

**West Jackson County Utility District  
7200 McCann Road  
Biloxi, Mississippi 39532  
August 12, 2021**

**Regular Meeting**

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**MINUTES**

**1.0 Call Meeting to Order:**

The West Jackson County Utility District (WJCUD) convened the scheduled board meeting August 12, 2021, 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. Joe Bannister	Secretary, WJCUD
Mr. Bryan David,	Commissioner, WJCUD
Mr. Andy Westfall	Commissioner, WJCUD
Mr. Josh Danos	Board Attorney, WJCUD
Mr. John Hannah	General Manager, WJCUD
Mr. Scott Ramsay	Operations Manager, WJCUD
Ms. Lori Goforth	HR Manager – Exec Admin. Asst., WJCUD
Mr. Brian Bennett	New Connection & Compliance Manager, WJCUD
Ms. Laura Davis	Accountant, WJCUD
Ms. Virginie Triplett	Bookkeeper, WJCUD
Mr. Gerrod Kilpatrick	Machado Patano

Members of the Public:

Deonne Olier  
Mike Todaro – 7405 Oakland Dr.  
Judy Broussard – 6700 Woodlake Ln  
Debbie Girard, Andy Hubka - 6819 Washington Ave. Suite A  
Vincent Burke – 7312 S. Tucker Rd.  
Chris Crocker – 16032 Van Eaton Cr.  
Chad & Christy Radich – 6515 Washington Ave., 15105 Lemoyne Blvd.

**2.0 Pledge of Allegiance**

**3.0 Change to Meeting Agenda**

Pull 6.3

#### **4.0 Community Input**

Mike Todaro addressed the Board regarding a billing issue resulting from a leak at his aunt's house at 7405 Oakland Dr. The Board Attorney told Mr. Todaro that he and the General Manager would look into the matter and someone would get back with him.

Judy Broussard – 6700 Woodlake Ln. addressed the Board regarding a petition she had from people upset over connection fees. It was determined that the area in question was not in our District. Contact information for Jackson County Utility Authority (JCUA) was provided.

The rest of community input was discussed as part of agenda item 7.3.

#### **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 – 67 / \$641,614.63**
- 5.5 Leak Credits**
- 5.6 Grinder Station Approvals**

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

#### **6.0 Old Business**

##### **6.1 Water Facilities Plan, Phase 4**

CB Developers Contract A Pay Application 2 in the amount of \$657,392.15 was pulled from consideration since all required documentation was not submitted.

Mr. David made a motion, seconded by Mr. Bannister, approving CB Developers Contract B Pay Application 3 in the amount of \$435,828.96 as recommended by Machado Patano contingent upon MDOH approval for currently reimbursable items. Motion passed unanimously.

##### **6.2 Water Well Project**

Mr. Westfall made a motion, seconded by Mr. David, to approve DNP Inc., Pay application 4 in the amount of \$118,466.90. Motion passed unanimously.

##### **6.3 Cook Road Gravity Sewer (Schedule 1)**

Pulled

## **7.0 New Business**

### **7.1 Resolution to Condemn WWFP Phase 4 Easement**

Chris Howdeshell with Pittman Law Firm joined the meeting by tele-conference and presented a Resolution to Condemn for a property where an easement is needed for WWFP Phase 4.

Mr. Bannister made a motion, seconded by Mr. Westfall, to approve the Resolution to Condemn as presented. Motion passed unanimously.

### **7.2 Emergency Preparedness Plan and Vulnerability Assessment**

Mr. Bannister made a motion, seconded by Mr. Westfall, to approve and accept the Emergency Preparedness Plan and Vulnerability Assessment, as presented, in substantial form, with the understanding that the final draft will correct clerical errors regarding contact information. Motion passed unanimously.

### **7.3 Violations-Pretreatment Program**

Numerous customers addressed the Board regarding "Notice of Violation" letters they had received addressing grease trap requirements. The letters were sent in response to EPA guidelines and The Utility Authority's new regulations which allow for fines for direct or indirect contributors to the sewer system that fail to meet the requirements. The General Manager apologized to the customers and the Board that they were not made aware of the issues before the letter was sent. After discussion, the Board announced they would be discussing the item in Executive Session. Customer's phone numbers were requested and the Board advised we would call them with any decisions that were made.

## **8.0 Correspondence**

Included for the Board's review was the following:

- MS Ventures Land Swap Executed Contract

## **9.0 District Operations**

### **9.1 Attorney Report**

Updates were given on the following:

- Items will be discussed in Executive Session

## 9.2 Manager Report

Updates were given on the following:

- ❖ Billing Summary attached for July 2021
  - \$758,250.54 (compared to \$805,212.40 in July 2020)
  - 8,147 active customers (compared to 7,962 in July 2020) ...2.35% increase
  
- ❖ Water Production - July 2021
  - 51.3 MG Production
    - 48.5 MG metered water sold
    - 3.80 MG estimated water to maintain water quality via flushing
    - .5 MG unaccounted for water loss (0%)
  
- ❖ Dr. Alan Barefield met with us and presented some preliminary results. Anticipate his review to be complete with the next few weeks
  
- ❖ Foundation designs underway for concrete or steel poles for AMI Meter Reading System
  
- ❖ 5G meter installs are close to completion
  
- ❖ Fire Hydrant Testing complete and data sent to Jackson County Fire Dept.
  
- ❖ Camera system repairs continuing
  
- ❖ Drive-thru lighting upgraded to allow manual operations
  
- ❖ Maintenance building A/C drain pan continues to clog and cause water to overflow
  
- ❖ M1084A1 Boom Truck scheduled for delivery in early October, 2021

## 10.0 Executive Session – If So Move

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

Mr. David made a motion, seconded by Mr. Westfall, to stay in executive session to discuss: litigation involving Utility Services, potential litigation involving Miller Enterprises, and litigation involving JCUA. Motion passed unanimously.

The reasons for Executive Session were announced to the public.

Mr. David made a motion, seconded by Mr. Bannister, to make a demand on Utility services to resolve the litigation in the amount of \$80,000.00. Motion passed unanimously.

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

The actions taken in Executive Session were announced to the public.

#### **11.0 Other Business**

#### **12.0 Adjournment**

A motion was made by Mr. David, seconded by Mr. Westfall, to adjourn the meeting at 11:05 A.M., August 12, 2021. Motion passed unanimously.

  
\_\_\_\_\_  
Joe Bannister  
SECRETARY/TREASURER, WJCUD

ORDER NUMBER \_\_\_\_\_

WHEREAS, the West Jackson County Utility District (hereinafter, "the District") has entered Contract B with CB Developers, Inc. (hereinafter, "CBD") relating to Water Facilities Plans, Phase 4; and

WHEREAS, Staff requests Board consideration and approval of **Pay Application No. 3** in the amount of **\$435,828.96** as recommended by Machado Patano, contingent upon approval by the Mississippi Department of Health for currently reimbursable items; and

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

**IT IS THEREFORE ORDERED** by the Board of Commissioners of West Jackson County Utility District, that Pay Application 3 is hereby approved and authorized, contingent upon approval by the Mississippi Department of Health for currently reimbursable items.

**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 DAVID, seconded by Bannister, and the following vote was recorded:

Chairman Montgomery Yes  
Commissioner Spiers Absent  
Commissioner Bannister Yes  
Commissioner Westfall Yes  
Commissioner David Yes

WHEREUPON, the Board of Commissioners of West Jackson County Utility District, declared the motion carried and the Order adopted this the 12th day of August, 2021.

Mike Montgomery  
Mike Montgomery, Chairman

ATTEST:

Amanda M. Parisi



ORDER NUMBER \_\_\_\_\_

WHEREAS, the West Jackson County Utility District (hereinafter, "the District") has entered a contract with DNP, Inc. relating to the construction of water wells within the District boundaries; and

WHEREAS, Staff requests Board consideration and approval of **Pay Application No. 4** for the amount of **\$118,466.90** as recommended by Machado Patano; and

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

**IT IS THEREFORE ORDERED** by the Board of Commissioners of West Jackson County Utility District, that Pay Application 4 is hereby approved and authorized.

**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 Westfall, seconded by David, and the following vote was recorded:

Chairman Montgomery Yes  
Commissioner Spiers Absent  
Commissioner Bannister Yes  
Commissioner Westfall Yes  
Commissioner David Yes

WHEREUPON, the Board of Commissioners of West Jackson County Utility District, declared the motion carried and the Order adopted this the 12th day of August, 2021.

Mike Montgomery  
Mike Montgomery, Chairman

ATTEST:

Amanda M Parisi





JACKSON COUNTY, MISSISSIPPI  
WEST JACKSON COUNTY UTILITY DISTRICT

**RESOLUTION AND ORDER TO CONDEMN**

Upon careful consideration, the West Jackson County Utility District (hereinafter "District"), acting by and through its Board, has determined it to be in the best interests of the residents of the District and the County to acquire certain real property from private landowners whose property is located within the District limits to provide enhanced sewer services. To accomplish this project, the District finds it necessary to acquire for public use a portion of PIDN 03610460.000, being a 0.22 acre sewer easement, and a 0.05 acre Temporary Construction Easement from John S. Tomsik, et al or their successors in title, and/or other parties interested in said property, as shown on the plans for said project, which plans are made a part hereof by reference.

Being unable to agree with the owner(s) and/or other parties interested in said property, the District, after solemn due consideration, does hereby declare said property necessary for public use and orders that it be condemned. Further, the District authorizes and requests its attorneys and/or other necessary professionals to institute any and all condemnation proceedings necessary to acquire the property described herein for the public use referenced.

The above and foregoing Resolution and Order to Condemn was introduced by Barnister, seconded by Westfall, and was adopted by the following vote, to-wit:

Yeas:  
Mike Montgomery  
Joe Barnister  
Bryan David  
Andy Westfall

Nays:

Absent:  
Curtis Spier

The president hereby declared the Motion carried and the Resolution and Order to Condemn was adopted, this the 12th day of August, A.D., 2021.

Mike Montgomery  
Chairman  
Mike Montgomery



**ORDER NUMBER \_\_\_\_\_**

**WHEREAS**, pursuant to guidance from the U.S. EPA, and in compliance with Section 1433 of the Safe Drinking Water Act, and the Community Planning and Community Right-to-Know Act, the West Jackson County Utility District (hereinafter, "the District") is recommended to adopt the attached 2021 Emergency Response Plan; and

**WHEREAS**, in connection with the plan, Staff has also completed the attached Security Vulnerability Self-Assessment for Public Water Systems; and

**WHEREAS**, Staff requests Board consideration and approval of the attached 2021 Emergency Response Plan and Security Assessment; and

**WHEREAS**, the Board of Commissioners hereby finds that approval of this Plan and acceptance of the Self Assessment is in the best interests of the District;

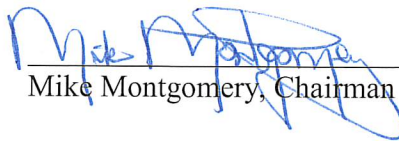
**IT IS THEREFORE ORDERED** by the Board of Commissioners of West Jackson County Utility District, that the attached Emergency Response Plan and Security Assessment are hereby approved, authorized, and accepted.

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

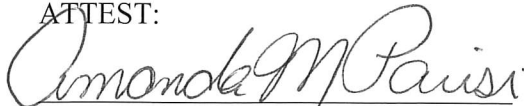
The motion to approve the foregoing Order was made by Bannister, seconded by Westfall, and the following vote was recorded:

Chairman Montgomery Yes  
Commissioner Spiers Absent  
Commissioner Bannister Yes  
Commissioner Westfall Yes  
Commissioner David Yes

**WHEREUPON**, the Board of Commissioners of West Jackson County Utility District, declared the motion carried and the Order adopted this the 12th day of August, 2021.

  
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 08 / 12 / 2021

- 1: Mik To LARO - Regarding Alice Neal  
7405 Oakland Dr
- 2: Deonne Olier -
- 3: Debbie Girard - Woodley  
6819 Washington Suite A
- 4: Andy Hubka " "
- 5: Vincent Burke - In The Zone Childcare Services  
7312 S. Tucker Rd.
- 6: Chris Creech - T&B Learning Factory  
16032 road cedar circle
- 7: Judy BROUSSARD 6700 Woodlake Ln
- 8: Chad & Christy Radich Future Scholars Learning Center  
6515 Washington 15105  
Lemay Blvd
- 9: \_\_\_\_\_
- 10: \_\_\_\_\_