

**2008**

**BEAVER CITY COUNCIL AGENDA**  
**January 14, 2008**  
**Beaver Community Center**

**Call to Order**

- Pledge of Allegiance
- Roll Call
- Approval of Minutes and Financial reports

**Old Business**

- Park lease?
- Park manager?

**New Business**

- Report on Municipal League conference

Next Regular meeting Feb 11, 2008 – 7:00 PM, Beaver Community Center

No quorum  
No meeting

TOWN OF BEAVER  
DRAFT BUDGET FOR 2008

CURRENT ASSETS AS OF DECEMBER 31, 2007

General Fund	19,654.04
Street Fund	32,876.16
CD 056766	27,082.43
CD 59880	32,738.98

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Total Assets	112,351.61
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ORDINARY INCOME

Post Office Rental @ \$420/month	5,040.00
Administrative Fee from Park @ \$300/month	3,600.00
County Sales & Use Tax @ \$475/month	5,700.00
Municipal General Distribution @ \$115/month	1,300.00
Street Turn Back Funds @ \$382/month	4,584.00
Water Fees @ \$70/month	840.00

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Total Ordinary Income	21,064.00
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OTHER INCOME

License Plates @ \$5/each	100.00
Community Center Rental (donation)	100.00
Donations from generous people	100.00
Building Permits	200.00

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Total Other Income	500.00
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TOTAL INCOME	21,564.00
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EXPENSES

Miscellaneous	2,000.00
Office Equipment & Supplies	1,000.00
Transfer to Street Fund	4,584.00
Wages/Contract Labor @ \$625/month	7,500.00
Electricity (well & firehouse)	600.00
Water @ \$10/month	120.00
Insurance for Firehouse	2,000.00

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TOTAL EXPENSES	17,804.00
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NET INCOME	3,760.00
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TOWN OF BEAVER  
COUNCIL MEETING  
FEBRUARY 28, 2008

No  
Agenda  
March mtg

The meeting was called to order by the Mayor and all recited the Pledge of Allegiance. The following answered roll call: Mayor Kriesel, Recorder/Treasurer Hill, Councilmen Bill Padgett, Pam Teslow and Rick Pennington. Cathy Shusta was absent and one position remains vacant.

The Minutes and Treasurer Reports were approved with the following changes: Change method of accounting from accrual to cash and separate accounts so that there is no "miscellaneous". Motion to approve was by Bill Padgett with Pam Teslow seconding. The motion passed unanimously.

Motion was made by Pam Teslow, seconded by Bill Padgett, to roll over the CD maturing on March 5<sup>th</sup> to best rate possible. Vote was unanimous.

Park Update: There were six applicants for management and when called they were already employed. Former Manager, Jim Dikes, is to refer applicants who were not accepted for the Branson position.

Telephone yellow pages for the Park: Pam Teslow moved and Bill Padgett seconded to cancel the Phone book advertisement. Motion passed unanimously.

Park Needs Money: Pam Teslow moved and Rick Pennington seconded a motion to transfer \$2400 from the Town General Fund to the Park Bank of Eureka Springs Fund to cover expenses until the Park opens April 1<sup>st</sup>. Bill Hill is to draw up a contract for the procedure and present it at the next meeting. Motion passed unanimously.


Salary Issues: Pam Teslow moved and Bill Padgett seconded a motion to pay all of Patti Summerville's salary from the Town General Fund and to reduce the Mayor's salary to \$200 until the Park is going again. Motion passed unanimously.

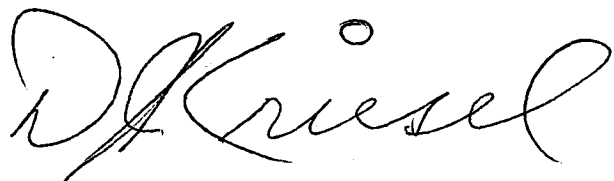
Other Business: Bill Padgett moved and Rick Pennington seconded a motion to allow the Mayor to attend a conference on tourism in Rogers not to exceed \$175 in costs. Motion passed unanimously.

The Mayor will write an article for the newspapers about the Park needing a manager.

Adjournment: Pam Teslow moved and Bill Padgett seconded a motion to adjourn at 11 a.m.

Respectfully submitted,

  
Mary V. Hill  
Recorder/Treasurer



**CONTRACT FOR FREE ENTRY TO BEAVER PARK  
BY ALL TOWN RESIDENTS AND THEIR RESIDENT GUESTS**

THIS AGREEMENT has been entered into this day between the TOWN OF BEAVER, ARKANSAS ("the TOWN") and the BEAVER CAMPING AND RV PARK ("the Park", "the CONTRACTOR"), for and in consideration of the mutual covenants and agreements herein set forth.

1. **COMPENSATION.** A one-time payment of TWENTY-FOUR HUNDRED DOLLARS AND NO CENTS (\$2,400), delivery of which is hereby acknowledged.

2. **DUTIES AND INSPECTION.** Duties of the CONTRACTOR shall be to grant free admission licensing any and all TOWN residents and/or their resident guests to day use of the Contractor's premises. It is understood by both parties, that this free admission is to extend only to day use, and that any overnight camping or RV parking, shower use, or dump station use, by Beaver residents or their resident guests must be paid for separately. Residents of Beaver may be required to show identification at the Park kiosk until the attendant(s) come to recognize them. Resident guests of Beaver residents may be required to show a permission note signed by a Beaver resident until the attendant(s) come to recognize them.

4. **DEFINITIONS.**

- a. "Beaver residents" means any person of any age who owns or resides in a permanent dwelling situated within the corporate limits of Beaver, Arkansas.
- b. "Resident guests" means any person temporarily residing with a Beaver resident.

5. **TERMINATION.** This agreement shall be terminate at the end of the 2008 Park season.

6. **NO AUTOMATIC RENEWAL.** This agreement shall not be automatically renewed.

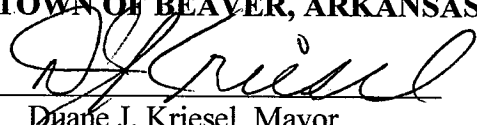
7. **APPLICABLE LAW; INTEGRATION; NO WAIVER.** This agreement is drawn to be effective in and shall be construed in accordance with the laws of the State of Arkansas. No amendment or variation of the terms of this agreement shall be valid unless made in writing and signed by the CONTRACTOR(S) and duly authorized representative of the TOWN. A waiver of any of the terms and conditions hereof shall not be construed as a general waiver by the TOWN, and the TOWN shall be free to reinstate any such term or condition with or without notice to CONTRACTOR(S).

*Beaver Park Resident and Guests Free Access Contract*

WITNESS the hands and seals of the parties this 17 day of March, 2008

**The TOWN OF BEAVER, ARKANSAS:**

By:



Duane J. Kriesel, Mayor

**CONTRACTOR(S):**

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# **BEAVER CITY COUNCIL AGENDA**

**April 7, 2008**

**Beaver Community Center**

## **Call to Order**

- Pledge of Allegiance
- Approval of Minutes and Financial reports

## **Old Business**

- None

## **New Business**

- FEMA Status Report
- COX Status Report
- New Work Campers

## **Comments From Audience**

## **Adjourn**

Next Regular meeting May 12, 2008 – 7:00 PM, Beaver Community Center

TOWN OF BEAVER MINUTES  
MARCH 17, 2008

The meeting was called to order by the Mayor at 7 p.m. and all present recited the Pledge of Allegiance. The following answered roll call, Mayor Kriesel, Mary Hill, Council Members, Rick Pennington, Cathy Shusta, Pam Teslow, Bill Padgett was absent and one seat remains vacant.

Others Present: Tom Taylor, Tom Sterling, Bill and Sandy Hallary, Kathryn Lucrello from CCN, Roger Shoffit, Larry Teslow, BJ Baldrige and Bill Hill.

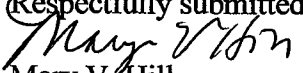
Pam Teslow moved and Rick Pennington seconded, to accept the Minutes as written. In the same motion, she recommended accepting the Treasurer's report with the following changes: move \$44 from General Fund to the Park Fund; change Kriesel Enterprises to Duane Kriesel. Vote was Unanimous.

After reviewing the "Contract for Free Entry", Pam Teslow moved, seconded by Rick Pennington, to accept the Contract. Vote was unanimous.

The Park Clean-up was scheduled for March 22 with a rain date of March 29<sup>th</sup>.

Roger Shoffitt, Park Committee Chair, reported on the Committee's selection for Manager and Rules and Regulations. After discussion, the Council refused to accept the person nominated and asked that the Committee interview the couple in attendance, Mr and Mrs. Hallary from Shell Knob.

Cathy Shusta moved for adjournment, seconded by Pam Teslow, the vote was unanimous and the meeting adjourned at 8:10pm.

Respectfully submitted,  
  
Mary V. Hill  
Recorder/Treasurer



TO: Beaver Town Council  
FROM: Duane Kriesel – Mayor  
SUBJECT: Park Plan  
DATE: March 26, 2008

The following park plan is presented for your review. Please provide feed back as soon as possible. If this meets with your approval I will implement the plan immediately.

## **THE PLAN**

Bill and Sandy Hallary from Shell Knob are eager to serve as camp managers for Beaver Town RV Park. They were introduced to the council at the last council meeting.

There are some details to be worked out, because we do not yet have a work-camper couple to assist. The couple that we had hoped would serve in that capacity has accepted a position in Colorado. Therefore, we will renew the ad in the magazine and continue our search.

In the mean time, adjustments have to be made. We are developing a plan to provide days off for Bill and Sandy. To that end I suggest that two days each week we operate the park in the manner that many other small parks operate. Leatherwood operates in this manner, so I intend to ask for guidance there. Basically many parks do not have the gate house staffed during slow times.

Since almost all of our campers make reservations ahead of time, a space is then assigned and prepayment is made. When they make the reservation, they will be instructed as follows: *“If the gate house is not staffed proceed to your assigned site. In case you forget your space number, your name and site number will be posted on the door of the gate house. Since a packet containing park rules etc. is prepared at the time the reservation is made, the packet can be placed at the site awaiting their arrival.*

Of course a few campers arrive without a reservation. That can be handled in a similar way. They will be instructed to pick a site from the “Available Spaces List”. The instructions will further instruct campers to expect a knock on the door at a later time to complete the registration process.

The phone will have to be placed on “Call Forward” during the times the gate house is closed.

Since Tuesday and Wednesday are usually very slow days, I expect that those will be the days off for Bill and Sandy. Chris Lester and I have agreed to assist during those times. We will patrol the park, collect fees from unregistered campers, check for cleanliness, etc. Help from other town residents will also be solicited.

**THE TOWN OF BEAVER**  
**CITY ATTORNEY**

P.O. BOX 97, 1006 THOMAS LANE, BEAVER, AR 72613-0097  
PHONE: (501) 253-7074 • FAX: (501) 253-7078  
EMAIL: WAHILL@MYNEWROADS.COM

**Mayor**  
*Duane Kriesel*  
**Recorder/Treasurer**  
*Mary V. Hill*

**March 17, 2008**



Memo For Mayor Kriesel

RE: Financial Controls

Since we are about to start another year of park operation under some form, I think it would be wise for the Town to revisit the subject of financial controls. In particular:

- a. We should ensure that any business dealings with the Park by Town officials have been specifically authorized by the Town Council, in accordance with our Town Code.
- b. We should ensure that prenumbered receipts are used for all cash transactions at the Park.
- ~~c. We should ensure that all cash transactions result in the issuance of a prenumbered receipt.~~
- d. We should ensure that two persons – at least one a Town official – are involved in all cash accounting and depositing.
- e. We must ensure that a contractor is not in sole control of Park cash transactions.
- f. There may be other helpful financial control ideas that the Town Council can contribute based on their past experiences, and so I would suggest that this subject be added to a future Town Council agenda.

I trust this information will be helpful. Please feel free to contact me again if you need further assistance.

William A. Hill  
Town Attorney

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BY ALL TOWN RESIDENTS AND THEIR RESIDENT GUESTS**

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# **BEAVER CITY COUNCIL AGENDA**

**May 12, 2008**

**Beaver Community Center**

## **Call to Order**

- Pledge of Allegiance
- Approval of Minutes and Financial reports

## **Old Business**

- Flood update
- FEMA Update

## **New Business**

- Report on Firearm incident
- Deb retirement party
- Voting early

Next Regular meeting June 9, 2008 – 7:00 PM, Beaver Community Center

TOWN OF BEAVER MINUTES  
APRIL 14, 2008

The meeting was called to order at 7 p.m. and all present recited the Pledge of Allegiance. The following answered Roll Call: Mayor Kriesel, Recorder/Treasurer Hill, Council Members; Pam Teslow, Cathy Shusta, Bill Padgett and Rick Pennington, one position remains vacant.

Others present were: BJ Baldrige, Mr and Mrs Taylor, Ladonna Padgett and Bill Hill.

The Minutes of the previous meeting were approved with one correction. Pam Teslow had moved that the Park Committee's decision be postponed until the Committee could interview the other couple. Cathy Shusta moved to accept the minutes as corrected, seconded by Pam Teslow and the vote was unanimous.

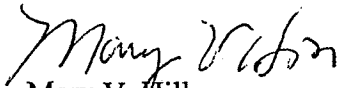
The Treasurer's Report was approved with the following change : that Kriesel Enterprises be changed to Duane Kriesel. Motion was made by Bill Padgett, seconded by Rick Pennington and the vote was unanimous. (Note: The Recorder/Treasurer made the change to the computer after the meeting)

New Business: The Hallery's and the Lamb's have agreed to work at the Park on short notice should it be opened this year as long as they can be "co-manager's and split the salary and mowing contract evenly". Pam Teslow motioned, seconded by Cathy Shusta, to have co-managers as long as the contract is written and signed. The vote was unanimous.

The remainder of the meeting centered around the condition of the Park and what to do about it. The Mayor reported that FEMA will come out to walk the Park and help assess damage when the water goes down. The Town is to keep track of all volunteer hours for clean-up. The Cox cable was broken and Cox replaced it with a temporary cable to restore service. The Park swim platform was located in Eagle Rock and the Mayor is working to having it towed back to Beaver and the State will clean up the debris when the water goes down. The Mayor is still investigating alternative waste disposal systems.

Pam Teslow moved, seconded by Cathy Shusta, to adjourn the meeting at 7:20p.m. The vote was unanimous. The next meeting will be May 12<sup>th</sup> at the Firehouse.

Respectfully submitted,



Mary V. Hill  
Recorder/Treasurer

Approved:  
Duane Kriesel, Mayor

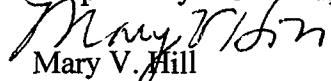
TOWN OF BEAVER SPECIAL MEETING  
MARCH 29, 2008

The Town Council met in a special meeting on Saturday, March 29<sup>th</sup>, at 11 a.m. to discuss the recent flooding of the Park. Present for the meeting were: Mayor Kriesel, Recorder/Treasurer Hill and Council Members, Pam Teslow, Cathy Shusta, and Rick Pennington. Others present were Park Committee member Chris Lester and Bill Hill.

The decision of the Council and Park Committee Representative is to keep the Park closed until it is cleaned up and deemed safe to operate. The boat ramp will be available and one port-a-potty for Day Use and boat launchings only. The Trail is to be closed, too, until it can be cleaned up of all the piles of debris. The Recorder /Treasurer was asked to do the following: order signs to be posted, cancel the phone service, cancel trash service and call Steve's Septic for a port-a-potty.

The meeting adjourned at 11:30 a.m.

Respectfully submitted,

  
Mary V. Hill  
Recorder/Treasurer

Approved \_\_\_\_\_  
Duane Kriesel, Mayor

# DEPARTMENT OF THE ARMY

Little Rock District, Corps of Engineers

Table Rock Lake Project Office

4600 State Highway 165, Suite A

Branson, Missouri 65616-8980

(417) 334-4101

FAX: (417) 334-4169

e-mail: ceswl-tr@usace.army.mil



REPLY TO  
ATTENTION OF:

May 6, 2008

Mr. William Hill  
Attorney at Law  
The Town of Beaver  
P.O. Box 97  
Beaver, Arkansas 72613-0097

Dear Mr. William Hill,

This response is in reference to you April 23, 2008 letter regarding recent flood damages at Beaver RV and Camping Park. We understand the situation you are in, as we manage 14 recreation areas on Table Rock Lake that have received significant damage as a result of the high lake levels. We have some preliminary estimates of damage and they are in excess of \$3 million in damages to our recreation areas. Unfortunately, it doesn't appear that we are going to receive any additional funding in the immediate future to address the damages in these parks once the water recedes.

As we will not have nearly enough funding to repair our damages, I'm sorry to say we cannot assist you at this time. We do not have any special procedures or funding programs that can assist with funding. As you, we are currently recruiting volunteers to assist with our clean up in our recreation areas. We will continue to pursue Challenge Cost Share opportunities with the private sector in campsite and recreation area rehabilitation. The historical high water will require a lot of work to restore these recreation areas. We appreciate your concern and efforts you make to provide valuable recreation experiences at Beaver RV and Camping Park.

Sincerely,

A handwritten signature in cursive script that reads "Allen G. Oller".

Allen G. Oller  
Lake Manager

WHITE RIVER LAKES (Final Edition)  
(Time: 10:38)

CURRENT STATUS					HISTORICAL STATUS (FOR CURRENT DATE)		
PROJECT	AM ELEV	(1) PERCENT FULL	24 HOUR CHG IN ELEV	MEAN DAILY RELEASE (CFS)	ELEV	AVG ELEV	SEAS/
					PREVIOUS YEAR	PREVIOUS 5 YEARS	CONS POOL
BEAVER	1128.73	85% F.C.	-.03	1154	1121.2	1120.4	1121.4
TABLE ROCK	929.51	89% F.C.	.22	5986	915.9	914.5	916.3
BULL SHOALS	693.64	96% F.C.	-.01	11516	656.0	657.9	656.3
NORFORK	578.18	92% F.C.	-.12	4090	553.8	554.9	554.3
SYSTEM F.C. STORAGE--		93%					
GREERS FERRY	485.34	93% F.C.	0.00	3296	462.3	463.3	462.3
CLEARWATER	551.54	64% F.C.	-.45	3870	510.8	502.9	498.0

(1) NOTE: Percent full is based on seasonal pool level, shown to the nearest percent.



TO: Beaver Town  
FROM: Duane J Kriesel - Mayor  
DATE: 4/10/8  
SUBJECT: Progress report - Flood related work

So far little progress has been made regarding restoring the RV park, but to date I have:

- 1 Attended a FEMA workshop in Huntsville
- 2 Filed initial paperwork to receive funding from FEMA
- 3 Requested quote for anchoring swim dock
- 4 Requested quote for testing/repairing electrical system.

I have been taking pictures, but please submit any pictures you have that may be beneficial in justifying requests for funds.

Please report all volunteer hours (related to cleanup, traffic control, etc.) to me. Provide times and dates.

All gates at Beaver Dam were opened again at 6:44 this morning (Thursday). By 10:30 it is no longer safe to cross the bridge. They need to lower Beaver 7 inches, but water continues to flow into Beaver, so it may take a while before we see water start to recede again.

If anyone has a boat that can drag the swim platform closer to the trestle it would be appreciated. I do not want it high and dry on a sand bar when the water finally recedes.

9- Greg Anderson  
402-491-  
3566

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**BEAVER CITY COUNCIL AGENDA**  
**June 9, 2008**  
**Beaver Community Center**

**Call to Order**

- Pledge of Allegiance
- Approval of Minutes and Financial reports

**Old Business**

- Park Cleanup
  - Electricity
  - Phone
- Deb retirement party update

**New Business**

- Green Waste Disposal
- Snake World volunteers
- Volunteers
- Request for Removal of property from Town

Next Regular meeting July 14, 2008 – 7:00 PM, Beaver Community Center

TOWN OF BEAVER MINUTES  
MAY 14, 2008

The Mayor called the meeting to order at 7:08pm and all present recited the Pledge of Allegiance. The following answered Roll Call: Mayor Kriesel, Recorder/Treasurer Mary Hill, Council Members Rick Pennington, Cathy Shusta, Bill Padgett, and Pam Teslow, one seat remains vacant. Others present were: LaDonna Padgett, Bill Hill and Kathryn Lucriello from CCN.

The Minutes and Treasurer Reports were approved as corrected to reflect the typographical errors.

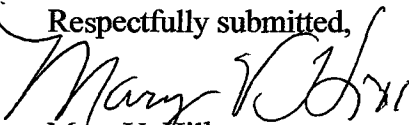
Bill Hill was asked to find out why the Town pays for the AUSPL membership.

In general comments the Mayor talked about the response from the Corps of Engineers concerning Park Clean-up and stated that everyone who might be affected by rising waters is called by him when he learns that the gates will be opened. He has been getting calls about when the bridge will be opened again and refers callers to the Corps website for lake levels. FEMA walked thru the Park with the Mayor and determined nothing could be done until waters recede and that there was no damage to our streets. A firearm was discharged in town to put down a dog and no action was taken on the call by the police. Everyone is encouraged to vote early.

Mary Hill reported that Deb Davis' retirement party will be June 13<sup>th</sup> at 1p.m. at the firehouse. It is a potluck and persons names ending in A-H should bring a meat dish; I-Q a salad or vegetable; and R-Z a dessert. No gifts, only cards and best wishes.

There being no further business, Cathy Shusta motioned for adjournment, seconded by Rick Pennington and the vote was unanimous.

Respectfully submitted,



Mary V. Hill  
Recorder/Treasurer

Approved



Duane Kriesel, Mayor

M

**THE TOWN OF BEAVER**  
**TOWN ATTORNEY**

*P.O. BOX 97, 1006 THOMAS LANE, BEAVER, AR 72613-0097*  
*PHONE & FAX: (501) 253-7074 • EMAIL: WAHILL@MYNEWROADS.COM*

**Mayor**  
*Duane Kriesel*  
**Recorder/Treasurer**  
*Mary V. Hill*

**June 10, 2008**



Mr. Duane Kepford  
1110 CR 233  
Eureka Springs, AR 72632

*Re: Your Request to Detach Your Acreage from Beaver Town*

Dear Mr. Kepford:

The Mayor has given me a copy of your April 15, 2008 e-mail to the Mayor which seems to again raise your desire to detach your land from the Beaver town corporate limits. I was given one page apparently from you to the Mayor which is a copy of page 6 of some unidentified source document with the heading, "D. Detachment" and summarizing several Arkansas statutes. There is a marginal notation around item number three, "ACA 14-40-1901-1903,"

Provides that the city Council made by resolution provides for the detachment from said city or town of any area which for more than 10 (10) years has not been recognized by city officials and is deemed unsuitable for urban development, and petition to the county court for detachment of the designated area, and after a hearing upon such petition by the county court, order may be issued excluding such territory from the corporate limits.

along with a note that "I think item number three covers what we are talking about." Although I was not present, I understand this matter was raised at last night's town Council meeting and that it was tabled for further consideration later. This is a request for more information from you, in writing.

As you know, we have previously discussed this matter by telephone. As you may recall, I

Mr. Duane Kepford

June 10, 2008

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concluded at that time that there appeared to be no benefit to the town of Beaver in incurring the costs of researching the issue or carrying out any necessary surveys, or in spending the time or efforts by town officials preparing petitions to the County Court to attempt to effectuate your special request. I did suggest that if you cared to bear these burdens yourself that you were certainly free to do so, subject to the town Council's agreement and approval.

1. I believe I understand that part of your land is inside the town limits and the part on which your house is located is outside the town limits. I am unclear as to exactly how much of your acreage is within the town limits. To help us understand your concern, I suggest that an accurate scaled plat might be helpful, if you cared to provide one. I am sure that a local surveyor could assist you with this.

2. During our previous conversation, I understood that the main reason you wish to detach your property from the town was that you believed it would be more valuable for resale if it were not subject to the town's zoning ordinance. I mentioned to you that no doubt some buyers would be grateful for the protection accorded by the zoning ordinance and that your present or future neighbors whose adjoining land is within the town limits may also be grateful for the protection afforded by the zoning ordinances. In any case, last time I looked, the town had the right to apply its urban planning rules out five miles beyond the town limits. Further, the town has the right to annex land adjoining the town limits to bring that greater land area within the municipal limits, and this extension of planning rules beyond the town limits is intended, I think, to protect the town's annexation right. However, that annexation right is limited, among other ways, to 10% of its present size – thus, for the purpose of preserving its fullest annexation rights, Beaver town has an interest in maintaining its present size and no interest in shrinking.

3. To me, there does not appear to be any immediate advantage to the town in reducing the land area that has been within the municipal limits since its inception. I have been told Beaver town's town limits at one time extended across the White River to the Missouri Border. I have been told that the town was originally incorporated in that way in part to secure the commercial tax benefits of "border town" status, like Texarkana. However, that cession of territory was done for the clear benefit to the town of not conflicting with the Holiday Island Suburban Improvement District. In this instance, there does not appear to be any reason why Beaver town should want to "throw back" any of its present territory to the County. Beaver town may well wish to expand in the future, but I presently see no reason why it should contract further. If you can articulate persuasive benefits to the town of Beaver of detaching your specific land acreage, please send those to me and I will forward your rationale to the Mayor to consider presentation to the town Council.

4. In general, it seems to me that while the town Council might choose to rid the town of some burden by "throwing back" some unwanted portion of its territory to the County – subject to application by the town to the County Court and subject to its acceptance of the

Mr. Duane Kepford

June 10, 2008

Page 3

land – unless there is some statutory basis, no one may simply choose to withdraw from any governmental jurisdiction – not from the United States, not from a State, not from a county, and not from a city or town. My research has not uncovered any statutory basis which would permit you to choose unilaterally to withdraw from Beaver's jurisdictional territory. At some time, virtually everyone probably feels subjectively that some governmental entity's rules may be confining or irksome – but none of us can simply unilaterally declare ourselves outside those rules.

We thank you for your consideration and assistance.

Sincerely,



William Hill Jr.  
Town Attorney

cc:

Mayor  
Recorder/Treasurer

**Attachment 1: Full Text of ACA 14-40-1901-1903**

**14-40-1901. Designation by resolution.**

(a) Whenever it appears that the official corporate limits as shown by the records of the Secretary of State for any city or incorporated town have for more than ten (10) years included an area or territory that has not been recognized by city or incorporated town officials and assessed for taxation as a part of the city or incorporated town during the period, because of error or otherwise, and which has not been legally detached from the city or incorporated town, then the city or incorporated town council may, by resolution, designate and determine for any portion of the area or territory which it believes is unsuitable for urban development in the foreseeable future, that it is no longer necessary for corporate purposes, and that it desires to officially detach the designated area or territory outside of its corporate limits, retaining the remainder of the unrecognized territory therein.

(b) A certified copy of the resolution shall then be filed with the county court of the county where the city or town is situated or the county where the area or territory affected is situated, together with a petition that a hearing be held by the court to determine whether the designated portions of the area or territory shall be officially excluded from the city or incorporated town limits.

History. Acts 1961, No. 92, § 1; A.S.A. 1947, § 19-325.

**14-40-1902. Hearing and determination.**

(a) Upon the filing of the petition, the county court shall set a date for hearing thereon, not less than fifteen (15) days nor more than thirty (30) days after the first publication of notice of the filing of the petition. Notice of the filing shall be published once each week for not less than two (2) weeks in a newspaper having a general circulation in the city or incorporated town.

(b) (1) After hearing the petition, if the court shall be satisfied that the designated area or territory has not been recognized by city or incorporated town officials and has not been assessed for taxation as a part of the city or incorporated town for more than ten (10) years, that it is no longer suitable for urban development, that the territory to be excluded is accurately described, and that the welfare of the inhabitants and property owners of both the city or incorporated town and of the area or territory affected will be best served, it shall make an order excluding designated area or territory described in the petition or such portions thereof as it determines should be so excluded from the limits of the city or incorporated town and remitting it back to the county.

(2) The clerk of the county shall certify a copy of the order to the recorder of the county, to be recorded by him, and shall likewise cause a certified copy to be forwarded to the Secretary of State, to be otherwise filed as provided by law.

History. Acts 1961, No. 92, § 2; A.S.A. 1947, § 19-326.

**14-40-1903. Public utility service.**

Any public utility serving the area detached shall have the right to continue to serve in the detached area on the same basis as service had been previously rendered prior to the action of the city or incorporated town council in adopting the resolution detaching the territory, except that no franchise tax shall be payable thereafter to the city or incorporated town.

History. Acts 1961, No. 92, § 4; A.S.A. 1947, § 19-327.



**Attachment 2: Annexation Statute**

**14-40-302. Authority — Exceptions.**

(a) By vote of two-thirds (2/3) of the total number of members making up its governing body, any municipality may adopt an ordinance to annex lands contiguous to the municipality if the lands are any of the following:

- (1) Platted and held for sale or use as municipal lots;
- (2) Whether platted or not, if the lands are held to be sold as suburban property;
- (3) When the lands furnish the abode for a densely settled community or represent the actual growth of the municipality beyond its legal boundary;
- (4) When the lands are needed for any proper municipal purposes such as for the extension of needed police regulation; or
- (5) When they are valuable by reason of their adaptability for prospective municipal uses.

(b) (1) Contiguous lands shall not be annexed when they either:

(A) Have a fair market value, at the time of the adoption of the ordinance, of lands used only for agricultural or horticultural purposes and the highest and best use of the lands is for agricultural or horticultural purposes; or

(B) Are lands upon which a new community is to be constructed with funds guaranteed, in whole or in part, by the federal government under Title IV of the Housing and Urban Development Act of 1968 or under Title VII of the Housing and Urban Development Act of 1970.

(2) Any person, firm, corporation, partnership, or joint venturer desiring to come within this exclusion must have received from the Department of Housing and Urban Development a letter of preliminary commitment to fund the new community under one (1) of the federal acts.

(3) If any lands are annexed that are being used exclusively for agricultural purposes, the lands may continue to be used for such purposes so long as the owner desires and the lands shall be assessed as agricultural lands.

(c) However, a municipality having a population of fewer than one thousand (1,000) persons shall not annex in any one (1) calendar year contiguous lands in excess of ten percent (10%) of the current land area of the municipality.

History: Acts 1971, No. 298, § 1; 1975, No. 309, § 1; 1975, No. 904, § 1; A.S.A. 1947, § 19-307.1; Acts 2001, No. 1751, § 1.

From : Duane Kepford <kepforde@earthlink.net> | Block Sender  
 To : "Duane Kriesel" <dkriesel@juno.com>  
 Subject : detachment regulations - procedures  
 Date : Tue, Apr 15, 2008 08:17 AM

Reply Reply All Forward Delete Report as Junk Move message to... Printable Version

I think Item#3 covers what we are talking about:

14-40-1501

**D. Detachment**

1. Whenever any municipal corporation shall desire to throw any portion of the territory lying within its corporate limits outside of such limits and remit it back to the county in which such municipal corporation is situated, it shall be lawful for the council of such municipal corporation to submit the question to the qualified electors of such municipal corporation at an election to be held for that purpose after having given notice of such election for four (4) weeks by advertisement in one of the papers published in such municipal corporation, or if there be no newspaper published in such municipal corporation, by an advertisement posted in two (2) of the most conspicuous places in said municipal corporation.

2. If a majority of the votes cast on the question shall be in favor of throwing such territory outside its corporate limits, the said municipal corporation shall present to the county court a petition praying for such change in its territory limits.

3. Also, ACA 14-40-1901 --- 1903 provides that the city council may by resolution provide for the detachment from said city or town of any area which for more than ten (10) years has not been recognized by city officials and is deemed unsuitable for urban development, and petition to the county court for detachment of the designated area, and after a hearing upon such petition by the county court, order may be issued excluding such territory from the corporate limits.

4. ACA 14-40-608 provides a procedure for individual landowners to detach property that has been annexed. The property must be located on the boundary of the city or town and must not have received utility services from the city or town. A landowner has three years from the annexation to request the municipality to detach the property. The request must be made by an affidavit submitted to the city clerk. The governing body of the city may then within thirty (30) days pass an ordinance to detach the property.

5. Special detachment procedures are provided for regional airports. The airports are not subject to municipal ordinances or other municipal rules or regulations. A regional airport can detach from a municipality by a majority vote of the airport authority. Detachment is permitted after the city or town in which the airport is located is consolidated or annexed into another municipality.

**SIMULTANEOUS DETACHMENT AND ANNEXATION**

1. When the boundaries of two municipalities are contiguous and adjoining, one municipality may propose an ordinance to detach and annex territory of the other municipality. The governing body of the municipality attempting to detach and annex must propose an ordinance to simultaneously detach and annex territory and

then send the ordinance to the governing body of the municipality containing the territory.

2. The ordinance must provide a legal description of the territory and the general reasons for the proposed detachment and annexation.

3. A public hearing must be conducted within sixty (60) days of the proposal of the ordinance. Municipal officials of both municipalities and owners of land located in the subject territory may attend the meeting to present their views.

4. Notice must be published at least fifteen (15) days prior to the public hearing.

5. The governing body of the municipality in which the lands are located may vote on the proposed ordinance. A majority vote in favor of the detachment and annexation will constitute a prima facie case for the action. The proposing municipality may then render services to the area.

6. The decision of the municipal governing bodies is final unless suit is brought in chancery court within thirty (30) days challenging the mutual actions of the municipalities.

7. When the detachment and annexation is final, residents of the territory are entitled to all rights and privileges as residents within the original limits of the city or town. The municipal clerk or recorder must certify one (1) copy of the plat of the annexed territory and one (1) copy of the ordinance adopted by both governing bodies to the county clerk. A copy of each document shall then be forwarded to the Secretary of State.

**DETACHMENT AND ANNEXATION TO OBTAIN MUNICIPAL SERVICES**

1. A landowner in one city or town whose property borders another municipality may be permitted to annex his land into the other municipality in order to obtain additional municipal services, such as electricity, water, sewer, fire or police protection, if certain conditions are met. This applies to residential, commercial, industrial, and unimproved land.

2. The landowner must first allow his current city or town the opportunity to provide the desired municipal services following the procedure set out by statute.

3. First, the landowner must file a statement with his current municipality. The statement must state what services are sought.

4. In addition to stating what services are sought, the landowner's statement must establish that the municipality is not providing the services. The statement must also state that the land at issue is one (1) area contiguous to another municipality and that the services are available in the bordering municipality.

5. The landowner's current city or town then has thirty (30) calendar days to make a written commitment to

**BEAVER CITY COUNCIL AGENDA**  
**August 11, 2008**  
**Beaver Community Center**

**Call to Order**

- Pledge of Allegiance
- Approval of Minutes and Financial reports

**Old Business**

- None

**New Business**

- New Town Clerk (or temporary signer for checks)
- Vacant council position
- Park work day
- Inspection of electrical service
- Testing of water system

**Comments From Audience**

**Adjourn**

Next Regular meeting September 8, 2008 – 7:00 PM, Beaver Community Center

*Nothing for  
July 2008 -  
No quorum*

TOWN OF BEAVER MINUTES  
JULY, 2008

There was no meeting due to a lack of a quorum

*Mary V. Hill*

Mary V. Hill  
Recorder/Treasurer

**Beaver Town**  
**Meeting Minutes**  
**June 15, 2009**

**Call to order**

Mayor Mary Hill called to order the regular meeting of the city council.

At 7:03 on June 15, 2009 in Beaver Community Center/ Fire Station.

**Pledge of Allegiance**

**Roll call**

Michelle Pool noted attendees. The following persons were present: Mayor Mary Hill, Michelle Pool, Rick Pennington, Pam Teslow, Cathy Shusta, Jeff Wilson – Tommy Taylor & Amber Bill Hill, Media and Lynus Shockley, Trena and Tim Lane, Debbie Ceadarstrom

**Approval of minutes from last meeting**

Michelle Pool distributed the meeting minutes from the previous month to the attendees. The minutes and Treasures Report were approved as read. Motion: Pam Teslow Second: Cathy Shusta  
Vote: Unanimous

**New business**

Comments about the RV Park were made by Media Shockley – lots of new reservations and how word of mouth will encourage more attendance. Linus reported septic half full at time of meeting Cathy Shusta questioned integrity of septic system. Mayor Hill suspects small cracks but system was installed by corps many years ago. Long discussion about park viability and should it be kept open if it was not making money noted by Mr. Taylor who questioned the reasoning. Bill Hill explained what would happen to the park if no one maintained and how the town took it over after the Corps decided it was not important to keep open.

The issue of Rick Pennington not being able to perform FEMA duties was raised and the transfer of said duties to Jeff Wilson. Motion: Pam Teslow Second: Cathy Shusta – Vote: Unanimous

FEMA UPDATE from Mayor Hill – 3 tress still need to be cut but city equipment is not large enough a tree service needs to be called in. Jeff Wilson questioned the cost of removal and no formal estimate was given to Mayor Hill at the time of meeting Amount not to exceed \$1,500.00 was voted on Motion: Cathy Shusta Second: Pam Teslow. Vote: Unanimous

Pam Teslow raised question of additional funds for Tree City Mayor Hill reported none at this time.

*report Patty Erwin said there may be additional funds.*

Mayor Hill updated on Plaque for Mr. Radcliff (to be at flagpole) - would be ready 4-6 weeks and a cost of \$490.00 no vote was made. Mayor also asked meeting members to take a moment to remember those in our town that had passed on.

**Adjournment**

Mayor Mary Hill adjourned the meeting at 7:51pm.

Minutes submitted by: Michelle Pool

Minutes approved by:

**TOWN OF BEAVER  
AGENDA  
SEPTEMBER 8, 2008**

**PLEDGE OF ALLEGIENCE**

**REVIEW OF MINUTES AND TREASURER'S REPORTS**

**OLD BUSINESS:**

Review open items on August minutes

Accept resignations

Zoning issue on FeatherCreek

Rick Pennington wishes to speak about August meeting

Report on Park work day

FEMA update

**NEW BUSINESS:**

Appoint new personnel

Appoint new signees for bank accounts

Park: should "temporarily closed" sign be replaced with  
"day use only" sign?

**Town of Beaver Minutes**  
**August 11, 2008**

The meeting was called to order at 7p.m. by the Mayor and all present recited the Pledge of Allegiance.

The Minutes of the June, 2008, meeting and the Treasurer's Report for June, 2008 were approved as presented.

There being no old business, the Mayor proceeded to the new business on the agenda.

Mayor Kriesel presented Michelle Poole to replace the current Recorder/Treasurer, Mary Hill. Council requested that Mary Hill remain as Recorder/Treasurer until such time as Michelle Pool could register to vote in Beaver. (Open Item)

Cathy Shusta recommended that the Council request Mayor Kriesel to resign because of a lot of turmoil and discomfort along with not having a say in the management of the Park. She went on to say that Council needed "someone we can all work with. It's been difficult coming to the meetings." Mayor Kriesel stated that he had asked if anyone on the Council wanted to replace him last December and that there were no takers; however, today, he agreed to resign as soon as someone could be found to replace him.(Open Item)

The Mayor resigned as the point of contact for FEMA and Cathy Shusta volunteered to replace him.

Vacant Council position: Jeff Wilson volunteered to be a Council member contingent upon his being registered to vote in Beaver.(Open Item)

Park Work Day: Council set August 23<sup>rd</sup> as a work day at the Park. Council members commented on the amount of work to be done . Cathy Shusta, Ladonna Padgett and Mary Hill volunteered to coordinate the food to feed the volunteers who worked. The Mayor commented that he understood from FEMA that the trash was not hazardous and therefore the Town could clean it up.

Inspection of electrical: The Mayor suggested that the Town get an estimate on the damage and that there would be no compensation for the estimate. No action was taken by the Council.

**New Business:**

The residents along Feather Creek asked for clarification of the zoning permitting the storage of hay bales along the street. The bales block their view and are just plain unsightful. The Town Attorney stated that he would talk to the property owner and the farmer and report back to the Council at the September 8<sup>th</sup> meeting. (Open Item)

There being no further business, Bill Padgett motioned, seconded by Rick Pennington, that the meeting be adjourned until September 8<sup>th</sup> at 7p.m.

Respectfully submitted,



Mary V. Hill  
Recorder/Treasurer

## TITLE 5

### HEALTH AND SANITATION

#### Chapters:

- 5.04 Maintenance of Real Property
- 5.08 Littering
- 5.12 Solid Waste Collection (Reserved)

#### CHAPTER 5.04

### MAINTENANCE OF REAL PROPERTY

#### Sections:

- 5.04.01 Unsightly or unsanitary conditions
- 5.04.02 Notice to unknown or non-resident owners
- 5.04.03 Refusal of owner to comply; lien against the property
- 5.04.04 Enforcement of lien for clearance by town
- 5.04.05 Repair of structure; costs; bidding

5.04.01 Unsightly or unsanitary conditions The town, acting through its designated officials, the Zoning and Planning Commission, may issue a written notice ordering the owner of real property within the town to cut grass or weeds; to remove garbage, rubbish, and other unsightly and unsanitary articles upon the property; to eliminate, fill up, or remove stagnant pools of water or any other unsanitary thing, place, or condition; which might become a breeding place for mosquitoes, flies or germs harmful to the health of the community. (Ord. No. 1.11, Sec. 1.)

5.04.02 Notice to unknown or non-resident owners If the owner or his whereabouts is unknown, or he is a non-resident of the state, then a copy of the written notice shall be posted upon the premises. The Recorder/Treasurer shall publish, mail or deliver the written notice, or an attorney ad litem shall be appointed to notify the defendant by registered letter addressed to his last known place of residence, if it is known. (Ord. No. 1.11, Sec. 2.)



**5.04.03 Refusal of owner to comply; lien against the property** If the owner, after notice is published, mailed, delivered or served by registered mail to last known place of residence, if known, refuses to remove, abate, or eliminate the unsightly or unsanitary condition after having seven (7) days' notice in writing to do so, then the town is empowered to do whatever is necessary to correct the condition and to charge the cost thereof to the owner. The town will have a lien against the property to secure repayment of its costs. (Ord. No. 1.11, Sec. 3.)

**5.04.04 Enforcement of lien for clearance by town** At any time within eighteen (18) months after work has been done, the town's lien may be enforced in Circuit Court plus an award of costs and reasonable attorney fees; or may be enforced as a delinquent tax by the County Tax Collector, in accordance with the procedures in ACA 14-54-904. (Ord. No. 1.11, Sec. 4.)

**5.04.05 Repair of structure; costs; bidding** If a structure is repaired by the town to meet minimum building code requirements, then competitive bidding procedures must be followed. (Ord. No. 1.11, Sec. 5.)

STATE LAW REFERENCES – See Police Power Statute, A.C.A. 14-55-102; A.C.A. 14-54-901, et seq.

## **CHAPTER 5.08**

### **LITTERING**

#### **Sections:**

#### **5.08.01 Littering illegal**

**5.08.01 Littering illegal.** It shall be unlawful for any person to place, dispose, or otherwise permit to be located upon, in, on, or about any public street, sidewalk, alley or public thoroughfare or any private or public property adjacent thereto, any litter, refuse or debris.

STATE LAW REFERENCES: A.C.A. 8-6-401 through 8-6-417; Police Power Statute, A.C.A. 14-55-102.

## **CHAPTER 5.12**

### **SOLID WASTE COLLECTION**

(Reserved)

Agenda  
October 13, 2008

Pledge of Allegiance

Opening Remarks

Review/Approve Minutes and Treasurer's Report

Old Business:

Review Open Items

Steve Septic Account

FEMA Grant

Review Statement of Work (SOW) (see handout)

Schedule work day

New Business:

Tree City Presentation - Pam Teslow

Proclamation for Arbor Day

Contracting out painting of interior/exterior of Post Office building

Review/renew Vision Statement for Town (See handout)

Closing

The next meeting will be November 10th at 7p.m.

***Remember to vote :Early voting begins October 20<sup>th</sup> at either courthouse. November 4<sup>th</sup> is election day. As always, you will need a photo ID in order to vote.***

TOWN OF BEAVER MINUTES  
SEPTEMBER 8TH, 2008

The meeting was called to order at 7p.m. by the Mayor and all present recited the Pledge of Allegiance.

The following answered Roll Call: Mayor Kriesel, Recorder/Treasurer Mary Hill, Aldermen Rick Pennington, Bill Padgett, Cathy Shusta, and Pam Teslow. One position is vacant. Others present were: Jeff Wilson, LaDonna Padgett, Tom Sterling, Bill Hill, BJ Baldrige and Kathryn Lucriello of Carroll County News.

The Minutes were approved with the following correction: Cathy Shusta asked the Council to consider not accepting Mary Hill's resignation and Mary Hill said she would not work with the Mayor and then Cathy Shusta recommended....as stated in the August minutes.(Cathy Shusta recommended that the Council request Mayor Kriesel to resign because of a lot of turmoil and discomfort along with not having a say in the management of the Park. She went on to say that Council needed "someone we can all work with. It's been difficult coming to the meetings." Mayor Kriesel stated that he had asked if anyone on the Council wanted to replace him last December and that there were no takers; however, today, he agreed to resign as soon as someone could be found to replace him.

Pam Teslow moved, seconded by Rick Pennington to accept the minutes as corrected. Vote Unanimous.

Pam Teslow moved, seconded by Bill Padgett, to accept the Treasurer's Report. Vote: Unanimous. Council asked about if the \$198.00 charge for Steve's Septic was a duplicate (open item) (Note: After the meeting, Alderman, Pam Teslow asked that the Recorder/Treasurer bring bills to the next council meeting for approval before writing checks. Checks can be written and signed at the meeting.)

Old Business: Mayor Kriesel introduced Jeff Wilson who lives on Lazy L Lane as a volunteer for the vacant Council position. Bill Padgett made a motion to accept Jeff , seconded by Pam Teslow. The vote to accept was unanimous. Mayor Kriesel then swore in Jeff Wilson who took his place at the table.

Other Business: Rick Pennington stated that he did not understand how the council could ask the Mayor to resign without having discussed it privately. Pam Teslow reminded him of the restriction of Council Members not getting together outside a public meeting to discuss Town business. Rick stated that he didn't like politics for a number of reasons and had just found another one.

Report on zoning issue of FeatherCreek , Bill Hill stated that he had spoken to Mr Ratliff and had tried several times to contact Roger Walden but had been unable to reach him. In one conversation, Mr. Ratliff had agreed to ask Roger to move the haybales but in following

conversations he refused to move the hay bales. To change the Zoning Code would require reconstituting the Zoning Commission (five members exclusive of any Council Members). Bill Padgett asked if Bill would ask Roger Walden to use the haybales first to clean up the area. No further action was taken.

Park Work Day: Cathy Shusta reported that over 40 people had helped to clean up the Park on August 23rd. The Green Forest Company wants to return. Bill Padgett stated that we need a backhoe to move the dumpster that floated into the burn pen. Bill Hill reported that we have received email from the Corps of Engineers approving burning on the walking trail and Bill Padgett will schedule a training for the fire department when conditions are right for burning and that Larry Porter will bring his back hoe. (Open Item)

FEMA: Cathy Shusta reported that we have worked with the representative and still have a number of "what if's" involving the condition of the water and electrical systems. Volunteer hours on the work day were included in the report. Pam Teslow moved, seconded by Bill Padgett, that the Park remain closed to Day Use and Boat Launching until further notice because of the rising waters, silt, and other problems caused by flooding. Vote was unanimous.(Open Item)

Tree City: Pam Teslow reported Patti Irwin has material for the 2009 Arbor Day. The Park will be included but can't physically do anything until the water is down. Pam will ask for help if she needs it.(Open Item)

Tree removal in Park: Bill Padgett, Bill Hill, Larry Teslow, and Jeff Wilson volunteered to remove dead trees in Park as soon as it's feasible to do so. (Open Item)

Park Mower: Bill Padgett discussed the needs of the Park mower. Cathy Shusta motioned, seconded by Rick Pennington, that Bill Padgett be allowed to have the mower serviced and repaired. Vote: Unanimous.

In closing, Mayor Kriesel read a statement to the Council about his resignation and the Council accepted his resignation.

Replace Recorder/Treasurer: Pam Teslow motioned, seconded by Cathy Shusta, to accept Michelle Pool as Recorder/Treasurer. Vote: Unanimous.

Replace Mayor: Bill Padgett motioned, seconded by Cathy Shusta, to accept Mary Hill as the Mayor. Vote: Unanimous.

There being no further business, the meeting adjourned at 7:45p. M, The next meeting will be October 13th.

*Mary V. Hill*  
Respectfully submitted,  
Mary V. Hill  
Recorder/Treasurer

Accepted *Paul A. [Signature]*

## **A STATEMENT BY THE MAYOR OF BEAVER**

The last council meeting was a low point for me. Yet the past three weeks have been filled with unbelievable highs. Thanks to the attacks by the town council and the press I have been drawn closer to old friends and have made many new friends. Everywhere I go someone approaches to offer support. I have had calls from adjacent counties and even adjacent states. This has truly been a rewarding time. I wish to publicly thank my supporters. There is no way I can put into words my level of appreciation. The character assassination has been severe. Some have asked why I have not mounted a counter attack. There are three reasons.

- First, I am accountable only to a higher authority.
- Second, I am a firm believer that the truth will prevail.
- Third. I have never seen a case where a person gained stature by tearing down others. The exact opposite is true; it has been resoundingly true in this case.

# September 2008 Beaver Town Council Meeting

**Council Present at Meeting**

Mayor – Mary Hill  
 Rec/ Tres- Michelle Pool  
 Rick Pennington  
 Cathy Shusta  
 Pam Tesslo  
 Jeff Wilson  
 Bill Padget

**Others Present at Meeting**

Bill Hill  
 Rene Pennington  
 Amber Moody  
 Austin Moody  
 Mr. Taylor

**Meeting to Begin at 7:12pm**

Pledge  
 Call to order  
 Roll call  
 Review of minutes from last month -  
 APPROVED as read

**ISSUE: Review of Treasurers Report - OLD BUSINESS**

Bills were reviewed and approved. Cathy Shusta asked about Steve's Septic Bill – Mary had reviewed and talked with Steve about the billing error. Mary noted we should be receiving a \$80.00 Credit. Motion to approve bills and reports by Pam Tesslo with a second by Jeff Wilson – Unanimous Vote

Action Items	Person	Deadline
None	None	None

**ISSUE: FEMA CHECK - OLD BUSINESS**

Question posed by Mayor Mary Hill – Check was received. What account you would like it to go into Park or Town funds. Pam Tesslo asked if the money was enough to cover all that still needed to be done as well as the previous work. Mayor Mary Hill reviewed the packet sent by FEMA but Pam will review break down. Motion to put into Park account and sign paperwork by Pam Tesslo Second by Cathy Shusta. Cathy Shusta made the suggestion to see if a CD might be an option as the money for the park will not be used until next year. Jeff Wilson brought up the idea of if revisions could be made with actual cost vs estimates and what were the chances we as a city could go back for more money. Pam Tesslo also suggested a Town Meeting to decide when to open the Park. Motion by Cathy Shusta second by Rick Pennington. Alos going over planning of Arbor Day and Work Day for Nov. 1<sup>st</sup> with lunch about 2:00 pm

Action Items	Person	Deadline
Review of breakdown	Pam Tesslo	Next meeting
Check CD Rates	Michelle Pool	Next meeting

**ISSUE: Tree City USA - NEW BUSINESS**

Pam Tesslo went over the items on Tree City – Trees available and that she would price them – Maples Shrubs and or roses and which would get more items for the money for the city. Amount of money was \$2.00 per person works out to be about \$200.00 – The city also received a 5 year crystal plaque.

Action Items	Person	Deadline
Pricing on trees plants shrubs and mulch - etc	Pam Tesslo	Before celebration

# September 2008 Beaver Town Council Meeting

## ISSUE: Paint of the Interior and Exterior of Post Office - NEW BUSINESS

Mayor Mary Hill to contact Painters for bids - Items to be painted Interior: Paint Lobby - Desk - Walls. Exterior - Needs Scraped and repainted - gutters cleaned. Motion to find local painters by Rick Pennington second by Pam Tesslo. A USPS approved color of sand was chosen

Action Items	Person	Deadline
Get bids from local painters	Mayor Mary Hill	Next meeting

## ISSUE: Dumpster and Mower Service - NEW BUSINESS

Cathy Shusta asked about the dumpster and was it still in place as well as questions of mowing in the park - Bill had to step out for a call...this was not addressed further. There was a discussion about the old dead trees in the park that needed to be removed. That they needed to be marked and taken down. Whoever wanted the wood could take it. Bill would be helping with the trees being taken down. A special thanks was given by Mayor Mary Hill to all who continue to clean even without official work days - that showed the real spirit of Beaver.

Action Items	Person	Deadline
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Approved 10/17/08  
Mary Hill  
Mayor

14-October-2008

To: Mary Hill and the Beaver Town Council

SUBJECT: Resignation as Beaver Alderman

In an effort to spend more time as a retired Beaver resident, Holiday Island fireman, Holiday Island rural fire board member and Carroll County Special operations rescue team member, please accept this letter of resignation as Beaver Alderman. I have made special friends while holding this position, but it is now time to move on and enjoy my retirement and family.

Thanks,

  
Billie R. Padgett



F

TOWN OF BEAVER AGENDA  
NOVEMBER 10, 2008

CALL TO ORDER

PLEDGE OF ALLEGIENCE

WELCOMING REMARKS

APPROVAL OF OCTOBER'S MINUTES AND TREASURER'S REPORT

OLD BUSINESS:

PAINING OF POST OFFICE  
FEMA DISBURSEMENTS  
PARK WORK DAY  
OTHER

NEW BUSINESS:

BILL PADGETT'S RESIGNATION  
WALKING TRAIL  
YOUR VISION FOR BEAVER

OTHER — *Contract Tree Sv to remove large oak  
Contract Larry Porter to use tractor to clear boat launch area*

ADJOURNMENT

NEXT MEETING IS DECEMBER 8<sup>TH</sup>, 2008, AT WHICH WE WILL REVIEW THE 2009  
PROPOSED BUDGET

**Council Present at Meeting**

**Others Present at Meeting**

**Meeting to Begin at 7:12pm**

Mayor – Mary Hill  
Rec/ Tres- Michelle Pool  
Rick Pennington  
Cathy Shusta  
o Roll call  
Cathy Shusta  
Wilson Meeting  
n

Bill Hill  
Larry Teslow  
Katherine Lucero

Pledge  
Call to order  
Roll call

J  
e

ends at 7:50pm Bill Padget

Meeting December 8<sup>th</sup> 7:00 pm ISSUE: Review

**Treasurers Report – OLD BUSINESS** Due to reschedule of meeting due to previous date lack of quorum no bills w  
the time of meeting aside from FEMA amounts and food reimbursements. Motion to approve bills and reports by Pam Te  
slow with a seco

by Cathy Shust

a – Unanimous Vote

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adline None None None

**ISSUE: POST OFFICE – OLD BUSINESS** Mayor Mary Hill explained that she had called 3 contractors and only or  
all regarding painting of the Beaver Town Post Office. The contractors name is Gary Wheat. It was noted that some minor r  
ng of items in the Post Office would need to be arranged with Victor as well as a time. She was quoted a price of \$15.00 per l  
ur. This would include the cleaning and painting, plus materials. Some concern was expressed by Jeff Wilson as well as Kat  
y Shusta on the amount if time to do the job. He requested a estimate of time. The town has an account to which Mr. Wheat  
would be able to purchase materials. Cathy asked about references and none were available. Larry Teslow brought up the we  
e is also in need of painting. This will be added to the Dec Agenda. Jeff Wilson mentioned he might be able to talk to Sherri  
f about using the 309's for painting of the well house as well as basic park clean up. Motion to Accept Wheat as contract  
or – by Ca

Shusta Secon

d by Rick Penington

Acti

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xt Meeting

items in Post  
Availabili

f 309's Jeff Wilson Next Meeting I

**FEMA New Check – NEW BUSINESS** Another check was issued by FEMA for \$484.79 for volunteer workers –  
for the previous check – review and signing of package. Reimbursement for food and misc items related to clean up as well  
as replacement for Port O Potty that floated away motion by Pam Teslow Second by Cathy Shusta APPROVED. The issue v  
sed over the cutting of trees and it seems one was to large and Mike's Tree Service was suggested. Mostion by Cat

o

approve Second by

Jeff Wils

Person Responsible Deadline Sign  
ket Mayor Mary Hill Next Meeting H

and Deposit che  
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ck – resubmit  
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**ISSUE: Park Grass Contract -- NEW BUSINESS**

The counsel discussed the possibility of including fire station in the park contract for ground maint. Legal notice of bids should be taken to mow the park persons selected were Matt and Matt by Cathy Shusta and Jeff Wilson. SOW could be done by Jeff Wilson so expectations were clear and there was no chance to be over charged. It was also discussed that the park fund money can be turned into a money maker.

Action Items	Person Responsible	Deadline
SOW	Jeff Wilson	Next meeting

**ISSUE: Bill Padget -- NEW BUSINESS**

Resigned Oct 14<sup>th</sup> due to conflicts with duties on the fire department. It was suggested that some of the new people in town be talked to. Motion to accept resignation by Pam Teslow Second by Jeff Wilson.

Action Items	Person Responsible	Deadline
NONE		

**ISSUE: Walking Trails -- NEW BUSINESS**

The expansion of the park trails for walking was brought up due to the safety issue of the town without sidewalks. Bill Hill had previous done a lot of work on the trails work in the park and the legality of trails and easements. Some people did not like the idea of trails behind homes but it would bring a lot to the city. Bill Hill to write a letter to Mr. Padget to see his feelings on the trail project as his house would be one of the ones in question for the trails to follow behind. Also talk to revive the rails to trails program. Motion by Jeff Wilson Second by Pam Teslow.

Action Items	Person Responsible	Deadline
Write letters to those along trail easment	Bill Hill	Next meeting

**ISSUE: More Clean up-- NEW BUSINESS**

Larry Poter offered to clean up boat ramps if gas was provided by town

Action Items	Person Responsible	Deadline
To be discussed with Mr. Porter	Mayor Mary Hill	Next Meeting

**ISSUE: New Building Inspector / Mayor Mary Hill Salary -- NEW BUSINESS**

Jeff Wilson was appointed New Building Inspector of Beaver by Cathy Shusta. Unanimous. vote. Mayor Mary Hill has also declined salary. Also it was noted Beaver License plates are still on sale \$5.00 as well as NEW FLAGS for boats or bikes...proceeds going ton Fire Department.

Action Items	Person Responsible	Deadline
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