

**THE TOWN OF
FOUNTAIN LAKE, ARKANSAS
7148 PARK AVENUE
FOUNTAIN LAKE, AR 71910**

**MINUTES OF THE 73RD COUNCIL MEETING HELD ON
SEPTEMBER 13, 2010**

THE MEETING WAS CALLED TO ORDER BY MAYOR FRANK PHENEGER. MEMBERS PRESENT INCLUDED MAYOR FRANK PHENEGER, CARL RADER, JACK FIELDS, JANE TUMA, DONNA BELOTE AND TRACIE TAYLOR. MEMBER NOT PRESENT WAS KATHY RAAB. MEMBERS OF THE COMMUNITY WERE ALSO PRESENT.

A MOTION WAS MADE BY JACK FIELDS TO ACCEPT THE MINUTES AS WRITTEN AND IT WAS 2ND BY CARL RADER ALL WERE IN FAVOR NONE OPPOSED.

BUDGET AND FINANCIAL REPORT:

THE FINANCIAL REPORT WAS GIVEN BY TRACIE TAYLOR AND A BALANCE REPORT WAS GIVEN OUT ON ALL ACCOUNTS. A MOTION WAS MADE BY CARL RADER TO ACCEPT THE FINANCIALS AND IT WAS 2ND BY JACK FIELDS ALL WERE IN FAVOR NONE OPPOSED.

FINANCIAL COMMITTEE:

NO REPORT GIVEN.

ROAD COMMITTEE:

JACK FIELDS INFORMED THE BOARD THAT TIM JACKSON HAS THE CULVERT DONE AND WE ARE WAITING ON AN INVOICE. HE WILL ALSO START THE MOWING AS SOON AS WE GET THE MOWER HERE FROM MTN. PINE. ALL THE ROADS WILL BE DONE AT THIS TIME. THE VILLAGE LANDSCAPE OPTION IS VOIDED BECAUSE THEY HAVE NOT GOTTEN BACK WITH THE CITY. JACK TOOK A BILL FROM THE PHONE COMPANY TO THE VILLAGE LANDSCAPE FOR A PHONE PEDISTAL THAT WAS TORN UP ON HILLVALE GARDEN BY THEM WHILE MOWING WAS DONE ON A PREVIOUS DATE.. THE BILL WAS FOR SIX HUNDRED AND TWENTY SOMETHING DOLLARS. JACK INFORMED THEM ABOUT IT WHEN IT HAPPENED SO. HOPEFULLY IT WILL BE TAKEN CARE OF.

ACTIVITIES COMMITTEE:

NO REPORT GIVEN:

OLD BUSINESS:

DONNA BELOTE INFORMED THE BOARD THAT THIS GOES ALONG WITH THE LETTER THAT SHE GOT FROM JUDGE WILLIAMS THAT DECLARES THAT WE DID HAVE A SIGNED AGREEMENT IN 2003 WHEN WE TRADED THE PROPERTY OF GOOSE POND. HE SENT HER THIS IN JULY AN ENCLOSED A COPY OF THE AGREEMENT THAT WAS MADE BETWEEN HIM AND THEN MAYOR RICK QUALLS FOR THE MAINTENCE OF THE STREETS THAT RUN BETWEEN FOUNTAIN LAKE AND GARLAND COUNTY. HE WANTED THE COUNCIL TO KNOW THAT HE WILL BE RETIRING AT THE END OF THIS YEAR AS COUNTY JUDGE AND THAT THE AGREEMENT DOES NOT BIND THE NEXT COUNTY JUDGE AND THAT HE IS FREE TO CONTINUE OR DISCONTINUE THIS AGREEMENT WHICH MEANS WE MIGHT GET GOOSE POND BACK SO THE COUNCIL WILL NEED TO CONTACT THE NEW JUDGE ABOUT WHETHER OR NOT WE WILL GET GOOSEPOND BACK OR IF THEY WILL KEEP IT. THE MAYOR INFORMED THE BOARD THAT THE COUNTY GETS MONEY FOR THAT ROAD AND MIGHT DECIDE TO KEEP IT BUT WE WILL HAVE TO WAIT UNTIL THE ELECTIONS TO KNOW WHO WE NEED TO TALK TO AND WORK UP AN AGREEMENT WITH.

JACK FIELDS INFORMED THE BOARD THAT THE LAW ENFORCEMENT DEPARTMENT WILL NEED START UP ITEMS. THE BOARD APPROVED THESE ITEMS TO BE PURCHASED BY THE CITY.

MAYOR FRANK PHENEGER HAS TALKED TO FBI AND THE ARKANSAS CRIME INFORMATION CENTER AND THEY HAVE ISSUED US A ORI# THAT TAKES AFFECT ON SEPTMEBER 17, 2010. THE MARSHAL HAS ALREADY BEEN APPOINTED BY HIM BUT THERE ARE CONCERNS IN THE COMMUNITY ABOUT THIS AND WE WILL OPEN THE FLOOR FOR DISCUSSION. CITIZENS IN THE COMMUNITY STRESSED THEY WERE UPSET ABOUT HAVING MARSHALLS AND WANTED TO KNOW WHO DECIDED THIS. THE MAYOR WENT OVER ALL THE THINGS THAT WERE DECIDED IN PAST MEETINGS FOR THE COMMUNITY. TOMMY QUALLS SUGGESTED THAT WE BRING IN THE LAWYER FROM THE MUNICIPAL LEAGUE SO THE COMMUNITY CAN ADDRESS THE LEAGUE AND THE TOWN COUNCIL ABOUT ALL THE QUESTIONS THEY HAVE BEFORE WE GET TO FAR INTO THIS. JACK FIELDS INFORMED THE BOARD OF WHO WAS ON THE ORDINANCE COMMITTEE THEY ARE AS FOLLOWS JACK FIELDS, BILL HOUSE, TOMMY QUALLS, MAYOR FRANK PHENEGER, JIMMY ATTEBURY, PETE, AND TRACIE TAYLOR.

THE MAYOR INFORMED THE BOARD THAT THE MARSHALLS WILL START THEIR DUTIES WHEN EVERYTHING IS IN ORDER.

NEW BUSINESS:

DONNA BELOTE INFORMED THE BOARD ABOUT A WARRENTY DEED THAT MR AND MRS NOBLES HAD THAT STATES THAT THEY HAVE THE 60 FOOT RIGHT

AWAY ON MUNGLE TRAIL WHERE MR BREY AND HIS AUTOMOBILES ARE IN WHICH HE STATED THAT HE OWNED THE 60 FOOT RIGHT AWAY BUT MR AND MRS NOBLES SOLD THAT LAND TO THE VILLAGE SO THE VILLAGE MAY OWN THE RIGHT OF WAY NOW. THIS WAS AN ISSUE ABOUT 3 YEARS AGO SO IN CASE IT COMES BACK UP WE WOULD HAVE MORE INFORMATION ON THIS MATTER AND SHE WILL SUPPLY A COPY OF THE INFORMATION TO THE BOARD.

TOMMY QUALLS ALSO INFORMED THE BOARD ABOUT WORKING ON GETTING HIGH SPPED INTERNET IN ALL OF FOUNTAIN LAKE.

CARL RADER MADE A MOTION TO ADJOURN THE MEETING AND IT WAS 2ND BY DONNA BELOTE ALL WERE IN FAVOR NONE OPPOSED.

Maicie Taylor
TOWN CLERK

John Fleming
MAYOR

