

# HANCOCK COUNTY UTILITY AUTHORITY

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## Monthly Board Meeting March 10, 2009

The meeting was called to order by Director Favre at 2:11 P.M.

### Attendees:

Mr. Al Smith  
Mr. Jack Cleveland  
Mr. Rocky Pullman  
Mayor Eddie Favre

Mr. Larry Ladner  
Mr. Kevin Hill  
Mayor Tommy Longo  
Mr. Bryon Griffith

### Approval of Minutes

Motion was made by Director Ladner to approve the minutes from the February 9, 2009 Monthly Board Meeting, Director Longo 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 February 2009 Claims Docket w/additions, Director Smith seconded the motion; it was voted on and it carried unanimously.

### Request to Address the Board

Mr. Doug Stewart – Crane Creek Community – did not attend the meeting

Mr. Mike Felter of the Jourdan River Resort and Yacht Club addressed the Board concerning sewer services to his development. He requested the Board to run the 3" sewer line, which is part of Project S6, an additional three thousand eight hundred feet from the proposed stopping point on Nicola Road to his property, which would include six other residents along Nicola Road and he would incur the cost to run the line the additional two thousand feet to his development.

Mr. Bill Mitchell estimated that it would cost approximately \$80,000 to run the sewer line the additional distance.

Attorney Artigues noted that there were some right of way issues in litigation, and Director Pullman pointed out that there are indeed easement issues and that the residences along the proposed route may actually set more than 300 feet from the road.

Attorney Artigues recommended that decisions not be made until all of the easement, Right of way and ownership issues are settled.

Mr. Mike Walker of the Department of Marine Resources-Coastal Ecology Office informed the Board that there was some grant money, approximately \$40,000 to \$45,000, available for engineering services for expansion of future sewer projects.

### Public Comment

None

### Board Action Items

#### *Requests for Cash*

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

1. Requests for Cash:

• <b>HANCUA-01</b>	
Project W5E Request #19	\$250,441.63
• <b>HANCUA-02</b>	
Project W5 Request #4	\$ 35,394.76
Project S5 Request #15	\$782,363.25
Project S6 Request #16	\$ 59,689.83
Project S7 Request #16	\$ 1,633.33
Project W6 Request #15	\$ 20,052.14
Project W7 Request #16	\$ 8,432.59
Project W9 Request #14	\$ 2,065.56
PD1 Request #15	\$ 4,980.44
• <b>HANCUA-03</b>	
Project S3 Request #15	\$ 3,262.96
Project S4 Request #15	\$ 3,710.02
Project W3 Request #14	\$ 21,098.86
Project W4 Request #14	\$ 3,136.66
Project W8 Request #17	\$103,028.03
<b>Total Request</b>	<b>\$1,294,309.62</b>

2. Motion was made by Director Pullman to approve awarding the Construction Contract for Project HANCUA Term Bid 2009-10-Kiln North Regional Water Supply System to *Greenbriar Digging Service of Brookhaven*, bid amount \$ 919,140.00, contingent upon the appropriate budget amendment, concurrence and approval by MDEQ and Attorney Ronnie Artigues, Director Ladner seconded the motion; it was voted on and it carried unanimously.
3. Motion was made by Director Pullman to approve the request by Phoenix Fabricators to use the subcontract services of the following:
- Dumesnil Construction -- foundations, piping and restoring of site
  - Padgett Contracting - installation of obstruction light at top of tank
- Director Hill seconded the motion; it was voted on and it carried unanimously.
4. Motion was made by Director Pullman to approve the request by Hemphill Construction Company to use the subcontract services of the following:
- Pipe Service, Inc.
  - GTM Construction Management of MS, LLC
  - C&B Contracting
- Director Hill seconded the motion; it was voted on and it carried unanimously.
5. Motion was made by Director Ladner to approve spreading on the minutes the *Notice of Award* letter to *The Creel Company, Inc.* for the Western Regional WWTF, Director Pullman seconded the motion; it was voted on and it carried unanimously.
6. Motion was made by Director Ladner to approve the spreading on the minutes the Letter of Approval to Mr. Ray Eaton/MDEQ concerning the Kiln North Regional Water Supply System project, Director Pullman seconded the motion; it was voted on and it carried unanimously.

7. Motion was made by Director Pullman to accept and spread on the minutes the *Resolution of the City of Waveland* concerning the use of city easements and property for CDBG projects, Director Hill seconded the motion; it was voted on and it carried unanimously.
8. Motion was made by Director Pullman to approve Amendment No. 3 to the W7 final design contract, in the amount of \$36,120.00, contingent upon approval of MDEQ and Board Attorney Artigues, and the appropriate budget amendment, Director Hill seconded the motion; it was voted on and it carried unanimously.
9. Motion was made by Director Ladner to approve Change Order No. 1 to W5E-Contract A, the Kiln emergency water well. Development of the well in the upper stratum has resulted in a contract savings of \$70,100. This change is within the scope of work of the contract and within the construction budget (this is a deduct), contingent on approval of Board Attorney Artigues and final approval of MDEQ, Director Hill seconded the motion; it was voted on and it carried unanimously.
10. Motion was made by Director Ladner to approve amending the legal contracts for Projects S4, W8, S6, and to include any other projects, as required, for Butler Snow to perform low to moderate income surveys for project areas, Director Longo seconded the motion; it was voted on and it carried unanimously.
11. Motion was made by Director Ladner to approve awarding the *Construction Contract* for Project W5 Contract B to Phoenix Fabricators and Erectors, Inc., bid amount \$959,898.00, as per recommendation by A. Garner Russell & Associates, Inc., contingent upon approval by MDEQ and Attorney Ronnie Artigues, Director Pullman seconded the motion; it was voted on and it carried unanimously.
12. Motion was made by Director Ladner to approve awarding the *Construction Contract* for Project W5 Contract A to Griner Drilling Service, Inc., bid amount \$632,000.00, as per recommendation by A. Garner Russell & Associates, Inc., contingent upon approval by MDEQ and Attorney Ronnie Artigues, Director Pullman seconded the motion; it was voted on and it carried unanimously.
13. Motion was made by Director Hill to approve the request by Necaise Brothers Construction Company, Inc., to use the subcontract services of the following:
  - B. D. Stephenson Trucking & Equipment, Inc.
  - Gulf State Construction Services, LLCDirector Pullman seconded the motion; it was voted on and it carried unanimously.
14. Motion was made by Director Ladner to accept the transfer of title from the Kiln Water and Fire Protection District to the HCUA for the W5 well & tank site, Director Cleveland seconded the motion; it was voted on and it carried unanimously.
15. Motion was made by Director Ladner to approve extending the S5 Northern Regional WWTF bid date from March 17, 2009 to March 31, 2009, Director Pullman seconded the motion; it was voted on and it carried unanimously.

Pertaining to the requests of contractors to use certain subcontractors, Attorney Artigues will insure that all are in good standing with the State, county, etc.

## **Executive Director – David Pitalo**

1. Flood Insurance - \$18,947.00 – Information only, no action taken
2. AVL invoice \$4,925.00  
Motion was made by Director Favre to allow the Authority to pay the invoice to AVL, on behalf of the PWSD, in the amount of \$4,925.00 with the understanding that the TESI certificate will be issued and belong to the Authority until such time that the Pearlington Water and Sewer District has reimbursed the full amount, at such time, the Authority will then transfer the certificate to the PWSD, Director Pullman seconded the motion; it was voted on and it carried unanimously.
3. Compton letter – S6 Grinder pump specifications – Information Only – No Action Taken  
Discussion: Director Cleveland expressed concern about different brands of water meters and grinder pumps being used in the CDBG projects, he was assured by Compton Engineering – Nick Mignone, that there will be compatibility within all the systems
4. Obama Stimulus Package application – sent February 18, 2009
  - a. Kiln
  - b. Lakeshore
  - c. Herron Bay
  - d. Ansley

Executive Director Pitalo informed the Board that applications for stimulus monies for the above communities have been made.

Motion was made by Director Cleveland to continue with the stimulus application process, Director Ladner seconded the motion; it was voted on and it carried unanimously.

5. CIAP Projects – Pearlington & Ansley  
Executive Director Pitalo informed the Board that there is approximately six million dollars available, five million for Pearlington and one million for Ansley. He asked the Board to consider using one and a half million dollars of the Pearlington money to pay for connecting the low to moderate income homes and then transfer the other three and a half million to the Ansley area to build a small treatment plant in the southern area of Lakeshore and provide sewer to that area.

Motion was made by Director Pullman to allow Gouras and Associates to apply for a CDBG grant to fund the Ansley project, and the Authority is requesting the Hancock County Board of Supervisor to apply for the 2009 Public Facilities Grant, Director Longo seconded the motion; it was voted on and it carried unanimously.

*Not on the agenda* – Executive Director Pitalo informed the Board that the Waveland WWTF has received a Non-Conformance Notice from MDEQ and he and Doyle Ladner will be traveling to Jackson on March 24, 2009 to meet with MDEQ.

## **Old Business**

Motion was made by Director Favre to accept and spread on the minutes the following documents:

- Water Service Agreement for the City of Bay St. Louis,
- Resolution from City of Bay St. Louis concerning the use county easements and property for CDBG projects,

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

## **New Business**

### **Executive Session**

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

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

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

During executive session Attorney Jack Pittman informed the Board of the easement issues that the Secretary of State-Delbert Hoseman has raised concerning sixteenth section school land. He explained that the Secretary is demanding that the Authority sign a forty year lease on all the easements that involved sixteenth section school land, with a lump sum payment (determined by appraisal) to be paid up front and each easement will then have to be reevaluated every ten years.

At this time it doesn't appear that the Secretary will allow an exception due to these being CDBG projects.

Motion was made by Director Ladner to authorize Executive Director David Pitalo to enter into agreements with the Secretary of State, concerning sixteenth section school land, as negotiations progress, Director Longo seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Ladner to authorize Executive Director David Pitalo to approve administrative settlements providing the total amount paid remains less than ten thousand dollars on parcels that were valued through waiver valuation. Director Longo seconded the motion; it was voted on and it carried unanimously.

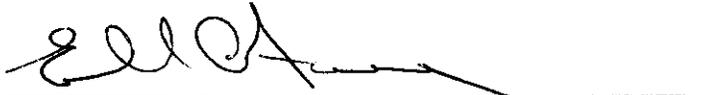
On parcels that have been discussed as needing litigation filed, motion was made by Director Smith to allow Attorney Jack Pittman to prepare the necessary Order of Condemnation to be signed by David Pitalo, and attached to eminent domain pleading as an order of the Board of HCUA. Director Pullman seconded the motion; it was voted on and it carried unanimously.

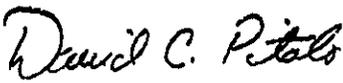
Motion was made by Director Ladner to authorize Attorney Jack Pittman to proceed with the effort being made to seek approval of a Right of Entry without compensation when possible, Director Hill seconded the motion; it was voted on and it carried unanimously.

In an effort to reduce valuation expenses and time delays, Motion was made by Director Ladner to authorize Attorney Jack Pittman to pursue a possible blanket payment recommendation, in lieu of an appraisal, Director Longo seconded the motion; it was voted on and it carried unanimously.

### **Recess**

Motion was made by Director Cleveland to recess the meeting at 4:30 P.M., on a day to day basis, Director Smith seconded the motion; it was voted on and it carried unanimously.

  
Authority Board Chairman

  
Executive Director

HCUA Monthly Board Meeting, March 10, 2009, 2:00 P.M.