

**MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF THE
PEARL RIVER VALLEY WATER SUPPLY DISTRICT HELD ON
THURSDAY, FEBRUARY 21, 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 a.m., on Thursday, February 21, 2013 at the District's Main Office, Ridgeland, MS. Jack Winstead, who presided, called the meeting to order.

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

Members Absent: Trey Bobinger, John Pittman

Others Present: John Sigman, Greg Burgess, Jim Tohill, Craig Hunt, Susan McMullan, Perry Waggener, Cindy Ford, Bobby Cleveland, Steve Clark, Jerry Bounds, Dee Mitchell, Jeff Webb, Terry Lovelace, J.K. Stringer Jr., Tami Walgreen, Mike McCollum, Chris Bryson, Walter Richard Neely, Jr., Vu Tran Au, Roy Edwards, Joe Andy Helton, Renee Lawrence

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

President Winstead then asked for the review of the minutes of January 2013.

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

The board attorney stated there were three (3) officers to be commissioned.

Jim Tohill then presented Water Richard Neely, Jr. as an Officer of the Reservoir Police. Based on information presented, the Board made a finding that Mr. Neely 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 Billy Cook seconded by Samuel Mitchell, that Mr. Neely be so commissioned as an Officer of the District and that his commission with the Oath endorse 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, Ratcliff and Winstead Abstained: None. Against: None. **MOTION CARRIED UNANIMOUSLY.**

Jim Tohill then presented Tami Walgreen as a Reserve Officer of the Reservoir Police. Based on information presented, the Board made a finding that Ms Walgreen 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 she is qualified to be commissioned as a Reserve 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 Tedrick Ratcliff, that Ms Walgreen be so commissioned as a Reserve Officer of the District and that her commission with the Oath endorse 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, Ratcliff and Winstead Abstained: None. Against: None. **MOTION CARRIED UNANIMOUSLY.**

Jim Tohill then presented Vu Tran Au as a Reserve Officer of the Reservoir Police. Based on information presented, the Board made a finding that Mr. Au 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 Reserve 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 Billy Cook seconded by Kenny Latham, that Mr. Au be so commissioned as a Reserve Officer of the District and that his commission with the Oath endorse 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, Ratcliff and Winstead Abstained: None. Against: None. **MOTION CARRIED UNANIMOUSLY.**

President Winstead noted the absence of Trey Bobinger from today’s meeting as he is involved in a press conference downtown. President Winstead also noted that the board’s newest member, John Pittman, had a previous commitment and could not attend today.

President Winstead requested Forestry & Wildlife Committee’s business be presented.

Vice Chair Tedrick Ratcliff stated there were two items to be presented for Forestry & Wildlife.

Vice Chair Ratcliff then outlined the 54 acres of four (4) year old pines proposed for wetland mitigation and replant in hardwood. It was noted that the plan still allows for harvest opportunities and the site is not suitable for commercial development.

Vice Chair Ratcliff recommended the approval of the wetlands mitigation as presented for approval. Mr. Samuel Mitchell seconded the motion. The finalized Wetlands Mitigation Agreement shall be entered in "Exhibit to Minutes" file, thereby becoming a part of these minutes.

President Winstead asked for any additional questions or comments.

There was some discussion in the group as to the location of site and age of pine.

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

Vice Chair Ratcliff then presented agenda items for the proposed Timber Sales 1, 2 and 3 and the Proposed Prescribed Burns 1, 2 and 3 as outlined in the Exhibits to Minutes.

Vice Chair Ratcliff noted the committee recommended the approval of Timber Sales 1, 2 and 3, with the modification of Sale No. 2 to reduce spacing to 70 feet and the approval of prescribed burns 1, 2 and 3 as presented. Mr. Billy Cook seconded the motion.

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

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

President Winstead then requested Park Policy Committee's business be presented.

Chairman Kenny Latham stated that Park Policy Committee had four items for the board.

Greg Burgess gave the results of bid for electrical improvements to Old Trace Park. Mr. Burgess stated that Southern Electrical Corp. of MS was the low bidder and recommended approval of contract with Southern Electrical Corp. of MS in the amount of \$122,000.00. Mr. Burgess gave a brief description of the electrical improvements planned for the park.

Chairman Latham made a motion on behalf of Park Policy Committee that the contract be awarded to Southern Electrical Corp of Mississippi in the amount of \$122,000.00. Mr. Billy Cook seconded the motion. The finalized contract Agreement shall be entered in "Exhibit to Minutes" file, thereby becoming a part of these minutes.

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

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

Chairman Latham then presented the proposal from Neel-Schaffer for CEI services for the Old Trace park electrical improvements.

Greg Burgess then outlined the request for Construction Phase Engineering and Oversight Services by Neel Schaffer. The proposal for construction oversight services outlines a not to exceed fee of \$9,700.00.

Mr. Burgess noted that Neel-Schaffer is the pre-selected engineer for general services by the Board.

Chairman Latham made a motion on behalf of Park Policy Committee that the proposal for CEI by Neel Schaffer be accepted with a not to exceed amount of \$9,700.00. Mr. Samuel Cook seconded the motion. The finalized proposal shall be entered in "Exhibit to Minutes" file, thereby becoming a part of these minutes.

President Winstead asked for any additional questions or comments.

Mr. Shannon Armstrong inquired as to the dates of completion for project. Mr. Burgess noted that timing of work is a factor and the desire to have all work completed on the electrical improvements prior to the Independence Day Celebration. Mr. Burgess noted that there is a separate component of work to be completed by Entergy.

Mr. Cook inquired if any change orders requested would be brought to the board for approval. Mr. Sigman affirmed.

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

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

Chairman Latham then presented the agenda item for Phase 2 Improvements to the Boat Ramp at Fannin Landing.

Greg Burgess then outlined the bid opening results for the construction of Phase 2 of Improvements to the Boat Ramp at Fannin Landing. Joe Magee Construction was the lowest bidder with a total bid of \$186,123.00. This amount represents a base bid of \$111,772.50, add alternate one: \$36,000.00 and add alternate two: \$38,350.50. Mr. Burgess noted that this project is funded through a 75/25 cost share with MDWF&P.

Mr. Burgess gave staff's recommendation of acceptance of total bid and contract award to Joe Magee Construction.

Chairman Latham made a motion on behalf of Park Policy Committee that the contract be awarded to Joe Magee Construction for the total bid of \$186,123.00, which represents base bid with add alternates 1 and 2 accepted. Mr. Phillip Crosby seconded the motion. The finalized contract with Joe Magee Construction shall be entered in "Exhibit to Minutes" file, thereby becoming a part of these minutes.

President Winstead asked for any additional questions or comments.

President Winstead asked for the timeline for project completion. Mr. Burgess responded that Phase 2 should be complete in 60 days, or about May 2013. Mr. Burgess noted the floating piers would be placed following the completion of Phase 2.

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

Chairman Latham then presented the agenda item for Modification of MOU with DWF&P.

Greg Burgess then presented the Amendment to Letter Agreement with the Department of Wildlife Fisheries and Parks for the Fannin Landing improvements. Mr. Burgess explained that the amendment clarified the projects phasing and reimbursement under the terms of the grant, which provides for DWF&P funding increase this year from \$200,000 to a new total of \$347,104.00.

Chairman Latham made a motion on behalf of Park Policy Committee that the Modification of MOU with MSDWF&P be approved as presented, pending attorneys review.

Mr. Samuel Mitchell seconded the motion. The finalized modification of MOU shall be entered in "Exhibit to Minutes" file, thereby becoming a part of these minutes.

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

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

President Winstead requested Shoreline Development Committee's business be presented.

Chairman Arledge had seven items to present to the board for consideration.

Chairman Arledge then presented the agenda item for Crafts Center Parking Lot.

Mr. John Sigman explained that in previous months meeting the City of Ridgeland had requested the approval of a modification to Main Harbor Development, LLC's lease and approval of interlocal agreement with the city for a parking lot for the Crafts Center. Mr. Sigman noted that shoreline committee had requested benefit value or services exchange for loss of lease fees for property. Mr. Sigman gave an itemization of District's events at Old Trace Park that could utilize the parking lot. He noted that during large events at the Old Trace Park people park in the fields, ditches, and along the roads. This can be both dangerous to the guests and costly to the District in repairs to property. Mr. Sigman reviewed the improvements to be made to property site and drainage improvements scheduled by the City of Ridgeland that would help the District to lease adjoining properties. He noted the City of Ridgeland would build the lot and maintain.

Chairman Arledge made the motion on behalf of the Shoreline Committee for approval of the lease modification to Main Harbor Development, LLC and approval of interlocal agreement with the City of Ridgeland for Crafts Center parking lot. Mr. Billy Cook seconded the motion. The finalized lease modification and interlocal agreement shall be entered in "Exhibit to Minutes" file, thereby becoming a part of these minutes.

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

Mr. Mike McCollum with the City of Ridgeland noted the city's appreciation and eagerness to get started on the project.

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

Chairman Arledge then presented the agenda item requesting ratification of the General Managers Declaration of Emergency.

Mr. Sigman outlined the circumstances of the water damage experienced at the main office due to a hot water heater explosion and the efforts to repair the after-effects.

Chairman Arledge made a motion on behalf of the Shoreline Committee for ratification of General Manager's declaration of emergency for the repairs to main office from water damage.

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

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

Chairman Arledge then presented the agenda item requesting approval of contract renewal with MSU for aquatic vegetation management.

John Sigman explained the services provided by Dr. Madsen under the MOU with MSU and the continued need for the expertise provided by Dr. Madsen.

Chairman Arledge made the motion on behalf of the Shoreline Committee for approval of the contract renewal with MSU for Aquatic Vegetation Management as presented, pending attorney review. Mr. Kenny Latham seconded the motion. The finalized contract renewal shall be entered in "Exhibit to Minutes" file, thereby becoming a part of these minutes.

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

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

Chairman Arledge then presented the agenda item requesting approval of contract with MSDWF&P for aquatic vegetation spraying services.

Greg Burgess outlined the desire to contract with the DWF&P for vegetative spraying services.

Chairman Arledge made the motion on behalf of the Shoreline Committee for approval of the contract with MDWF&P for Aquatic Vegetation Spraying, pending attorney review. Mr. Billy Cook seconded the motion. The finalized MOU for services shall be entered in "Exhibit to Minutes" file, thereby becoming a part of these minutes.

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

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

Chairman Arledge then presented the agenda item regarding FEMA Flood Maps for Rankin County.

John Sigman explained the intention of staff to submit written protest to FEMA / MEMA with regard to the substantial errors in the flood mapping. Mr. Sigman noted that the flood maps have been proven to be inaccurate and that FEMA is not recognizing the issue. Mr. Sigman stated that this was the opportunity to file protest with FEMA/MEMA.

Chairman Arledge stated Shoreline Committee's desire to have the board of directors send the letter and include all member's signatures. Chairman Arledge noted the item did not require any action.

Chairman Arledge then presented the agenda item of approval of fee extension for engineering services by Mendrop Wages on the Lake Level Operating Plan.

John Sigman explained the process by which the engineering services for hydrological and hydrologic analysis was procured. Mr. Sigman stated the need for additional services, such as having the engineer attend public meetings on the lake level operating plan. Mr. Sigman gave recommendation to approve the fee extension in the amount of \$7,500.00.

Mr. Sigman noted that the report was to be reviewed by a team led by the National Weather Service. The report will be reviewed by experts in the engineering field of hydrology and weather forecasting.

Chairman Arledge made a motion for approval on behalf of Shoreline Committee for the fee extension of \$7,500.00. Mr. Jim Carraway seconded the motion.

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

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

Chairman Arledge and President Winstead agreed to hold the Shoreline Committee item for Executive Session until the end of the regular meeting.

President Winstead then asked Mr. Samuel Mitchell to present the financial items on the agenda.

Chairman Mitchell presented the agenda item for receipt of grant funds for Reservoir Police.

Chief Waggoner gave an outline of the grant application for upgrades to radio system improvements.

Chairman Mitchell made the motion to accept the receipt of \$50,000 grant funds from the Department of Public Safety for radio system improvements. Mr. Billy Cook seconded the motion.

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

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

Chairman Mitchell then presented the per diem and travel expenditures for the month of January 2013 for approval by the Board. Chairman Mitchell stated Audit Committee had not met this month, but that 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. Phillip Crosby seconded the motion.

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

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

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. Billy Cook seconded the motion.

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

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

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 noted that there were some big items on the docket, and asked staff to respond to any questions on the docket items.

The group discussed the fee amounts to be paid to on waste water plant at Leake County Park.

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

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

Committee Minutes and Miscellaneous Correspondence:

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

Chief Waggener reviewed the Police Report for January 2013.

Mr. John Sigman then gave his report as Executive Director. Mr. Sigman gave the current lake level of 297.58.

Mr. Sigman noted the 2nd Annual Independence Day Celebration planning had begun.

Mr. Sigman noted the bills active in the legislature that may impact the District.

President Winstead recognized Mr. J.K. Stringer, Mr. Roy Edwards and Ms. Renee Lawrence, who are in attendance from Rankin County.

President Winstead then asked for the final Shoreline Committee item.

Mr. Billy Cook made a motion to enter Closed Session to discuss the need for Executive Session to discuss two pending litigation matters and the prospective leasing of lands. Mr. Phillip Crosby seconded the motion.

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

Mr. Tohill stated that Cindy Ford and Susan McMullan were to remain with Board for the executive session.

Mr. John Arledge made the motion to enter Executive Session to discuss pending litigation with Safe Harbor and the seawall suit and prospective leasing of land in Lost Rabbit. Mr. Shannon Armstrong seconded the motion.

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

Board enters Executive Session.

Action taken in Executive Session:

Mr. Kenny Latham made a motion to approve the dismissal of lawsuit against Safe Harbor, approval of sale of Safe Harbor to Jeff Webb and partners, with terms and conditions of sale as outlined in agreement attached in the Exhibit to these minutes and the approval of lease assignment to Mr. Webb's group. Mr. Shannon Armstrong seconded the motion.

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

Based on Mr. Tohill's explanation of the pending Lost Rabbit litigation's negative effect on the ability to exercise future options and Susan McMullan's assurance that all option extension fees had been received, Mr. Billy Cook made the motion to approve the extension for one year of the lease option on undeveloped property at Lost Rabbit. Mr. Samuel Mitchell seconded the motion.

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

Mr. John Crosby made a motion the board exit Executive Session. Mr. Billy Cook seconded the motion.

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

Jack H. Winstead, President