

HANCOCK COUNTY UTILITY AUTHORITY

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Monthly Board Meeting

June 9, 2009

The meeting was called to order by Director Favre at 2:22 P.M.

Attendees:

Mr. Al Smith

Mr. Jack Cleveland

Mr. Rocky Pullman

Mayor Tommy Longo

Mr. Larry Ladner

Mr. Kevin Hill

Mayor Eddie Favre

Approval of Minutes

Motion was made by Director Longo to approve the minutes from the May 12, 2009 Monthly Board Meeting minutes, Director Hill seconded the motion; it was voted on and it carried unanimously.

Approval of Claims Docket with Additions

Motion was made by Director Cleveland to approve the May 2009 Claims Docket w/additions, Director Ladner seconded the motion; it was voted on and it carried unanimously.

Executive Session

Motion was made by Director Pullman to consider going into executive session to discuss Project S5 land acquisition issues, Director Hill seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Hill to go into executive session to discuss Project S5 land acquisition issues, Director Pullman seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Pullman to leave executive session, with no action taken, Director Ladner seconded the motion; it was voted on and it carried unanimously.

Request to Address the Board

Mr. Jim Weston - MS Department of Health - informed the Board of the need to establish some type of sewer collection enforcement for the Hancock County Water and Sewer District. His recommendation was to react similarly as the other coastal counties does, that would be possibly disconnecting the electric service until all amounts are paid.

Attorney Artigues informed the Board that the Authority does not have the authority to act on this and indicated that the Hancock County Board of Supervisors, and both the City of Waveland and Bay St. Louis should establish some type of enforcement on this issue.

Director Pullman asked Attorney Artigues what is the best recourse for this issue, Attorney Artigues said that the HCWSD does have the power to enforce this issue and that their Board should consider the removal of electric meters for unpaid accounts.

Director Pullman recommended that the legislators, representatives from the City of Waveland and Bay St. Louis and the Board get together in a work shop setting to develop a solution for this issue.

Mr. Mickey Lagasse – CDM – inquired from the Board, if the Authority/Hancock County Water and Sewer District will be able to provide utilities to the new Hancock County jail site and if so, what is the time frame for the projects to be complete.

He was informed that the sewer lines could be run at this time, due to the fact that the HVVSD already has a line in the area. The water project should be complete with eighteen months, which is when the new jail should also be complete.

Public Comment

None

Board Action Items

1. Requests for Cash:

• HANCUA-01	
Project W5E-Request #22	\$282,334.96
• HANCUA-02	
Project W5-Request #8	\$ 18,108.30
Project S5-Request #18	\$ 5,462.50
Project S6-Request #19	\$ 46,413.98
Project S7-Request #20	\$ 3,674.10
Project W6 Request #18	\$480,508.94
Project W7-Request #20	\$557,765.91
Project W9-Request #17	\$698,738.61
PD1 Request #18	\$ 2,514.40
• HANCUA-03	
Project S3-Request #18	\$181,162.16
Project S4-Request #18	\$100,069.55
Project W3-Request #17	\$289,914.61
Project W4-Request #17	\$ 7,620.56
Project W8-Request #21	\$ 32,161.01
Total Request	\$2,706,449.59

Motion was made by Director Longo to approve the Request for Cash as presented, Director Ladner seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Pullman to approve Amendment No. 2 to the S5 Engineering Agreement with Carollo Engineers, increasing the final design agreement, \$72,594.60, for adding a septage receiving station at the S5 plant and adding fire protection storage and pumping facilities a the S5 and S3 plants, contingent upon approval by Board Attorney Artigues and MDEQ, Director Cleveland seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Pullman to approve Amendment No. 3 to the Engineering Agreement with Carollo Engineers for Project S3 in the amount of \$12,292.00, contingent on approval of MDEQ and Board Attorney Artigues, Director Cleveland seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Ladner to approve the ratification of corrected Contract Modification No. 2008-01/02(S4) (corrected 5/22/09), adding Exhibit "B", list of revised drawings, and correcting contract totals, contingent upon approval by Board Attorney Artigues and MDEQ, Director Hill seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Cleveland to approve the Contract Modification No. 2008-03/01(S7) for construction contract Term Bid 2008-03, this change is for street restoration and other items made necessary by a design change to accommodate existing conditions. The change is in the additive amount of \$515,985.00 contingent on approval of Board Attorney Artigues and MDEQ, Director Pullman seconded the motion; it was voted on and it carried unanimously.

Discussion: Director Pullman asked for an explanation of the addition expenses for the project, it was explained by Executive Director Pitalo, that the original design had to be altered due to existing utilities in the planned rights of way, and a new route had to be established for the new lines.

Motion was made by Director Ladner to approve the Contract Modification No. 2008-01/03(W4) for construction contract Term Bid 2008-01, to add directional drilling and restoration of storm drainage piping items, contingent on approval of Board Attorney Artigues and MDEQ, Director Hill seconded the motion; it was voted on and it carried unanimously.

Corrected - Motion was made by Director Ladner to approve Contract Modification No. 2009-10/01(W5) for construction contract Term Bid 2009-10, in the deductive amount of \$17,100.00 for an approved material substitution, contingent on approval of Board Attorney Artigues and MDEQ, Director Pullman seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Pullman to authorize the extension of the bid from P.F. Moon for the S5 wastewater treatment facility for an additional thirty (30) days, to August 5, 2009, additional cost would be approximately \$29,700 and P. F. Moon has agreed to absorb the additional expenses, contingent upon approval by Board Attorney Ronnie Artigues, Director Hill seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Ladner to approve the Contract Modification 2008-03/02(W9) for Term Bid 2008-03, providing fuel and material adjustments to bid unit prices, contingent on approval of Board Attorney and MDEQ, Director Pullman seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Pullman to sign the CSX Facility Encroachment Agreement No. CSX632616 for the Project W7 Railroad Avenue crossing (\$5,275.00), contingent on approval of Board Attorney Artigues, Director Cleveland seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Pullman to sign the CSX Facility Encroachment Agreement No. CSX632615 for the Project W7 Wood Street crossing (\$5,275.00), contingent on approval of Board Attorney Artigues, Director Hill seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Hill to approve the request by Necaise Brothers Construction to use sub-contractor – Robert Gallagher DBA Gallagher Underground, on project HANCUA 2008-01 W3, W4, S4, Director Hill seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Ladner approve the request by Neel Schaffer to use sub-contractor – MWH as a consultant for construction inspection service on projects W8, W7, and S7, Director Smith seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Hill to approve the request by Phoenix Fabricators and Erectors, Inc. to use the following sub-contractors:

- Project W5E – Contract B
 - M. P. Dumesnil Const., Inc. – Lafayette, LA
 - Monster Heavy Haulers – Rayne, LA
 - Young's Control Services – Pontotoc, MS
- Project W5 – Contract B
 - H. H. Jordan Construction Co. – Eight Mile, AL
 - Young's Control Services – Pontotoc, MS
 - Siberton Fence Sales, Inc. – Attalla, AL

Director Pullman seconded the motion; it was voted on and it carried unanimously.

Discussion: Director Pullman wanted to make sure that the Contractors are trying to utilize the local businesses for services in the project.

Mr. Bill Mitchell of Brown and Mitchell, Inc. assured the Board that request has been presented to each Contractor.

Motion was made by Director Ladner to accept the *County Utility Authority Guide for Environmental Process Certification*, Director Smith seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Cleveland to accept the bid from *The Creel Company* for Solids Dewatering Improvements contract at WWTP - bid amount was \$709,000, Director Ladner seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Hill to issue a *Notice of Award to The Creel Company* for Solids Dewatering Improvements contract – bid amount was \$709,000, Director Hill seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Hill to issue a *Notice to Proceed to The Creel Company* for the Solids Dewatering Improvements contract, Director Hill Pullman seconded the motion; it was voted on and it carried unanimously.

Executive Director – David Pitalo

Not on Agenda – July Monthly Board Meeting – due to scheduling conflicts, Executive Director Pitalo asked the Board to move the July 2009 meeting to July 8, 2009 @ 10:00 A.M.

Sewer Use Ordinance – Mr. Bill Mitchell of Brown and Mitchell, Inc. requested that each Board member review the ordinance and present and comments at the next meeting.

Reminder – SRF Loan Payments Beginning with September 1, 2009 billing – Executive Director Pitalo reminded the Board that the monthly payments will begin with the 9/1/2009 billing.

Director Favre informed the Board that the work to get forgiveness on these loans is on going.

Hancock County Port and Harbor Commission Letter – Executive Director Pitalo informed the Board that an assessment of the HCPHC sewer system has been done and there were a few issues that needed to be addressed, but nothing of any consequence and that there is no debt service attached to the system. Mr. Bill Mitchell of Brown and Mitchell, Inc. will prepare and estimate of budget for the O&M cost.

Director Ladner informed the Board that the Kiln Water and Fire Protection District had also been in discussions with the HCPHC about acquiring the treatment facility, but didn't know what the KWFPD Boards intentions were at this time.

Motion was made by Director Ladner allowing Executive Director Pitalo to move forward with

discussions with the HCPHC and Director Ladner will consult his Board to determine how they wish to proceed, Director Cleveland seconded the motion; it was voted and the results of the vote are as follows:

Director Eddie Favre – Yea
Director Jack Cleveland – Yea
Director Al Smith – Yea
Director Kevin Hill – Abstained

Director Tommy Longo – Yea
Director Larry Ladner – Yea
Director Rocky Pullman – Yea

The motion carried with a majority vote.

Regional Water System – W5, W5E, W6 & W7- No action taken – Information only

Discussion: Director Pullman express concern about the step system that will be used in the Pearlinton area, most specifically, who will absorb the expense of pumping out the holding tanks at each home in the next six to eight years.

Director Pullman recommended that an ordinance be established addressing this issue,

Director Hill informed the Board that a second well required in the Pearlinton area, and that the MSDOH wants to know when and where this will be.

Letter from FEMA concerning PW 8668 and 8887 – Executive Director Pitalo the Board that the Authority won its appeal to FEMA on PW 8668 in the amount of \$5,842.94 and PW 8887 in the amount of \$5,852.59 – Information only

Letter to Ms Mandy Case-EPA concerning draft letter for Waveland P.O.T.W. – Information only – No action taken

Director Pullman inquired about the homes that do not qualify for the low to moderate hook-up, what is being done to help absorb these cost. Executive Director Pitalo explained that the Authority is seeking grant monies to cover these cost, but to date none has been acquired. Attorney Jack Pittman explained to the Board that in order to make a FMVO, an estimate of cost for connection fees, etc, if any, must be disclosed in the offer in order for it to be a legitimate offer.

Executive Session

Motion was made by Director Pullman to consider going into executive session to discuss legal issues concerning land acquisition for Project S4, Director Hill seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Pullman to go into executive session to discuss legal issues concerning land acquisition for Project S4, Director Hill seconded the motion; it was voted on and it carried unanimously,

Motion was made by Director Ladner to leave executive session, with no action taken, Director Smith seconded the motion; it was voted on and it carried unanimously.

During executive session the Board was give the opportunity to review on a per parcel basis a total of sixty-five Waiver Valuations and three appraisals for Project S4 – Pearlinton Wastewater Collection System for the purpose of establishing a basis for making a fair market value offer pursuant to the waiver valuation procedure. All of the information and amounts are on file in the office of the Authority at 401 Gulfside Street, Waveland, Ms. After a full discussion, a motion was made by Director Ladner that fair market value offers, based on said information, be made in the amounts indicated in each file on the parcels shown below, and to allow Attorneys Ronnie Artigues and Jack Pittman and Executive Director David Pitalo to review,

recommend and proceed with FMVO as needed to avoid delays in the project, Director Smith seconded the motion and it carried unanimously. **Attached – two Pages of FMVO**

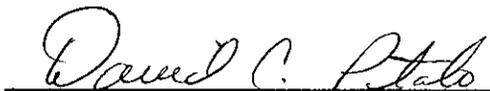
Motion was made by Director Pullman to authorize Executive Director David Pitalo to act on behalf of the Board to review, recommend and proceed with all future FMVO for Project S5-Northern Regional WWTP, needed to avoid delaying the project, Executive Director Pitalo will keep the Board informed of his actions by means of email, telephone, etc., or at the Board meetings with minute confirmation, Director Cleveland seconded the motion; it was voted on and it carried unanimously.

Adjourn or Recess

Motion was made by Director Cleveland to Recess the meeting at 5:00 p.m., Director Pullman seconded the motion; it was voted on and it carried unanimously.



Authority Board Chairman



Executive Director

HCUA Monthly Board Meeting, June 9, 2009, 2:00 P.M.

SUMMARY OF RECOMMENDATIONS
FOR HCUA 5-19-2009

	<u>Project Parcel #</u>	<u>Tax Parcel #</u>	<u>Owner</u>
Waiver Valuation	199	185N-2-21-01.000	Baxter
	200	185N-2-21-019.000	Baxter
	201	185N-1-19-004.000	Baxter
	202	185M-3-18-005.000	Bronock
	207	184J-1-19-090.002	M H Parsons & Son Lumber Co.
	208	184J-1-19-090.000	Hailes
	209	184J-1-19-068.000	Sparks
	210	184J-1-19-067.000	Perilloux
	211	184J-1-19-065.001	Dean, Fillingame, Rhodes, Esterling
	219	184J-1-19-020.000	Rabe, Trahin
	222	184J-1-19-008.000	Trustee 1st Baptist Church
	223	184H-4-19-002.000	Bennet
	224	184H-4-19-005.000	Bennet
	226	184 -0-17-036.000	State of Mississippi
	227	184 -0-17-035.000	Nix
	228	184 -0-17-039.000	Wimberly, A+ Able Administration
	229	184 -0-17-043.000	White
	230	184 -0-17-044.000	Able, SBA
	231	184 -0-17-045.000	Dorr
	232	184 -0-17-047.000	Bowman
	233	184H-1-17-001.000	Herzog
234	184H-1-17-023.000	Krass	
235	184H-1-17-024.000	Celino	
236	184H-1-17-051.000	Rayburn, Perilloux	
237	184H-1-17-050.000	Roussel	
238	184H-1-17-052.000	Baker, Hover	
239	184 -0-17-011.000	Raziano	
240	184 -0-17-006.000	Dawsey	
241	184 -0-017-005.000	3C Venture, Han.Cty. Tax Assessor	
Appraisals	212	184J-1-19-065.000	Lovecchio Matteo
	213	184J-1-19-049.000	Bishop Richard Gerow
	193	185 -1-21-011.000	Mamac, Inc.

Count: Waiver Valuation 29

Appraisal 3

SA Waiver
Valuations

36 parcels

Pg 282 of 282

Incl. in Last
meeting #

SUMMARY OF RECOMMENDATIONS
FOR HCUA 6-08-2009

Waiver Valuation	<u>Project Parcel #</u>	<u>Tax Parcel #</u>	<u>Owner</u>
	162	185E-2-16-004.000	Oliver
	187	185C-1-16-007.000	Joe Vince
	318	185E-1-16-009.000	Stoufflet
	324	185C-1-16-014.000	Earl
	326	184C-1-16-011.000	Palode
	328	185D-1-16-0040.000	Lee III
	330	185D-1-16-003.000	Mitchell
	331	185D-1-16-002.000	Donald Vince
	332	185D-1-16-001.000	Phyllis Lee
	333	185E-1-16-001.000	Collins
	409	185 -0-16-009.000	Nichols
	412	185 -0-16-007.000	Perle II
	413	185 -0-16-006.000	White
	414	185 -0-16-005.000	Dawsey II
	423	185D-1-16-012.000	Hazelwood
	424	185D-1-16-011.000	McGrew
	425	185D-1-16-010.000	Boyet
	426	185D-1-16-016.000	Billiot
	427	185D-1-16-009.001	Armstrong
	428	185D-1-16-017.000	Day
	429	185D-1-16-009.000	Acker
	430	185D-1-16-018.000	Spencer
	431	185D-1-16-008.000	Cameron
	432	185D-1-16-008.001	Reynolds
	433	185D-1-16-019.000	Huse
	434	185E-1-16-005.000	Huse
	435	185E-1-16-002.000	Robinson
	437	185E-1-16-003.000	Reynolds
	438	185E-1-16-007.000	McArthur
	439	185E-1-16-012.000	Franklin
	440	185E-1-16-011.000	Bazor
	441	185E-1-16-016.000	Ritchie
	442	185E-1-16-017.000	Ritchie
	444	185E-1-16-010.000	Stoufflet
	446	185E-1-16-022.000	Necaise