

Jackson County Utility Authority
Regular Meeting
Board of Directors
October 10, 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., October 10, 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, Ken Papania, Kevin Miller and Tommy Eldridge. Mr. Coggin was unable to attend. It was determined there was a quorum.

Also present were: Tommy Fairfield, Executive Director; Linda Gasaway, Administrative Assistant; Julie Christian, Chief of Finance; Edna Lott, Principal of Accounting; Chase Glisson, Engineering Manager; Carrie Dennis, Wastewater Operations Manager; James Heidelberg and April McDonald, Authority Counsel; David Krause, Attorney; Eric Page, Neel-Schaffer, Pete McMaster, Arcadis; David Compton, Compton Engineering; Paul Foley, Michael Baker; Lana Hawkins and Jerry Tapp, Colonial Estates.

2. Devotion

Tommy Fairfield, Executive Director, presented the invocation.

3. Pledge of Allegiance

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

4. Election of Officers

Item Tabled to Next Board Meeting on 10/24/2016

5. 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: Item 8.A.10.a. – 8.A.10.c. – Hwy. 57 Relocation Task Authorization and Item 8.A.11. – Request to Enter Into Contract with Express Services.

6. Public Recognition

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

7. Consent Agenda

A. Minutes – Regular Meeting of September 12, 2016, **Exhibit “A”**

B. Minutes – Regular Meeting of September 26, 2016, **Exhibit “B”**

C. Accept Highest Bid for Surplus Motor, **Exhibit “C”**

Mr. Elly made a motion to approve Items 7.A. – 7.C. as presented. Mr. Miller seconded the motion and it was unanimously approved by the Board members present.

8. Discussion – Action Items

A. Authority Business

1. Expenditures, **Exhibit “D”**

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

2. Discussion on Compliance at ETP, **Exhibit “E”**

Discussion Only, No Action Required.

Board requested cost to JCUA for non-compliance of local entities.

3. USDA – South Water Line – Project Completion

a. Acknowledge Water Supply Contract with Griner Drilling as “Complete”, **Exhibit “F”**

b. Accept Final Payment Application, **Exhibit “F”**

Mr. Elly made a motion to approve Item 8.A.3.a. – 8.a.3.b. as presented with final amount due of \$134,970.72. Mr. Miller seconded the motion and it was unanimously approved by the Board members present.

c. Acknowledge Water Storage Contract with Caldwell Tanks as “Complete”, **Exhibit “G”**

- d. Accept Final Payment Application (Note: Deductions made for L/D), **Exhibit "G"**

Mr. Papania made a motion to approve Item 8.A.3.c. – 8.a.3.d. as presented with final amount due of \$64,643.50. Mr. Smith seconded the motion and it was unanimously approved by the Board members present.

- e. Authorize Executive Director to Execute All Final Project Documentation with USDA.

Mr. Miller made a motion to Authorize Executive Director to Execute all final project documentation with USDA as presented. Mr. Smith seconded the motion and it was unanimously approved by the Board members present.

4. Highway 57 Relocation Project (MDOT)

- a. SCI Change Order No. 1, **Exhibit "H"**

Mr. Elly made a motion to approve Change Order No. 1 increase in the amount of \$164,156.00, as presented. Mr. Smith seconded the motion and it was approved with five yeas and one nay vote. Mr. Papania was opposed.

- b. SCI Payment Application 2 (Water) \$42,348.86, **Exhibit "I"**

Mr. Miller made a motion to approve Pay App No. 2 (Water) as presented. Mr. Elly seconded the motion and it was unanimously approved by the Board members present.

- c. SCI Payment Application 2 (Sewer) \$511,845.29, **Exhibit "J"**

Mr. Smith made a motion to approve Pay App No. 2 (Sewer) as presented. Mr. Eldridge seconded the motion and it was unanimously approved by the Board members present.

5. SRF Highway 63 Necaise Bros. Payment Application 6, **Exhibit "K"**

Mr. Papania made a motion to approve Pay App No. 6 as presented. Mr. Smith seconded the motion. After further discussion, Mr. Papania withdrew his motion and Board requested this Item be tabled to next Board Meeting on 10/24/2016 and requested a detailed explanation by the contractor for repeated damage to telecommunication lines during construction..

6. Authorize Task for Old Fort Bayou Relocation – JCUA Staff to Provide Engineering and Oversight, **Exhibit "L"**

Mr. Eldridge made a motion to approve Task Order as presented, NTE \$25,000.00 (JCUA to provide materials). Mr. Miller seconded the motion and it was unanimously approved by the Board members present.

7. Colonial Estates – Authorize Submittal to US Army, **Exhibit "M"**

Lana Hawkins and Jerry Tapp addressed the Board regarding water supply to Colonial Estates. Mr. Elly made a motion to move forward with construction of the Plymouth Road segment of regional water supply line, to be funded by Jackson County CDBG, US Army COE and JCUA or combination of these. Mr. Papania seconded the motion and it was unanimously approved by the Board members present.

8. The Sands at Front Beach - Request for Waiver of Fees, **Exhibit "N"**

Mr. David Krause, Legal Counsel for The Sands at Front Beach, addressed the Board regarding waiver fees. Mr. Miller made a motion to approve request to waive Capacity fee only. Engineering Design Review and Environmental fees will be maintained. Mr. Papania seconded the motion and it was unanimously approved by the Board members present.

9. CDBG – Update and Discussion by Executive Director
Update/Discussion Only, No Action Required.

10. Other, If Any

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

9. Attorney Items

A. Revision to JCUA Rules and Regulations, **Exhibit "O"**

Mr. Smith made a motion to approve Amendment to the JCUA Rules and Regulations as presented. Mr. Eldridge seconded the motion and it was unanimously approved by the Board members present.

B. Request to Amend Helena Utility District Contract, Exhibit "P"

Mr. Eldridge made a motion to approve HUD Contract Amendment as presented. Mr. Miller seconded the motion and it was unanimously approved by the Board members present.

C. Other Items

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

10.Connection Tasks

A. 11936 Highway 57 – Task Authorization #12, Exhibit "Q"

B. 12308 Highway 57 – Task Authorization #13, Exhibit "R"

C. 11712 Highway 57 – Task Authorization #39, Exhibit "S"

Mr. Smith made a motion to approve Items 8.A.10.a. – 8.A.10.c. as presented. Mr. Miller seconded the motion and it was unanimously approved by the Board members present.

11.Request to Enter Into Contract with Express Services, Exhibit "T"

Mr. Papania made a motion to authorize Executive Director to enter into a Contract with Express Services, pending Legal Counsel's review and approval. Mr. Elly seconded the motion and it was unanimously approved by the Board members present.

12.Director Items

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

13.Executive Session, if So Moved

Mr. Heidelberg requested Executive Session for Possible Litigation Matters.

At 5:20 P.M. Mr. Elly 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.

At 5:24 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 5:25 P.M., Mr. Smith 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. Papania; Mr. Miller; Mr. Eldridge; Mr. Fairfield, Mr. Heidelberg and Ms. McDonald.

At 6:00 P.M., Mr. Miller made a motion that the Board come out of Executive Session, resume Regular Session. Mr. Smith seconded the motion and it was unanimously approved by the Board members present.

No business was undertaken in Executive Session.

At 6:00 P.M., the meeting was re-opened to the public and regular session resumed.

14. Discussion/Action on Damaged Vehicles

Discussion, No Action Required.

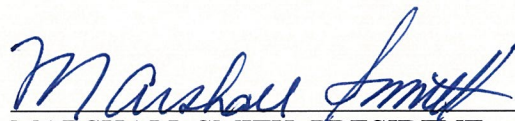
15. Announce Date and Time of Next Meeting – Special Call

Director Workshop Friday, 10/14/16, at 3:00 P.M. at the Authority's Witcher Administration Building located at 1225 Jackson Avenue, Pascagoula, MS 39567.

16. Adjourn

There being no further business to come before the Board, Mr. Miller 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 6:01 P.M.

WITNESS OUR SIGNATURES as approval of these Minutes on this 14th day of November, 2016.


MARSHALL SMITH, PRESIDENT


KEVIN MILLER, SECRETARY-TREASURER