

TOWN COUNCIL OF THE TOWN OF MULGA, ALABAMA

RESOLUTION NO. 2023-19

A RESOLUTION PRESCRIBING THE SALARY OF THE SUPERINTENDENT OF THE MUNICIPAL UTILITY SYSTEMS OF THE TOWN OF MULGA, ALABAMA.

WHEREAS, the Town of Mulga, Alabama (the “Town”) owns and operates a municipal water and gas system known as Mulga Water & Gas (the “System”);

WHEREAS, the Town Council of the Town of Mulga, Alabama (the “Town Council”) adopted Resolution No. 2021-22, requiring the Mayor to act as Superintendent of the System on a full-time basis;

WHEREAS, in Resolution No. 2022-13, the Town Council elected for the Town to be exempted from the requirements in Section 45-37-250(a) of the *Code of Alabama* (1975) which prescribes certain terms for a mayor’s service as superintendent of a municipal system on a full-time basis;

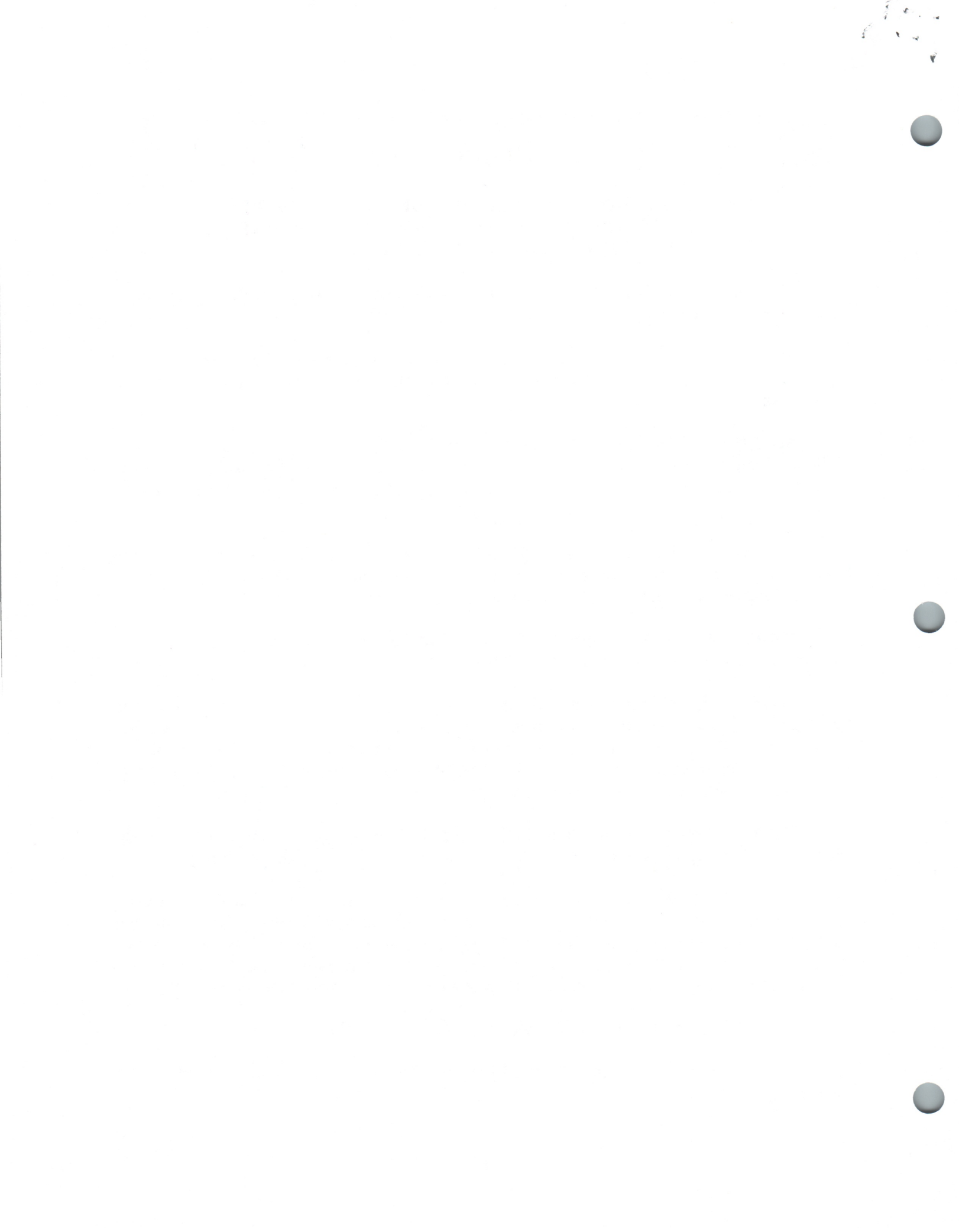
WHEREAS, in Resolution 2022-14, the Town Council also prescribed the Superintendent’s salary and set a salary of Sixty-Three Thousand, Five Hundred Dollars and No Cents (\$63,500.00) per year, payable in equal weekly installments;

WHEREAS, due to the Superintendent’s hard work and performance, the Town desires to increase the salary of the Superintendent by Seven Percent (7.0%);

WHEREAS, as contemplated by the Alabama Attorney General in Opinion to the Honorable Benjamin S. Goldman, Attorney, Town of Mulga, dated March 13, 2020, A.G. No. 2020-17, the Town considers the superintendent of its municipal utility systems to be an employee and not an officer as the term is used in Section 11-43-9 of the *Code of Alabama* (1975), meaning the superintendent’s salary may be increased immediately;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Mulga, Alabama, while in regular session on Tuesday, October 3, 2023, at 6:30 p.m. as follows:

1. The Town Council hereby approves increasing the Superintendent’s salary by Seven Percent (7.0%). As such, in addition to the Superintendent’s salary as mayor, the Superintendent shall receive a salary of Sixty-Seven Thousand, Nine Hundred Forty-Five and No Cents (\$67,945.00) per year, payable in equal weekly installments, for his service as Superintendent of the Town’s municipal utility systems, including, but not limited to the System.
2. The Town Council hereby deems this salary reasonable.
3. The salary provided for by this Resolution shall be charged to the Town’s municipal water and gas systems.



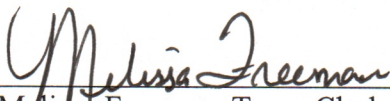
4. The provisions, sections, paragraphs, sentences, clauses, phrases, and parts thereof of this Resolution are severable, and if any provision, section, paragraph, sentence, clause, phrase, or part thereof of this Resolution shall be declared unconstitutional or invalid by a court of competent jurisdiction, then such ruling shall not affect any other provision, section, paragraph, sentence, clause, phrase, or part thereof since the same would have been enacted by the Town Council without the incorporation of any such unconstitutional or invalid provision, section, paragraph, sentence, clause, phrase, or part thereof.

5. The terms of this Resolution shall become effective beginning with the next pay period on October 5, 2023.

ADOPTED this the 3rd day of October, 2023.



W. KEITH VARNER, MAYOR

ATTEST: 

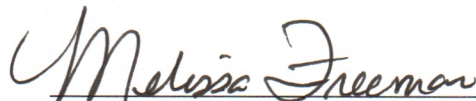
Melissa Freeman, Town Clerk

CERTIFICATION OF CLERK

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Melissa Freeman, Town Clerk of Mulga, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly adopted by the Town Council of Mulga, Alabama, on the 3rd day of October, 2023.

Witness my hand and seal of office this 3rd day of October, 2023.



Melissa Freeman, Clerk

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