

BUSINESS OFFICE, 4725 MOFFETT ROAD, MOBILE, ALABAMA
January 10, 2022

The Board of Water and Sewer Commissioners of the City of Mobile met this Monday in their regular session at 1:30 p.m. at MAWSS' Park Forest Plaza.

PRESENT:

Ms. Sheri N. Weber, Chair

Mr. Thomas Zoghby, Vice Chair

Mr. Raymond L. Bell, Jr., Secretary-Treasurer

Ms. Barbara Drummond, Commissioner

Mr. Kenneth Nichols, Commissioner

Ms. Maria Gonzalez, Commissioner

Ms. Linda St. John, Commissioner

Mr. Bud McCrory, Jr., Director

Mr. Bradley Dean, Attorney

Mr. Douglas L. Cote

Mrs. Calressia Clark

Mr. Daryl Russell

Ms. Fatima Washington

Chair Weber called the meeting to order and Commissioner Drummond gave the invocation. Chair Weber **welcomed new Board Member**, Commissioner St. John and read her bio into record:

Linda St John, a native Mobilian, is president of The Village of Spring Hill, Inc., a grassroots non-profit community planning organization that created a Master Plan (The Blueprint for Spring Hill) to guide the redevelopment of the Spring Hill community. The plan was adopted by the City of Mobile 16 years ago. Since that time St. John has been the driving force behind the Master Plan, soliciting funding for and implementing infrastructure and beautification projects by working with the Mayor, City Council members, City departments, County Commissioners, State of Alabama, local foundations, and private funding sources. She is a Master Gardener who started her own landscape design business 30 years ago and has exhibited at the Providence Foundation Festival of Flowers numerous times. She is a graduate of the University of Alabama with a BA in communications and marketing. She has also been active in the Junior League and her church, St. Ignatius, and is a graduate of Leadership Mobile.

Chair Weber continued and said she would like to officially welcome Commissioner St. John to the Board, we are looking forward to working with you.

Committee Reports was next and Chair Weber spoke on the **Human Resources Committee** meeting, held on December 14, 2021. The committee discussed the COVID testing policy and insurance premium surcharges, proposed changes to the Alcohol and Drug Testing policy handbook, the Code of Conduct Statement for Employees, Confidentiality Agreement, and the Directors six-month evaluation process. The minutes from the meeting are included in today's agenda packet. Several of the items discussed will be presented to the Board today for approval.

The **Bids & Purchasing/Corporate Responsibility Committee** met on December 17, 2021 and Mr. McCrory stated that the committee discussed the charter and proposed Directors Signing Authority changes; both of which are included in today's agenda for approval by the full Board. Also discussed on December 17 was the Conflict of Interest Policy and review of our status with the Mobile County Personnel Board. Staff will continue to gather information for these items and present their findings at a future committee meeting.

The committee also moved on Ethics Training, which will be conducted with staff and then extended to the Board. Mr. McCrory will contact each member to arrange the sessions.

Visitors was next and staff read the following Resolutions for Retirees into record:

WHEREAS, MRS. ANDREDA RANDELSON, System Support Specialist, began her employment with the Board of Water and Sewer Commissioners on November 4, 1995, as a classified employee, and has worked continuously since; and

WHEREAS, she served the System faithfully for over 26 years, performing her duties with the highest quality, working in a cooperative spirit with her fellow employees, and

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NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF WATER AND SEWER COMMISSIONERS OF THE CITY OF MOBILE that **MS. ANDREDA RANDELSON**, whose retirement was effective January 1, 2022, be recognized and commended for her years of service to the Board of Water and Sewer Commissioners of the City of Mobile and to the citizens of Mobile.

ADOPTED this 10th Day of January 2022.

Mr. McCrory stated that Mrs. Randelson grew within the organization, starting in the Customer Service Department and transitioning to the IT Department. She was a pleasure to work with and did everything with a smile. She will be missed and we wish her well in her retirement.

WHEREAS, MR. HARVEY D. HOUSEKNECHT, JR., Lift Station Mechanic, began his employment with the Board of Water and Sewer Commissioners on August 17, 1992, as an hourly employee, became classified on May 1, 1993, and has worked continuously since; and

WHEREAS, he served the System faithfully for over 29 years, performing his duties with the highest quality, working in a cooperative spirit with his fellow employees, and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF WATER AND SEWER COMMISSIONERS OF THE CITY OF MOBILE that **MR. HARVEY D. HOUSEKNECHT, JR.**, whose retirement was effective January 1, 2022, be recognized and commended for his years of service to the Board of Water and Sewer Commissioners of the City of Mobile and to the citizens of Mobile.

ADOPTED this 10th Day of January 2022.

Mr. Houseknecht was present and Mr. Cote said it is with pleasure that he is reading this resolution into record. 'Dale' began his employment at MAWSS with the Grass/Easement Crew. In 1998, he became one of the first employees in our initial Inflow and Infiltration Department addressing storm water entering the collection system. At that time electronic mapping of the collection system was not in place; meaning crews had to physically walk the lines and collect data, and enter the information into the Maptitude program. In 2009, he moved to the Lift Station Department and whenever you saw him, he was always actively involved in his tasks. He was a tremendous asset to this organization, the community and we appreciate all that he has done during his employment with us.

Mr. Houseknecht thanked everyone for all the years he has been at MAWSS.

WHEREAS, MR. LUZELL STALLWORTH, Equipment Operator I, began his employment with the Board of Water and Sewer Commissioners on March 31, 2007, as a classified employee and has worked continuously since; and

WHEREAS, he served the System faithfully for over 14 years, performing his duties with the highest quality, working in a cooperative spirit with his fellow employees, and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF WATER AND SEWER COMMISSIONERS OF THE CITY OF MOBILE that **MR. LUZELL STALLWORTH**, whose retirement was effective January 1, 2022, be recognized and commended for his years of service to the Board of Water and Sewer Commissioners of the City of Mobile and to the citizens of Mobile.

ADOPTED this 10th Day of January 2022.

Mr. Stallworth was present and Mrs. Clark said he was always a positive and friendly face to see each day at MAWSS. He was very good at his job and his coworkers have said on many occasions that he is great to work with. He will be missed and we wish him the best in his retirement. Mr. Stallworth came forward to address the Board

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and thanked everyone for all of his years at MAWSS. The time has gone by fast and he knows this is because he was working for a great company with great coworkers and supervisors. He has never had a bad day at MAWSS during his time here and he knows that the organization will continue to get better.

WHEREAS, MR. RICKY S. DUNAWAY, Public Service Supervisor I, began his employment with the Board of Water and Sewer Commissioners on June 7, 1993, as an hourly employee, became classified on March 5, 1994, and has worked continuously since; and

WHEREAS, he served the System faithfully for over 28 years, performing his duties with the highest quality, working in a cooperative spirit with his fellow employees, and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF WATER AND SEWER COMMISSIONERS OF THE CITY OF MOBILE that **MR. RICKY S. DUNAWAY**, whose retirement was effective January 1, 2022, be recognized and commended for his years of service to the Board of Water and Sewer Commissioners of the City of Mobile and to the citizens of Mobile.

ADOPTED this 10th Day of January 2022.

Mrs. Clark said Mr. Dunaway was a very good employee that she wanted to promote on two separate occasions. Mr. Dunaway chose to remain with the Grass/Easement Department where he not only enjoyed what he did, but excelled at it. His knowledge will be missed, and we wish him well in his retirement.

WHEREAS, MS. MARY LUCINDA HAAS, Office Assistant II, began her employment with the Board of Water and Sewer Commissioners on May 20, 2000, as a classified employee, and has worked continuously since; and

WHEREAS, she served the System faithfully for over 21 years, performing her duties with the highest quality, working in a cooperative spirit with her fellow employees, and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF WATER AND SEWER COMMISSIONERS OF THE CITY OF MOBILE that **MS. MARY LUCINDA HAAS**, whose retirement was effective January 1, 2022, be recognized and commended for her years of service to the Board of Water and Sewer Commissioners of the City of Mobile and to the citizens of Mobile.

ADOPTED this 10th Day of January 2022.

Ms. Haas was present and Mr. Russell praised her for her efforts in the GIS Department where she was responsible for maintaining the records for Property and Easement purchases and ensuring they were recorded in Probate Court. Lucinda began her employment in the Human Resources Department, moving to our Accounting Department and then Mapping and Connections (GIS). We will miss her and wish her a happy and healthy retirement. Ms. Haas came forward and thanked the Board for her 21 years; they have been a blessing, she has enjoyed them along with meeting so many wonderful people.

On behalf of the Board, Chair Weber congratulated all of the retirees, wishing them the best in this new chapter of their lives..

Chair Weber presented the **Consent Agenda Items** for approval, and they are as follows:

Item 4 Consent Agenda

- A. IFB 21-050 Roof Replacements at Various Water Supply Facilities
Supplier: Dobson Sheet Metal & Roofing
Project #: M5712-2718
Value: \$132,765.93

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- B. IFB 21-055 Manhole Covers and Adjustable Risers – Annual Contract
Supplier: Alabama Pipe & Supply
Contract Period: 2/1/22-1/31/23
2022 Est Value: \$131,000
2021 Est Value: \$130,000
 - C. Annual GIS Software Support Agreement 2022
Supplier: ESRI, Inc.
Contract Period: 2/1/22-1/31/23
2022 Est Value: \$59,593.15
2021 Est Value: \$32,300.00
 - D. McCrory & Williams Project No. M5712-2721 2022 Annual Contract for Cleaning of 15" through 54"
Various Sanitary Sewer Segments with tabulation of December 6, 2021 bids and recommendation to award to Smith Industrial Services, Inc. in the amount of \$1,082,000.

Commissioner Drummond asked for clarification of the operating budget and cost of *Item 3C Annual GIS Software Support Agreement 2022*. Mr. Russell responded and said this is the annual maintenance agreement renewal. The recent ESRI upgrade was \$90,000 for the Enterprise System. It was a separate cost and was for the software upgrade to our existing system. This request is for the associated maintenance agreement. The 2021 amount was \$32,300 and the budgeted amount for 2022 will be \$59,593.15. The increased amount is due to the recent upgrades to the system. The main difference is the previous maintenance agreement had a finite number of users; with the upgrades we have included unlimited users that are able to access the GIS system. The additional seats enable us to incorporate the system with the field crews, allowing greater efficiency and response time.

In the past, changes made to data in the field was not effectively captured; this upgrade allows changes to be captured in real time. The amount presented for approval today is for a one-year annual fee and it is anticipated to remain the same as we move forward. Commissioner Bell moved for approval of the **Consent Agenda** and Commissioner Zoghby seconded. The motion then carried with the unanimous vote of the Board.

The **Minutes of December 6, 2021** were presented for approval. Commissioner Drummond moved for approval and Commissioner Nichols seconded. The motion then carried with the unanimous vote of the Board.

Item 6A McCrory & Williams Project No. M5712-2705A 2022 Annual Contract for Water Service Line Identification Under Pervious Surfaces

Original Estimate:	Current Estimate:
Construction: \$2,450,000.00	Construction: \$2,450,000.00
Engineering: \$ 50,000.00	Engineering: \$ 50,000.00
Total Original Estimate: \$2,500,000.00	Total Current Estimate: \$2,500,000.00

Mr. Cote stated there were three bidders for this project and the engineers estimate was \$2,450,000.00. The apparent low bidder was Dortch, Figures & Sons, Inc. in the amount of \$1,487,000.00. We ask the Board to grant the Director the authority to award this project in the amount of our allocated budget which is \$1,150,000.00.

Commissioner Zoghby asked for clarification of the request. Mr. Cote responded and said when there is an annual contract, staff will ask for the award in either the budgeted amount or the bid amount, whichever is lower. Commissioner Bell asked if the contractor understands that process. Mr. Cote responded, yes that is correct. As an annual contractor, there are no *definitive* quantities; we *place* quantities to define the unit pricing.

Commissioner Bell moved for approval and Commissioner Drummond seconded. The motion then carried with the unanimous vote of the Board.

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Legal was next and Attorney Dean said there are three matters appropriate for discussion in an Executive Session.

There were no items of **Unfinished Business**.

Item 9 Street Cut Update Presentation

Mr. Lomax approached the Board to give a detailed power point presentation demonstrating the process, permitting costs and time limits the City places for patching, and repair completion.

- The City requires a temporary or permanent pavement patch be placed in a timely manner after completing a project.
- Substantial fees are implemented when cutting a recently resurfaced road.
- Maintenance of the permanent patch does not end until the street is resurfaced. There is NO time limit on maintenance.
- On most low-speed roadways, the aggregate surface is left exposed until the asphalt crew can place the temporary patch. The repair/install crew will remain in place on high-speed roadways (blocking the cut from traffic) until the paving crew arrives. In some instances, this cannot be achieved.
- The City established the settlement period to correct past settlement issues after a permanent patch was placed. The 90 days outlined in the ordinance is a “minimum” period to help ensure that maximum compaction and settlement are achieved before the permanent pavement is placed.
- An average six-foot deep sewer lateral excavation is approximately 8' wide by 12' long.
- The permanent patch placed by the annual contract holder is required to extend 5' beyond the limits of the temporary patch.
- Assuming the temporary patch is 8' x 12', the permanent patch will be 18' x 17' unless the patch crosses the road's centerline. If a patch crosses the centerline, ordinance requires MAWSS to patch the full street cross-section.
- When a concrete street is repaired the City requires total slab replacement. When these slabs are replaced, traffic cannot be placed on them for a minimum of 72 hours for curing.
- Many asphalt streets in Mobile are built on top of sub-surface concrete. Sub-surface concrete must be replaced when repair work requires breaking and removing any portion of a slab.
- Temporary Street and Sidewalk Repairs are budgeted and performed by Cost Center 107 Right-of-Way Maintenance.
- Annual Contract for Street and Sidewalk Repairs (performed by an outside contractor) is budgeted through CC111 Water and Sewer Installation/Repair and managed by CC21 Construction Inspection Department.

During the presentation, Commissioner Zoghby asked if the project referred to is an identified expenditure. If so, what are the annual costs? Mr. Lomax responded and said all the projects within this presentation are a part of the Annual Street and Sidewalk Repair Contract. The patching portion of the budget is approximately \$2,400,000.00 and the permitting expenses total \$300,000.00. The annual budget is \$2,700,000.00.

Commissioner Zoghby questioned if a more cost effective method has been researched. Mr. Lomax answered and said temporary patching is not included in the budget and our in-house crews complete that portion (\$250,000.00).

Commissioner Drummond referenced once the asphalt has been laid (*as shown earlier in the presentation*). If problems occur, does that responsibility fall to MAWSS? If so, how much is spent to maintain the street cut? Mr. Lomax replied and said maintenance of the permanent patches is manageable and there is a two-year warranty period with the contractor. The City has a ten-year resurfacing program in place and dependent upon the area, our responsibilities may stretch ten or fifteen years.

Mr. Lomax concluded his presentation and indicated the three-year average (2018-2020) was \$2,901,089.00 and when required by the *City's 10% Rule (aggregate)*, full street resurfacing is performed through this contract. Therefore, the average cost per patch is inflated when using simple calculations. MAWSS has resurfaced over 3,000' of street through this contract over the past three years.

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Many utilities have faced high costs in this regard and we have been able to collaborate with contractors and Mobile Gas, sharing expenses.

Mr. McCrory reiterated that when the City is planning to resurface an area, MAWSS has been able to coordinate with the City and replace water and sewer in certain areas prior to the resurfacing; this has helped tremendously by not having to cut some areas due to failing infrastructure.

New Business was next and they are as follows:

Item 10A 2022 Master Plan CWSRF Supplemental Application

Mr. Cote addressed the Board to present items 10A and 10B for approval. The Master Plan was subdivided into three phases and these items are the final loan applications to ADEM for Phase I of the Master Plan. If it pleases the Board, we ask approval of the resolution designating him as the official representative of the loan and approve submittal of the supplemental application in the amount of \$41,000,000.00. Commissioner Zoghby moved for approval and Commissioner Drummond seconded.

Commissioner Nichols asked for the updated costs of the Eslava SWAT and Force Main Projects. Mr. Cote responded that the combined costs are approximately \$47,000,000.00 and this request will cover a portion of those costs. There are three phases to the Master Plan; staff has stretched the time span to 2023 or 2024; while continuing to remain within the constraints of the budget. As we move forward with Phase II, we will review and reprioritize as needed. The motion then carried with the unanimous vote of the Board.

Item 10B 2022 Master Plan DWSRF Supplemental Application

Mr. Cote continued and said, if it pleases the Board, we ask approval of the resolution designating him as the official representative of this loan and approve submittal of the supplemental application in the amount of \$13,850,000.00.

Commissioner Drummond moved for approval and Commissioner Nichols seconded. The motion then carried with the unanimous vote of the Board.

Item 10C Facilities for Acceptance:

1. Jaguar Cottages – Sewer Facilities (Only)

**Correction: Amount should be \$32,000, not \$60,000 as shown on the Board agenda.*

Mr. Russell presented this item, which is a private development with 27 cottages and is located across from USA Campus, south of Old Shell Road on Long Street. Staff has reviewed the facilities, the required acceptance documentation and recommend acceptance by the Board. Commissioner Bell moved for approval and Commissioner Gonzalez seconded. The motion then carried with the unanimous vote of the Board.

Item 10D Proposed Revisions to MAWSS Policy No. 94-16 Fiscal Authority – Contract Change Orders

Mr. Russell continued addressing the Board and stated over the years the size of contracts have grown, necessitating changes to the current policy. There are limits to the signing authority by the Director and Senior Executive Staff and those limits do not address the smaller projects. Under the current policy, minimal amounts have to be presented to the Board for approval.

The proposed changes to the policy will make the process more efficient in response time to the change orders, especially when the project is critical and time is of essence. If the changes to the policy are approved today, full disclosure will continue and all change orders approved by staff will continue to be listed under the '*Information Only*' section of the Board agenda.

For contracts less than \$50,000, Senior Executive Staff / Division Heads shall have the authority to approve all change orders up to \$15,000 in cumulative value.

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For contracts greater than \$50,000, the Senior Executive Staff / Division Heads shall have the authority to approve all change orders up to \$30,000 in cumulative value or 30% cumulative value of the original contract price whichever is the lesser of the two.

For contracts less than \$100,000, the Executive Director shall have the authority to approve all change orders up to \$30,000 in cumulative value.

For contracts greater than \$100,000, the Executive Director shall have the authority to approve all change orders up to \$75,000 in cumulative value or 30% cumulative value of the original contract price whichever is the lesser of the two.

Attorney Dean opinion (*in excess of 10% of the contract*) and staff will continue to review the change orders in accordance with the policy, following all procedures prior to signing off on a submitted change order, we ask the Board to approve these changes.

Commissioner Zoghby moved for approval and Commissioner Bell seconded. Commissioner Drummond asked for clarification in regards to accountability of the process. Change orders will come to the Board, not for approval, but as informational items; no action needed? Mr. Russell responded and said they will be brought to the Board if they exceed any of the amounts as described in the proposed changes. If it stays within the guidelines, it will be listed as '*Information Only*'.

Staff will continue to follow the same procedure that is currently in place. The only change is with the dollar amount/percentage the Director and Senior Executive Staff have the authority to approve. If the request exceeds the cumulative amount, it will be brought to the Board for review and approval. Commissioner Bell stated if the change order were for liquidated damages, anything other than labor and materials, it would come to the Board. Mr. Russell said that is correct. The motion then carried with the unanimous vote of the Board.

Item 10E Proposed Telecommuting Policy

Ms. Washington presented this item for approval and said this policy was originally adopted in 2019 prior to COVID. Clearer definitions for the different types of telecommuting that will be allowed have been added, notification to return to work time frame if the agreement is canceled or revoked for any reason and title changes were also made in accordance with the organizations restructuring. Examples of the type of work applicable for telecommuting have been included as well as the ability to telecommute as a reasonable accommodation. These proposed changes will update and provide a better fit for the needs of the employees and the organization as we continue to deal with the current ongoing conditions.

Commissioner Drummond moved for approval and Commissioner Bell seconded. Commissioner Nichols asked if there are provisions included in the policy that address low productivity issues with an employee. Ms. Washington responded and said it is addressed in the agreement the employee signs once the request to telecommute has been approved. The motion then carried with the unanimous vote of the Board.

Item 10F Proposed Changes to Drug and Alcohol Policy Handbook

The handbook was overhauled in 2019; proposed changes are to reflect the organizational restructure. Staff has also included the Employee Relations Manager and Safety Coordinator to the title listing. Commissioner Drummond moved for approval and Commissioner Nichols seconded. The motion then carried with the unanimous vote of the Board.

Item 10G COVID-19 Update

Recent cases of COVID have increased in the past few weeks. The information below outlines the past and present as the virus affects our workforce.

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- Beta (5/2020) – 21 positive cases (1 death); 110 quarantine cases
- Alpha (9/2020) – 2 positive cases; 6 quarantine cases
- Delta (10/2020) – 5 positive cases; 22 quarantine cases
- Gamma (11/2020) – 74 positive cases (1 death); 166 quarantine cases
- Omicron (11/2021) – 25 positive cases; 5 quarantine cases

The 41 current cases facing MAWSS reflects about 13% of our current workforce. With the increase in cases, we are beginning to transition back to working employees remotely and continue to implement social distancing. We are using USA for testing and only allow PCR results for an employee to return to work. The CareHere facility is continuing to host vaccination clinics and this process will continue for those needing a first dose or booster.

Mr. McCrory concluded his report and stated we will increase our cleaning schedule at our facilities and are treating exposed areas. These circumstances have definitely created challenges in regard to our employee count and increased efficiency. Staff is handling the changes well and continue to work effectively.

Item 10H Proposed COVID-19 Policy

Mr. McCrory continued addressing the Board and said staff has met with the Human Resources Committee in regards to this proposed policy which will require weekly testing for unvaccinated employees. This is a step in continuing to protect the organization as the pandemic endures with different variants. The guidelines are as established by the Mobile County Health Department, testing will only be required when cases are determined to exceed the ‘high risk’ or ‘severe risk’ category. Commissioner Drummond moved for approval and Commissioner Gonzalez seconded.

Commissioner Nichols asked for clarification of Paragraph 2 on Page 1 of the proposed policy. ‘*Weekly COVID-19 testing will not be required, when the CDC COVID-19 risk levels for community transmission, are high risk to severe risk for Mobile County. In the event the COVID-19 risk levels for community transmission increases to high risk "substantial" (10-25 cases per 100,000) for Mobile County, all unvaccinated employees must begin weekly testing immediately.*’ The first sentence should read, ‘*medium risk*’ to ‘*low risk*’, is that correct? Mr. McCrory, yes that is correct.

Commissioner Nichols continued and asked of the numbers as provided on the graph for ‘*daily new cases per unit of population*’, were they also provided by the Mobile County Health Department or did staff gather that information? Ms. Washington responded and said those numbers were collected from the scale on the Alabama Department of Public Health Website.

Commissioner Nichols said in his opinion, if we test employees when 100th of 1% of the population per 100,000 start reporting cases, it would be a very small number of cases. Employees currently in quarantine within the organization, is staff aware of their vaccination status? Mr. McCrory responded and said he is not certain of all of their statuses, his numbers are based on the \$100 incentive program that expired in September 2021 which indicate 70% of employees have received the vaccination. The Supreme Court is in the process of ruling on this issue as it relates to businesses with over 100 employees and have not made a ruling as of yet.

Ms. Washington said the article reads, ‘*10-25 cases over the past 28 days per 100,000 population count*’. Commissioner Zoghby asked where would staff get the numbers to determine their category? Ms. Washington responded and said staff would have to define the numbers as they relate to the organization and decide if the policy needed to be enforced. Mr. McCrory said the information provided in the agenda packet is at the request of the Human Resources Committee. Information was gathered from the County and the State. If the Board chooses to move forward, we will adjust our numbers accordingly. The numbers on the chart are the recommendation of the State and CDC.

Commissioner Zoghby said this is an ever changing issue and it may have to come before the Board each month for adjustment. The numbers are small, where does the organization stand currently? Ms. Washington said Mobile

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County is at ‘severe risk’. Commissioner Nichols said based on this chart, it indicates less than one case per day.

Commissioner Drummond joined the discussion and questioned the number affected at MAWSS currently. Mr. McCrory responded and said there are 25 positive cases right now with 127 total positive cases since COVID began. There are 30 employees in quarantine as of today with 25 of those cases testing positive. The other 5 are contact cases.

Commissioner St. John questioned if vaccinated employees will be required to be tested. Mr. McCrory responded and said if they are vaccinated within the last six months or received a booster and have shown proof, they are not required to be tested on a weekly basis. Commissioner St. John asked how individuals are accounted for that have contracted COVID and *are* vaccinated. Mr. McCrory said we will follow the CDC guidelines for vaccinated and unvaccinated individuals. At this time, Human Resources can only ask if an employee is vaccinated or not if they have been exposed or have shown symptoms per the EEOC guidelines.

Commissioner Zoghby questioned if this is voted in, does it change the current quarantine protocols? Employees will have to prove their status and if they are not vaccinated, they will have to submit to weekly testing at their own costs and on their own time. Mr. McCrory said this is correct.

Commissioner Nichols asked if an employee is unvaccinated, are they sent home until they are in compliance with this proposed policy? Mr. McCrory said the employee would be off on their personal time and staff would then follow Mobile County Personnel Board rules if they do not come into compliance with the proposed policy.

Commissioner Drummond said she is aware of the current data, the case before the Supreme Court and the possibility of employees not complying with the proposed policy, but something has to be done in order to protect the organization. Commissioner Bell agreed and said we can not operate in fear and this policy is for the benefit of the company, the employees and citizens they come into contact with daily.

Chair Weber said she understands that vaccinated individuals do still contract the virus, but the difference is the severity of the illness, hospitalization and costs incurred by those that are unvaccinated.

The motion then carried with the aye vote of Commissioner Drummond, Commissoner Gonzalez, Commissioner Bell and Chair Weber. Commissioner Zoghby, Commissioner Nichols and Commissioner St. John voted nay.

Item 10I Proposed Bids & Purchasing/Corporate Responsibility Committee Charter

Mr. McCrory spoke and said all Board Committees have adopted charters that are presented to the Board for approval. For approval today is the Bids & Purchasing/Corporate Responsibility Committee Charter as shown in the agenda packet. Commissioner Bell moved for approval and Commissioner Nichols seconded. The motion then carried with the unanimous vote of the Board.

Item 11 Information Only

- A. McCrory & Williams Project No. M5712-2690 Access Roads Annual Contract 2021 Construction and Sewer Easement Maintenance
(Second Year)
Completion Date Revised to December 31, 2022
Budget: \$1,000,000
Funded in the 2022 Capital Budget as Line Item 159

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- B. Stantec Consulting, Inc. 175668273 Big Creek Lake Gate Automation Project
Change Order No. 3 **FINAL**
Contract Amount: \$3,012,292.00
Previous Change Orders Amount: \$113,868.54
This Change Order Amount: **<\$31,210.07>**
Total Contract Amount: \$3,094,950.47
Percent of Contract: **<1.04%>**
- C. Disclosure of Property Purchases:
 - 1. Mobile County Key No. 797007
 - 2. Mobile County Key No. 786929
 - 3. Mobile County Key No. 784967
 - 4. Mobile County Key Nos. 784930, 2112074
- D. Consent Order Engineering Report
- E. Consultant Project Status Reports
November 2021
 - 1. Asarisi & Associates, LLC
 - 2. CERM (No Active Projects)
 - 3. Constantine Engineering
 - 4. Dewberry
 - 5. Driven Engineering, Inc.
 - 6. GMC
 - 7. HDR
 - 8. Isaiah Engineering, Inc.
 - 9. Jacobs
 - 10. McCrory Williams
 - 11. Mobile Group, Inc.
 - 12. Mott McDonald
 - 13. Neel Schaffer, Inc.
 - 14. Stantec
 - 15. Volkert, Inc.

There being no further business to come before the Board at 3:10 p.m., Commissioner Bell moved to adjourn into **Executive Session**. Commissioner Zoghby seconded and the motion then carried with the unanimous vote of the Board.

The next regular meeting is scheduled for February 7, 2022 at 1:30 p.m.



Raymond L. Bell, Jr., Secretary-Treasurer