

The Town of
Fountain Lake, Arkansas
7148 Park Avenue
Fountain Lake, Arkansas 71910

Minutes of the 57th Council Meeting
September 8, 2008

The meeting was called to order at 7:00 PM by Treasurer Margaret Bushong. Members present included Frank Pfenenger, Carl Sheets and Jane Tuma . Absent were Tim Stockdale, Donna Belote and Clyde Vaughn. Also present from the community was Kathy Raab. The Minutes of the last meeting were read and approved.

Municipal League Conference – The Arkansas Municipal League will sponsor a seminar entitled "Municipal Finances, Ballot Proposals and Legislative Issues" on October 9th, 2008 at League Headquarters in North Little Rock. Jane Tuma made a motion that the Council sends Frank Pfenenger to represent the Town. The motion was seconded by Carl Sheets and approved unanimously.

Committee Reports:

Emergency Planning Committee – No report from Jane Tuma

Road Committee – In Donna's absence Jane reported a conversation with Kurt Larson of Needham Rd. He is concerned about the persistent erosion of the culvert on Needham. This issue is being addressed by the Road Commission. Asphalt is probably the solution but at this time asphalt is not available or is cost prohibitive,

Budget and Finance committee – Margaret reported briefly on the Legislative Audit report, a copy of which has been sent to all Council members. The only findings were recording errors and have been rectified. A Motion to approve the reports as read was introduced by Frank and seconded by Jane. The reports were unanimously approved as read.

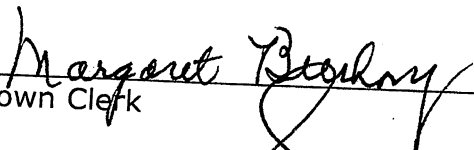
Old Business – For several years the Council has been negotiating with Entergy to provide street light service to the Town. The lights are now in place but the Council still had to provide an Ordinance as described in Ordinance No. 2008-1 and directed by Entergy. The purpose of the Ordinance was to grant certain rights to Entergy Arkansas, Inc, regarding the erection, maintenance and operation of a distribution and transmission electrical system of the Town of Fountain Lake. The document required review and signature of an attorney. At the request of the Mayor I requested the services of J.E Sanders, an attorney in Hot Springs, AR. A copy of his comments is attached to these minutes.

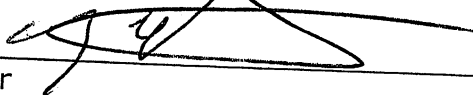
During our conversations Mr. Sanders asked if we had considered retaining an attorney for the Town. Although he is not available himself he would be willing to suggest names for our selection, should we desire an attorney. This information was presented to the members present and a Motion was made

by Frank Pfenenger to table any discussion until the full Council was present. The motion was seconded by Carl Sheets and was approved unanimously.

Planning Commission - At the last meeting an Ordinance to develop a Planning Commission was tabled for further evaluation and investigation. At the request of the Mayor, Frank Pfenenger and Margaret Bushong contacted the Municipal League for information and direction. As a result Frank and Margaret met with Jim von Tungeln, Municipal League Planner. The primary purpose in forming a planning commission would be to enable Fountain Lake to extend a planning area boundary toward the City of Hot Springs in order to reduce the scope of that city's territorial jurisdiction. In his memo Jim states that "if the appropriate steps were followed, Fountain Lake could enact zoning only inside its corporate limits. It could enforce development (subdivision) regulation half way to Hot Springs or to a point mutually agreed upon by the two cities." He concluded his memorandum with the recommendation that we seriously consider the political and economic ramifications of developing a Planning Commission (preliminary costs could reach \$30,000.00). The entire text of his memorandum is attached to these Minutes. A Motion was made by Frank Pfenenger that the Town of Fountain Lake not to pursue the development of a Planning Commission. The Motion was seconded by Carl Sheets and was passed unanimously.

Meeting was adjourned at 7:35 PM


Town Clerk


Mayor