



# HANCOCK COUNTY UTILITY AUTHORITY

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## Recess Board Meeting March 18, 2010

The meeting was called to order by Director Cleveland at 2:03 P.M.

### Attendees:

Mr. Al Smith  
Mr. Jack Cleveland  
Mayor Les Fillingame

Mr. Larry Ladner  
Mr. Kevin Hill

### Approval of Minutes

Motion was made by Director Smith to approve the minutes from the March 9, 2010 Monthly Board Meeting, Director Fillingame 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 signing of the contract with Tri-States Pipeline for crossing on Cuevas Street, Director Fillingame seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Hill to approve Amendment No. 6 to the S4 engineering agreement with Compton/Digital Engineers in the not-to-exceed additive amount of \$17,000.00, contingent on approval of Board Attorney Artigues and MDEQ. These services have been requested by Mr. Pittman to provide for parcel surveys as may be required for an estimated maximum of ten (10) eminent domain actions. The current budget modification indicates that funds are available for this change, Director Smith seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Ladner to approve Change Order No. 3 to the W5E-A construction contract with Griner Drilling in the additive amount of \$9,936.14, contingent on approval of Board Attorney Artigues and MDEQ. This change provides for the continuous recirculating chlorine analyzer needed to comply with environmental requirements. The current budget modification indicates that funds are 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. 2 to the W5-A construction contract with Griner Drilling in the additive amount of \$22,900.43, contingent on approval of Board Attorney Artigues and MDEQ. This change provides for the continuous recirculating chlorine analyzer needed to comply with environmental requirements, as well as the redundant chlorine injection system required by new Department of Health regulations. The current budget modification indicates that funds are available for this change, Director Ladner seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Fillingame to approve Amendment No. 6 to the engineering agreement with PBS&J Engineers for the W3 Pearlinton Water Supply project, in the not-to-exceed additive amount of \$33,520.40, contingent on approval of Board Attorney Artigues and MDEQ. This amendment provides for additional construction phase engineering services. The current budget modification indicates that funds are available for this change, Director Ladner seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Ladner to approve Amendment No. 4 to the S6 (Kiln Wastewater Collection System) engineering agreement with Compton/Digital Engineers in the not-to-exceed additive amount of \$59,200.00, contingent on approval of Board Attorney Artigues and MDEQ. Possible eminent domain needs were initially discussed with Mr. Pittman, and these particular services have now been requested by Mr. Farrell to provide for parcel surveys as may be required for an estimated maximum of thirty-seven (37) eminent domain actions, Director Smith seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Hill to spread on the minutes the letter from the Pearlinton Water and Sewer District concerning their application to apply with RUS for funding as described in the letter, Director Fillingame seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Smith to authorize Executive Director Pitalo to sign agreement with the Hancock County School District concerning "First Well" at the South Hancock Elementary School, Director Ladner seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Fillingame to approve the request by Hudson Contracting, Inc. to utilize the subcontracting services of:

- Marks Electric – Gulfport, MS
- Mid South Septic Service – Arlington, TN
- Sun Coast Septics – Kiln, MS

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

Motion was made by Director Hill to approve Contract Modification No. 2008-03/12(S7) to the Term Bid 2008-03 construction contract with Hemphill Construction in the additive amount of \$56,800.00, contingent on approval of Board Attorney Artigues and MDEQ. This change provides for additional air release valves and additional quantities of limestone base roadway and driveway repair material necessary to complete the project. The current budget modification indicates that funds are available for this change, Director Fillingame seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Hill to approve Contract Modification No. 2008-01/13(W4) to the Term Bid 2008-01 construction contract with Necaise Brothers Construction in the additive amount of \$69,235.02, contingent on approval of Board Attorney Artigues and MDEQ. This change provides for remote-read water meters for the Pearlinton Water Distribution project. The current budget modification indicates that funds are available for this change, Director Fillingame seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Fillingame to accept and signed The of Letter Agreement with Brown and Mitchell, Inc. to provide for engineering investigation of the existing Stennis Tech Park sewer pumps station and force mains. The purpose of the investigation is to determine the feasibility of a CDBG-eligible purchase of the facilities by the Authority for use in the S5 sewer force main project, Director Hill seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Ladner to Authorization to send a letter to MDEQ requesting that existing contingency funds under the S6 project be encumbered in the amount of \$2,000,000 to provide for the forthcoming contract to connect the low-to-moderate income citizens to the new sewer system, Director Smith seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Hill to approve Contract Modification No. S3-8 to the Project S3 construction contract with the Creel Company in the additive amount of \$45,529.19, contingent on approval of Board Attorney Artigues and MDEQ. This modification provides for the addition of an influent/effluent cross-connection to facilitate interim operation of the treatment plant prior to receiving design flow. Other minor changes necessary for a complete and operable facility are included in this modification. The current budget modification indicates that funds are available for this change, Director Cleveland seconded the motion; it was voted on and it carried unanimously.

#### **Executive Director**

Public Relations and Media Release for CDBG Projects – Board Members Picture

Executive Director Pitalo presented to the Board a newspaper article concerning the Pearl River County Utility Authority, and asked the Board to consider authorizing a similar article for the HCUA, the Board was in agreement and a picture will be made of the Board of Directors at the next meeting on April 13, 2010. – No Action Required.

Letters related to CDBG Projects – Same as above – left on agenda in error

Update from Board Chairman on Washington, D.C. trip to visit legislative delegation – Director Pullman unavailable

Update on consolidation Recess Board Meeting for April 21, 2010, 2:00 p.m. – No Action Taken

*Not on the Agenda –*

Attorney Artigues updated the Board on the situation concerning the Western Regional WWTP and the Louisiana Levy project. On Wednesday March 17, 2010 the contractor claimed that the

WWTP project had to be shutdown due to the massive number of trucks hauling dirt for the levy project from the Whites' Road access. The situation is so severe that it may be necessary to restrict all access roads to the project and only allow the WWTP project vehicles access, and if the situation continues as is, there may have the need to have the Hancock County Sheriff Department utilize their deputies to enforce the restriction.

Director Hill explained that the Port and Harbor Commission signed an agreement with the contractors for the levy system, which required a bond, and agreement that any road damage inside the Port would be the responsibility of the levy contractor to repair and that the contractor must keep the roads in good repair at all times. Attorney Artigues pointed out that the agreement didn't help the county road situation in any way, and that the Port commission didn't consult the Hancock County Board of Supervisors prior to entering into the agreement, and that at this time, the Port still didn't have signed agreement.

Attorney Artigues also made the Board aware of the situation concerning the cost of pipe vs. the cost that was quoted at the time the bids were let, there is a huge fluctuation in the cost of the pipe now, and the contractor are claiming that the indexes in the contract don't adequately address the current market fluctuation, and there may be work stoppage if the issues can't be worked out between HCUA and the contractors.

#### **New Business**

Director Smith requested the Board to help HCWSD obtain the water supply system in Clermont Harbor, he stated that the condition of the system had deteriorated drastically in the past few years and an estimated cost of repair would be in excess of \$100,000.00. No Action Taken.

Director Cleveland wanted to know the status of purchasing the TESI certificate. It was explained that at this point there are no negotiations between HCUA and TESI for any certificated area. Director Cleveland recommended that Board solicit a cost from TESI so as to know an approximate cost before negotiations begin.

Director Hill asked the Board to consider taking over the Stennis Airport's utilities, wastewater treatment and water supply. No Action Taken

#### **Old Business**

#### **Executive Session**

Motion was made by Director Smith to consider going into Executive Session to discuss land acquisition issues, Director Ladner seconded the motion; it was voted on and it carried unanimously.

Motion was made Director Ladner to go into Executive Session to discuss land acquisition issued, Director Fillingame 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 Hill seconded the motion; it was voted on and it carried unanimously.

*(Pittman, Howdeshell & Hinton)*

During executive session, Attorney Jack Pittman presented the Board an opportunity to review, on a per parcel basis, a total of twenty-five 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 Hill to authorize David Pitalo and 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 Fillingame seconded the motion; it was voted on and it carried unanimously.

Also, Attorney Jack Pittman presented the Board an opportunity to review, on a per parcel basis, a total of one Parcel Number 133F-0-06-001.000, appraisal/review appraisal for Project S6 – Kiln Wastewater Collection System for the purpose of establishing a basis for making a fair market value offer pursuant to the approved appraisal, as discussed during Executive session. Motion was made by Director Ladner to authorize David Pitalo and Attorney Pittman to proceed with the offer, Director Fillingame seconded the motion; it was voted on and it carried unanimously.

And, Attorney Pittman asked the Board to approve a correction to the minutes from the January 12, 2010 Monthly Board Meeting as follows:

Concerning Project S4, at that meeting the Board was presented a list of parcels for waiver valuations consideration and on the list was Parcel #273 – Leroy Burnsed, etux – 188D-1-28-048-000, this Parcel #273 should be Debra Ann Sonnier – 188D-1-28-076.000.

Motion was made by Director Ladner to approve the correction and authorize the payment of the FMVO as presented to the Board during executive session, Director Smith seconded the motion; it was voted on and it carried unanimously.

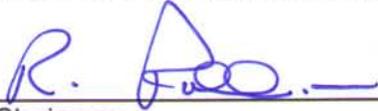
*(Butler Snow)*

During executive session, Attorney Artigues presented the Board with an opportunity to review, on a per parcel basis, a total of one 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 and gave the Board the opportunity to review, on a per parcel basis, a total of one appraisal/review appraisal 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.

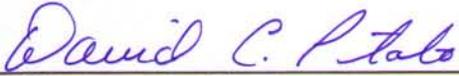
After a full discussion, a motion was made by Director Ladner to authorize Attorney Ronnie Artigues to proceed with the fair market value offers, based on said information, in the amounts indicated in each file on the parcels shown on the **attached two pages**, and to allow Attorneys Ronnie Artigues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

**Adjourn or Recess**

Motion was made by Director Fillingame to adjourn the meeting, Director Smith seconded the motion; it was voted on and it carried unanimously.



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HCUA Board Chairman



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HCUA Executive Director