RUN SOUTH ALONG SAID EXTENSION AND THE EAST LINE OF TAX PARCEL NO. 43-06-23-0-000-026.011 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL, ALSO BEING A POINT ON THE NORTH LINE OF TAX PARCEL NO. 43-06-23-0-000-034.000; THENCE RUN EAST ALONG SAID NORTH LINE OF TAX PARCEL NO. 43-06-23-0-000-034.000 TO THE NORTHEAST CORNER OF SAID TAX PARCEL; THENCE RUN SOUTH ALONG THE EAST LINE OF SAID TAX PARCEL NO. 43-06-23-0-000-034.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL, ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 43-07-26-0-000-005.000; THENCE CONTINUE SOUTH ALONG THE EAST LINE OF SAID TAX PARCEL NO. 43-07-26-0-000-005.000 TO THE SOUTH RIGHT-OF-WAY OF AUSTIN ROAD; THENCE RUN WEST ALONG SAID SOUTH RIGHT-OF-WAY OF AUSTIN ROAD TO THE INTERSECTION OF SAID SOUTH RIGHT-OF-WAY OF AUSTIN ROAD AND SAID EAST RIGHT-OF-WAY OF STATE HIGHWAY 181; THENCE RUN SOUTH ALONG SAID EAST RIGHT-OF-WAY OF STATE HIGHWAY 181 TO THE INTERSECTION OF SAID EAST RIGHT-OF-WAY OF STATE HIGHWAY 181 AND THE NORTHEAST CORNER OF TAX PARCEL NO. 43-07-26-0-000-010.000; THENCE RUN EAST ALONG SAID EXTENSION AND THE NORTH LINE OF TAX PARCEL NO. 43-07-26-0-000-010.000 TO THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-07-26-0-000-011.000; THENCE RUN NORTH ALONG THE WEST LINE OF SAID TAX PARCEL NO. 43-07-26-0-000-011.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL; THENCE RUN EAST ALONG THE NORTH LINE OF SAID TAX PARCEL NO. 43-07-26-0-000-011.000 TO THE NORTHEAST CORNER OF SAID TAX PARCEL; THENCE RUN SOUTH ALONG THE EAST LINE OF SAID TAX PARCEL NO. 43-07-26-0-000-011.000 TO A POINT ON THE NORTH LINE OF TAX PARCEL NO. 43-07-35-0-000-002.000; THENCE RUN EAST ALONG SAID NORTH LINE OF TAX PARCEL NO. 43-07-35-0-000-002.000 TO THE NORTHEAST CORNER OF SAID TAX PARCEL; THENCE RUN SOUTH ALONG THE EAST LINE OF SAID TAX PARCEL NO. 43-07-35-0-000-002.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL; THENCE RUN WEST ALONG THE SOUTH LINE OF SAID TAX PARCEL NO. 43-07-35-0-000-002.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL, ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 43-07-35-0-000-004.000; THENCE RUN SOUTH ALONG THE EAST LINE OF SAID TAX PARCEL NO. 43-07-35-0-000-004.000 TO THE SOUTH RIGHT-OF-WAY OF DICK HIGBEE ROAD; THENCE RUN WEST ALONG SAID SOUTH RIGHT-OF-WAY OF DICK HIGBEE ROAD TO A POINT ON SAID WEST RIGHT-OF-WAY STATE HIGHWAY 181; THENCE RUN NORTH ALONG SAID WEST RIGHT-OF-WAY OF STATE HIGHWAY 181 TO THE SOUTH RIGHT-OF-WAY OF CORTE ROAD; THENCE RUN WEST ALONG SAID SOUTH RIGHT-OF-WAY OF CORTE ROAD TO THE INTERSECTION OF SAID SOUTH RIGHT-OF-WAY OF CORTE ROAD AND THE EAST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NUMBER 13; THENCE RUN SOUTH ALONG SAID EAST

RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NUMBER 13 TO THE EAST EXTENSION OF THE SOUTH LINE OF TAX PARCEL NO. 43-08-28-0-000-002.000; THENCE RUN WEST OF SAID EXTENSION OF THE SOUTH LINE OF SAID TAX PARCEL NO. 43-08-28-0-000-002.000 TO THE EAST LINE OF SECTION 28, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH ALONG SAID SECTION LINE TO THE SOUTHEAST CORNER OF SAID SECTION; THENCE CONTINUE IN A SOUTHERLY DIRECTION OF THE EAST LINE OF SECTION 33, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA TO THE SOUTHEAST CORNER OF TAX PARCEL NO. 43-08-33-0-000-003.000; THENCE RUN WEST ALONG SAID SOUTH LINE OF SAID TAX PARCEL 43-08-33-0-000-003.000 TO THE SOUTHEAST CORNER OF ROCK CREEK, PHASE FIVE, AS RECORDED ON SLIDE NO'S. 1909 B, 1910 A, 1910 B, AND 1911 A IN THE OFFICE OF JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH ALONG THE EAST BOUNDARY LINE OF SAID ROCK CREEK, PHASE FIVE TO THE NORTHEAST CORNER OF SAID ROCK CREEK, PHASE FIVE ALSO BEING THE SOUTHEAST CORNER OF ROCK CREEK, PHASE SEVEN AS RECORDED ON SLIDE NO'S. 2008 E AND 2008 F IN THE OFFICE OF JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE CONTINUE NORTH ALONG THE EAST BOUNDARY LINE OF SAID ROCK CREEK, PHASE SEVEN TO THE NORTHEAST CORNER OF SAID ROCK CREEK, PHASE SEVEN; THENCE RUN WEST ALONG THE NORTH BOUNDARY LINE OF SAID ROCK CREEK, PHASE SEVEN TO THE SOUTHEAST CORNER OF SAID ROCK CREEK, PHASE SIX AS RECORDED ON SLIDE NO'S. 1956 A AND 1956 B IN THE OFFICE OF JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH ALONG THE EAST BOUNDARY LINE OF SAID ROCK CREEK, PHASE SIX TO THE NORTHEAST CORNER OF SAID ROCK CREEK, PHASE SIX; THENCE RUN WEST ALONG THE NORTH LINE OF SAID ROCK CREEK, PHASE SIX TO THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-08-28-0-000-032.000; THENCE CONTINUE NORTH ALONG THE WEST LINE OF SAID TAX PARCEL NO. 43-08-28-0-000-032.000 AND ALONG THE WEST LINE OF SECTION 28, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA TO THE NORTHWEST CORNER OF SECTION 21, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN IN A NORTHERLY DIRECTION ALONG THE WEST LINE OF SAID SECTION 21 TO THE SOUTHWEST CORNER OF EASTMONT SUBDIVISION AS RECORDED IN MAP BOOK 12, PAGE 73 IN THE OFFICE OF JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE CONTINUE NORTH ALONG THE WEST BOUNDARY LINE OF SAID EASTMONT SUBDIVISION TO THE INTERSECTION OF THE EXTENSION OF SAID WEST BOUNDARY LINE OF EASTMONT SUBDIVISION AND THE SOUTH RIGHT-OF-WAY OF POLLARD ROAD; THENCE RUN NORTH ALONG THE EAST RIGHT-OF-WAY OF POLLARD ROAD TO THE NORTHWEST CORNER OF TAX PARCEL NO. 43-05-21-0-000-008.000; THENCE RUN EAST ALONG THE NORTH LINE OF TAX PARCEL NO. 43-05-21-0-000-008.000 TO THE SOUTHEAST CORNER OF TAX PARCEL NO. 43-05-21-0-000-008.000; THENCE RUN EAST ALONG THE NORTH LINE OF TAX PARCEL NO. 43-05-21-0-000-009.000 TO THE NORTHEAST CORNER OF SAID TAX PARCEL; THENCE RUN SOUTH ALONG THE EAST LINE OF SAID TAX PARCEL NO. 43-05-21-0-000-009.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL, ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 43-05-21-0-000-010.002; THENCE CONTINUE

SOUTH ALONG THE EAST LINE OF SAID TAX PARCEL NO. 43-05-21-0-000-010.002 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL; THENCE RUN WEST ALONG THE SOUTH LINE OF SAID TAX PARCEL NO. 43-05-21-0-000-010.002 TO THE EAST RIGHT-OF-WAY OF POLLARD ROAD; THENCE RUN SOUTH ALONG SAID EAST RIGHT-OF-WAY OF POLLARD ROAD TO THE NORTHWEST CORNER OF TAX PARCEL NO. 43-05-21-0000-011.003; THENCE RUN EAST ALONG SAID EXTENSION AND THE NORTH LINE OF TAX PARCEL NO.43-05-21-0-000-011.003 TO THE NORTHEAST CORNER OF SAID TAX PARCEL; THENCE RUN SOUTH ALONG THE EAST LINE OF SAID TAX PARCEL NO. 43-05-21-0-000-011.003 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL, ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO.43-05-21-0-000-011.004; THENCE CONTINUE SOUTH ALONG THE EAST LINE OF SAID TAX PARCEL NO. 43-05-21-0-000-011.004 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL; THENCE RUN WEST ALONG THE SOUTH LINE OF SAID TAX PARCEL NO. 43-05-21-0-000-011.004 TO THE NORTHEAST CORNER OF TAX PARCEL NO. 43-05-21-0-000-011.002; THENCE RUN SOUTH ALONG THE EAST LINE OF SAID TAX PARCEL NO. 43-05-21-0-000-011.002 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL, ALSO BEING A POINT ON THE NORTH LINE OF TAX PARCEL NO. 43-05-21-0-000-011.001; THENCE RUN EAST ALONG SAID NORTH LINE OF TAX PARCEL NO. 43-05-21-0-000-011.001 TO THE NORTHEAST CORNER OF SAID TAX PARCEL; THENCE RUN SOUTH ALONG THE EAST LINE OF SAID TAX PARCEL NO. 43-05-21-0-000-011.001 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL, ALSO BEING THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-21-0-000-011.000; THENCE RUN EAST ALONG THE SOUTH LINE OF SAID TAX PARCEL NO. 43-05-21-0-000-011.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL; THENCE RUN NORTH ALONG THE EAST LINE OF SAID TAX PARCEL NO. 43-05-21-0-000-011.000 TO THE NORTHEAST CORNER OF SAID TAX PARCEL, ALSO BEING THE SOUTHEAST CORNER OF TAX PARCEL NO. 43-05-21-0-000-010.000; THENCE CONTINUE NORTH ALONG THE EAST LINE OF SAID TAX PARCEL NO. 43-05-21-0-000-010.000 TO THE NORTHEAST CORNER OF SAID TAX PARCEL, ALSO BEING A POINT ON THE SOUTH BOUNDARY LINE OF AUDUBON PARK SUBDIVISION, RE-SUBDIVISION OF LOTS 1, 2, AND 3 AS RECORDED ON SLIDE NO. 2040 B IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTHWESTWARDLY ALONG SAID SOUTH BOUNDARY LINE OF AUDUBON PARK SUBDIVISION, RE-SUBDIVISION OF LOTS 1, 2, AND 3 TO THE EAST RIGHT-OF-WAY OF POLLARD ROAD; THENCE RUN NORTH ALONG SAID EAST RIGHT-OF-WAY OF POLLARD ROAD TO THE INTERSECTION OF SAID EAST RIGHT-OF-WAY OF POLLARD ROAD AND THE SOUTH RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 64; THENCE RUN EAST ALONG SAID SOUTH RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 64 TO THE INTERSECTION OF SAID SOUTH RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 64 AND THE EXTENSION OF THE WEST LINE OF LOT 1, JUBILEE RIDGE AS RECORDED ON SLIDE NO. 2248-B IN THE OFFICE OF JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH ALONG SAID EXTENSION AND THE WEST LINE OF LOT 1, JUBILEE RIDGE TO THE SOUTHWEST CORNER OF SAID LOT 1, JUBILEE RIDGE; THENCE RUN EAST ALONG THE SOUTH LINE OF SAID LOT 1, JUBILEE RIDGE TO THE SOUTHEAST CORNER OF SAID LOT 1, JUBILEE RIDGE; THENCE RUN NORTH

ALONG THE EAST LINE OF SAID LOT 1, JUBILEE RIDGE TO THE NORTHEAST CORNER OF SAID LOT 1, JUBILEE RIDGE ALSO BEING THE SOUTHEAST CORNER OF LOT 2 OF SAID JUBILEE RIDGE; THENCE RUN WEST ALONG THE SOUTH LINE OF SAID LOT 2, JUBILEE RIDGE TO THE SOUTHWEST CORNER OF SAID LOT 2, JUBILEE RIDGE; THENCE RUN NORTH ALONG THE WEST LINE OF SAID LOT 2, JUBILEE RIDGE AND THE EXTENSION OF SAID WEST LINE OF LOT 2 JUBILEE RIDGE TO THE INTERSECTION OF SAID EXTENSION AND THE SOUTH RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO.64; THENCE RUN NORTH TO A POINT ON THE NORTH RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 64; THENCE RUN WEST ALONG SAID NORTH RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 64 TO THE INTERSECTION OF SAID NORTH RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO.64 AND THE EAST RIGHT-OF-WAY OF POLLARD ROAD; THENCE RUN NORTH ALONG SAID EAST RIGHT-OF-WAY OF POLLARD ROAD TO THE INTERSECTION OF SAID EAST RIGHT-OF-WAY OF POLLARD ROAD AND THE SOUTHEAST CORNER OF TAX PARCEL NO. 43-05-16-0-000-028.019; THENCE RUN EAST ALONG SOUTH LINE OF TAX PARCEL NO. 43-05-16-0-000-028.019 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL; THENCE RUN NORTH ALONG THE EAST LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-028.019 TO THE NORTHEAST CORNER OF SAID TAX PARCEL, ALSO BEING THE SOUTHEAST CORNER OF TAX PARCEL NO. 43-05-16-0-000-028.003; THENCE CONTINUE NORTH ALONG THE EAST LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-028.003 TO THE NORTHEAST CORNER OF SAID TAX PARCEL, ALSO BEING A POINT ON THE SOUTH BOUNDARY OF PECAN TRACE SUBDIVISION AS RECORDED ON SLIDE NO. 2202 D IN THE OFFICE OF JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN EAST ALONG SAID SOUTH BOUNDARY OF PECAN TRACE SUBDIVISION TO THE SOUTHEAST CORNER OF SAID PECAN TRACE SUBDIVISION ALSO BEING A POINT ON THE WEST LINE OF TAX PARCEL NO. 43-05-16-0-000-026.000; THENCE RUN NORTH ALONG SAID WEST LINE AND THE EXTENSION OF THE WEST LINE OF TAX PARCEL NO. 43-05-16-0-000-026.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL, ALSO BEING A POINT ON THE SOUTH RIGHT-OF-WAY OF WELL ROAD; THENCE CONTINUE NORTH TO THE INTERSEKCTION OF THE NORTH RIGHT-OF-WAY OF WELL ROAD AND THE SOUTHEAST CORNER OF TAX PARCEL NO. 43-05-16-0-000-005.001; THENCE CONTINUE NORTH ALONG THE EAST LINE OF TAX PARCEL NO. 43-05-16-0-000-005.001 TO THE NORTHEAST CORNER OF SAID TAX PARCEL; THENCE RUN WEST ALONG THE NORTH LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-005.001 TO THE NORTHWEST CORNER OF SAID TAX PARCEL; THENCE RUN SOUTH ALONG THE WEST LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-005.001 TO THE NORTH RIGHT-OF-WAY OF WELL ROAD; THENCE RUN WEST ALONG SAID NORTH RIGHT-OF-WAY OF WELL ROAD TO THE INTERSECTION OF SAID NORTH RIGHT-OF-WAY OF WELL ROAD AND THE EAST RIGHT-OF-WAY OF POLLARD ROAD; THENCE RUN NORTH ALONG SAID EAST RIGHT-OF-WAY OF POLLARD ROAD TO THE INTERSECTION OF SAID EAST RIGHT-OF-WAY OF POLLARD ROAD AND THE SOUTH RIGHT-OF-WAY OF WHISPERING PINES ROAD; THENCE RUN EAST ALONG SAID SOUTH RIGHT-OF-WAY OF WHISPERING PINES ROAD TO THE INTERSECTION OF SAID SOUTH RIGHT-OF-WAY OF WHISPERING PINES ROAD AND THE EXTENSION OF THE WEST LINE OF LOT 1, JULIAN GUAVISCO SUBDIVISION, AS RECORDED ON SLIDE

NO. 2012 F IN THE OFFICE OF JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH ALONG SAID EXTENSION OF THE WEST LINE AND THE WEST LINE OF LOT 1, JULIAN GUAVISCO SUBDIVISION TO THE NORTHWEST CORNER OF SAID LOT 1, JULIAN GUAVISCO SUBDIVISION; THENCE RUN EAST ALONG THE NORTH LINE OF SAID LOT 1, JULIAN GUAVISCO SUBDIVISION TO THE NORTHEAST CORNER OF SAID LOT 1, JULIAN GUAVISCO SUBDIVISION; THENCE RUN SOUTH ALONG THE EAST LINE OF SAID LOT 1, JULIAN GUAVISCO SUBDIVISION TO THE SOUTH RIGHT-OF-WAY OF WHISPERING PINES ROAD; THENCE RUN EAST ALONG SAID SOUTH RIGHT-OF-WAY OF WHISPERING PINES ROAD TO THE INTERSECTION OF SAID SOUTH RIGHT-OF-WAY OF WHISPERING PINES ROAD AND THE EAST LINE OF TAX PARCEL NO. 43-05-16-0-000-023.000; THENCE RUN SOUTH ALONG THE EAST LINE OF TAX PARCEL NO. 43-05-16-000-023.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL; THENCE RUN EAST ALONG THE SOUTH LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-023.000 TO THE SOUTHEAST CORNER OF TAX PARCEL NO. 43-05-16-0-000-023.002; THENCE RUN SOUTH ALONG THE EAST LINE AND THE EXTENSION OF THE EAST LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-023.002 TO THE INTERSECTION OF SAID EXTENSION OF THE EAST LINE OF TAX PARCEL NO. 43-05-16-0-000-023.002 AND THE SOUTH RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 64; THENCE RUN EAST ALONG SAID SOUTH RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 64 TO THE INTERSECTION OF SAID SOUTH RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 64 AND THE EXTENSION OF THE WEST LINE OF TAX PARCEL NO. 43-05-16-0-000-022.000; THENCE RUN NORTH ALONG SAID EXTENSION OF THE WEST LINE AND THE WEST LINE OF TAX PARCEL NO. 43-05-16-0-000-022.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL; THENCE RUN EAST ALONG THE NORTH LINE AND OF SAID TAX PARCEL NO. 43-05-16-0-000-022.000 TO THE INTERSECTION OF SAID NORTH LINE OF TAX PARCEL AND THE EAST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 13; THENCE RUN NORTH ALONG SAID EAST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 13 TO THE INTERSECTION OF SAID EAST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 13 AND THE EXTENSION OF THE NORTH BOUNDARY OF AUSTIN PLACE COMMERCIAL PARK, UNIT 3 AS RECORDED ON SLIDE NO. 2064 A IN THE OFFICE OF JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN WEST ALONG SAID EXTENSION OF NORTH BOUNDARY AND THE NORTH BOUNDARY OF SAID AUSTIN PLACE COMMERCIAL PARK, UNIT 3 TO THE NORTHWEST CORNER OF SAID AUSTIN PLACE COMMERCIAL PARK PLACE, UNIT 3 ALSO BEING THE NORTHEAST CORNER OF AUSTIN PLACE COMMERCIAL PARK, PHASE 2 AS RECORDED ON SLIDE NO. 1886 A IN THE OFFICE OF JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE CONTINUE WEST ALONG THE NORTH BOUNDARY OF SAID AUSTIN PLACE COMMERCIAL PARK, PHASE 2 TO THE NORTHWEST CORNER OF SAID AUSTIN PLACE COMMERCIAL PARK, PHASE 2 ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-020.001; THENCE RUN NORTH ALONG THE WEST LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-020.001 TO THE NORTHWEST CORNER OF SAID TAX PARCEL, ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-018.000; THENCE RUN EAST ALONG THE SOUTH LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-018.000 TO THE SOUTHEAST CORNER OF SAID TAX

PARCEL; THENCE RUN NORTH ALONG THE EAST LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-018.000 TO THE NORTHEAST CORNER OF SAID TAX PARCEL; THENCE RUN WEST ALONG THE NORTH LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-018.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL, ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-017.005; THENCE RUN NORTH ALONG THE WEST LINE OF SAID TAX PARCEL NO. 43-05-16-0-00-017.005 TO THE NORTHWEST CORNER OF SAID TAX PARCEL, ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-016.000; THENCE CONTINUE NORTH ALONG THE WEST LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-016.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL, ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-013.000; THENCE CONTINUE NORTH ALONG THE WEST LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-013.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL, ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-012.003; THENCE CONTINUE NORTH ALONG THE WEST LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-012.003 TO THE NORTHWEST CORNER OF SAID TAX PARCEL, ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-012.000; THENCE CONTINUE NORTH ALONG THE WEST LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-012.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL, ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-011.000; THENCE CONTINUE NORTH ALONG THE WEST LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-011.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL; THENCE RUN EAST ALONG THE NORTH LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-011.000 TO THE NORTHEAST CORNER OF SAID TAX PARCEL, ALSO BEING THE NORTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-010.000; THENCE CONTINUE EAST ALONG THE NORTH LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-010.000 TO THE NORTHEAST CORNER OF SAID TAX PARCEL, ALSO BEING THE NORTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-009.000; THENCE CONTINUE EAST ALONG THE NORTH LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-009.000 TO THE NORTHEAST CORNER OF SAID TAX PARCEL, ALSO BEING THE NORTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-008.000; THENCE CONTINUE EAST ALONG THE NORTH LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-008.000 TO THE NORTHEAST CORNER OF SAID TAX PARCEL, ALSO BEING THE NORTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-007.000; THENCE CONTINUE EAST ALONG THE NORTH LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-007.000 TO THE INTERSECTION OF SAID NORTH LINE OF TAX PARCEL NO. 43-05-16-0-000-007.000 AND THE WEST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO.13; THENCE RUN SOUTH ALONG SAID WEST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO.13 TO THE INTERSECTION OF SAID WEST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO.13 AND THE NORTH LINE OF TAX PARCEL NO. 43-05-15-0-000-013.000 AND THE SOUTHWEST CORNER OF OTTAWA SPRINGS, PHASE ONE, AS RECORDED ON SLIDE NO. 2255-E, IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN EAST ALONG THE NORTH LINE OF TAX PARCEL NO. 43-05-15-0-000-013.000 AND ALONG OTTAWA SPRINGS, PHASE ONE, TO THE NORTHEAST CORNER OF SAID TAX PARCEL, ALSO BEING A POINT ON THE WEST LINE OF OTTAWA SPRINGS, PHASE TWO, AS RECORDED ON SLIDE NO. \_\_\_\_\_, IN THE OFFICE OF THE

JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH ALONG SAID WEST LINE OF OTTAWA SPRINGS, PHASE TWO, TO THE SOUTHWEST CORNER OF SAID SUBDIVISION, THENCE RUN EAST ALONG THE SOUTH LINE OF OTTAWA SPRINGS, PHASE TWO, TO THE SOUTHEAST CORNER OF SAID SUBDIVISION; THENCE RUN NORTH ALONG THE EAST LINE OF SAID SUBDIVISION TO THE NORTHEAST CORNER OF SAID SUBDIVISION; THENCE RUN WEST ALONG THE NORTH LINE OF SAID SUBDIVISION TO THE NORTHEAST CORNER OF SAID SUBDIVISION AND THE EAST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 13; THENCE RUN NORTH ALONG SAID EAST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 13 TO THE INTERSECTION OF SAID EAST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 13 AND THE SOUTH BOUNDARY OF ASHLEY PLACE SUBDIVISION AS RECORDED ON SLIDE NO. 1608 A IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN EAST ALONG SAID SOUTH BOUNDARY OF ASHLEY PLACE SUBDIVISION TO THE SOUTHEAST CORNER OF SAID SUBDIVISION; THENCE RUN NORTH ALONG THE EAST BOUNDARY OF SAID ASHLEY PLACE SUBDIVISION TO THE NORTHEAST CORNER OF SAID SUBDIVISION; THENCE RUN WEST ALONG THE NORTH BOUNDARY OF SAID ASHLEY PLACE SUBDIVISION TO NORTHWEST CORNER OF SAID SUBDIVISION AND THE EAST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 13; THENCE RUN NORTH ALONG SAID EAST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 13 TO THE INTERSECTION OF SAID EAST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 13 AND THE NORTH RIGHT-OF-WAY OF WHISPERING PINES ROAD; THENCE RUN WEST ALONG SAID NORTH RIGHT-OF-WAY OF WHISPERING PINES ROAD TO THE INTERSECTION OF SAID NORTH RIGHT-OF-WAY OF WHISPERING PINES ROAD AND THE EXTENSION OF THE WEST LINE OF TAX PARCEL NO. 43-02-09-0-000-011.001; THENCE RUN NORTH ALONG SAID EXTENSION OF THE WEST LINE AND THE WEST LINE OF TAX PARCEL NO. 43-02-09-0-000-011.001 TO THE NORTHWEST CORNER OF SAID TAX PARCEL; THENCE RUN EAST ALONG THE NORTH LINE OF SAID TAX PARCEL NO. 43-02-09-0-000-011.001 TO THE INTERSECTION OF THE NORTH LINE OF SAID TAX PARCEL AND THE WEST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 13; THENCE RUN SOUTH ALONG THE WEST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 13 TO THE INTERSECTION OF THE SAID WEST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 13 AND THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-02-09-0-000-011.001; THENCE RUN EAST ALONG THE EXTENSION OF THE SOUTH LINE OF SAID TAX PARCEL NO. 43-02-09-0-000-011.001 TO THE EAST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 13; THENCE RUN NORTH ALONG SAID EAST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 13 TO THE INTERSECTION OF SAID EAST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 13 AND THE NORTH RIGHT-OF-WAY OF PARKER LANE; THENCE RUN EAST ALONG SAID NORTH RIGHT-OF-WAY OF PARKER LANE TO THE INTERSECTION OF SAID NORTH RIGHT-OF-WAY OF PARKER LANE AND THE EAST LINE OF TAX PARCEL NO. 43-02-10-0-000-011.000; THENCE RUN NORTH ALONG EAST LINE OF TAX PARCEL NO. 43-02-10-0-000-011.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL, ALSO BEING A POINT ON THE SOUTH BOUNDARY OF SEHOY SUBDIVISION, PHASE ONE AS RECORDED ON SLIDE NO'S. 2068 C AND 2068 D IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA;

THENCE RUN EAST ALONG SAID SOUTH BOUNDARY OF SEHOY SUBDIVISION, PHASE ONE TO THE SOUTHEAST CORNER OF SAID SUBDIVISION, ALSO BEING THE SOUTHWEST CORNER OF SEHOY SUBDIVISION, PHASE THREE AS RECORDED ON SLIDE NO'S. 2112 C AND 2119 D IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE CONTINUE EAST ALONG THE SOUTH BOUNDARY OF SAID SEHOY SUBDIVISION, PHASE THREE TO THE SOUTHEAST CORNER OF SAID SUBDIVISION, ALSO BEING THE SOUTHWEST CORNER OF SEHOY SUBDIVISION, PHASE FOUR, AS RECORDED ON SLIDE NO. 2129 B IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE CONTINUE EAST ALONG THE SOUTH BOUNDARY OF SAID SEHOY SUBDIVISION, PHASE FOUR TO THE SOUTHEAST CORNER OF SAID SUBDIVISION; THENCE RUN NORTH ALONG THE EAST BOUNDARY OF SAID SEHOY SUBDIVISION, PHASE FOUR TO THE NORTHEAST CORNER OF SAID SUBDIVISION; THENCE RUN WEST ALONG THE NORTH BOUNDARY OF SAID SEHOY SUBDIVISION, PHASE FOUR TO THE NORTHWEST CORNER OF SAID SUBDIVISION, ALSO BEING THE NORTHEAST CORNER OF SAID SEHOY SUBDIVISION, PHASE THREE; THENCE CONTINUE WEST ALONG THE NORTH BOUNDARY OF SAID SEHOY SUBDIVISION, PHASE THREE TO THE NORTHWEST CORNER OF SAID SUBDIVISION, ALSO BEING THE NORTHEAST CORNER OF SAID SEHOY SUBDIVISION, PHASE ONE; THENCE CONTINUE WEST ALONG THE NORTH BOUNDARY OF SAID SEHOY SUBDIVISION, PHASE ONE TO THE NORTHWEST CORNER OF SAID SUBDIVISION, ALSO BEING THE NORTHWEST CORNER OF SEHOY SUBDIVISION, PHASE FIVE AS RECORDED ON SLIDE NO. 2219 C IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE CONTINUE WEST ALONG THE NORTH BOUNDARY OF SAID SEHOY SUBDIVISION, PHASE FIVE TO EAST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 13; THENCE RUN NORTH ALONG SAID EAST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 13 TO THE INTERSECTION OF SAID EAST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 13 AND THE EXTENSION OF THE SOUTH BOUNDARY 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 WEST ALONG SAID EXTENSION OF THE SOUTH BOUNDARY OF LAKE FOREST, UNIT 22 TO THE SOUTHEAST CORNER OF SAID LAKE FOREST, UNIT 22; THENCE RUN NORTH ALONG THE EAST BOUNDARY OF SAID LAKE FOREST, UNIT 22 TO THE INTERSECTION OF SAID EAST BOUNDARY OF LAKE FOREST, UNIT 22 AND THE NORTH LINE OF TAX PARCEL NO. 43-02-03-0-000-002.087; THENCE RUN EAST ALONG SAID NORTH LINE AND THE EXTENSION OF THE NORTH LINE OF TAX PARCEL NO. 43-02-03-0-000-002.087 TO THE INTERSECTION OF SAID EXTENSION OF THE NORTH LINE OF TAX PARCEL NO. 43-02-03-0-000-002.087 AND THE WEST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 13; THENCE RUN SOUTH ALONG SAID WEST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 13 TO THE INTERSECTION OF SAID WEST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 13 AND THE EXTENSION OF THE SOUTH LINE OF SAID TAX PARCEL NO. 43-02-03-0-000-002.087; THENCE RUN EAST ALONG SAID EXTENSION OF THE SOUTH LINE OF SAID TAX PARCEL NO. 43-02-03-0-000-002.087 TO THE INTERSECTION OF SAID EXTENSION OF THE SOUTH LINE AND THE EAST RIGHT-OF-WAY OF BALDWIN COUNTY

ROAD NO. 13; THENCE RUN NORTH ALONG THE EAST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 13 TO THE SOUTH BOUNDARY OF KRYSTAL RIDGE ESTATES, AS RECORDED ON SLIDE NO. \_\_\_\_\_ IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN EAST ALONG SAID EXTENSION OF THE SOUTH BOUNDARY AND THE SOUTH BOUNDARY OF KRYSTAL RIDGE ESTATES TO THE SOUTHEAST CORNER OF SAID KRYSTAL RIDGE ESTATES; THENCE RUN NORTH ALONG THE EAST BOUNDARY OF SAID KRYSTAL RIDGE ESTATES TO A POINT BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-02-03-0-000-002.001; THENCE RUN EAST ALONG THE SOUTH LINE OF SAID TAX PARCEL NO. 43-02-03-0-000-002.001 TO A POINT BEING THE NORTHWEST CORNER OF TAX PARCEL NO. 43-02-03-0-000-002.087; THENCE RUN SOUTHEASTERLY ALONG THE WEST LINE OF SAID TAX PARCEL NO. 43-02-03-0-000-002.087 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL; THENCE RUN EAST ALONG THE SOUTH LINE OF SAID TAX PARCEL NO. 43-02-03-0-000-002.087 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL; THENCE RUN NORTH ALONG THE EAST LINE OF SAID TAX PARCEL NO. 43-02-03-0-000-002.087 TO THE NORTHEAST CORNER OF SAID TAX PARCEL, ALSO BEING A POINT OF THE SOUTH LINE OF TAX PARCEL NO. 43-02-03-0-000-002.001; THENCE RUN EAST ALONG SAID SOUTH LINE OF TAX PARCEL NO. 43-02-03-0-000-002.001 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL; THENCE RUN NORTH ALONG THE EAST LINE AND THE EXTENSION OF THE NORTH LINE OF SAID TAX PARCEL NO. 43-02-03-0-000-002.001 TO THE INTERSECTION OF SAID EXTENSION OF THE EAST LINE OF TAX PARCEL NO. 43-02-03-0-000-002.001 AND THE SOUTH RIGHT-OF-WAY OF LAWSON ROAD; THENCE RUN EAST ALONG SAID SOUTH RIGHT-OF-WAY OF LAWSON ROAD TO THE INTERSECTION OF SAID SOUTH RIGHT-OF-WAY OF LAWSON ROAD AND THE WEST RIGHT-OF-WAY OF STATE HIGHWAY 181; THENCE RUN NORTH ALONG SAID WEST RIGHT-OF-WAY OF STATE HIGHWAY 181 TO A POINT ON THE NORTH RIGHT-OF-WAY OF LAWSON ROAD; THENCE RUN WEST ALONG SAID NORTH RIGHT-OF-WAY OF LAWSON ROAD TO THE INTERSECTION OF THE EAST BOUNDARY 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 NORTH ALONG SAID EAST BOUNDARY OF CANTERBURY PLACE, UNIT ONE TO THE NORTHEAST CORNER OF SAID CANTERBURY PLACE, UNIT ONE ALSO BEING THE SOUTHEAST 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 CONTINUE NORTH ALONG THE EAST BOUNDARY OF SAID CANTERBURY PLACE, UNIT TWO TO THE NORTHEAST CORNER OF SAID CANTERBURY PLACE, UNIT TWO ALSO BEING THE SOUTHEAST CORNER OF CANTERBURY PLACE, UNIT THREE AS RECORDED ON SLIDE NO. 1765 B IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE CONTINUE NORTH ALONG THE EAST LINE OF SAID CANTERBURY PLACE, UNIT THREE TO THE NORTHEAST CORNER OF SAID CANTERBURY PLACE, UNIT THREE; THENCE RUN WEST ALONG THE NORTH BOUNDARY OF SAID CANTERBURY PLACE, UNIT THREE TO THE NORTHWEST CORNER OF SAID CANTERBURY PLACE, UNIT THREE; THENCE RUN SOUTH ALONG THE WEST BOUNDARY OF SAID CANTERBURY PLACE, UNIT THREE TO THE SOUTHWEST CORNER OF SAID CANTERBURY PLACE, UNIT THREE ALSO

BEING THE NORTHWEST CORNER OF CANTERBURY PLACE, UNIT FOUR AS RECORDED ON SLIDE NO. 2013 E IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE CONTINUE SOUTH ALONG THE WEST BOUNDARY SAID CANTERBURY PLACE, UNIT FOUR TO THE INTERSECTION OF SAID WEST BOUNDARY OF CANTERBURY PLACE, UNIT FOUR AND THE NORTH RIGHT-OF-WAY OF LAWSON ROAD; THENCE RUN WEST ALONG SAID NORTH RIGHT-OF-WAY OF LAWSON ROAD TO THE INTERSECTION OF SAID NORTH RIGHT-OF-WAY OF LAWSON ROAD AND THE EAST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 13, ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-02-03-0-000-002.002; THENCE RUN NORTH ALONG THE EAST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 13 TO THE SOUTH RIGHT-OF-WAY OF U.S. HIGHWAY 90; THENCE RUN NORTH TO A POINT ON THE NORTH RIGHT-OF-WAY OF U.S. HIGHWAY 90; THENCE RUN EAST ALONG SAID NORTH RIGHT-OF-WAY OF U.S. HIGHWAY 90 TO THE INTERSECTION OF THE NORTH RIGHT-OF-WAY OF U.S. HIGHWAY 90 AND THE WEST RIGHT-OF-WAY OF STATE HIGHWAY 181; THENCE RUN NORTH ALONG THE WEST RIGHT-OF-WAY OF STATE HIGHWAY 181 TO THE INTERSECTION OF SAID WEST RIGHT-OF-WAY OF STATE HIGHWAY 181 AND THE SOUTHWEST CORNER OF TAX PARCEL NO. 32-08-34-0-000-002.019; THENCE RUN WEST ALONG THE SOUTH LINE OF SAID TAX PARCEL NO. 32-08-34-0-000-002.019 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL; THENCE RUN NORTH ALONG SAID TAX PARCEL NO. 32-08-34-0-000-002.019 TO THE NORTHWEST CORNER OF SAID TAX PARCEL; THENCE RUN EAST ALONG THE NORTH LINE OF SAID TAX PARCEL NO. 32-08-34-0-000-002.019 TO THE NORTHEAST CORNER OF SAID TAX PARCEL, ALSO BEING A POINT ON THE WEST RIGHT-OF-WAY OF STATE HIGHWAY 181; THENCE RUN NORTH ALONG THE WEST RIGHT-OF-WAY OF STATE HIGHWAY 181 TO A POINT ON THE SOUTH RIGHT-OF-WAY OF INTERSTATE 10. THENCE RUN EAST ALONG THE SOUTH RIGHT-OF-WAY OF INTERSTATE 10 TO A POINT ON THE EAST RIGHT-OF-WAY OF STATE HIGHWAY 181; THENCE RUN SOUTH ALONG SAID EAST RIGHT-OF-WAY OF STATE HIGHWAY 181 TO THE INTERSECTION OF SAID EAST RIGHT-OF-WAY OF STATE HIGHWAY 181 AND THE NORTH RIGHT-OF-WAY OF U.S. HIGHWAY 90, ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 32-07-35-0-000-001.118; THENCE RUN EAST ALONG SAID NORTH RIGHT-OF-WAY OF U.S. HIGHWAY 90 AND ALONG THE SOUTH LINE OF SAID TAX PARCEL NO. 32-07-35-0-000-001.118 TO THE SOUTHWEST CORNER OF THE WEST BOUNDARY LINE OF HISTORIC MALBIS SUBDIVISION, PHASE ONE, AS RECORDED ON SLIDE NO'S. 1855-A AND 1855-B IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE CONTINUE EAST ALONG SAID NORTH RIGHT-OF-WAY OF U.S. HIGHWAY 90 AND ALONG THE SOUTH BOUNDARY LINE OF HISTORIC MALBIS SUBDIVISION, PHASE ONE TO THE INTERSECTION OF THE NORTH RIGHT-OF-WAY OF U.S. HIGHWAY 90 AND THE WEST BOUNDARY LINE OF HISTORIC MALBIS SUBDIVISION, PHASE TWO, PART B AS RECORDED ON SLIDE NO'S. 1930-B AND 1931-A IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE CONTINUE EAST ALONG THE NORTH RIGHT-OF-WAY OF U.S. HIGHWAY 90 AND ALONG THE SOUTH BOUNDARY LINE OF HISTORIC MALBIS SUBDIVISION, PHASE TWO, PART B, TO THE EAST BOUNDARY LINE OF SAID HISTORIC MALBIS SUBDIVISION, PHASE TWO, PART B, ALSO BEING

THE SOUTHWEST CORNER OF TAX PARCEL NO. 32-07-35-0-000-001.008; THENCE CONTINUE EAST ALONG THE NORTH RIGHT-OF-WAY OF U.S. HIGHWAY 90 AND ALONG THE SOUTH LINE OF SAID TAX PARCEL NO. 32-07-35-0-000-001.008 TO THE POINT OF BEGINNING.

ANNEXATION DESCRIPTION 2

ALL OF TAX PARCEL NO'S. 43-02-09-0-000-001.000 AND 43-02-09-0-000-004.000, BALDWIN COUNTY, ALABAMA

ANNEXATION DESCRIPTION 3

ALL OF TAX PARCEL NO'S. 43-05-16-0-000-028.006 AND 43-05-16-0-000-028.005 BALDWIN COUNTY, ALABAMA.

ANNEXATION DESCRIPTION 4

BEGINNING AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 13 AND THE EAST LINE OF TAX PARCEL NO. 32-08-33-0-000-018.002; THENCE RUN SOUTHEASTERLY ALONG THE WEST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 13 TO THE INTERSECTION OF THE SAID WEST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 13 AND THE NORTH RIGHT-OF-WAY OF LAWSON ROAD; THENCE RUN WEST ALONG SAID NORTH RIGHT-OF-WAY OF LAWSON ROAD TO THE INTERSECTION OF SAID NORTH RIGHT-OF-WAY OF LAWSON ROAD AND THE EXTENSION OF THE EAST LINE OF TAX PARCEL NO. 43-02-03-0-000-002.006; THENCE RUN NORTH ALONG SAID EXTENSION OF THE EAST LINE AND THE EAST LINE OF TAX PARCEL NO. 43-02-03-0-000-002.006 TO THE NORTHEAST CORNER OF SAID TAX PARCEL; THENCE RUN WEST ALONG THE NORTH LINE OF SAID TAX PARCEL NO. 43-02-03-0-000-002.006 TO THE NORTHWEST CORNER OF SAID TAX PARCEL, ALSO BEING A POINT ON THE EAST BOUNDARY OF LAKE FOREST, UNIT 25 AS RECORDED IN MAP BOOK 8, PAGE 86 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH ALONG SAID EAST BOUNDARY OF LAKE FOREST, UNIT 25 TO THE NORTHEAST CORNER OF SAID LAKE FOREST, UNIT 25 ALSO BEING THE SOUTHEAST CORNER OF TAX PARCEL NO. 32-08-33-0-001-018.012; THENCE CONTINUE NORTH ALONG THE EAST LINE SAID TAX PARCEL NO. 32-08-33-0-001-018.012 TO THE POINT OF BEGINNING.

**CITY OF DAPHNE**

**RESOLUTION 2007-34**

**Support a Request for Proposal for the Completion of an Access Management Plan for Alabama State Highway 181**

**WHEREAS**, the City of Daphne, City Council recognizes the need for a access management plan for Alabama State Highway 181, and;

**WHEREAS**, the City of Daphne is committed to the health and welfare of its citizens, and;

**WHEREAS**, the goal of the corridor study is to enhance safety and preserve capacity of Alabama State Highway 181, and;

**WHEREAS**, in addition, the study will develop and recommend policies that are consistent with smart growth strategies and promote access management.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA** that the City of Daphne gives its backing that a request for proposal for the completion of an access management plan for Alabama State Highway 181 be conduct with the understanding that if the cost is acceptable a prorated share of the cost would be divided among the City of Daphne, City of Fairhope, Baldwin County and the Alabama Department of Transportation.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA THIS** \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**GREG BURNAM,**  
**COUNCIL PRESIDENT**  
Date & Time Signed: \_\_\_\_\_

\_\_\_\_\_  
**FRED SMALL,**  
**MAYOR**  
Date & Time Signed: \_\_\_\_\_

**ATTEST:**

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

**ORDINANCE NO. 2007- 17**

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

**Vilia Marino Trust**

**(Property located on the Southeast of intersection of Pollard Road and County Road 64 )**

**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 January 25, 2007 and a affirmative recommendation was **approved** for the City Council to consider said request for annexation and said property **shall be zoned B-2, General Business District**; and,

**WHEREAS**, after proper publication, a public hearing was held by the City Council on April 2, 2007 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:**

Lot 2, Jubilee Ridge, as recorded in Slide 2248 D in the office of the Judge of Probate, Baldwin County, Alabama.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA** on this \_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**Greg Burnam**  
**Council President**  
Date & Time Signed: \_\_\_\_\_

\_\_\_\_\_  
**Fred Small**  
**Mayor**  
Date & Time Signed: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
**David L. Cohen**  
**City Clerk, MMC**

MARINO ANNEXATION  
LOT 2, JUBILEE RIDGE SUBDIVISION  
EXHIBIT "A"

**EXHIBIT "A"**

File No.: ATY-056479373

COMMENCING AT THE NORTHWEST CORNER OF SECTION 21, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE EAST ALONG THE NORTH LINE OF SECTION 21, A DISTANCE OF 947.80 FEET; THENCE SOUTH 01 DEGREES 29 MINUTES WEST 442.12 FEET; THENCE NORTH 89 DEGREES 55 MINUTES 38 SECONDS EAST 389.85 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HERIN DESCRIBED; THENCE SOUTH 00 DEGREES 33 MINUTES 30 SECONDS WEST 883.60 FEET; THENCE NORTH 89 DEGREES 48 MINUTES 53 SECONDS EAST 662.50 FEET; THENCE NORTH 00 DEGREES 20 MINUTES 23 SECONDS EAST 984.12 FEET; THENCE SOUTH 89 DEGREES 59 MINUTES 36 SECONDS WEST 600.23 FEET; THENCE NORTH 00 DEGREES 16 MINUTES 56 SECONDS WEST 300.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF COUNTY HIGHWAY NO. 64 (AN 80 FOOT RIGHT OF WAY); THENCE SOUTH 89 DEGREES 59 MINUTES 36 SECONDS WEST ALONG SAID RIGHT OF WAY LINE 60.00 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 56 SECONDS EAST 402.60 FEET TO THE POINT OF BEGINNING. SUBJECT TO AN EASEMENT FOR INGRESS AND EGRESS ACROSS THE WESTERMOST 60 FEET.

AND

**EXHIBIT "B"**  
**EASEMENT FOR INGRESS AND EGRESS**

COMMENCING AT THE NORTHWEST CORNER OF SECTION 21, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE EAST ALONG THE NORTH LINE OF SECTION 21, A DISTANCE OF 947.80 FEET; THENCE SOUTH 01°-29'-00" WEST 442.12 FEET; THENCE NORTH 89°-55'-38" EAST 389.85 FEET; THENCE NORTH 00°-16'-56" WEST 102.60 FEET TO THE POINT OF BEGINNING OF THE EASEMENT HERIN DESCRIBED; THENCE CONTINUE NORTH 00°-16'-56" WEST 300.00 FEET TO A POINT ON THE SOUTH LINE OF BALDWIN COUNTY HIGHWAY 64; THENCE NORTH 89°-59'-36" EAST ALONG SAID SOUTH LINE 60.00 FEET; THENCE SOUTH 00°-16'-56" EAST 300.00 FEET; THENCE SOUTH 89°-59'-36" WEST 60.00 FEET TO THE POINT OF BEGINNING.



**ORDINANCE NO. 2007 - 18**

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

**OLD FIELD SUBDIVISION  
(Property located on Alabama State Highway 181 )**

**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, 22, 2007 and a affirmative recommendation was **approved** for the City Council to consider said request for annexation and said property **shall be zoned B-1, Local Business District**; and,

**WHEREAS**, after proper publication, a public hearing was held by the City Council on April 2, 2007 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:**

COMMENCE AT A RAILROAD SPIKE MARKER AT THE "LOCALLY ACCEPTED" NORTHEAST CORNER OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 2 EAST, SAINT STEPHENS MERIDIAN, AND RUN THENCE NORTH 89 DEGREES 30 MINUTES 17 SECONDS WEST, A DISTANCE OF 40.00 FEET TO A CAPPED IRON PIN MARKER ON THE WEST RIGHT-OF-WAY OF ALABAMA STATE HIGHWAY NO. 181; THENCE RUN SOUTH 00 DEGREES 41 MINUTES 56 SECONDS WEST, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 1033.66 FEET FOR A POINT OF BEGINNING: THENCE CONTINUE SOUTH 00 DEGREES 41 MINUTES 56 SECONDS WEST, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 350.55 FEET; THENCE RUN SOUTH 89 DEGREES 52 MINUTES 20 SECONDS WEST, A DISTANCE OF 537.27 FEET; THENCE RUN SOUTH 85 DEGREES 33 MINUTES 41 SECONDS WEST, A DISTANCE OF 262.08 FEET; THENCE RUN NORTH 01 DEGREES 33 MINUTES 25 SECONDS EAST, A DISTANCE OF 207.83 FEET; THENCE RUN NORTH 47 DEGREES 45 MINUTES 52 SECONDS WEST, A DISTANCE OF 95.68 FEET; THENCE RUN NORTHEASTWARDLY, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 467.72 FEET, AN ARC DISTANCE OF 223.09 FEET, (CHORD BEARS NORTH 84 DEGREES 10 MINUTES 09 SECONDS EAST, 220.98 FEET); THENCE RUN NORTH 70 DEGREES 30 MINUTES 13 SECONDS EAST, A DISTANCE OF 174.96 FEET; THENCE RUN NORTHEASTWARDLY, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 400.00 FEET, AN ARC DISTANCE OF 140.54 FEET, (CHORD BEARS NORTH 80 DEGREES 34 MINUTES 09 SECONDS EAST, 139.82 FEET); THENCE RUN SOUTH 89 DEGREES 21 MINUTES 55 SECONDS EAST, A DISTANCE OF 345.36 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 6.03 ACRES, MORE OR LESS, AND LIES IN THE NORTHEAST QUARTER OF SECTION 34 , TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA** on this \_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**Greg Burnam**  
**Council President**  
 Date & Time Signed: \_\_\_\_\_

\_\_\_\_\_  
**Fred Small**  
**Mayor**  
 Date & Time Signed: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
**David L. Cohen**  
**City Clerk, MMC**

**EXHIBIT "A"**

**OLDFIELD  
PROPOSED B-1**

**DESCRIPTION TO ACCOMPANY SKETCH OF 6.03 ACRES TO-WIT:**

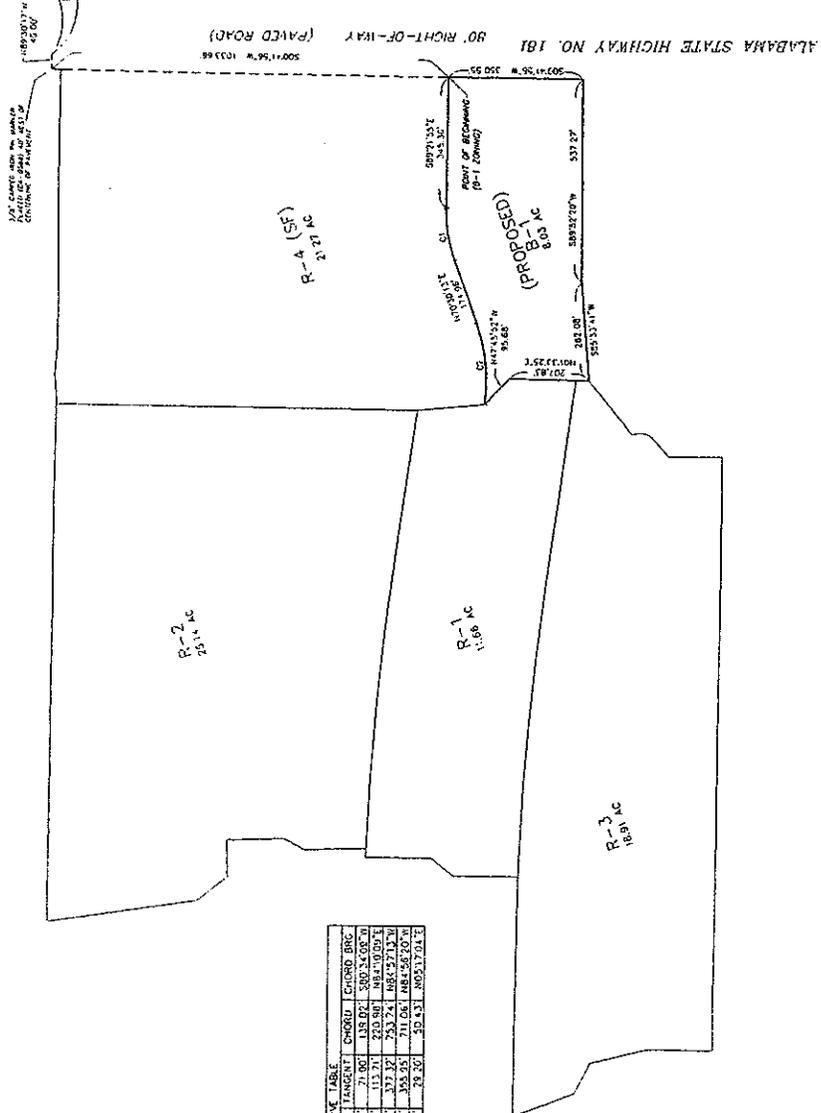
COMMENCE AT A RAILROAD SPIKE MARKER AT THE "LOCALLY ACCEPTED" NORTHEAST CORNER OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 2 EAST, SAINT STEPHENS MERIDIAN, AND RUN THENCE NORTH 89 DEGREES 30 MINUTES 17 SECONDS WEST, A DISTANCE OF 40.00 FEET TO A CAPPED IRON PIN MARKER ON THE WEST RIGHT-OF-WAY OF ALABAMA STATE HIGHWAY NO. 181; THENCE RUN SOUTH 00 DEGREES 41 MINUTES 56 SECONDS WEST, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 1033.66 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE SOUTH 00 DEGREES 41 MINUTES 56 SECONDS WEST, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 350.55 FEET; THENCE RUN SOUTH 89 DEGREES 52 MINUTES 20 SECONDS WEST, A DISTANCE OF 537.27 FEET; THENCE RUN SOUTH 85 DEGREES 33 MINUTES 41 SECONDS WEST, A DISTANCE OF 262.08 FEET; THENCE RUN NORTH 01 DEGREES 33 MINUTES 25 SECONDS EAST, A DISTANCE OF 207.83 FEET; THENCE RUN NORTH 47 DEGREES 45 MINUTES 52 SECONDS WEST, A DISTANCE OF 95.68 FEET; THENCE RUN NORTHEASTWARDLY, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 467.72 FEET, AN ARC DISTANCE OF 223.09 FEET, (CHORD BEARS NORTH 84 DEGREES 10 MINUTES 09 SECONDS EAST, 220.98 FEET); THENCE RUN NORTH 70 DEGREES 30 MINUTES 13 SECONDS EAST, A DISTANCE OF 174.96 FEET; THENCE RUN NORTHEASTWARDLY, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 400.00 FEET, AN ARC DISTANCE OF 140.54 FEET, (CHORD BEARS NORTH 80 DEGREES 34 MINUTES 09 SECONDS EAST, 139.82 FEET); THENCE RUN SOUTH 89 DEGREES 21 MINUTES 55 SECONDS EAST, A DISTANCE OF 345.36 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 6.03 ACRES, MORE OR LESS, AND LIES IN THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.

(DESCRIPTION COMPOSED FROM PROBATE RECORDS)

  
\_\_\_\_\_  
ENGINEERING DEVELOPMENT SERVICES, L.L.C.  
DAVID E DIEHL AL. P.L.S. NO. 26014

**OLDFIELD**  
(FORMERLY KNOWN AS COTTONWOOD)

271.26  
10.00  
34.35



CURVE	LENGTH	RADIUS	TANGENT	CHORD	CHORD BPC
C1	119.24'	400.00'	71.00'	119.00'	500.54' (C.O.D.)
C2	323.09'	467.74'	113.71'	220.90'	884.10' (C.O.D.)
C3	74.65'	7740.00'	372.37'	753.24'	1681.27' (C.O.D.)
C4	711.33'	7250.00'	358.95'	711.06'	1481.96' (C.O.D.)
C5	54.88'	20190'	79.30'	59.43'	1005.17' (C.O.D.)

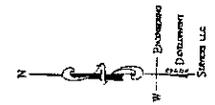
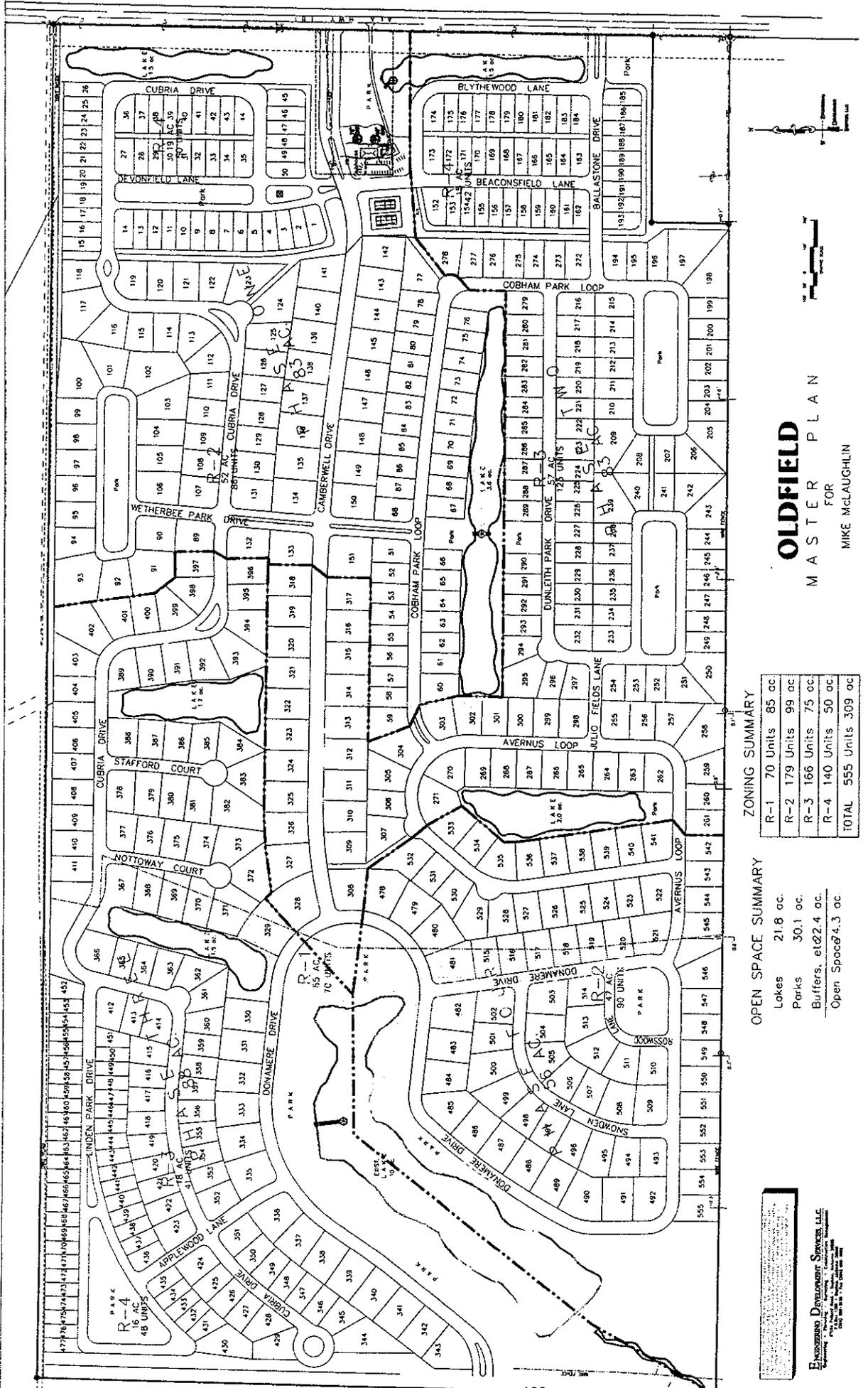


EXHIBIT "B"



**OLDFIELD**  
MASTER PLAN  
FOR  
MIKE McLAUGHLIN

ZONING SUMMARY

R-1	70 Units	85 ac
R-2	179 Units	99 ac
R-3	166 Units	75 ac
R-4	140 Units	50 ac
<b>TOTAL</b>	<b>555 Units</b>	<b>309 ac</b>

OPEN SPACE SUMMARY

- Lakes 21.8 ac.
- Parks 30.1 ac.
- Buffers, et al 2.4 ac.
- Open Space 4.3 ac.

**Business Development Services, LLC**  
 10000 Oldfield Drive, Suite 100  
 Oldfield, MA 01067  
 Phone: 413-542-1111  
 Fax: 413-542-1112  
 Email: info@bdsllc.com

**ORDINANCE NO. 2007 - 19**

**Ordinance to Rezone Property Located on Southwest corner of the intersection of  
Lawson Road and County Road 13 (14 Acres)  
Malbis Plantation, Inc.**

**WHEREAS**, the owners of certain real property within the City of Daphne, Alabama, have requested that said property be rezoned from R-3, High Density Single Family Residential District, to B-1, Local Business District, to said property is located on Southwest corner of the intersection of Lawson Road and County Road 13, Alabama, being more particularly described as follows:

**Legal Description:**

BEGINNING AT THE SOUTHEAST CORNER OF LOT 198, LAKE FOREST, UNIT 22 AS RECORDED IN MAP BOOK 8, PAGE 73 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN N-00°18'45"-E ALONG THE EAST BOUNDARY LINE OF SAID LAKE FOREST, UNIT 22, 1191.37 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF LAWSON ROAD; THENCE RUN S-89°45'29"-E ALONG SAID SOUTH RIGHT-OF-WAY OF LAWSON ROAD, 532.90 FEET TO A POINT; THENCE RUN S-54°28'57"-E LEAVING SAID SOUTH RIGHT-OF-WAY OF LAWSON ROAD, 86.68 FEET TO A POINT ON THE WEST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NUMBER 13; THENCE RUN SOUTHWESTERLY ALONG SAID WEST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NUMBER 13 AND ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 765.21, A DELTA ANGLE OF 13°55'36", A CHORD OF WHICH BEARS S-07°37'08"-W, 185.54, AN ARC DISTANCE OF 186.00 FEET TO A POINT; THENCE RUN S-14°34'56"-W ALONG SAID WEST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NUMBER 13, 905.83 FEET TO A POINT; THENCE RUN S-21°22'47"-W ALONG SAID WEST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NUMBER 13, 100.71 FEET TO A POINT; THENCE RUN S-14°32'11"-W ALONG SAID WEST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NUMBER 13, 10.01 FEET TO A POINT; THENCE RUN N-89°45'17"-W LEAVING SAID WEST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NUMBER 13, 318.20 FEET TO A POINT ON THE SAID EAST BOUNDARY LINE OF LAKE FOREST, UNIT 22; THENCE RUN N-00°18'45"-E ALONG SAID EAST BOUNDARY LINE OF LAKE FOREST, UNIT 22, 23.89 FEET TO THE POINT OF BEGINNING. CONTAINING 13.41± ACRES, MORE OR LESS.

**WHEREAS**, the Planning Commission of the City of Daphne on February 22, 2007 has considered said request and set forth an affirmative recommendation to the City Council of the City of Daphne that said property be rezoned; and,

**WHEREAS**, after proper publication, a public hearing was held by the City Council on Monday, April 2, 2007 concerning the requested rezoning.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA**, that said property described above is hereby rezoned from R-3, High Density Single Family Residential District, to B-1, Local Business District and that the zoning ordinance and zoning map be amended to reflect the said zoning change.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS \_\_\_\_ day of \_\_\_\_\_, 2007.**

\_\_\_\_\_  
**Greg Burnam, Council President**  
Date & Time Signed:\_\_\_\_\_

\_\_\_\_\_  
**Fred Small, Mayor**  
Date & Time Signed:\_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
**David L. Cohen**  
City Clerk, MMC

MALBIS PLANTATION, INC.  
ZONING AMENDMENT

EXHIBIT "A"

LEGAL DESCRIPTION:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 198, LAKE FOREST, UNIT 22 AS RECORDED IN MAP BOOK 8, PAGE 73 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN N-00°18'45"-E ALONG THE EAST BOUNDARY LINE OF SAID LAKE FOREST, UNIT 22, 1191.37 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF LAWSON ROAD; THENCE RUN S-89°45'29"-E ALONG SAID SOUTH RIGHT-OF-WAY OF LAWSON ROAD, 532.90 FEET TO A POINT; THENCE RUN S-54°28'57"-E LEAVING SAID SOUTH RIGHT-OF-WAY OF LAWSON ROAD, 86.68 FEET TO A POINT ON THE WEST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NUMBER 13; THENCE RUN SOUTHWESTERLY ALONG SAID WEST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NUMBER 13 AND ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 765.21, A DELTA ANGLE OF 13°55'36", A CHORD OF WHICH BEARS S-07°37'08"-W, 185.54, AN ARC DISTANCE OF 186.00 FEET TO A POINT; THENCE RUN S-14°34'56"-W ALONG SAID WEST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NUMBER 13, 905.83 FEET TO A POINT; THENCE RUN S-21°22'47"-W ALONG SAID WEST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NUMBER 13, 100.71 FEET TO A POINT; THENCE RUN S-14°32'11"-W ALONG SAID WEST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NUMBER 13, 10.01 FEET TO A POINT; THENCE RUN N-89°45'17"-W LEAVING SAID WEST RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NUMBER 13, 318.20 FEET TO A POINT ON THE SAID EAST BOUNDARY LINE OF LAKE FOREST, UNIT 22; THENCE RUN N-00°18'45"-E ALONG SAID EAST BOUNDARY LINE OF LAKE FOREST, UNIT 22, 23.89 FEET TO THE POINT OF BEGINNING, CONTAINING 13.41± ACRES, MORE OR LESS.

REFERENCE: WHITE – SPUNNER & ASSOCIATES

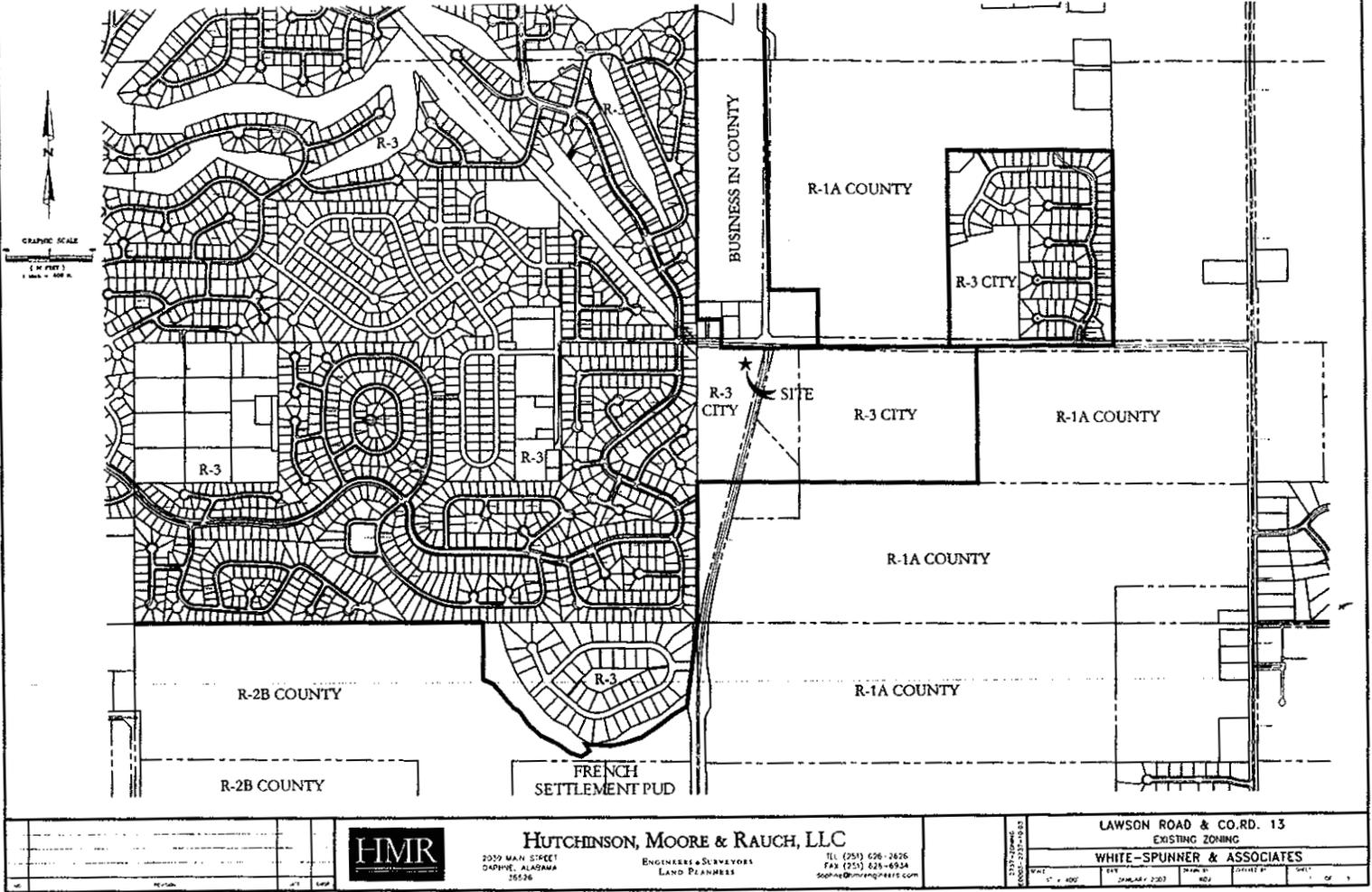


Exhibit "B"  
 malbis plantation, inc  
 zoning amendment  
 13/lawson

# CITY OF DAPHNE

## ORDINANCE NO. 2007-20

### AN ORDINANCE FOR MODIFYING AND AMENDING SANITARY SEWER IMPROVEMENT ORDINANCE NO. 2007-05

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**WHEREAS**, at a regular meeting of the City Council of the City of Daphne, held on the 5<sup>th</sup> day of February, 2007, Improvement Ordinance No. 2007-05 was adopted and notice of the adoption of said ordinance was given by publication of said ordinance in The Bulletin, a newspaper published in and of general circulation in the City of Daphne, in the issues of February 17, 2007 and February 24, 2007, which said ordinance stated that the City Council of the City of Daphne would meet on the 5<sup>th</sup> day of March, 2007, at 6:30 o'clock P.M. at the City Hall of the City of Daphne to hear objections, remonstrance, or protests that might be made to said improvements or the character of the material or materials to be used, and the manner of making the same; and

**WHEREAS**, a copy of Said Improvement Ordinance No. 2007-05 was sent by registered mail, postage prepaid, to each of the property owners of record last assessed at their last known addresses for City taxation for the property proposed to be assessed for said improvements; said notice having been mailed on the 22<sup>nd</sup> day of February, 2007, more than ten days prior to the 5<sup>th</sup> day of March, 2007 and receipt confirmation notices received for each parcel; and

**WHEREAS**, the persons owning property on US 90, namely, William Estes, Tripp Pittman, Mike Commiskey spoke to the sewer improvement along US 90 and were heard, and considered, and Improvement Ordinance No. 2007-05 amended and modified by permitting either gravity sewer or force main from the beginning point described in Ordinance 2007-05 point to the lift station site which is approximately 1,900 linear feet of sanitary sewer main as discussed at the public hearing on March 5, 2007. As requested by participants at the public hearing a meeting was held on March 13, 2007 at the offices of HMR with all interested parties from the public hearing that requested a meeting to review the plans. Also, additional meetings were held with interested parties on March 20 and 27, 2007; and

**WHEREAS**, as stated in the Public Hearing, the assessment will be based on the acreage of property included in the assessment; and

**WHEREAS**, there were no protests, objections, or remonstrances against said improvements, or the character of materials to be used and the manner of making said improvements have been filed in writing with the City Clerk or in that office, or have been made at this meeting except as noted above; and

**WHEREAS**, the Mayor and City Council recognize the importance of promoting the health, safety and welfare of its citizens and the environment by providing adequate utilities including sanitary sewer for its residents; and

**WHEREAS**, the Mayor and City Council desire to amend Sanitary Sewer Improvement Ordinance No. 2007-05 regarding allowing either gravity or force main in Section 1 of said ordinance;

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

**SECTION I:** That Section 1(a) of Sanitary Sewer Improvement Ordinance No 2007-05 is hereby modified and amended to read as follows:

Section 1(a): US 90 – The sanitary sewer service area begins parallel to the north right of way of US 90 approximately 1,600 feet west of the west right of way line of Highway 181. From this beginning point, the sanitary sewer extends westward parallel to the US 90 north right of way approximately 1,900 linear feet with gravity sanitary sewer main and associated manholes or force main to a lift station site. From this lift station site, a sanitary sewer pressure force main continues westward approximately 1,900 linear feet to a point near Highway 13. From this point, the sanitary sewer pressure force main is increased in size and continues westward approximately 4,850 feet to the next lift station site. From the second lift station site, which is west of Highway 13, a sanitary sewer pressure force main extends westward approximately 5,100 linear feet to a point parallel to the north right of way line of US 90. From this point, which is east of the Lake Forrest Subdivision entrance along US 90, the sanitary sewer pressure force main extends approximately 500 feet in a north direction to the right of way line of Interstate 10. A bore approximately 200 linear feet will be installed beneath Interstate 10 with an encasement and sanitary sewer pressure force main for connection to an existing ten inch diameter force main located along the north right of way of interstate 10. Also, two additional bores, each approximately 160 linear feet, with an encasement and sanitary sewer pressure force main will be constructed beneath US 90 adjacent to either side of the Highway 13 right of way.

**SECTION II: Severability Clause:** The provisions of the Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a Court of competent jurisdiction, such declarations 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.

**SECTION IV:** The remainder of Ordinance No. 2007-05 shall remain in full force and effect.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF  
DAPHNE, ALABAMA THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007.

\_\_\_\_\_  
**GREG BURNAM**  
**COUNCIL PRESIDENT**  
Date & Time Signed: \_\_\_\_\_

\_\_\_\_\_  
**FRED SMALL**  
**MAYOR**  
Date & Time Signed: \_\_\_\_\_

**ATTEST:**

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

**CITY OF DAPHNE  
ORDINANCE 2007 - 21**

**AN ORDINANCE CONSENTING TO THE EXCHANGE OF CERTAIN PROPERTY BY  
THE UTILITIES BOARD OF THE CITY OF DAPHNE**

**WHEREAS**, the Utilities Board of the City of Daphne (“Daphne Utilities”) is required to receive the consent of the City of Daphne before it sells or exchanges property under the provisions of Ala. Code § 11-50-314(a)(10); and

**WHEREAS**, the management of Daphne Utilities has determined that it is in the best interest of Daphne Utilities to exchange the property described on Exhibit “A” for property presently owned by Riviera Utilities, as described on Exhibit “B”; and

**WHEREAS**, the Board of Directors of Daphne Utilities has approved the exchange of the property described on Exhibit A for the property described on Exhibit B.

**NOW, THEREFORE, BE IT ORDAINED** that the City Council of the City of Daphne does hereby consent to the exchange by Daphne Utilities of the property described on Exhibit “A”, which it presently owns, for the property described on Exhibit “B”, which is presently owned by Riviera Utilities.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE,  
ALABAMA on this \_\_\_\_\_ day of \_\_\_\_\_, 2007.**

\_\_\_\_\_  
**Greg Burnam,**  
**Council President**  
Date & Time Signed: \_\_\_\_\_

\_\_\_\_\_  
**Fred Small**  
**Mayor**  
Date & Time Signed: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
**David L. Cohen,**  
**City Clerk, MMC**

**EXHIBIT "A"**

Commencing at the Southwest corner of Section 20, Township 5 South, Range 2 East, Baldwin County, Alabama, run thence South 89 degrees 42 minutes 30 seconds East, 417.98 feet to a point; thence run North 00 degrees 15 minutes 01 seconds East, 40 feet to a capped steel rod, said steel rod being on the North right of way line of Johnson Road (right of way varies, paved) for the POINT OF BEGINNING; thence run North 00 degrees 15 minutes 01 seconds East, 224.93 feet to a steel rod; thence run South 89 degrees 25 minutes 33 seconds East, 231.58 feet to a point on the West right of way line of "Shop Lane"; thence run South 00 degrees 18 minutes 36 seconds West, along said West right of way line, 223.86 feet to a point; thence run North 89 degrees 41 minutes 24 seconds West, along the North right of way line of said Johnson Road, 231.34 feet to the POINT OF BEGINNING.

**EXHIBIT “B”**

Lots 13 and 14, Block One of the Mancini & Trione Subdivision of the Town of Daphne, Alabama, as recorded in Map Book 1, Page 41 (Slide 21A; Instrument No. 823715), Baldwin County Probate Court records.

**CITY OF DAPHNE  
ORDINANCE 2007 – 22**

**AN ORDINANCE CONSENTING TO THE SALE BY THE UTILITIES BOARD OF THE  
CITY OF DAPHNE OF CERTAIN PERSONAL PROPERTY SURPLUS**

**WHEREAS**, the Utilities Board of the City of Daphne (“Daphne Utilities”) is required to receive the consent of the City of Daphne before it sells property under the provisions of Ala. Code § 11-50-314(a)(10); and

**WHEREAS**, the management of Daphne Utilities has determined that it is in the best interest of Daphne Utilities to sell the personal property described on Exhibit “A”; and

**WHEREAS**, the Board of Directors of Daphne Utilities has approved the sale of the personal property described on Exhibit “A”.

**NOW, THEREFORE, BE IT ORDAINED** that the City Council of the City of Daphne does hereby consent to the sale by Daphne Utilities of the personal property described on Exhibit “A”.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE,  
ALABAMA on this \_\_\_\_\_ day of \_\_\_\_\_, 2007.**

\_\_\_\_\_  
**Greg Burnam,**  
**Council President**  
Date & Time Signed: \_\_\_\_\_

\_\_\_\_\_  
**Fred Small,**  
**Mayor**  
Date & Time Signed: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
**David L. Cohen,**  
**City Clerk, MMC**

DEPARTMENT	TRUCK #	YEAR	MAKE & MODEL	TAG #	VIN	ODOM	ODOM DATE	
10 - ADMIN	83	1997	CHEV S-10	6566	1GCCS14XXV8156799	155531	2/19/2007	Salvage
10 - ADMIN	35	1990	CHEVY 3500 w/ Utility Body	3920	1GBGC34N6LE177483	213166	2/19/2007	Salvage
30 - GAS	9	1984	DODGE RAM 350 Custom	4531	1B6MD34WIFS593245	21532	2/19/2007	Salvage
40 - WWTP	33	1990	GMC SIERRA	3710	1GTDC14H3LZ526167	161976	2/19/2007	Salvage
41-WWFS	36	1991	GMC SIERRA	4068	2GTEC19K3M1522798	238498	2/19/2007	Salvage
		2000	40' Triple axle Gooseneck Trailer	8520	AL00HM00700017671			Salvage
			D334 Cat Genset 200kva 3 phase		Ser # 155TH5598			Salvage
			John Deere Backhoe					Salvage
			Bush Hog #760H Backhoe attachment		Ser # 12-00430			Salvage
			8 HP Walkbehind Trencher		Ser # 1160761			Scrap
			4" Waterpump		DUB # 00518			Junk
			14.5 HP Mastercut Riding Lawnmower					Junk

EXHIBIT A



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

**DISTRIBUTED**

4/04/07



**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

**TO:** Council President Greg Burnam

**FROM:** Mayor Fred Small

**DATE:** April 3, 2007

**RE:** Request for Financial Information

I received an email from Councilwoman Barnette Monday, April 2, 2007. This email asked me to make a "standing order" to provide financial information to David Cohen per an email sent from David Cohen, City Clerk to Kim Briley, Finance Director. Specifically, Mr. Cohen requested the monthly individual sales tax revenues from the following businesses:

- Home Depot
- Wal Mart
- Terry Thompson Chevrolet
- Winn Dixie
- Lowe's
- Harley Davidson

The policy of the Finance Department is to maintain the confidentiality of such individual tax information. Based on this policy, I can provide the revenues as a monthly lump sum and not for individual businesses. My concern is personal liability, which carries a criminal offense, for being the "first line of release" of confidential information.

In Mr. Cohen's email, he stated that the origination of this request was from "several council members". However, there has been no official action from the City Council on this issue.

I have conferred with the League of Municipalities regarding this matter. The League stated that without a vote by the City Council, this request for information carries no more authority than a request from a citizen. Their suggested remedy to protect myself and the finance office from personal liability in the release of this information is to have a formal action by the City Council whereby the release of information on these individual tax payers is authorized.

Upon action by the City Council, I will be glad to provide the requested information.