

Jackson County Utility Authority  
Regular Meeting  
Board of Directors  
**January 11, 2016**  
1225 Jackson Avenue  
Pascagoula, MS 39567

**MINUTES**

1. Call to Order

The Regular meeting of the Board of Directors convened at 4:00 P.M., January 11, 2016, at 1225 Jackson Avenue, Pascagoula, MS. Board members present were: Michael Murphy, President; Marshall Smith, Vice President; Andrew J. Elly, Secretary-Treasurer; Doug Shore, Vice-Secretary-Treasurer; and Directors, Kevin Coggin and Ken Papania. It was determined there was a quorum.

Also present were: Tommy Fairfield, Executive Director; Linda Gasaway, Administrative Assistant; Talbert Rea, General Manager; Julie Christian, Chief of Finance; Edna Lott, Principal of Accounting; Tara Sistrunk, H.R. Manager; Chase Glisson, Engineer; James Heidelberg and April McDonald, Authority Counsel; Pete McMaster, Arcadis; Greg Brown and Cindy Lamb, Pickering Firm; Eric Page, Neel-Schaffer; Jeff May, Michael Baker, and Greg Williams, St. Andrews Water and Sewer.

2. Devotion

Tommy Fairfield, Executive Director, presented the invocation.

3. Pledge of Allegiance

Mr. Murphy, Board President, lead the Pledge of Allegiance.

4. Changes to Agenda

Mr. Murphy asked if there were any changes to the Agenda. Mr. Fairfield requested the following items be added to the Agenda: 7.D.2. – Compact Excavator Lease (Lease for CIAP Effort); 7.D.3. – Server Purchase; 7.D.4. – Gautier Appraisal Discussion; 7.D.5. – US Army Section 219 Discussion (Water Supply and PMP/ETP Plants, and 7.E.1. - Resolution

5. Public Recognition

Mr. Murphy asked if there were any public to be recognized. There were none.

6. Consent Agenda

- A. Expenditures, **Exhibit “A”**
- B. Record – Workshop of December 10, 2015 (No Minutes as Robert’s Rules were not invoked and no business was undertaken.)
- C. Minutes – Regular Meeting of December 14, 2015, **Exhibit “B”**
- D. Minutes – Regular Meeting of December 28, 2015, **Exhibit “C”**
- E. Rate Comparison – Information Only, **Exhibit “D”**
- F. Cash Position (December 31, 2015), **Exhibit “E”**
- G. Amendment to Rules and Regulations 2.09 and 2.10, **Exhibit “F”**
- H. Purchase Order – Erosion Control, **Exhibit “G”**  
Mr. Shore made a motion to approve Consent Agenda Items 6.A. – 6.H. as presented. Mr. Smith seconded the motion and it was unanimously approved by the Board members present.

7. Discussion – Action Items

A. USDA Project Work

- 1. Professional Services Application (NS 1031117-R), **Exhibit “H”**

Mr. Elly made a motion to approve N-S Invoice No. 1031117-R as presented. Mr. Papania seconded the motion and it was unanimously approved by the Board members present.

- 2. Construction Services (CB 23), **Exhibit “I”**

Mr. Shore made a motion to approve Pay App No. 23 as presented. Mr. Papania seconded the motion and it was unanimously approved by the Board members present.

B. FEMA/MEMA Hurley Decentralized Rehabilitation

- 1. Change Order 3, **Exhibit “J”**

Mr. Coggin made a motion to approve C.O. No. 3 as presented, with 23 Day Extension. Mr. Smith seconded the motion and it was unanimously approved by the Board members present.

2. Other (If Any)

Mr. Murphy asked if there were other FEMA/MEMA Hurley Decentralized Rehabilitation Items. There were none.

C. Pump Station Repairs and Pre-Bond Actions

1. Award PS 15, **Exhibit “K”**

Mr. Elly made a motion to approve Engineer’s recommendation to Award to Hemphill Construction. Mr. Papania seconded the motion and it was unanimously approved by the Board members present.

2. Award PS 16, **Exhibit “L”**

Mr. Elly made a motion to approve Engineer’s recommendation to Award to Greater Gulf Development. Mr. Shore seconded the motion and it was unanimously approved by the Board members present.

3. Other (If Any)

Mr. Murphy asked if there were other Pump Station Repairs and Pre-Bond Action Items. There were none.

D. Authority Business

1. Lab Update, **Exhibit “M”**

Information Only, No Action Required.

2. Compact Excavator (Leave for CIAP Effort), **Exhibit “N”**

Mr. Papania made a motion to approve lease as presented, Not to Exceed \$2500.00 per month. Mr. Elly seconded the motion and it was unanimously approved by the Board members present.

3. Server, **Exhibit “N”**

Mr. Coggin made a motion to approve Server Purchase, Not to Exceed \$27,500.00. Mr. Papania seconded the motion and it was unanimously approved by the Board members present.

4. Gautier Appraisal Discussion, **Exhibit “N”**

Discussion Only, No Action Required.

5. US Army Section 219 Discussion (Water Supply and PMP/ETP Plants), **Exhibit “N”**

Discussion Only, No Action Required.

6. Other (If Any)

Mr. Murphy asked if there were other Authority Business Items. There were none.

E. Attorney

1. Resolution, **Exhibit "O"**

Mr. Elly made a motion to Adopt Resolution Approving and Adopting Tax-Exempt Financing and Securities Compliance Procedures, Authorizing the Implementation of such Tax and Securities Compliance Policy, and for Related Purposes. Mr. Smith seconded the motion; it was put to a roll call vote and was unanimously approved with all the Board Members voting Aye.

2. Other (If Any)

Counsel updated the Board on other Attorney matters. No Board action was taken.

8. Other Business – Director Items

Mr. Murphy asked if there were other Director Items. There were none.

9. Executive Session, if So Moved

Executive Director requested Executive Session regarding Potential Litigation and Consolidation.

At 4:57 P.M. Mr. Elly made a motion to go into Closed Session to discuss issues for possible Executive Session. Mr. Smith seconded the motion and it was unanimously approved by the Board members present.

The meeting closed to determine reasons for need of Executive Session. In Closed Session it was determined there was a need to go in to Executive Session to discuss potential litigation items and consolidation.

At 5:01 P.M., Mr. Elly made the motion to come out of Closed Session. The motion was seconded by Mr. Papania and it was unanimously approved by the Board members present.

At 5:03 P.M., Mr. Shore made a motion to go into Executive Session. Mr. Smith seconded the motion and it was unanimously approved by the Board members present. This was announced to the public.

In attendance were: Mr. Murphy; Mr. Smith; Mr. Elly; Mr. Shore; Mr. Papania; Mr. Coggin; Mr. Fairfield, Mr. Heidelberg and Ms. McDonald.

At 5:05 P.M., Mr. Greg Williams, Owner, St. Andrews Water and Sewer was invited in to the Executive Session.

At 5:25 P.M., Mr. Greg Williams left Executive Session.

At 5:45 P.M., Mr. Elly made a motion that the Board come out of Executive Session, resume Regular Session and, all matter of business undertaken in Executive Session be brought forward. Mr. Smith seconded the motion and it was unanimously approved by the Board members present.

The meeting was re-opened to the public.

**10. Layne Christian Litigation, Exhibit "P"**

Mr. Shore made a motion to accept the General Terms agreed in U.S. District Court to Settle the Layne Christian Litigation matter, Pending Approval by MDEQ and MDA and Final Orders by the Presiding Judge (Exhibit to Follow Orders). Mr. Coggins seconded the motion and it was unanimously approved by the Board members present.


**11. Special Meeting**

Board President announced Special Meeting for January 26, 2016, time to be announced later.

**12. Adjourn**

There being no further business to come before the Board, Mr. Smith made the motion to adjourn. Mr. Papania seconded the motion and it was unanimously approved by the Board members present. The meeting was adjourned at 6:00 P.M.

WITNESS OUR SIGNATURES as approval of these Minutes on this 8<sup>th</sup> day of February, 2016.

  
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MICHAEL R. MURPHY, PRESIDENT

  
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ANDREW J. ELLY, SECRETARY-TREASURER