

Jackson County Utility Authority  
Regular Meeting  
Board of Directors  
**August 8, 2016**  
1225 Jackson Avenue  
Pascagoula, MS 39567

**MINUTES**

1. Call to Order

The Regular meeting of the Board of Directors convened at 4:01 P.M., August 8, 2016, at 1225 Jackson Avenue, Pascagoula, MS. Board members present were: Michael Murphy, President; Marshall Smith, Vice-President; Andrew J. Elly, Secretary-Treasurer; and Directors, Kevin Coggin, Ken Papania, Kevin Miller and Tommy Eldridge. It was determined there was a quorum.

Also present were: Tommy Fairfield, Executive Director; Linda Gasaway, Administrative Assistant; Julie Christian, Chief of Finance; Ryan Dunlap and Chase Glisson, Engineer; James Heidelberg and April McDonald, Authority Counsel; Chuck Starling, Arcadis; David Compton, Compton Engineering; Eric Page, Neel-Schaffer; Brandon Stork, WJCUD; Greg Brown, Pickering, and Paul Foley, Michael Baker.

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

- A. Mr. Murphy asked if there were any changes to the Agenda. Mr. Fairfield requested the following Items be added to the Agenda: Item 7.A.7. – PS# 24 & PS# 25 – Change Order No. 2; Item 7.A.8. – 16324 Lily Orchard Road – Customer Request Partial Balance Forgiveness and Item 8.A. – First Federal S&L Resolution – Change Signees

5. Public Recognition

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

6. Consent Agenda

- A. Minutes – Regular Meeting of July 11, 2016, **Exhibit “A”**
- B. Minutes – Regular Meeting of July 25, 2016, **Exhibit “B”**
- C. Task Authorization – Professional Services NS Tasks 12 and 13, **Exhibit “C”**
- D. Purchase Request – Fence Repairs, **Exhibit “D”**
- E. Exhibit “A” for Helena Contract (Provisional), **Exhibit “E”**  
Item 6.C. pulled for discussion, moved to Item 9.

Mr. Miller made a motion to approve Items 6.A. – 6.B. and Items 6.D. – 6.E. as presented. Mr. Smith seconded the motion and it was unanimously approved by the Board members present.

7. Discussion – Action Items

A. Authority Business

1. Expenditures, **Exhibit “F”**

Mr. Papania made a motion to approve Expenditures as presented. Mr. Coggin seconded the motion and it was unanimously approved by the Board members present.

2. Construction Project Action

a. Ball Park Road (Vancleave) Connections Payment Request LBU \$30,120.94, **Exhibit “G”**

Mr. Coggin made a motion to approve Task Authorization No. 2 as presented. Mr. Miller seconded the motion and it was unanimously approved by the Board members present.

b. Year Two PMP and ETP Rehabilitation Professional Service Payment Request BKI \$7,362.90, **Exhibit “H”**

Mr. Miller made a motion to approve BKI Pay Request as approved. Mr. Smith seconded the motion and it was unanimously approved by the Board members present.

3. Request for Waiver – Pack, **Exhibit “I”**

Mr. Elly made a motion to deny Waiver Request as presented. Mr. Smith seconded the motion and it was unanimously approved by the Board members present.

4. Highway 63 FM SRF Project

a. Change Order No. 02 – Deduct \$242.47, **Exhibit “J”**

Mr. Coggin made a motion to approve Change Order No. 2 as presented. Mr. Smith seconded the motion and it was approved with six yea votes and one nay vote. Mr. Eldridge was opposed.

b. Payment Application 03 – NB \$136,606.00, **Exhibit “K”**

Mr. Papania made a motion to approve Pay App No. 03 as presented. Mr. Coggin seconded the motion and it was unanimously approved by the Board members present.

c. Payment Application 04 – NB \$286,023.10, **Exhibit “L”**

Mr. Smith made a motion to approve Pay App No. 04 as presented. Mr. Elly seconded the motion and it was unanimously approved by the Board members present.

5. Pump Station 16 Rehabilitation

a. Change Orders GGD – Increase \$6,282.05 and 30 Days, **Exhibit “M”**

Change order increase request was tabled. Mr. Elly made a motion to approve 30 day time extension as requested. Mr. Eldridge seconded the motion and it was unanimously approved by the Board members present.

b. Payment Application 04 – GGD \$66,331.83 (75% Complete), **Exhibit “N”**

Mr. Coggin made a motion to approve Pay App No. 04 as presented. Mr. Smith seconded the motion and it was unanimously approved by the Board members present.

6. Pump Station 15 Rehabilitation

- a. Payment Application 02 – Hemphill \$5,364.23, **Exhibit "O"**

Mr. Smith made a motion to approve Pay App No. 02 as presented. Mr. Miller seconded the motion and it was unanimously approved by the Board members present.

- b. Payment Application 03 – Hemphill \$47,637.00, **Exhibit "P"**

Mr. Papania made a motion to approve Pay App No. 03 as presented. Mr. Smith seconded the motion and it was unanimously approved by the Board members present.

7. Change Order No. 2 – PS# 24 & PS# 25, **Exhibit "Q"**

Mr. Papania made a motion to approve C.O. No. 2 as presented. Mr. Miller seconded the motion and it was unanimously approved by the Board members present.

8. 16324 Lily Orchard Road – Customer Request Partial Balance Forgiveness, **Exhibit "R"**

Mr. Coggin made a motion to approve Staff request to forgive partial balance in the amount of \$410.50, new balance due will be past due amount of \$261.25 in recognition of the balance of the amount due which included values wherein the service was not provided. Mr. Eldridge seconded the motion and it was unanimously approved by the Board members present.

9. Payment Authorization – USDA Elevated Storage Professional Services (Neel Schaffer \$4,146.50), **Exhibit "S"**

Mr. Miller made a motion to approve Payment Authorization as presented. Mr. Papania seconded the motion and it was unanimously approved by the Board members present.

10. Other, If Any

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

B. Attorney

Counsel updated the Board on other Attorney matters and requested Executive Session. No Board action was taken.

8. Other Business – Director Items

A. First Federal S&L Resolution, **Exhibit "T"**

Mr. Papania made a motion to Authorize Director to add new Directors, Miller and Eldridge, as signees on the First Federal S&L account. Mr. Miller seconded the motion and it was unanimously approved by the Board members present.

B. Other, If Any

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

9. Executive Session, if So Moved (Requested by Counsel)

Mr. Heidelberg requested Executive Session.

At 5:07 P.M. Mr. Smith made a motion to go into Closed Session to discuss issues for possible Executive Session. Mr. Miller 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 personnel matters.

At 5:09 P.M., Mr. Miller made the motion to come out of Closed Session. The motion was seconded by Mr. Coggin and it was unanimously approved by the Board members present.

At 5:11 P.M., Mr. Elly made a motion to go into Executive Session. Mr. Miller 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. Coggin; Mr. Papania; Mr. Miller; Mr. Eldridge; Mr. Fairfield; Mr. Heidelberg and Ms. McDonald.

At 5:40 P.M., Mr. Smith made a motion that the Board come out of Executive Session, resume Regular Session. Mr. Papania seconded the motion and it was unanimously approved by the Board members present.

No business was undertaken in Executive Session.

At 5:42 P.M., the meeting was re-opened to the public and regular session resumed.

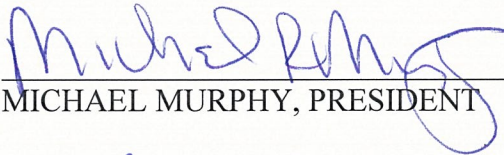
10. Request for Assistance Re: Litigation

Mr. Papania made a motion to authorize Legal Counsel to engage Co-Counsel, expert witnesses, and public relation services in defense of litigation action taken against JCUA by the cities of Jackson County. Mr. Coggin seconded the motion and it was unanimously approved by the Board members present.

11. Adjourn

There being no further business to come before the Board, Mr. Coggin made the motion to adjourn. Mr. Smith seconded the motion and it was unanimously approved by the Board members present. The meeting was adjourned at 5:50 P.M.

WITNESS OUR SIGNATURES as approval of these Minutes on this 12<sup>th</sup> day of September, 2016.

  
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MICHAEL MURPHY, PRESIDENT

  
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ANDREW J. ELLY, SECRETARY-TREASURER