

Jackson County Utility Authority

Regular Meeting

Board of Directors

April 14, 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., April 14, 2009, at 1225 Jackson Avenue, Pascagoula, MS. Board members present were: Brad Bradford, President; Wayne Adams, Vice-President; Bob Stephens, Treasurer; Robbie Maxwell Vice-Secretary Treasurer; and Directors, Jackie Elly, and Doug Shore. It was determined there was a quorum.

Also present were: Tommy Fairfield, Executive Director; Christine Williams, Administration Manager; Shari Newman, Finance Manager; Alex Dixon, Authority Engineer; Kevin Elliott, Projects Coordinator; Wayne Dennis, O&M Manager; Ruby Blaze, Administrative Assistant; Jimmy Heidelberg and Jessica Dupont, Authority Counsel; Sarah Colmer, Neel-Schaffer; William Parkes, Speaks & Associates; William Rackley, Alan Plummer & Associates; Greg Brown, MSEG; Pat Presley, Waggoner Engineering; and Chris Gouras, Gouras and Associates.

2. Changes to Agenda

There were no changes to the Agenda.

3. Public Recognition

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

A. Developer

Ms. Dixon stated Ms. Depreo was unable to attend. She discussed with the Board the request (attached "Exhibit A") from Ms. Depreo of a waiver of the Capacity Guarantee Fee for the Crossroad Villa project. After some discussion, Mr. Elly made the motion to deny the waiver request of the Capacity Guarantee Fee. Mr. Adams seconded the motion and it was unanimously approved by the Board.

4. Consideration of Minutes from Previous Meetings

A. Minutes for Regular Meeting of March 10, 2009

Mr. Shore made the motion to approve the Minutes of March 10, 2009, as presented. Mr. Maxwell seconded the motion and it was unanimously approved by the Board.

B. Minutes for Regular Meeting of March 24, 2009

Mr. Elly made the motion to approve the Minutes of March 24, 2009, as presented. Mr. Maxwell seconded the motion and it was unanimously approved by the Board.

C. Record for Community Workshop of March 5, 2009

Mr. Adams made the motion to approve the record of the Latimer Community Workshop as presented. Mr. Shore seconded the motion and it was unanimously approved by the Board.

5. Expenditures

Mr. Adams made the motion to approve the Expenditures (attached Exhibit "B") as presented. Mr. Maxwell seconded the motion and the Expenditures were unanimously approved by the Board.

6. Old Business

A. None

7. New Business

A. Staff Items

1. Authority Business

a. Resolution to Proceed on COE/USDA Projects

Mr. Fairfield requested authorization of a resolution (attached Exhibit "C") to enter into required agreements for the purpose of supporting a United States Army Corps of Engineers water and sewer construction project in Big Hill Acres and water supply in Big Point. Mr. Bradford made the motion to authorize Mr. Fairfield to enter into required agreements for the purpose of supporting a United States Army Corps of Engineers water and sewer construction project in Big Hill Acres and water supply in Big Point as requested. Mr. Maxwell seconded the motion and it was unanimously approved by the Board.

b. Managers' Reports

No Board action was needed.

c. Request to Attend Paid Training Event

Mr. Fairfield requested Board approval of Mr. Elliott and himself to attend the MSWEA 52nd Annual Meeting & Technical Conference held June 2-5, 2009, in Bay St. Louis, Mississippi (attached Exhibit "D"). Mr. Shore made the motion to approve the request as presented. Mr. Adams seconded the motion and it was unanimously approved by the Board.

d. Directors' Items

No Board action was needed.

At this time, Mr. Bradford requested Attorney Items be discussed, as he will need to leave the meeting early.

2. Updated CDBG Project Status Report

a. Updated Project Status Report Attached

Attached (Exhibit "E"). No Board action was needed

Mr. Bradford left at this time. Mr. Adams continued with the meeting.

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

Mr. Rackley updated the Board on the S23, S25, S28, and S29 projects. He requested approval from the Board to proceed with advertisement of the S23 project. Mr. Elly made the motion to approve proceeding with advertisement of the S23 project as requested. Mr. Shore 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 S26, W20, and W23 projects. No Board action was needed.

d. Speaks (S26E)

Mr. Speaks updated the Board on the S26E project. No Board action was needed.

e. Gouras (Request for Cash)

Mr. Gouras presented to the Board the CDBG invoices request for cash #14 – S26E for \$28,700.00; request for cash #15 – S23 for \$110,287.04, and S25 for \$45,132.50; request for cash #13 - S26 for \$214,841.50, S29 for \$118,544.24, W20 for \$757,597.54, and W23 for \$62,833.33; and request for cash #12 – S28 for

\$118,365.00 (attached Exhibit "F") for approval by the Board. Mr. Maxwell made the motion to approve the Request for Cash as presented. Mr. Stephens seconded the motion and it was unanimously approved by the Board.

f. Other CDBG Business

Mr. Brown updated the Board on other CDBG business. No Board action was taken.

2. Attorney Report

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

8. Other Business

There was no Other Business to discuss.


9. Executive Session, if so moved

Mr. Adams asked if there was a need for Executive Session. No Executive Session was called for.

10. Adjourn

There being no further business to come before the Board, Mr. Stephens 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 5:20 p.m.

WITNESS OUR SIGNATURES as approval of these Minutes on this 12th day of May, 2009.



L. PAUL BRADFORD, PRESIDENT



BOB STEPHENS, SECRETARY-TREASURER

Jackson County Utility Authority

Regular Meeting
Board of Directors
April 28, 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., April 28, 2009, at 1225 Jackson Avenue, Pascagoula, MS. Board members present were: Brad Bradford, President; Wayne Adams, Vice-President; Robbie Maxwell, Vice-Secretary Treasurer; and Directors, Jackie Elly, Bob Stephens and Doug Shore. It was determined there was a quorum.

Also present were: Tommy Fairfield, Executive Director; Kevin Elliott, Projects Manager; Christine Williams, Administration Manager; Shari Newman, Finance Manager; Ruby Blaze, Administrative Assistant; Jimmy Heidelberg and Jessica Dupont, Authority Counsel; Bill Rackley, Alan Plummer; Sarah Colmer and Talbert Rea, Neel-Schaffer; William Parks, Speaks and Associates; Greg Brown, and Pat Presley, MSEG; Kenneth Yarrow, Governor's Office; Walt Denton, Denton Advertising; Chris Gouras, Gouras and Associates; Vic Borromeo and Ben Corley, Hemphill Construction Co., Inc. and Mike Sanders, Orenco Systems.

2. Changes to Agenda

Mr. Bradford asked if there were any changes to the Agenda. There were none.

3. Public Recognition

Mr. Bradford asked if there were any Public to be recognized. There were none.

4. Expenditures

Mr. Maxwell 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. None

6. New Business

A. Staff Items

1. Authority Business

a. Director's Items

There were no items discussed.

b. Training Opportunity June 17, 2009

Mr. Fairfield discussed with the Board the Mississippi Rural Water Association 2009 Board Member Management Training (attached Exhibit "B") to be held June 17, 2009, in Bay St. Louis, MS. He asked permission to attend and asked if any Board members would attend. Mr. Bradford, Mr. Adams and Mr. Elly stated they would also attend.

2. Updated CDBG Project Status Report

Mr. Bradford announced that Mr. Greg Brown, along with Mr. Jeff Royal has been placed as the embedded Project Management Team for the CDBG projects for the Jackson County Utility Authority.

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

Mr. Rackley updated the Board on the above projects. No Board action was taken.

Mr. Stephens arrived at this time.

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

Ms. Colmer and Mr. Rea updated the Board on the above projects. Mr. Fairfield presented the Board with Hemphill Construction Co., Inc.'s request to amend their bid and the corrected bid. Mr. Fairfield requested the Board allow Hemphill to amend their bid as the error in the initial bid and the intended correct bid was evident on the face of the bid document, and for the Board to accept the Engineer's recommendation and submit to MDEQ the Bid for North Jackson County Decentralized Wastewater Treatment Facilities Project (S26) from Hemphill Construction Co. Inc. as the best bidder with its bid in the amount of \$3,794,000.00 (attached Exhibit "C"). Mr. Maxwell made the motion to accept the Bid as presented by Mr. Fairfield. Mr. Adams seconded the motion and it was unanimously approved by the Board.

c. Speaks (S26E)

Mr. Speaks updated the Board on the above project. No Board action was taken.

d. Other CDBG Business

Other Business was discussed at this time.

Mr. Fairfield discussed with the Board;

- The possibility of another ground breaking. It was determined to have Mr. Denton send a press release.
 - The Helena Utility District request to be removed from Flat Rate. This will be determined after Mr. Heidelberg reviews the contract with Helena Utility District.
 - The USDA Application and a meeting with the USDA April 29, 2009, and
 - The status of the submission of a Stimulus Package.
- No Board action was taken.

Mr. Gouras arrived at this time.

e. **Gouras – Resolution for Project S23 & W20 with regard to Easements**

Mr. Gouras presented to the Board a Resolution authorizing Mr. Fairfield to establish Just Compensation and Sign Certification to West Jackson County Utility District in connection with JCUA-02, Project S23 (attached Exhibit “D”). Mr. Elly made the motion to authorize Mr. Fairfield to establish Just Compensation and Sign Certification to West Jackson County Utility District in connection with JCUA-02, Project S23. Mr. Shore seconded the motion and it was unanimously approved by the Board.

Mr. Gouras 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 for a list of fifteen (15) parcels in association with JCUA-02, Project W20 (attached Exhibit “E”). Mr. Adams 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 for a list of fifteen (15) parcels in association with JCUA-02, Project W20. Mr. Maxwell seconded the motion and it was unanimously approved by the Board.

Mr. Gouras also 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 for a list of thirty-eight (38) parcels in association with JCUA-02, Project S26 and Project W23 (attached Exhibit “F”). Mr. Adams 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 for a list of thirty-eight (38)

parcels in association with JCUA-02, Project S26 and Project W23. Mr. Maxwell seconded the motion and it was unanimously approved by the Board.

Mr. Gouras then presented to the Board Amendments #1 for the following Agreements for Consulting Services; JCUA-01: Project S26E total compensation of \$97,384; JCUA-02: Project S23 total compensation of \$250,000; JCUA-02: Project S25 total compensation of \$190,727; JCUA-02: Project S26 total compensation of \$216,551; JCUA-02: Project S28 total compensation of \$78,452; JCUA-02: Project S29 total compensation of \$108,220; JCUA-02: Project W20 total compensation of \$225,000; and JCUA-02: Project W23 total compensation of \$225,000, (attached Exhibit "G"). Mr. Shore made the motion to accept the Amendments to the Agreements for Consulting Services as presented. Mr. Stephens seconded the motion and it was unanimously approved by the Board.

Mr. Gouras also presented to the Board an Acquisition Services Agreement JCUA-02: Project S25 for four (4) parcels of property that will be required at \$3,000 per parcel at a total cost of \$12,000.00, and JCUA-02: Project S23 for five (5) parcels of property that will be required at \$3,000 per parcel at a total cost of \$15,000.00 (attached Exhibit "H"). Mr. Adams made the motion to enter into the Acquisition Services Agreement between Gouras & Associates, LLC and Jackson County Utility Authority as presented. Mr. Maxwell seconded the motion and it was unanimously approved by the Board.

2. Attorney Report

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

7. Other Business

There was no Other Business brought before the Board.

8. Executive Session, if so moved

At this time, 5:15 p.m., Mr. Bradford recommended the Board go into Executive Session to discuss property matters. Mr. Maxwell made the motion for the Board to go into Executive Session to discuss property matters. Mr. Elly seconded the motion and it was unanimously approved by the Board. Present were Messrs. Bradford, Elly, Stephens, Maxwell, Shore, Adams, Heidelberg, Fairfield, and

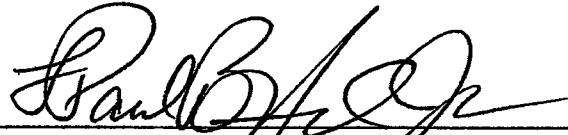
Gouras. Also present was Ms Dupont. At 5:25 p.m., Mr. Elly made the motion to reconvene from Executive Session. Mr. Adams seconded the motion and it was unanimously approved by the Board. Present were Messrs. Bradford, Elly, Stephens, Maxwell, Shore, Adams, Heidelberg, Fairfield, and Gouras. Also present was Ms Dupont.

Mr. Maxwell made the motion to authorize Mr. Heidelberg to attempt to negotiate an Administrative Settlement with Mr. Whittington, within the established guidelines and that fail that effort Mr. Heidelberg is authorized to commence the condemnation process. Mr. Stevens seconded the motion, and it was unanimously approved by the Board.

9. Adjourn

There being no further business to come before the Board, Mr. Stephens 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 5:30 p.m.

WITNESS OUR SIGNATURES as approval of these Minutes on this 12th day of May, 2009.



L. PAUL BRADFORD, PRESIDENT



BOB STEPHENS, SECRETARY-TREASURER