

Beulah Utilities District  
Minutes of Regular Board of Directors Meeting  
December 16, 2014  
5320 Lee Road 270 Valley, AL 36854  
6:00 pm CST

The Board of Directors of Beulah Utilities District met in a regular meeting on December 16, 2014 at the Beulah Water Department.

1. **WELCOME**

Chairman Sims welcomed those in attendance.

2. **CALL TO ORDER**

Chairman Sims called the meeting to order.

3. **ROLL CALL**

The following Board Members were present: Dan Roberts, Shane Franks, Leon McCloskey, James Majors and Lamar Sims.

Visitors in Attendance - See attached Visitor Sign In Sheet.

4. **DECLARE QUORUM**

After the roll was called, Chairman Sims declared that a quorum was present.

5. **ADOPT AGENDA**

Chairman Sims presented the proposed agenda for adoption. Mr. Majors motioned to adopt the agenda. Motion was seconded and unanimously approved and the agenda was adopted.

6. **APPROVAL OF PREVIOUS MEETING MINUTES** November 18, 2014

Chairman Sims asked for approval of the minutes from the November 18, 2014 Regular Meeting of the Board of Directors. Mr. Franks motioned to approve the minutes. Motion was seconded and unanimously adopted and the minutes were approved.

7. **APPROVAL OF FINANCIAL STATEMENTS**

Chairman Sims stated that due to the changeover in accounting software, all data had to be entered manually into the new software. Because not all of the data had been entered, the financial statements were not ready. Chairman Sims did review the bank balances and brief the Board on some of the expenditures made the previous month.

Ms. Carolyn Lott, 345 Lee Road 904, was recognized and expressed her disagreement with the way the new accounting software was being set up.

8. **OLD BUSINESS**

a. Office Module Unit

i. Declaration of Emergency Approval

Chairman Sims brought up the fact that the Declaration of Emergency discussed at the October 21, 2014 Regular Meeting had not been voted on by the full Board. Mr. Majors motioned to adopt the emergency declaration. The motion was seconded by Mr. Roberts and unanimously approved and Declaration of Emergency was adopted.

ii. Outstanding Office Module and Equipment Invoices

Chairman Sims briefed the Board on the unpaid invoices for work done in setting up the Office Module. The first invoice was from Hudmon Welding & Machine Co. Inc. The total amount was \$8,341.00. Mr. James Hudmon, 580 Lee Road 275, was recognized and stated that the invoice was for work done by Mr. Toby Westfall and not his company. The second invoice was from ClearWater Solutions, LLC for work and materials used in setting up the Office Module. The total amount was \$10,708.80. Mr. Majors motioned to pay the invoices. Mr. Roberts seconded the motion. Mr. McCloskey wanted to make sure that the Board was doing the right thing and felt that the Board should have held a vote to authorize the legal work that was done looking into the invoices. The motion to pay the invoices was approved by a majority of the Board.

Ms. Linda Holt, 315 Lee Road 377, was recognized and asked why Mr. Westfall was getting paid for his work when she was under the impression that he was volunteering his time. Mr. Westfall replied that the project began taking up so much of his time that he either needed to be paid for his work or he would not be able to continue working on the office module.

iii. Additional Improvements Needed

Chairman Sims stated that there was still additional work needed to complete the Office Module. He stated that a front deck, a ramp, steps and exterior floodlights still needed to be added. Mr. Houston Black, from ClearWater, briefed the Board on a quote he had received from DRD's Construction, LLC for the deck and ramp. The price was \$4,328.00 with a \$1,432.00 down payment and the balance due upon completion. Mr. Black also stated that another bid was expected but had not arrived yet. Mr. Roberts motioned to accept the bid that was received. Mr. Majors seconded and the motion was passed by a majority of Board members. Mr. Franks opposed the motion stating that he did not agree with having to pay a down payment. Chairman Sims said that they would attempt to renegotiate with the contractor to pay the \$4,328.00 upon completion of the work.

b. Fence to Protect Equipment

Chairman Sims stated that there was a need to erect a fence around the storage area for the District's equipment. Mr. Black was recognized and briefed the board on what kind of fence was needed and the layout of the fence. He stated that three bids had been received. One was from Defence and was for \$5,350.00 for a fence with barbed wire. The second was from All Pro Fencing and was for \$7,540.12 with barbed wire and \$8,226.52 for razor wire. The final bid was from Annco Fence and Lost Boys Fence for \$5,600.00 for fence with barbed wire. Mr. Franks motioned to accept the low bid from Defence for \$5,350.00. Mr. McCloskey seconded the motion and it was approved unanimously.

c. ClearWater Contract Addendum

Chairman Sims briefed the Board on the ClearWater Contract Addendum. He stated that this addendum modified the termination clause of the contract to allow for termination of the contract at the end of the 24 month contract period instead of at the end the 24 month period plus 90 days. Mr. Majors motioned to adopt the addendum. Mr. Roberts seconded and the motion was unanimously approved.

d. Approval of By-Laws

Chairman Sims asked for approval of the By-Laws with the revised language suggested at the November 18, 2014 Regular Meeting. Mr. Roberts motioned to approve the By-Laws. Mr. Franks seconded and the motion was approved by a majority of Board members. Mr. McCloskey disagreed with the By-Laws not requiring contracts be negotiated by at least two Board members.

e. Fire Hydrant Policy

Chairman Sims brought up the revised Fire Hydrant Policy and stated that the new wording addressed the issues brought up during the November 18, 2014 Regular Meeting. Mr. Franks motioned to adopt the new policy. Mr. Roberts seconded and the motion was unanimously approved and the new Fire Hydrant Policy was adopted.

9. **NEW BUSINESS**

a. System Improvements: GMC Update and Recommendations

Chairman Sims introduced and recognized Mr. Joshua Pierce from Goodwyn Mills & Cawood as the District's new Engineer. Mr. Pierce stated that he would have recommendations for the Board early next year on projects on which to spend the District's Bond money.

b. Fire Department Report

Chief Jacob Geiger was recognized to give a report on the Fire Department. He stated that the Department ran 74 calls, 13 of which were for fires.

He stated that the Department must replace its training officer and asked the Board to approve a part-time position with a salary of \$14.00/hour. Mr. Roberts motioned to approve the position. Mr. Franks seconded and the motion was unanimously approved.

c. ClearWater Solutions Report

Mr. Houston Black was recognized to give the ClearWater Solutions Report. He briefed the Board on Clearwater's activities over the past month.

Mr. Black briefed the Board on the one adjustment that had been received the previous month. He stated that the adjustment was for \$259.48. Mr. McCloskey motioned to approve the adjustment. The motion was seconded by Mr. Majors and unanimously adopted and the adjustment was approved.

d. Beulah Utilities Logo

Mr. Black presented the options for the Beulah Utilities District Logo to the Board. Mr. Roberts motioned to adopt the design without the water droplets on it. Mr. McCloskey seconded the motion and it was approved unanimously.

10. **OTHER BUSINESS**

Mr. McCloskey asked District Attorney Mr. Rick Davidson about how open meeting laws applied to committee meetings. Mr. Davidson replied that the Board and Committees should treat and notice all meetings as public meetings.

11. **CITIZEN COMMUNICATIONS ON NON-AGENDA ITEMS**

Ms. Joyce Jackie Johnson, 6870 US Highway 29 North, was recognized and informed the Board she felt that there was a problem with a new water meter at the Magic Rock Mobile Home Park as their bill showed an increase in water usage since the installation of the new water meter versus what they had been paying the last several years. She was told that the issue would be investigated.

Ms. Carolyn Lott was recognized and informed the Board of the trouble she experienced paying for two accounts with a single payment. Chairman Sims informed her that she could indeed pay for two accounts in a single payment and that a note would be made in her account to allow for her to do this.

The Honorable Robert Ham, Lee County Commissioner, was recognized and thanked Houston Black of ClearWater for his hard work and service to the customers of the District.

Mr. B.J. Crenshaw, 52 Lee Road 963, was recognized and suggested making the fire training position a full time job. Chief Geiger responded that it would be made a full time job when the budget allowed for it.

Chairman Sims announced that the next Regular Meeting would be January 20, 2015.

There being no further business, Mr. Franks motioned to adjourn. Motion was seconded by Mr. McCloskey and unanimously approved and the meeting was adjourned.

Signed \_\_\_\_\_

