

**REGULAR MONTHLY MEETING OF  
JACKSON MUNICIPAL AIRPORT AUTHORITY  
BOARD OF COMMISSIONERS**

**July 28, 2014**

**I. CALL TO ORDER/ROLL CALL/DECLARATION OF QUORUM**

The Board of Commissioners (the “Board”) of the Jackson Municipal Airport Authority (the “Authority” or “JMAA”) met in the Terminal Building at Hawkins Field Airport, in Jackson, Mississippi, at 4:00pm. on Monday, July 28, 2014 (the “Meeting”), pursuant to proper notice.

Chairman Pastor James L. Henley, Jr., presided, called the Meeting to order, and called the roll of Commissioners.

The following Commissioners were present in person at the Meeting.

Pastor James Henley, Jr. Commissioner and Chairman  
Vernon W. Hartley, Sr, Commissioner  
Jeffery A. Stallworth, Commissioner  
Evelyn O. Reed, Commissioner and Vice Chairman  
LaWanda D. Harris, Commissioner

The following other persons were also present at the Meeting. (And, see **Exhibit A** to these minutes containing names of all additional attendees signing the attendance and public comments sheets.)

Dirk B. Vanderleest, JMAA Chief Executive Officer  
John L. Walker, Jr., Attorney at Walker Group, P.C.  
Phillip J. Brookins, Attorney at Walker Group, P.C.  
Alechia Lockhart, Paralegal at Walker Group, P.C.

**II. INVOCATION**

Commissioner Stallworth prayed.

**III. APPROVAL AND EXECUTION OF MINUTES**

- A. Regular Work Session of the Board of Commissioners, June 19, 2014
- B. Regular Meeting of the Board of Commissioners, June 23, 2014
- C. Emergency Meeting of the Board of Commissioners, July 1, 2014

## **RESOLUTION CY-2014-94**

### **APPROVAL AND EXECUTION OF JUNE MINUTES**

After discussion and review and upon motion made by Commissioner Reed, seconded by Commissioner Stallworth, and unanimously approved by the affirmative votes of all Commissioners present, the following resolution was made and entered.

**RESOLVED**, that the Board hereby approves the Minutes of the Regular Work Session of the Board of Commissioners, June 19, 2014 and of the Regular Meeting of the Board of Commissioners, June 23, 2014 as presented and directs that said minutes be filed in the appropriate minute book and records of the Authority.

Yeas: Hartley, Henley, Stallworth, Harris, Reed

Nays: None

Absent: None

July 28, 2014

## **RESOLUTION CY-2014-95**

### **APPROVAL AND EXECUTION OF MINUTES OF 7/1/2014 EMERGENCY MEETING**

After discussion and review and upon motion made by Commissioner Reed, seconded by Commissioner Stallworth, and approved by the affirmative votes of a majority of Commissioners present with Commissioner Hartley abstaining, the following resolution was made and entered.

**RESOLVED**, that the Board hereby approves the Minutes of the Emergency Meeting of the Board of Commissioners held July 1, 2014 as presented and directs that said minutes be filed in the appropriate minute book and records of the Authority.

Yeas: Henley, Stallworth, Harris, Reed

Nays: None

Abstain: Hartley

July 28, 2014

## **IV. PUBLIC COMMENTS**

Mr. Ronnie Tubertini and Mr. David Wall of SouthGroup Insurance each gave introductions of SouthGroup and themselves and asked the Board to consider soliciting competitive offers of insurance coverages for JMAA and selecting the better package. SouthGroup was not asking the Board to rescind its decision to designate Porter's Insurance as its designated

broker but rather to authorize or request proposals from SouthGroup and Fox Everett and other agency.

The presenters explained that South Group's approach was to minimize risks and they gave example of how this approach had resulted in a significant reduction of premiums. (SouthGroup formerly was JMAA's insurance broker before the Board designated Porter's Insurance Agency as its broker and it was represented by the SouthGroup representatives that Mrs. Porter of PIA stated that while she had chosen to work with Fox Everett, she would do as directed by the Board.)

Ms. Gina Whittington of Southwest Airlines asked the Board to please consider allowing Southwest employees and families to continue parking at the airport; they are prepared to pay reasonable fees.

## V. REPORTS

### A. Chief Executive Officer

Mr. Vanderleest noted the following reports contained in the Packet for 7-28-14 distributed prior to the meeting and exhibited with these minutes.

1. Airport Project Manager Summary, Period Ending June 30, 2014....Page 1<sup>1</sup>.

Mr. Vanderleest noted that there has been significant progress in apron work; also that he is looking forward to getting approvals for grants.

2. Airport Activity Statistics Report, Period Ending June 30, 2014.....Page 18
3. Employee and Organizational Recognitions ..... Page 32

Mr. Vanderleest next recognized and presented JMAA's Employee of Month for June, Ms. Shandra Fortune, Human Resources Specialist, Department of Human Resources and Employee of the Month for July, Mr. Marcus Johnson, Housekeeper II, Custodial Department

Cited for Professional Recognitions  
Carmiscia Ruffld Certificate of Completion Level III ATSI  
ASL-Lead Sponsored by AAAE Airport Training &  
Security Department Safety Institute

And Summer Interns  
Rachel Vogt Emery Riddle University in Prescott, AZ  
Aviation Intern Major: Air Traffic Management

Keyshawn McInnis Forest Hill High School

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<sup>1</sup> Page # refers to page number in the meeting packet.

Hawkins Field Maintenance  
Matthew Morrow Graduate of Murrah High School (APAC)  
Airfield Maintenance Entering Mississippi State University  
Duranta Reed Graduate of Callaway High School  
Administration Entering Mississippi State University

**B. ATTORNEY**

Attorney John Walker reported that two AIP grants previously approved by the Board of JMAA have been presented to and accepted and approved by the City of Jackson. (Copies included as **Exhibit B**)

**VI. ACTION ITEMS.**

Chairman Pastor Henley and the Board along with CEO Vanderleest then proceeded with the proposed action items on the agenda.

**A. FINANCIAL MATTERS.**

1. Financial Reports for June 2014:
  - a) Balance Sheet: Accept..... Page 33
  - b) Income Statement: Accept..... Page 34
  - c) Claims Docket for June 2014: Approve..... Page 37

**RESOLUTION CY-2014-96**

**RESOLUTION ACCEPTING / APPROVING JUNE FINANCIAL REPORTS**

Upon motion by Commissioner Hartley, Seconded by Commissioner Stallworth, the following **RESOLUTION** was made and unanimously approved

**WHEREAS**, the Board of Commissioners (the "Board") of the Jackson Municipal Airport Authority (the "Authority") has reviewed and considered the Balance Sheet, Income Statement (the "Financial Reports") and Claims ("Claims") for the Authority for the month and period ending June 2014 included in the Packet , pages 33-43, distributed to the Board prior to the July 28, 2014, Regular Meeting of the Board, and incorporated herein by reference;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board hereby unanimously accepts and approves the Financial Reports and authorizes payment of the Claims in the amount \$840,169.61.

Yeas: Hartley, Stallworth, Harris, Reed, Henley  
Nays: None Absent: None\  
July 28, 2014

d) Quarterly Statistics .....Page 44

B. Service Agreements

1. Financial Services Consulting Agreement, JMAA:  
Authorize Agreement (Public Financial Management, Inc.) .....Page 46

**RESOLUTION CY-2014-97**

**RESOLUTION AS TO PROFESSIONAL SERVICES AGREEMENT WITH PUBLIC FINANCIAL MANAGEMENT, INC.**

Upon motion by Commissioner Hartley, Seconded by Commissioner Harris, the following **RESOLUTION** was made and unanimously approved

**WHEREAS**, the Board has considered the request of staff to authorize execution of a Professional Services Agreement with Public Financial Management, Inc. as described in memorandum dated July 16, 2014 and made a part of the meeting packet at pages 46-47 and deems that such request be granted; it is therefore,

**RESOLVED** that JMAA Staff is authorized to execute a professional services agreement with Public Financial Management, Inc. (PFM), to provide general financial consulting services with the term of the agreement to begin on August 31, 2014, and extend through July 31, 2015; fees and expenses under the agreement are not to exceed \$20,000.00.

Yeas: Hartley, Stallworth, Harris, Reed, Henley

Nays: None

Absent: None

July 28, 2014

2. Media Relations Training, JMAA:  
Authorize Agreement (Trahan and Associates) .....Page 48

**RESOLUTION CY-2014-98**

**RESOLUTION AS TO PROFESSIONAL SERVICES AGREEMENT WITH TRAHAN & ASSOCIATES**

Upon motion by Commissioner Hartley, Seconded by Commissioner Harris, the following **RESOLUTION** was made and unanimously approved

**WHEREAS**, the Board has considered the request of staff for authority to enter into a professional services agreement with Trahan & Associates, a Disabled US Veteran owned business, offering

media relations, crisis and risk communications training as more fully set out and explained in a memorandum dated July 18, 2014, with attachments at pages 48-53 of the meeting packet; it is

**RESOLVED** that JMAA Staff is authorized to enter into a professional services agreement with Trahan & Associates; fees for services and direct expenses under the agreement are not to exceed \$6,250; fees will be paid on a per-session basis as services are provided and expenses will be reimbursed at actual cost.

Yeas: Hartley, Stallworth, Harris, Reed, Henley  
Nays: None

July 28, 2014

3. Fiscal 2014 Independent Financial Audit, JMAA Authorize Professional Service Agreement (Breazeale Saunders O'Neal) .....Page 54

**RESOLUTION CY-2014-99**

**RESOLUTION AS TO PROFESSIONAL SERVICES AGREEMENT WITH BREAZEALE, SAUNDERS & O'NEIL LTD**

Upon motion by Commissioner Hartley, Seconded by Commissioner Harris, the following **RESOLUTION** was made and unanimously approved

**WHEREAS**, the Board has considered the request of staff for authority to execute a professional services agreement with Breazeale, Saunders & O'Neil, LTD, to provide services to perform JMAA's fiscal year 2014 independent financial audit with fees and expenses under the agreement not to exceed \$45,000.00, as more fully set out and explained in a memorandum dated July 24, 2014, at pages 54-55 of the meeting packet; and it is

**RESOLVED** that JMAA Staff is authorized to enter into a professional services agreement with Breazeale, Saunders & O'Neil, LTD, to provide services to perform JMAA's fiscal year 2014 independent financial audit with fees and expenses under the agreement not to exceed \$45,000.00.

Yeas: Hartley, Stallworth, Harris, Reed, Henley  
Nays: None

July 28, 2014

C. Construction Projects

1. JMAA Project No. 008-12-A Contract No. 008-12-48, Pavement Assessment and Overlay of Runway 16/34 at Hawkins Field Airport: Authorize Agreement (Aviation Group of Mississippi) .....Page 56

**RESOLUTION CY-2014- 100**

**RESOLUTION APPROVING AND AUTHORIZING AN AMENDMENT TO EXISTING PROFESSIONAL SERVICE AGREEMENT WITH AVIATION GROUP OF MISSISSIPPI, LLC (“AGM”)**

Upon motion by Commissioner Harris, Seconded by Commissioner Hartley, the following **RESOLUTION** was made and unanimously approved

**WHEREAS**, Staff is requesting authority to execute an amendment to the existing professional service agreement with Aviation Group of Mississippi, LLC (“AGM”) for additional work in relation to altering a portion of Runway 11/29 at Hawkins Field Airport (HKS) and deactivating the remaining length of the crosswind runway as more fully set forth in a Memorandum dated July 15, 2014 with attachments at pages 56-60 of the packet, and the Board has considered the recommendations therein by the staff of the Authority and finds that the recommendation and costs are warranted and should be accepted for the best interests of JMAA;

**NOW, THEREFORE, BE IT RESOLVED**, the Board hereby authorizes JMAA staff to execute an amendment to the existing professional service agreement with Aviation Group of Mississippi, LLC (“AGM”) for additional work in relation to altering a portion of Runway 11/29 at Hawkins Field Airport (HKS) and deactivating the remaining length of the crosswind runway. The compensation for these additional services is a not-to-exceed \$72,000.00 funded from the Mississippi Department of Transportation Airport Multi-Modal Transportation Improvement Program (MMTIP) funds (\$71,283.00) and JMAA Capital funds (\$717.00.).

Yeas: Hartley, Henley, Stallworth, Harris, Reed  
Nays: None  
Absent: None

July 28, 2014

D. Procurements

- 1. Annual Fuel Purchase: Authorize Agreement  
(Waring Oil Company, LLC)..... Page 61

**RESOLUTION CY-2014- 101**

**RESOLUTION APPROVING AND AUTHORIZING PURCHASE OF FUEL FROM WARING OIL COMPANY**

Upon Motion by Commissioner Hartley, Seconded by Commissioner Harris and adopted on the affirmative vote of all Commissioners, the following resolution was made.

**WHEREAS**, Staff of JMAA is requesting authority to purchase fuel on an “as-needed” basis for JMAA operations through July 31, 2015 in an aggregate amount of up to \$153,438 from Waring Oil Company, LLC, at the following prices:

(1) \$0.13 per gallon over the daily Oil Price Information Service (OPIS) rate for Meridian, Mississippi for orders of 3,000 gallons or less of either regular E10 (Ethanol) gasoline, regular conventional unleaded gasoline or off-road diesel fuel.

(2) \$0.09 per gallon over the daily Oil Price Information Service (OPIS) rate for Meridian, Mississippi for orders of 3,001 gallons or more of either regular E10 (Ethanol) gasoline, regular conventional unleaded gasoline or off-road diesel fuel.

**WHEREAS**, the proposed purchase is set forth and explained in Memorandum dated July 14, 2014 with attachments at pages 61-64 of the meeting packet and the Board approves and accepts the Staff's request

**IT IS THEREFORE RESOLVED** that Staff of JMAA is authorized and approved to purchase fuel on an "as-needed" basis for JMAA operations through July 31, 2015 in an aggregate amount of up to \$153,438 from Waring Oil Company, LLC, at the following prices:

(1) \$0.13 per gallon over the daily Oil Price Information Service (OPIS) rate for Meridian, Mississippi for orders of 3,000 gallons or less of either regular E10 (Ethanol) gasoline, regular conventional unleaded gasoline or off-road diesel fuel.

(2) \$0.09 per gallon over the daily Oil Price Information Service (OPIS) rate for Meridian, Mississippi for orders of 3,001 gallons or more of either regular E10 (Ethanol) gasoline, regular conventional unleaded gasoline or off-road diesel fuel.

Yeas: Hartley, Stallworth, Harris, Reed, Henley  
Absent: None

July 28, 2014

E. Grants

1. Small Community Air Service Development, JAN: Modify Policy, and Authorize Grant Application..... Page 65

**RESOLUTION CY-2014 - 102**

**RESOLUTION APPROVING APPLICATION FOR FISCAL YEAR 2015 SMALL COMMUNITY AIR SERVICE DEVELOPMENT PROGRAM GRANT**

Upon Motion by Commissioner Hartley, Seconded by Commissioner Stallworth the following resolution was adopted on the affirmative vote of all Commissioners

**WHEREAS**, Staff is seeking authorization as presented in Memorandum dated July 24, 2014 at pages 65-66 of the packet to submit an application for a United States Department of Transportation, Small Community Air Service Development Program (SCASDP) grant to promote new airline service between the Jackson-Medgar Wiley Evers International Airport (JAN) and Orlando Sanford International Airport (SFB) and SCASDP grant applications must be submitted by July 31, 2014 and the funds for grants that are awarded usually are expected during the first quarter



of the federal fiscal year following the date on which the application is submitted;

**WHEREAS**, Staff has been discussing the possibility of providing nonstop service between JAN and SFB with Allegiant Travel Company (“Allegiant”) following the announcement that Southwest Airlines was eliminating its service to the Orlando area and Allegiant is proposing to offer two flights per week as an initial service pattern. SCASDP grant funds will be used to offset the costs of operating these flights, and to market the service in the Jackson area.

**WHEREAS**, the Board of Commissioners has reviewed and considered the request and finds that the grant application should be submitted,

**IT IS THEREFORE RESOLVED** that Staff of JMAA is authorized and approved to submit an application for a United States Department of Transportation, Small Community Air Service Development Program (SCASDP) grant to promote new airline service between the Jackson-Medgar Wiley Evers International Airport (JAN) and Orlando Sanford International Airport (SFB).

Yeas: Hartley, Stallworth, Harris, Reed, Henley  
Absent: None

July 28, 2014

F. Other

1. Non-Signatory/Non-tenant Airline and Air Cargo  
Employee Parking, JAN: Authorize Rate..... Page 67

**RESOLUTION CY-2014- 103**

**RESOLUTION APPROVING NON-SIGNATORY/NON-TENANT AIRLINE AND AIR CARGO EMPLOYEE PARKING AT JACKSON-MEDGAR WILEY EVERS INTERNATIONAL AIRPORT (“JAN”)**

Upon Motion by Commissioner Reed, Seconded by Commissioner Stallworth and adopted on the affirmative vote of all Commissioners, the following resolution was made.

**WHEREAS**, Staff of JMAA is requesting authority to create a new parking fee category applicable to Non-signatory/ Non-tenant passengers and air cargo airline employees who commute through the Jackson-Medgar Wiley Evers International Airport (JAN) to work in other cities as more particularly set forth in Memorandum dated July 15, 2014 at pages 67 -68 of the packet and the Board agrees that such staff request ought be approved,

**IT IS THEREFORE, RESOLVED** that Staff of JMAA is authorized and approved to create a new parking fee category applicable to Non-signatory/ Non-tenant passengers and air cargo airline employees who commute through the Jackson-Medgar Wiley Evers International Airport (JAN) to work in other cities in accordance with the cited Memorandum of July 15, 2014.

Yeas: Hartley, Stallworth, Harris, Reed, Henley  
Absent: None  
July 28, 2014

2. Resolution Requesting Enhanced Lighting and Signage on Roads and Streets Approaching Jackson-Medgar Wiley Evers International Airport (This item was passed as being moot due to prior resolution addressing same issue)

3. Executive Search

**RESOLUTION CY-2014-104**

**RESOLUTION AUTHORIZING AGREEMENT TO PROVIDE EXECUTIVE SEARCH CONSULTING SERVICES BETWEEN JACKSON MUNICIPAL AIRPORT AUTHORITY AND ADK CONSULTING, INC.**

Upon motion by Commissioner Stallworth, Seconded by Commissioner Hartley, the following **RESOLUTION** was made and unanimously approved

**WHEREAS**, JMAA desires to recruit, screen and interview highly qualified candidates in order to employ a person to fill its pending vacancy for Chief Executive Officer and ADK Consulting, Inc., a Florida business corporation, with its principal place of business at 802 Providence Isle Ct. Jacksonville, FL 32225, desires to and is competent to perform and provide such services for JMAA, it is

**RESOLVED** that JMAA Staff is authorized and directed to enter into and to execute an agreement with ADK Consulting Inc. to provide professional executive search consulting services to the Jackson Municipal Airport Authority for the recruitment and filling of its pending vacancy for Chief Executive Officer at a fixed fee for services of \$33,000 plus reasonable and customary incidental expenses.

Yeas: Hartley, Stallworth, Harris, Reed, Henley

Nays: None

Absent: None

July 28, 2014

4. Early Issues

**RESOLUTION CY-2014-105**

**RESOLUTION AS TO JMAA POLICIES AND PROCEDURES**

Upon motion by Commissioner Reed, Seconded by Commissioner Hartley, the following **RESOLUTION** was made and unanimously approved

**WHEREAS**, the Board of Commissioners of the Jackson Municipal Airport Authority during its existence has adopted various Board Policies and Procedures governing the conduct and activities of JMAA Commissioners, Management Persons and Staff Members; and

**WHEREAS**, all of the previously adopted Polices and Procedures of the JMAA Board currently are not indexed and electronically accessible to JMAA Commissioners, Management Persons and Staff Members.

**NOW, THEREFORE, BE IT RESOLVED** that the Board hereby determines it would be in the best interest of an in furtherance of the duties and responsibilities of Jackson Municipal Airport Authority, and the Board hereby does, take the following actions:

The Board directs JMAA staff to formulate a plan to index and make electronically available on a secure website all previously adopted Board Policies and Procedures of JMAA Boards of Directors which are electronically accessible and searchable in the same manner of the City Jackson Code of Ordinances.

The Board further directs JMAA staff to provide to the Board at its August 21, 2014 Work Session a memo as to the status of the work of JMAA staff regarding the above matters.

Yeas: Hartley, Stallworth, Harris, Reed, Henley

Nays: None

Absent: None

July 28, 2014

#### **RESOLUTION CY-2014-106**

#### **RESOLUTION REGARDING PORTABLE BREATH TEST DEVICE (PBT) AND VEHICLE VIDEO EQUIPMENT**

Upon motion by Commissioner Harris, Seconded by Commissioner Hartley, the following **RESOLUTION** was made and unanimously approved

**WHEREAS**, the Public Safety Department of Jackson - Medgar Wiley Evers International Airport (JMWEIA) patrols various streets and roads on property owned by Jackson Municipal Airport Authority (JMAA), including the East Metro Parkway;

**WHEREAS** officers assigned to the Public Safety Department of JMWEIA frequently stop, arrest and charge motorists for various crimes and traffic violations, including Driving Under the Influence of Alcohol (DUI); and

**WHEREAS** when a JMWEIA officer stops a motorist for suspected DUI violation the officer has to call either the Flowood Police Department or Pearl Police Department to administer a PBT test and/or video the field sobriety testing of a motorist which in turn increases the amount of time that the JMWEIA officer must remain on the public street or road with the suspect motorist and thereby increase the possibility of the JMWEIA officer sustaining bodily injury.

**NOW, THEREFORE, BE IT RESOLVED** that the Board hereby determines it would be in the best interest of an in furtherance of the duties and responsibilities of Jackson Municipal Airport

Authority, and the Board hereby does, take the following actions:

The Board directs JMAA staff to purchase as soon as practical PBT devices for each JMWEIA vehicle that patrols streets and roads on property owned by JMAA and provide the needed training to secure certification regarding the use of the PBT device to each JMWEIA officer who performs patrol services on the roads and streets located on JMAA property.

The Board further directs JMAA staff to investigate vehicular video equipment that JMAA can purchase for JMAA vehicles used by the Public Safety Department to patrol streets and roads located on JMAA property and the training needed to operate and use that equipment. Afterwards, staff shall provide the Board a memo as to its investigation findings.

The Board further directs staff to provide to the Board at its August 21, 2014, Work Session a memo/memos as to the status of the work of staff regarding the above matters.

Yeas: Hartley, Stallworth, Harris, Reed, Henley

Nays: None

Absent: None

July 28, 2014

## 5. Board Travel

An extensive discussion took place about the events that took place during the attendance of Chairman Pastor Henley, Vice Chairperson Reed and Commissioners Harris and Hartley at the Farnborough, England Airshow during July 2014. Initially Chairman Henley recognized Ross Tucker with the Jackson Chamber of Commerce who was one of the coordinators of the trip. Mr. Tucker reported the Airshow is a major marketing and recruiting venue attended by virtually every Tier 1, 2 and 3 suppliers in the air industry in the world. Those suppliers come to one location at the Airshow thus eliminating the necessity of JMAA traveling to numerous places to meet with those suppliers. During the four days the Commissioners and other members of the MS delegation, including Senator Roger Wicker, were in attendance at the Airshow the MS delegation members held 48 meetings with different suppliers. Mr. Tucker reported that the Airshow this year was one of the better Airshows and a number of favorable contacts were made by the MS delegation.

Commissioner Hartley thanked the Jackson Chamber and the MS Development Authority for putting together and coordinating the trip. He said that the Commissioners learned a great deal during the trip. Further the experience made it clear to him that we must stress education to young persons and expose them to the aviation industry.

Chairman Pastor Henley explained the MS delegation formed teams of 3 persons, one from the northern, central and southern part of the state, to meet with each supplier group. During the discussions in which he participate every supplier group asked about available higher level educational institutions to provide training. In that regard the supplier groups were favorably impressed about the large number of such institutions in the Jackson MS area and this will help the Jackson MS area in securing suppliers to locate in this area.

He also pointed that the MS delegation was one of the smaller delegations at the Airshow because the delegations from Florida and Oklahoma were several times larger than the MS delegation.

### **OPEN SESSION**

Chairman Pastor Henley moved for the Board to enter a closed session to consider whether to go into an executive session to consider attorney's report and recommendations for future actions and litigation in re the JMAA v. Hatch Mott MacDonald / IMS arbitration. Commissioner Harris seconded the motion. It was unanimously resolved by a vote of 5-0 that the session be closed to all except the attorneys from Walker Group, May Law Firm and Baker Donelson and the CEO.

All present with the exceptions noted were directed to vacate the room; this was done.

### **CLOSED SESSION**

Chairman Pastor Henley then moved to go into executive session to consider to consider attorney's report and recommendations for future actions and litigation in re the JMAA v. Hatch Mott MacDonald / IMS arbitration and that such matters might adversely affect future litigation. Commissioner Harris seconded the motion to enter executive session and the Commissioners unanimously voted to enter executive session for the stated purposes.

### **OPEN SESSION**

Chairman Pastor Henley then invited all persons outside the room to re-enter; some did.

Chairman Pastor Henley then announced that the Board had voted to enter executive session to consider attorney's report and recommendations for future actions and litigation in re the JMAA v. Hatch Mott MacDonald / IMS arbitration and that such matters might adversely affect future litigation.

All present with the exception of the attorneys Walker Group, May Law Firm and Baker Donelson and the CEO were asked to vacate the room and so they did.

### **CLOSED EXECUTIVE SESSION**

There was an attorney's assessments, recommendations and discussion about the JMAA v. Hatch Mott MacDonald / IMS arbitration. The Board took no action.

Upon motion by Commissioner Hartley, seconded by Commissioner Harris and unanimous approval, the executive session was ended.

### **OPEN SESSION**

All persons outside the room were invited to rejoin the meeting in open session; some

persons present outside the room, re-entered.

Chairman Pastor Henley announced that the meeting was once again open; Chairman Henley announced that during the executive session, the Board had received the attorney's assessments, recommendations and discussion about the JMAA v. Hatch Mott MacDonald / IMS arbitration. And the Board took no action.

## **VII. ADJOURNMENT**

Thereafter it was moved by Commissioner Harris, seconded by Commissioner Stallworth and unanimously resolved that the meeting of the Board be **ADJOURNED** at 5:16pm.

Respectfully submitted,

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Ms. Evelyn O. Reed, Vice Chairman

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Pastor James L. Henley, Jr., Chairman

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Mr. Vernon W. Hartley, Sr., Commissioner

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Ms. LaWanda D. Harris, Commissioner

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Mr. Jeffery A. Stallworth, Commissioner