



HANCOCK COUNTY UTILITY AUTHORITY

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Monthly Board Meeting

December 8, 2009

The meeting was called to order by Director Pullman at 2:01 P.M.

Director Les Fillingame led the attendees in the Pledge of Allegiance and a moment of silent prayer.

Attendees:

Mr. Al Smith

Mr. Jack Cleveland

Mr. Rocky Pullman

Mr. Larry Ladner

Mr. Kevin Hill

Mayor Les Fillingame

Approval of Minutes

Motion was made by Director Fillingame to approve the minutes from the November 17, 2009 Monthly Board Meeting, Director Hill seconded the motion; it was voted on and it carried unanimously.

Approval of Claims Docket w/Additions

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

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

Request to Address the Board

None

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 \$3,010,314.86, Director Hill seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Ladner to authorize the surplus, advertisement, bidding and sale of four fiberglass tanks, Director Fillingame seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Fillingame to approve the request by Necaise Brothers Construction to utilize the sub contract services of:

Project HANCUA-2008-01 – W3, W4, S4

J. Levens Builders, Inc. – Gulfport, MS 39503

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

Motion was made by Director Smith to approve Amendment 6 to the W7 engineering agreement with Neel-Schaffer in the lump sum amount of \$3,200.00, contingent on approval of MDEQ and Board Attorney Artigues. Task is to provide boundary surveys, with plats and descriptions of the jack and bore pits on each side of I-10, and to stake the temporary easement areas for clearing and grubbing. These services have been requested by Mr. Pittman as necessary to his acquisition of the easements required for the water line bore under I-10, Director Hill seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Hill to approve Contract Modification No. 2008-03-09(S7) to construction contract Term Bid 2008-03, in the additive amount of \$45,816.00 and no contract time, increasing the restoration quantities required to repair the roadways and driveways, contingent on final approval of MDEQ and Board Attorney Artigues. The current budget modification indicates that there are sufficient construction contingency funds available for this change, Director Fillingame seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Fillingame to approve Contract Modification No. 2008-03-10(S7) to construction contract Term Bid 2008-03, in the additive amount of \$60,000.00 and no contract time, contingent on final approval of MDEQ and Board Attorney Artigues. This modification changes the pumps in the S7 pump station from Myers to Wemco Hidrostal, which is standard for the City of Bay St. Louis. The current budget modification indicates that there are sufficient construction contingency funds available for this change, Director Hill seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Ladner to approve the request by P F Moon and Company to utilize the sub contract services of the subcontractors listed on the attached two pages, as presented to the Board, Director Hill seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Hill to approve the request by The Creel Company to utilize the subcontract services of the following:

Project S3 - Magee Masonry, Inc. – Gulfport, MS

Project S3 – Multi Service Acosta – Houston, TX

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

Motion was made by Director Fillingame to approve Contract Modification 2008-07/03(W7) to the Term Bid 2008-07 construction contract in the additive amount of \$9,891.95, contingent on final approval of MDEQ and Board Attorney Artigues. This change provides the required fuel and material price adjustment for Work Order 2008-07/W7-01 for the Eastern Hancock County Regional Water System, Director Smith seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Fillingame to approve the memo from BMI Environmental Services, LLC, providing the justification for purchasing mitigation credits for the Northern Regional Wastewater Treatment Plant – S5 and that Attorney Artigues recommends the purchase, Director Ladner seconded the motion; it was voted on and carried unanimously.

Discussion: Attorney Artigues explained to the Board that he has confirmed that Wetland Solutions, LLC is the only mitigations source in the area to meet our needs and that they did negotiate down the price from \$10,200 per acre to \$9,500 per acre.

Motion was made by Director Ladner to approve the Substantial Completion Certificate for the Kiln Emergency Water Well project, Contract W5E-A, as of 10-16-09. This begins the one-year warranty period for the well, Director Ladner seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Hill to approve the following budget modifications as presented to the Board:

HANCUA-01 Modification #7

HANCUA-02 Modification #11

HANCUA-03 Modification #7

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

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

Executive Director – David Pitalo

New Business

Director Kevin Hill presented a letter to the Board concerning a grant of CORPS 592 monies in the amount of \$1,934,738, the issue with the grant is, is there is a 25% match and wanted to know if the CDBG monies could be used as the match.

Mr. Chris Gouras of Gouras and Associates explained to the Board that generally other federal monies may not be used as match monies for 592 monies. However, CDBG monies are not considered federal monies because they are first given to HUD then to the State of Mississippi and are then considered state funds, so in essence, the CDBG funds can be use as match monies. He recommends that the Board compile a letter to the Corps defining the scope of the project to include all the things that Pearlinton wants to do with the 592 money and also all the things that are now being done with CDBG money and broaden the scope of the project.

Director Pullman wanted to know if any of the CDBG funds for the Pearlington projects will have any excess monies. Mr. Bill Mitchell explained that at this point in time, it appears that there will be some monies left over, but would not know the exact amount until the project is complete.

Director Cleveland expressed concerns that the excess money from Pearlington would not be sent to the HCWSD projects, it was explained that, as agreed in earlier meetings. He was assured by Director Pullman that any monies left over will be earmarked for the HCWSD at this point in time. Also, he pointed out that Pearlington is the only area in Hancock County that is eligible or qualifies for the 592 monies and if they don't get it, the money will not come to Hancock County, but in order to get the 592 money, we need to meet the January 4, 2010 deadline with the required paperwork.

Motion was made by Director Fillingame to authorize the Pearlington Water and Sewer District to draft the required scope of work paperwork to proceed with the application process for the 592 monies and proceed with the project contingent upon the receipt of the 592 funds, and that CDBG funds be used as matching funds to support Pearlington's request, Director Smith seconded the motion; it was voted on and it carried unanimously.

Attorney Artigues informed the Board that Representative J.P. Compretta has requested the Board to issue a resolution, in support of legislative action in the upcoming Legislative session, to clarify the language of the statute concerning the appointment of board members, i.e. the two city mayors and the Hancock County Board of Supervisors appointment.

Motion was made by Director Ladner to approve the resolution being issued in support of the legislative action; Director Fillingame seconded the motion; it was voted on and it carried unanimously.

Executive Session

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

Motion was made by Director Ladner to go into executive session at, to discuss land acquisition for Projects S4, Director Smith seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Ladner to leave executive session at 3:09P.M., with no action taken, Director Fillingame seconded the motion; it was voted on and it carried unanimously.

For the purpose of determining the size and location of the necessary easements Attorney Jack Pittman provided the Board with a progress report on the per-parcel field team inspections, and explained that adjustments to the easement square footage requirements in the Project S4 are necessary to conform to the actual measurements and requested approval the adjustments being presented today.

Motion was made by Director Smith to approve the square footage adjustments on a per-parcel measurement, as presented to the Board, which will create a more definite "take area" rather than the previously approved generic estimates; that all previously approved easement FMVOs for Project S4 are to be amended as to the measured take area while maintaining the basis of value as previously approved, with to apply to the inspections now completed and those to be completed; and to allow to the attorneys to proceed with issuance of FMVOs based on the new approved amounts. That this applies to determination of value through waiver valuations, and as to those parcels that have been appraised based on a generic measurement will be amended by the Appraiser through notations made in each appraisal document, Director Hill seconded the motion; it was voted on and it carried unanimously.

Old Business

Mr. Bill Mitchell of Brown and Mitchell, Inc. informed the Board of the need to make a decision on the wholesale water rate which was discussed the November 17, 2009 meeting, the need to sell water to the Kiln will arise before the next meeting. He recommends that the Board use the recommended rate of .70 per 1000 gallons to be used on a temporary basis and to review the rate on a quarterly basis.

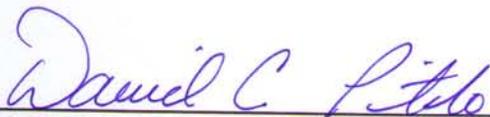
Motion was made by Director Cleveland to accept Mr. Mitchell's recommendation as presented above, Director Fillingame seconded the motion; it was voted on and it carried unanimously.

Adjourn or Recess

Motion was made by Director Fillingame to adjourn the meeting at 3:14 p.m., Director Smith seconded the motion; it was voted on and it carried unanimously.



HCUA Board Chairman



HCUA Executive Director

HCUA Monthly Board Meeting
December 8, 2009, 2:00 P.M.