



The Village Voice

Vol. 8, No. 9

Indian Springs Village, Alabama

December 8, 1998

INDIAN SPRINGS VILLAGE TOWN COUNCIL MEETING

Tuesday, December 15, 1998, 7:00 p.m.
Indian Springs Village Town Hall

Agenda

- I. Mayor/Council Committee Reports
- II. Ordinances and Resolutions
- III. Citizens' Forum
- IV. Refreshments

Indian Springs Village Telephone
Directory Number is 982-1755

Editor's Notes

The *Village Voice* is the official organ of Indian Springs Village, AL, established October 16, 1990. The mission of this newsletter is to foster a spirit of community and co-operation. It is the vehicle for reporting the monthly deliberations of the mayor and the council in town council meetings; additionally it provides these officials and other villagers a means of communicating—it is a "voice." Expenses are covered by the efforts and donations of ISV volunteers. Deliveries are made at no charge by volunteer couriers.

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The *Village Voice* is published the second Tuesday of each month. Articles for publication in the Jan. 1999 edition should be submitted by Tuesday noon, Jan. 5. The editor reserves the right to edit all materials submitted for publication, including signed letters to the editor, which will be published if space permits. All opinions expressed in this newsletter are those of the authors of articles; any opinions the editor expresses are her own and should not be attributed to the mayor or the council.

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Changes in Fire District Legislation Proposed

Stability of North Shelby Fire District May Be in Jeopardy

By Ruth Goodwyn, Editor

Approximately 25 persons--residents, fire chiefs, and elected officials--presented proposals, testimonials, and views to a nine-member Shelby County legislative delegation at a public hearing regarding the 29 fire and/or rescue service departments in Shelby County, which range in services from excellent to poor. The fastest growing county in the state, Shelby, is one of only six Alabama counties with no mandated funding for fire and medical services.

Called by State Representative Mike Hill and Senator Bill Armistead, R-Columbiana, the hearing was held Thursday, November 19, in the community room of the Shelby County Services Building, Pelham, and lasted three hours. The large room was packed, with interested listeners standing outside the door and down the hallway.

The legislative delegation wanted to hear, before the 1999 legislative session begins in March, the concerns of those who would be affected by changes in fire district legislation in Shelby County, specifically North Shelby and Cahaba Valley districts. The focus was to be on problems and proposed solutions.

Shelby County fire and/or rescue service departments are city, district, or area. North Shelby, Cahaba Valley, Shelco, and Dunning are four fire districts created when a majority of voters approved a referendum and are mandated fire districts. There are nine city fire districts, 15 area fire departments, and one volunteer subscription district, which means that annual bills are submitted to residents for service charges with no recourse of collecting if residents do not pay.

Of the nine city fire departments, only Pelham is fully paid; the others such as Alabaster, Montevallo, Helena, etc., are partly paid and partly volunteer. Twelve fire departments depend on voluntary donations or fund raisers, such as candy sales, cake walks, car washes, etc., last year spending only about \$225,400. among the 12. This figure averages \$18,000 each, though one operated last year on as little as \$5,000. One Shelby County area fire department was "lost" last year because of financial difficulties. The people in that area, like many others, now have no fire and/or rescue services at all.

These figures were obtained from Fire Chief Doug Ballard, West Shelby Fire Department and president of the Shelby County Fire Chiefs Association, to give an overview of fire and/or rescue services. A volunteer, Mr. Ballard has 36 years of fire and emergency service experience.

About 25 from Indian Springs Village were among those attending the hearing. Making presentations were, among others, Fire Chief Michael O'Connor and Retired Chief Winston Boutwell of the North Shelby Fire and Emergency Medical District (NSFD), Jim Wyatt, President, NSFD Board of Trustees, Mayor Gene Weingarten, and Councilman Herb Robins, speaking for the Homestead Subdivision which is now within the boundaries of Indian Springs Village. All had high praise for the North Shelby Fire District since its creation in 1978 by a vote of the people who would reside within the proposed district. Because of the foresight and leadership of Jack Van Pelt, Jim Wyatt, Martha and Jim Geyer, and others, the NSFD is one of the best in the entire state, providing protection to isolated areas long before municipalities crossed the I-65 and Cahaba River boundaries. (A long article about the history of the North Shelby Fire and Emergency Medical District appeared in *The Village Voice*, August 12, 1997.)

A major problem for existing fire districts, particularly North Shelby and the Cahaba Valley Fire and Emergency Medical Service District, results from cities annexing into the districts. Residents pay twice for protection--with fire district dues and municipal taxes. The city of Hoover, for example, has annexed property from both districts. About a half dozen speakers, from Greystone, Hoover, Brook Highlands, and Southlake spoke at the meeting of the financial burden imposed at paying "double taxes"--taxes to Hoover and service charges to either North Shelby or Cahaba Valley districts. Apparently when these residents decide to annex, they are not told until closing papers are signed that by law they will be obliged to continue paying fire district service charges in addition to city taxes.

Others spoke of the hardship that would ensue to the existing fire districts should those who choose to annex into municipalities not have to pay annual service charges. What would happen? Because of the loss of finances districts might have to cut services, to the detriment of its residents. Also, those residing in the fire district would perhaps suffer higher annual service charges--maybe paying twice what they now pay--thus the financial burden would be shifted to them.

Should the municipalities have to pay, in one form or another, for six years the cost of fire district dues for residents it annexes (as is done in some counties), the practice would still, in the long run, weaken the district. An example is the Cahaba Heights Fire Department in Jefferson County, which was affected financially by Birmingham's annexation of areas along 280S.

Commissioner Lindsey Allison spoke of the need for dealing with elections of fire district trustees and provision for filling a vacancy upon the resignation of a member. She outlined also the need for an annual audit of fire districts and

problems posed by trying to effect mergers or provisions to make changes in boundary districts. North Shelby and some of the other fire departments have annual audits and regular meetings of their boards of trustees.

Concerning the election process, often directors run without opposition. Once qualifying closes, they could be declared elected, if there is no opposition. In the November 1998 election in this area, the names of James Wyatt and Charles Waldrop appeared on a separate ballot for election to the North Shelby Fire District Board of Trustees. The two were unopposed, but the NSFD had to pay \$7,000. to Shelby County for what was an unnecessary procedure.

In the Shelby County Commission fire and rescue services are not a separate committee, but come under the heading of "Public Safety, Courts and Elections." This committee deals with the Sheriff's office, jail, Juvenile Court services, Shelby County Regional Juvenile Detention facility, probate court, circuit and district courts, district attorney, circuit clerk, Shelby County Board of Registrars, election management and voting places, census, and emergency management. The committee is chaired by Larry Dillard, who chairs two other committees. Commissioners Dan Acker and Michele George-Camp are members of this committee.

One of the presenters at the meeting, Fire Chief Gary Waters, Pelham, proposed the dissolution of all existing fire departments and the creation of a county fire district with a chief administrator for the whole county. A one-cent county sales tax due to expire in the year 2001 could be extended and used as funding. Were this proposal enacted into legislation, the main winners would be those who live in unincorporated areas now with no fire or rescue services at all, he said.

When residents of an established fire district are annexed by cities, those residents should be given rebates for fire district service charges BY THE CITIES. This was a solution proposed by several presenters. For example, residents of Greystone who live in the Cahaba Valley Fire District and annexed into Hoover should be given rebates for fire district service charges from the city of Hoover. At least one presenter said legislation should be enacted to prevent municipalities from expanding into areas where good fire districts or departments already exist. The dangers of so-called "mergers" and "buyouts" were brought up. (The city of Hoover's proposed "merger" or "takeover" of NSFD, which would benefit only Hoover, is the subject of articles in *The Village Voice* Jan. 11, 1994, p. 1; Feb. 8, 1994, p. 4, March 8, 1994, p. 2; and May 10, 1994, p. 5.)

Some pointed out that we pay taxes to the state, county, and city--taxes that do not always directly benefit us--but that we all benefit by having a better society. How do other states solve these type problems?

The general tone of the meeting was one of cooperation and the feeling that all should work together for the benefit of all. Some type of legislation will be introduced in the 1999 session, which convenes in March. The goal should be NOT to diminish any entity and bringing all, whether city, district, or area, to a level of excellence.

The delegation members are Senator Armistead and Representative Hill, who heads the group, Senator Curt Lee, R-Jasper and State Representatives Jimmy Martin, D-Clanton, and Mary Sue McClurkin, R-Indian Springs Village; also State Representatives Mark Gaines, R-Homewood, Jim Carns, R-Mountain Brook, and Johnny Curry, R-Hueytown and State Senator J.T. "Jabo" Waggoner, R-Vestavia Hills. Working with the legislators will be the nine Shelby County Commissioners and Probate Judge Patricia Fuhrmeister.

ISV Recycling - December 16

By Art Johnson, Town Council Place # 4

The next aluminum can recycling is Wednesday, December 16. Please place your bagged aluminum on your driveway before 7:00 p.m. Please use white, blue recycling, or clear plastic bags and secure the top of each bag with a knot. If you have to use dark colored bags, please tape a white piece of paper with ISV written in large letters on at least one of the bags. Then for easy identification by our volunteers of your recycling, place them on the other side of your driveway from your Waste Management trash pickup. If we missed your pickup, please call Art Johnson at 988-3217. Watch for ISV recycling reminders along Highway 119, Indian Crest Drive, and the entrances to Homestead.

Recycling Sets Record

By Art Johnson, Town Council Place # 4

In October ISV volunteers recycled a record 660 pounds of aluminum, smashing the old record of 480 pounds set this July. This brings our ten-month total to 3630 pounds, or an average of 363 pounds per month, up from 323 pounds per month for the first six months of 1998.

I want to thank Bill, Patti, and Ashley Weems, who have been volunteers for over two years. December will be their last month, due to increasing demands on their time. I thank them for their many individual sacrifices and contributions that were made on behalf of the town. We need new volunteers to step up and fill their shoes. Everybody has much to contribute, and if each one of us contributes only a small amount, no single individual will have to carry an undue burden. The Weems offered to help train any new volunteers in December. Patti reports that the job only takes about 30 minutes, once a month.

Also I want to welcome Cheryl Rast to the recycling team. Last month, your volunteers were Bill, Patti and daughter Ashley Weems, Margie and Herb Robins, Sharon Durbin, Cheryl Rast, Jackie and Art Johnson. Also Tom Adkison and Bob Durbin hauled the recycling trailer to the town hall, and returned it to the recycling center. A **Merry Christmas** and **Happy New Year** to all Indian Springs Village residents and thank you for recycling.

Town Council Highlights

November 17, 1998

By Ruth Goodwyn, Editor

The Indian Springs Village Town Council met on Tuesday, November 17, 7:00 p.m. at the town hall. Council members present were Herb Robins, Gary Dennis, Art Johnson, and Stewart Dudley. Mayor Gene Weingarten presided.

Town Clerk Paul Stephens reported revenues for the month were: vehicle licenses, \$65.13; estate licenses, \$103.33; aluminum can recycling, \$165.00; building permits, \$597.50; beer taxes, \$781.40. The general fund totals \$80,846. Added to the road fund was \$686.86 for a total in the road fund of \$78,244.

Items discussed included the work being done on the walking track behind the town hall pavilion. Extra rock, crushed limestone from a donor who wishes to remain anonymous, is being added. The question was raised about the possibility of the walking track's being paved. The answer was that there were no plans in the near future, the cost (estimated at about \$10,000.) being prohibitive.

Also discussed was that local ordinances usually cover fences installed around private swimming pools in the absence of any Alabama law requiring such fences. Fences with self-locking gates are preferred. Statistics concerning drowning deaths of young children are high and San Diego County, California, was cited as having a model ordinance. No action was taken in the matter.

Jim Wyatt, Assistant Town Clerk and President of the North Shelby Fire District's Board of Trustees, read a letter addressed to Hoover residents concerning the Shelby County Legislative Delegation meeting set for Nov. 19 at the Shelby County Services Bldg., Pelham. (See page 1.) The mayor of Hoover said he was pleased that finally something might get done to give relief from NSFD and Cahaba Valley Fire District dues for Hoover residents who also live in these fire districts.

Jim Wyatt was joined by Fire Chief Michael O'Connor and Retired Chief Winston Boutwell in urging Villagers to attend the meeting and to contact their senators and representatives about protecting our fire district.

Gerald Templeton, Chairman of the Zoning and Planning Commission, presented the Commission's recommendation that the Carl Stapleton property on Signal Trail, which was inadvertently divided, be put back together; further that the secondary structure on one of the parcels not be used for rental property. A second proposal concerned four parcels of land at the intersection of Caldwell Mill and Valleydale roads with the recommendation that the four parcels be combined into one on which a Rite Aid store would be built. Both recommendations were approved.

A resident from Brook Green Lane near Bishop Creek said that due to construction on Highway 119, Bishop Creek was now having a "flow problem." She had learned that Indian Springs Village was one of about 100 municipalities in Alabama that do not participate in the national flood insurance program; participation in this program would assist residents in obtaining flood insurance. She presented a three-page application for this federally-funded program, which was accepted and will be filed.

In other business Councilman Herb Robins passed around artist's drawings for the planter to be built around the flagpole beside the town hall. Olivia Weingarten said that the Cahaba Valley Garden Club would be responsible for the planting and upkeep of the planter.

Village Personals

By Patricia Crapet and Ruth Goodwyn

Best Wishes to Newly-Weds

Now residing in Rochester, Minnesota, with her husband is the former Monica Leah Smith-Ashford of Indian Springs Village, who married Dr. Donte' Dejon McClary of Houston, Texas, on September 12 at the Sixth Avenue Baptist Church in Birmingham. The bride is the daughter of Dr. and Mrs. Rowell Stanford Ashford (Rosemary) of 5319 Mountain Park Circle and Robert Cornell Smith of Forestdale. Parents of the groom are Dr. Joan McClary of Waco, Texas, and Edward Allen Jones of Houston. A graduate of the University of Alabama, Monica met her future husband in Nashville where she graduated from the School of Law at Vanderbilt University and he from Meharry Medical College. In Rochester Dr. McClary is a resident physician in internal medicine at the Mayo Clinic. Monica, having been admitted to the bar in Tennessee, is now preparing for the bar examination in Minnesota. We wish them happiness and success in this cold, far-away state.

In Sympathy

The Village extends deepest sympathy to Dan and Cheryl Rast upon the death of Dan's father, Holt Rast, age 81, who passed away on November 22. A life-long resident of Birmingham, Mr. Rast was the founder and Chairman of the Board of Rast Construction, which is viewed as a leader in the utility construction industry, and a past president of the Greater Bir-

mingham Association of Home Builders, and a member of the Housing Hall of Fame. An All-American end on the 1941 University of Alabama football team, he was inducted into the Alabama Sports Hall of Fame in 1977 and was the recipient of the Paul W. Bryant Alumni Athlete Award. He was selected by the University of Alabama as their 1998 representative to the SEC Living Legends. Mr. Rast is survived by his wife, Elizabeth Wilkinson Rast; three daughters, Sally R. Vinson, Sue R. Haynes, and Marian R. Humphries; four sons, Holt Rast III, Bobby J. Rast, Daniel B. Rast, and J. Michael Rast; two stepsons, Mark H. Wilkinson and John W. Wilkinson; one sister, Joyce Stallworth; and a brother, Thomas E. Rast.

Celebrity Update

Villager Rick Burgess will be on *The Jenny Jones Show*, the second such visit, for an hour on December 16! Be sure to catch this show, which also features friend and co-worker Bill "Bubba" Bussey. Rick and Bubba, of WQEN FM 103.7, will be judges for a gong-style talent show. Reports are that the show is very funny. Check local cable listings for show times for WABM Channel 68. The duo are also on the cover of *Birmingham Magazine* this month. Copies are now available.

New Arrival

Congratulations to Gordon and Connie Scott, 230 New Hope Mountain Road, on the birth of their son, Ethan Owen, on September 16 at Saint Vincent's Hospital. Ethan is also welcomed to the family by brother, Griffin.

ISV Children's Fund Update

By Patricia Crapet, Town Council Place #2

The Indian Springs Village Children's Fund needs you. Actually, it doesn't. **The children and their families need you.** This year we will be filling wish lists for 11 children from five families. One of these families has recently moved to a local safehouse for battered and abused women and children. Can you imagine a more hopeless feeling for anyone, at anytime, much less during the holidays?

As always, our Village community will come together to help these children and their families during their time of crisis and need. Donations are coming in a little slow, so please don't procrastinate. No gift is too small. Send your check to Indian Springs Village Children's Fund, c/o Patricia Crapet, 370 Valley View Rd. ISV, 35124. Any donations which are asked to be anonymous will be honored. A big thank you goes out to the following Villagers who have given generously to the Indian Springs Village Children's Fund: **Art and Jackie Johnson, Clyde and Fay Wood, James and Barbara Wood, Kathy Lane, Alabama Pool Services, Fred and Sarah Moore, Jack and Rita Mendel, Harold and Dorothy Tate, Bart and Connie Trammell, Mr. and Mrs. P. A. Del Vecchio, Harold and Theresa Youngblood, Ida Taylor, and Patty Smith.**