

Jackson County Utility Authority
Regular Meeting
Board of Directors
September 26, 2016
1225 Jackson Avenue
Pascagoula, MS 39567

MINUTES

1. Call to Order

The Regular meeting of the Board of Directors convened at 4:02 P.M., September 26, 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; Tara Sistrunk, HR Manager; Julie Christian, Chief of Finance; Edna Lott, Principal of Accounting; Ryan Dunlap, Mechanical Systems Supervisor; James Heidelberg and April McDonald, Authority Counsel; Eric Page, Neel-Schaffer, and Brandon Stork, WJCUD.

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.6. – PS 15 - Request for Time Extension-Material / Equipment Delays and 7.A.7 – USDA RD Big Hill Acres Connection Project Close-Out Actions

5. Public Recognition

A. General Public

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

6. Consent Agenda

- A. Editorial Correction to Past Action – Surplus Vehicle #107 (not #443), **Exhibit “A”**
- B. Professional Service Invoice – USDA Supply and Storage NS 1039773 for \$9,217.50, **Exhibit “B”**
- C. Hwy 57 Relocation Project – Payment Application 1 SCI for \$140,598.12, **Exhibit “C”**
- D. Purchase Request – PMP Influent Pump, **Exhibit “D”**
- E. Purchase Request – PMP Improvements, **Exhibit “E”**
- F. Monthly SSO Report, **Exhibit “F”**
- G. PS 24 and 25 Rehabilitation Project – Payment Application 2 Hemphill \$171,218.36, **Exhibit “G”**

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

7. Discussion – Action Items

A. Authority Business

1. Expenditures, **Exhibit “H”**

Mr. Elly made a motion to approve Expenditures as presented. Mr. Papania seconded the motion. After some clarification on vehicle repair and CIAP expense in discussion, it was unanimously approved by the Board members present.

2. Accept Engineer’s Recommendation for PMP and ETP WWTP Improvements, **Exhibit “I”**

Mr. Elly made a motion to approve Engineer’s recommendation to award contract to Creel Company, Inc. as the lowest bidder. Mr. Papania seconded the motion. In discussion, Mr. Fairfield confirmed previous contracts between Creel Company and JCUA were unremarkable. The motion was unanimously approved by the Board members present.

3. Professional Services Contract Phase II, **Exhibit "J"**

Mr. Miller made a motion to approve Contract Wording and Projection as presented. Mr. Papania seconded the motion. In discussion it was noted that the contract could be engaged to comply with SRF regulations but work cannot begin without notice to proceed. The motion was unanimously approved by the Board members present.

4. PS 16

a. Change Order #04 – Recommend Deny, **Exhibit "K"**

Mr. Coggin made a motion to deny Change Order #04 as presented. Mr. Papania seconded the motion and it was unanimously approved by the Board members present.

b. Payment Request #05 (with Substantial Completion) – Recommend Accept \$95,915.14, **Exhibit "L"**

Mr. Elly made a motion to accept Payment Request #05 with Substantial Completion as presented. Mr. Smith seconded the motion and it was unanimously approved by the Board members present.

5. CDBG Action – SCADA Repair Contract, **Exhibit "M"**

Mr. Miller made a motion to accept SCADA repair contract as Reviewed and Authorize commencement of Task #1. Mr. Papania seconded the motion and it was unanimously approved by the Board members present.

6. PS 15 - Request for Time Extension-Material / Equipment Delays, **Exhibit "N"**

Mr. Elly made a motion to approve change order in the amount of \$24,274.50 and increase contract time of 26 days. Mr. Miller seconded the motion and it was unanimously approved by the Board members present.

7. USDA RD Big Hill Acres

a. Accept "Substantial Completion", **Exhibit "O"**

Mr. Miller made a motion to accept Substantial Completion, executed by the Contractor and Engineer. Mr. Elly seconded the motion and it was unanimously approved by the Board members present.

- b. Authorize Final Summary change orders, contract modifications, and final payment applications for construction, engineering, construction oversight, and legal.
- c. Authorize call for Final Inspection by USDA.
- d. Authorize final submission of all close-out and reimbursement contingencies to USDA.
- e. Final Revenue Bond action by Board of Directors is complete.

Mr. Papania made a motion to authorize Executive Director to complete the close-out process with USDA as presented in Items 7.A.7.b. – 7.A.7.e. Mr. Smith seconded the motion and it was unanimously approved by the Board members present.

B. Attorney

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

8. Director Items

A. Set Facility Review Schedule For October

Item Tabled.

B. Other. If Any

Mr. Papania stated that OS Mayor, Moran, has requested a meeting with JCUA Board; City Mayors (Pascagoula, Moss Point and Gautier); and JC Administrator, Brian Fulton RE: Lawsuit at JCUA Conference Room on Friday, 10/14/2016, at 3:00 P.M. with Brad Bradford as the Mediator. Mr. Murphy requested that Randy Bosarge be invited to attend as well.

9. Executive Session, if So Moved

Mr. Heidelberg requested Executive Session for Personnel and Litigation Matters.

At 5:38 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 personnel matters.

At 5:41 P.M., Mr. Elly made the motion to come out of Closed Session. The motion was seconded by Mr. Smith and it was unanimously approved by the Board members present.

At 5:42 P.M., Mr. Coggin 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. Coggin; Mr. Papania; Mr. Miller; Mr. Eldridge; Mr. Fairfield, and Mr. Heidelberg. At 5:50 P.M., Mr. Fairfield left the Executive Session.

At 6:20 P.M., Mr. Elly made a motion that the Board come out of Executive Session, resume Regular Session. Mr. Eldridge seconded the motion and it was unanimously approved by the Board members present.

No business was undertaken in Executive Session.

At 6:22 P.M., the meeting was re-opened to the public and regular session resumed.

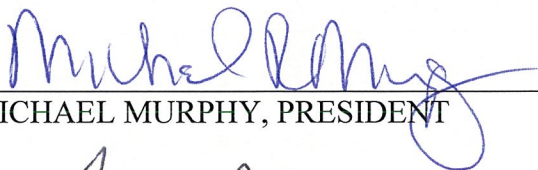
10. Resolution of Commendation, Exhibit "P"

Mr. Murphy read the Resolution of commendation to the public. Mr. Smith made a motion to adopt the resolution. Mr. Eldridge 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 6:25 P.M.

WITNESS OUR SIGNATURES as approval of these Minutes on this 10th day of October, 2016.



MICHAEL MURPHY, PRESIDENT



ANDREW J. ELLY, SECRETARY-TREASURER