

**West Jackson County Utility District
7200 McCann Road
Biloxi, Mississippi 39532
October 24, 2019**

Regular Meeting

MINUTES

1.0 Call Meeting to Order:

The West Jackson County Utility District (WJCUD) convened the scheduled board meeting October 24, 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. Jeremy England	Commissioner, WJCUD
Mr. John Hannah	General Manager, WJCUD
Mr. Scott Ramsay	Operations Manager, WJCUD
Ms. Lori Goforth	HR Manager – Exec Admin. Asst., WJCUD
Ms. Tracy Reed	Accountant, WJCUD
Mr. Robert Litke	Inspections, WJCUD
Mr. David Compton	Compton Engineering
Mr. James Douglass	Compton Engineering

Members of the Public:

Vincent Feranda

2.0 Pledge of Allegiance

3.0 Change to Meeting Agenda

4.0 Community Input

Mr. Feranda thanked the Board for putting the slats on the fence at the lift station at the end of Parker Road. He believes it doesn't really solve the visual issues but appreciates that at least something was done. He also stated that no clean-up has been done and that all of the construction debris has been left. Additionally, Mr. Feranda wanted an update on a sewer line that was to go through his property and connect to McClellan Road. The General Manager stated that project was on hold with no projections as to when or if that would happen as they don't have cooperating homeowners. The District will be deciding if the property will need to be taken due to public necessity or if negotiations can be worked out with the affected homeowners.

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 – 47 / \$659,755.79**
- 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

James Douglass reported that Miller Enterprises still has a lot of dress up needing to be done. The Contractor is removing rock on J.F. Douglas in preparation for asphalt to be laid. Crews are still working on the laterals. Canterbury Lift Station is now off-line and J.F. Douglas N. is the last station remaining to get off-line. The Morton Lift Station continues to have issues. An odor control unit is going to be installed to assist with the unpleasant smells around the station. The General Manager stated that a pump went out again last week and we have not had continuous successful pumping for 30 days. Mr. Hannah reminded Compton that there are concerns over if the pumps will perform as the system was designed and that we shouldn't wait until the Contractor is finished to present another problem to them. Mr. Douglass stated he had been trying to get the pump manufacturer to attend a meeting but had so far been unsuccessful. He will stress the urgency to them and ask them to prove their pumps are capable of performing as expected "sooner rather than later". Mr. Douglass presented a pay application and a change order for approval. The Board and the General Manager had concerns over granting additional days due to mismarked utility lines especially in light of how long the project has gone beyond the scheduled completion date. Other items could have been worked on while the Contractor was waiting for the lines to be marked correctly. Mr. England requested the Contractor attend the next Board Meeting on November 21, 2019 at 9 A.M.

Mr. Spiers made a motion, seconded by Mr. England, approving Miller Enterprises Pay Application 31 as recommended by Compton Engineering in the amount of \$109,529.01 and Miller Enterprises Change Order 11 in the amount of \$16,981.00 plus 23 days (14 days for unforeseen items and 9 rain days) both contingent upon MDEQ approval having determined the following is true:

- The change order is made in a commercially reasonable manner and is not being made to circumvent the public purchasing statutes.
- The proposed change is necessary or incidental to the completion of the work as originally bid, is not outside the scope of the original contract, is commercially reasonable, and any increase in cost reasonable.

Motion passed unanimously
(SRF Eligible - \$126,510.01 + 23 days)

7.0 New Business

7.1 Board Meeting Dates in November and December

Mr. England made a motion, seconded by Mr. Spiers, to cancel the remaining 2019 Board Meeting dates due to conflicts with the Thanksgiving and Christmas holidays and reschedule them as follows:

November 21, 2019 – 9 A.M.

December 19, 2019 – 9 A.M.

Motion passed unanimously.

7.2 Purchase of Vehicle

No action was taken.

8.0 Correspondence

Included for the Board's review was the following:

- MDEQ letter (2019 09 18) to WJCUD regarding Change Order 10/Contract No. 213-032A SRF-C280870-03
- Delbert Hoseman Secretary of State letter (2019 09 19) to WJCUD regarding Application No. A1037234 PIDN 03018230.000
- WJCUD letter (2019 10 02) to MDEQ regarding substantial completion deadline SRF-C280-870-03
- Compton Engineering letter (2019 10 02) to Miller Enterprises regarding substantial completion deadline C.E. Job No. 213-032
- Mississippi Legislature letter (2019 10 18) to WJCUD regarding Joint Committee on Performance Evaluation and Expenditure Review

9.0 District Operations

9.1 Attorney Report

Updates were given on the following:

- None.

9.2 Manager Report

Updates were given on the following:

- Machado Patano Punch List and Closeout Items
- Status report on offers to purchase
- Allegro Meter Project
- Billing Summary September 2019 - \$702,601.13
- Water Production Summary
- Machado Patano (2019 10 10) to WJCUD regarding Surveying Proposal for Lancaster Well Site
- Tank Pro Water Tank Inspection Reports
 - St. Martin High School
 - Tucker Road
 - McCann Road

10.0 Executive Session – If So Move

Mr. Bannister made a motion, seconded by Mr. England, 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: JCUA litigation and personnel matters related to the General Manager's salary. Motion passed unanimously.

Executive Session was announced to the public by District Counsel.

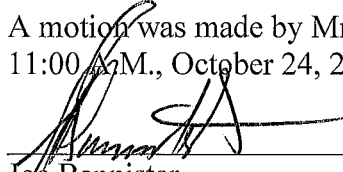
Mr. Spiers made a motion, seconded by Mr. Bannister, to increase the salary of John Hannah, General Manager to \$140,000.00 annually. Motion passed unanimously.

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. Bannister, seconded by Mr. Spiers, to adjourn the meeting at 11:00 A.M., October 24, 2019. Motion passed unanimously.



Joe Bannister
SECRETARY/TREASURER, WJCUD
2019 10 24 Minutes.docx

ORDER NUMBER _____

WHEREAS, the West Jackson County Utility District (hereinafter, "the District") has entered a contract with Miller Enterprises, Inc. relating to Wastewater Facilities Plan Phase 1; and

WHEREAS, Staff requests Board consideration and approval of **Contract A Pay Application No.31** for the amount of **\$109,529.01** for approval as recommended by Compton Engineering, contingent upon MDEQ Approval; and

WHEREAS, Staff also requests Board consideration and approval of unilaterally revised (by the District) **Contract A Change Order #11 to add fourteen (14) calendar days to the contract time for unforeseen conditions (as opposed to the requested 28 days) and seven (9) calendar days to the contract time for rainfall events in accordance with rain day justification** as recommended by Compton Engineering, contingent upon MDEQ approval; and

WHEREAS, the Board finds that fourteen (14) days of the requested additional days for unforeseen conditions, specifically those sought for AT&T and CableOne to move their lines, is unwarranted, and therefore unilaterally removes those days from the Change Order;

WHEREAS, **Contract A Change Order #11 also increases the contract price by \$16,981.00, for installation of straw matting for slope stabilization and fence repair associated with trench collapse**, which is also recommended by Compton Engineering, contingent upon MDEQ approval; and

WHEREAS, the Board of Commissioners hereby finds that approval of these requests is in the best interests of the District;

IT IS THEREFORE ORDERED by the Board of Commissioners of West Jackson County Utility District, that Contract A Pay Application No. 31 is hereby approved and authorized, contingent upon MDEQ approval.

IT IS FURTHER ORDERED that unilaterally revised Contract A Change Order #11 is hereby approved and authorized, contingent upon MDEQ approval.

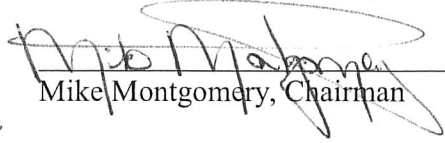
IT IS FURTHER ORDERED that the General Manager is authorized to execute any and all documents necessary for this purpose.

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

Chairman Montgomery Yes
Commissioner Spiers Yes
Commissioner Bannister Yes

Commissioner England VOS
Commissioner David Absent

WHEREUPON, the Board of Commissioners of West Jackson County Utility District, declared the motion carried and the Order adopted this the 24th day of October, 2019.


Mike Montgomery, Chairman

ATTEST:







West Jackson County Utility District

7312 Rose Farm Road
Ocean Springs, MS 39564

P.O. Box 1230
Ocean Springs, MS 39566-1230

Phone (228) 872-3898

Fax (228) 872-3861

BOARD MEETING SIGN IN SHEET

DATE ___ / ___ / ___

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Vincent Feranda

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