



HANCOCK COUNTY UTILITY AUTHORITY

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Monthly Board Meeting

September 8, 2009

The meeting was called to order by Director Pullman at 2:07 P.M.

Director Larry Ladner led the attendees in the Pledge of Allegiance and a moment of silent prayer.

Attendees:

Mr. Al Smith

Mr. Larry Ladner

Mr. Jack Cleveland

Mr. Kevin Hill

Mr. Rocky Pullman

Mayor Les Fillingame

Motion was made by Director Pullman to approve the absence of Director Tommy Longo, Director Smith seconded the motion; it was voted on and it carried unanimously.

Approval of Minutes

Motion was made by Director Ladner to approve the minutes from the August 11, 2009, Monthly Board Meeting, Director Smith seconded the motion; it was voted on and it carried unanimously.

Approval of Claims Docket with Additions

Motion was made by Director Ladner to approve the August 2009 Claims Docket w/additions as presented to the Board, Director Hill seconded the motion; it was voted on and it carried unanimously.

Request to Address the Board

Ms. Pansy Maddox-MS Department of Health – Uncollected user fees and sewer collection fees – Ms. Maddox explained to the Board the importance of proper sewer collection and processing; she explained how improper disposal of sewage had affected the oyster business in 2008, and the resulting stigma that was left concerning all other Mississippi seafood. Ms. Maddox requested the Board to support a resolution to ask the Board of Supervisors to submit a local and private bill to the next State Legislative session to assess uncollected sewer fees as a lien on property.

Tax Collector Jimmy Ladner explained to the Board that the request was certainly possible at the tax collection level, but that he knew from past experience that the Legislature would not pass a law authorizing the sale of property due to unpaid sewer fees; another option may be to look at the vehicle license plate fees as a means of collecting the sewer fees.

Director Al Smith reiterated the need and importance of getting sewer to the areas of Ansley and Herron Bay, as all the residents are still on septic tank systems.

Motion was made by Director Cleveland to develop a resolution in conjunction with the Board of Supervisors requesting a local and private bill to the State Legislature to assess the unpaid sewer fees either by means of property tax collection or vehicle license plate collection, Director Pullman seconded the motion; it was voted on by roll call with the results as follows:

Director Rocky Pullman – Yes

Director Jack Cleveland - Yes

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Director Larry Ladner – Yes
Director Al Smith – Yes

Director Les Fillingame - Yes
Director Kevin Hill - Yes

The vote carried unanimously.

Mr. Doug Stewart – Utilities for northern part of county – Mr. Stewart explained that he lives in the northern most part of the county in the Crane Creek area and gets water from the Pearl River Water Association, which can supply adequate drinking water but not fire protection. He first wanted to know if there were any plans to extend water service to that area. The Board informed him that at this time there isn't funding for such water service and it is another entity's certificated area.

Mr. Stewart then asked if the HCUA had any authority concerning the PRWA; the HCUA does not have any authority concerning the PRWA. Also, he asked if the HCUA knew of any grant funding that could help the PRWA to upgrade their lines to accommodate fire hydrants in the areas that do not have fire protection.

Director Pullman assured Mr. Stewart that the Authority would be willing to work with the PRWA in any way to help remedy this problem.

Mr. Tom Ward, of the Crane Creek area, asked the Board what the process would be to be disconnected from the PRWA and be connected to a system supported by one in Hancock County. Attorney Artigues explained that because it is a certificated area (1) an agreement would have to be made between the two water service providers or (2) if there was just cause, cancellation of the certificate it would have to be decided upon by the Public Service Commission.

Mr. Bill Mitchell of Brown and Mitchell, Inc. suggested that there maybe funds available through the State Revolving Loan (SRF) program through MDEQ, ultimately the money would have to be repaid, but it may be a source of funding.

Rodney Ladner – Magnolia Estates – Did not attend the meeting.

Board Action Items

Motion was made by Director Ladner to approve the Request for Cash as presented to the Board, in the total amount of \$3,628,087.21, Director Hill seconded the motion; it was voted on, and it carried unanimously.

Request for Cash

HANCUA-01				
RFC#	26	W5E	Kiln Regional Water Supply	\$144,591.86
	27	W5E		\$302,739.22
List of Projects for HANCUA-02				
RFC#	12	W5	Kiln Regional Water Supply	\$4,979.36
	13	W5		\$404,110.86
RFC#	22	S5	Northern Regional (Kiln) WWTF and Transmission System	\$12,131.46
	23	S5		\$116,051.00
RFC#	23	S6	Kiln Wastewater Collection System	\$4,863.44
	24	S6		\$20,306.13
RFC#	24	S7	Bay St. Louis-Cedar Point and I-10 Wastewater System	\$36,638.84
	25	S7		\$280,382.83

RFC#	22	W6	Kiln Water Distribution System	\$32,773.26
RFC#	25	W7	Eastern Hancock County Regional Water Supply	\$47,541.10
	26	W7		\$65,170.73
RFC#	21	W9	Waveland-US 90 Water System Improvements	\$41,670.73
	22	W9		\$554,524.95
RFC#	21	PD1	Program Delivery	\$4,497.83
			List of Projects for HANCUA-03	
RFC#	22	S3	Western Regional (Pearlington-Port Bienville) WWTF	\$11,585.21
	23	S3		\$288,972.77
RFC#	22	S4	Pearlington Wastewater Collection System	\$177,971.15
	23	S4		\$89,734.63
RFC#	21	W3	Pearlington-Port Bienville Regional Water Supply System	\$30,156.45
	22	W3		\$24,630.68
RFC#	21	W4	Pearlington Water Distribution System	\$42,303.37
RFC#	26	W8	Hancock County Water and Sewer District Water Distribution	\$34,055.44
	27	W8		\$855,703.91
			Total Request	\$3,628,087.21

Motion was made by Director Cleveland to approve Amendment No. 5 to the engineering agreement with Carollo Engineers for the S3 treatment plant, in the additive amount of \$27,076.00, this change provides for the design on post-aeration facilities made necessary by differing conditions at the outfall site, contingent on approval of MDEQ and Board Attorney Artigues, Director Ladner seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Cleveland to approve Amendment No. 3 to the engineering agreement with Carollo Engineers for the S5 treatment plant, in the additive amount of \$179,243.00, this addresses overruns in cost-reimbursable additional services items for surveys, rights-of-way, geotechnical and permitting, contingent on approval of MDEQ and Board Attorney Artigues, Director Ladner seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Cleveland to approve Amendment No. 4 to the engineering agreement with Carollo Engineers for the S5 treatment plant, in the additive amount of \$37,007.00, this addresses overruns in cost-reimbursable additional services items for surveys, rights-of-way, geotechnical and permitting, contingent on approval of MDEQ and Board Attorney Artigues, Director Ladner seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Cleveland to approve Amendment No. 4 to the engineering agreement with Neel-Schaffer for project W7 in the additive amount of \$54,709.00, contingent on final approval of MDEQ and Board Attorney Artigues. This amendment provides for wetlands delineations for the Crump Road and Harbor Drive sites, and additional services associated with the various changes to the location of these two well and tank sites, Director Ladner seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Cleveland to approve the following Legal Services Agreements Amendments, contingent upon approval by MDEQ, Director Ladner seconded the motion; it was voted on and it carried unanimously.

- o Project S5 Northern Regional WWTP
- o Project S6 Kiln Wastewater Collection System
- o Project S7 Bay St. Louis-Cedar Point & I-10 Wastewater System
- o Project W8 Hancock County Water & Sewer District Water Distribution System
- o Project W9 US 90 Water System Improvements

Executive Director Pitalo recommended to the Board to use A. Garner Russell as the Design Engineer for Connections of Grinder Pump Systems to houses in the Kiln area, as they are the engineers for Projects W5E and W5 and were selected as the KWFPD as sewer projects engineers, Director Ladner made a motion to accept the recommendation, Director Hill seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Cleveland to approve the request by Necaise Brothers Construction Company, Inc., to utilize the subcontract following services, Director Ladner seconded the motion; it was voted on and it carried unanimously.

- o TST & E – Carriere, MS – Project W4 - Installing water main & accessories
- o Aleman Construction, Inc. - Dallas, TX – Digging and laying pipe

Motion was made by Director Cleveland to approve the Contract Modification 2009-10/02(W5) to the Term Bid 2009-10 contract in the deductive amount of \$103,200.00, this change is for adding driveway pipe bores to the W5 supply line project and deleting several work items not required in the final configuration, contingent on final approval of MDEQ and Board Attorney Artigues, Director Ladner seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Cleveland to approve the Contract Modification 2008-02/03(W5E) to the Term Bid 2008-02 contract in the additive amount of \$135,880.00, this change is for adding roadway bores to the W5E supply line project, contingent on final approval of MDEQ and Board Attorney Artigues, Director Ladner seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Cleveland to approve Revision 1 to Work Order No. 2008-02/W5E-01 adding roadway bore items covered in Contract Modification No. 2008-02/03(W5E), adding sixty (60) calendar days contract time to the work order, and changing the Term Bid 2008-02 construction contract in the additive amount of \$3,984.50 for the fuel and material adjustment, contingent on final approval of MDEQ and Board Attorney Artigues, Director Ladner seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Cleveland to approve Contract Modification 2008-03/05(S7) to the Term Bid 2008-03 contract in the additive amount of \$65,534.00, this change is for relocating the force main on Old Spanish Trail due to conflicts with an existing force main and a fiber optics line, also, the current budget for the project indicates that there are sufficient construction contingency funds for this change, contingent on final approval of MDEQ and Board Attorney Artigues, Director Ladner seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Cleveland to approve Contract Modification 2008-03/06(W9) to the Term Bid 2008-03 contract in the additive amount of \$50,964.00, this change is for adding

permanent bank stabilization and erosion control measures for regrade of ditches in project W9, which work was not included in the original bid documents, and the current budget for the project indicates that there are sufficient construction contingency funds for this changed contingent on final approval of MDEQ and Board Attorney Artigues, Director Ladner seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Hill to approve Contract Modification 2008-03/07(S7) to the Term Bid 2008-03 contract in the deductive amount of \$1,482.14, this change is for providing the required fuel and material adjustment for Work Order No. 1 for the S7 sewer force main project contingent on final approval of MDEQ and Board Attorney Artigues, Director Smith seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Cleveland to approve Contract Modification S3-5 to the S3 construction contract in the additive amount of \$267,454.00, this change is for providing the fire suppression system for the S3 wastewater treatment facility project, and other minor changes, current budget for the project indicates that there are sufficient construction contingency funds for this change, contingent on final approval of MDEQ and Board Attorney Artigues, Director Smith seconded the motion; it was voted on and it carried by majority vote. Let the record show that Director Kevin Hill voted NAY.

Discussion: Director Hill asked what size the building is and what is being housed in it, it was explained that the building was approximately 3,500 square feet and would house the Maintenance, MCC, UV, Office, Laboratory, Locker/Restroom Men/Women and a Storage area. Executive Director Pitalo explained that originally there was to be four separate buildings, but requested a design change to accommodate everything in one building, to reduce upkeep and maintenance.

Director Hill then asked if the fire suppression system has been bid, Executive Director Pitalo explained that it was originally bid in Project S5, and then the monies were moved to this project. Also, Mr. Bill Powell explained that the fire suppression was bid out in Project S5 and an alternate item and monies in the amount of approximately \$285,000 was allocated, but Carollo Engineers negotiated with the contractor –The Creel Company to supply the system for Projects S3 and the bid came in under the \$285,000 amount, MDEQ has been on board with all the discussions and changes and have no issues with this change. The alternate system will not be awarded with the Project S5 project.

Director Pullman expressed concern about a road leading into private hunting leased property, and that the hunters may not have access to the hunting property, Executive Director Pitalo indicated that the HCUA nor the engineers have installed any gates on that road, but if the necessity arises, it will be handled through Attorney Ronnie Artigues.

Motion was made by Director Cleveland to approve Contract Modification 2008-02/04 (W6) to the Term Bid 2008-02 contract in the additive amount of \$92,256.00, this change is for adding roadway bores to the W6 waters distribution project, contingent on final approval of MDEQ and Board Attorney Artigues, Director Ladner seconded the motion; it was voted on and it carried unanimously.

Not on original Agenda: Executive Director Pitalo requested approval from the Board to add Amendment No. 2 to the engineering agreement with Neel-Schaffer for Project W8, for the design of water service for West Adam Street, in the additive cost of \$9,700.00, motion was made by Director Smith to approve the request, Director Cleveland seconded the motion; it was voted on and it carried unanimously.

Executive Director – David Pitalo

Letter to Ms Trudy Fisher concerning forgiveness/forbearance of SRF loan – Information Only
Discussion: Attorney Ronnie Artigues explained that the SRF loans payments are not due at this time that they have been extended while MDEQ considers the request by the Authority for forbearance and/or forgiveness; also, MDEQ has requested additional information from the Authority and Executive Director Pitalo will supply the information. Mr. Tommy Cardin suggested it would be beneficial to escort Ms Trudy Fischer throughout the area, so she can see first hand that the recovery is not as far along as it appears in some areas, i.e. Highway 90 East/West.

Letter from Army Corps of Engineers concerning the property for the Northern Regional WWTP – Information Only

Approval of 2009-2010 HCUA Budget

- Unexpected electrical power increases –
- Additional office space expenses

Executive Director Pitalo asked the Board to approve the 2009-2010 Annual Budget with an additional \$100,000.00 to be added due to the unforeseen electrical power increases and also, renovations needed to accommodate additional personnel which will be hired in the upcoming months.

Motion was made by Director Cleveland to approve the Budget as presented and to include the above request by Executive Director Pitalo, Director Ladner seconded the motion; it was voted on and it carried unanimously.

Additional Wage Classification

- HANCUA-03 Project W3 – Boilermaker \$26.50 per hour
- HANCUA-03 Project W7 – Boilermaker \$26.50 per hour

Motion was made by Director Ladner to approve and spread on the minutes the Additional Wage Classification as presented to the Board, Director Cleveland seconded the motion; it was voted on and it carried unanimously.

Response to Ms Mandy Case Concerning - Agreed Order on nonconformance from MDEQ - Information Only

Old Business

None

New Business

None

Executive Session

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

Motion was made by Director Cleveland to go into executive session to discuss land acquisition for Project S4 and W5E, Director Hill seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Cleveland to leave executive session at 3:48 P.M., with no action taken, Director Ladner seconded the motion; it was voted on and it carried unanimously.

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During executive session the Board had the opportunity to review, on a per parcel basis, a total of thirty-seven waiver valuations for Project S4 – Pearlington Wastewater Collection System for the purpose of establishing a basis for making a fair market value offer pursuant to the waiver valuation procedure.

After a full discussion, a motion was made by Director Cleveland to authorize Attorney Jack Pittman to proceed with the fair market value offers, based on said information, in the amounts indicated in each file on the parcels shown on the **attached two pages**, and to allow Attorneys Ronnie Artigues and Jack Pittman and Executive Director David Pitalo to review, recommend and proceed with FMVOs as needed to avoid delays in the project, Director Ladner seconded the motion; it was voted on and it carried unanimously.

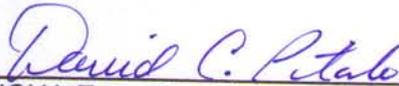
*Let the record show that Director Kevin Hill voted NO on Parcel 67, with a Yes vote on all other parcels. **Attached – Two Pages of FMVOs***

Adjourn or Recess

Motion was made by Director Ladner to adjourn the meeting at 4:20 P.M., Director Cleveland seconded the motion; it was voted on and it carried unanimously.



HCUA Board Chairman



HCUA Executive Director

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September 8, 2009, 2:00 P.M.

APPROVED 9/8/09

Project S4

37 total parcels

1/2 182 and

SUMMARY OF RECOMMENDATIONS
FOR HCUA 8-11-2009

Waiver Valuation	<u>Project Parcel #</u>	<u>Tax Parcel #</u>	<u>Owner</u>
	416	185E-3-19-038.000	James Burton
	415	185E-3-19-004.000	Lawrence Burton
	185	185E-3-19-051.000	Grady Willis
	393	185M-1-19-004.000	James Wheat
	86	185M-1-19-016.000	James Wesley Wheat
	87	185L-1-19-001.000	Harold Sanders
	92	185F-2-19-166.000	Sheila Green
	97	185F-2-19-109.000	Pamela Lee
	178	185F-2-19-101.000	Charles Burton
	177	185F-2-19-108.000	Rosa Herron
	179	185F-2-19-114.000	Walter Acker
	116	185F-2-19-117.000	Eloise Gordon
	100	185F-2-19-156.000	Jesse Dickens
	102	185F-2-19-126.000	W.J. McArthur
	101	185F-2-19-125.000	Michael Wyman
	99	185F-2-19-124.000	Joy E. Wyman
	98	185F-2-19-121.000	Larry Howard
	91	185F-2-19-168.000	Calvin Curry
	90	185F-2-19-173.000	Patricia Troulliet
	66	185L-1-19-040.000	Cabrina Doby
	70	185L-1-19-037.001	Sheryl Bryant
	64	185L-1-19-028.000	Lillian Whittington
	65	185L-1-19-025.002	William Fricke
	184	185L-1-19-051.001	Johnny Sims
	72	185L-1-19-049.001	Dennis Watson
	181	185L-1-19-049.002	Carabelle Ward
	69	185L-1-19-048.001	Eugene Keys
	68	185L-1-19-044.000	Arthur Jordan Jr.
	67	185L-1-19-043.001	James Jackson
	56	185 -0-20-004.001	Ronald Schmalz
	143	185L-1-19-061.000	Patricia Dougherty
	397	184 -0-17-040.000	Dianne Ritter
	402	184 0-17-041.000	Claude Knowles
	392	185C-3-37-042.000	Gladys Lee Burton
	404	184 -0-17-010.000	Otis Mitchell Jr.

Approved 9/8/09

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encl

Project S4

SUMMARY OF RECOMMENDATIONS
FOR HCUA 8-11-2009 (Continued)

Waiver Valuation	<u>Project</u>	<u>Tax Parcel #</u>	<u>Owner</u>
	Parcel #		
	405	184 -0-17-009.000	Otis Mitchell
	406	184 -0-17-008.000	Richard Lane