The Utilities Board of The Town of Cedar Bluff

May 16, 2023

STATE OF ALABAMA

CHEROKEE COUNTY

The Utilities Board of the Town of Cedar Bluff met for their regular business meeting Tuesday, May 16, 2023, at 4:03 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 Absent

Cindy Early Absent Linda Pickelsimer Present

Mattie Williams Present

Meeting attendees: Larry Sutherland, Bobbie Hicks, Marcia Kastl, Attorney Bob McWhorter, Steve Brewer

At this time The Pledge of allegiance was done and was followed by prayer, led by Chairman Williams.

Office Manager Joshua Bolton presented the minutes from the meeting of April 18, 2023. Board Member Pickelsimer made a motion to accept the minutes as written, which was seconded by Board Member Baker.

Motion Carried (3-0)

Aye: Baker, Pickelsimer, Williams

Nye: None

Abstained: None

Board Member Pickelsimer reported that Katie Gargus, from BMSS, will be meeting with Office Manager Joshua Bolton and herself on May 17, 2023, at 1:00 PM to teach them how to use Quick Books Online (QBO). Board Member Pickelsimer also stated that BMSS will be reconciling Cedar Bluff Utilities’ accounts, in QBO beginning from October 2022 to present date. This information will be included in the Financial Report for the meeting on June 20, 2023.

Board Member Baker made a motion to table the Financial Report until the June 2023 meeting, which was seconded by Chairman Williams.

Motion Carried (3-0)

Aye: Baker, Pickelsimer, Williams

Nye: None

Abstained: None

Manager Steven Dutton presented the Managers Report and explained the color code on the report to the Board. The report consisted of 1 water taps, 4 sewer taps, 34 water leaks, 2 sewer leaks, 2 meter or fitting repair/replaced and 2 pump station repairs. There was a total of 103 Work Orders that were completed.

Office Manager Joshua Bolton presented and explained the Monthly Check Registry to the Board.

**New Business**

Manager Steven Dutton informed the Board that the Chevrolet 2500 utility truck needs to be replaced. Manager Dutton researched the state bid website and three other websites; he presented the Board with five possible trucks options. Three of the trucks were used and had low mileage and two were new. The two new trucks were listed on the state bid list and were less money than the three used trucks. After much deliberation Board Member Baker made the motion to purchase the 2023 Ford F150 Supercab 4x4 Pickup with the Stivers Premium Value Package – Package #2 for $36,578 from the state bid web site, which was seconded by Board Member Pickelsimer.

Motion Carried (3-0)

Aye: Baker, Pickelsimer, Williams

Nye: None

Abstained: None

Manager Steven Dutton reported to the Board that a customer had purchased a sewer tap on Lakewood Lane. It was later discovered that the sewer lines never ran along Lakewood Lane and that Cedar Bluff Utilities would need to purchase about 100 ft of sewer line to run complete the job. The Board shared their concerns about running the sewer lines on Lakewood Lane because of the easement. The Cedar Bluff Utilities’ attorney, Bob McWhorter, stated that if sewer lines are installed to code and Alabama Power guidelines are followed then Cedar Bluff Utilities, will not be liable for any unforeseen incidents. After much deliberation Board Member Pickelsimer made the motion to purchase and run the sewer lines on Lakewood Lane but only after checking with Alabama Power for approval to run them, which was seconded by Board Member Baker.

Motion Carried (3-0)

Aye: Baker, Pickelsimer, Williams

Nye: None

Abstained: None

Manager Steven Dutton reported to the Board that he would like to hire a temporary employee for the summer. Due to a requirement set by ADEM to check both sides of the water meter for lead and copper pipes, additional help is needed. This employee is to help with checking the pipes and other related duties that the Utility Field Staff perform. Board Member Pickelsimer made a motion to hire a summer employee with an hourly rate of $10 per hour, which was seconded by Board Member Baker.

Motion Carried (3-0)

Aye: Baker, Pickelsimer, Williams

Nye: None

Abstained: None

Manager Steven Dutton introduced to the Board, a Mr. Steve Brewer (Dirt Cellar Farm), who was interested in farming the Spray field next to the lagoons. Manager Dutton reported that he had spoken to Bradly Kiser, who in the past mowed/bush hogged the Spray field in exchange for personal use of the property, and Mr. Kiser stated that he was no longer interested in farming the field since the ground needed a lot of work. Mr. Brewer addressed the Board with a proposal to lease the Spray field for 5 years. He would like the first 2 years to be rent free, due to the current condition the field. He then stated he could pay $40 per acer for the next 3 years. He also added that for the first 2 years he would amend the soil with lime, to improve to a more fertile state. This would also increase the value of the land. Mr. Brewer stated that once the lease is signed, he would deliver the paper work to the Alabama Department of Agriculture for the approval to farm the Spray field. Board Member Pickelsimer made a motion to lease the Spray field to Mr. Brewer (Dirt Cellar Farm) and agree to the terms he had stated, which was seconded by Chairman Williams.

Motion Carried (3-0)

Aye: Baker, Pickelsimer, Williams

Nye: None

Abstained: None

Board Member Pickelsimer made a motion to create an email address for Cedar Bluff Utilities to use for correspondence and billing services. This was seconded by Board Member Baker.

Motion Carried (3-0)

Aye: Baker, Pickelsimer, Williams

Nye: None

Abstained: None

Office Manager Joshua Bolton reported to the Board that in the month of January 2023 the office staff had posted multiple payments to customer accounts in the Utility Billing Software, RVS Mosaic. Manager Bolton informed the Board that the mistake was discovered and corrected during the April/May billing cycle. Chairman Williams asked Board Member Pickelsimer if there was some way to prevent this from happening again. Board Member Pickelsimer stated that BMSS is going to create a procedure guide for the company and this could be added to the guide.

Office Manager Joshua Bolton reported to the Board that he would like to purchase a third phone for the office that could be placed by the customer service window. This would prevent staff from having to cross over to the other side of the office to answer the phone and leave a customer at the window. To purchase phone that is identical to the phones in the office, would cost $69. Board Member Baker made a motion to purchase a third phone for $69, which was seconded by Board Member Pickelsimer.

Motion Carried (3-0)

Aye: Baker, Pickelsimer, Williams

Nye: None

Abstained: None

Office Manager Joshua Bolton presented to the Board a list of customers who have outstanding bills to Cedar Bluff Utilities. Two of the customers on the list were deceased and the others were sent their last billing statement. The office has yet to receive any payments. Chairman Williams made a motion to write off the two deceased customers delinquent amounts and to send the remaining customers billing statement to collections, which was seconded by Board Member Baker.

Motion Carried (3-0)

Aye: Baker, Pickelsimer, Williams

Nye: None

Abstained: None

**Old Business**

Office Manger Joshua Bolton reported to the Board that the Bulk Postal Permit was implemented. He also stated that the bills and past due notices would need to be delivered to Centre’s Post Office. This is because the Cedar Bluff’s Post Office are not able to process Bulk mailing. He also stated that Cedar Bluff Utilities could either pay Bulk mailing, when the bill/past due notices are delivered or start an account with the post office to take the reoccurring payments from. Board Member Pickelsimer made a motion to start an account with $2500 to take the payments from, which was seconded by Board Member Baker.

Motion Carried (3-0)

Aye: Baker, Pickelsimer, Williams

Nye: None

Abstained: None

Attorney Bob McWhorter reported to the Board his finding on the license fees being charged to Cedar Bluff Utilities. Attorney McWhorter stated that he had found a code section in the Alabama Code that states the following:

*There is hereby levied, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against every utility furnishing electricity, domestic water, or natural gas in the State of Alabama. The amount of the tax shall be determined by the application of rates against gross sales or gross receipts, as the case may be, from the furnishing of such services in the State of Alabama.*

It was then stated that it was unclear if Cedar Bluff Utilities had been paying the privilege/license tax on our own or if the Town of Cedar Bluff had been paying the tax and charging us a fee along with other fees collected monthly. Attorney McWhorter stated that he had found another tax that states the following:

*A govern body of municipality can levy a gross receipts tax in the nature of a sales tax.*

Attorney McWhorter stated he would meet with the Town of Cedar Bluff’s attorney, Laura Loyd, and schedule an appointment with the town clerk to find out what the town is doing with the collected license fee.

Chairman Williams reported to the Board that herself and Board Member Baker met with Office Manager Joshua Bolton for his 90-day review. Upon review, Chairman Williams reported that Office Manager Bolton met all the requirements and improvements set by the Board to become a permanent employee of Cedar Bluff Utilities. Board Member Baker made the motion to make Office Manager Bolton a permanent employee of Cedar Bluff Utilities, which was seconded by Board Member Pickelsimer.

Motion Carried (3-0)

Aye: Baker, Pickelsimer, Williams

Nye: None

Abstained: None

Manager Steven Dutton reported that the Utilities maintained employee, Brock Black, had taken his CDL test and did not pass. He then stated he would have to retake the test in a couple of weeks to get is CDL driving permit. Manager Dutton also reported that Mr. Black had discovered that he would need to take a 40-hour course to get his CDL driving license. Board Member Baker made a motion for Cedar Bluff Utilities to pay for Mr. Black’s 40-hour CDL driver license course to get his CDL driving licenses, which was seconded by Board Member Pickelsimer.

Motion Carried (3-0)

Aye: Baker, Pickelsimer, Williams

Nye: None

Abstained: None

Board Member Pickelsimer made the motion to adjourn the meeting, which was seconded by Chairman Williams.

Motion Carried (3-0)

Aye: Baker, Pickelsimer, Williams

Nye: None

Abstained: None

The meeting was adjourned at 5:33 PM.

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Mattie Williams, Chairman Date

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Joshua Bolton, Secretary Date