

**West Jackson County Utility District
7200 McCann Road
Biloxi, Mississippi 39532
August 8, 2019**

Regular Meeting

MINUTES

1.0 Call Meeting to Order:

The West Jackson County Utility District (WJCUD) convened the scheduled board meeting August 8, 2019 at the WJCUD general office building, 7200 McCann Road, Biloxi, MS. The meeting was called to order by Mr. Mike Montgomery, Chairman of the Board at 9:00 A.M., and it was determined that a quorum was present. A notice was posted informing the public of the meeting time. The following individuals were present:

Mr. Mike Montgomery	Chairman, WJCUD
Mr. Curtis Spiers	Vice-Chairman, WJCUD
Mr. Joe Bannister	Secretary/Treasurer, WJCUD
Mr. John Hannah	General Manager, WJCUD
Mr. Willie Smith	Operations Manager, WJCUD
Ms. Lori Goforth	HR Manager – Exec Admin. Asst., WJCUD
Ms. Tracy Reed	Accountant, WJCUD
Mr. Brian Bennett	District Inspector, WJCUD
Mr. James Douglass	Compton Engineering

Members of the Public:

2.0 Pledge of Allegiance

3.0 Change to Meeting Agenda

4.0 Community Input

None.

5.0 Consent Agenda

- 5.1 Reading of Previous Minutes**
- 5.2 Financial Reports**
- 5.3 Purchase Requisitions**
- 5.4 Docket of Claims Lines 1 – 57 / \$776,163.97**
- 5.5 Leak Credits**

Mr. Spiers made a motion, seconded by Mr. Bannister, approving the consent agenda as presented. Motion passed unanimously.

6.0 Old Business

6.1 Wastewater Facilities Plan, Phase 1

Miller Enterprises continues to have 3-4 crews working. They are addressing finishing items that will allow them to take Canterbury and J.F. Douglas North Lift Stations offline. The gas line issue has been resolved. The sod on Garraway Circle is installed and seems to be growing. The homeowner is watering it regularly. The transducer at the Morton Lift Station was replaced and seems to be working much better. Change Order 9 was approved by MDEQ and Mr. Douglass anticipates the Contractor may end up qualifying for additional rain days not accounted for.

6.2 New Operations Center

DCD Construction continues to work on punch list items. The problem with the generator functioning has been corrected and training is being scheduled. The roll up doors in the Maintenance Building have been a source of frustration and potential danger due to the weight of the doors and the precision handling they require to function properly. The District has asked the Contractor to revisit making them electric doors. The General Manager reminded the Board they were originally supposed to be electric but that was removed in the value engineering decisions. Several employees have reported they have almost been injured by the doors. The Board stated they were in support of doing whatever we needed to in order for the doors to function in a safe manner.

7.0 New Business

7.1 Sale of Real Property

Mr. Spiers made a motion, seconded by Mr. Bannister authorizing the General Manager to execute any and all documents required to close the sale of the property located at 7312 Rose Farm Road transferring ownership to Rose Farm Holdings, LLC. Motion passed unanimously.

7.2 Easement Acquisition

Mr. Bannister made a motion, seconded by Mr. Spiers, authorizing the General Manager to move forward with acquiring easements on the properties PIDN 06041016.000 and PIDN 06041017.000 for the lower of the best negotiated price or the appraised price. Motion passed unanimously.

8.0 Correspondence

Included for the Board's review was the following:

- WJCUD compliance letter requested by USDA to be mailed to all customers
- MDOH letter (2019 08 01) to WJCUD regarding Drinking Water System Improvements DWI-L300156-08
- MEMA letter (2019 07 18) to WJCUD regarding FEMA-4081-DR-MS State Share – Reimbursement #2
- Machado Patano letter (2019 07 23) to MDEQ regarding SRF# C280-870-04 Final Engineering Compliance and Certification
- MDOT letter (2019 07 17) to WJCUD regarding Request to Purchase Property from MDOT Project No. 79-9385-00-003-10
- WJCUD letter (2019 08 05) to Frank L. and Jo Ann Joris regarding Offer to Purchase PIDN 05102593.010
- WJCUD letter (2019 08 05) to Rita M. Shields regarding Offer to Purchase Easement on PIDN 05102593.000 – 7648 Portland Drive
- WJCUD letter (2019 08 05) to Mary K. Johnson McLachlan regarding Offer to Purchase Easement on PIDN 05102608.000 – 7641 Portland Drive
- WJCUD letter (2019 08 05) to Lisette Carriere Oser Et Al. regarding Offer to Purchase Easement on PIDN 03526010.000 – Maple Street

9.0 District Operations

9.1 Attorney Report

Updates were given on the following:

- MDA Application is done

9.2 Manager Report

Updates were given on the following:

- July 2019 Billing Summary Total = \$747,647.38
(July 2018 Total = \$748,279.28)
- June 2019 Water Wells
 - Production 60.66 MG
 - Metered 50.93 MG
 - Flushing 7.08 MG
 - Unaccounted For 2.65 MG (4% Loss)
- U.S.C. 1926(b) protection from annexation provided via USDA RD program
- Gravity Sewer Service Issues at 9400 Sanctuary Blvd – DR Horton constructed home with a FFE that is troublesome for gravity. (DR Horton must correct the issue for the homeowner)

10.0 Executive Session – If So Move

Mr. Spiers made a motion, seconded by Mr. Bannister, to go into closed session to determine whether executive session is necessary and proper. Motion passed unanimously.

Mr. Spiers made a motion, seconded by Mr. Bannister, to stay in executive session to discuss: Possible Litigation with a Developer. Motion passed unanimously.

Executive Session was announced to the public by District Counsel.

No action was taken in executive session.

Mr. Spiers made a motion, seconded by Mr. Bannister, to return to open session. Motion passed unanimously.

11.0 Other Business

12.0 Adjournment

A motion was made by Mr. Spiers, seconded by Mr. Bannister, to adjourn the meeting at 10:05 A.M., August 8, 2019. Motion passed unanimously.



Joe Bannister
SECRETARY/TREASURER, WJCUD

ORDER NUMBER _____

WHEREAS, the West Jackson County Utility District (hereinafter, "the District") previously authorized the sale of real property located at 7312 Rose Farm Rd., Ocean Springs, MS to GCSPEC, LLC contingent upon certain occurrences; and *Rose Farm Holdings*

WHEREAS, the contingencies have been fulfilled, and the General Manager hereby seeks authority to execute any and all documents required to close the sale; and

WHEREAS, the approved price of sale is \$540,000.00, which is equal to or above the fair market value which was previously determined by the Board after an appraisal; and

WHEREAS, the Board of Commissioners hereby finds that selling this property is in the best interests of the District;

IT IS HEREBY ORDERED by the Board of Commissioners that the General Manager is authorized to execute any and all documents required to close the sale of this property.

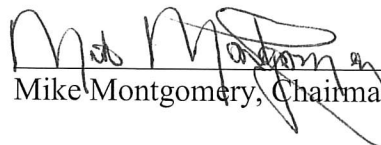
IT IS FURTHER ORDERED that Bordis & Danos, PLLC is authorized to conduct the closing.

IT IS FURTHER ORDERED that the General Manager is authorized to execute any and all documents necessary for this purpose.

The motion to approve the foregoing Order was made by Spiers, seconded by Bannister, and the following vote was recorded:

Chairman Montgomery Yes
Commissioner Spiers Yes
Commissioner Bannister Yes
Commissioner England A
Commissioner David A

WHEREUPON, the Board of Commissioners of West Jackson County Utility District, declared the motion carried and the Order adopted this the 8th day of August, 2019.


Mike Montgomery, Chairman

ATTEST:





ORDER NUMBER _____

WHEREAS, the West Jackson County Utility District (hereinafter, "the District") seeks to acquire real property as follows:

1. Access easement, utility easement, and temporary construction easement on PIDN: 06041016.000 (as more fully identified in the attached information), (hereinafter identified as the "Smith Easements").
2. Access easement, utility easement, and temporary construction easement on PIDN: 06041017.000 (as more fully identified in the attached information), (hereinafter identified as the "Levy Easements").

WHEREAS, the Smith and Levy Properties will be used for installation of District infrastructure; and

WHEREAS, the Board of Commissioners hereby finds that these uses are proper and necessary for the operations of the District; and

WHEREAS, Mississippi Code Annotated Section 43-37-3 provides the process for acquisition of real property with public funds, and requires public entities to obtain an appraisal before the initiation of negotiations; and

WHEREAS, the District is in the process of obtaining a final appraisal of each property at issue, as indicated herein; and

WHEREAS, the Board of Commissioners hereby finds that acquisition of the above-described real property for the lower of the best negotiated price or the appraised price is in the best interests of the District;

IT IS HEREBY ORDERED by the Board of Commissioners that the General Manager is authorized to move forward with acquiring the properties described herein for the lower of the best negotiated price or the appraised price.

IT IS FURTHER ORDERED that Bordis & Danos, PLLC is authorized to conduct the closing.

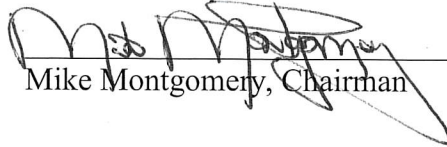
IT IS FURTHER ORDERED that the General Manager is authorized to execute any and all documents necessary for this purpose.

The motion to approve the foregoing Order was made by Bannister, seconded by Spier, and the following vote was recorded:

Chairman Montgomery yes
Commissioner Spiers yes

Commissioner Bannister Yes
Commissioner England A
Commissioner David A

WHEREUPON, the Board of Commissioners of West Jackson County Utility District, declared the motion carried and the Order adopted this the 8th day of August, 2019.


Mike Montgomery, Chairman

ATTEST:


Willie Smith

