

# 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 3rd 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.wjcd.com](http://www.wjcd.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 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*

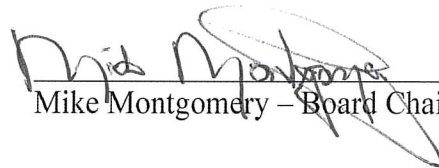
These By-Laws, or any part thereof, may be amended at the pleasure of the Board by a majority vote of the Commissioners present and voting at a regular meeting, provided a quorum is present.

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, November 16, 2023.

APPROVED BY BOARD ACTION: November 16, 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: 11-16-2023

  
Mike Montgomery – Board Chairman



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