The Utilities Board of The Town of Cedar Bluff

July 16, 2024

STATE OF ALABAMA

CHEROKEE COUNTY

The Utilities Board of the Town of Cedar Bluff met for a regular business meeting Tuesday, July 16, 2024, at 4:00 p.m. at 4971 Alabama HWY 68, Cedar Bluff Alabama 35959. The meeting was called to order by Chairman Williams.

Roll Call:

Allen Baker Absent Mattie Williams Present

Linda Pickelsimer Present Loretta Higgins Present

William Warren Present

Meeting attendees: Bobbie Hicks, Marsha Kastl, Larry Sotherland, Tracy Marks, Attorney Bob McWhorter

The prayer was led by Board Member Warren followed by Pledge of Allegiance, led by Chairman Williams.

**Approval of Minutes**

Office Manager Bolton presented the minutes from the meeting of June 13, 2024. Board Member Warren made a motion to accept the minutes as presented, Board Member Picklesimer seconded the motion.

Motion Carried (4-0)

Aye: Higgins, Pickelsimer, Warren, Williams

Nye: None

Abstained: None

**Manager Report**

Manager Steven Dutton presented the Managers Report to the Board. The report consisted of 2 water taps, 2 sewer taps, 56 water leaks, 1 pump station repair, 2 pump replaced, 3 water main repairs. There was a total of 138 completed Work Orders.

Manager Dutton stated the water leaks are from poor insulation around the pipes and the drought causing the ground to shift.

Manager Dutton also reported that Northeast was now piping water to Cedar Bluff from their pipes in Centre, AL because of the supply and demand.

Manager Dutton asked if he could simplify the Managers Report. The Board gave him several suggestions on how to simplify the report and still supply them with the information they need.

**Financial Report**

Treasurer Pickelsimer presented the Financial Report for both May and June. She made a motion to approve the Financial Report for both May and June, Board Member Warren seconded the motion.

Motion Carried (4-0)

Aye: Higgins, Pickelsimer, Warren, Williams

Nye: None

Abstained: None

Treasurer Pickelsimer asked Office Manager Bolton if he could contact BMSS to ask for the financial reports a week prior to the meetings.

**Customer Concerns**

Freddie Smith and Beverly Young were on the agenda to address the Board about a leak. But neither were present.

**Old Business**

Manager Dutton addressed the Board concerning the fire hydrants. He presented the Board with a quote from Calhoun Meter with a list of parts needed to valve off the fire hydrants. After some discussion Board Member Warren made a motion to purchase the parts from Calhoun Meter and have the valve installation start the following week, Board Member Pickelsimer seconded the motion.

Motion Carried (4-0)

Aye: Higgins, Pickelsimer, Warren, Williams

Nye: None

Abstained: None

Board Member Warren addressed the Board about the Manager Position. He stated he had reached out to other entities like The Utilities Board of the Town of Cedar Bluff. Each entity had an individual who oversaw both the office and field staff. The individual is the general manager. He stated ARWA had informed him every entity like The Utilities Board of the Town of Cedar Bluff had a general manager. Attorney McWhorter addressed the Board stating the bylaws called for the Board to appoint a chief officer to oversee the day-to-day operations. After some discussion Board Member Warren made a motion to appoint Manager Dutton as the General Manager, Board Member Higgins seconded the motion.

Motion Carried (4-0)

Aye: Higgins, Pickelsimer, Warren, Williams

Nye: None

Abstained: None

For clarification, the General Manager will be a working manager and will continue working in the field and will oversee both the field and the office. The Office Manager will work under the supervision of the General Manager.

Board Member Pickelsimer addressed the Board concerning the Overtime Compensation policy. She stated during the last meeting the Board had voted on the following policy:

OVERTIME COMPENSATION POLICY

HOURS WORKED ON WEEKENDS AND/OR AFTER 4 PM ON WEEKDAYS WILL BE PAID AT AN OVERTIME RATE OF 1 AND ½ OF THEIR HOURLY RATE EVEN IF THE EMPLOYEE HAS RECEIVED HOLIDAY, VACATION, OR SICK PAY DURING THE PAY PERIOD.

She presented the Board with the overtime previsions in the Fair Labor Standards Act that states the following:

UNLESS EXEMPT, EMPLOYEES COVERED BY THE ACT MUST RECEIVE OVERTIME PAY FOR HOURS WORKED OVER 40 IN A WOUKWEEK AT A RATE NOT LESS THAN TIME AND ONE-HALF THEIR REGULAR RATES OF PAY.

The FLSA also states the following:

IF YOUR EMPLOYER ALLLOWS YOU TO TAKE TIME OFF FOR A HOLIDAY, A VACATION, OR BECAUSE YOU ARE SICK, THE TIME OFF, EVEN THOUGH YOU ARE PAID FOR THE TIME, IS NOT HOURS WORKED AND NEED NOT BE INCLUDED IN THE TOTAL HOURS WORKED FOR OVERTIME PURPOSES.

Board Member Pickelsimer stated the Overtime Compensation Policy that was voted on should be amended to clarify if an employee does not work 40 hours during a workweek, they are still eligible for overtime after 4:00 P.M. and on weekends. After some discussion Board Member Warren made a motion for the Overtime Compensation Policy to state the following:

OVERTIME COMPENSATION POLICY

HOURS WORKED ON WEEKENDS AND/OR AFTER 4 PM ON WEEKDAYS WILL BE PAID AT AN OVERTIME RATE OF 1 AND ½ OF THEIR HOURLY RATE EVEN IF THE EMPLOYEE HAS RECEIVED HOLIDAY, VACATION, OR SICK PAY AND HAS NOT PHISICALY WORKED 40 HOURS DURING THE PAY PERIOD.

Board Member Pickelsimer seconded the motion.

Motion Carried (4-0)

Aye: Higgins, Pickelsimer, Warren, Williams

Nye: None

Abstained: None

Manager Dutton addressed the Board. There was a discussion on the maintenance crew being questioned about their overtime. Manager Dutton expressed his concern and stated none of the maintenance crew, including himself is stealing time. He explained there were some days he would come into the office and work on reports off the clock to keep from getting overtime. Chairman Williams stated working off the clock is an OSHA violation and told Manager Dutton not to work off the clock. The discussion ended.

**New Business**

Bobbie Hicks addressed the Board concerning an issue with the billing software. She stated she would like to address the Board privately. Chairman Williams appointed a committee of two to investigate the issue with the billing software. The committee consisted of Chairman Williams and Board Member Warren.

Manager Dutton addressed the Board concerning the pump stations. He stated he would like to have all the pumpstations rewired the same way. He stated it would make their job easier if all pump stations were wired the same way. The Board asked Manager Dutton to present quotes at the following meeting.

Board Member Pickelsimer addressed the Board concerning the annual USDA principal payment. She stated normally the Board makes a payment of $100,000 towards the principal each year. She explained $6000 is transferred from the Union Stated General account to the Union State Allocations account each month for debt retirement. There is currently $54,000 in the Allocations account for debt retirement, in three months’ time it will be $72,000. After some discussion Board Member Pickelsimer made a motion to transfer $28,000 from the Union State General account to add to the $72,000 in the Allocations account and make an additional payment of $100,000 to the USDA loan, in addition to the payment that will be owed January 1, 2025, Board Member Warren seconded the motion.

Motion Carried (4-0)

Aye: Higgins, Pickelsimer, Warren, Williams

Nye: None

Abstained: None

The payment will need to be made before August 31, 2024 and will lower USDA principal from $746,414.05 to $646,414.05.

Board Member Pickelsimer addressed the Board concerning the 2024-2025 Budget. She stated the budget for the following fiscal year will need to be reviewed and voted during the September 17, 2024 meeting.

Board Member Warren asked Manager Dutton about the Lagoons. Manager Dutton had informed the Board during the June 13, 2024 meeting that the Lagoons had an excess amount of duckweed and suspended solids. Board Member Warren stated he had found a chemical that would kill the duckweed and asked how to lower the suspended solids. Manager Dutton informed the Board the reason the suspended solid levels are elevated is because of drought and he stated he would use the chemical if it was safe to use in the Lagoons. The discussion ended.

Board Member Warren addressed the Board concerning the letters from the Board. He reported Cedar Bluff Town Hall had received their letter and the letter was read during a counsel meeting. He also reported the letters asking for help in receiving the grant for the new water tower had been mailed. The discussion ended.

Board Member Warren made a motion to adjourn the meeting, Board Member Pickelsimer seconded the motion.

Motion Carried (4-0)

Aye: Higgins, Pickelsimer, Warren, Williams

Nye: None

Abstained: None

The meeting was adjourned at 5:09 P.M.

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Mattie Williams, Chairman Date

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Joshua Bolton, Secretary Date