

**MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE
PEARL RIVER VALLEY WATER SUPPLY DISTRICT HELD ON
THURSDAY, AUGUST 15, 2013 AT 9:30 A.M. IN THE
DISTRICT'S MAIN OFFICE BOARD ROOM
RIDGELAND, MS**

The regular meeting of the Board of Directors of the Pearl River Valley Water Supply District was held at 9:30 p.m., on Thursday, August 15, 2013 at the District's Main Office, Ridgeland, MS.

Members Present: Jim Carraway, Larry Castle, Billy Cook, Phillip Crosby, Kenny Latham, Jack Winstead, Bruce Brackin, John Arledge, Shannon Armstrong, John Pittman, W. C. Gorden, Tedrick Ratcliff, Samuel Mitchell

Members Absent: Trey Bobinger

Others Present: John Sigman, Greg Burgess, Jim Tohill, Craig Hunt, Susan McMullan, Perry Waggener, Cindy Ford, Bobby Cleveland, Steve Clark, Jerry Bounds, Jason Temple, Phil Hunt, Linda Horton, Kurt Gruneberg, Gary Light, Jerry Slack, Bruce Willy

Board President Jack Winstead called the board to order at 9:30 a.m.

President Winstead asked for the review of the minutes of July 2013.

Upon review of the minutes of a regular meeting of the Board of Directors held on July 2013, a motion was made by Mr. Phillip Crosby for the minutes to be approved as presented. Mr. Tedrick Ratcliff seconded the motion. The vote was as follows: For: Arledge, Armstrong, Brackin, Castle, Carraway, Cook, Crosby, Gorden, Latham, Mitchell, Pittman, Ratcliff, and Winstead Abstained: None. Against: None. **MOTION CARRIED UNANIMOUSLY.**

President Winstead then gave the floor Chief Waggener for the introduction of Justin Chad McLain and Stephen Christopher Rast as officer candidates for commissioning.

Jim Tohill then presented Justin Chad McLain as an Officer of the Reservoir Police. Based on information presented, the Board made a finding that Mr. McLain has completed the educational training requirements of a course of study, prescribed and conducted by the Mississippi Law Enforcement Officers' Training Academy, is of good moral character and has not been convicted of any crime involving moral turpitude, and that he is qualified to be commissioned as a Police Officer of the Pearl River Valley Water Supply District pursuant to "Pearl River Valley Water Supply District Security Act of 1978" upon taking the Oath of Office. Upon recommendation of the Police Chief and General Manager, a motion was made by Phillip Crosby seconded by Billy Cook, that Mr. McLain be so commissioned as an Officer of the District police and that his commission with the Oath endorsed upon it shall be entered in "Exhibit to Minutes" file, thereby becoming a part of these minutes. The vote was as follows: For: Arledge, Armstrong, Brackin, Castle, Carraway, Cook, Crosby, Gorden, Latham, Mitchell, Pittman, Ratcliff, and Winstead Abstained: None. Against: None. **MOTION CARRIED UNANIMOUSLY**

Jim Tohill then presented Stephen Christopher Rast as an Officer of the Reservoir Police. Based on information presented, the Board made a finding that Mr. Rast has completed the educational training requirements of a course of study, prescribed and conducted by the Mississippi Law Enforcement Officers' Training Academy, is of good moral character and has not been convicted of any crime involving moral turpitude, and that he is qualified to be commissioned as a Police Officer of the Pearl River Valley Water Supply District pursuant to "Pearl River Valley Water Supply District Security Act of 1978" upon taking the Oath of Office.

Upon recommendation of the Police Chief and General Manager, a motion was made by Kenny Latham seconded by Larry Castle, that Mr. Rast be so commissioned as an Officer of the District police and that his commission with the Oath endorsed upon it shall be entered in "Exhibit to Minutes" file, thereby becoming a part of these minutes. The vote was as follows: For: Arledge, Armstrong, Brackin, Castle, Carraway, Cook, Crosby, Gorden, Latham, Mitchell, Pittman, Ratcliff, and Winstead Abstained: None. Against: None. **MOTION CARRIED UNANIMOUSLY**

Officers McLain and Rast offered their appreciation for the board's commissioning and expressed their gratitude for the opportunity to serve the community.

President Winstead then asked for a motion for the board to enter into Closed Session to discuss the need to enter into Executive Session to discuss prospective leasing of property.

Mr. Sam Mitchell made the motion to enter into Closed Session to determine the need for an Executive Session to discuss the prospective leasing of District property. Mr. Kenny Latham seconded the motion. The vote was as follows: For: Arledge, Armstrong, Brackin, Castle, Carraway, Cook, Crosby, Gorden, Latham, Mitchell, Pittman, Ratcliff, and Winstead Abstained: None. Against: None. **MOTION CARRIED UNANIMOUSLY.**

President Winstead requested a motion on Executive Session and requested staff and board members remain with the representatives of the developers interested in in the lease.

Mr. Ratcliff then made the motion that the board enter Executive Session to discuss the prospective leasing of Found Rabbit. Mr. John Arledge seconded the motion. The vote was as follows: For: Arledge, Armstrong, Brackin, Castle, Carraway, Cook, Crosby, Gorden, Latham, Mitchell, Pittman, Ratcliff, and Winstead Abstained: None. Against: None. **MOTION CARRIED UNANIMOUSLY.**

Mr. Billy Cook made the motion the group exit closed session. Mr. Bruce Brackin seconded the motion. The vote was as follows: For: Arledge, Armstrong, Brackin, Castle, Carraway, Cook, Crosby, Gorden, Latham, Mitchell, Pittman, Ratcliff, and Winstead Abstained: None. Against: None. **MOTION CARRIED UNANIMOUSLY.**

Mr. John Arledge then made the motion that staff and the District's attorney move forward with publishing Bid No. 154 – Found Rabbit Properties as entered in "Exhibit to Minutes" file, thereby becoming a part of these minutes. Mr. Jim Carraway seconded the motion. The vote was as follows: For: Arledge, Armstrong, Brackin, Carraway, Cook, Crosby, Latham, Mitchell, Pittman, Ratcliff, and Winstead Abstained: Gorden. Against: Castle. **MOTION CARRIED BY MAJORITY.**

President Winstead then called on Kenny Latham, Chair of Park Policy to give his committees report.

Chairman Kenny Latham stated that Park Policy Committee had two (2) items for the board.

Chairman Latham then asked for presentation of the request to accept Engineering Proposal for Electrical Improvements at Lakeshore Park.

Mr. Greg Burgess explained the scope of work included with the project. Mr. Burgess stated that the changes needed were in line with the recent work completed at Old Trace Park. Mr. Burgess presented a proposal from the District's general engineering services consultant for the electrical improvements. Mr. Burgess stated it was staff's recommendation for approval.

Chairman Latham made the motion on behalf of Park Policy Committee that the board approve the proposal as presented to Neel Schaffer and included in the "Exhibits to the Minutes". Mr. John Pittman seconded the motion.

President Winstead asked if there was any comment or question. None were offered.

The vote was as follows: For: Arledge, Armstrong, Brackin, Carraway, Cook, Crosby, Gorden, Latham, Mitchell, Pittman, Ratcliff, and Winstead Abstained: Castle. Against: None.
MOTION CARRIED BY MAJORITY.

Chairman Latham then requested the agenda item for increase to CNI fees for the Old Trace Park Electrical Improvements be presented.

Greg Burgess then outlined the request by Neel Schaffer for additional funds above the original "not to exceed" pricing on the Old Trace Electrical Improvements Construction Phase Engineering fees. Mr. Burgess explained the reasoning for the additional engineering fee request and stated that the request was reasonable and appropriate for a change order.

Mr. John Sigman stated his opinion that the increase in fees was warranted and again gave staff's recommendation for approval.

President Winstead asked if there was any additional comment or question. None were offered.

The vote was as follows: For: Arledge, Brackin, Carraway, Crosby, Gorden, Latham, Mitchell, Pittman, and Winstead Abstained: Castle. Against: Cook, Ratcliff, Armstrong.
MOTION CARRIED BY MAJORITY.

President Winstead then asked for the Forestry and Wildlife Committee items to be presented.

Chairman Phillip Crosby asked Mr. Bobby Cleveland to outline the proposed rules and guidelines for the permit hunts.

Mr. Cleveland reviewed the rules and guidelines that had been developed for the permit hunts in the areas below the dam and also on parcels M & N. Mr. Cleveland noted the criteria for the rules were safety first and good hunting secondly.

Chairman Crosby made a motion on behalf of the Forestry and Wildlife Committee to accept the proposed rules and guidelines for the permit hunts as presented. Mr. Kenny Latham seconded the motion. A copy of the rules and guidelines are attached hereto as "Exhibits to the Minutes".

President Winstead asked for any comments or questions. None were offered.

The vote was as follows: For: Armstrong, Arledge, Brackin, Carraway, Castle, Cook, Crosby, Gorden, Latham, Mitchell, Pittman, Ratcliff, and Winstead Abstained: None. Against: None. **MOTION CARRIED UNANIMOUSLY.**

President Winstead then requested the items of the Shoreline Committee presented.

Chairman John Arledge stated the Shoreline Committee had four (4) items for the board.

Chairman Arledge then presented the approval of advertisement and sale of Lot 30 Lake Harbor 2 (211 Harbor Place).

Mr. John Sigman noted the lease on the vacant lot had been returned to the District by the court system. Staff and attorney outlined the minimum bid requirements for the lot, as well as the publication dates for the sealed bid date.

Chairman John Arledge then made the motion on behalf of the Shoreline Committee that the Board approve the advertisement and lease of Lot 30 Lake Harbor 2 (211 Harbor Place), as per staff's recommendations, with a minimum initial payment of \$10,500.00 in accordance with the appraisal included in the "Exhibits to the Minutes." Mr. John Pittman seconded the motion.

President Winstead asked for any comments or questions. None were offered.

The vote was as follows: For: Armstrong, Arledge, Brackin, Carraway, Castle, Cook, Crosby, Gorden, Latham, Mitchell, Pittman, Ratcliff, and Winstead Abstained: None. Against: None. **MOTION CARRIED UNANIMOUSLY.**

Chairman Arledge then requested the Dredge Project be presented.

Mr. Greg Burgess then outlined the revisions made to the scope of work for the dredging project slated for Pelahatchie Bay. Mr. Burgess asked for approval to proceed with the advertisement of bid for the project. It was noted the budget for dredging project will not be changed.

Chairman John Arledge then made the motion on behalf of the Shoreline Committee that the Board approve the advertisement of the revised Dredging Project for Pelahatchie Bay as revised and included in the "Exhibits to Minutes." Mr. John Pittman seconded the motion.

President Winstead asked for any comments or questions. None were offered.

The vote was as follows: For: Armstrong, Arledge, Brackin, Carraway, Castle, Cook, Crosby, Gorden, Latham, Mitchell, Pittman, Ratcliff, and Winstead Abstained: None. Against: None. **MOTION CARRIED UNANIMOUSLY.**

Chairman Arledge then requested the Dam Inspection request be presented.

Mr. Burgess explained that a 3rd party engineering firm, Burns Cooley Dennis, has submitted a proposal for the inspection. The proposal estimates provides the amount not to exceed \$39,500.00, which is \$500 more than last year. Mr. Burgess noted it was staff's recommendation the proposal be approved.

Chairman John Arledge then made the motion on behalf of the Shoreline Committee that the Board approve the proposal for dam inspection as presented. Mr. John Pittman seconded the motion.

President Winstead asked for any comments or questions. None were offered.

The vote was as follows: For: Armstrong, Arledge, Brackin, Carraway, Castle, Cook, Crosby, Gorden, Latham, Mitchell, Pittman, Ratcliff, and Winstead Abstained: None. Against: None. **MOTION CARRIED UNANIMOUSLY.**

Chairman Arledge then noted the next item on the agenda was the approval of the Interlocal Agreement with Rankin County Board of Supervisors Reservoir Community Zoning Overlay District regarding ordinance enforcement. Chairman Arledge noted this agreement had been presented in full at the Shoreline Committee Meeting on the previous Monday, and it was Shoreline Committee's recommendation the Interlocal be approved.

It was noted by John Sigman that this agreement allows Rankin County and the District to work together to continue to improve the District's property and assist in maintaining property values as well as improving public health and welfare. Mr. Sigman also noted the comments from the public had been very positive. Mr. Sigman stated Rankin County would submit the interlocal to the Secretary of State for final approval and target October 1st enforcement date.

Chairman John Arledge then made the motion on behalf of the Shoreline Committee that the Board approve the Interlocal Agreement between Rankin County and the PRVWSD regarding Utility Release Ordinance on Properties Owned or Controlled by the PRVWSD as presented and attached to these minutes as "Exhibits to the Minutes" and consent to the imposition of the ordinance on District property in Rankin County. Mr. Kenny Latham seconded the motion.

President Winstead asked for any comments or questions. None were offered.

The vote was as follows: For: Armstrong, Arledge, Brackin, Carraway, Castle, Cook, Crosby, Gorden, Latham, Mitchell, Pittman, Ratcliff, and Winstead Abstained: None. Against: None. **MOTION CARRIED UNANIMOUSLY.**

President Winstead then asked for the presentation of the Budget and Finance Committee.

Chairman Jim Carraway stated the committee had three police grant items to present for approval. Chairman Carraway asked that the vote for all three be taken together.

Chairman Carraway then asked Chief Waggener to address the board.

Chief Waggener outlined the three grants for acceptance.

Chief Waggener stated that he had received a Dept. of Justice, Public Safety Planning sub-grant 10LR4221 for equipment with a 75/25% match. The total grant amount is \$8,501.50. The equipment to be purchased will include a DVD archival system, five tasers and a flashlight.

Chief Waggener then stated his receipt of two (2) grants from Highway Safety. One grant for \$10,000 under the Occupant Restraint program and a second grant for \$61,981.00 under the Impaired Driver program.

Chairman Carraway made a motion on behalf of the Budget and Finance Committee that the board approve the receipt of the three grants as presented and included within the "Exhibits to the Minutes". Mr. Phillip Crosby seconded the motion.

President Winstead asked for any comments or questions. None were offered.

The vote was as follows: For: Armstrong, Arledge, Brackin, Carraway, Castle, Cook, Crosby, Gorden, Latham, Mitchell, Pittman, Ratcliff, and Winstead Abstained: None. Against: None. **MOTION CARRIED UNANIMOUSLY.**

President Winstead then asked the Executive Committee's report presented.

Mr. Sigman stated the proposed changes to the regulations requested included a seasonal no-wake zone change for the areas up-river. He stated that during winter months the up-river use is limited primarily to fishermen and that there is much less traffic and therefore less need for the no-wake zones.

Mr. Sigman stated staff's recommendations for approval. Mr. John Sigman noted that Park Policy Committee had reviewed the item and given its approval also.

Mr. Tohill noted that staff had determined that an economic impact statement is not required for this amendment and that the regulation would be filed with the Secretary of State in accordance with Administrative Procedures Act for 30 days, with the final regulation to be considered at the October board meeting.

Mr. Billy Cook made the motion for approval of the proposed change to Regulations on Boating, Part 203.C. as presented and included within the "Exhibits to the Minutes". Mr. Phillip Crosby seconded the motion.

President Winstead asked for any comments or questions. None were offered.

The vote was as follows: For: Armstrong, Arledge, Brackin, Carraway, Castle, Cook, Crosby, Gorden, Latham, Mitchell, Pittman, Ratcliff, and Winstead Abstained: None. Against: None. **MOTION CARRIED UNANIMOUSLY.**

Mr. Jim Tohill then noted the regulation to repeal Part 212: Regulations Governing Use, Installation and Testing of Cross Connection Lines. He stated that the proposed repeal had been filed with the Secretary of State for more than 30 days and no comments had been received during the comment period. He also noted that an economic impact statement is not required for this action. Mr. Sigman explained that the Department of Health at one time had required the regulation but that the Legislature had repealed the requirement.

Mr. Billy Cook then made a motion the board adopt the regulation change removing "Part 212: Regulations Governing Use, Installation and Testing of Cross Connection Lines" in its entirety. Mr. Sam Mitchell seconded the motion.

The vote was as follows: For: Armstrong, Arledge, Brackin, Carraway, Castle, Cook, Crosby, Gorden, Latham, Mitchell, Pittman, Ratcliff, and Winstead Abstained: None. Against: None. **MOTION CARRIED UNANIMOUSLY.**

Mr. Jim Tohill then reported that the following regulations had been on file with the Secretary of State for more than 30 days and that the comments received are included in each Director's Board packet. He requested that the comments be reviewed and noted that most of the comments were very positive. Mr. Tohill gave a brief review of all of the proposed regulation changes and stated that the primary purpose was to promote public health, safety and welfare and to maintain the value of state owned property. Mr. Tohill stated that no economic impact statement is necessary for any of the regulations and that a motion for final approval would be in order for the following:

Part 203, Chapter 1: Motor Vehicles, Rule 1.1 Speed Limits

Part 203, Chapter 1: Motor Vehicles, Rule 1.2 Parking

Part 203, Chapter 1: Motor Vehicles, Rule 1.3 Traffic Control at Public Parks of the District

Part 203, Chapter 5: Hunting and Firearms

Part 203, Chapter 12: Rule 12: Camping

Part 204, Chapter 5: Rules

Part 209, Article 7

Mr. Kenny Latham then made a motion that the board adopt the regulation changes, as presented and contained in the "Exhibits to the Minutes", as final regulations. Mr. Billy Cook seconded the motion.

The vote was as follows: For: Armstrong, Arledge, Brackin, Carraway, Castle, Cook, Crosby, Gorden, Latham, Mitchell, Pittman, Ratcliff, and Winstead Abstained: None. Against: None. **MOTION CARRIED UNANIMOUSLY.**

Mr. Tohill reported that the regulations would be final and enforceable thirty days after this final adoption.

President Winstead asked that the monthly audit items be presented.

Chairman Mitchell then presented the per diem and travel expenditures for the month of July 2013 for approval by the Board. Chairman Mitchell stated the Audit Committee did not meet this month, but he had reviewed the expenditures and found them to be in order.

Chairman Mitchell made a motion for approval of the per diem and travel as presented. Mr. W. C. Gorden seconded the motion.

President Winstead asked for any questions or comments. None were offered.

The vote was as follows: For: For: Arledge, Armstrong, Brackin, Castle, Carraway, Cook, Crosby, Gorden, Latham, Mitchell, Pittman, Ratcliff, and Winstead Abstained: None. Against: None. **MOTION CARRIED**

Chairman Mitchell presented the Cash Balance Report for approval by the Board. Chairman Mitchell stated he had reviewed the report and found it to accurately reflect balances.

Chairman Mitchell made a motion for approval of the Cash Balance Report as presented. Mr. Phillip Crosby seconded the motion.

President Winstead asked for any questions or comments. None were offered.

The vote was as follows: For: For: Arledge, Armstrong, Brackin, Castle, Carraway, Cook, Crosby, Gorden, Latham, Mitchell, Pittman, Ratcliff, and Winstead Abstained: None. Against: None. **MOTION CARRIED**

Chairman Mitchell then presented the Claims Docket for approval by the Board. Chairman Mitchell stated he had reviewed the docket and found it to be in order.

Chairman Mitchell made a motion for approval of the Claims Docket as presented. Mr. John Pittman seconded the motion.

The vote was as follows: For: For: Arledge, Armstrong, Brackin, Castle, Carraway, Cook, Crosby, Gorden, Latham, Mitchell, Pittman, Ratcliff, and Winstead Abstained: None. Against: None. **MOTION CARRIED**

Committee Minutes and Miscellaneous Correspondence:

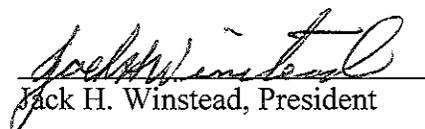
The Board reviewed the committee meeting minutes presented of July 2013.

Chief Waggener reviewed the Police Report for July 2013.

Mr. John Sigman then gave his report as Executive Director. Mr. Sigman noted the lake level of 297.53. Mr. Sigman asked board members to review the newspaper articles and email included in their packages, noting the email praising officer JoAnn Mahaffey. Mr. Sigman also noted within the board members package information regarding the liability coverage for board members of state agencies.

Mr. Sigman asked the Board consider Coal Bluff campground for the location of the September Board Meeting. The Board members agreed to the location change and the change will be posted on the bulletin board. Mr. Sigman noted that the meeting will extend into the afternoon and that lunch would be provided. He said casual dress is encouraged. Mr. Sigman also thanked the Board for their support and continued participation.

There being no further business to come before the Board at this time, the meeting was adjourned.


Jack H. Winstead, President