



# JACKSON COUNTY UTILITY AUTHORITY

*Serving the People...Protecting the Environment*

## Directors

Thomas Eldridge ▪ Jackson County  
Andrew J. Elly ▪ Moss Point  
William Lanham ▪ Gautier  
Frank Mallette ▪ Jackson County  
Guy Moore ▪ Pascagoula  
Jerry Munro ▪ Ocean Springs  
Rickey Murphy ▪ Jackson County

## Jackson County Utility Authority

Regular Meeting  
Board of Directors  
October 24, 2022

## MINUTES

### 1. Call to Order

The Regular meeting of the Board of Directors convened at 4:00 P.M., October 24, 2022, at 1225 Jackson Avenue, Pascagoula, MS. Board members present were: Director Eldridge, President; Director Murphy, Vice President; Director Elly, Secretary / Treasurer; Director Moore, Vice Secretary / Treasurer and Director Lanham. Directors Mallette and Munro were unable to attend. It was determined there was a quorum.

Also present were: Eric Page, Executive Director; Linda V. Gasaway, Executive Assistant; Chase Glisson, Director of Engineering; Linda Green, Director of Finance; Johnny Groue, Director of Operations; Tara Fulton, HR Manager; James Heidelberg and Myra Cunningham, Authority Counsel; Robert Teem, Arcadis; Doug Wimberly, Neel-Schaffer; Stephen Martin, Michael Baker; Dennis Reeves, Overstreet; Ramona Morgan, City of Gautier; Leah Hinton, Southern Oaks Realty; Marshall and Zachary Raintree, MKAZ Partners; Chuck Starling and Ben Shiphley, Kimley-Horn; Randall Davis, Fenstermaker, and Greg Brown, Pickering.

### 2. Devotion

Mr. Page presented the Devotion

### 3. Pledge of Allegiance

Director Eldridge led the Pledge of Allegiance

### 4. Changes to Agenda, If Any

Director Eldridge asked if there were any changes to the agenda. Mr. Page requested the following items be added: Item 6.D.9. - Jordan Road Phase 3 SRF Facility Plan Public Hearing - Request to Advertise; Item 6.D.10 - POTW-1C (WJCTP) SRF Facility Plan Public Hearing – Request to Advertise; Item 6.D.11. - POTW-2C (GTP) SRF Facility Plan Public Hearing - Request to Advertise; Handout for Item 7.D. - JCUA Odor Study Proposal and requested Item 7.C. - Rainwater Proposed Development Waiver Request - Ramie Farm Road be addressed following Item 6.A.

### 5. Public Recognition

Director Eldridge recognized Ms. Ramona Morgan, City of Gautier (Item 6.A.); Mr. Marshall Rainwater, MKAZ Partners and Ms. Leah Hinton, Southern Oaks Realty (Item 7.C.). Director Eldridge asked if there were any other Public to be recognized. There were none.

### 6. Discussion Agenda

#### A. Consider – City of Gautier – Capacity Fee Implementation, **Exhibit “A”**

Mr. Page presented this item. Following questions, comments and discussion Director Elly made a motion to Deny this item as presented. Director Murphy seconded the motion. Director Eldridge asked

if there were any other questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

**B. Expenditures**

1. FY-2022 Expenditures, **Exhibit “B”**

2. FY-2023 Expenditures, **Exhibit “C”**

3. FY-2023 EFT Expenditures, **Exhibit “D”**

Following questions and comments, Director Elly made a motion to Approve Items 6.B.1. – 6.B.3. as presented. Director Murphy seconded the motion. Director Eldridge asked if there were any other questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

**C. Information Only – Water Quality Samples June 2022 – September 2022, Exhibit “E”**

Mr. Page presented this item. This was for information only, no action required.

**D. Projects**

1. Consider – Tucker Road PS 6 Sewer Relocation – Hemphill Construction Pay Application No. 15, **Exhibit “F”**

Mr. Page presented this item and deferred to Mr. Chuck Starling with Kimley-Horn for questions and project update. Following questions and comments, Director Moore made a motion to Approve this item as presented. Director Murphy seconded the motion. Director Eldridge asked if there were any other questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

2. Consider – Tucker Road PS 6 Sewer Relocation – Kimley Horn Construction Phase Invoice No. 22627853, **Exhibit “G”**

Mr. Page presented this item and stated that Engineering Staff has reviewed this item and recommends payment. Director Murphy made a motion to Approve this item as presented. Director Moore seconded the motion. Director Eldridge asked if there were any questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

3. Consider – Groveland PS 8 Rehab – Hemphill Construction Pay Application No. 10, **Exhibit “H”**

Mr. Page presented this item and deferred to Mr. Chuck Starling with Kimley-Horn for questions and project update. Following questions and comments, Director Moore made a motion to Approve this item as presented. Director Elly seconded the motion. Director Eldridge asked if there were any questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

4. Consider – Groveland PS 8 Rehab – Kimley Horn Construction Phase Invoice No. 22382559, **Exhibit “I”**

Mr. Page presented this item and stated that Engineering Staff has reviewed this item and recommends payment. Director Elly made a motion to Approve this item as presented. Director Murphy seconded the motion. Director Eldridge asked if there were any questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

5. Consider – South Central Flow Routing to POTW-2C (GTP) – Kimley Horn Facility Planning Invoice No. 22350146, **Exhibit “J”**  
Mr. Page presented this item and stated that Engineering Staff has reviewed this item and recommends payment. Director Murphy made a motion to Approve this item as presented. Director Moore seconded the motion. Director Eldridge asked if there were any questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.
6. Consider – West Regional System Improvements – Phase 2 – T.L. Wallace Construction Pay Application No. 2, **Exhibit “K”**  
Mr. Page presented this item, stated that Engineering Staff has reviewed this item and recommends payment and deferred to Mr. Greg Brown with Pickering for questions and project update. Director Murphy made a motion to Approve this item as presented. Director Moore seconded the motion. Director Eldridge asked if there were any questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.
7. Consider – West Regional System Improvements – Phase 2 – Pickering Design Phase Invoice No. 0092025, **Exhibit “L”**  
Mr. Page presented this item, stated that Engineering Staff has reviewed this item and recommends payment and deferred to Mr. Greg Brown with Pickering for questions and project update. Following questions and comments, Director Elly made a motion to Approve this item as presented. Director Murphy seconded the motion. Director Eldridge asked if there were any other questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.
8. Consider – Retail Sewer System Expansion – BMA Facility Planning Invoice No. 24764, **Exhibit “M”**  
Mr. Page presented this item, stated that Engineering Staff has reviewed this item and recommends payment and deferred to Mr. Greg Brown with Pickering for questions and project update. Following questions and comments, Director Murphy made a motion to Approve this item as presented. Director Elly seconded the motion. Director Eldridge asked if there were any other questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.
9. Consider – JRSI3: Jordan Road Phase 3- SRF Facility Plan Public Hearing – Request for Advertisement (Add-On), **Exhibit “N”**  
Mr. Page presented this item. Director Murphy made a motion to Approve this item as presented. Director Moore seconded the motion. Director Eldridge asked if there were any questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.
10. Consider – WJC: POTW-1C (WJC) Treatment Facility Infrastructure Improvements SRF Facility Plan Public Hearing – Request for Advertisement (Add-On), **Exhibit “O”**  
Mr. Page presented this item. Following questions and comments, Director Lanham made a motion to Approve this item as presented. Director Murphy seconded the motion. Director Eldridge asked if there were any other questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.
11. Consider – SCWW- South Central Wastewater Flow Routing to POTW-2C (GTP) SRF Facility Plan Public Hearing – Request for Advertisement (Add-On), **Exhibit “P”**  
Mr. Page presented this item. Following questions and comments, Director Moore made a motion

to Approve this item as presented. Director Murphy seconded the motion. Director Eldridge asked if there were any other questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

**7. Administrative Items**

**A. Consider – RFP Backup & Disaster Recovery Storage for Computer System, Exhibit “Q”**

Mr. Page presented this item. Director Murphy made a motion to Reject all bids as requested by staff and as presented. Director Elly seconded the motion. Director Eldridge asked if there were any questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

**B. Consider – FY-2023 First Quarter Disposal Request, Exhibit “R”**

Mr. Page presented this item. Following questions and comments, Director Murphy made a motion to Approve this item as presented. Director Moore seconded the motion. Director Eldridge asked if there were any other questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

**C. Consider – Rainwater Proposed Development Waiver Request – Ramie Farm Road, Exhibit “S”**

Board recognized Mr. Marshall Rainwater. Mr. Rainwater presented his request for a Development Waiver. Following questions, comments and discussion, Director Lanham made a motion to Approve Mr. Rainwater’s request to not be compelled to connect until such time as service is more readily available. Director Murphy seconded the motion. Director Eldridge asked if there were any other questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

**D. Consider – JCUA Odor Study Proposal ([Handout](#)), Exhibit “T”**

Director Eldridge requested this item be moved to Executive Session due to possibility of Litigation.

Following discussion in Executive Session, Director Murphy made a motion to Approve this item as presented. Director Moore seconded the motion. Director Eldridge asked if there were any other questions or comments, there were none. Motion Failed with two (2) Yea Votes and three (3) Nay Votes – Directors Murphy and Moore voted Yea and Directors Eldridge, Elly and Lanham voted Nay.

Director Eldridge made a motion that Staff present several options for a revised Odor Study at 11/14/22 Board Meeting. Director Lanham seconded the motion. Director Eldridge asked if there were any questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

**E. Information Only – Letter of No Exception for Permit Renewal – Communny St., Pascagoula, Exhibit “U”**

Mr. Page presented this item. This was for information only, no action required.

**F. Information Only – Letter of No Exception for Permit Renewal – Bayou Casotte, Pascagoula, Exhibit “V”**

Mr. Page presented this item. This was for information only, no action required.

**G. Information Only – Financial Update – October 1, 2021 thru August 31, 2022, Exhibit “W”**

Mr. Page presented this item. This was for information only, no action required.

H. Consider – 2022 Upcoming Holiday Season – Governor’s Proclamation, **Exhibit “X”**

Mr. Page presented this item. Director Elly made a motion to Approve this item as presented. Director Murphy seconded the motion. Director Eldridge asked if there were any questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

I. Consider – Revised December Board Meeting Schedule Due to Christmas Holiday, **Exhibit “Y”**

Mr. Page presented this item. Director Murphy made a motion to Approve this item as presented. Director Moore seconded the motion. Director Eldridge asked if there were any questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

8. Board Attorney Items

A. Attorney Items

Counsel updated the Board on Attorney matters and requested Executive Session for litigation purposes. No Board action was taken.

B. Consider – LOC Note 2022 – Engagement Letter, **Exhibit “Z”**

C. Consider – LOC Note 2022 – Engagement Resolution, **Exhibit “AA”**

D. Consider – LOC Note 2022 – Intent Resolution, **Exhibit “AB”**

E. Consider – LOC Series 2022 – Disclosures by Placement Agent, **Exhibit “AC”**

Counsel presented items 8.B. – 8.E. Following questions, comments and discussion, Director Murphy made a motion to Approve Items 8.B. – 8.E. as presented. Director Moore seconded the motion. Director Eldridge asked if there were any other questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present. Vote was taken by Roll Call, motion carried with all Board Members present voting Yea.

9. Director Items

Director Moore updated the Board regarding the recent Audit Committee Meeting with the Auditors.

10. Executive Session (Requested for Litigation and Personnel Issues)

At 5:41 P.M., Director Elly made a motion to go into Closed Session regarding Personnel and Legal matters for possible Executive Session. Director Lanham seconded the motion. The motion carried with a unanimous vote by the Board Members present.

The meeting closed to determine reasons for need of Executive Session. In Closed Session it was determined there was a need to go in to Executive Session.

At 5:44 P.M., Director Elly made the motion to come out of Closed Session. Director Lanham seconded the motion. The motion carried with a unanimous vote by the Board Members present.

At 5:44 P.M., Director Elly made a motion to go into Executive Session. Director Lanham seconded the motion. The motion carried with a unanimous vote by the Board Members present.

In attendance were: Directors Eldridge, Elly, Lanham, Moore and Murphy; Mr. Page, Mr. Groue, Mr. Heidelberg and Ms. Cunningham.



At 6:12 P.M., Director Elly made a motion that the Board come out of Executive Session and resume Regular Session. Director Murphy seconded the motion. The motion carried with a unanimous vote by the Board Members present.

No business was undertaken in Executive Session.

At 6:12 P.M., the meeting was re-opened to the public and regular session resumed.

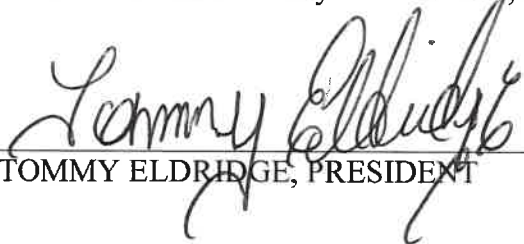
**11. Consider – Resolve to Settle Aeromix-Hemphill Lawsuit**

Director Elly made a motion to Resolve to Settle Aeromix-Hemphill Lawsuit with terms provided by JCUA Legal Counsel and JCUA to keep retainage in the amount of \$21,925.38. Director Murphy seconded the motion. Director Eldridge asked if there were any questions or comments, there were none. Motion carried with a unanimous vote by the Board Members present.

**12. Adjourn**

There being no further business to come before the Board, Director Elly made the motion to adjourn. Director Murphy seconded the motion. The motion carried with a unanimous vote by the Board Members present. The meeting adjourned at 6:28 .P.M.

WITNESS OUR SIGNATURES as approval of these Minutes on this 14<sup>th</sup> day of November, 2022.

  
\_\_\_\_\_  
TOMMY ELDRIDGE, PRESIDENT

  
\_\_\_\_\_  
ANDREW J. ELLY, SECRETARY/TREASURER