



JACKSON COUNTY UTILITY AUTHORITY

Serving the People...Protecting the Environment

Directors

Thomas Eldridge • Jackson County
Andrew J. Elly • Moss Point
William Lanham • Gautier
Frank Mallette • Jackson County
Guy Moore • Pascagoula
Jerry Munro • Ocean Springs
Rickey Murphy • Jackson County

Jackson County Utility Authority

Regular Meeting

Board of Directors

March 28, 2022

MINUTES

1. Call to Order

The Regular meeting of the Board of Directors convened at 4:00 P.M., March 28, 2022, at 1225 Jackson Avenue, Pascagoula, MS. Board members present were: Director Munro, President; Director Eldridge, Vice President; Director Elly, Secretary / Treasurer; Director Moore, Vice Secretary / Treasurer; Directors Lanham, Mallette and Murphy. It was determined there was a quorum.

Also present were: Eric Page, Executive Director; Linda V. Gasaway, Executive Assistant; Chase Glisson, Director of Engineering; Linda Green, Director of Finance; Johnny Groue, Director of Operations; James Heidelberg and April McDonald, Authority Counsel; Chuck Starling, Kimley-Horn; Greg Brown, Pickering; Doug Wimberly, Neel-Schaffer; Dennis Reeves and Michael Zuber, Overstreet; Lindsey Tucker, Garver; Robert Teem, Arcadis; Deborah Aiken, Maria Saylor and Kim Marmalich, AVL.

2. Devotion

Mr. Page presented the invocation.

3. Pledge of Allegiance

Director Munro led the Pledge of Allegiance.

4. Changes to Agenda, If Any

Director Eldridge requested to add Item 8.K. – Brenda Morace – 5504 Center Street – Request for Bill Adjustment

5. Public Recognition

Director Munro asked if there were any Public to recognize. There was none.

6. Presentation of Final Audit – AVL – Kim Marmalich (Handout), **Exhibit “A”**

Director Munro recognized Ms. Kim Marmalich, AVL, for presentation of FY-2021 Final Audit. Following the presentation, questions, comments and discussion, Director Moore made a motion to Approve the FY-2021 Audit as presented. Director Eldridge seconded the motion. Director Munro asked if there were any other questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

7. Discussion Agenda

A. Expenditures, **Exhibit “B”**

Following questions and comments, Director Moore made a motion to Approve the Expenditures as presented. Director Murphy seconded the motion. Director Munro asked if

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

B. Information Only - POTW-6C (ETP) – Notice of High Flow / Excessive Wastewater Demands, Exhibit “C”

Mr. Page presented this item. This was for information only; no action was required.

C. Information Only - POTW-7C (PMP) – Notice of High Flow / Excessive Wastewater Demands, Exhibit “D”

Mr. Page presented this item. This was for information only; no action was required.

D. Projects

1. Consider – Tucker Road PS 6 Improvements – Hemphill Pay Application No. 8, Exhibit “E”

Mr. Page presented this item and deferred to Chuck Starling with Kimley-Horn for questions. Following questions and comments, Director Elly made a motion to Approve Hemphill Pay Application No. 8 as presented. Director Moore seconded the motion. Director Munro asked if there were any other questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

2. Consider – Tucker Road PS 6 Improvements – Kimley Horn Construction Phase Services Invoice No. 20880266, Exhibit “F”

Mr. Page presented this item and stated Staff had reviewed the invoice for construction administration phase services and recommends approval of payment. Following questions and comments, Director Elly made a motion to Approve Kimley Horn Invoice No. 20880266 as presented. Director Murphy seconded the motion. Director Munro asked if there were any other questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

3. Consider – Groveland PS 8 Rehab – Hemphill Pay Application No. 3, Exhibit “G”

Mr. Page presented this item and deferred to Mr. Starling for questions. Staff had reviewed Pay Application No. 3 and recommends approval of payment. Following questions and comments, Director Moore made a motion to Approve Hemphill Pay Application No. 3 as presented. Director Murphy seconded the motion. Director Munro asked if there were any other questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

4. Consider – Groveland PS 8 Rehab – Kimley Horn Construction Phase Services Invoice No. 2069551, Exhibit “H”

Mr. Page presented this item and stated Staff had reviewed the invoice for construction phase services and recommends approval of payment. Director Murphy made a motion to Approve Kimley Horn Invoice No. 2069551 as presented. Director Elly seconded the motion. Director Munro asked if there were any questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

5. Consider – Pretreatment Analyzer Installation Project – Garver Design Phase Services Invoice No. 21W10511-4, Exhibit “I”

Mr. Page presented this item and stated Staff had reviewed the invoice for design phase services and recommends approval of payment. Following questions and comments,

Director Eldridge made a motion to Approve Garver Invoice No. 21W10511-4 as presented. Director Murphy seconded the motion. Director Munro asked if there were any other questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

6. Consider – Frederic Street Building Demolition – Allred Stolarski Design Phase Services Invoice No. 20200150-01, **Exhibit “J”**

Mr. Page presented this item and stated Staff had reviewed the invoice for design phase services and recommends approval of payment. Following questions, comments and discussion, Director Lanham made a motion to Approve Allred Stolarski Invoice No. 20200150-01 as presented. Director Murphy seconded the motion. Director Munro asked if there were any other questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

8. Administrative Items

- A. Consider – POTW – 1C (WJC) – Check Valve Replacement, **Exhibit “K”**

Mr. Page presented this item. Following questions and comments, Director Eldridge made a motion to Approve Check Valve Replacement as presented. Director Mallette seconded the motion. Director Munro asked if there were any other questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

- B. Consider – Pitney Bowes – Postage Machine Equipment Rental – 60 Month, **Exhibit “L”**

Mr. Page presented this item. Director Eldridge made a motion to Approve the Postage Machine Equipment Rental as presented. Director Elly seconded the motion. Director Munro asked if there were any questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

- C. Consider – Win-911 Software and Support – Annual Renewal, **Exhibit “M”**

Mr. Page presented this item. Director Murphy made a motion to Approve the Win-911 Software and Support Annual Renewal as presented. Director Mallette seconded the motion. Director Munro asked if there were any questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

- D. Consider – Jackson County South Central Septic Abatement Project – Request to Execute Sub-Recipient Grant Agreement from MS DEQ, **Exhibit “N”**

Mr. Page presented this item. Following questions and comments, Director Murphy made a motion to Approve Request to Execute Sub-Recipient Grant Agreement from MS DEQ as presented. Director Moore seconded the motion. Director Munro asked if there were any other questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

- E. Consider – Jackson County South Central Septic Abatement Project – Request to Advertise for Future Procurement of Materials, **Exhibit “O”**

Mr. Page presented this item. Following questions and comments, Director Moore made a motion to Approve Request to Advertise for Future Procurement of Materials as presented. Director Elly seconded the motion. Director Munro asked if there were any other questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

- F. Consider – Jackson County South Central Septic Abatement Project – Request to Approve Task Order for Easement Survey and Platting, **Exhibit “P”**

Mr. Page presented this item. Director Murphy made a motion to Approve Task Order for Easement Survey and Platting as presented. Director Lanham seconded the motion. Director Munro asked if there were any questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

- G. Consider – Jackson County South Central Septic Abatement Project – Request to Issue Professional Services Task Order for Completion of Environmental Checklist and Permitting for Project, **Exhibit “Q”**

Mr. Page presented this item, stated this is a NTE contract and deferred to Mr. Glisson for questions. Following questions and comments, Director Murphy made a motion to Approve Request to Issue Professional Services Task Order for Completion of Environmental Checklist and Permitting for Project as presented. Director Moore seconded the motion. Director Munro asked if there were any other questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

- H. Consider – Hurley Nutrition – Account Adjustment, **Exhibit “R”**

Mr. Page presented this item. Following questions, comments and discussion, Director Eldridge made a motion to Approve Account Adjust as presented. Director Elly seconded the motion. Director Munro asked if there were any other questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

- I. Consider – Authority to get Appraisal, Title Opinion, Negotiate Potential Property Acquisition, and Authorize Earnest Deposit for Engineering Department Office, **Exhibit “S”**

Mr. Page presented this item. Following questions, comments and discussion, Director Lanham made a motion to Authorize Staff to get Appraisal, Title Opinion, Negotiate Potential Property Acquisition, and Authorize Earnest Deposit for Engineering Department Office as presented. Director Murphy seconded the motion. Director Munro asked if there were any other questions or comments, there were none. Motion carried with Five (5) Yea Votes and Two (2) Nay votes. Directors Eldridge and Elly voted Nay.

- J. Information Only – Correspondence Regarding Jackson County Major Subdivision Review, **Exhibit “T”**

Mr. Page presented this item. Legal Counsel suggested the Board discuss this item in in Executive Session due to possible litigation, Board elected to discuss in Public format. Director Eldridge asked about the following:

- At what point in the County Process does JCUA sign-off on projects, the preliminary Plat or the Final Plat? Mr. Page responded, explaining that JCUA provides documentation to the design engineer and signs the documents for their submission to MDEQ and MSDH, but with regards to the county, JCUA only signs the final plat.
- Why does JCUA sign-off on the Subdivision Plats, making JCUA liable? Mr. Heidelberg, Legal Counsel, stated that Legislation states that JCUA is to certify issues regarding water and sewer. JCUA has a statutory requirement to certify certain things such as these.
- Is JCUA certifying that when the water hydrants are turned on, that there will be adequate water coming out of the water hydrants? Mr. Page responded, No Sir. Mr. Eldridge

asked where this is stated in the documents. Mr. Page stated that the information that Chase and his department provides clarifies that JCUA is certifying that the design, based upon the comments supplied by the developer's Engineer, meets the Health Department's guidelines for distribution for potable use and also sewer for the DEQ guidelines for collection and treatment. Review for fire protection falls solely upon the county. The reason this was brought up is, in trying to be a good partner, JCUA made the County aware of possible issues that may not be receiving adequate review. At no point is JCUA certifying needed fire flows can be provided. Mr. Eldridge asked if the County is aware of this, not the Planning Department, the Board of Supervisors who would ultimately be sued and the Tax Payers pay the litigation. Do they know about this process, yes or no? Director Moore asked, what process. Mr. Eldridge stated that JCUA does not guarantee that water is going to come out of fire hydrants in subdivisions approved by the County and if whether there is enough volume to support a fire fighting system. Mr. Page stated that it is up to the County employees to keep the Board informed of what they are doing.

- Mr. Eldridge asked how JCUA could educate the Board of Supervisors? Mr. Page stated that he thinks the process that JCUA has gone through is perhaps the best way. JCUA spoke with the County's Engineer to bring this issue to their attention and if they have an issue in the future, they would be prepared and well versed ahead of it. It is not within JCUA's purview to oversee this. Being a good partner and being aware that they are not, in our opinion, adequately vetting all of these installations, JCUA brought it up to them. Mr. Glisson, in a Planning Commission meeting, when there was not a response to our initial inquiries, brought it up in an open meeting at which he was given a response that water is hauled in by truck to that area anyway so it doesn't really matter what the fire hydrants can do. Nonetheless, JCUA felt that if there is a property loss, especially with a possible loss of life due to fire and the volunteer fire department is hauling water in and not utilizing a fire hydrant in front of a structure, in Mr. Page's personal opinion, that is likely to result in a lawsuit from the homeowner. That is why JCUA brought it to the County's attention before anything happens.

Board concluded its discussion. This was for information only, there was no action required.

- K. Consider – Brenda Morace – 5504 Center Street – Request for Bill Adjustment, **Exhibit "U"**
Director Eldridge inquired about the letter sent from Ms. Brenda Morace to the JCUA Board members requesting a Bill Adjustment. Following questions, comments and discussion, Director Eldridge made a motion to deny the Request for Bill Adjustment as presented. Director Mallette seconded the motion. Director Munro asked if there were any other questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

9. Board Attorney Items

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

10. Director Items

Director Moore inquired about a letter Mr. Page sent the Board regarding information requested by the City of Moss Point and Mr. Page reminded Board of Facilities Tour on Tuesday, March 29, 2022.

11. Executive Session (If Needed)

Director Munro asked if there was any need for Executive Session. There was not.

12. Adjourn

There being no further business to come before the Board, Director Eldridge made the motion to adjourn. Director Elly seconded the motion. The motion carried with a unanimous vote by the Board Members present. The meeting adjourned at 5:57 P.M.

WITNESS OUR SIGNATURES as approval of these Minutes on this 11th day of April, 2022.



JERRY MUNRO, PRESIDENT



ANDREW J. ELLY, SECRETARY/TREASURER