

**MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE  
PEARL RIVER VALLEY WATER SUPPLY DISTRICT HELD ON  
THURSDAY, SEPTEMBER 17 2015 AT 9:30 A.M. AT THE  
DISTRICT'S MAIN OFFICE LOCATED AT  
115 MADISON LANDING CIRCLE, MADISON 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, September 17, 2015 at the District's main office located at 115 Madison Landing Circle, Ridgeland MS.

Members Present: John Arledge, Shannon Armstrong, Trey Bobinger, Bruce Brackin, Jim Carraway, Larry Castle, Billy Cook, Phillip Crosby, W. C. Gorden, Kenny Latham, Samuel Mitchell, and John Pittman

Members Absent: Tedrick Ratcliff and Jack Winstead

Others Present: John Sigman, Mack Cameron, Cindy Ford, Craig Hunt, Susan McMullan, Perry Waggener, Bobby Cleveland, Greg Burgess, Philip Huskey, Jerry Cook, Linda Horton

Board Vice President Samuel Mitchell called the board to order at 9:30 a.m.

Vice President Mitchell asked for review of the minutes of August 20, 2015.

Upon review of the minutes of a regular meeting of the Board of Directors held 20 August 2015, a motion was made by Mr. Billy Cook for the minutes to be approved, with typographical error corrected as noted. Mr. Kenny Latham seconded the motion. The vote was as follows: For: Arledge, Armstrong, Bobinger, Brackin, Castle, Carraway, Cook, Crosby, Gorden, Latham, Mitchell, and Pittman. Abstained: None. Against: None. **MOTION CARRIED UNANIMOUSLY.**

Vice President Mitchell then asked for the Shoreline Development Committee's items presented.

Chairman John Arledge asked for the first agenda item regarding Lot 23 Windrose.

Mr. John Sigman reviewed the current offer for Lot 23 Windrose Subdivision. Mr. Sigman outlined the District had been in possession of the unimproved lot since 2009. Mr. Sigman noted that the District had an offer on the property in 2014 that was withdrawn. Mr. Sigman stated that the appraiser had provided his opinion that the offer of \$27,500.00 for the lot was a fair offer in the current market. Mr. Sigman gave staff's recommendation of approval of the sale of the lot at \$27,500.00 with up to \$1000.00 in closings costs.

Chairman Arledge made a motion on behalf of the Shoreline Committee to the sale of Lot 23 Windrose Subdivision for \$27,500.00 with up to \$1000.00 in closing costs, as presented. Mr. Trey Bobinger seconded the motion.

Vice President Mitchell asked for any additional comments or questions.

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

Chairman Arledge then asked Mr. Sigman to present the next agenda item.

Mr. Sigman stated that in consideration of the recent Attorney General's opinion on littoral rights of waterfront properties, staff has developed a policy for future boathouse and pier construction, remodeling or repairs. Mr. Sigman asked that the Board review the policy. He gave staff's recommendation to adopt the proposed Boathouse and Pier Policy as provisional

policy for enforcement and recommended posting the policy for public comment for a 30 day period prior to the Board's final approval. The policy proposed for review is as follows:

1. Each waterfront lot has certain littoral rights as outlined in the attached Attorney General's opinion dated August 21, 2015.
2. Boat houses and piers must comply with the subdivisions covenants, the master lease or individual lease.
3. The subdivision's Architectural Review Committee shall approve the boathouse and/or pier plans. Boathouses and piers must be architecturally compatible with the other structures in the neighborhood.
4. Boathouses must not infringe on the vista of nearby leaseholders.
5. Boathouses and/or piers shall not be constructed so as to block a navigational channel.
6. Boathouses shall not contain living quarters, be used as a residence or residential rental property.
7. A building permit is required for all boathouses and/or piers.
8. Boathouses and/or piers shall not extend more than 25' from the water side lease line and must be constructed between the projected side lease lines of the residence.

Chairman Arledge made a motion on behalf of the Shoreline Committee adoption of the proposed boathouse and pier policy, as presented, as a provisional policy and posting same for public comment for a 30 day period prior to final adoption by the board. Mr. John Pittman seconded the motion.

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

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

Chairman Arledge then presented the item regarding Lot 9 Windrose.

Mr. John Sigman outlined the previous request and subsequent approval of the leaseholders of Lot 9 Windrose Subdivision to receive an easement in order to build a boathouse adjacent to their property. Mr. Sigman noted that this easement is what brought the discrepancy of waterfront lots boathouses and piers to staff's full attention. Mr. Sigman explained that staff began to research other properties, leases, building permits, covenants, etc. and found the lack of historic continuity in the application or enforcement with regard to boathouses or piers, which lead to the request for the Attorney General's opinion.

Mr. Sigman stated that in light of the Attorney General's opinion, staff feels that the easement for Lot 9 Windrose should be rescinded and the fees associated to same should be refunded.

Chairman Arledge made a motion on behalf of the Shoreline Committee to approve the refund fees and rescind easement on Lot 9 Windrose Subdivision for the boathouse and pier, as presented. Mr. John Pittman seconded the motion.

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

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

Chairman Arledge asked for the presentation of dam inspection item.

Mr. Greg Burgess then outlines the request for approval of a formal dam inspection proposal from Burns Cooley Dennis in an amount not to exceed \$34,000.00. Mr. Burgess noted

that this engineering firm was previously selected by the District as its geotechnical engineer. Mr. Burgess gave staff's recommendation for approval.

Chairman Arledge made a motion on behalf of the Shoreline Committee to approve the proposal for formal dam inspection by Burns Cooley Dennis for an amount not to exceed \$34,000.00. . Mr. John Pittman seconded the motion.

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

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

Chairman Arledge then asked for the item regarding bridge inspection.

Mr. Greg Burgess outlined the proposal for bridge inspection by Neel Schaffer. Mr. Burgess explained that the District is required to have inspections on the three bridges the District owns. The proposal presented is for an amount not to exceed \$18,600.00. Mr. Burgess noted that Neel Schaffer is the Districts selected structural engineer.

Chairman Arledge made a motion on behalf of the Shoreline Committee to approve the Neel Schaffer proposal for bridge inspection for an amount not to exceed \$18,600.00. Mr. Trey Bobinger seconded the motion.

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

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

Vice President Mitchell then asked for the Parks Policy Committee agenda item.

Chairman Kenny Latham introduced the one Parks Policy item.

Mr. Craig Hunt reviewed the request to approve advertisement for construction bids for the new bathhouse at Timberlake. Mr. Hunt outlined the scope of the work for the proposed bathhouse with the committee.

Chairman Latham made a motion on behalf of Parks Policy Committee to approve the advertisement for construction bids for the boathouse at Timberlake Campgrounds as presented. Mr. Bruce Brackin seconded the motion.

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

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

Vice President Mitchell asked for the monthly Audit items.

Chairman Billy Cook asked for the presentation of the first grant item.

Chief Waggener presented the MS Justice Assistance Grant in the amount of \$7,478.00 for approval. Chief noted the grant funds would be used to purchase MSWIN radio system for the main office. Chief also explained the grant was 100% funded, with no match.

Chairman Cook made a motion on behalf of the Audit Committee to approve the MS Justice Assistance Grant in the amount of \$7,478.00 as presented. Mr. Kenny Latham seconded the motion.

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

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

Chief Waggener then presented the Bureau of Justice Assistance 2015 Bulletproof Vest Partnership grant approval for \$8,421.55. Chief noted that the grant would pay for about half of the cost of bullet proof vests for each officer. Chief stated that the grant allows for the vests to be rotated out of commission every three years.

Chairman Cook made a motion on behalf of the Audit Committee to approve the Bureau of Justice Assistance 2015 Bulletproof Vest Partnership grant approval for \$8,421.55 as presented. Mr. Larry Castle seconded the motion.

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

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

Chairman Cook asked for the USGS item to be presented.

Mr. Greg Burgess reviewed the Joint Funding Agreement with USGS for upriver gauges with the committee. Mr. Burgess explained that the agreement had increased for 2016 to allow for upgrading of stations which would provide better data and increase information.

Mr. Burgess gave staffs' recommendation to approve the agreement for \$80,485.00.

Chairman Cook made a motion on behalf of the Audit Committee to approve the Joint Funding Agreement with USGS for upriver gauges as presented. Mr. Bruce Brackin seconded the motion.

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

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

Chairman Cook then presented the per diem and travel for the month of August. He stated that the committee had reviewed the report and found it in order.

Chairman Cook made a motion that the board approve the per diem and travel expenses for August 2015 as presented. Mr. John Pittman seconded the motion.

Vice President Mitchell asked if there were any questions or comments. None were offered.

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

Chairman Cook then presented the Cash Balance Report for the month. Chairman Cook stated the committee had reviewed the report and found it to be in order. Chairman Cook noted

that the report would now be amended to include the refund of easement fees for Lot 9 Windrose, as approved by the Board in previous action.

Chairman Cook made a motion that the board approve the Cash Balance Report with amendment. Mr. Larry Castle seconded the motion.

Vice President Mitchell asked if there were any questions or comments. None were offered.

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

Chairman Cook then presented the Docket for the month. Chairman Cook stated the committee had reviewed the expense docket and found it to be in order. He asked that the board take a minute to review and ask any questions of staff needed. Chairman Cook noted that the report would now be amended to include the refund of easement fees for Lot 9 Windrose, as approved by the Board in previous action.

Chairman Cook made a motion that the board approve the Docket as amended. Mr. Larry Castle seconded the motion.

Vice President Mitchell asked if there were any questions or comments. None were offered.

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

Vice President Mitchell then asked for the Nominating Committee's report.

Chairman Arledge stated the Nominating Committee had met and discussed their choices in detail.

Chairman Arledge stated that it was the Nominating Committee's recommendation to keep the current slate of officers for 2015/2016.

Mr. Mack Cameron requested taking all of the officers election in one vote, if there were no objections or other nominations.

None were offered.

Mr. Mack Cameron then opened the floor for discussion.

There was no discussion.

Mr. Cameron asked if there were any other nominations offered for the officers of the Board of Directors, other than as recommended by the committee.

None were offered.

Mr. Cameron asked for a motion to close the floor for additional nominations for the officers of the board.

Mr. John Pittman made the motion to close the floor for additional nominations for the officers of the board. Mr. Kenny Latham seconded the motion.

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

Mr. Cameron asked for a vote on the election of the officers of the board.

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

Committee Minutes and Miscellaneous Correspondence:

The Board reviewed the committee meeting minutes from August Budget & Finance, Parks Policy, Shoreline Development, Ad Hoc, Law Enforcement, and Bylaws committees and rough drafts of the Shoreline Development, Nominating, Audit and Parks Policy committees.

Mr. John Sigman then gave his report as Executive Director. Mr. Sigman asked board members to review the newspaper article in their packages. Mr. Sigman noted that the police report for the month of August and the drought graph included in their package.

Mr. Sigman gave the current lake level at 296.09.

Mr. Sigman discussed the possible alternate location of the board meeting and a tour for board members of the lower lake. Mr. Sigman asked if the board would be agreeable to meeting in October at the Pelahatchie Shore Park pavilion and touring the facilities on the lower lake after the business agenda concluded.

Vice President Mitchell then asked for any questions from anyone before the board entered Executive Session. None were offered.

John Sigman asked for a motion to enter Closed Session to determine the need for Executive Session.

Mr. John Arledge made a motion the board enter Closed Session to determine the need for Executive Session. Mr. Philip Crosby seconded the motion.

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

Mr. John Sigman then noted the need for the board to enter Executive Session to discuss current litigation regarding Arbor Landing and asked the staff remain. Mr. Sigman stated the second part of requested executive session would be postponed until President Winstead was available.

Mr. Billy Cook made a motion the board enter Executive Session to discuss to discuss current litigation regarding Arbor Landing and the staff remain in the room. Mr. Phillip Crosby seconded the motion.

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

Board enters Executive Session.

Mr. Billy Cook made a motion the board come out of Executive Session. Mr. Phillip Crosby seconded the motion.

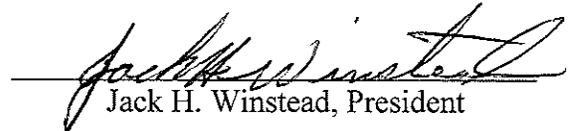
The vote was as follows: For: Arledge, Armstrong, Bobinger, Brackin, Castle, Carraway, Cook, Crosby, Gorden, Latham, Mitchell, and Pittman. Abstained: None. Against: None. **MOTION CARRIED UNANIMOUSLY.**

Mr. Billy Cook made a motion to authorize its attorneys to act according to instructions, as discussed, in upcoming mediation negotiations. Mr. John Arledge seconded the motion.

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

Vice President Mitchell noted the next board meeting would be on October 15<sup>th</sup> at the Pelahatchie Shore Park pavilion at 9:30 a.m.

There being no further business to come before the Board, the meeting was adjourned at 10:35 a.m.

  
Jack H. Winstead, President