

**BEULAH UTILITIES DISTRICT**  
**Minutes of Regular Board of Directors Meeting**  
**October 17, 2023**  
**5320 Lee Road 270, Valley, Alabama 36854**  
**6:00 PM CST**

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The Board of Directors of Beulah Utilities District met in a Regular Meeting at 6:00 pm on October 17, 2023, 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: Linda Holt, Lamar Sims, David Jackson, James Majors, and Andrew Bryan.

For 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. Jackson motioned to adopt the agenda. The motion was seconded by Mr. Bryan and the agenda was unanimously adopted.

6. **APPROVAL OF PREVIOUS MEETING MINUTES**

Chairman Sims asked for approval of the minutes of the regular meeting of September 19, 2023. Mr. Bryan motioned to approve the minutes. The motion was seconded by Mr. Jackson and the Minutes were unanimously approved.

7. **APPROVAL OF FINANCIAL STATEMENTS**

A. **Approval of September 2023 Financial Statements**

Mr. Jeff Aston was recognized, and he reviewed financial statements for the Water Department and Fire Department for September. He also reviewed with the Board a detailed breakdown of the CNI versus the QuickBooks Balance Sheet.

After review Mr. Majors motioned to approve the September financial statements the motion was seconded by Ms. Holt and the financial statements for September were unanimously approved.

8. **OLD BUSINESS**

A. New Fire Station No. 2 Building on Lee Road 266

Mr. Jackson was recognized, and he announced that the building was completed, and they were finishing up work on the driveway and the trench drain.

B. ARPA Funds

Chairman Sims announced that there had been no movement from the County in approving the funds.

C. DWSRF Funds

Mr. Josh Pierce from the District's Engineer, Goodwyn, Mills and Caywood was recognized, and he talked with the Board about the ARPA and the DWSRF projects. He stated he had reviewed the available funding sources for the various projects and that after speaking with some people DWSRF he did not recommend making any changes to the project scope. He stated that the District may be able to obtain an additional \$500,000.00 in funding through ADEM sources. Mr. Pierce presented a report reviewing the system project priority list with the Board.

D. ARWA Report

Chairman Sims announced that the report had been completed and that he might call a work session for the report to be presented to the Board.

E. Water Rate Review – Katie Hill (CWS)

Katie Hill from Clearwater Solutions was recognized, and she presented the Board with the water rate review. She presented the Board with a few different options for setting rates. She stated that everything was still preliminary as in order to finalize the rate study there had to be a better understanding of the priority projects the District would want to commence in the near future.

F. Water Loss.

Chairman Sims detailed for the Board the daily reports of the District's water loss.

G. SCADA Upgrades.

Mr. Jeff Aston was recognized, and he discussed with the Board a recommended upgrade to the SCADA system. He informed the Board that he had received a quote of \$13,890.00 from Electric Machine Central to provide the equipment. After discussion Ms. Holt motioned to approve the purchase. Motion was seconded by Mr. Jackson and unanimously approved.

9. **NEW BUSINESS**

A. Josh Pierce (GMC)

Chairman Sims announced that this item had been covered earlier in the meeting.

B. Clearwater Solutions Report.

Mr. Jeff Aston was recognized, and he briefed the Board on Clearwater’s activities over the past month.

Mr. Aston then brought up the Water Zoning Map for the District and gave a presentation to the Board on how it works and all of the efforts they were making to identify and fix leaks. Mr. Aston also reviewed work order call logs for leaks.

He stated that there were four adjustments for the month:

<b>Shannon Morgan</b>	<b>\$548.19</b>
<b>Michael or Ginger Walker</b>	<b>\$236.50</b>
<b>Pleasant Hill Baptist Church</b>	<b>\$467.25</b>
<b>Kimberly Edge</b>	<b>\$454.00</b>

Mr. Jackson motioned to approve the adjustments. Motion was seconded by Mr. Bryan and the adjustments unanimously approved.

Mr. Ashton then announce the link incentive program winner for the month.

C. Beulah Fire & Rescue Report.

Captain Shawn Aldridge was recognized and informed the Board that Chief Simpkins was out of town and so he had been asked to give the Fire & Rescue Report to the Board for the month. He stated there were 71 total calls, three of which were fire calls.

He announced to the Board that there had been a total of 53 hours of overtime worked. He stated that this was due to having to cover the shifts of new hires who still had to work out time at their prior departments.

He then briefed the Board on the training activities conducted by the Department during the past month.

Captain Aldridge announced there had been one random drug tests with the prior month.

He announced that the Department was working on a draft of a policy for a live-in firefighter program and that it would be brought to the Board soon.

He closed by announcing the date for the Fire Department's annual Christmas party and invited all the Board Members to attend.

a. Fire Fee

Chairman Sims announced that after reviewing the Minutes from the last meeting and discussing with Chief Simpkins; the requested Fire Rate Increase had not been adopted as Chief Simpkins proposed. He stated that the request had been for a \$3 increase across the board; however, the prior approval had only applied to Residential Units. Mr. Jackson made a motion to add the \$3 increase to all Fire Fees charged by the District; Commercial, Residential, and Nonprofit. The motion was seconded by Mr. Bryan and the rate increase was unanimously approved.

Chairman Sims informed the Board that he was considering appointing Chief Blake Simpkins as a liaison to the Chairman for the Water Department. He said that this would assist him in overseeing all the various issues that are currently ongoing. He said that Chief Simpkins would be responsible for supervising the Water Department on a daily basis. After discussion Mr. Jackson motioned to appoint Blake Simpkins as liaison to the Chairman with a \$5,000.00 per year increase in salary. The motion was seconded by Mr. Bryan and unanimously approved.

Chairman Sims updated the Board on the RV Park Fire Fee Study.

D. Executive Session

Chairman Sims informed the Board that there was a matter to discuss in Executive Session. He stated this matter related to a discussion with legal counsel on the legal ramifications and legal options of a matter likely to be litigated if the Board pursued a proposed course of action. Ms. Holt motioned to enter an Executive Session to discuss with legal counsel the legal ramifications and legal options of a matter likely to be litigated. Motion was seconded by Mr. Majors. Chairman Sims then asked the Board's legal counsel, Stephen Clay, if it was appropriate to enter into an Executive Session. Mr. Clay provided an opinion that it was appropriate to enter an Executive Session to discuss with legal counsel the legal ramifications and legal options of the issue likely to be litigated.

A roll call vote was taken, with Ms. Holt, Mr. Bryan, Mr. Jackson, Mr. Majors, and Mr. Sims voting to enter the Executive Session. The Board convened in executive session at 7:26 PM.

a. Consideration of 3M Settlement Involvement

E. Reconvene

The Board reconvened in a public session at 7:43 PM

a. Vote on Consideration of 3M Settlement

The Board was presented with a Resolution that would authorize the Chairman to sign all documents and forms necessary to take any other such actions to opt the District out of all PFAS and PFOS litigation and class action settlements. It would also authorize the Chairman to enter into a contract with the firm of Pittman, Dutton, Helms, Bradley and Mann, PC for legal services. Finally, the Resolution would authorize the Chairman to enter into contracts and take all such further action as he may deem necessary and expedient to allow the District to pursue claims and damages against defendants responsible for the presence of PFOS and PFAS; including, but not limited to, the signing and filing of a complaint. Mr. Bryan motioned to adopt the Resolution. Motion seconded by Mr. Jackson and the Resolution was unanimously adopted.

10. OTHER BUSINESS

NONE.

11. CITIZEN COMMUNICATIONS ON NON-AGENDA ITEMS.

NONE.

12. NEXT MEETING

Chairman Sims stated that the next regular meeting would be at 6:00 PM CST on November 21, 2023, at 6:00 PM CST.

13. ADJOURNMENT

There being no further business Mr. Jackson motioned to adjourn. The motion was seconded by Mr. Bryan and unanimously approved. The meeting was adjourned at 7:45 PM CST.

Signed \_\_\_\_\_

