

WEST MADISON UTILITY DISTRICT BOARD OF
COMMISSIONERS REGULAR MEETING
SEPTEMBER 8, 2020

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 September 8, 2020, 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 Letitia Reeves
Commissioner Scott Colson

Absent
Commissioner Evelyn Brown
Commissioner Valencia Buggs

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

RE: Approval of the September 8, 2020 Agenda

Commissioner Colson motioned and Commissioner Reeves seconded to approve the Agenda for the West Madison Utility District. The vote on the matter being as follows:

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

The matter carried unanimously and the Agenda for the September 8, 2020 meeting is hereby approved

RE: Approval of Agenda Consent Items:

Commissioner Colson motioned to approve the Consent Agenda, Commissioner Reeves seconded the motion. Consent Items listed as follows:

4. Acknowledgement and Acceptance of EOM RVS Report for August, 2020
5. Acknowledgement and Acceptance of the June 30, 2020 and July 31, 2020 Financial Reports

The vote on the matter being as follows:

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

The matter carried unanimously and the Consent Items for the September 8, 2020 meeting are hereby approved.

RE: Contract with Osborn Communications, LLC

Commissioner Reeves made the motion to approve and execute the contract with Osborn Communications, LLC regarding placing its equipment to provide internet service, etc., on the elevated water tank. The motion was seconded by Commissioner Colson. All Commissioners voted "aye" and the matter carried unanimously. The service will be installed no later than November 1, 2020.

RE: Customer's Concerns and Issues

There were no customers attending the meeting with any issues/concerns.

ENGINEER'S REPORT

Morgan Sims stated that the last payment for Stephens Construction for the first part of the SRF project regarding the rehabilitation of the elevated water tank was approved by the Health Department and sent to the Finance Department for review in order for them to wire funds to WMUD to pay the final invoice.

Morgan Sims then addressed the second contract for the SRF project involving the replacement of the galvanized water lines in Magnolia Heights. The project is 75-80 percent complete and there is one road bore and two tie-ins to existing lines to install and then services will be transferred to the new lines. This work should be completed by the end of September.

Commissioner Bennett asked why wasn't the project complete by now. Morgan Sims stated that the delays for completion were due to the unknown condition of the utilities in the ground, hitting existing water lines and rain. Commissioner Bennett then questioned Mr. Sims about what actions were taken to mitigate the shortfalls and accelerate completion of the project. Mr. Sims stated that additional crews and machinery were brought in to assist. Mr. Sims also stated that Center Street was particularly problematic due to the extremely fragile condition of the water lines. Whenever any neighboring dirt was disturbed, the galvanized water lines were so weak that even a minor dirt disturbance caused leaks that had to be repaired. Mr. Sims presented a list of how many leaks/repairs were made to the water lines during the construction.

Commissioner Colson asked whether the lines have been tied into the houses yet. Mr. Sims' stated that the short side services were completed, but not on the long side as an additional boring must be performed.

Commissioner Bennett stated that in reviewing the list of the water line breaks that he could not tell how many times a particular line was directly hit by the contractors in order to determine what was the contractor's fault. Mr. Sims stated that he didn't have that information at this time. Commissioner Bennett then stated that he would like to know how much delay has resulted from the contractor actually hitting the water lines. Kip Allen, the contractor with Jay Bearden Construction was present and addressed the Board. Mr. Allen stated that some breaks were easy to repair while others were not. Out of 27 repairs, they would have to turn off the water which of course generated mud, and then clean the mud out of the way, clean the road, etc., before they could proceed. This easily could have caused two weeks' or more delay in construction time. Mr. Allen stated that they had to make two repairs on Center Street before they even began work due to fragile water lines. They moved in some smaller machinery to take the weight off of the area.

Commissioner Bennett stated that he was sympathetic to the contractor due to the nature of the bad pipes, but he was also sympathetic to the customers who have been on boil water notices for the past three months. Commissioner Bennett stated, "This is unacceptable. We are already two months beyond the forecast completion date and we need the contractor to proceed as quickly as possible and not cause any more issues for our customers. WMUD needs better performance for our customers. They are up in arms about the situation." The contractor has already had to address some issues caused by mud and excess air in the water lines. Mr. Sims stated that we typically don't know how bad things can be until we get into it. We probably should have allowed a 90-day completion date instead of 60-days in hind sight.

Commissioner Colson asked if there was a penalty clause in the contract. Mr. Sims stated that there was but he would have to check the contract to check on the amount as it will be a per day charge after the completion date. Commissioner Colson stated that he was just asking and that at this point he was not stating that WMUD should enforce the penalty.

Commissioner Bennett stated that "Moving forward what do you intend to do to complete the project on time with minimal disturbance to the customers?" Mr. Sims stated that he hoped we would not have those problems anymore but it was something that could not be guaranteed. Commissioner Colson stated that in order to grant another 30-day extension we need to make sure that it will be complete by that date. Commissioner Colson further stated that he felt that a 90-day timeline for completion of the project would have been much more realistic.

Mr. Allen stated that it was possible to hit a line if they didn't know where it was as the lines are not equal distance from the road. They have to "pot hole" the gas line where they can actually see the line, and they have hit it three times. Some of the gas lines are actually under the asphalt and we are not "pot holing" those so we don't have to tear up the asphalt. If the lines are not marked properly, it is difficult to

avoid hitting a line. The smallest bucket on the machine is 17 inches and the water line tends to run from the edge of the road to 3 feet from the edge of the road. Since we are far enough along on construction, the chances of hitting a line is dramatically reduced. When MISS 811 marks all the lines, you are responsible for hitting anything within 18 inches either side of that marked line. So if you have a gas line here, a telephone line here, a water line here, etc., you may have a 5 foot area in which you have to be careful of the possibility of utilities. Some of the lines are not running true and vary from 12 feet to 20 feet.

Commissioner Colson asked if all operators were experienced and if not, was this a possible cause of some of the issues. Mr. Allen stated that some were better at running the larger excavators than others. Also, some have a better "touch" than others so this is one reason he moved in lighter machines. Mr. Allen also stated that under pay application one, they had laid 50 percent of the pipe and on pay application 2 they had laid 30 percent because it was on the other side of the street. St. Charles was a particularly hard area to work. Even with trying to locate and trenching lines with a shovel, if the dirt around the galvanized line is disturbed in any way, the old line tends to develop leaks as it is so old and fragile.

Commissioner Bennet asked how many crews were working now. Mr. Allen stated he had two crews: one is laying the line and one is handling the steel casing bore. Mr. Allen mentioned that there were both 10" and 8" pipe at the park and they had to angle the line a particular way to obtain acceptable water flow. There are also some issues when having to hook the line to the new curb stops as the galvanized part breaks easily and sometimes they have to go all the way back to the collar to repair the line. Mr. Allen stated that they should have the connections to the meters by the end of the month and they will fill the lines and send Health Department samples. Lately, it has taken the Health Dept. 3 weeks to return the sample results, so that could be a delay. We must have the sample results before we can swap over to the new lines but the actual swap over will be quick. We expect to pressure test and provide the Health Dept. samples by the end of September. The swap over will take 1 week to 10 days and then we cap the old line and do our final clean up.

Commissioner Bennet confirmed with the engineer that with the existing extension granted in August expires September 29, 2020. Mr. Allen stated that he felt they would be pulling out by mid-October. Commissioner Colson made a motion to extend the term of the contract through October 16, 2020, and anything beyond that point would incur the penalty fee as stated in the contract, which is a daily penalty charge. The motion was seconded by Commissioner Reeves with all voting "aye." The motion to extend the contract deadline to October 16, 2020 with a daily penalty to begin if not completed by that date was passed.

Morgan Sims provided copies of the inspection reports to Commissioner Bennett.

OPERATOR'S REPORT

1. Water samples submitted in August passed bacteriological standards as established by the Health Department.
2. Magnolia Heights area remains under a boil water notice and the Operator recommends it stay that way until all construction work is completed due to the frequent leaks.
3. Parts were ordered for the manhole installation at the intersection of Hickory and Pecan Street to help alleviate the overflow issues at manhole #38. It should be completed by the October Board meeting.
4. The new construction on the property to the west of WMUD's property has caused an issue. The front house pad sits directly on top of WMUD's concrete 12 inch sewer line. The address on the building permits are 435 and 435B Livingston Vernon Road. The 435B is for the storage building toward the southern part of the property. The Building Permits, #26494 and #26502 are to Eclectus Franklin, builder is Burks Construction and the permit signatory officer was Charles Sills. Permit #26494 is for the house pad.

Since the sewer line is as old as it is, any heavy vibration or weight could cause a leak and WMUD will be unable to access the line as it is under the house pad. This causes a major issue. Morgan Sims, the Engineer, stated that WMUD may have to require the property owner to install a liner inside the concrete pipe in the event of causing leaks.

Commissioner Reeves stated that she would contact the Zoning Administration Office/Permit Office and let them know about the issue. Commissioner Bennett stated that WMUD probably needs our attorney to become involved as this is definitely a problem. Also, the property owner removed some of the boundary line fencing and put up a board fence with a gate accessing WMUD's property. The boundary line fence should not be removed as it is a surveyed boundary line and access through WMUD's property by the adjacent property owner through this area is not acceptable. The gate needs to be removed or WMUD needs to put up something not allowing access through this area.

5. Aaron King's rental at 204 Pine Street had the issue of someone installing their own water meter that WMUD removed. K.T. stated that he contacted Aaron King, who addressed the problem. That was the first instance of tampering with the water meter. Then, it was again tampered with by someone cutting out the "ears" on the curb stop so it couldn't be locked. The Commissioners informed K.T. that he needed to be sure to take pictures of all tampering and contact law enforcement to press charges.

6. K. T. stated that Ray, who works with the County and used to be an employee of WMUD, contacted someone at the Road Dept. and they came out today and evaluated the situation regarding the lift station at The Woodlands. It will require a 40" culvert. Whomever inspected the area stated that they were going to check to see if they had one in stock and if not, would order one and it would take about 2 weeks for it to arrive if it was ordered. Commissioner Reeves stated that the County was also supposed to assist with the erosion of the parking lot near the ditch at the road and Commissioner Bennett stated that there is a place on Windy Hill Road that is caving in. Commissioner Reeves made a motion, seconded by Commissioner Colson, that WMUD prepare a letter to Supervisor Karl Banks regarding the lift station situation, etc., if the culvert was not installed within the next 1-2 weeks. All present voted "aye" and the motion carried.

K. T. Newman stated that he also needed to ask the Board if they wished to rent the Community Center as Dorothy Bennett had informed him that someone wanted to rent it for a wedding in November. The Commissioners all agreed with the Covid19 concerns and unknown future of same, that it is impossible to take any action regarding renting the Community Center at this time.

Commissioner Reeves informed K. T. Newman that the Community Center key was missing from the office and asked if he would please locate it and have it put back in place. K. T. agreed to do so.

Commissioner Colson and K. T. Newman stated that they planned to meet in the next couple of weeks regarding the building approved at the last meeting.

OLD BUSINESS

Commissioners Colson, Bennett and Reeves looked at the topography behind the office and the fire station and the area between both buildings. When it rains, water stands between the buildings and seeps under the wall into the WMUD office and the back of the Community Center. Commissioner Colson stated that he would talk to some contractors about the possible cost of installing some type of concrete drainage ditch between the buildings that could take the water flow out to the low drainage area on the property.

The Commissioners also noted that customers have been putting some of the Community Center tables behind the building when they break. This is something that WMUD has been trying to stop. Commissioner Reeves stated that she would prepare some type of sign to the effect of not putting anything out back and if any tables/chairs break, to please put them by the garbage cans out front.

NEW BUSINESS

None.

Commissioner Bennett stated if there were no more questions someone could make a motion adjourn. Commissioner Colson motioned to adjourn and Commissioner Reeves seconded with all Commissioners voting in favor. The meeting was adjourned.

Minutes Prepared by: Commissioner Letitia Reeves, Vice President