

# **Jackson County Utility Authority**

Regular Meeting  
Board of Directors  
September 8, 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., September 8, 2009, at 1225 Jackson Avenue, Pascagoula, MS. Board members present were: Brad Bradford, President; Wayne Adams, Vice-President; Jackie Elly Secretary-Treasurer and Directors, Bob Stephens, and Doug Shore. Mr. Blevins was unable to attend. It was determined there was a quorum.

Also present were: Tommy Fairfield, Executive Director; Christine Williams, Administration Manager; Shari Newman, Finance Manager; Ruby Blaze, Administrative Assistant; Jimmy Heidelberg and Jessica Dupont, Authority Counsel; Greg Brown, MSEG; Jeff Royal, Pearson Inc., Courtney Baldwin, Gouras and Associates; and Kenneth Yarrow of the Governor's office.

### **2. Changes to Agenda**

Mr. Fairfield requested that the 7.A.2. items be discussed earlier in the meeting, as Ms. Baldwin needed to leave the meeting early.

### **3. Public Recognition**

There were none.

### **4. Consideration of Minutes from Previous Meetings**

#### **A. Minutes for Regular Meeting of August 11, 2009**

Mr. Elly made the motion to approve the Minutes of August 11, 2009, as presented. Mr. Shore seconded the motion and it was unanimously approved by the Board members present.

#### **B. Minutes for Special Meeting of August 18, 2009**

Mr. Shore made the motion to approve the Minutes of August 18, 2009, as presented. Mr. Adams seconded the motion and it was unanimously approved by the Board members present.

C. Minutes for Regular Meeting of August 25, 2009

Mr. Shore made the motion to approve the Minutes of August 25, 2009, as presented. Mr. Elly seconded the motion and it was unanimously approved by the Board members present.

5. Expenditures

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

6. Old Business

A. None

7. New Business

A. Staff Items

1. Authority Business

Mr. Fairfield presented to the Board a request from the West Jackson County Utility District a need for an additional delivery point for wholesale water (attached Exhibit "B"). After some discussion, Mr. Shore made the motion to approve a request to the MDEQ for a second wholesale water hookup in the CDBG Project W20 to accommodate the need of the West Jackson County Utility District. Mr. Adams seconded the motion and it was unanimously approved by the Board members present.

a. Managers' Reports

No Board action was taken.

b. Training Request – NIMS

This item was tabled for the next scheduled meeting.

c. Loan and Grant Authorizations – South Water Extension

Mr. Fairfield requested approval from the Board to address the Army Corp of Engineers on this matter and to;

- 1) Advertise a Notice of Intent to the United States Department of Agriculture,
- 2) Authorize two public meetings in the Fountain Bleu area,
- 3) And to note in the public meetings that Neel-Schaffer is the JCUA's Engineer selection.

Mr. Shore made the motion to approve Mr. Fairfield's requests as noted above. Mr. Stephens seconded the

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

d. Directors' Items

Mr. Fairfield presented two lease agreements (attached Exhibit "C") with the Jackson County School Board and the Board of Supervisors to the Board for approval. Mr. Shore made the motion to approve the lease agreements as presented. Mr. Adams seconded the motion and it was unanimously approved by the Board members present.

e. Maps

Mr. Fairfield presented maps of the JCUA CDBG Maps to the Board for their review. No Board action was taken.

f. Enforcement Action

Mr. Fairfield discussed the West Jackson County POTW violation and the Agreed Order letter (attached Exhibit "D") from the MDEQ. Mr. Adams made the motion to approve the concurrence with the Agreed Order. Mr. Elly seconded the motion and it was unanimously approved by the Board members present.

2. CDBG Project Action

a. Request for Cash – 8 Projects

Ms. Baldwin presented to the Board the CDBG invoices request for cash #19 – S26E for \$620,430.86; request for cash #24 – S23 for \$1,411,639.22 and #25 for \$405.16; request for cash #26 - S25 for \$807,695.08 and #27 for \$973.66; request for cash #21 - S26 for \$473,758.64 and #22 for \$714.16; request for cash #23 - S28 for \$405,892.73 and #24 for \$403.66; request for cash #24 – S29 for \$469,664.17, and #25 for \$402.17; request for cash #24 - W20 for \$1,205,492.20, and #25 for \$1,912.66; and request for cash #22 - W23 for \$875,063.27, and #23 for \$1,245.16 (attached Exhibit "E") for approval by the Board. Mr. Shore made the motion to approve the Request for Cash as presented. Mr. Adams seconded the motion and it was unanimously approved by the Board members.

b. Budget Modification #6 – JCUA-02

Ms. Baldwin presented a JCUA-02 Budget Modification #6 (attached Exhibit "F") for Board approval. After some discussion, Mr. Shore made the motion to approve the Budget Modification as presented. Mr. Adams seconded

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

c. Acquisition Services Contract Amendment

Ms. Baldwin presented Acquisition Services Agreements Amendment 1 for each JCUA-02 Projects S23, S25, and S26 (attached Exhibit "G") for Board approval. Mr. Elly made the motion to approve the amendments as presented. Mr. Shore seconded the motion and it was unanimously approved by the Board members present.

d. Resolution for Just Compensation

Ms. Baldwin presented to the Board a Resolution authorizing Mr. Fairfield to establish Just Compensation and Sign Certification to acquire certain properties in connection with JCUA-02, Project S23 and W20 (attached Exhibit "H"). Mr. Adams made the motion to authorize Mr. Fairfield to establish Just Compensation and Sign Certification in connection with JCUA-02, Project S23 and W20. Mr. Elly seconded the motion and it was unanimously approved by the Board members.

e. Change Order Requests

Mr. Fairfield presented a Contract Change Order (attached Exhibit "I") from Hemphill Construction. After some discussion, Mr. Elly made the motion to approve the change order as presented. Mr. Adams seconded the motion and it was unanimously approved by the Board members present.

Mr. Fairfield also presented a sub contractors list for C.B. Developers for approval. After some discussion, this item was tabled for the next scheduled meeting.

3. Attorney Report

Mr. Heidelberg stated the Attorney items need be discussed in Executive Session.

8. Other Business

No Other Business was discussed.

9. Executive Session, if so moved


Mr. Bradford asked if there were a need for Executive Session. Mr. Fairfield stated that there were litigation matters to discuss. At this time, 4:45 p.m., Mr. Bradford recommended the Board go into Executive Session to discuss property matters. Mr. Elly made the motion for the Board to go into Executive


Session to discuss property matters. Mr. Shore seconded the motion and it was unanimously approved by the Board members present. Present were Messrs. Bradford, Elly, Shore, Adams, Stephens, Heidelberg, Fairfield, and Brown, also, Misses Dupont. At 4:55 p.m., Mr. Stephens 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, Adams, Stephens, Heidelberg, Fairfield, Brown, and Misses Dupont.

10. Adjourn

There being no further business to come before the Board, Mr. Stephens made the motion to adjourn. Mr. Shore seconded the motion and it was unanimously approved by the Board members present. The meeting was adjourned at 5:15 p.m.

WITNESS OUR SIGNATURES as approval of these Minutes on this 13<sup>th</sup> day of OCTOBER, 2009.

  
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WAYNE ADAMS - VICE PRESIDENT

  
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A. JACKIE ELLY - SECRETARY/TREASURER