



HANCOCK COUNTY UTILITY AUTHORITY

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Monthly Board Meeting July 9, 2013

Call to Order - The meeting was called to order by Chairman Bill Johnson at 10:07 AM.

Attendees

Mr. Bill Johnson Mrs. Lili Stahler Mr. Al Smith
Mr. Mike Collard Mr. Les Fillingame
Mr. David Yarborough Mr. James Lamy

Pledge of Allegiance and Silent Prayer – Lead by Attorney Mike Haas

Request to Address the Board

Corinne Graham of Gouras and Associates informed the Board of a typographical error on the Request for Cash cover sheet which was approved at the June 11, 2013 Monthly Board Meeting. The amount originally approved was \$450,235.62, the actual amount should have been \$650,235.62, and the error was on Project S6. The amount shown on the cover sheet was \$61,621.81 and should have been \$261,621.81. Motion was made by Director Yarborough to amend the amount to be \$650,621.62, Director Smith seconded the motion; it was voted on and carried with a majority vote, with Director Collard abstaining from the vote.

Board Action Items

Motion was made by Director Stahler to approve the minutes of the July 27 Recess Board Meeting, Director Smith seconded the motion; it was voted on and carried with a majority vote, with Director Collard and Director Fillingame abstaining from the vote.

Motion was made by Director Fillingame to approve the Monthly Check Summaries as presented, Director Stahler seconded the motion; it was voted on and carried with a majority vote, with Director Collard abstaining from the vote.

	<u>Expenses</u>	<u>Monthly Budget</u>	<u>Revenues</u>	<u>Difference</u>
O & MWastewater	\$ 150,251.56	\$139,946.08	\$122,339.34	\$ -17,606.74
O & M Water	\$ 5,443.92	\$ 29,315.00	\$ 5,255.04	\$ -24,059.96
Land Acquisition	\$ 41,913.80			
CDBG Projects	\$836,263.98			

Motion was made by Director Yarborough to approve the CDBG Request for Cash in the amount of \$265,497.31, as presented, Director Fillingame seconded the vote; it was voted on and carried with a majority vote, with Director Collard abstaining from the vote.

Motion was made by Director Stahler to approve the Consent Agenda consisting of 02 items, as presented, Director Lamy seconded the vote; it was voted on and it carried with a majority vote with Director Collard abstaining from the vote.

- Approval to advertise for banking services for a four year period.
- Approval of Amendment No. 2 to the Engineering agreement with A. Garner Russell & Assoc. Inc. for the S6-Kiln Sewer Collection System, Ph. 2 to provide continued construction administration and RPR services for the sewer connection project in the additive hourly not to exceed amount of \$42,855, contingent on the approval of MDEQ, Board Attorney Artigues and the appropriate budget amendment.

This ends the Consent Agenda

Motion was made by Director Yarborough to approve Payment Request No. 19, S6 CIAP Kiln Sewer Connection Project, MSCIAAP Project No. MS.R.771-2, in the amount of \$38,895.42, contingent on approval by the Mississippi Department of Marine Resources and Board Attorney Artigues. This pay request includes invoices from A. Garner Russell and Associates for \$24,474.10, Brown, Mitchell & Alexander for \$6,085.07 and Jay Bearden Construction for the amount of \$8,336.25, Director Smith seconded the motion; it was voted on and it carried with a majority vote, with Director Collard abstaining from the vote.

Motion was made by Director Stahler to approve Contract Modification 2008-09/12 (W7) to the Term Bid 2008-09 construction contract with Layne Central for the W7 - Eastern Hancock County Regional Water Supply System, in the deductive amount of \$72,232.40 contingent on final approval of MDEQ and Board Attorney Artigues. This change summarizes the quantities used on the Crump Road Well Site, Director Yarborough seconded the motion; it was voted on and it carried with a majority vote, with Director Collard abstaining from the vote.

Motion was made by Director Yarborough to approve Revision 4 to Work Order 2008-09/W7-03 to the Term Bid 2008-09 construction contract with Layne Central for the W7 - Eastern Hancock County Regional Water Supply System, in the deductive amount of \$3,961.15 and adds 49 calendar days' time contingent on final approval of MDEQ and Board Attorney Artigues. This change summarizes quantities used on the Crump Road Well Site for this work order and adds time to the contract to allow for additional items requested to be installed, Director Lamy seconded the motion; it was voted on and it carried with a majority vote, with Director Collard abstaining from the vote.

Motion was made by Director Fillingame to approve Contract Modification 2008-02/44 (S6) to the Term Bid 2008-02 construction contract with G&C/Jay Bearden Construction, a joint venture, for the S6 -Kiln Sewer Collection System, in the deductive amount of \$155,304.44 contingent on final approval of MDEQ and Board Attorney Artigues. This change adjusts the term bid contract quantities to those used in the field, Director Yarborough seconded the motion; it was voted on and it carried with a majority vote, with Director Collard abstaining from the vote.

Motion was made by Director Fillingame to approve Contract Modification 2011-14/10 (S6) to the Term Bid 2011-14 construction contract with Jay Bearden Construction for the S6 - Kiln Sewer Collection System, Ph. 2, in the deductive amount of \$452,242.90 (\$452,187.90 CDBG and \$55.00 CIAP) contingent on final approval of MDEQ, MS Department of Marine Resource and Board Attorney Artigues. This change adjusts quantities to those encountered in the field to date, Director Yarborough seconded the motion; it was voted on and carried with a majority vote, with Director Collard abstaining from the vote.

Motion was made by Director Yarborough to approve Contract Modification 2011-15/05 (S6) to the Term Bid 2011-15 construction contract with Plaas, Inc. for the S6 - Kiln Sewer Collection System, Ph. 3, in the additive amount of \$3,365.73 contingent on final approval of MDEQ and Board Attorney Artigues. This change adjust quantities to those encountered in the field to date and corrects an error previously made while making the unit price adjustment for line item 33, Director Stahler seconded the motion; it was voted on and carried with a majority vote, with Director Collard abstaining from the vote.

Motion was made by Director Yarborough to approve Contract Modification 2011-15/06 (S6) to the Term Bid 2011-15 construction contract with Plaas, Inc. for the S6 - Kiln Sewer Collection System, Ph. 3, in the deductive amount of \$78,998.63 contingent on final approval of MDEQ and Board Attorney Artigues. This change adjusts quantities to the final quantities used for the completion of the work, Director Fillingame seconded the motion; it was voted on and it carried with a majority vote, with Director Collard abstaining from the vote.

Motion was made by Director Lamy to allow remaining water and sewer work in Pearlinton to be bid with the next phase of Bayside Water Improvements. This work is subject to approvals by MS Department of Environmental Quality and the necessary budget amendments, Director Yarborough seconded the motion; it was voted on and it carried with a majority vote, with Director Collard abstaining from the vote.

Motion was made by Director Yarborough to approve the professional services contract with Digital Engineering, Inc. for the W8 - Bayside Park Water Distribution System-Phase 3, for final design engineering services in the amount of

\$73,000.00 contingent on final approval of MDEQ and Board Attorney Artigues. This agreement replaces a previously approved agreement that was not approved by MDEQ. This agreement is for the same amount as the previous but funds were moved to different billing categories per MDEQ direction, Director Smith seconded the motion; it was voted on and it carried with a majority vote, with Director Collard abstaining from the vote.

Executive Director

MsRWA – Delinquent Account Program – Mrs. Nancy Depreo explained some of the advantages of each entity joining the MsRWA Delinquent Account Program, and asked that each entity to seriously consider joining.

Motion was made by Director Smith to recommend that all the entities, with exception of the Utility Authority, join the program, Director Yarborough seconded the motion; it was voted on and it carried with a majority vote, with Director Collard abstaining from the vote.

Outstanding BSL invoice – repairs to sewer main - \$13,751.97 – Executive Director explained to the Board that he needed Board action to remove the amount from the Authority's accounting system.

Discussion: Director Yarborough expressed concern that just by removing the outstanding invoice will not solve the issue of who owns the transmission lines outside the gates of the SRWWTP. He has requested the issue of ownership be investigated further to determine actual ownership of the transmission lines, pump stations, etc., that were funded with the SRF loan.

Motion was made by Director Smith to table the issue of the invoice, Director Stahler seconded the motion; it was voted on and it carried with a majority vote, with Director Collard abstaining from the vote.

Additional information relative to proposed FY 2013-2014 Budget – Executive Director Pitalo gave to each entity information on past years flow and percentages – Information only – No Action Required

Distribution of copies of Master Plan – Executive Director Pitalo gave each board member a copy of the finalized Master Plan – Information Only – No Action Required

Old Business – Motion was made by Director Yarborough to remove Item #1 of Old Business from the agenda, Director Fillingame seconded the motion; it was voted on and it carried with a majority vote, with Director Collard abstaining from the vote.

New Business

Mrs. Corinne Gouras of Gouras and Associates presented to the Board for review and approval the following CDBG Budget Modifications:

- HANCUA-01 #21
- HANCUA-02 #39
- HANCUA-03 #31

Motion was made by Director Fillingame to approve budget modification HANCUA-01 #21 as presented, Director Yarborough seconded the motion; it was voted on and it carried with a majority vote, with Director Collard abstaining from the vote.

Motion was made by Director Fillingame to approve budget modification HANCUA-02 #39 as presented, Director Yarborough seconded the motion; it was voted on and it carried with a majority vote, with Director Collard abstaining from the vote.

Motion was made by Director Fillingame to approve budget modification HANCUA-03 #31 as presented, Director Yarborough seconded the motion; it was voted on and it carried with a majority vote, with Director

Old Business

~~(1) Director Pitale explained that excess dirt, rubble and debris have been placed around the north perimeter of the equalization lagoon. In discussion with management personnel of the Bay St. Louis Department of Public Works months ago, it was stated this material would be removed. This has not been accomplished.~~

- ~~• Executive Director Pitale met with Mayor Fillingame and BSL Public Works Director and notified them of contractors to take to take most of the excess dirt. Executive Director was informed by public works director of their plans on clearing a wooded area on the east side of the power substation to use as a lay down yard for dirt, gravel, sand, etc. There is a concern for liability issues.~~
- ~~• Director Pitale explained he had met with a contractor during the week of May 7, 2012 and the contractor would begin hauling debris the week of May 14, 2012. Director Pitale and Board Attorney Artigues advised the board that the Old Spanish Trail entry to the Lagoon site is not to be used due to liability issues.~~
- ~~• Director Fillingame recommended that the locks on the gates to be changed and only key people from HCUA and the City of Bay St. Louis have keys.~~

~~Motion was made by Director Ladner to issue a letter to the City of Bay St. Louis requesting the removal of the dirt, rubble and debris for the lagoon site, Director Johnson seconded the motion; it was voted on and carried by majority vote, with Director Fillingame voting NO.~~

~~(2) Director Smith asked that if there are monies left to be used in Bayside Park after all the project are complete, that when the work starts, that it start in the front of Bayside and work to the back.~~

~~Executive Director Pitale asked that the HCWSD issue a letter of request for the work as Director Smith explained to the board.~~

~~Mrs. Nancy Depreo of HCWSD informed the Board that by decision of the HCWSD Board, when Phase II of the Bayside Park Water project begins they prefer to connect all streets with the most houses on them, rather than their original request of the houses which are delinquent on their sewer bills.~~

~~03/14/2013 Ms. Depreo of HCWSD asked that a correction be made to Item #2, explaining the above was the original motion by their Board, but was later changed to say "as funds are available for Phase II, when the work begins, they will connect the streets with the most houses as opposed to the "front to back" approach."~~

~~Executive Director Pitale requested a list of the streets the HCWSD would like to begin the work with. Ms. Depreo explained that she had provided Digital Engineering with the list and they have already begun estimating cost per street.~~

~~Motion was made by Director Yarborough to approve the change as requested by Ms. Depreo, Director Fillingame seconded the motion; it was voted on and it carried with a majority vote, with Director Collard abstaining from the vote.~~

~~04/09/2013 Motion was made by Director Yarborough to consider this item complete and remove it from the agenda, as it was approved as Bullet #1 under the Consent Agenda items at this meeting, Director Fillingame seconded the motion; it was voted on and it carried with a majority vote, with Director Collard abstaining from the vote.~~

~~(3) Discussion and developing a more accurate description of the area the City of Bay St. Louis is requesting to use as a lay down yard.~~

~~02/14/2013 Director Fillingame pointed out for the record that there is not an actual transfer of ownership of the lagoon from the City of Bay St. Louis to Hancock County Utility Authority, but indefinite continuous use of the property for a one time payment of \$1.00. Also, he presented the Board with a diagram of the area the City of Bay St. Louis will be using as a lay down yard. Also, the area will be fenced and with maintain a green buffer for the benefit of residents in the area.~~

~~Motion was made by Director Yarborough to approve the parcel as described in the diagram presented to the Board for the lay down yard, Director Fillingame seconded the motion; it was voted on and it carried with a majority vote, with Director Collard and Director Pro Tempe Baxter abstaining from the vote.~~

Executive Session

Motion was made by Director Yarborough to consider going into Executive Session for the purpose of property acquisition; Director Fillingame seconded the motion; it was voted on and carried with a majority vote, with Director Collard abstaining from the vote.

Motion was made by Director Yarborough to go into Executive Session for the purpose of property acquisition; Director Fillingame seconded the motion; it was voted on and it carried with a majority vote, with Director Collard abstaining from the vote.

Butler Snow

During executive session Attorney Ronnie Artigues presented the Board with an opportunity to review, on a per parcel basis, a total of seven waiver valuations for Project S6-Kiln Wastewater Collection System, for the purpose of establishing a basis for making a fair market value offer pursuant to the waiver valuation procedure.

After leaving the executive session and a full discussion, a motion was made by Director Yarborough to authorize Attorney Ronnie Artigues 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 one page(s)***, and to allow Attorneys Ronnie Artigues and Jack Pittman and Executive Director Pitalo to review, recommend and proceed with FMVOs as needed to avoid delays in the project, Director Fillingame seconded the motion; it was voted on and it carried with a majority vote, with Director Collard abstaining from the vote.

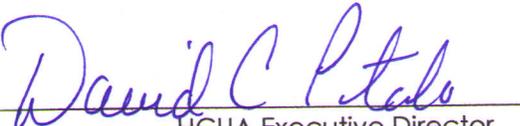
Motion was made by Director Yarborough to leave Executive Session with no action taken, Director Stahler seconded the motion; it was voted on and it carried with a majority vote, with Director Collard abstaining from the vote.

Adjourn or Recess

Motion was made by Director Fillingame to adjourn the meeting, Director Yarborough seconded the motion; it was voted on and carried with a majority vote with Director Collard abstaining from the vote.



HCUA Chairman/Vice Chairman



HCUA Executive Director