



City of Piggott Council Meeting Minutes

City Hall
194 West Court St.
Piggott, AR 72454

Thursday, May 25, 2023 6:00 PM

Piggott City Council met in regular session on Thursday, May 25, 2023, at 6:00 p.m. at the Piggott City Hall Community Room with Mayor Bradley Scheffler presiding.

Mayor Scheffler called the meeting to order followed by the Pledge of Allegiance.

Invocation led by Councilmember Kevin Jones

Roll Call

Those present were:

Councilmember Jeff Benbrook

Councilmember Tracy Cole

Councilmember Jamey Parks

Councilmember Kevin Jones

Mayor Bradley Scheffler

City Clerk Nikki Blue

Attorney Allen Warmath (in place of Attorney Kimberly Dale)

Others in attendance: Utility Manager-Brian Haley, Justin Welch (Electric Superintendent), Tiffany Bosworth (accounts payable/ IT), Judge Mike Patterson, Sherriff Ronnie Cole, David Smith (CCC), Matt Miller (General Manager, CCC), Enoch Richardson (CCC), Reed Morgan (Sparklight), Brian Simpson (Sparklight), Alan Vaughn (Emergency Management Coordinator, Clay County)

Clay County Connect:

Mayor Bradley Scheffler introduced the guests in attendance from Clay County Connect and Sparklight. He then invited Matt Miller (CCC) to proceed with his presentation.

Matt Miller started with his role in Clay County Connect as the general manager and he has been with CCC for a little over 8 years. He followed with the four basic bullet points that he has broken it down into: *Who we are*, *What we are*, *What kind of challenges we will face*, and *What we can offer*.

Matt went into more detail as far as the basic internet packages they could provide, cost, service, feasibility of serving Piggott, cost involved, what would be required, and possible private partnership with Piggott. He then opened the floor for questions.

Councilmember Tracy Cole asked if he could explain the "Shared Services Agreement" a little more. Matt Miller explained that meant CCC would "give" us the fibers that we needed to connect different places within the city. He said that although we were still new for a smart grid and it wasn't something we have in place at this point, but there were still areas they could hook up now such as the power station, sub-station and water and that the "shared services" could go as far as them helping the city with IT.

Councilmember Tracy Cole asked if by doing this would it enable them to bring internet services to residential as well. Matt Miller answered, "Correct". He said by doing this they would bring in a "backbone" through Piggott and they could breakoff from that to provide for residential as well, if it was planned in advance. Councilmember Tracy Cole asked if they didn't do what they were proposing, would they still be able to provide for residential. Matt Miller responded with, "Maybe".

Councilmember Jamey Parks spoke asking about the Pole Attachment fee or franchise fee that is being charged to our current cable companies. Brian Haley responded saying that there are franchise fees charged to Sparklight for cable, but there are no franchise fees for telephone or internet. Brian Haley continued with the pole attachment fees were what was currently being discussed with the proposal from CCC. Brian Haley detailed some of what the proposed plan from Clay County Connect would offer the city. Councilmember Jamey Parks asked if



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we charged Brightspeed. Brian Haley said we do charge them a pole fee of \$15 per pole and more than likely if Clay County Connect comes in, they would be hitting the same poles. Councilmember Tracy Cole asked if it would be at the same fee. Brian Haley said it would be the same fee but continued that CCC was asking the city to waive those fees in exchange for ownership of the fiber that would be installed. He then stated that that was to be determined. Councilmember Tracy Cole asked if there was any kind of estimate and if they would attach to the same number of poles regardless of number of customers. Matt Miller responded with yes, they would. Brian Haley answered about the estimate with, about \$20k a year is what we receive for pole attachment fees. Councilmembers continued with questions about costs, but with many variables and without more specific details, they were unable to get clear, solid answers.

Councilmember Tracy Cole asked if it would be possible to get an ROI. Councilmember Jeff Benbrook asked if we had resolutions for the other companies. Brian Haley stated that we may have franchise fees. Councilmember Jeff Benbrook asked if we had any agreements with the other companies and Councilmember Tracy Cole then asked if there were any legalities from the city's perspective for not offering the same option to all companies. Attorney Allen Warmath spoke up stating that utilities are a little different than most jobs that are bid out. Brian Haley also stated that this was all still just a discussion and that nothing had been agreed to or put in motion yet. He explained that this was brought on by the number of people coming to them asking if and when the city would look into bringing in Clay County Connect. Councilmember Tracy Cole asked what kind of time frame we were looking at and when this would need to be approved to move forward for what date. Matt Miller said that once approved, we would be looking at 6-9 months.

Mayor Bradley Scheffler asked if David Smith (CCC) or Enoch Richardson (CCC) had anything to add. David Smith said that about covered it but added that it would be too costly to come in underground and that coming in on the poles under the other providers wouldn't work because of clearance issues so their only option would be to come in on the power space. Enoch Richardson added that with the grid modernization and the fiber network, we could easily have the pole attachment fees paid for in a few years.

Mayor Bradly Scheffler asked Reed Morgan (Sparklight) if he would like to come up and say a few words. Reed Morgan (Sparklight) stepped forward and said that they weren't there to try to push anyone away out of respect. He wholeheartedly stated that him and Brian Simpson (engineer, Sparklight) have been here working together for 17 years and they were here (at the meeting) just doing their due diligence. He did add that they do have a fiber fueled network (not to confuse it with copper). He stated that he didn't want to say too much, but thanked everyone for allowing them to come to the meeting and would respect the vote however it went.

Mayor Bradly Scheffler then called on County Judge Mike Patterson. Judge Patterson introduced himself and started with he was not against any phone or cable company. He explained that a year and half or so ago he was contacted by the governor and told that he could back a company or multiple companies to get federal grant money (Arkansas Connect). He said this program was highly publicized. Judge Patterson stated that there was only one company that contacted him and that was Clay County Connect. He then partnered with Clay County Connect and completed the paperwork required for them to receive the grant money. He also stated that he just returned from another meeting and there is going to be much more grant money available for Arkansas and he was going all over to try to get as much for our county as possible because he wants this internet throughout the whole county. Judge Patterson spoke of individuals being ecstatic over having good internet in the country, but expressed that good internet is needed everywhere, not just in the country, businesses and people in town also need reliable internet. He gave the example of his 96-year-old mother-in-law that has had the same phone and internet company for years and over the last couple years, it's out 6 to 8 times a month. He pointed out that when



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it is out, so is her life alert, her security system, phone, and internet. She now has high-speed internet, and it hasn't been out once. Judge Patterson asked the council to do whatever they could so that we could get this service to everyone through the county.

Mayor Bradley Scheffler thanked Judge Patterson and then called on Sheriff Ronnie Cole. Sheriff Cole said he was not here to criticize anyone either but stated that he is trying to update several things at the jail. He has been told that he is limited on his current internet but would be able to operate everything he wants to put in if he switched to fiber. He explained that when his officers arrest someone (city, county, or state) on a felony, they have 72 hours to take them in front of a judge. "When we had our own district judge, that wasn't an issue." He wants to install a program so that his officers can take them in front of a judge whether it be in Paragould, Pocahontas, or another county via video. Sheriff Cole stated that a better internet would allow them to get that set up. He said he is also trying to setup "video visitation" as well as "video medicine" which would allow the inmates to be treated by the doctor without additional in-house visits. In addition, they are wanting commissary set up so that people can add money through a kiosk. He has been told that once he installs all of this, it will overwhelm his current internet and he won't have the capacity to utilize it. Sheriff Cole has companies on standby and would like to be able to move forward as quickly as possible, but that will require sufficient internet service. Sheriff Cole addresses Matt Miller and asks what his cost would be for the jail. He answered with \$169 (the cost currently at Corning for equivalent). Sheriff Cole asked for them to confirm that they could supply all that was needed (from what he mentioned going in place) for \$169. Matt Miller answered, yes. Sheriff Ronnie Cole finished with he needed better internet just as fast as he could get it.

Mayor Bradley Scheffler asked if there were anymore questions before the council votes. Councilmember Jeff Benbrook stated that he would like to see more numbers. Councilmember Jamey Parks asked if we just wanted to table it until next month's meeting. Alan Vaughn (Clay County Emergency Management Coordinator) stepped up and Mayor Scheffler told him to go ahead. Alan Vaughn said he wanted to throw some numbers out that they were dealing with right now. He states that until we figured out what we were going to do, they had to have services at the courthouse. They basically have two hubs, the courthouse, and the jail. He explains that the server over here runs Corning too and they didn't have enough upload speed to handle their maps, so they signed a one-year contract with Sparklight for 500mb internet, \$1,000 a month for the courthouse and \$1,000 a month for the jail. He points out that it's the taxpayer money that pays for that.

Councilmember Tracy Cole expresses that she's not saying it may not be a good deal, but with this being the first bit of information she's seen of it, she would like to digest it. The other council members express the same concerns in that although this may be the best option, they want to do what they were appointed to do and need to know more information before they feel comfortable voting either way.

More questions were asked that needed further information to acquire clear answers. Councilmember Kevin Jones asked what a downside to the city would be. Brian Haley said that one could be that if we agreed to the initial proposal, we wouldn't have the (approximately) \$20k a year from pole fees, but states that it is a council decision. Councilmember Tracy Cole says she understands that but explains that to be a good steward of the city, she wants to understand the financials. Mayor Scheffler asked if there were any more questions for the gentlemen. Councilmember Tracy Cole addresses Matt Miller and asks if he can supply more information as to the cost to install for us based on the variables that he mentioned previously. Matt Miller replies that he can't give us those numbers until he knows what we need. Council Member Tracy Cole addresses Brian Haley and says that that is information she also needs to understand better what we do need as far as the city needs. She asks if he could give Matt Miller a definitive idea of what we (the city) would need to connect. Brian Haley replied that he could.



City of Piggott Council Meeting Minutes

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City Clerk Nikki Blue asked if this was something that warranted a special meeting versus waiting a full month to vote. The council members were in agreement to schedule a special meeting prior to next month's meeting. Councilmember Jamey Parks suggested next week.

County Judge Mike Patterson asked for permission to speak. Mayor Bradley Scheffler gave him the floor. Judge Patterson gave an example of when a line goes down with Clay County Connect, they can look on a computer and know exactly where it's at. He then asks when Piggott goes down if we have to go look for it because we didn't have a grid where we could just look at a computer to know. Mayor Scheffler points out that our electrical superintendent (Justin Welch) was sitting in the back. Judge Patterson then turns around and addresses Justin and asks, "Do you have a computer where you can look at the north side, south side, east side?" Justin replies, "No, sir, not right now". Judge Patterson says that, if you have 8 or 10 spots with internet out there, you could buy the equipment and set it up and it would be an up-to-date system for the city. Brian Haley speaks up and says that moving into a smart grid where we can utilize and see our outages is something we want to move towards. Councilmember Tracy Cole points out that we'll have to buy equipment and there will be other expenses and although it may be something we need to do, it's not in the budget right now. Brian Haley points out that some of the items the city wants to move toward will require internet and this would probably be more valuable to us in the future than it would be to us currently.

Mayor Bradley Scheffler asks the council for a date to have a called meeting. Discussion was had to have a meeting the following week. It was then asked of Matt Miller to provide additional information for the meeting. Mayor Scheffler also asked Matt of the cost CCC would be invested in the City of Piggott if this were approved. Matt Miller responded with, at a 30% take rate (meaning 30% of the members of the City of Piggott take their services) they would be invested a minimum of \$3M. Councilmember Tracy Cole asked for clarification that that was the cost to Clay County Connect. Matt Miller responded, yes. Councilmember Jamey Parks asked if they would be set up at that time to take all of Piggott. Matt Miller replied yes, and that was just the initial investment. Councilmember Jamey Parks asked if their system was built for everything and could handle everyone. Matt Miller said they can service 32 customers on one fiber. City Clerk Nikki Blue asked if there would be a difference in timeline for residential versus businesses. The response was no.

Mayor Bradley Scheffler asked for a motion to table this until Thursday, June 1st at noon. Councilmember Tracy Cole made a motion to table the vote on Clay County Connect Services to Piggott until June 1st at noon. Councilmember Jamey Parks seconded. With all councilmembers in favor and none opposed, motion carried.

Mayor Bradley Scheffler thanked all the guests for coming and answering questions and let them know they were welcome to stay if they wanted.

Minutes:

Mayor Bradley Scheffler asked for a motion to approve the minutes from the April meeting. Councilmember Tracy Cole made a motion to approve minutes from the April 27, 2023, meeting. Councilmember Jamey Parks seconded. With all councilmembers in favor and none opposed, motion carried.

Financials

Mayor Bradley Scheffler addressed the council concerning what was received in their packets as far as financials. It was stated that city financials were included but MLWS was not. Mayor Scheffler asked if there were any questions or comments to which there were. Mayor Scheffler asked Tiffany Bosworth to move up a little closer to the front. Brian Haley stated that he asked Tiffany to come to the meeting and that he knew he had



City of Piggott Council Meeting Minutes

City Hall
194 West Court St.
Piggott, AR 72454

Thursday, May 25, 2023 6:00 PM

told the council that they would do everything they could to provide the financials to the council and explained was not from lack of trying. He explained that when we came in at the first of the year, we utilized the staff that we had and moved Tiffany into that position. He continued that Tiffany had done a really good job at trying to learn the software, understanding the process that we go through and had given her all the available overtime that she wanted to use. He disclosed that she typically had 30-50 hours of overtime per pay period. He expressed that Tiffany not only did accounts payable, but she also does IT, and we experienced a lot of IT issues at first. There have been difficulties reconciling bank statements and there have been struggles moving assets out of expenses. Councilmember Tracy Cole asked what we can do and asked if there was a consultant, we could get to come in to help resolve things. Brian Haley noted that most CPAs were tied up and unavailable at this time and that the auditors would be here May 9th and 10th. He said we should hopefully have the audit by the second week of June and that we had to have it by the 30th of June. There is hope that they can answer some of the questions we have and help guide is on some stuff. Brian mentioned that Sandy Low has been coming in to help and that we are moving in the right direction, but it has been a struggle. Tiffany wore a lot of hats and we have adjusted it to accounts payable and IT as the main focus. Councilmember Tracy Cole asked if we needed someone that knows that system or a technical expert. Brian Haley directed that question to Tiffany. Councilmember Tracy Cole then asked Tiffany what was needed. Tiffany responded with, "This is a very complicated situation and I want you all to understand better what the situation is." She explained that this has affected her life and that she has worked very hard since January first to get this job done. She continued with, "The struggles are unfortunately partially, not 100%, but they were caused by the previous administration and that has been difficult because the hope was that I would be able to pick up and learn from the way it was done in the past. But that has been very challenging to my disappointment." She explains that there are obstacles on a very regular basis and tells of a server they had "crashed and die" along with the in-depth investigation that is needed to figure out problems. Councilmember Tracy Cole asked if some of this was because we switched systems. She responded answering that the MLWS system was not switched, only the city was changed to Cougar Mountain and those books were being handled completely separate from the MLWS books. She expresses that is not a factor in what she is dealing with. She continues with what she is dealing with (when talking about not being able to pick up and move forward with what was done last year) is the "careless errors that were made that have caused continuing issues". She then dives into more detail about records and what she's having to do to teach herself the process and overcome the hurdles.

Mayor Bradley Scheffler asks if there is any more discussion or questions. Councilmember Tracy Cole merely states that it is not fair to Tiffany that she works 50 hours a week and that what we are doing is not getting us where we need to be. We need to figure out something to get this resolved. Brian Haley agreed.

Old Business:

Mayor Bradley Scheffler asked for any old business. Brian Haley spoke up saying that Lisa Mikel stepped down from the Parks & Recreation Advisory Board and Monte Howell has been nominated to fill her position.

New Business:

Proclamation for Hospital Tax Vote

Attorney Allen Warmath reads the proclamation aloud. Attorney Warmath then explains the process and that Attorney Kimberly Dale has already sent the proclamation to the newspaper to be published. This starts the time period for anyone to contest the election and it has to be published before they can continue on with the sales tax.



City of Piggott Council Meeting Minutes

City Hall
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Thursday, May 25, 2023 6:00 PM

NEA Regional Solid Waste Management District: Resolution 530-23

Attorney Allen Warmath reads the resolution in its entirety. Mayor Bradley Scheffler asks for a motion to approve. Councilmember Tracy Cole made a motion to approve the NEA Regional Solid Waste Management District Resolution 530.23. Councilmember Kevin Jones Seconded. With all in favor and none opposed, motion carried.

City updates from Utility Manager, Brian Haley

-Roundabouts

Brian Haley spoke with the superintendent, and they are still on track to be finished in late September. He said they were designed to be completed at the same time including the stoplight. Councilmember Tracy Cole noted that she was hoping that one would be done by the 4th. Brian Haley continued with details of his discussion and that he and Justin Welch were working to assist them with pole lighting for the roundabouts. Councilmember Tracy Cole asked if Brian received a call about what happened last week concerning the contractors that were redoing the driveways on Scurlock. Brian Haley responded no. Tracy proceeded to tell them of homeowners that weren't given advance notice of the work being done and were unable to get to their homes. She asked that the contractors be advised to give advance notice to homeowners. Brian Haley stated that they were actually our contractors that were doing that work, but they were now done. He explained that we had been waiting on them for months and they came up to fix the water leak by Dollar General and do the driveways and he just assumed they had spoken with the homeowners.

Asphalt work

Brian Haley spoke with (Sugg Construction) and they are about a month out.

Sidewalk

Brian Haley spoke with Greg Bell and the comments have been submitted to ARDOT for about 3 weeks so we should be hearing something back pretty quick. As soon as they get the comments back, they can get the (ROW) right of way and submit bids for construction. Councilmember Tracy Cole stated that she personally wanted to see the drawings since they would be in front of her house. Mayor Bradley Scheffler asked what the figures were on what it was going to cost the city on the sidewalk. Brian Haley replied with \$140k was our part. Brian Haley then went back to address Councilmember Tracy Cole and told her that he didn't have a copy of the drawings, but he could request them.

Utility: from Utility Manager, Brian Haley

Electric

Brian Haley said that they put in the budget this year to put a defibrillator in one of the bucket trucks and Justin Welch was able to find two for the price they had budgeted for one. So now they will be putting one in each of the service trucks for the simple fact that the guys deal with high voltage every day and they're out in the public every day.



City of Piggott Council Meeting Minutes

City Hall
194 West Court St.
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Thursday, May 25, 2023 6:00 PM

Water and Wastewater

Everything is completed at the wastewater plant except for the curtain that goes in the sediment pond. There's also some grating where the bar screen was installed, a handrail has been put around it but there is an open pit we don't want animals or anything falling into. It was out of the scope of work but we're getting a price for grating so I asked if it was something our guys could install to save a little bit of labor.

The wastewater plant is operating good. The mixed liquor basin is growing. Sludge went from 50 to 100, but it still has a ways to go. As far as the amount organic matter in there, it's growing and that's what eats the nutrients that come in and it's doing well. We will be starting our sampling at the first of the month.

Public Questions and/or Comments:

County Judge Mike Patterson asked if there were any rules or regulations on ponds being built in town. Mayor Scheffler said we are looking into nuisance ordinances about mosquito breeding grounds and will do everything we can to take care of it. Brian Haley added that we have ordinances against burnt houses and yard debris but were looking for one more specifically pertaining to that matter to prevent it, especially in a location like that by the elderly homes.

Councilmember Tracy Cole asked to make a quick suggestion that if we have something major like Clay County Connect and were expected to vote on it, that they received something prior to the meeting that explained what it was about and some of the details to better equip them for voting. She said that she didn't know what it was about until she heard the presentation. The rest of the council members agreed that none of them thought they would be expected to vote on it tonight. Councilmember Kevin Jones asked what this would mean to the other companies that are paying pole fees. He expressed that he's not saying he's against it, but just asking the question. Brian Haley restates that CCC is offering up the ownership of the fiber in return for the pole fees and that the value of ownership should increase over time, but ideally, we'd have both fiber and pole fees. County Judge Mike Patterson points out that we (tax payers) are paying \$1,000 a month for the jail and \$1,000 a month for the courthouse and the \$72,000 server the county bought that was supposed to be good wasn't doing them any good because they don't have enough internet for it to work well. He says that when you're paying \$1,000 a month and could get it for \$169 for better service, it's a no brainer.

Mayor Bradley Scheffler asks if there are any other questions or comments. No one spoke.

Adjournment

With no other business on the agenda, Councilmember Tracy Cole made a motion to adjourn. Councilmember Jamey Parks seconded. With all in favor and none opposed, motion carried.