

Jackson County Utility Authority
Regular Meeting
Board of Directors
November 10, 2009
1225 Jackson Avenue
Pascagoula, MS 39567

MINUTES

1. Call to Order

The regular scheduled meeting of the Board of Directors convened at 4:00 p.m., November 10, 2009, at 1225 Jackson Avenue, Pascagoula, MS. Board members present were: Brad Bradford, President; Jackie Elly, Secretary-Treasurer; Doug Shore, Vice-Secretary Treasurer; and Directors Jim Blevins, Bob Stephens, and Randy Bosarge. Mr. Adams was unable to attend. It was determined there was a quorum.

Also present were: Tommy Fairfield, Executive Director; Wayne Dennis, Operations and Maintenance Manager; Christine Williams, Administration Manager; Shari Newman, Finance Manager; Ruby Blaze, Administrative Assistant; Jimmy Heidelberg and Jessica Dupont, Authority Counsel; Sarah Colmer, Neel-Schaffer, Inc.; Bill Rackley and John Schell, Alan Plummer & Associates; and Kenneth Yarrow of the Governor's office.

2. Changes to Agenda

There were none.

3. Public Recognition

Mr. Bradford asked if there were any public to be recognized. Mr. Rackley introduced Mr. John Schell to the Board stating that Mr. Schell is replacing Mr. Jim Johnson. No Board action was needed. Mr. Rackley and Mr. Schell left at this time.

4. Consideration of Minutes from Previous Meetings

A. Minutes for Regular Meeting of October 13, 2009

Mr. Elly made the motion to approve the Minutes of October 13, 2009, as presented. Mr. Blevins seconded the motion and it was unanimously approved by the Board members present.

B. Minutes for Regular Meeting of October 27, 2009

Mr. Shore made the motion to approve the Minutes of October 27, 2009, as presented. Mr. Elly seconded the motion and it was unanimously approved by the Board members present.

5. Expenditures

Mr. Blevins made the motion to approve the Expenditures (attached Exhibit "A") as presented. Mr. Blevins seconded the motion and the Expenditures were unanimously approved by the Board members present.

6. Purchase Orders

A. Polymers

Mr. Fairfield presented the memo (attached Exhibit "B") regarding the polymer contract for the PMP, Gautier, and Escatawpa treatment facilities. After some discussion, Mr. Shore made the motion to award the polymer contract to Polydyne, Inc. with a two (2) year contract as presented. Mr. Bosarge seconded the motion and it was unanimously approved by the Board members present.

7. Old Business

A. Consideration of Engineering Services Contract for USDA
(Remain Tabled)

This item will remain tabled waiting for further information.

8. New Business

A. Staff Items

1. Authority Business

a. Managers' Reports

No Board action was taken.

b. Directors' Items

Discuss Member Agency Billing Descriptions

No Board action was taken.

2. CDBG Project Action

a. Budget Modifications

Ms. Williams presented a JCUA-01 Budget Modification #7 (attached Exhibit "C") for Board approval. Mr. Blevins made the motion to approve the Budget Modification as presented. Mr. Shore seconded the motion and it was unanimously approved by the Board members present.

Ms. Williams presented a JCUA-02 Budget Modification #7 (attached Exhibit "D") for Board approval. Mr. Elly made the motion to approve the Budget Modification as presented. Mr. Stephens seconded the motion and it was unanimously approved by the Board members present.

b. Requests for Cash

Ms. Williams presented to the Board the CDBG invoices request for cash #21 – S26E for \$37,311.50; request for cash #28 – S23 for \$5,530.86 and #29 for \$1,284,486.50; request for cash #30 - S25 for \$2,123.85 and #31 for \$1,136,455.24; request for cash #25 -

S26 for \$2,593.85 and #26 for \$449,799.49; request for cash #27 - S28 for \$502.35 and #28 for \$343,732.00; request for cash #28 - S29 for \$499.35, and #29 for \$437,098.73; request for cash #28 - W20 for \$5,134.86, and #29 for \$1,172,271.17; and request for cash #26 - W23 for \$6,934.36, and #27 for \$681,964.73 (attached Exhibit "E") for approval by the Board. Mr. Blevins made the motion to approve the Request for Cash as presented. Mr. Stephens seconded the motion and it was unanimously approved by the Board members present.

Ms. Williams then presented to the Board a Resolution authorizing Mr. Fairfield to establish Just Compensation or Make Administrative Settlements and Authorizing the Comptroller to Transfer Funds for said Purposes connection with JCUA-02, Project S26, W23 and W20 (attached Exhibit "F"). Mr. Elly made the motion to authorize Mr. Fairfield to establish Just Compensation or Make Administrative Settlements and Authorizing the Comptroller to Transfer Funds for Said Purposes in connection with JCUA-02, Project S26, W23, and W20. Mr. Shore seconded the motion and it was unanimously approved by the Board members present.

At this time, Mr. Heidelberg requested authority from the Board to pursue condemnation on two properties for Project S23. After some discussion, Mr. Bosarge made the motion to authorize Mr. Heidelberg to pursue condemnation on two properties for Project S23. Mr. Stephens seconded the motion and it was unanimously approved by the Board members present.

c. Change Order Requests

Ms. Colmer presented to the Board change order requests for the CDBG Disaster Recovery Projects; #4 for S26, #3 for W20, #4 for W20, and #2 for W23. After some discussion, Mr. Elly made a motion to table these change order requests pending more information. Mr. Shore seconded the motion and it was unanimously approved by the Board members present.

3. Attorney Report

Mr. Heidelberg updated the Board on Attorney Items. There was no Board action taken.

9. Other Business

Set Date and Time of Work Session with JCBS (11/17/2009 4:00 PM)
The Work Session was set for Tuesday November 17, 2009, 4:00 pm at the Jackson County Utility Authority. Notice will be posted in the lobbies.

Mr. Stephens made a motion that the Maintenance position being held open for the un-restricted return to work by an employee, presently on Workers Comp. for 34 weeks, be recruited and filled in accordance with our policies. Also, that the employee on Worker's Comp. be re-evaluated and a new status recommended.

Mr. Bosarge seconded the motion and it was unanimously approved by the Board members present.

10. Executive Session, if so moved

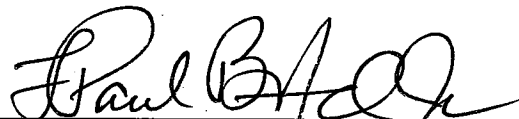
(Requested for Property/Legal Matters.)

Mr. Bradford asked if there were a need for Executive Session. Mr. Heidelberg stated that there were property/legal matters to discuss. At this time, 5:25 p.m., Mr. Bradford recommended the Board go into Executive Session to discuss the property/legal matters. Mr. Bosarge made the motion for the Board to go into Executive Session to discuss property/legal matters. Mr. Shore seconded the motion and it was unanimously approved by the Board members present. Present were Messrs. Bradford, Elly, Shore, Blevins, Bosarge, Stephens, Heidelberg, Fairfield, also Misses Dupont. At 5:50 p.m., Mr. Shore made the motion to reconvene from Executive Session. Mr. Elly seconded the motion and it was unanimously approved by the Board members present. No action was taken in Executive Session. Present were Messrs. Bradford, Elly, Shore, Blevins, Bosarge, Stephens, Heidelberg, Fairfield, and Misses Dupont.

11. Adjourn

Mr. Stephens made a motion to set a Special Call meeting for Tuesday November 17, 2009, at 4:00 pm and to adjourn. Mr. Bosarge seconded the motion and it was unanimously approved by the Board members present. The meeting was adjourned at 6:00 p.m.

WITNESS OUR SIGNATURES as approval of these Minutes on this 8th day of DECEMBER, 2009.



L. PAUL BRADFORD, PRESIDENT



WAYNE ADAMS, VICE-PRESIDENT

Jackson County Utility Authority

Regular Meeting
Board of Directors
November 24, 2009
1225 Jackson Avenue
Pascagoula, MS 39567

MINUTES

1. Call to Order

The regular scheduled meeting of the Board of Directors convened at 4:00 p.m., November 24, 2009, at 1225 Jackson Avenue, Pascagoula, MS. Board members present were: Brad Bradford, President; Wayne Adams, Vice-President; Jackie Elly, Secretary-Treasurer; and Directors, Randy Bosarge, Bob Stephens and Jim Blevins. Mr. Shore was unable to attend. It was determined there was a quorum.

Also present were: Tommy Fairfield, Executive Director; Christine Williams, Administration Manager; Kevin Elliott, Projects Manager; Shari Newman, Finance Manager; Ruby Blaze, Administrative Assistant; Jessica Dupont, Authority Counsel; Sarah Colmer and Talbert Rea, Neel-Schaffer; John Schell, Alan Plummer & Associates; Greg Brown, MSEG/Pickering; Chris Gouras, Gouras & Associates.

2. Changes to Agenda

Mr. Bradford asked if there were any changes to the Agenda. There were no changes.

3. Public Recognition

There were none.

4. Expenditures

Mr. Adams made the motion to approve the Expenditures (attached Exhibit "A") as presented. Mr. Elly seconded the motion and the Expenditures were unanimously approved by the Board members present.

5. Old Business

A. Neel – Schaffer Engineering Services Contract Proposal for the South Water Line Extension (tabled from 9-13-2009)

Mr. Fairfield presented the Agreement for Engineering Services between Jackson County Utility Authority and Neel-Schaffer, Inc. (attached

Exhibit "B") for approval. After some discussion, Mr. Blevins made the motion to approve the Agreement for Engineering Services between Jackson County Utility Authority and Neel-Schaffer, Inc. with the revisions discussed and approval from the United States Department of Agriculture Rural Development. Mr. Bosarge seconded the motion and it was unanimously approved by the Board members present.

B. Change Orders – See 6.A.2.b.1.

6. New Business

A. Staff Items

1. Authority Business

a. None

2. Updated CDBG Project Status Report

a. Updated Project Status Report Attached

Mr. Elliott presented the Project Status Report (attached Exhibit "C"). No Board action was taken.

b. Alan Plummer Remarks (S23, S25, S28, and S29)

1. Change Order No. 4 - S28 and S29

Mr. Elliott presented Change Order No. 4 for project S-28 and S-29 (attached Exhibit "D") to the Board for approval. Mr. Elly made the motion to approve Change Order No. 4 for project S-28 and S-29 as presented. Mr. Adams seconded the motion and it was unanimously approved by the Board members present.

Mr. Elliott presented Change Order No. 5 for project S-28 and S-29 (attached Exhibit "E") to the Board for approval. Mr. Bosarge made the motion to approve Change Order No. 5 for project S-28 and S-29 as presented. Mr. Blevins seconded the motion and it was unanimously approved by the Board members present.

Mr. Elliott discussed the Invoice from Wetlands Solutions, LLC (attached Exhibit "F") to complete Wetland Mitigation credits and presented it to the Board for approval. Mr. Fairfield requested the addition of inter fund loan approval. Mr. Blevins made the motion to approve the Invoice from Wetlands Solutions, LLC as presented and an inter fund loan, To be reimbursed by the CDBG Program. Mr. Adams seconded the motion and it was unanimously approved by the Board members present.

c. Neel - Schaffer (S26, W20, W23)

Ms. Colmer updated the Board on the above projects. No Board action was taken.

Ms. Colmer presented Change Order #3 for project S26 (attached Exhibit "G") to the Board for approval. After some discussion, Mr. Bosarge made the motion to approve the Change Order #3 for project S26 as presented. Mr. Blevins seconded the motion and it was unanimously approved by the Board members present.

Ms. Colmer presented for approval to the Board a list of subcontractors (attached Exhibit "H") for the W20 tank projects request by Caldwell Tanks. Mr. Bosarge made the motion to approve the subcontractors list as presented. Mr. Adams seconded the motion and it was unanimously approved by the Board members present.

Ms. Colmer presented Change Order #3 for project W20 (attached Exhibit "I") to the Board for approval. After some discussion, Mr. Blevins made the motion to approve the Change Order #3 for project W20 as presented. Mr. Elly seconded the motion and it was approved by the Board with a majority vote of five to one. Mr. Bosarge opposed.

Ms. Colmer presented Change Order #4 for project W20 (attached Exhibit "J") to the Board for approval. After some discussion, Mr. Blevins made the motion to approve the Change Order #4 for project W20 as presented. Mr. Adams seconded the motion and it was approved by the Board with a majority vote of five to one. Mr. Bosarge opposed.

Ms. Colmer presented Change Order #5 for project W20 (attached Exhibit "K") to the Board for approval. After some discussion, Mr. Blevins made the motion to approve the Change Order #5 for project W20 as presented. Mr. Adams seconded the motion and it was approved by the Board with a majority vote of five to one. Mr. Bosarge opposed.

Ms. Colmer presented for approval to the Board a list of subcontractors (attached Exhibit "L") for the W23 tank projects request by Caldwell Tanks. Mr. Elly made the motion to approve the subcontractors list as presented. Mr. Bosarge seconded the motion and it was unanimously approved by the Board members present.

Ms. Colmer presented Change Order #2 for project W23 (attached Exhibit "M") to the Board for approval. After some discussion, Mr. Adams made the motion to approve the Change Order #2 for project W23 as presented. Mr. Blevins seconded the motion and it was approved by the Board with a majority vote of five to one. Mr. Bosarge opposed.

Ms. Colmer presented Change Order #3 for project W23 (attached Exhibit "N") to the Board for approval. After some discussion, Mr. Elly made the motion to approve the Change Order #3 for project W23 as presented. Mr. Stephens seconded the motion and it was unanimously approved by the Board members present.

Ms. Colmer presented Change Order #4 for project W23 (attached Exhibit "O") to the Board for approval. After some discussion, Mr. Elly made the motion to approve the Change Order #4 for project W23 as presented. Mr. Adams seconded the motion and it was unanimously approved by the Board members present.

Ms. Colmer presented Change Order #5 for project W23 (attached Exhibit "P") to the Board for approval. After some discussion, Mr. Elly made the motion to approve the Change Order #5 for project W23 as presented. Mr. Bosarge seconded the motion and it was unanimously approved by the Board members present.

d. **Speaks (S26E)**

The Board reviewed Speaks and Associates progress report for project S26E. No Board action was taken.

e. **Gouras (Resolution to Set Just Compensation)**

Mr. Gouras presented to the Board a Resolution authorizing Mr. Fairfield to establish Just Compensation and Sign Certification in connection with JCUA-02, Project W20 (attached Exhibit "Q"). Mr. Adams made the motion to authorize Mr. Fairfield to establish Just Compensation and Sign Certification in connection with JCUA-02, Project W20. Mr. Elly seconded the motion and it was unanimously approved by the Board members present.

f. **Other CDBG Business**

Mr. Gouras updated the Board on CDBG items. No Board action was taken.

3. Update/Action on COE/USDA Projects

Mr. Fairfield discussed the Project Partnership Agreement (PPA) with the Department of the Army U.S. Army Corps of Engineers. He stated that the PPA is being executed and returned to the Vicksburg District Commander. No Board action was taken.

4. Attorney Report

Mr. Heidelberg updated the Board on Attorney matters. No Board action was taken.

7. Other Business

A. Mitigation Credits Invoice

This was discussed and moved on in 6.A.2.b.1.

B. Matching FICA on Disability Compensation

Mr. Fairfield submitted to the Board for approval to amend our payout policy and directive as noted in the memorandum from Shari Newman (attached Exhibit "R") regarding Matching FICA on Disability Compensation. Mr. Stephens made a motion to authorize FICA payments as recommended on Exhibit R. Mr. Elly seconded the motion and it was unanimously approved by the Board members present.

8. Executive Session, if so moved

Mr. Bradford asked for a motion to close the meeting to discuss the issue of whether or not to declare executive session. Mr. Adams made the motion to close the meeting. Mr. Bosarge seconded the motion and the meeting was closed at 6:00pm.

Mr. Bradford asked if there were a need for Executive Session.

Mr. Fairfield stated that there were transactions of business and discussion of prospective purchase of real estate to discuss. At this time, 6:05 p.m., Mr. Adams recommended the Board go into Executive Session to discuss transactions of business and discussion of prospective purchase of real estate. Mr. Bosarge seconded the motion and it was unanimously approved by the Board members present. Present were Messrs. Bradford, Adams, Elly, Stephens, (at 6:15 Mr. Stephens departed, a quorum was still present), Blevins, Bosarge, Heidelberg, Fairfield, also Misses Dupont. At 6:20 p.m., Mr. Bosarge made the motion to reconvene from Executive Session. Mr. Adams seconded the motion and it was unanimously approved by the Board members present. No action was taken in Executive Session. Present were Messrs. Bradford, Adams, Elly, Blevins, Bosarge, Heidelberg, Fairfield, and Misses Dupont.

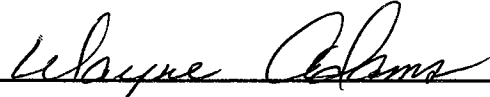
Adjourn

There being no further business to come before the Board, Mr. Bosarge made the motion to adjourn. Mr. Elly seconded the motion and it was unanimously approved by the Board members present. The meeting was adjourned at 6:22 p.m.

WITNESS OUR SIGNATURES as approval of these Minutes on this 8th day of DECEMBER, 2009.



L. PAUL BRADFORD, PRESIDENT



WAYNE ADAMS, VICE-PRESIDENT