

**WEST MADISON UTILITY DISTRICT BOARD OF  
COMMISSIONERS REGULAR MEETING  
March 13, 2018**

BE IT REMEMBERED that the regular meeting of the Board of Commissioners of the West Madison Utility District was duly convened, held and conducted on March 13, 2018, in the Kearney Park Community Center at 443 Livingston Vernon Road, Flora, MS, as follows to wit:

The President of the Board, Larry Bennett, presided and called the meeting to order.

The following members were present:

Commissioner Larry Bennett  
Commissioner Evelyn Brown  
Commissioner Letitia Reeves  
Commissioner Scott Colson  
Commissioner Louvella Lawson - arrived at 6:30

The Board President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Commissioner Brown opened the meeting with a prayer.

**In RE: Approval of the March 13, 2018 Agenda:**

Commissioner Colson motioned and Commissioner Brown second, to approve the Agenda for the March 13, 2018 meeting for the Board of Commissioners of the West Madison Utility District.

The vote on the matter being as follows:

Commissioner Scott Colson Aye  
Commissioner Larry Bennett Aye  
Commissioner Letitia Reeves Aye  
Commissioner Evelyn Brown Aye

The matter carried unanimously and the Agenda for the March 13, 2018 meeting is hereby approved.

**RE: Approval of Consent Items:**

Agenda Items, as follows, to wit:

3. Acknowledgement and acceptance of Attachment #1 regarding Plantation Millworks and Response Letter
4. Acknowledgement and acceptance of Attachment #2 regarding billing policies previously discussed and adopted by the Board.
5. Acknowledgement and acceptance of Attachment #3; acceptance by Rural Dev. of 2017 Annual Report.
6. Acknowledgement and Acceptance of EOM RVS Report for February, 2018
7. Acknowledgement and Acceptance of Financial Statement for January 31, 2018
8. Acknowledgement and Acceptance of Financial Statements for February 28, 2018 and Reconciled Bank Balance of Operating Account as of February 28, 2018
9. Acceptance of the February 13, 2018 Minutes

Pres. Bennett asked for a motion to approve the consent items

Comm. Colson motion to accept and Comm. Brown second. The vote on the matter being as follows:

Commissioner Scott Colson Aye

Commissioner Larry Bennett Aye

Commissioner Letitia Reeves Aye

Commissioner Evelyn Brown Aye

The vote on the matter carried unanimously.

## **RE: Operators Report**

Item #1 Inspection report of February 13, 2018 from the Health Department. We received a rating of 4.3 out of a possible 5.0. The only deficiency was the Water Tank which WMUD is aware of and is currently trying to get funding and a grant.

Item #2, The Engineer has begun the process for the SRF application. Documentation for the Facility Plan is due by July 1, 2018. KT is assuming that the Engineer has also has a copy of the plan. Commissioner Reeves stated that she would make sure that the engineer has a copy. Two things that will happen quickly: the first one is a meeting with the Board members, the Engineers and the SRF group to discuss the project; and by July 1, 2018 a draft of the Facility plan must be submitted. The facility plan is an outline showing what we are planning to do. The Engineer should have this information however one of the Board members should check with Alan Scott to make sure that he is aware of this information. Pres. Bennett made the announcement that Alan Hendrix has resigned from Engineering Services and Alan Scott would now be working on our project. Mr. Hendrix has offered his help if we should need him at no charge to us.

K. T. briefly mentioned Items #3, #4, #5, #7, and #8 and the Board members voiced no questions. KT went back to discuss item #6 regarding rental customers leaving owing big bills. Upon Comm. Reeves' request KT printed a list of customers who left owing money.. He suggested that the Board think about a solution to resolve tenants who move and leave owing more money than the deposit will cover. For example a gentleman moved into a rental house, he paid his \$150.00 deposit but his first bill was for \$200.00. If for some reason he decides to move, then WMUD would be left with a \$50.00 deficit. This same rental has had three tenants since 2015. One tenant left owing WMUD \$340.00 and the second one left owing \$150.00 and now we are starting off with the new tenant owing \$200.00. This is just an example of WMUD is losing money. Comm. Colson wanted to know if this was the only property that has this type of issue? KT responded "no," and if you look thru the report you will see other rentals with the same type of problems that occur over and over again. Pres. Bennett asked if there were any questions for KT, no one had questions.

## **RE: Customers Concerns**

(1) James Wilson - 105 Norris Street

Kay Rethea McField, Mr. Wilson's niece was present to discuss her uncle's water/sewer bill. Since January, 2018, Ms. McField has been attending the Board Meetings regarding a water bill that her disabled uncle received in January, 2018. The original bill



was for \$343.70, which Ms. McField made a payment of \$95.00 toward this bill, which left a balance of \$248.70. Ms. McField had a plumber come out to the house to check for leaks. KT and Mr. JoJo Grammer from MS Rural Water Association also checked for water leaks on the property. There were no apparent leaks inside or outside of the property. Ms. McField is asking that the bill be forgiven because her uncle is unable to pay. Mr. Wilson is on a fixed income of \$779.00 per month. President Bennett stated that 4910 gallons of water usage is the recent bill charges and that she had paid that bill. Therefore, the bill for the February/March period dropped substantially without a change out of the existing meter, which shows that the meter is working correctly.

During the first week of March, KT went to 103 Norris to do a reread on that customer's meter. While at the neighbor's house, he went next door to 105 Norris to Mr. Wilson's residence, and saw that the meter was turning. Ms. McField's brother drove up while he was checking the meter, and KT asked him to go into the house and check to see if any water was running in the house. The brother did not go into the house immediately but went around to the back of the house. The brother came back and told KT that the outside faucet was on in the back of the house and he turned it off. The meter stopped turning. KT said it was any one's guess how long the faucet had been on. When KT called Ms. McField to report his findings she said she went over to the uncle's house and was surprised to see that the ground was not soaked with water. She then called Comm. Reeves and KT, and told both of them the same thing that there was no water in back by the water facet. Assuming that the water was on there should have been some water in and around the area. Pres. Bennett told her that unfortunately we don't know how long the water had been running. She said that if the water had been running then there should have been some mud or standing water or some indication that the faucet was on. Pres. Bennett told her the water usage went from 31,730 in January to 4,910 gallons in February which indicates that the meter is working correctly, and the water went down without any adjustment. Ms. McField interjected, that the Board should remember that the water was still running so the bill should not have come down. Again, Pres. Bennett said we don't know how long the water had been running. KT said, this water bill would not reflect that the water had been running which caused the meter to be turning as it would show up on the next bill. Ms. McField's stated that Mr. Wilson's bills were \$65.00 in January, \$343.00 in February, and \$75.00 in March so she could not understand how her uncle's bill was higher than her bill where she and her daughter lived together. She said she had just recently purchased a washing machine which she showed to KT.

Kay Retha reiterated that she paid \$95.00 on January's bill and wants a hardship, not a payment plan as her uncle cannot afford to be on an installment plan. Comm. Colson asked then who will pay the bill? Pres. Bennett said what WMUD can offer her is a payment plan which is the policy that we offer to all customers.

Bobbie Griffin interrupted and asked if there was a rules and guideline booklet that is available to the public because she has deep concerns about quite a few issues going on. She said she was trying to learn about the protocol and procedures for WMUD. Also she would like to know how could the customers get something else put in place. Comm. Reeves said that "yes, there is a policy book, but WMUD is in the middle of updating it to incorporate procedures and rules that it has adopted per its Minutes." It would be best to wait until everything has been put in place and then a copy will be provided to Ms. Griffin as the original set of Rules and Procedures was based on a generic form given to WMUD by



the Mississippi Rural Water Association and now that WMUD Board members have more knowledge regarding WMUD and laws governing its action that an updating process is currently being performed.

Pres. Bennett said if he remembers correctly, the statute for a utility district such as WMUD does not allow to write off bills. Comm. Reeves confirmed that we fall under the same requirements as a municipality where WMUD cannot write off or forgive bills. The customer said she has been doing research with other water utilities and that is not the case. Comm. Reeves said she has also done research about other water district policies. Larger water districts that bring in a lot more money can suck up the loss and may write off customers bills because they have other things that is bringing money into the company. However, the only money that WMUD get is from the customers. Also, WMUD is a "utility district" established through the "Board of Supervisors" and is viewed as a subdivision of Madison County, unlike a lot of other water districts. It all depends on how they are set up, as a municipal water district, rural water district, etc. Bobbie Griffin asked if this ruling falls up under MS Rural Development? Comm Reeves replied no; the MSRD has not provided that information to her but we have been told that whatever we do, we must be consistent with all customers. If we have a payment plan set-up, which is a good thing to do, this will show that we are working with the customers to help them. Comm. Reeves went on to say, there are quite a few charity organizations that will step-in and help people who have hardships. Commissioner Reeves also told Ms. McField that she had a stack of charitable organizations that she had located that would assist people in need within a community and gave the information to Kay Retha McField.

Ms. McField stated that WMUD is a company owned by the people. Pres. Bennett corrected her by saying WMUD is a district, not an association. Ms. McField went on to say, "yes, we are a district, however if a person doesn't pay their water bill then what will happen? Comm. Colson stated, " that person's water will be cut-off". Her response to that was "so if the whole neighborhood let their water be cut-off then WMUD could not operate". So what will happen if there is no money coming into the company? You all (Board Commissioners) are suppose to be helping the customers. " Comm. Reeves stated the Board of Commissioners are there to make sure the district runs efficiently and provide good quality water. Ms. McField again said, "that's right, if we (customers) don't pay our water bill, then how can you run the company?" Comm. Reeves responded by saying that we are doing just like any other water company by managing it so it doesn't go under. Pres. Bennett asked her what was she "driving at"? Ms. McField response was "you all gave a \$20.00 increase and the customers don't get any assistance." When I went over to Canton to the Supervisor's Board meeting, they said "we (customers) should have fought against the increase". Comm. Reeves said no, only Paul Griffin made that statement and not all of the supervisors, and Supervisor Griffin is not aware of why that decision was made. Ms. McField acknowledged that Paul Griffin made the statement, but if enough customers go to the supervisors meeting continuously then the WMUD Board of Commissioner would have to come over to Canton and state the facts. Pres. Bennett interjected by saying "you said we haven't done anything to help the customers, but we have offered the customers payment plans, rereads on the meters and we have replaced meters. This water system is more reliable today than it was five years ago. Therefore, we are doing things for the customers." Again Ms. McField restated that she could accept a five, ten, or twenty dollars increase; but not when the bill is increased up to \$300.00 plus dollars. "I was at one of the Board meetings when KT said, if you have a leak and can bring in proof that the leak was



repaired, then an adjustment may be made". If you check past minutes you will find that statement. But he doesn't have a leak so what is there to adjust? When a bill goes from three hundred and some odd dollars for one month, then the next bill has dropped down to \$75.00, then I can't see that. Comm. Colson said we don't know where the water is going and it cannot be determined where the water is going all we know is the water did go thru the meter. Ms. McField informed Comm. Colson she was not talking to him because he had a bad attitude, he wasn't part of the community and he didn't care what happened with the customers and whenever he responded to anything it was negative. She said she was talking to the President and she did not want to talk to him. Pres. Bennett informed Ms. McField that everyone on the Board was there in the interest in the community and she was out of order. Ms. McField said she was sorry, but Comm. Colson was also out of order because every time he speaks it is in a loud tone. Pres. Bennett asked her if she was through speaking and she said yes. Commissioner Bennett then repeated WMUD's policy regarding installment plans. Also, in reviewing the history of Mr. Wilson's bills, they tend to fluctuate by going up and down. The meter has been examined by KT and Mr. JoJo Grammer with the Mississippi Rural Water Association, and it was determined that the meter was in good working order. Therefore, it can only be assumed that the water did go through the meter, and the customer must assume responsibility once the water goes through the meter. Is that not a reasonable assumption? Ms. McField said no, because there were people working and putting flags down or doing something at 103 Norris as she had explained to KT, and asked him if he had called anyone to work on the water pipes next door to Mr. Wilson. She found out that they were from C-Spire and they had called the WMUD regarding water pipes. Pres. Bennett said the bottom line as much as she doesn't like it is that the customer must be responsible for paying the bill.

Comm. Brown said she would like to interject something from the former discussion in February, 2018. Ms. McField had a comparison of water bills of February and January. The water bill from January was high because there had been a leak in the back of the house according to KT. That bill was paid but know the February bill is higher and after being inspected there were no leaks so how can the bill from February be higher than the January bill that had leaks? Therefore, Ms. McField was asking for a reduction in the bill. What the Board had said in February was we would bring the matter up for consideration at the March meeting so the reduction of bill is what should have been brought forth at this meeting. Pres. Bennett said WMUD does not have a policy to reduce bills unless the customer can show proof that the water was leaking and it has been repaired then consideration to reduce the sewer portion of the bill may be given. Comm. Brown said maybe we should look at adjusting the sewer part of the bill since there was no visible evidence, i.e., no water or mud was on the ground where the water faucet is located. Perhaps the Board should discuss exception to rules for water usage, especially when you cannot find any justification for the higher bill. As KT has said before, he cannot tell you where the water went and I cannot tell you where the water went. Comm. Reeves said if we made an exception for Ms. McField then we would have to go back and make the exception for all the customers. Comm. Brown said no we don't have to go back but going forward this could be an amendment to the policy. Comm. Reeves said that it was not in WMUD's best interest to do this and would open it to liability. All we are supposed to do is verify that the meter is working correctly and that WMUD made no errors in billing.

Bobbie Griffin interrupted by stating that moving forward as of now there should be something set in place, a discussion about exceptions so when these things/issues come up



there would be a solution. Because "God said the poor will always be with you"....Comm. Reeves interjected that is what the churches are for....customer said hold on we are the church, (the people). Bobbie Griffin went on to say "we (customers) are not there looking for a handout or charity, but she was trying to get a clearer understanding of the policy and not be part of a problem, but to be part of the solution. The way the Board is running WMUD is insane. KT is a one man show, you have got him running any and every thing with no accountability. Who is going to hold him accountable for what he should or shouldn't be doing? When he say he has done it, did he really do it? Who is checking?" Comm. Reeves said the number one complaint that all of the auditors had about WMUD for years is that it was not accountable. Bobbie Griffin said maybe they didn't want to get involved, but she wants to be involved and know the rules, and regulations and not just hear what the Board thinks or how it feels. Pres. Bennett interjected that first of all, her first false accusation is that KT is not held accountable. KT must turn in paper work for everything that he does, for example, the health inspection that we just had and passed with the exception of the Water Tower which we knew needed repairing. Ms. Griffin responded by saying what she said was not a false accusation. What you said may be false because what you said is paperwork. Anybody can put something down on paper and make it sound good. "I notice how he sits there and talk to you guys and you all just accept it. That's not accountability. No one is going back to check behind him to see if he did do it. I am not trying to say if he is or is not doing a good job; what I'm saying is that the structure is not right. With the small monitoring that I have been doing I can see it is not right. At the last meeting, I asked exactly what does the Health Department look for and I was told there was no testing of the water but it was more operational procedures. Anyone could have done what the Health Department was looking for not just KT." Comm. Reeves said no, anyone could not have done that. Bobbie Griffin replied that she had the information of what was needed during a health inspection. Comm. Reeves said she also had the same information. Comm. Brown said, let's go back to her statement regarding there is an exception to every rule and that this is something that the Board needs to discuss. Therefore, at this time I would like to table the discussion and move on to next item.

Ms. McField continued to speak by addressing Comm. Reeves by saying Commissioner Reeves had changed what she had told her. Comm. Reeves said no, what she had said was she didn't know how Mr. Wilson could use that much water but when the water operator says the meter is correct, then the only option that we have is to go by what goes through the meter. Ms. McField's response was that Comm. Reeves told her that the Board would have to vote on the matter, but know all she is hearing is no, no, no. On the phone last Thursday we had a nice conversation but know it's a "ram-shack" no voting has taken place it's just no, no, no. Comm. Reeves said she did a lot of research what was emphasized the most was that WMUD should stick to its policy. Ms. McField said so today is Tuesday and we spoke on Thursday you have done all of this research. Comm. Reeves assured her that she had spoken to other water district prior to this meeting. Ms. McField asked her why didn't she tell her that on the phone when they spoke on Thursday. Comm. Reeves said there was no need to discuss it via phone at that time. The information is provided to the Board and the Board makes the decision. If we deviate then we can create a very bad situation.. Ms. McField said I am going to let the Board make their decision. His bill was \$74.10 for this month (March), I paid \$95.00 on February's bill. I can't afford to go back and pay anything else. That's all I've got to say. Comm. Reeves asked her was she not willing to look into the list of agencies that she had provided? Ms. McField said she would look into the agencies and see if any could provide help to Mr. Wilson. In Madison county



the agencies will help with electric and gas but not water bills. Comm. Reeves said even if you are not a member, the Catholic Churches provides a lot of help to people. Comm. Reeves wanted to know if the local churches or Kearney Park Citizens Group provides help? Comm. Brown explained that the group was no longer operating at this time. Willie Ellis stated that it had been dissolved due to conflict of interest. Ms. McField stated that she didn't have an attitude and said she apologize if she offended anyone.

Dorothy Moore asked the Board if WMUD would come to her house and remove the trash which was blocking the water flow in the gutter path of her house. During hard rains the trash was causing the gutter ditch to hold water and flood her yard.. Pres. Bennett explained she would need to contact Madison County Road Supervisor to handled that issue. Commissioner Reeves provided the link to the website for Ms. Moore and told her that she needed to talk to the Road Department.

Ms. McField asked if the Supervisor's meeting could be recorded via video. She just wanted to let other people know the attitudes and the way the customers are being treated. Pres. Bennett said, he would check with the lawyer before giving her a yes or no answer.

Willie Ellis wanted to know if David Bishop had said anything about coming to this meeting. Pres. Bennett said that Supervisor Bishop did send his regrets that he would not be able to attend this meeting due to a scheduling conflict.

### **Old Business**

Pres. Bennett stated that when Alan Hendricks was present at the last meeting he had provided duplicate originals of a contract for the Board to review. The contract was given to Jim Herring, WMUD's attorney, for review. Mr. Herring had reviewed the contract and also had another engineer review it as well, and they said the contract was standard and could be signed. It was pointed out, however, that WMUD needed to be aware of the fees to be paid out of the loan funds as are identified in the attachments. If anyone wanted to review the contracts they could. If anyone wanted to look it over and had any questions to please do so asap. Comm. Brown stated that she wanted to review the contract.

Comm. Lawson asked KT if he was aware of the pipe problem at her mother's house located at 118 Compress Street. There is a pipe that lying down on the ground which collects trash and causes a blockage in the clean-out. KT said he was aware of the issue and had been communicating with her sister. Currently it is too wet to fix the problem but as soon as the weather permits he will be working on it.

### **New Business**

Comm. Reeves informed the Board of the upcoming election dates of June 5 and 26, and November 6 and 27. Please make note not to rent the community center on those date. Also, the Monday before election the voting machines would be brought in and picked up on the Wednesday after the election. Comm. Colson said he had received a letter notifying the Community Center would be paid \$300.00 for each election date. Comm. Brown and Comm. Lawson both said in the past no money was ever received. Comm. Reeves said they may have us mixed with some other Madison County water company.

With no other new business to discuss Pres. Bennett notified the public that the Board was going into Executive Session and the customers that were present would have to leave but may return after Executive Session was over.

Executive Session Concluded/Return to Regular Session.

Upon returning from Executive Session the customers were allowed to return to the meeting. Comm. Colson asked Ms. McField to come forward to hear about the decision that had been made regarding Mr. Wilson's water bill. Commissioner Reeves informed Ms. McField that Comm. Colson paid Mr. Wilson's bill out of his own pocket. Ms. McField expressed her appreciation to Comm. Colson.

Pres. Bennett asked if there was anything further to discuss. There was no further discussions. Comm. Colson made a motion to adjourn and Comm. Lawson second. All Board members voted "aye."

West Madison Utility District

By:   
Commissioner Larry Bennett, President

Minutes Prepared by:

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Commissioner Evelyn Brown, Secretary