



Daphne Utilities

APPROVED MINUTES

Utilities Board Meeting

City of Daphne Council Chambers ♦ June 25, 2008 ♦ 5:00 p.m.

I. CALL TO ORDER

The June 25, 2008, regular Board meeting for the Utilities Board of the City of Daphne was called to order by Chairman Robert Segalla, at 5:00 p.m.

II. ROLL CALL

Members Present: Robert Segalla, Chairman
Ron Scott, Vice Chairman
Lon Johnston, Secretary Treasurer
Fred Small, Mayor
Fenton E. Jenkins

Others Absent:

Others Present: Jerry Speegle – Board Attorney
Danny Lyndall – Operations Manager
Teresa Logiotatos – Finance Manager
Pam Kellum – Accounting Technician
Lori Scharles – Executive Assistant
Voneka Nettles – Accounting Technician
Melinda Immel - Volkert
Ray Moore – HMR

Others Absent: Rob McElroy – General Manager
Deloris Brown – Human Resources Manager
Drew Klumpp – Adm. Services Manager

III. PLEDGE OF ALLEGIANCE

The Chairman led the Board and meeting attendees in the Pledge of Allegiance.

Jerry Speegle arrived at 5:02 pm.

Ron Scott arrived at 5:06 pm.

Chairman Segalla requested to re-arrange the agenda in order to accommodate the early departure of Board Member Mayor Fred Small.

IV. OLD BUSINESS

a. *Revisement of Bylaw of Utilities Board of the City of Daphne:*

A review and discussion regarding the clarification of **Article V – Directors** from the Bylaws of the Utilities Board of the City of Daphne proceeded among the Board members and Mr. Speegle. Chairman Segalla requested a further detailed review of the verbiage of this Article V to be presented at the July, 2008 Board meeting of the Utilities Board of the City of Daphne.

V. APPROVAL OF MINUTES

a. Utilities Board Minutes from May 28, 2008:

The Chairman stated there were no additions, deletions, or corrections for the Minutes from the May 28, 2008, Utilities Board meeting.

MOTION BY Mayor Small to approve the Utilities Board of the City of Daphne minutes from the regular Board meeting conducted May 28, 2008; Seconded by Mr. Johnston.

AYE: SEGALLA, SCOTT, SMALL, JOHNSTON, JENKINS ABSENT: MOTION CARRIED

VI. OLD BUSINESS

a. Construction Specifications Revisions

The Construction Specification Revisions presented at the June 25, 2008, Utilities Board meeting were reviewed by the Board. Chairman Segalla called for a Motion for Approval of the Construction Specification Revisions dated June 19, 2008.

MOTION BY Mayor Small to approve the Construction Specifications Revisions dated June 19, 2008, as presented to the Utilities Board of the City of Daphne; Seconded by Mr. Johnston.

AYE: SEGALLA, SCOTT, SMALL, JOHNSTON, JENKINS ABSENT: MOTION CARRIED

VII. EXECUTIVE SESSION –

Chairman Segalla then called for further revision of the Agenda and called for a Motion for Executive Session to discuss pending litigation.

MOTION BY Vice Chairman Scott to go into Executive Session to discuss pending legal matters at 5:08 pm. Seconded by Secretary Johnston.

AYE: SEGALLA, SCOTT, SMALL, JOHNSTON, JENKINS ABSENT MOTION CARRIED

Executive Session concluded at 5:28 pm.

MOTION BY Vice Chairman Scott to amend the previous Agreement regarding the pending settlement by the amount discussed in Executive Session. Seconded by Mayor Fred Small.

AYE: SEGALLA, SCOTT, SMALL, JOHNSTON, JENKINS ABSENT MOTION CARRIED

VIII. OLD BUSINESS

b. Park City Service Agreement:

Danny Lyndall advised the Board that there has been no additional movement on this issue; he further stated that Daphne Utilities has decided to move forward with taking the necessary action to collect the past due fees including the disconnection of the sewer lateral, if necessary. He referred to a sample policy relative to "sewer only customers" was for the Board's information and review only for upcoming discussions in order to adopt a Resolution for the "Sewer Only" Policy at an upcoming Board meeting. Mr. Scott questioned Mayor Small regarding the City of Daphne's Ordinances and citations for non-payment of a City bill. Mayor Small answered that the existing Ordinance needs to be review and revised. Mr. Scott commented that the Park City Board is ill-serving their constituent due to the large number of residents that are paying their bills resulting in a situation of inequity and Daphne Utilities needs to come to a resolution of this long-standing problem. Mayor Small remarked that a possible revision of the Ordinance would be to send them to court rather than non-service of garbage collection and commented that he would have this issued revisited with the City; he stated that he understands what Daphne Utilities needs to do and asked where the Health Department stand on this procedure. Chairman Segalla stated that he understands that as soon as the sewer is disconnected from a residence, the Health Department will make the residence uninhabitable. Mr. Lyndall stated that he has talked to Teddy King of the Baldwin County Health Department and that Mr. King is aware of the situation but that they do not want to be a police force but they will if necessary. Melinda Immel

confirmed as well that this is the information of which she was aware.

c. Daphne High School Stadium:

Danny Lyndall explained that payment has not yet been received from the Baldwin County Board of Education and that the point of contact has since left. Mayor Small offered assistance to contact the Baldwin County Board of Education or the Daphne Quarterback Club.

d. Items in Abeyance:

1. **Gas Franchise Agreement** – no updated information.
2. **19 Acres** – Ray Moore of HMR updated the Board that the 45-day comment period has begun and that once the permit is issued it is valid for 3 years and re-application can be submitted.
3. **Capacity Fee Study – Call for Workshop - TABLED**

IX. NEW BUSINESS –

Chairman Segalla advised the Board to review a memo and suggested statements that he had sent to Mr. Speegle, Rob McElroy and Deloris Brown for review and consideration. He stated due to recent litigation, he felt that additional information was necessary to strengthen the Personnel Handbook. Mr. Speegle stated that a review of the policy manual will be forthcoming.

Mayor Fred Small left the meeting at 5:39 p.m.

X. BOARD ATTORNEY'S REPORT

Mr. Speegle had no further information to add to his report.

XI. FINANCIAL REPORT

Pam Kellum reviewed the financial report with the Board. Mr. Johnston restated his request for a third line displayed for the previous year on the graphs: revenue, expense and net income.

XII. GENERAL MANAGER'S REPORT

a. GM Report

Danny Lyndall reminded the Board of the rescheduled date for the July board meeting due to the AWPCA conference whereby Daphne Utilities will be presented with an award. He also updated the Board on the status of the Elizabeth S. Yelding Park. Vice Chairman Scott commented about the e-billing numbers and suggested to encourage our customers to sign up for the e-billing to eliminate our postage costs. Mr. Lyndall stated that we have an on-going advertising in our billing each month. Chairman Segalla commended Mr. Lyndall and some of his staff for good quality work that generated a encouraging letter from a Daphne resident.

b. Operations Report

Mr. Lyndall updated the Board on the fire hydrant painting schedule. He had nothing further to add. Melinda Immel reviewed and updated the Board on the Source Water Assessment. Ray Moore updated the Board that questions and rumors are surfacing regarding sewerage the Friendship Road area.

XIII. BOARD ACTION – None

XIV. PUBLIC PARTICIPATION – None

XV. BOARD COMMENTS

XVI. ADJOURNMENT:

MOTION BY Mr. Johnston to adjourn the meeting. Seconded by Mr. Scott.

AYE: SEGALLA, SCOTT, JOHNSTON, JENKINS

ABSENT: SMALL

MOTION CARRIED

The meeting adjourned at 6:45 p.m.