



HANCOCK COUNTY UTILITY AUTHORITY

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Recess Board Meeting Minutes

April 29, 2010

The meeting was called to order by Director Rocky Pullman at 2:00 P.M.

Attendees:

Mr. Al Smith

Mr. Larry Ladner

Mr. Jack Cleveland

Mr. Kevin Hill

Mr. Rocky Pullman

Mayor Les Fillingame

Mayor Tommy Longo

Pledge of Allegiance and silent Prayer – Lead by Director Fillingame

Approval of Minutes

Motion was made by Director Ladner to approve the minutes from the April 13, 2010 Monthly Board Meeting, Director Pullman seconded the motion; it was voted on and it carried unanimously. The agenda indicated, in error, that the minutes were from April 13, 2010 Recess Board Meeting, these minutes are from the April 13, 2010 Monthly Board Meeting.

Request to Address the Board

Board Action Items

Motion was made by Director Ladner to authorize the disposal of the 1996 Woods lawnmower as it is now too costly to maintain, Director Smith seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Ladner to approve Amendment No.7 to the S3 (Western Regional WWTF) Engineering Agreement with Carollo Engineers in the additive amount of \$38,348.64, contingent on final approval of MDEQ and Board Attorney Artigues. This change provides for the increased cost of the engineering design effort required for the change in process from the fixed-bed filter system to the sequencing batch reactor system. This change is final settlement of a prior request for this effort in the original amount of \$79,893.00. Discussions between BMI and MDEQ on 04-21-10 indicate that this

amendment is acceptable to MDEQ. Approval is recommended. The current budget modification indicates that S3 project contingency funds are sufficient to fund this change, Director Smith seconded the motion; it was voted on and it carried unanimously.

This Item Was Tabled Until a Later Date: Approval of Contract Modification 2008-02/07(W5E) to the Term Bid 2008-02 construction contract, including the corresponding revision to Work Order W5E-02, in the additive amount of \$68,408.65, contingent on final approval of MDEQ and Board Attorney Artigues, and the appropriate budget amendment. This change provides the required fuel and material price adjustment for Work Order 2008-02/W5E-02 for the Kiln Regional Water Supply System.

Motion was made by Director Fillingame to approve spreading on the minutes the letter to Mr. Ray Eaton/MDEQ concerning PVC and HDPE pipe prices increases, Director Hill seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Longo to approve the Contract Modification 2008-09/03(W7) to the Term Bid 2008-09 construction contract with Layne-Central, in the additive amount of \$40,000.00, contingent on final approval of MDEQ and Board Attorney Artigues. This change provides a second test well for the McLaurin Street well. The current budget modification no. 13 indicates that contingency funding is available for this change, Director Hill seconded the motion; it was voted on and it carried unanimously.

Discussion Items

None

Executive Director

Audit Committee Member – Executive Director Pitalo informed the Board of the recommendation of the auditors of Gerald W. Rigby, CPA, PC, that an Audit Committee should be established and should consist of at least three members, the recommendation was that David Pitalo and Salina M Perniciaro of the Authority office serve and at least one Board member, Director Hill nominated Director Al Smith to serve on the committee, Director Ladner seconded the motion; it was voted on and it carried unanimously

Katrina and Pool Loan Payoff Options - Executive Director Pitalo presented the Board with two payment options to combine the Hurricane Katrina loan and the pool loan, one was a five year payoff and the other a ten year payoff. Motion was made by Director Ladner to authorize Executive Director to proceed with procuring the funds based on the ten year payment options, Director Smith seconded the motion; it was voted on and it carried unanimously.

Letter to Ray Eaton/MDEQ concerning Project W7 Contract Modifications - Information only – no action taken

New Business

None

Old Business

None

Executive Session

Motion was made by Director Longo to consider going into Executive Session to discuss land acquisition issues and legal issues concerning Project W7, Director Fillingame seconded the motion; it was voted on and it carried unanimously.

Motion was made Director Ladner to enter into Executive Session to discuss land acquisition issues and legal issues concerning Project W7, Director Fillingame seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Fillingame 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 thirty-four 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 Fillingame 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 one page(s)**, 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 Longo seconded the motion; it was voted on and it carried by majority vote, with Director Cleveland abstaining from the vote. Also, let the record show that Kevin Hill voted NO on all parcels due to personal and family property conflict issues.

Also, Attorney Pittman informed the Board of two counter offers, the first is on the Project W7 well and tank site consisting of .095 acres of land, motion was made by Director Ladner to authorize Attorney Pittman to proceed with the counter offer as discussed during executive session, Director Longo seconded the motion, it was voted on and it carried by majority vote, with Director Cleveland abstaining from the vote.

The second is for the Project S6 Wilderness Lane lift station site consisting of .0674 acres; that based on the location of the property and because the lift station is on the front corner of the irregular shaped parcel, the owners deemed the property an uneconomic remnant, and requested that the entire .0674 acres be acquired. The Board recognized that the original "take" did create an uneconomic remnant and motion was made by Director Hill to authorize Attorney Pittman to proceed with the counter offer as discussed during executive session, Director Ladner seconded the motion; it was voted on and it carried by majority vote, with Director Cleveland abstaining from the vote.

Adjourn or Recess

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



HCUA Board Chairman



HCUA Executive Director