

STATE OF ALABAMA
FRANKLIN COUNTY

CITY OF RED BAY

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL
OCTOBER 18, 2004

The City Council of Red Bay met in a regular meeting October 18, 2004, at 7:00 p.m.

Present and presiding was Mayor Tommy G. Nelson and Council Members present were Bobby Nelson, Rayford Seahorn, Pat Hammock, Ann Wilkins, and Jeff Reid.

Shirley J. Cody, City Clerk, was present and recording.

Bobby Nelson led the Invocation.

Rayford Seahorn led the Allegiance to the Flag.

Others present were acting Chief of Police Eddie Chandler, City Inspector Bob Hardin, and Fire Chief Bud Strickland. Martha Sue Parker asked to be put on the agenda but was not present. Jeanie Jones asked to be put on the agenda but was not present but Judy Nelson spoke on her behalf requesting a road block for James Humphries to be held from 9 to 12 on a Saturday at intersection of Highway 24 and 366. The date will be set later.

Ann Wilkins made a motion to grant the request for a road block, seconded by Pat Hammock. Unanimously passed.

Mayor Nelson did a prayer reading.

Ann Wilkins made a motion to adopt the agenda with the following addition:
No. 18. A motion to employ McDowell & Beason PC as the city attorney and Brian Hamilton of McDowell & Beason PC as city prosecutor, seconded by Rayford Seahorn. Before voting under the League Law, the city attorney and the auditor are appointed by the Mayor unless the city has an ordinance stating otherwise. The motion was veto until we have an ordinance.

Ann Wilkins nominated Jeff Reid to serve on the Water & Gas Board to replace Norris Paul Rogers. No other nomination was made. Pat Hammock made a motion for nomination to cease, seconded by Ann Wilkins. Voting for passage was Bobby Nelson, Rayford Seahorn, Pat Hammock, and Ann Wilkins. Jeff Reid abstained. Motion carried.

Ann Wilkins made a motion to appoint Jeff Reid to the Water & Gas Board, seconded by Pat Hammock. Voting for were Bobby Nelson, Rayford Seahorn, Pat Hammock, and Ann Wilkins.

Jeff Reid abstained. Motion carried.

Jeff Reid made a motion to adopt the RESOLUTION by the state to move utilities to reroute traffic when working on the new by-pass, seconded by Bobby Nelson. Unanimously passed.

A new industrial road through town with RCA Funding was discussed, Jeff Reid made a motion to support the project, seconded by Pat Hammock. Unanimously passed. (Beginning at Highway 19 up the old railroad to Golden Road North 80 feet, go to the small end of Gates Road, spur to Tiffin Motor Homes, out on Highway 24 West where the old fruit stand was)

Jeff Reid made a motion to renew the contract with Franklin County Chamber of Commerce in the amount of \$3500.00 per year, seconded by Bobby Nelson. Unanimously passed.

Rayford Seahorn made a motion to appoint Mary Ellen Collum to replace Pat Miller who resigned, on the Red Bay Sewage Board, seconded by Ann Wilkins. Unanimously passed.

The council received a letter from the first grade teacher at Red Bay School thanking them for the NIE program.

Jeff Reid made a motion for Ann Wilkins to serve on the Cemetery Board to replace Eucellis Underwood, seconded by Pat Hammock. Voting for were Bobby Nelson, Rayford Seahorn, Pat Hammock, and Jeff Reid. Ann Wilkins abstained. Motion carried.

Ann Wilkins made a motion for Pat Hammock to serve on the Red Bay Planning Commission to replace Peggy Cox, seconded by Rayford Seahorn. Voting for were Bobby Nelson, Rayford Seahorn, Ann Wilkins, and Jeff Reid. Pat Hammock abstained.

Tammy Underwood resigned from chairperson over the Founder's Day Fest. Mayor Nelson publicly thanked Tammy for all the hard work. The council needs to be thinking of someone to replace her.

Hal Keeton resigned from the Red Bay Water & Gas Board. The following people names were submitted to serve: Lowell Baggett, Troy James, Maurice Fikes
Bobby Nelson made a motion to appoint Lowell Baggett. The motion died for lack of a second. For lack of a motion on Troy James it dies. Pat Hammock made a motion to appoint Maurice Fikes, seconded by Ann Wilkins. Unanimously passed.

Mayor Nelson spoke concerning the EEOC, Equal Employment Opportunity Commission, Settlement. Dicky Sparks spoke concerning the audit. The FY2003 audit should be completed by the next council meeting, November 1, 2004. Attorney Jeff Bowling reported that he had not ever served as a personal attorney for Mayor Nelson other than as city prosecutor. The only time was a personal matter. We had a confidential agreement. Shirley Cody was asked if the check register given to the council showed all the checks written. The check register given to the council shows every check written from the general fund only. There are 23 funds in all.

ORDINANCE #04-10-18, Hiring & Firing, was read at length by Mayor Nelson. Ann Wilkins made a motion to pass Ordinance #04-10-18, seconded by Pat Hammock. Voting for were Rayford Seahorn, Pat Hammock, Ann Wilkins, and Jeff Reid. Council member Bobby Nelson voted no. Motion carried.

Ann Wilkins made a motion for Saturday night, October 30, 2004, be Trick or Treat night, seconded by Rayford Seahorn. Unanimously passed.

Reserving a table of 8 for \$400.00 at the Max Ray Show for a Scholarship Fund Drive at North Alabama Shoals was tabled until next meeting.

Jeff Reid made a motion to fire Attorney Jeff Bowling of Bedford Rogers & Bowling PC Firm, seconded by Ann Wilkins. Voting for were Rayford Seahorn, Pat Hammock, Ann Wilkins, and Jeff Reid. Bobby Nelson voted no. Motion carried.

Rayford Seahorn made a motion to fire Attorney Jeff Bowling as City Prosecutor, seconded by Ann Wilkins. Voting for were Rayford Seahorn, Pat Hammock, Ann Wilkins, and Jeff Reid. Bobby Nelson voted no. Motion carried.

Ann Wilkins made a motion to hire Brian Hamilton as City Prosecutor, seconded by Jeff Reid. Voting for were Rayford Seahorn, Pat Hammock, Ann Wilkins, and Jeff Reid. Bobby Nelson voted yes. Motion carried.

Rayford Seahorn made a motion to hire MCDOWELL BEASON PC firm as City Attorney, seconded by Ann Wilkins. Unanimously passed.

A recess at 8:00 p.m. was called so council could look at the bills. At 8:30 p.m. the meeting was called to regular session by Mayor Nelson.

Jeff Reid made a motion to approve the bills, seconded by Rayford Seahorn. Unanimously passed.

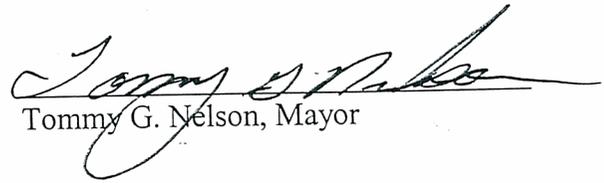
Attorney Brian Hamilton told Ann Wilkins she could get a copy of an ordinance, and audits for 3 years back.

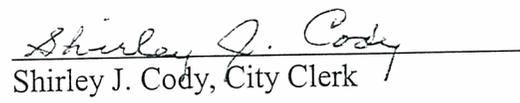
Jeff Reid made a motion to approve the previous minutes of October 4, 2004, seconded by Ann Wilkins. Unanimously passed.

The audit for FY2003, should be ready by next council meeting, November 1, 2004.

Jeff Reid reported receiving several complaints on reception customers were getting on the cable. There may be a solution to this problem. David Humphres and Marty Vanderford thought they could advise what was needed. The Mayor said there could be a meeting arranged with the cable.

Bobby Nelson made a motion to adjourn, seconded by Jeff Reid. Unanimously passed.


Tommy G. Nelson, Mayor


Shirley J. Cody, City Clerk

RESOLUTION

WHEREAS, the City of Red Bay, (hereinafter at times referred to as Government Body) is desirous of having certain improvements made on State Road 24 from Station 36+60.00 to station 345+00.00 in the City of Red Bay in accordance with plans prepared by the Alabama Department of Transportation and designated as Project No. APD-355(505).

WHEREAS, the Alabama Department of Transportation is now or may be desirous of receiving Federal Aid for improvement of said highway, and

WHEREAS, the Federal Highway Administration, an agency of the United States of America, will not participate in any funding for the construction of said project until and unless the Governmental Body will agree to certain requirements of the Federal Highway Administration. The Governmental Body for the purpose of complying with requirements of the Federal Highway Administration in regard to its funding of improvements of the type and kind in this agreement provided for, does hereby pass and adopt the following resolution:

BE IT RESOLVED by the Council of the City of Red Bay, that the plans of said project including alignment, profile, grades, typical sections and paving layouts as submitted to this Council and which are now on file in the office of the City Clerk are hereby approved and that the location of said project as staked out by the Alabama Department of Transportation and as shown by said plans referred to are hereby approved and the Alabama Department of Transportation, in

cooperation with the Federal Highway Administration, is hereby authorized to proceed with the grading, draining, paving, and otherwise improving and construction of said project in accordance with said plans.

The City by and through its Council hereby grants to the Alabama Department of Transportation the full use of and access to the dedicated widths of any existing streets for the construction of said project and hereby agrees to permit and allow the Alabama Department of Transportation to close and barricade the said project and intersecting streets for as long as necessary while the said project is being graded, drained, paved, and otherwise improved, and hereby agrees that the use of any street or highway for parking within an interchange area will not at any time be permitted. The Council further agrees to adopt or pass such legally effective ordinances and/or laws as will permanently barricade and/or relocate certain intersecting streets as required by the State and to permanently deny or limit access at certain locations as required by the State along said improvements, all of which are more specifically stated as follows:

Temporarily detour traffic both along parallel and intersecting streets. Temporarily close intersecting streets during construction.

BE IT FURTHER RESOLVED by the City, that for and in consideration of the Alabama Department of Transportation in cooperation with the Federal Highway Administration, constructing said highway and routing traffic along the same through the City over such said project, such City hereby agrees with Alabama Department of Transportation and for

the benefit of the Federal Highway Administration, that on the above mentioned project, the City will not in the future permit encroachments upon the right-of-way; nor will it pass any ordinances or laws fixing a speed limit contrary to those limits provided for in title 32, Chapter 5, Code of Alabama 1975, as amended, and other laws of Alabama; nor will it allow the placing of any informational, regulatory, or warning signs, signals, median crossovers, curb and pavement or other markings, and traffic signals without written approval of the Alabama Department of Transportation and the Federal Highway Administration, of the location, form and character of such installations. The traffic control devices and signs installed during construction, and those installed after completion of this project, shall be in accordance with the latest edition of the National Manual on Uniform Traffic Control Devices and accepted standards adopted by the Alabama Department of Transportation and by the Federal Highway Administration. The City further agrees that subsequent traffic control devices deemed necessary by it in keeping with applicable statutes, rules and regulations to promote the safe and efficient utilization of the highway under the authority of Title 32, Chapter 5 Code of Alabama 1975, and all other applicable laws of Alabama, shall be subject to and must have the approval of the Alabama Department of Transportation and of the Federal Highway Administration, prior to installation and the City further agrees that it will enforce traffic and control the same under the provisions of Title 32, Chapter 5, Code of Alabama 1975, and other applicable laws of Alabama.

BE IT FURTHER RESOLVED by the Council:

1. That the City agrees to perform all maintenance on crossroads, service drives, or relocated roads that are not designated Federal or State highways that are in the jurisdiction of the City of Red Bay.
2. That the City agrees to perform all maintenance on any existing road which has been replaced by a new road; or, if the existing road is not used, the City has the option of vacating same.
3. The City of Red Bay agrees to indemnify and hold harmless the State, Alabama Department of Transportation, its officers and employees in both their official and individual capacities of and from all liability and damages to persons or property including attorneys fees and costs arising out of Project Number APD-355(505).

It is understood and agreed that no changes in this Resolution of Agreement shall in the future be made without having obtained the prior approval of the Federal Highway Administration.

THIS RESOLUTION PASSED AND ADOPTED this the 18th day of October

2004.

ATTEST

Shirley F. Cody
City Clerk

Tommy E. Nelson
Mayor,
City of Red Bay

I, the undersigned, City Clerk of City of Red Bay, do hereby certify that the above and foregoing is a true and correct copy of a resolution duly and lawfully adopted by the City of Red Bay at its regular meeting held on the 18th day of October, 2004, and the same is on file in the office of the City Clerk.

Given under my hand and the official seal of such City this 18th day of October, 2004.

Shirley F. Cody
CITY CLERK

ORDINANCE #04-10-18
HIRING & FIRING

BE IT ORDAINED BY THE TOWN COUNCIL OF THE CITY OF RED BAY,
ALABAMA, AS FOLLOWS:

Section 1. The Mayor of the City of Red Bay, Alabama, (hereinafter called "Mayor") shall have the power and authority to employ persons as employees of the City of Red Bay (hereinafter called "City") only on a temporary basis until the next regular meeting of the council of the City of Red Bay, Alabama (hereinafter called "Council") at which time he shall report in writing to the Council, and cause said report to be attached to or incorporated into its minutes, stating the name, position, and salary or wage of the person or persons so employed.

Section 2. No person shall be employed permanently or indefinitely as an employee of the City without the consent of a majority of the members of the Council present and voting at the meeting at which said employment is considered by the Council.

Section 3. If the Council shall fail to act in consenting or not consenting on the permanent or indefinite employment of a person temporarily employed by the Mayor as provided in Section One hereof at its regular meeting at which the temporary employment is reported by the Mayor, such person or persons may remain employees of the City until such action is taken by the Council to consent or not consent to permanent or indefinite employment.

Section 4. No person temporarily hired under Section One hereof, whose employment has been voted upon by the Council and the required consent not obtained, shall be re-employed on any basis until the consent of the Council shall be obtained herein above provided.

Section 5. The Council may, by majority vote of those present and voting, employ any person or persons as employees of the City or such salaries or wages as may be set by them on a permanent or indefinite basis without such person or persons having first been temporarily appointed by the Mayor.

Section 6. The Council may, by majority vote of the whole number of elected members of the Council, appoint any person as an officer of the whose appointment is not otherwise provided for by law, at such salaries or wages as may be set by them on a permanent or temporary basis.

Section 7. The Mayor of the City of Red Bay, Alabama shall have the power and authority to terminate employment only on a temporary basis until the next regular meeting of the City Council of the City of Red Bay. Then by majority vote of City Council can this be permanent.

Section 8. The Council may by majority vote of the whole number of members of the

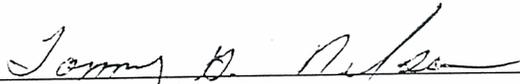
Council terminate any person whose appointment is not otherwise provided by law.

Section 9. All ordinances or parts thereof in conflict with this ordinance are hereby repealed.

Section 10. Each and every provision of this ordinance is hereby declared to be an independent provision and the holding of any provision to be unconstitutional or invalid shall not affect any other provisions of this ordinance.

Section 11. This ordinance shall become effective upon its adoption.

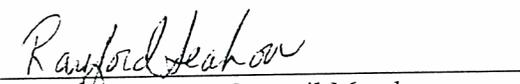
APPROVED THIS 18TH DAY OF OCTOBER, 2004.



Tommy G. Nelson, Mayor



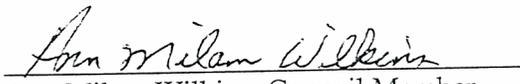
Bobby Nelson, Council Member



Rayford Seahorn, Council Member



Pat Hammock, Council Member

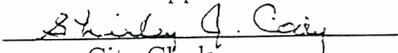


Ann Milam Wilkins, Council Member



Jeff Reid, Council Member

Passed and Approved this the 18th day of October, 2004.



City Clerk

ORDINANCE #04-10-04
ORDER OF PROCEDURES OF MEETING OF THE
CITY COUNCIL FOR 2004-2008 ADMINISTRATION

BE IT ORDAINED BY THE COUNCIL OF RED BAY, ALABAMA, that the order of procedure in all instances for meetings of the Council shall be as follows:

SECTION 1. That the rules of order of procedure contained shall govern deliberations and meetings of the Council of Red Bay, Alabama.

SECTION 2. Regular Meetings of the Council shall be held on the following dates:
The first and third Monday of each month.

SECTION 3. Special Meetings may be held at the call of the Mayor by serving notice to each member of the Council not less than twenty-four hours before the time set for such Special Called Meetings; or Special Meetings may be held as provided by Section 430, Title 37, of the Alabama Code of 1940, whenever two Aldermen or the Mayor requests in writing that the Meeting be called; upon the failure of refusal of the Mayor to call such Meeting when requested, the two Aldermen making the request shall have the right to call such meeting.

SECTION 4. A quorum shall be determined as provided by Section 11-43-48, Code of Alabama, 1975.

SECTION 5. All Regular Meetings shall convene at 7:00 o'clock at the City Hall and all Meetings, Regular and Special, shall be open to the public.

SECTION 6. The order of business shall be as follows:

1. A Call to Order
2. Persons to Address Council
3. Report of Officers
4. Hearing on Petitions, Applications, Complaints, Appeals, Communications, etc
5. Resolutions, Ordinances, and Orders
6. Reports of Standing Committees
7. Reports of Special Committees
8. Auditing Accounts
9. Old Business
10. New Business
11. Approval of Expenses
12. Approval of Corrections of the Minutes
13. Each Councilmen's Presentation of Business

SECTION 7. No member shall speak more than twice on the same subject without permission of the presiding officer.

SECTION 8. No person, not a member of the Council, shall be allowed to address the governing body while in session without first contacting the City Clerk by Friday at 12:00 noon in advance of the Meeting to be placed on the agenda stating the business he wants to discuss at said Meeting.

SECTION 9. Every officer, whose duty it is to report at the Regular Meeting of the Council, shall if found in default, be fined at the discretion of the Council.

SECTION 10. All votes shall be recorded in the Minutes as if voting "for", voting "against", or "abstained".

SECTION 11. All questions of order shall be decided by the presiding officer of the Council with the right to appeal to the Council by any member.

SECTION 12. The presiding officer of the Council, may at his discretion, call any member to take the chair, to allow him to address the Council, make a motion to discuss any other matter at issue.

SECTION 13. Motion to put any matter before the Council should be in the order of the largest sum first.

SECTION 14. All meetings of the Council shall be public.

SECTION 15. A motion for adjournment shall always be in order.

SECTION 16. The rules of the Council may be altered, amended, or temporarily suspended by a vote of two-thirds of the members present.

SECTION 17. The chairman of each respective committee, or the Councilman acting for him in his place, shall submit or make all reports to the Council when so requested by presiding officer or any member of the Council.

SECTION 18. No Ordinance or Resolution of a permanent nature shall be adopted at the Meeting at which it is introduced unless unanimous consent be obtained for the immediate consideration of such Ordinance or Resolution: such consent shall be by roll call and the vote thereon spread on the Minutes.

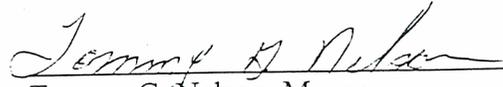
SECTION 19. All Ordinances or Resolutions submitted to the Council which require the expenditure of money shall lie over until the next Regular Meeting; provided that such Ordinances or Resolutions may be considered earlier by unanimous consent of the Council; and provided further, that this rule shall not apply to the current expense of, or contracts previously made with, or regular salaries of officers of, or wages of employees of the City.

SECTION 20. The Clerk, Street Department Supervisor, Attorney and Chief of Police, and such other officers or employees of the City of Red Bay shall, when requested, attend all

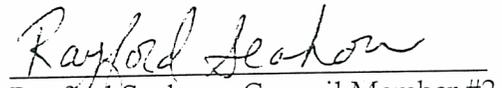
Meetings of the Council and shall remain in the Council room for such length of time as the Council may direct.

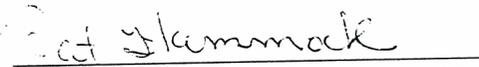
SECTION 21. This ordinance shall go into effect upon the passage and approval of the same, October 4, 2004.

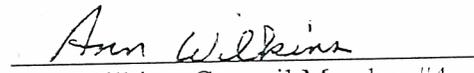
APPROVED THIS 4TH DAY OF OCTOBER, 2004.


Tommy G. Nelson, Mayor


Bobby Nelson, Council Member #1


Rayford Seahorn, Council Member #2


Pat Hammock, Council Member #3


Ann Wilkins, Council Member #4


Jeff Reid, Council Member #5

Passed and Approved this the 4th Day of October, 2004.


City Clerk

ORDINANCE #04-10-18
HIRING & FIRING

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ALABAMA, AS FOLLOWS:

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Section 2. No person shall be employed permanently or indefinitely as an employee of the City without the consent of a majority of the members of the Council present and voting at the meeting at which said employment is considered by the Council.

Section 3. If the Council shall fail to act in consenting or not consenting on the permanent or indefinite employment of a person temporarily employed by the Mayor as provided in Section One hereof at its regular meeting at which the temporary employment is reported by the Mayor, such person or persons may remain employees of the City until such action is taken by the Council to consent or not consent to permanent or indefinite employment.

Section 4. No person temporarily hired under Section One hereof, whose employment has been voted upon by the Council and the required consent not obtained, shall be re-employed on any basis until the consent of the Council shall be obtained herein above provided.

Section 5. The Council may, by majority vote of those present and voting, employ any person or persons as employees of the City or such salaries or wages as may be set by them on a permanent or indefinite basis without such person or persons having first been temporarily appointed by the Mayor.

Section 6. The Council may, by majority vote of the whole number of elected members of the Council, appoint any person as an officer of the whose appointment is not otherwise provided for by law, at such salaries or wages as may be set by them on a permanent or temporary basis.

Section 7. The Mayor of the City of Red Bay, Alabama shall have the power and authority to terminate employment only on a temporary basis until the next regular meeting of the City Council of the City of Red Bay. Then by majority vote of City Council can this be permanent.

Section 8. The Council may by majority vote of the whole number of members of the

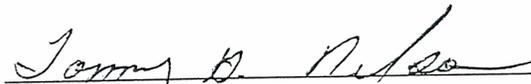
Council terminate any person whose appointment is not otherwise provided by law.

Section 9. All ordinances or parts thereof in conflict with this ordinance are hereby repealed.

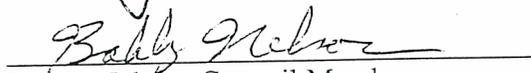
Section 10. Each and every provision of this ordinance is hereby declared to be an independent provision and the holding of any provision to be unconstitutional or invalid shall not affect any other provisions of this ordinance.

Section 11. This ordinance shall become effective upon its adoption.

APPROVED THIS 18TH DAY OF OCTOBER, 2004.



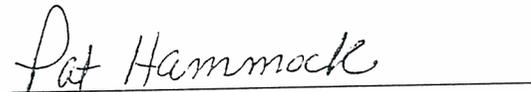
Tommy G. Nelson, Mayor



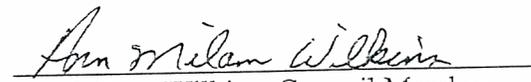
Bobby Nelson, Council Member



Rayford Seahorn, Council Member



Pat Hammock, Council Member

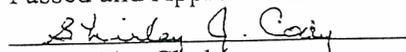


Ann Milam Wilkins, Council Member



Jeff Reid, Council Member

Passed and Approved this the 18th day of October, 2004.



City Clerk



Community Spirit

BANK

October 4, 2004

Mayor Tommy Nelson
Red Bay City Council
P.O. Box 2002
Red Bay, AL 35582

Re: City of Red Bay/Triple H Electronics Loan #10000119

Dear Mayor Nelson:

I want to thank the Mayor and Council for allowing me to come before you tonight to discuss the above mentioned loan.

The above mentioned loan originated on March 6, 2004. This loan was approved by the council to construct a warehouse facility for Triple H Electronics, Inc. Community Spirit Bank was awarded the bid on this loan of 3.90%. The loan was set up with a six months maturity. The loan was made in the amount of \$786,160.00 plus various closing fees. The closing fees made the total note \$790,567.10. This note was set up as a draw note where funds would be advanced as the construction of the building progressed. The City and Triple H have signed off on all invoices paid on this project to date. The invoices paid have come to me after being signed off by the two entities. After that I pay the invoice and have sent a copy of all invoices to the City Clerk and to Triple H Electronics. Triple H has also paid interest monthly on this loan. Currently the balance of this loan stands at \$761,011.14. Based on the master limit of \$790,567.10 the loan has only \$29,555.96 available to finish the project. The building is now complete and has been signed off on by Burt Hankins, the Cities Engineer. Mr. Hankins has supplied the bank with the final four invoices to pay for this building. These four invoices are broken down as follows:

Hankins & Reed Final Engineering Fee	\$3,918.96	-
Hankins & Reed Survey Cost	\$504.00	-
Hankins & Reed Survey Cost	\$240.00	-
Northwest Bama Builders, Inc. Final Bill	<u>\$51,985.00</u>	-
Total Amount of Invoices	\$56,647.96	
Less Funds Available on Loan #10000119	<u>\$29,555.96</u>	
Equals, Total Funds Needed	\$27,092.00	

200 Fourth Avenue SW P.O. Box 449
Red Bay, Alabama 35582 (256) 356-4445

This amount of \$27,092.00 must be approved by the Mayor and Council as an addition to the above named loan. After this addition, the total loan will be for \$817,659.10. This money must be paid by the City, Triple H or added to the loan. It would be my recommendation to add this money to the loan so that all funds expended to complete this project would be in one place.

This debt will be renewed into a new loan taking it off of a construction loan basis. As agreed in our original proposal to the City, the permanent loan will be made at a rate of 3.90% on a five year adjustable rate. At the end of the first five years the new rate will be .10% below prime rate. The loan will have a floor of 3.90% and a ceiling of 7.00%. If the council so approves the money to finish the project the new loan in the amount of \$817,659.10 plus closing cost will be set up on a twenty year repayment schedule. The City's attorney will prepare a lease/purchase agreement to be executed by the City with Triple H Electronics, Inc. It is my request that you advise the City attorney to expedite this lease purchase agreement. Also, I do not feel any cost would be incurred for this lease/purchase agreement as we paid the City attorney at the beginning of the note \$1,500.00 for all paperwork to be prepared on this loan.

I visited the property and building on September 30, 2004. The City and Triple H can be proud of such a fine building in Red Bay. I have taken some pictures of the building that I will be glad to share with the council at the meeting on Monday night. The certified appraiser on this loan, John Davidson will make a final appraisal on this building next week. The original appraisal had a value of \$790M. I feel this will be more now that the building is fully constructed.

In closing the bank needs minutes of the council authorizing the City renew this construction loan into a permanent loan in the amount of \$817,659.10, which is \$27,092.00 above the original amount of the contract. The council may approve this loan with the understanding that Triple H Electronics, Inc. will execute a lease/purchase agreement with the City of Red Bay. That lease/purchase agreement will be drafted by the City attorney and should state that Triple H Electronics, Inc. is responsible for the payment to Community Spirit Bank, responsible for maintaining hazard insurance on the building and payment of taxes each year. The City attorney should give further guidance on the issues to cover in the lease purchase agreement. The minutes of the council should authorize the Mayor and City Clerk to execute these documents just as they did the original documents.

I want to thank each of you for the opportunity you have give Community Spirit Bank to serve the financial needs of the City for industrial development growth. If you have any further questions, please let me know.

Sincerely,



Brad M. Bolton

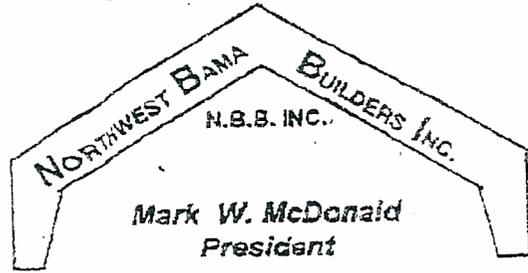
VP/Sr. Lending Officer

Richard

#1

INVOICE

FREE ESTIMATES • QUALITY SERVICE



505 Heritage Park
 Guin, Alabama 35563
 Telephone (205) 487-3413
 Mobile 1-888-890-8772
 Fax (205) 487-5036

Building Your Kind of Building

Pay Request # 8 - Final

~~Markkin's Engineering~~
~~Secretary Warehouse Project~~
~~(Extras / deducts)~~

Date Sept. 7, 2004

WORK CONSISTS OF Extras: sheet rock ceiling David's office;
EXTRA Trim David's office; Wood base & shoe mold; Mould
Post for office; Framing & OSB for new room; Ceiling
on new room \$8,000.00

(mechanical) owner cut units from 5 ton to 4 tons,
cut (1) Rezezer Heater / owner added back Heater &
2 units back to 5 tons \$5,625.00

(Flooring) original Contract All Oct / Carpet, Hard-
wood, Ceramic tile were used; also additional
room was Flashed (Refrigerator) \$4,275.00

HANKINS ENGINEERING
 APPROVED WBT
 DATE 9/28/04

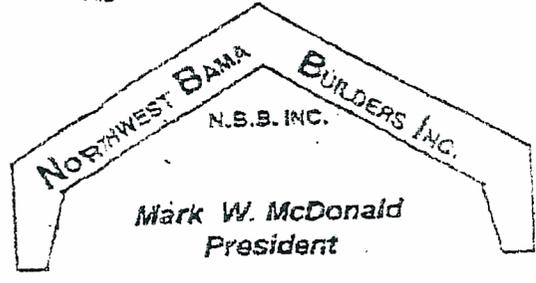
FOR THE SUM OF _____

- AS SUBMITTED
 - AS NOTED
- PURCHASER _____
 REVISE AND RESUBMIT

#2

INVOICE

FREE ESTIMATES • QUALITY SERVICE



505 Heritage Park
 Guin, Alabama 35563
 Telephone (205) 487-3413
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Building Your Kind of Building

Date _____

WORK CONSISTS OF (Electrical) (6) panels & (2) transformers;
 (22) Computer Terminals; (30) receptacles; (3) GFCI recep
 tacles; (1) wiring ceiling fan; (4) recess lights; (2) 2x
 fixtures; (2) wiring Hot Water Heaters; (4) wiring shg
 Heaters; (1) range receptacle; (2) wiring AC units; (2)
 Junction Boxes; (2) dimmer switches Total \$10,900

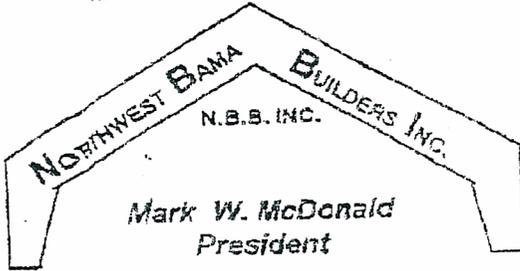
FOR THE SUM OF _____

PURCHASER _____

#5

INVOICE

FREE ESTIMATES • QUALITY SERVICE



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Building Your Kind of Building

Date _____

WORK CONSISTS OF Sealing Floor \$975.⁰⁰; Concrete Pipe
 AT Dock Road Area \$690.⁰⁰;

Total Adds: \$30,446

- Deducts: \$625 8x10 Garage door
- \$700 rubber base & Labor
- \$425 drop ceiling/ David's office
- \$700 R.F. / range
- \$1050 - David's Hardwood

Total deducts: \$3,500.⁰⁰

HANKINS ENGINEERING

APPROVED _____

DATE _____

AS SUBMITTED

AS NOTED
PURCHASER _____

REVISE AND RESUBMIT

Site Work Deduct	1600 ⁰⁰
Concrete wall Deduct	380 ⁰⁰
FOR THE SUM OF Total Add	24,985 ⁰⁰
Original Contract BAK	27,100 ⁰⁰

Total Due 51,985⁰⁰

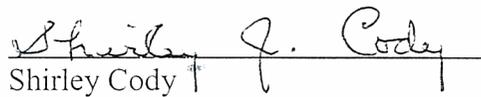
PUBLIC NOTICE

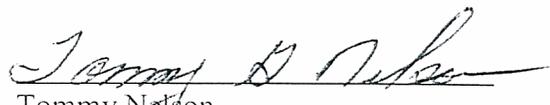
The City of Red Bay gives notice of a public hearing at which the public shall have an opportunity to present data, views and arguments pertaining to the Solid Waste Management Plan for the City of Red Bay, Alabama. This public hearing shall be held November 8, 2004, at 3:00 pm in the meeting room of the Red Bay City Hall. The public shall have the opportunity to comment on the plan beginning with the publication of this notice and ending at the termination of the said public hearing.

Complete copies of the proposed plan are available in the Office of the Mayor of the City of Red Bay and are available for inspection from 9:00 am to 4:00 pm, Monday thru Friday of each week and copies may be purchased for the sum of \$20.00 each. Additional information may be obtained from Mayor Tommy Nelson.

DONE this 6th day of October, 2004.

ATTEST:


Shirley Cody
City Clerk


Tommy Nelson
Mayor