

The Wilsonville Town Council met in regular session, Monday, February 16, 2015, in the Council Chamber Room at the Wilsonville Town Hall. Mayor Lee McCarty called the meeting to order at 6:00 P. M.

The meeting was opened with prayer by Councilman Calvin Gill.

The following council members answered roll call: Don Davis, Calvin Gill, Patricia Johnson, Terry Newman, Alan Revis. Dennis Blackerby and Ricky Morris were not present.

The minutes of the February 02, 2015, meeting (mailed to the council members prior to the meeting) were reviewed. Patricia Johnson made a motion to approve the minutes, as presented. Calvin Gill seconded, and the motion passed with the following vote: Don Davis, yes; Calvin Gill, yes; Patricia Johnson, yes; Terry Newman, yes; Alan Revis, yes.

Checks were examined by the council members immediately before the meeting. Don Davis made a motion to approve the checks for mailing; Calvin Gill seconded. The motion passed with the following vote: Don Davis, yes; Calvin Gill, yes; Patricia Johnson, yes; Terry Newman, yes; Alan Revis, yes.

Mayoral Announcements

There was a diesel fuel spill, approximately two to three thousand gallons, on the railroad tracks last week. As luck would have it, a beaver dam prevented the fuel from getting into the river. ADEM, EPA, Shelby County EMA, Alabama Power personnel, and CSX personnel have all been working on the clean-up.

Tomorrow, there is a meeting with the legislative delegation to address the fact there is no state regulation of private dams in Alabama. Such situations as the Alabama Power dam behind Mitchell Subdivision are not subject to state regulation.

Wednesday, there is a meeting of the Birmingham Regional Planning Commission, at which TAPP grants (sidewalks) will be discussed.

Thursday, the South Shelby Chamber of Commerce, will host coffee with the mayor here at Town Hall, beginning at 8:30 A. M. Following the Coffee, the mayor will meet with April Stone, director of the Chamber and Ben Smith, president of the Chamber.

Thursday evening at 7:00 P. M., there will be a Zoning Board public hearing concerning the amendment to the zoning ordinance.

Friday, the mayor, Roger Perry, and the Tafts (grant writers) will meet with Mike Atchison in Columbiana to over some items concerning the sidewalks – rights of way, etc.

There will be another rabies vaccination day sometime this spring, perhaps in April. This event was a success last year.

The mayor will meet with ALDOT for the monthly meeting, Thursday, February 26.

Roger Perry reported on the Highway 25 project. We got forty feet of new sewer line from the latest change order. The contractor is accomplishing quite a lot. There have been two water main breaks, but a certain amount of that is to be expected. Work will probably be slowing a little for a while due to the weather. A question was asked about when the work will move to the intersection of highways 61 and 25. This may possibly happen by the end of this week, weather permitting. Plans had to be redrawn for drainage behind Shear Elegance. The box culvert will have to be replaced in front of Coosa Valley Milling. The project is still on target for completion in late June.

There is a meeting concerning the Shelby County Hazards Mitigation Plan, Thursday, February 26, 2015, from 1:00 to 3:00 P. M., which the mayor and clerk will be attending.

The ads in the South Shelby Chamber of Commerce magazine which the council voted to fund in lieu of ads for the Town which contain the Town logo, turned out well. Nine businesses participated. A copy of the magazine was given to each council member. This is something which may be considered annually or perhaps every other year in the future.

The Community Clean Up day was discussed. The free day at the landfill has not yet been announced. The clerk will look into whether or not the bulk mailing permit can be used to mail fliers to all the customers.

Council Agenda

Council Comment

Don Davis asked Roger Perry to explain the discrepancy in the audit report concerning an asset which was left on the books following disposal. The items in question were large filters which sat behind the well house for several years and were never used. The filters were given to the Town, and it was difficult to determine a value for them. They were sold to Coker water system for \$7,000.00.

Public Comment

Charles Smith asked about weather sirens. He cannot hear a siren at his Homestead house and asked if the volume could be adjusted. There was a siren in Talladega County he could hear, but it seems to not be operating anymore.

Resolution 150216 concerning the water meter loan/grant was presented as follows:

I, Kay Ray, as **TOWN CLERK** of the **TOWN OF WILSONVILLE, ALABAMA**, hereby certify that the attached pages numbered from 1 to 5, inclusive, together with the attached form of Special Authority Loan Conditions Agreement designated Exhibit A, constitute a true, correct and complete copy of all those portions of the minutes of a meeting of

the Town Council of the Town held on February 16, 2015, pertaining to the matters therein set out, as the same appear in the records of said Town.

WITNESS my signature as Town Clerk of the said Town, under its seal, this 16th day of February, 2015.

Town Clerk
TOWN OF WILSONVILLE

[S E A L]

**EXCERPTS FROM THE MINUTES OF
A REGULAR MEETING OF THE TOWN
COUNCIL OF THE TOWN OF WILSONVILLE
HELD ON FEBRUARY 16, 2015**

The Town Council of the Town of Wilsonville, met in regular session at the Town Hall in the Town of Wilsonville, Alabama, on February 16, 2015, at 6:00 o'clock, p.m. Upon roll call, the following were found to be present:

PRESENT:

ABSENT:

Mayor E. Lee McCarty, III, acted as chairman of the meeting. Kay Ray, who serves as Town Clerk, acted as Secretary of the meeting. The Chairman stated that a quorum was present and that the meeting was open for the transaction of business.

* * *

The following resolution was then introduced in writing:

RESOLUTION NO. 150216

BE IT RESOLVED by the Town Council (the "Council") of the TOWN OF WILSONVILLE, a municipal corporation under the laws of the State of Alabama (the "Town"), as follows:

Section 1. Findings. The Council does hereby find and declare that the following facts are true and correct:

(a) The Town has determined to make capital improvements to its water distribution system, the estimated costs of the said improvements being in excess of \$350,000 (the "Project"). The Town has heretofore filed an application with ADEM for the purpose of obtaining a loan (herein called the "Authority Loan") from the Alabama Drinking Water Finance Authority (the "Authority") to provide funds to pay a portion of the costs of the Project.

(b) The award of the Authority Loan to the Town will be of substantial economic benefit to the Town and to its customers by reducing the amount of interest that would be payable by the Town if the funds were provided from sources other than from the Authority Loan. In particular, the making of the Authority Loan will enable the Town to take advantage of principal forgiveness initiatives established by the requirements imposed on the Authority respecting the use of funds made available from the current capitalization grant agreement between the Authority and the United States Environmental Protection Agency (the "Capitalization Grant Agreement").

(c) The Authority has determined to make the Authority Loan to the Town and contemporaneously with the making of the Authority Loan the Authority has forgiven the repayment of the Authority Loan.

(d) The current Capitalization Grant Agreement requires, among other things, that all projects funded in whole or part with funds from the Authority ("Authority Funds"), including the Project, be constructed in accordance with certain provisions of the Davis-Bacon Act of 1931, P.L. No. 403.

(e) The Authority has informed the Town that, as a condition to the making of the Authority Loan, the Town must agree to spend or commit to binding construction contracts for Allowable Costs respecting the Project by no later than March 1, 2016, and the Town has represented to the Authority that the Town will spend or commit to binding construction contracts for Allowable Costs respecting the Project by not later than March 1, 2016, the portion of the Authority Loan deposited into the Project Fund.

(f) The Town understands that under the Special Loan Conditions Agreement the Authority may at any time on or after March 1, 2016, reduce the Authority Loan by the amount of that portion of the Loan Amount on deposit in

the Project Fund not committed to binding construction contracts (any such uncommitted amount of Authority Funds herein called the "Uncommitted Portion") and withdraw any such uncommitted amount from the Project Fund, all as more particularly set forth in the Special Loan Conditions Agreement.

(g) The Town deems it necessary, desirable and in the public interest that the Town obtain the Authority Loan for the purpose of providing funds to finance the costs of the Project.

Section 2. Authority Loan Accepted. In consideration of the mutual promises and agreements made in the Special Authority Loan Conditions Agreement and in this resolution, and subject to the terms and conditions of each, the Town, by the execution of the Special Authority Loan Conditions Agreement, accepts the Authority Loan. In addition, by the execution of the Special Authority Loan Conditions Agreement the Authority shall have acknowledged the forgiveness of repayment of the Authority Loan.

Section 3. Agreements Respecting Construction of the Project. (a) The Town will commence and complete such construction and acquisition of the Project as soon as possible. Anything in the foregoing to the contrary notwithstanding, the Town hereby covenants and agrees to cause all of the funds made available to the Town pursuant to the Authority Loan to be committed to binding construction contracts by March 1, 2016.

(b) The Town understands that in the event the Authority, pursuant to the terms of the Special Loan Condition Agreement, identifies any Unobligated Loan Amount, the Authority may determine to withdraw the Unobligated Loan Amount from the Project Fund (as defined in the Special Authority Loan Conditions Agreement) and reduce the Authority Loan by such amount.

Section 4. Application of Authority Loan Proceeds. The entire proceeds derived from the Authority Loan shall be held by the Authority Trustee (as defined in the Special Authority Loan Conditions Agreement) and applied in accordance with the provisions of the Master Authority Trust Indenture (as defined in the Special Authority Loan Conditions Agreement) and the Special Authority Loan Conditions Agreement.

Section 5. Authorization of Special Authority Loan Conditions Agreement. The Mayor of the Town is hereby authorized and directed to execute and deliver, in the name and behalf of the Town, the Special Authority Loan Conditions Agreement, in substantially the form marked Exhibit A to this resolution and made a part hereof as if set out in full herein, and the Town Clerk is hereby authorized and directed to affix the seal of the Town to the said Special Authority Loan Conditions Agreement and to attest the same. The said Mayor is hereby authorized and directed to execute such other documents or certificates as may be necessary or desirable in order to carry out the transactions contemplated by this resolution. The said Town Clerk is hereby authorized to attest any such other documents or certificates necessary or desirable to carry out the transactions contemplated by this resolution and is authorized to affix the seal of the Town to any such documents or certificates.

Council Member Patricia Johnson thereupon moved that the foregoing resolution be adopted, which motion was seconded by Council Member Terry Newman and, upon the same being put to vote, the following vote was recorded:

YEAS:

NAYS:

The Chairman thereupon announced that the motion for the adoption of the said resolution had been unanimously carried.

* * *

There being no further business to come before the Council, the meeting was adjourned.

/s/ E. Lee McCarty, III
Mayor of the
Town of Wilsonville

ATTEST:

/s/ Kay Ray
Town Clerk of the
Town of Wilsonville

EXHIBIT A

**Form of Special Authority Loan Conditions Agreement
(Full Principal Forgiveness)**

Patricia Johnson made a motion to adopt Resolution 150216, as presented. Terry Newman seconded. The motion passed with the following vote: Don Davis, yes; Calvin Gill, yes; Patricia Johnson, yes; Terry Newman, yes; Alan Revis, yes.

There being no further business to come before the council, Calvin Gill made a motion to adjourn the meeting. Terry Newman seconded the motion which was unanimously approved.

The meeting was adjourned at 6:46 P. M.

E. L. McCarty, III, Mayor

Attest