

**West Jackson County Utility District
7200 McCann Road
Biloxi, Mississippi 39532
October 14, 2021**

Regular Meeting

MINUTES

1.0 Call Meeting to Order:

The West Jackson County Utility District (WJCUD) convened the scheduled board meeting October 14, 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. Curtis Spiers	Vice-Chairman, WJCUD
Mr. Bryan David,	Secretary/Treasurer, WJCUD
Mr. Andy Westfall	Commissioner, WJCUD
Ms. Joan Strayham	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. Whitney McCarra	Bookkeeper, WJCUD
Ms. Donna Catalanatto	Admin Asst., WJCUD
Mr. Gerrod Kilpatrick	Machado Patano

Members of the Public:

Judge Tanya Hasbrouck, Jimmie McAnnally, Joe Bannister

2.0 Pledge of Allegiance

3.0 Change to Meeting Agenda

Judge Tanya Hasbrouck administered the oath of office to Joan Strayham. Mr. Montgomery expressed the Board's gratitude for her willingness to serve and presented a plaque to outgoing Commissioner, Joe Bannister thanking him for his 5 years of service to the District.

Pull 5.1 and 5.4 from the consent agenda for separate votes.

4.0 Community Input

Jimmie McAnnally expressed his pleasure over the direction the District has followed since he served on the Board and reminded everyone that if he or Supervisor Troy Ross could do anything for us to let him know.

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 – 51 / \$281,701.52

5.5 Leak Credits

5.6 Grinder Station Approvals

Mr. Spiers made a motion, seconded by Mr. Westfall, approving the Consent Agenda as amended. Motion passed unanimously.

Mr. Westfall made a motion, seconded by Mr. David, approving 5.1 Previous Minutes. Motion passed unanimously. Ms. Strayham abstained.

Mr. Westfall made a motion, seconded by Mr. David, approving 5.4 Docket of Claims. Motion passed unanimously. Mr. Spiers and Ms. Strayham recused themselves from the vote.

6.0 Old Business

6.1 Water Well Project

A summary of the project was provided for the benefit of Ms. Strayham.

Mr. Spiers made a motion, seconded by Mr. Westfall, approving DNP, Inc. Pay Application 6 in the amount of \$219,065.25 as recommended by Machado Patano. Motion passed unanimously.

6.2 Water Facilities Plan, Phase 4 Contract A

A summary of the project was provided for Ms. Strayham.

Mr. David made a motion, seconded by Mr. Spiers, approving CB Developers Inc., Contract A Pay Application 5 in the amount of \$333,495.95 as recommended by Machado Patano contingent upon approval from MDOH for currently reimbursable items. Motion passed unanimously.

6.3 Water Facilities Plan, Phase 4, Contract B

A summary of the project was provided for Ms. Strayham.

Mr. David made a motion, seconded by Mr. Westfall, approving CB Developers Inc., Contract B Pay Application 5 in the amount of \$282,871.06 as recommended by Machado Patano contingent upon approval from MDOH for currently reimbursable items. Motion passed unanimously.

7.0 New Business

7.1 Acquisition of 0.17 Acre Easement

Mr. Westfall made a motion, seconded by Mr. Spiers, approving a Resolution to Condemn PIDN 03615050.000. Motion passed unanimously.

8.0 Correspondence

Included for the Board's review was the following:

- JC BOS letter (2021 10 05) to WJCUD regarding Joan Strayham appointment to the WJCUD Board
- MDEQ letter (2021 09 28) to WJCUD regarding WJCUD financial statements
- Ward Engineering letter (2021 09 21) to WJCUD regarding Emersyn Estates Subdivision
- Jackson County Planning Commission notice regarding:
VARI-09-2021-00101 – Variance request for antenna pole fall radius – Lancaster Blvd
- Jackson County Planning Commission notice regarding:
VARI-09-2021-00102 – Variance request for antenna pole fall radius – Briarwood Drive
- Jackson County Planning Commission notice regarding:
SPEC-09-2021-00103 – Special Exception for lift station on lot less than 0.25 acres – Tucker Road
- Terms used in the Water & Wastewater Industry

9.0 District Operations

9.1 Attorney Report

Updates were given on the following:

- Executive Session will be needed

9.2 Manager Report

Updates were given on the following:

- ❖ Increased Operation Costs Comparison
- ❖ Billing Summary attached for September 2021
 - \$807,328.35 (compared to \$811,309.01 in September 2020)
 - 8,191 active customers (compared to 7,874 in September 2020)
 - 4% Growth
- ❖ Water Production - September 2021
 - 54.26 MG Production
 - 57.25 MG metered water sold
 - 4.08 MG estimated water to maintain water quality via flushing
 - Less than 0% loss
 - ❖ Discrepancy due to overlap of billing cycles with Cycle 2 read on the 15th of the month
- ❖ Variance requests
 - Fall radius for Lancaster Meter Reading Radio Base & Pole
 - Fall radius for Briarwood Meter Reading Radio Repeater Pole
 - New WWFP Phase 4 Lift Station lot along Tucker less than 0.25 acre
- ❖ Final Judgement w/ Ryzannara
 - Easements for New Gravity Sewer Outfall
 - Fee Simple lot for Meter Reading Radio Base & Antenna Pole
- ❖ Proposal Form and Two Quotes for General Manager Vehicle
 - \$39,900 lowest and best exceeds CIP amount of \$39,000
 - 900,000 new cars on lots nationwide today, 3,800,000 new cars on lots in 2019
- ❖ Updated Organizational Chart

10.0 Executive Session – If So Move

Mr. Spiers 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. Spiers made a motion, seconded by Mr. David, to stay in executive session to discuss: eminent domain litigation pertaining to Tomsik and Hy properties, and JCUA litigation. Motion passed unanimously.

Mr. Westfall made a motion, seconded by Mr. David, to accept and approve the Hy settlement in the amount of \$20,700.00. Motion passed unanimously.

Mr. David made a motion, seconded by Ms. Strayham, to waive the water and sewer capacity fees up to a 1" meter for Dr. Tomsik's property. Motion passed unanimously.

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

11.0 Other Business

12.0 Adjournment

A motion was made by Mr. David, seconded by Ms. Strayham, to adjourn the meeting at 10:47 A.M., October 14, 2021. Motion passed unanimously.

~~Bryan David~~ *Curtis Spiers*
~~SECRETARY/TREASURER, WJCUD~~
vice-chairman

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. 6** for the amount of **\$219,065.25** 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;

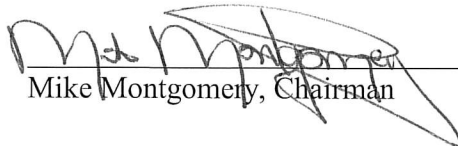
IT IS THEREFORE ORDERED by the Board of Commissioners of West Jackson County Utility District, that Pay Application 6 is hereby approved and authorized.

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

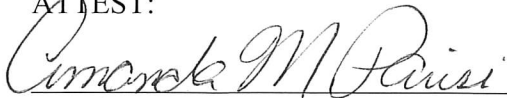
The motion to approve the foregoing Order was made by Spiers, seconded by Westfall, and the following vote was recorded:

Chairman Montgomery Yes
Commissioner Spiers Yes
Commissioner Strayham 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 14th day of October, 2021.


Mike Montgomery, Chairman

ATTEST:





ORDER NUMBER _____

WHEREAS, the West Jackson County Utility District (hereinafter, “the District”) has entered Contract A 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. 5** for the amount of **\$333,495.95** 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;

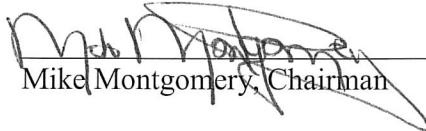
IT IS THEREFORE ORDERED by the Board of Commissioners of West Jackson County Utility District, that Pay Application 5 is hereby approved and authorized, contingent upon approval by the Mississippi Department of Health for currently reimbursable items.


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 Spiers, and the following vote was recorded:

Chairman Montgomery Yes
Commissioner Spiers Yes
Commissioner Strayham 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 14th day of October, 2021.


Mike Montgomery, Chairman

ATTEST:




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. 5** in the amount of **\$282,871.06** 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;

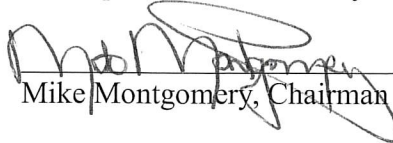
IT IS THEREFORE ORDERED by the Board of Commissioners of West Jackson County Utility District, that Pay Application 5 is hereby approved and authorized, contingent upon approval by the Mississippi Department of Health for currently reimbursable items.

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

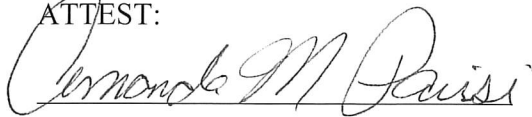
The motion to approve the foregoing Order was made by David, seconded by Westfall, and the following vote was recorded:

Chairman Montgomery yes
Commissioner Spiers yes
Commissioner Strayham 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 14th day of October, 2021.


Mike Montgomery, Chairman

ATTEST:





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 an ingress and egress utility easement from private landowners whose property is located within the District limits. To accomplish this project, the District finds it necessary to acquire for public use an easement across property described as PIDN 03615050.00 from Harold J. Seymour, Ronald A. Seymour, Lucille Sprague, Carla Todd and Marshal Morvant, or their successors in title, and/or other parties interested in said property, consisting of 0.17 acres, 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 Westfall, seconded by Spier, and was adopted by the following vote, to-wit:

Yeas: Montgomery
Spier
David
Westfall
Strayhorn Nays: Absent:

The president hereby declared the Motion carried and the Resolution and Order to Condemn was adopted, this the 14th day of October, A.D., 2021.



Mike Montgomery
Chairman

Amanda M Parisi