The Utilities Board of The Town of Cedar Bluff

July 18, 2023

STATE OF ALABAMA

CHEROKEE COUNTY

The Utilities Board of the Town of Cedar Bluff met for a regular business meeting Thursday, July 18, 2023, at 4:00 p.m. at 4971 Alabama HWY 68, Cedar Bluff Alabama 35959. The meeting was called to order by Chairman Mattie Williams.

Roll Call:

Allen Baker Present Jack Bond Present

Linda Pickelsimer Present Mattie Williams Present

William Warren Present

Meeting attendees: Larry Sutherland, Attorney Bob McWhorter

At this time The Pledge of allegiance followed by the prayer was led by Chairman Williams.

**Approval of Minutes**

Office Manager Joshua Bolton presented the minutes from the meeting of June 20, 2023. Board Member Bond stated he wanted to discuss a correction to the minutes in reference to the Bluffs. After a brief discussion by the Board, it was found that no correction was needed to be made because the Board had not voted to extend sewer service to the Bluffs. Board Member Bond made a motion to accept the minutes as read, which was seconded by Board Member Pickelsimer.

Motion Carried (5-0)

Aye: Baker, Bond, Pickelsimer, Warren, Williams

Nye: None

Abstained: None

**Manager Report**

The Manager’s Report was given in the absence of Manager Steven Dutton. The report consisted of 2 water taps, 14 water leaks, 1 meter or fitting repair/replaced and 1 pump station repair. There was a total of 71 completed Work Orders.

**Financial Report**

Treasure Pickelsimer presented the financial report. She stated she liked the new format and explained the report to the Board. She drew the Boards attention to the last page of the report, reference account #44900 Northeast Alabama Water. The amount of $7912.30 was drafted from the General Account to pay Northeast Alabama Water but was not charged to account #44900 in QuickBooks. Chairman Williams asked Board Member Pickelsimer if she had talked to Katie Gargus, with BMSS, about the payroll services provided by Payroll & Benefit Solutions (PBS) through BMSS. Chairman Williams stated PBS did not complete payroll for the last two weeks. Board Member Pickelsimer explained the payroll needed to be submitted at the beginning of a new quarter and could not be done in the middle of our payroll week. She confirmed PBS should be completing the payroll this week. Office Manager Bolton stated he turned in the hours for each employee before 10:00 am and received an email and a phone call from Ms. Gargus verifying that payroll was correct. He advised them of the few corrections that needed to be made in reference to taxes and retirement. He then confirmed with the Board the payroll would be completed by PBS in the coming week. Board Member Warren asked Board Member Pickelsimer about the restricted funds on the financial report. Board Member Pickelsimer explained to the Board, that the USDA Series 14 Bond is money that was borrowed for the rehabilitation of the sewer system. The liability for the rehabilitation is account #21700. She stated these funds are restricted and tied to the specific liability of Cedar Bluff Utilities. Regular deposits are made to this account on a monthly basis, for emergency purposes only and should only be used if Cedar Bluff Utilities is unable to make the payments. Board Member Pickelsimer made a motion to table the financial report until she can speak with Katie Gargus, with BMSS, concerning the missing amounts on account #44900, Board Member Warren seconded the motion.

Motion Carried (5-0)

Aye: Baker, Bond, Pickelsimer, Warren, Williams

Nye: None

Abstained: None

Office Manager Joshua Bolton presented and explained the Monthly Check Registry to the Board. He mentioned that the report was pulled from QuickBooks and that he was going to ask Ms. Gargus, with BMSS, if she could explain the report to him. He also stated that some of the drafts and expenses are not listed in the report as they should be. He asked Ms. Gargus if she could create a similar report to the one that was being pulled from our old accounting software, Sage.

Office Manager Bolton also addressed the Board about continuing to sign payroll checks. He stated that BMSS gave the Utilities Staff three options of how to get paid: direct deposit, a mailed check, or written check from the Utilities Office. He stated most of the staff selected to have a written payroll check from the Utilities Office. Chairman Williams explained the main purpose of opting for the PBS service through BMSS, was for the Board not to sign checks weekly. Board Member Baker made the motion to have each employee to either have their payroll checks mailed or select direct deposit. Board Member Bond seconded the motion.

Motion Carried (5-0)

Aye: Baker, Bond, Pickelsimer, Warren, Williams

Nye: None

Abstained: None

**Old Business**

Board Member Bond asked why the subject of the sewer lines being run to The Bluffs came up at the meeting on June 20, 2023; he stated that the Board has already discussed the subject before and voted to reject the proposal twice. He added that the Board had rejected the grant which pertained to running sewer lines to The Bluffs. Board Member Bond reminded the Board that after they had approved the exception to allow the people outside the town limits on Hwy. 9 to be sewer only, they voted they would not allow this to happen again. He stated that the attorney at the time stated that the Board should not do it, but they could make an exception at that time. He added this was the reasoning for changing attorneys. Board Member Bond had two concerns; how will the customers get billed and is Cedar Bluff Utilities open for a lawsuit if the customers sewage system was cut off and sewage backed up into the customers’ house. Chairman Williams announced the subject came up again because LADD Environmental received a call from ADEM who awarded Cedar Bluff Utilities the grant. Chairman Williams stated that Attorney McWhorter stated he would check on it. Board Member Baker asserted the Bluff’s Homeowner association would be responsible for the bill, and they would oversee having a customer turned off. Board Member Bond reminded the Board of voting not to run the sewer lines outside the city limits. Board Member Pickelsimer added Attorney McWhorter was also going to check if Cedar Bluff Utilities could run the sewer lines outside the city limits. Chairman Williams announced the Board has not approved of this at the current time. Board Member Baker stated that The Bluffs have yet to come back with an offer. Board Member Bond stated a large amount of sewer line would be needed to provide sewer services to the Bluffs and the customer would need to be charged more than $40 a month. He went on to say if a leak occurs with the sewer line on a hill, where the lines would need to be run, it could become a major issue. According to Attorney McWhorter, the Board has the authority to run sewer lines outside of the town limits. However, it is not a requirement to offer sewer services to everyone. Board Member Bond suggested, and the Board agreed, that the Bluffs should provide at least $100,000 or more for the project.

Chairman Williams informed the Board that Ms. Early’s resignation from the Utility’s Board of the Town of Cedar Bluff was acceptance by the Cedar Bluff Town Council. Upon acceptance of the resignation, on July 10, 2023, Mr. William Warren was appointed as the new Board member.

Board Member Pickelsimer made a motion to accept Ms. Cindy Early’s resignation for the Utilities Board of the Town of Cedar Bluff, Board Member Bond seconded the motion.

Motion Carried (5-0)

Aye: Baker, Bond, Pickelsimer, Warren, Williams

Nye: None

Abstained: None

Board Member Baker made a motion to accept Mr. William Warren as a new Board Member, which was second by Board Member Bond.

Motion Carried (5-0)

Aye: Baker, Bond, Pickelsimer, Warren, Williams

Nye: None

Abstained: None

Chairman Williams explained that review of the employee holiday schedule should be brought up closer to the end of the fiscal year, in September. Board Member Bond explained he put it on the agenda because some of the Utility’s staff questioned why Cedar Bluff Town Hall staff had been given Juneteenth off, but they were not. The Board stated that Cedar Bluff Utilities is a separate entity from Cedar Bluff Town Hall. The Board agreed the staff were given the option to take Juneteenth off instead of another holiday, but the staff opted not to do this. Chairman Williams stated that the Utility’s staff could take off on Juneteenth by using their PTO time. The employees could not take the holiday at the same time. After much discussion Board member Baker made the motion to table any further discussion on the holiday schedule until September, Board Member Bond seconded the motion.

Motion Carried (5-0)

Aye: Baker, Bond, Pickelsimer, Warren, Williams

Nye: None

Abstained: None

Office Manager Bolton informed the Board of the received payment from the town of Cedar Bluff for the garbage billing.

Chairman Williams explained to the Board that the payroll service provided by Payroll & Benefit Solution (PBS) service through BMSS was an extra fee. Board Member Pickelsimer stated the fee was $6000 a year. She also explained how PBS takes care of any tax deposits, federal reports, retirement, depositing the checks and sending the checks. Board Member Pickelsimer suggested that the Board wait until July 2024 to discuss lowering the rates with BMSS.

Office Manger Bolton reported on Manager Steven Dutton’s behalf that the purchase of the Service Line Pull was a good purchase, and the machine is successful in fulfilling duties.

**New Business**

Board Member Warren asked to table any discussion on the fire hydrants pressure check and painting until he can talk to Manager Dutton.

Board Member Pickelsimer announced how the Board may be able to pay some of Cedar Bluff Utilities’ bills online to prevent the Board from signing checks weekly. Office Manager Bolton stated Ms. Gargus, from BMSS, confirmed that the company could provide online pay for a fee. If the Board agreed to the fee, he could call Ms. Gargus with a confirmation to proceed with online pay. In addition, Board Member Bond stated if this idea was cost-effective then it could be something the Board should consider. Attorney Bob McWhorter stated that any invoices needing to be paid should be approved by the Board. Other utility companies that Attorney McWhorter has represented allowed the office manager to pay bills at a dollar amount not exceeding $250. Board Member Warren made a motion for Manager Bolton to be allowed to pay any bill not exceeding $250 in cost, Chairman Williams seconded the motion. Board Member Pickelsimer stated approval of invoices due by the tenth of the month may not be possible because the Board meets after that date. Office Manger Bolton explained that most of the invoices are more than $250. Board Member Pickelsimer reminded the Board that Office Manager Bolton is not an authorized signer on the accounts and would be unable to sign any checks. After further discussion, the Board decided to leave things as they are concerning the payment of the Utilities Board of the Town of Cedar Bluff invoices. Board Member Warren withdrew his motion and Chairman Williams also withdrew her second.

A letter was received from ARSEA Appeal regarding giving a bonus of $506.00 to our retirees. Chairman Williams asked which retirees would be getting a bonus; Board Member Pickelsimer listed Harvey Dupree and Jeff Harrell. The bonus would be a cost to the Board and is not a requirement. Board Member Pickelsimer stated, in the past, retirees were given bonuses but after the first or second year of doing so the Board voted to discontinue it. Board Member Warren asked if this letter was received on an annual basis; Board Member Pickelsimer stated she thought it covered a term, but it may be annually. Board Member Pickelsimer made a motion to decline the ARSEA Appeal to give Cedar Bluff Utilities retirees a bonus, Board Member Baker seconded the motion.

Motion Carried (5-0)

Aye: Baker, Bond, Pickelsimer, Warren, Williams

Nye: None

Abstained: None

Chairman Williams reminded the Board that the Utilities’ Maintenance staff are on a seasonal schedule. They come in earlier, due to the summer heat, to work a full 8-hour shift, which requires them to leave earlier. Manager Dutton told Chairman Williams that in the case of an emergency where the Maintenance staff must come in after working 8 hours before 4:00 pm, they are required to take the time off during the work week. Manager Dutton asked Chairman Williams to address the Board about the Utilities’ Maintenance staff clocking in and out at the shop. She stated that the Utilities’ Maintenance staff would like to start clocking in and out at the shop instead of the main Utilities Office. She thought the discussion may need to be tabled until Manager Dutton returns from vacation. She explained that the Board had voted to have the Maintenance staff clock in and out at the office after the previous manager had retired. Additionally, Board Member Bond stated he had always thought it was a bad idea to have them clock in and out at the office. Furthermore, Board Member Bond made a motion to allow the Utilities’ Maintenance Staff to start clocking in and out at the shop, Board Member Warren seconded the motion.

Motion Carried (5-0)

Aye: Baker, Bond, Pickelsimer, Warren, Williams

Nye: None

Abstained: None

Office Manager Bolton explained to the Board that he would like to start putting the work orders in an electronic database. This would enable the Managers report to automatically be compiled in to an excel format every month. This would also give us easy access to information from current and older work orders. The company, Coast, has proposed a cost of $150 a month that includes four user accounts. Board Member Bond stated that the idea of having a database to store past work orders and that $150 a month was not a bad cost for the service. The Board had several questions that they asked Office Manager Bolton to inquire about before proceeding with their decision to use Coast.

1. Would Coast automatically delete the data after a length of time had passed?

2. Will the Board still have access to the database if they discontinue the service?

3. Will the price increase after a year of having the service?

Board Member Baker made a motion to table any further discission until more information is gathered about the subject, Board Member Bond seconded the motion.

Motion Carried (5-0)

Aye: Baker, Bond, Pickelsimer, Warren, Williams

Nye: None

Abstained: None

Office Manger Bolton explained to the Board that he had been contacted by a credit card service called Paya. Cedar Bluff Utilities is currently using NexBill Pay to process all credit card payments. He then mentioned how Paya was going to charge Cedar Bluff Utility’s’ customers a 3% flat charge on what they pay but NexBill Pay only charges a 2.75% rate, if the customer pays over $100. Office Manager Bolton stated he had contacted RVS Mosaic, Cedar Bluff Utilities’ billing software company, to inquire about Paya’s compatibility with RVS. After talking with the RVS representative he discovered Paya was not as streamline and user friendly as NexBill Pay.

Office Manager Bolton stated upon his research of NexBill Pay, he found an integration in RVS Mosaic which allows credit card payments to post to customer accounts every 30 minutes, called RVS Real Time. He stated this leaves less room for human error when posting credit cards to customer accounts. The original cost for the integration was $928 but Cedar Bluff Utilities has already purchased RVS Lite and it would cost $800 for RVS Real Time. In addition, Board Member Pickelsimer asked if this would also take care of the bank drafts. Office Manger Bolton stated that this would only take care of the credit card payments and that the bank drafts are done through a different program. Additionally, Chairman Williams asked if the $800 was a one-time fee, Office Manager Bolton stated from the information he gathered it was a one-time fee, but he would contact RVS to make sure. Attorney McWhorter stated it may be an annual fee. After further discussion Board Member Picklesimer made a motion to pay the one-time fee for the RVS Real time integration, Board Member Bond seconded the motion.

Motion Carried (5-0)

Aye: Baker, Bond, Pickelsimer, Warren, Williams

Nye: None

Abstained: None

Manager Dutton asked Office Manger Bolton to address the Board about removing the bushes behind the office and the old flag pool in the front of the office. Board Member Pickelsimer made a motion to table the removal of the beautiful bushes behind the office, Board Member Bond seconded the motion.

Motion Carried (5-0)

Aye: Baker, Bond, Pickelsimer, Warren, Williams

Nye: None

Abstained: None

Board Member Warren made a motion to remove the flagpole in the front of the office and purchase a new flag, to mount to the pillars at the entrance of the office. Board Member Baker seconded the motion.

Motion Carried (5-0)

Aye: Baker, Bond, Pickelsimer, Warren, Williams

Nye: None

Abstained: None

At 5:11 PM, Board Member Bond made a motion to go into Executive Session. Chairman Williams stated for Good Name and Character the Board will be going into Executive Session.

The Board reconvened from Executive Session at 5:46.

Board Member Baker stated that in the previous week a neighbor across from him, on Quail Run Drive, had a septic tank put in so he could hook into the Cedar Bluff Utilities sewer system. Board Member Baker stated Dillan Dodd, with Weiss Lake Septic, put the septic tank in and explained to the customer how Cedar Bluff Utilities was a week behind doing sewer taps. The customer called Board Member Baker because he had yet to receive his sewer tap and asked if he could ascertain as to why the tap had not been done. In addition, Office Manager Bolton was contacted by Board Member Baker, who then explained that a sewer tap had been purchased in 2019, but paperwork needed to be filled out for the town hall for a permit. Additionally, Board Member Baker stated that nobody told the office staff it was ready to tap until the day of this meeting and the customer has waited almost a week for the sewer tap to be completed. Chairman Williams mention that the town of Cedar Bluff does not having an inspector at this time. Board Member Bond stated that Town council of Cedar Bluff decided to let the inspector go and the inspector was not present for the Town council meeting. He also stated that the town council had discussed hiring a new inspector part time or full time, however, the inspection needs to be both a full-time inspector and enforcement officer. Board Member Bond reminded the Board of the discussion of Cedar Bluff Utilities doing their own sewer tap inspections. He added that Manger Dutton could do the inspections if he is qualified. Chairman Williams stated that Manger Dutton had spoken with Centre Water Works who stated they do their own inspections. Board Member Bond asked if Manager Dutton would be qualified to do inspections; Chairman Williams mentioned there were no qualifications required. In addition, Board Member Bond discussed that to his knowledge the inspector for Cedar Bluff Town Hall was not a building inspector. Board Member Baker added, he could do the inspection himself, but the problem with Dillan Dodd could not be fixed because the sewer lines were covered. Board Member Baker, Bond and Warren stated the septic system was probably up to code. Chairman Williams asked what it would take to uncover the septic system; Board Member Baker explained it would take an excavation to dig up the septic system. Chairman Williams then stated it should be up to Dillan Dodd to uncover the septic system. The Board asked Attorney McWhorter his thoughts on the matter, and he stated that the Cedar Bluff Utilities needs to be doing their own inspection.

Board Member Bond made a motion that Cedar Bluff Utilities perform their own sewer inspection, Board Member Baker seconded the motion.

Motion Carried (5-0)

Aye: Baker, Bond, Pickelsimer, Warren, Williams

Nye: None

Abstained: None

Board Member Baker asked what should be done about the customer whose septic system was already covered. Board Member Bond asked Attorney McWhorter if they should follow the word of Dillan Dodd and complete the sewer tap; Attorney McWhorter stated his suggestion was to do the sewer tap on Dillan Dodd’s word. He also mentioned Cedar Bluff Utilities not being liable if the sewer system failed. Board Member Baker made a motion to complete Steve Langford’s sewer tap; Board Member Bond seconded the motion.

Motion Carried (5-0)

Aye: Baker, Bond, Pickelsimer, Warren, Williams

Nye: None

Abstained: None

The meeting was adjourned at 5:54 PM.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mattie Williams, Chairman Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Joshua Bolton, Secretary Date