



JACKSON COUNTY UTILITY AUTHORITY

Serving the People...Protecting the Environment

Directors

Thomas Eldridge • Jackson County
Andrew J. Elly • Moss Point
Frank Mallette • Jackson County
Guy Moore • Pascagoula
Jerry Munro • Ocean Springs
Marshall Smith • Gautier
Tom Stennis – Jackson County

Jackson County Utility Authority

Regular Meeting
Board of Directors
March 23, 2020

MINUTES

1. Call to Order

The Regular meeting of the Board of Directors convened at 4:04 P.M., March 23, 2020, at 1225 Jackson Avenue, Pascagoula, MS. Board members present were: Director Eldridge, President. Attending remotely: Director Munro, Vice President; Director Elly, Secretary / Treasurer; Director Marshall Smith, Vice Secretary / Treasurer, and Directors Mallette, Moore and Stennis. It was determined there was a quorum.

Also present were: Eric Page, Executive Director; Linda Gasaway, Lead Administrative Assistant, and Ms. Linda Eldridge, JC Resident. Attending remotely: Scott McElroy, Finance / Administration Director; Johnny Groue, Operations Director; Christian Nevarez, Lab Manager; Chase Glisson, Engineering Manager; Edna Lott, Accounting Principal; Carrie Dennis, O&M Manager; Michelle Randle, Contracts Manager; James Heidelberg and April McDonald, Authority Counsel; Joshua Brick, Neel-Schaffer; Pete McMaster, Arcadis, Kevin Mullen, BMA and Chuck Starling, Kimley-Horn.

2. Devotion

Eric Page, Executive Director, presented the invocation.

3. Pledge of Allegiance

Director Eldridge led the Pledge of Allegiance.

4. Changes to Agenda, If Any

Director Eldridge asked if there were any changes to the Agenda. Mr. Page requested that the following items be added to the Agenda:

- Item 8.H. – Endpoint Protection Licenses – ESET – Anti-Virus Software
- Item 8.I. – Request Approval to Temporarily Suspend JCUA Disconnect Policy – In light of the Coronavirus (COVID-19) and the PSC issued statement that all disconnects are suspended for the next 60 Days.

5. Public Recognition

A. General Public

Director Eldridge asked if there were any public to recognize. There were none.

6. Consent Agenda

A. Adopt – Corrected Minutes for February 24, 2020, **Exhibit “A”**

B. Information Only – City of Pascagoula Notice of High Nitrogen and Sulfate Results – JCUA First Chemical Station, Exhibit “B”

C. Information Only – City of Pascagoula Notice of High Flow/Excessive Wastewater Demands, **Exhibit “C”**

D. Information Only – City of Moss Point Notice of High Flow/Excessive Wastewater Demands, **Exhibit “D”**

Director Stennis made a motion to Approve Items 6.A. – 6.D. as presented. Director Smith seconded the motion. Director Eldridge asked if there were any questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

7. Discussion Agenda

A. Expenditures, **Exhibit “E”**

Director Elly made a motion to Approve the Expenditures as presented. Director Moore seconded the motion. Director Eldridge asked if there were any questions or comments. Director Moore asked for clarification regarding Allan J. Harris Company expenditure on page one (1) and Polydyne expenditure on page five (5). Mr. Page stated the Allan J. Harris payment is for the Pascagoula-Moss Point (PMP) Plant Return Activated Sludge (RAS) Pump repairs. The Polydyne payment was for the floc agent used in wastewater treatment. Director Elly asked if the purchase(s) from Tugwell Pump and Supply on page six (6), the grinder packages, are extra pumps that we are putting in storage or are the pumps something for which we have a dedicated use. Mr. Page stated that as the retail department depletes their stock they order replacement stock for use in the near term; that is what the 15 packages represent. Director Elly questioned the difference in the charges for lodging for the Washington DC trip. Mr. Page explained that the charge Director Elly was referring to was for his lodging while the other charges shown were for the flights. The other lodging charges were charged on a different credit card and that is why the charges were not listed on the Expenditures together. Director Eldridge asked if there were any other questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

B. Bond Project Action

1. Approve – Payments - Requisition 76 (\$249,790.12), **Exhibit “F”**

Mr. Page presented this item. Director Stennis made a motion to Approve Pay Request No. 76 as presented. Director Moore seconded the motion. Director Eldridge asked if there were questions or comments. Director Moore asked for clarification regarding the POTW 1C (WJC) Replacement Wetland Pump. Mr. Page stated that the POTW 1C Replacement Wetland Pump is an item that the Board Approved at the 03/09/20 Board Meeting, this is the payment for the pump. Director Eldridge asked if there were any other questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

2. Other, If Any

Director Eldridge asked if there were any other Bond Project Items. There were none.

Director Munro entered the meeting @ 4:16 P.M. via Zoom Webinar.

C. SRF Projects

1. Jordan Road Improvement Project – Phase 1 (SRF-C280878-06)

a. Approve – Hemphill Construction Pay Application No. 13, **Exhibit “G”**

Mr. Page presented this item. Director Munro made a motion to Approve Pay Application No. 13 as presented. Director Elly seconded the motion. Director Eldridge asked if there were any questions or comments. Director Eldridge asked what percentage of the project is completed. Mr. Page stated approximately 97%. Mr. Page yielded to Neel-Schaffer engineer, Josh Brick, who discussed that the contract time had been temporarily suspended. Although the odor control unit has been installed, due to the Coronavirus and travel restrictions of the supplying company, the technicians are not allowed to travel out of state for the startup of this unit. The pump station is operable apart from the odor control unit. Director Eldridge asked if there were any other questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

2. Jordan Road Regional Pump Station Relocation – Phase 2 (SRF-C280878-07)

a. Approve – Neel Schaffer Invoice No. 1063069, **Exhibit “H”**

Mr. Page presented this item, stating that this invoice represents the completion of the design phase services related to this project. A remote teleconference pre-construction meeting was held last week with the contractor. Director Elly asked who the Contractor is on this project. Mr. Page stated that the contractor is Miller Enterprises. Director Stennis made a motion to approve payment of Invoice No. 1063069 as presented. Director Smith seconded the motion. Director Eldridge asked if there were questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

D. Other, If Any

Director Eldridge asked if there were any other Discussion Items. There were none.

8. Administrative Items

A. Resolution

1. Adopt – Resolution to Declare an Emergency Exists, Approving Waiver of Formal Competitive Bidding Procedures and Authorizing Payments in Order to Maintain Business Continuity in Response to the Epidemic COVID-19 Force Majeure, **Exhibit “I”**

Mr. Page presented the Resolution and stated that this is not stating that JCUA will circumvent any attempt to follow the State purchasing guidelines, however this enables JCUA to procure services in a manner befitting the emergency if it is required. Mr. Heidelberg, JCUA Legal Counsel, stated this is a preventative measure that enables the JCUA staff to do something in the event of an emergency and made reference to the current delay regarding the Odor Control Unit. Director Moore made a motion to Adopt the Resolution as presented. Director Munro seconded the motion. Director Eldridge asked if there were questions or comments. Director Stennis stated that he has reservations – that staff needs to be careful when doing away with competitive bidding. Director Smith asked when the Resolution would expire. Mr. Heidelberg stated that the Resolution states that it will be reviewed every 30 days, so long as the emergency remains impactful in Jackson County. Director Eldridge asked if there were any other questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

B. Discussion – Employee Birthday Cards

Director Eldridge made a motion that this item be Tabled to a later date. Director Moore seconded the motion. Director Eldridge asked if there were questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

C. Authorize – Architectural Services SOQ Ranking & Recommendation for Maintenance & Operations Facility Renovation Negotiations, **Exhibit “J”**

Mr. Page presented this item and stated that an RFQ was issued for Architectural services related to the Hwy. 63 property. JCUA received two submissions, those submissions were ranked, and the recommendation of the Staff is to enter into negotiations with Allred Stolarski Architects in an attempt to finalize a contract with them to perform these services. Director Stennis made a motion to Authorize staff to enter into negotiations with Allred Stolarski. Director Smith seconded the motion. Director Eldridge asked if there were any questions or comments. Director Moore asked if the contract would come back to the Board. Mr. Page stated that it would. Director Eldridge asked if there is a Standard regarding what an Architecture firm usually charges. Mr. Page stated that it depends upon the size of the project but that industry standard is typically a percentage of the anticipated construction cost. Director Eldridge asked if it was 6%. Mr. Page stated that it is typically higher than 6% on smaller projects, such as this one. Director Eldridge

asked if there were any other questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

D. Approve – PS 21 Odor Mitigation Request, Exhibit “K”

Mr. Page presented this item and stated that PS 21 is located in the St. Martin Community across the street from Broome’s on the west side of Washington Avenue, a little north of Hwy. 90. JCUA’s property has road frontage from Green Acres Drive South along Washington Avenue to the parcel line, and our pump station is located on the south side of this property. A new restaurant owner has purchased the parcel behind the JCUA property and is requesting that JCUA implement odor control measures for this pump station as the restaurant owner is concerned that it may have a detrimental effect upon their proposed restaurant, which admittedly the pump station has been at this location for decades. Staff has evaluated several options as presented. Director Eldridge asked if the property owner is asking for a right-of-way across JCUA’s property. Mr. Page stated that yes, he has requested a ROW but, this is a totally different issue that is pertaining to odor control measures that he wants JCUA to implement. Director Stennis stated that this has been a pump station that has caused problems for many years. He also stated that he has a problem with JCUA trying to resolve an individual’s problem and recommends the issue be studied / evaluated further. Director Stennis made a motion that staff evaluate the issue further to see what the problem is. Mr. Page asked if he was referring to an odor problem or an overflowing sewer issue. Director Stennis stated the overflow issue more than the odor problem as he is not familiar with the odor problem. Director Eldridge asked if JCUA has had any complaints before regarding the odor, Mr. Page stated we have not. Director Smith seconded the motion. Director Moore asked what exactly is the Board asking the Staff to study. Director Stennis stated how severe the odor problem is at this pump station. Director Moore asked if the direction of the staff, under this motion, would be to evaluate the degree of odor that may be present as opposed to evaluating other problems with the sewer, which he understands had nothing to do with the odor. Director Stennis stated that was correct. Director Eldridge asked if there were any other questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

E. Approve – Fiscal Year 2020 Non-Profit Security Grant Program (NSGP), Exhibit “L”

Mr. Page presented this item, stating that this is a Grant opportunity that Senator Wicker’s staff made them aware of. This is a Grant application through the Homeland Security with a maximum of \$100,000.00 award. The Grant application is due March 27, 2020 and this item requests Staff be given authority to submit an application under the requirements of the Grant Program. The intent of the Grant Program is to enhance submission of soft targets or crowded places or mitigate issues related to risks in the event of terrorist attack or other activities. Director Stennis made a motion to Approve Staff’s request as presented. Director Smith seconded the motion. Director Eldridge asked if there were questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

F. Approve – Revised Huntington Ingalls – JCUA Agreement, **Exhibit “M”**, Director Smith recused himself from discussion and voting on this Agenda Item. Mr. Page presented this item stating that after the Board approved the last agreement, Hunting Ingalls requested a couple of minor modifications to the agreement; therefore, the agreement is being brought back to the Board for ratification. The language they requested modification of is highlighted in the Agenda Item. There is nothing of substantial note, some of it is modifying the names of an entity. As an example, the first page of the agreement section one (1), there was language added about conveyance of the discharge through the City of Pascagoula’s collection system, which was not in the original agreement. Director Eldridge asked why they wanted to include the language that any unpaid balances greater than 10 days will result in refusal of service. Did they want that out or did JCUA put that in? Mr. Page stated that JCUA put that in the agreement during the modification process. As Huntington Ingalls requested changes be included, JCUA also suggested revisions to the agreement. Director Munro made a motion to approve the Revised Agreement as presented. Director Stennis seconded the motion. Director Eldridge asked if there were any questions or comments. Director Elly stated that Item 10 has a typo in the modification that needs to be corrected from “Ingalls my” to “Ingalls may”. Director Eldridge asked if there were any other questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

G. Authorize – Staff Request Authorization to Impose Violation Fine for Failing 3rd Inspection – Dr. Parker Plaza (Hurley, MS), **Exhibit “N”**

Director Eldridge asked if Dr. Parker was cited for failing his previous inspection. Mr. Page stated that he was cited and stated that JCUA’s Compliance department has been in communication with Dr. Parker, referred Board to the timeline provided and stated that the second (2nd) inspection was completed on 02/14/20; which was a failed test with FOG reported as 182 mg/L. Anything in excess of 150 mg/L is a failing number. The third (3rd) inspection was performed on 03/05/20; which was also a failed test with FOG reported as 337 mg/L. Director Elly asked what the next step will be if Dr. Parker does not comply after being cited for a third (3rd) time. Mr. Page stated Staff would have to perform a fourth (4th) test to evaluate his remediation of this failure. Staff is following JCUA’s current Rules and Regulations with regards to this. Director Eldridge asked if anyone has attempted to talk with Dr. Parker. Mr. Page stated that the Compliance Department has communicated with Dr. Parker several times. Director Eldridge asked what his response has been. Mr. Page stated that, while he personally had not spoken with Dr. Parker, he understood that Dr. Parker had basically stated that he is working on it. Director Eldridge stated that it is concerning that we have a small business owner who does not want to comply. Director Moore asked if Dr. Parker has been issued a Fine for this Violation, for the first violation or somewhere along the way. Mr. Page stated that a month ago the Board approved a fine of over \$1,100.00 and to his knowledge we have not received payment of the fine. Director Moore asked what JCUA will do if he continues to ignore the fines and continues to fail inspection. Mr. Page stated that Section 2.17 of the pretreatment requirements allows Staff to contact the Health Department as Dr. Parker is also in violation of the Healthy Department’s Rules and Regulations; therefore, JCUA can work with

the Health Department to have his food service permit reviewed. Director Eldridge then asked Legal Counsel if there was any action they could take or send a letter. Mr. Heidelberg stated that they will look at the Rules and Regulations about termination of coverage. This is a cost issue, from discussion with Staff, Dr. Parker just doesn't want to put the appropriate grease trap because he says it will cost him too much money to break-up the concrete but, that is his problem. The fine and the next letter to him should state that he is going to be reported for violation with the next step being a request for termination of services to him. Director Munro made a motion to Authorize Staff to Impose Violation Fine for Failing Third (3rd) Inspection. Director Smith seconded the motion. Director Eldridge asked if there were any other questions or comments, there were none. Director Stennis recused himself from voting as he has represented one of Dr. Parker's patients in the past. Motion carried with a unanimous vote by the remaining Board Members present.

H. Approve – Endpoint Protection Licenses – ESET – Anti-Virus Software, **Exhibit “O”**

Mr. Page presented this item, explaining that staff requested approval for annual renewal for Endpoint protection ESET license that is JCUA's Anti-Virus and Spam protection for software and this renewal includes adding 10 additional licenses. The request to add 10 additional licenses is to allow necessary staff to work remotely. Director Smith made a motion to approve the request as presented. Director Moore seconded the motion. Director Eldridge asked if there were questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

I. Approve – In light of the Current Coronavirus Pandemic and the PSC issued statement that all disconnects are suspended for the next 60 days, Staff Request to Temporarily Suspend JCUA Disconnect Policy (**NOTE:**

Mr. Page requested the Board ratify temporarily suspending JCUA's disconnect policy for the next 60 days to agree with the PSC policy, even though the JCUA is not within the jurisdiction of the PSC.) Director Stennis made a motion to Approve request as presented. Director Smith seconded the motion. Director Eldridge asked if there were any questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

J. Other, If Any

Director Eldridge asked if there were any other Administrative Items. There were none.

9. Board Attorney

A. Report

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

B. Other, If Any

Director Eldridge asked if there were any other Attorney Items. There were none.

10. Director Items

A. FY 2019 Audit Update

Director Stennis stated that he was concerned about the letter the Board received from the Auditors regarding the FY-2019 Audit and deferred to Director Moore to discuss further. Director Smith stated that he also had concerns regarding the letter and also stated that he felt there were issues that should be discussed at another time. Director Eldridge stated that since the Government has extended the due date for Taxes from April 15, 2020 to July 15, 2020, that he felt this would allow the Auditors plenty of time to complete JCUA's Audit. Director Eldridge asked what the Board would like to do. Director Moore stated that it was a lengthy letter but, the auditors were responding to a letter. He went on to state that he would have preferred them to come before the Board to explain instead of responding in a letter or email. Director Moore stated that his feelings are that we need to get through this audit and would recommend against further escalation. Mr. Heidelberg stated that the Federal Government has extended the Federal Tax Filing Date to July 15, 2020 but, the State Commission has extended the filing of State Tax to May 15, 2020 so, don't be caught in those two different dates for any tax filing that may need to be done. Ms. Lott stated that the response to the letter was addressing everything that the auditor had not received in a timely manner but, as of last week, they do have everything that they need to complete the Audit. Nonetheless, Ms. Lott sees no reason why they should not be able to finish the audit as they stated, by April 30, 2020, because they do have everything.

B. Gautier Council Meeting

Director Smith asked Mr. Page if he has plans to attend the next Gautier Council Meeting. Mr. Page stated that his intent was to attend the last Gautier Council Meeting; however, due to the COVID-19 situation, he was unable to do so. He called and spoke with the Mayor of Gautier and was awaiting initiation of future communications by the city.

C. JCUA Finances Due to PSC Announcement

Director Moore requested that staff be prudent regarding spending during this time. Mr. Page stated that Staff was being proactive in working through issues while dealing with the COVID-19 pandemic.

D. JCUA Contingency Plans Regarding Employee Back-Up

Director Moore asked about contingency plans regarding staffing due to possible sickness related to the coronavirus. Mr. Page informed Directors regarding the Emergency Response Plan and components which staff had been following. Director Eldridge asked Mr. Page if gates had been locked. Mr. Page stated that as much as possible, yes, facilities have been locked down. The only gate that had been discussed as possibly being left open is the gate at the West Jackson County Facility. Staff has discussed the bird watchers and environmental groups that can go out there as long as they are maintaining safe distances and not engaging JCUA staff. Mr. Page also stated that he has told staff to keep that gate open but, if it becomes an issue, to close the gate.

E. Helena Park Water System

Director Eldridge asked for an update regarding the Helena Park Water System. Mr. Page deferred to Mr. Glisson for an update. Mr. Glisson stated that they are waiting on some items associated with the Chlorine Equipment as the primary chlorine equipment that was ordered is coming out of Italy, so there are some delays. They are looking at alternative equipment that they can get approved through the submittal process but, that is the final item they are waiting on. Everything else is constructed. Director Eldridge stated that he was aware of several disruptions that they have had in their regular service in the last week. Mr. Glisson stated that the most recent issue was associated with the existing well, it didn't have anything to do with the contractor but, they have had some service issues that have been dealt with onsite.

F. St. Andrews Area Water Line Damaged

Mr. Page stated that recently JCUA had a waterline break in the St. Andrews area that was caused by a contractor and asked Mr. Glisson to share with the Board the issue regarding this event. Mr. Glisson stated that along Biddix Evans Drive in St. Andrews area a contractor bored through JCUA's existing six inch water main. They were installing fiber to the new cell tower in that area. We have been working through the investigation process and right now we are moving forward with the intent that the costs will be billed back to the contractor which caused the damage.

G. Other, If, Any

Director Eldridge asked if there were any other Director Items. There were none

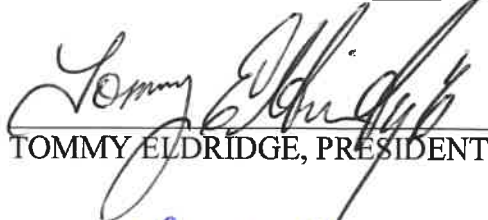
11. Executive Session (If Needed)

Director Eldridge asked if there was a need for Executive Session. There was not.

12. Adjourn

There being no further business to come before the Board, Director Stennis made the motion to adjourn. Director Elly seconded the motion. The motion carried with a unanimous vote by the Board Members present. The meeting was adjourned at 5:20 P.M.

WITNESS OUR SIGNATURES as approval of these Minutes on this 13th day of April, 2020.



TOMMY ELDRIDGE, PRESIDENT



ANDREW J. ELLY, SECRETARY-TREASURER