

The Utilities Board of the Town of Cedar Bluff

April 16, 2013

STATE OF ALABAMA  
CHEROKEE COUNTY

The Utilities Board of the Town of Cedar Bluff met for their regular business meeting Tuesday April 16, 2013 at 4:00 p.m. in the Utility Board room located at 3360 Old Hwy 9, Cedar Bluff Alabama. Chairman Donald Sanders called the meeting to order at 4:00 p.m.

Roll Call:

Ken Blair	Present	Linda Pickelsimer	Present
Cindy Early	Present	Donald Sanders	Present
Eugene Mann	Present		

A motion was made by Cindy Early and second by Eugene Mann approving the March 19, 2013 minutes as presented.

Ken Blair	Yes	Linda Pickelsimer	Yes
Cindy Early	Yes	Donald Sanders	Yes
Eugene Mann	Yes		

Treasurer Linda Pickelsimer gave the financial report for the board. Mrs. Pickelsimer told those in attendance that she had looked over the financials for March and found them to be in order and correct. A motion to approve the March financials as presented was made by Ken Blair and second by Eugene Mann.

Ken Blair	Yes	Linda Pickelsimer	Yes
Cindy Early	Yes	Donald Sanders	Yes
Eugene Mann	Yes		

At this time, Chairman Sanders turned the floor over to board Attorney Al Shumaker. Mr. Shumaker informed the board he was contacted by Attorney Shane Givens concerning the property formally known as the Shaner Sawmill property located at Dykes Bridge Road. Due to an error, part of the property had been titled wrong. Mr. Shumaker requested authorization from the board allowing him to draft a resolution on the board's behalf and give Chairman Donald Sanders authorization to sign a Quit Claim Deed to correct the error. After some discussion and assurance from Mr. Shumaker that the board would have no out of pocket expense associated with the Deed, a motion was made by Cindy Early and second by Linda Pickelsimer agreeing to Mr. Shumaker's request.

Ken Blair	Yes	Linda Pickelsimer	Yes
Cindy Early	Yes	Donald Sanders	Yes
Eugene Mann	Yes		

Mr. Shumaker revisited the lawsuit against the Town of Cedar Bluff. He stated that to prevent any additional charges the lawsuit had been dropped and he had received a copy of two resolutions from the Town rescinding the appointments of Billie Jean Burkhalter and Gloria Thacker to the Utility Board. Mr. Shumaker stated that the Town had sent a request to the Attorney General asking for an opinion in this matter. The final cost of the lawsuit was \$1906.31. At this time, a motion was made by Cindy Early to ratify the dismissal of the lawsuit against the Town of Cedar Bluff. Linda Pickelsimer seconded the motion.

Ken Blair	Yes	Linda Pickelsimer	Yes
Cindy Early	Yes	Donald Sanders	Yes
Eugene Mann	Yes		

Chairman Donald Sanders asked Mr. Shumaker about the legality of a customer who had an issue calling an executive session. Mr. Shumaker told Mr. Sanders that if it was concerning good name and character of an employee or possible litigation, an executive session was in order. Mr. Sanders then asked if the customer could meet with two board members and those two members' inform the other members of the situation and at that time decide if an executive session was in order. Mr. Shumaker said that would be legal.

Mr. Shumaker then told the board that Northeast Al. Water Board had met and the situation concerning customers with Northeast water but Cedar Bluff sewer had been discussed, and at this time, there was no solution. At this point, the only solution for customer's behind on their sewer bill is to disconnect sewer service to the customers in question.

The board thanked Mr. Shumaker for attending.

Manager Jeff Harrell gave the board a spreadsheet showing work performed by the Utility Department for the past month and copies of work orders written for water leaks.

Mr. Harrell said the sewer installation in the Riverbend Estate's area had yet to be started due to the wet conditions. He is hoping to start in the next two weeks. The hiring of a part time general laborer was discussed. A recommendation was made that Jeff bring to the board a list of requirements and a pay rate at next month's meeting. Mr. Harrell gave the board a handout showing the layout of the sewer lines and manholes in the Riverside/Co Rd 131 area. He told the board that two of the manholes had been raised in an attempt to minimize infiltration into the system. In addition, the pump station on County Road 131 was repaired and in operation.

Mr. Harrell also informed the board that he had retained T.T.L. Laboratories to perform all water and sewer testing required by (Alabama Department of Environmental Management) A.D.E.M. and to replace D.C.I. Laboratory.

Jeff then told the board that the 1998 Dodge truck used by the utility department was in desperate need of replacement. He gave the board some cost estimates and reminded the board that there was \$30,063.78 in the equipment reserve fund. After some discussion, a motion was made by Cindy Early and seconded by Ken Blair allowing Jeff to spend up to \$14,000.00 on a truck.

Ken Blair	Yes	Linda Pickelsimer	Yes
Cindy Early	Yes	Donald Sanders	Yes
Eugene Mann	Yes		

Jeff suggested that the board consider allowing him to surplus the van and misc. office equipment that was sitting in the storage building. After some discussion, a motion was made by Cindy Early and seconded by Ken Blair authorizing Jeff to surplus the 1999 Nissan Quest and miscellaneous office equipment to the highest bidder. Sealed bids will be taken until May 20<sup>th</sup> and will be opened at the meeting on May 21<sup>st</sup>.

Ken Blair	Yes	Linda Pickelsimer	Yes
Cindy Early	Yes	Donald Sanders	Yes
Eugene Mann	Yes		

In old business, the request for a donation to the Town of Cedar Bluff Liberty Day celebration was revisited. After some discussion, a motion was made by Cindy Early and seconded by Ken Blair to decline the request for this donation.

Ken Blair	Yes	Linda Pickelsimer	Yes
Cindy Early	Yes	Donald Sanders	Yes
Eugene Mann	Yes		

Chairman Sanders asked for any further comments. After assuring there was no further business, he asked for a motion to adjourn. The motion was made by Linda Pickelsimer and seconded by Cindy Early.

It was unanimous.

Meeting adjourned at 5:05 p.m.

APPROVED May 21, 2013:

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DONALD H. SANDERS, CHAIRMAN

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MARIE KELLY, SECRETARY