

**West Jackson County Utility District  
7200 McCann Road  
Biloxi, Mississippi 39532  
September 07, 2023**

**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 September 07, 2023, 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 9:01 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. Bryan David	Vice-Chairman, WJCUD
Mr. Andrew Westfall	Secretary/Treasurer, WJCUD
Mr. Curtis Spiers	Commissioner, WJCUD
Ms. Joan Strayham	Commissioner, WJCUD
Mr. Brian Bennett	Interim Director & Construction Manager, WJCUD
Ms. Laura Davis	Financial Controller, WJCUD
Ms. Whitney McCarra	Accountant II, WJCUD
Ms. Amanda Parisi	Assets Manager & Grants Administrator, WJCUD
Mr. Gerrod Kilpatrick	Machado Patano dba MP Design Group

Members of the Public:

**2.0 Invocation / Pledge of Allegiance**

Opening prayer was given by Laura Davis – Wells of Southgate Ministries / Sound House Church.

**3.0 Change to Meeting Agenda**

**4.0 Community Input**

## **5.0 Consent Agenda**

### **5.1 Reading of Previous Minutes- August 17, 2023**

### **5.6 Grinder Station Approvals**

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

## **6.0 Old Business**

### **6.1 MP Design Group Updates:**

#### **1. Wastewater Facilities Plan, Phase 3**

Gerrod Kilpatrick presented updates for WWFP Ph 3, the contractor, Bottom 2 Top, is currently waiting on the insurance company to issue the bond for the project in order for the contract to be complete.

#### **2. Wastewater Facilities Plan, Phase 4**

Gerrod Kilpatrick presented updates for WWFP Ph 4. The contractor, CB Developers, Inc., will be setting a Lift Station near Domino's on September 8, 2023, with only 1,000 ft. of pipe left to run and 60-90 days left until project is completed.

#### **3. Quail Creek Interceptor, Phase 2B**

Gerrod Kilpatrick presented updates for Quail Creek Interceptor, Phase 2B, which is very close to completion with only 2 manholes left to be set.

### **6.2 Wastewater Facilities Plan, Phase 3, Amendment No. 1**

Wastewater Facilities Plan, Phase 3, Loan No. SRF C280-870-05 Amendment No. 1 is to reduce the amount of the construction loan from \$3,730,355.96 to \$1,730,355.96. Because WJCUD will receive \$2,000,000 in ARPA Funds to use for Wastewater Facilities Plan Phase 3.

### **6.3 Wastewater Facilities Plan, Phase 4B, Addendum No. 1**

Wastewater Facilities Plan, Phase 4B, Addendum No. 1 modifies the documents to include the Pre-Bid Agenda and Pre-Bid Sign-In sheet, revise plan specifications in Part C to replace submersible pump details in its entirety and replaces submersible pumps control panels in its entirety. It also revises Part D to remove and replace drawings in Part D for

Sheets C405-C631, Sheets E101-E621, and approves vendor product equals for the spray wall liner as referenced in Addendum #1.

#### **6.4 Wastewater Facilities Plan, Phase 4B, Addendum No. 2**

Wastewater Facilities Plan, Phase 4B, Addendum No. 2 provides answers to several questions the contractor had concerning the pipe casing, who will provide the flow meter at a Lift Station, gravity sewer line size 4" or 6", pipe lining, fittings paid by the pound with or without accessories, castings and gratings on bid form for manhole ring and covers only, and size and type of odor control unit needed.

### **7.0 New Business**

#### **7.1 Amendment of WJCUD By-Laws – Board Meeting Frequency**

Mr. Spiers made a motion, seconded by Mr. Westfall, approving amending WJCUD's bylaws to include changing the board meeting frequency to two meetings per month occurring on the first and third Thursday at 9:00 AM. The meeting on the third Thursday in September shall be for the election of officers. Motion passed unanimously.

#### **7.2 Public Hearing on the Budget for FYE 2024**

Budget was presented. Chairman of the board announced the decision to readjourn on September 14, 2023, at 9:00 A.M. to approve budget. No motion was made.

### **8.0 Correspondence**

Included for the Board's review was the following:

- WJCUD Maintenance Operations Report (2023 08 29)
- BCBS email (2023 08 17) – to WJCUD regarding Premium Reduction by 5% effective Sept. 2023 – Dec. 2023
- Young Law Group letter (2023 08 22) – to WJCUD regarding Conversion of WJCUD Revenue Refunding Bonds, Series 2021 to Tax-Exempt

### **9.0 District Operations**

#### **9.1 Attorney Report**

## 9.2 Director Report

### 2023 Current Development- Subdivisions

Subdivision/Development	LOTS	ROAD/LOCATION	PIDN
The Greens Ph 1 @ Gulf Hills	35	Gulf Hills (Fairways)	05400503.022
The Greens Ph 2 @ Gulf Hills	45	Gulf Hills (Fairways)	05400503.020
Admiral's Landing	117	Moran Pointe Pkwy (off Old Fort Bayou)	03017120.000
Sandhill Subdivision	183	Eglin (off Old Fort Bayou)	03009030.000
Scarlett Glen	103	Walker Rd (North & South side)	03008260.000
Lemoyne Heights SD	40	Lemoyne Blvd (North Side)	03612210.000
Cohen Place	8	Van Eaton Rd (Off Lemoyne)	03616696.100
Tucker Grove Subdivision 54	54	Tucker Rd (East Side)	03535040.000
Crane Landing	77	Seaman Rd (West side)	07160042.000
Total Lots	662		
<b>TownHomes/Apartment Development</b>			
The Serene @ St Martin	144 Town Homes/ 27 buildings	Walker Rd/Jackson Lee	03612402.000
Savannah Walk Townhomes	42 Town Home / 10 Buildings	WALKER RD(North Side)	03008280.000
The Breakers Apartments	156 Units / 13 Buildings	Cook Rd (North Side)	07160222.010
Total Units	342 Units / 50 Buildings		

### 10.0 Executive Session – If So Move

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

Mr. Spiers made a motion, seconded by Mr. David, to enter executive session to discuss personnel matters. Motion passed unanimously.

No action was taken in executive session.

Mr. Westfall made a motion, seconded by Mr. David, to enter open session. Motion passed unanimously.

### 11.0 Other Business


### 12.0 Adjournment

A motion was made by Mr. Westfall, seconded by Mr. David, to adjourn the meeting at 10:03 A.M., September 07, 2023. Motion passed unanimously.

  
Andrew Westfall

SECRETARY/TREASURER, WJCUD

Chairman

  
Mike Montgomery

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

WHEREAS, the Board of Commissioners of the West Jackson County Utility District (hereinafter, "the District") has previously adopted certain By-Laws to govern Commission matters; and

WHEREAS, from time to time the Board, by majority vote of a duly called quorum, may amend said By-Laws; and

WHEREAS, the Interim Director has presented certain revisions to the By-Laws (as attached hereto), which the Board has determined are in the best interests of the District; and

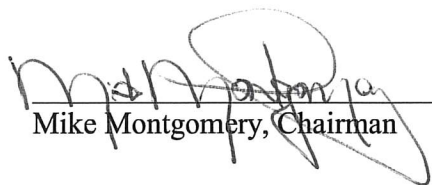
IT IS THEREFORE ORDERED by the Board of Commissioners of the West Jackson County Utility District, that the Commission By-Laws be amended and revised as presented.

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

The motion to approve the foregoing Order was made by C. Spiers, seconded by A. 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 7th day September, 2023.

  
Mike Montgomery, Chairman

ATTEST:  




# West Jackson County Utility District

7200 McCann Road

Biloxi, Mississippi 39532

(228) 872-3898, FAX (228) 872-3861

## AMENDED BY - LAWS

### ARTICLE I

#### THE UTILITY DISTRICT

##### *Section 1. Name of the Utility District*

The name of the Utility District is the West Jackson County Utility District (formerly the St. Martin - Gulf Hills Utility District), as authorized by Senate Bill No. 2251, Laws of Mississippi of 1966, and by Resolution of the Board of Supervisors of Jackson County, Mississippi, dated February 5th, 1974, and January 11th, 1993, its members are the Board of Commissioners. AN ACT TO AMEND CHAPTER 831, LOCAL AND PRIVATE LAWS OF 1966, AS AMENDED BY CHAPTER 949, LOCAL AND PRIVATE LAWS OF 1980, AS AMENDED BY CHAPTER 844, LOCAL AND PRIVATE LAWS OF 1982, AS AMENDED BY CHAPTER 923, LOCAL AND PRIVATE LAWS OF 1987, AS AMENDED BY CHAPTER 827, LOCAL AND PRIVATE LAWS OF 1988, AS AMENDED BY CHAPTER 947, LOCAL AND PRIVATE LAWS OF 1991, AS AMENDED BY HOUSE BILL 1858, LOCAL AND PRIVATE LAWS OF 2002, AS AMENDED BY SENATE LOCAL AND PRIVATE BILL 2004.

##### *Section 2. Office of the District*

The office of the Utility District shall be at 7200 McCann Road Biloxi, Mississippi, and all official records and minutes of the Utility District remain on file there.

##### *Section 3. Purpose*

The West Jackson County Utility District is a nonprofit organization which is dedicated to serve a public use in the supply of water services and sanitary sewer services to the public and thereby promote and maintain the health, safety, prosperity, security and general welfare of its inhabitants and the people of the County of Jackson, State of Mississippi.

*Section 4. Fiscal Period*

The Fiscal Period shall be deemed to be from October 1 through September 30 for each year.

ARTICLE II

MEMBERSHIP AND OFFICERS

*Section I. Membership*

Pursuant to Section 2 of the enabling legislation, the powers of the utility District shall be vested in and exercised by a Board of Commissioners consisting of five (5) members to be appointed by the Board of Supervisors of Jackson County. The Operation, management, subsequent possible annexation, abolition or dissolution of such district, and all other matters in connection therewith, shall be vested solely and only in the Board of Commissioners. All members of the West Jackson County Utility District shall abide by and uphold all laws of the State of Mississippi while conducting District Business

*Section 2. Election of Officers*

There shall be elected from the Board of Commissioners of the Utility District a Chairman, a Vice-Chairman, and a Secretary-Treasurer, provided that at the election of the Board of Commissioners, the duties of the Secretary may be performed by a non-member of the Board. During the regular meeting in September, the Board will elect officers for the following fiscal year.

*Section 3. Attendance*

Should a Commissioner fail to attend three consecutive Board meetings or four meetings in a three-month period, except in the case of illness, his or her position may be declared vacant and at the discretion of the Board of Commissioners, they may request the Board of Supervisors replace this Commissioner.

*Section 4. Vacancies*

a. Should one of these offices (Chairman, Vice-Chairman, Secretary-Treasurer) become vacant, the Board of Commissioners shall elect a successor at its next regular meeting.

b. In the event of resignation of a Board member prior to the unexpired term of office, the Chairman shall notify the Board of Supervisors for an appointive replacement.

*Section 5. Duties of Officers*

The duties of the officers shall be as follows:

a. Chairman

The Chairman shall be the chief executive officer of the Board of the Utility District.

The Chairman shall call and preside at all regular and special meetings of the Board. He/she shall appoint the members of all Committees and shall be an ex-officio member of all such Committees. At each meeting, the Chairman shall submit such recommendations and information as he may consider proper concerning the business of the Utility District.

b. Vice-Chairman

The Vice-Chairman shall preside at meetings and perform the duties of the Chairman in the absence or incapacity of the Chairman. He/she shall perform such other duties as may be assigned by the Chairman or by the Board.

c. Secretary-Treasurer

The Secretary-Treasurer shall attend all meetings of the Board, shall assure the maintenance of documentation attesting to the appointment of each member and the maintenance of a complete record of all meetings, hearings and other transactions of the Board, including the minutes of the regular and special meetings of the Board, and shall perform such other duties as may be required by law, or by Board Order of Resolution. He/she shall assure the proper care and custody of all funds of the Utility District and shall assure deposit of all funds in the name of the Utility District in such bank or banks as the Board may select; he/she shall assure the keeping of regular books of accounts showing receipts and disbursements and shall assure the rendering to the Board at each regular meeting of an account of all transactions and of the financial condition of the Utility District.

*Section 6. Motioning, seconding, and voting by the Chairman*

The Chairman may make motions or second motions and vote on any motion during any regular or special meetings.



## ARTICLE III

### MEETINGS

#### *Section 1. Meetings*

The Commissioners are authorized to meet in executive or closed sessions. Any Meeting by the Board may be accomplished in whole or in part by telephonic conference call or other electronic communication.

The regular meetings of the Board of Commissioners shall be held on the 1<sup>st</sup> and 3<sup>rd</sup> Thursday of each month at the Utility District's office at 7200 McCann Road, Biloxi, Mississippi, and shall be held at 9:00 A.M., unless otherwise posted. The regular meeting of the third Thursday in September shall be the annual meeting for election of officers.

Special meetings of the Utility District may be called by the Chairman on his own initiative and shall be called by him upon request of one or more of the Board's membership. All members shall be notified by the most expeditious means possible, at least twenty-four (24) hours in advance (with confirmatory notice, with purpose and agenda, in writing). Notice of special meetings shall be posted on the District's website located at [www.wjcu.com](http://www.wjcu.com). Customers may sign up for email or text alerts for any special meeting notices.

#### *Section 2. Quorum*

A quorum shall consist of currently appointed Board members as specified in the following Chart:

APPOINTED COMMISSIONERS	QUORUM NEEDED
5	3
4	3
3	2
2	If two or less, no board action can be taken.

*Section 3. Agenda*

An agenda, with appropriate supporting information, will be prepared and furnished each member prior to the regular meeting; at least twenty- four (24) hours prior to the meeting, if at all possible.

*Section 4. Minutes*

The minutes of all regular and special meetings of the Board shall be furnished to each Board member prior to the next regular meeting.

*Section 5. Order of Business*

The order of business at regular meetings shall be

1. Call to order;
2. Invocation / Pledge of Allegiance;
3. Changes to Meeting Agenda;
4. Community Input from members of the public;
5. Consent Agenda;  
    Reading of Previous Minutes Financial  
    Reports  
    Purchase Requisitions  
    Docket of Claims  
    Grinder Station Approvals
6. Old Business;
7. New Business;
8. Correspondence;
9. District Operations;  
    Attorney Report  
    Director Report
10. Executive Session (if so moved);
11. Other Business;
12. Adjournment.

*Section 6. Rules of Order*

Robert' s Rules of Order may be waived by the Board as in Article II, Section 6. However, in event of any dispute or conflict, Robert's Rules of Order shall prevail.

*Section 7. Contracts*

The Board may authorize any officer or officers, manager agent or agents of the District, in addition to the officers so authorized by these Bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the District, and such authority may be general or confined to specific instances.

ARTICLE IV

DISBURSEMENT OF FUNDS

*Section 1. Disbursement of Funds*

Except for checks drawn on the petty cash account which is or may hereafter be established by the Board, checks and orders for disbursement of funds shall be signed and countersigned by any two (2) of the Board of Commissioners who are authorized to sign on the account.

*Section 2. Per Diem and Expenses*

a. No per diem and expenses reimbursement shall be payable for attendance at the meetings of the Board of Commissioners, and otherwise only upon prior authorization of the Board

b. No payment shall be made except upon properly completed, signed forms evidencing the authorized expenditure.

c. Advances for expenses to be incurred (except for Privately Owned Vehicle (POV) usage) shall be made at the discretion of the Board of Commissioners.

d. Use of POV's will be reimbursed at the rate allowed by the Internal Revenue Service.

e. All authorized expenditures will be reimbursed at cost. All expenses shall be evidenced by receipt.

# ARTICLE V

## AMENDMENTS

### *Section 1. Amendments*

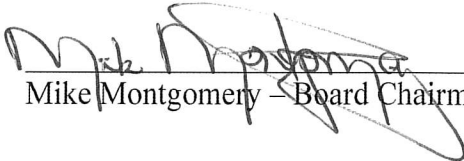
These By-Laws, or any part thereof, may be amended at the pleasure of the Board by a majority vote of the Commissioners present and voting at a regular meeting, provided a quorum is present.

NOTE: These By-Laws supersede By-Laws approved August 12, 1994, as amended on August 11, 1995, October 16, 1995, June 10, 1996, February 11, 2002, August 25, 2003, January 10, 2005, September 27, 2016, April 14, 2022, January 19, 2023, September 07, 2023.

APPROVED BY BOARD ACTION: September 07, 2023.

These articles are hereby adopted as the Amended By-laws of West Jackson County Utility District effective as of the date set forth herein.

Dated: 09-07-2023

  
Mike Montgomery – Board Chairman



Seal

  
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