



HANCOCK COUNTY UTILITY AUTHORITY

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Monthly Board Meeting

November 9, 2010

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

Attendees:

Mr. Al Smith
Mr. Jack Cleveland
Mr. Rocky Pullman
Mayor Tommy Longo

Mr. Larry Ladner
Mr. Kevin Hill
Mayor Les Fillingame

Pledge of Allegiance and Silent Prayer – Lead by Director Larry Ladner

Approval of Minutes

Motion was made by Director Ladner to approve the minutes from the September 8, 2010 Monthly Board Meeting, Director Longo 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 2010 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 in the amount of \$4,416,178.78 as presented to the Board, Director Longo seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Pullman to approve the Substantial Completion Certificate for Work Order No. 1 for the W8 Bayside Park Water Distribution System project, Term Bid 2008-03, as of 09-23-10. This begins the one-year warranty period for the entirety of the distribution system, Director Smith seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Ladner to spread on the minutes the opinion from the State Attorney General Jim Hood, concerning the Ms Gulf Coast Region Utility Board

Water, Wastewater and Storm Water Projects, Director Longo seconded the motion; it was voted on and it carried unanimously.

Discussion: Director Ladner requested clarification on this item; Executive Director Pitalo explained that due to the approaching deadline for some of the CDBG projects the Regional Board had requested the opinion of the State Attorney General if the expiring projects could be extended or would they have to be rebid.

Director Fillingame expressed concern that the response from the Attorney General was not distributed to each Board member when it was received in early October, giving the Board adequate time to review the response.

Motion as made by Director Fillingame to approve the Contract Modification 2008-07/08(W7) to the Term Bid 2008-07 construction contract with Necaise Brothers Construction, in the additive amount of \$40,079.85, contingent on final approval of MDEQ and Board Attorney Artigues. This change provides the required fuel and material adjustment for Work Order W7-03. The current budget modification indicates that there are sufficient contingency funds 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. 9 to the engineering agreement with Neel-Schaffer for project W7, in the additive amount of \$52,057.00 for basic services, and \$17,760.00 for surveying, contingent on approval of Board Attorney Artigues and MDEQ. This work will provide for the completion of the W7 rebid documents for the realigned section of the 16-inch main on Crump Road and the ten (10) master meter stations. The current budget modification indicates that there are sufficient W7 contingency funds for this amendment, Director Cleveland seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Smith to approve Contract Modification 2008-02/15(S6) to the Term Bid 2008-02 construction contract with Jay Bearden/G&C Construction, in the deductive amount of \$11,676.54, contingent on final approval of MDEQ and Board Attorney Artigues. This change provides for various additions and deductions to the work, as required by field conditions and coordination requirements of the accelerated schedule program, Director Cleveland seconded the motion; it was voted on and it carried unanimously.

Motion was made Director Fillingame to approve the Substantial Completion Certificate for Work Order No. 3 for the S4 Sewer Lift Station No. 1, Pearlinton, Term Bid 2008-01, as of 09-29-10. This begins the one-year warranty period for the pump station, Director Longo seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Smith to approve the Revision 2 to Work Order 2008-02/S6-01 for the Term Bid 2008-02 contract with Jay Bearden/G&C Construction, in the additive amount of \$4,588.98, contingent on final approval of MDEQ and Board Attorney Artigues. This change adjusts quantities of various bid items due to field

conditions, and adds 153 calendar days time for excusable delays as itemized in the attached Compton Engineering letter dated 10-04-10, Director Ladner 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 subcontractor services of the following:

Project HANCUA 2008-07, W7 & S5

- VIO Construction, Inc. – Valrico, FL
- GTM Services, LLC – Marana, AZ
- Geo Pave, LLC – Gulfport, MS

Project HANCUA 2008-01, W4 & S4

- VIO Construction – Valrico, FL
- GTM Services, LLC – Marana, AZ

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

Motion was made by Director Fillingame to approve the Budget Modifications listed below and as presented to the Board:

- HANCUA-01 #12
- HANCUA-02 #19
- HANCUA-03 #14

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

Motion was made by Director Longo to approve Contract Modification 2008-07/09(W7) to the Term Bid 2008-07 construction contract with Necaise Brothers Construction, in the deductive amount of \$1,694,714.10 contingent on final approval of MDEQ and Board Attorney Artigues. This change deletes the section of the US 90 water main from Kiln-Waveland Cutoff Road to Longfellow Drive, and adds the Longfellow Drive water main section, in accordance with the approved realignment plan for the W7 regional system. Also included are four (4) bid items made necessary because of the additional costs associated with the concurrent construction on Longfellow Drive, Director Smith seconded the motion; it was voted on and it carried unanimously.

Motion was made by Director Ladner to approve moving forward with the land acquisition of easements of the residents listed on the Buyout List, this due to the length of time it is taking to initiate the Buyout program, Director Pullman seconded the motion; it was voted on and it carried unanimously.

Discussion: Director Ladner inquired if this would affect any residents in the Kiln area; Attorney Pittman said that it would probably affect no more than four households. Director Pullman explained that the program is slowing down due to FEMA requirements and restrictions.

Executive Director

Motion was made by Director Smith to spread on the minutes the letter from Compton Engineering to MDOT concerning utility installment on Lower Bay Road, Director Pullman seconded the motion; it was voted on and it carried unanimously.

Discussion: Director Cleveland questioned if any existing lines would have to be removed, Michael Moore of Neel Schaffer explained that there would no need to remove or relocate any lines.

Director Pullman stated that there is a possibility the need to acquire additional ROEs may arise, possibility as many as thirty three easements.

Executive Director Pitalo presented the Board with the Quarterly Projects Status Report from Brown and Mitchell, Inc. – Information Only – No Action Required

Not on Agenda: Executive Director Pitalo requested permission from the Board to purchase and install corrals on the water tanks at Rocky Hill Dedeaux Road and the Kiln DeLisle road site, the approximate cost would not exceed \$40,000.00, this in anticipation of leasing the space for transmission towers; motion was made by Director Ladner to approve the request, Director Smith seconded the motion; it was voted on and it carried unanimously.

New Business

Old Business

Funds from over funding of 2004 Bonds - No Action Taken

Amendment to Budget for \$50,000 Energy Efficiency projects – No Action Taken

Sewer Use Ordinance – Executive Director asked the Board if there were any comments, questions or changes on the previously submitted ordinance, Director Kevin Hill had some comments from the Pearlinton Water & Sewer Board. The Board wanted an updated copy to review and possibly vote on it in the December 2010 meeting.

Executive Session

Attorney Jack Pittman

Butler Snow

CDBG Construction Contracts

Motion was made by Director Fillingame to consider going into Executive Session to discuss land acquisition, legal and personnel issues, Director Longo 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, legal and personnel issues, Director Fillingame 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 at 3:45pm, Director Ladner seconded the motion; it was voted on and it carried unanimously.

During Executive Session Director Larry Ladner offered his resignation from the HCUA Board, motion was made by Director Cleveland to accept his resignation, Director Smith seconded the motion; it was voted on and it carried unanimously.

Pittman

During executive session, Attorney Jack Pittman presented the Board an opportunity to review, on a per parcel basis, a total of three waiver valuations for Project S4 – Pearlinton 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 Executive Director 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 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 forty-six 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 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 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 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 Longo seconded the motion; it was voted on and it carried unanimously.

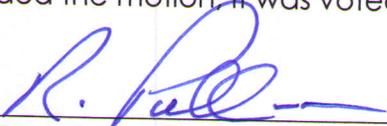
Also, during executive session Attorney Artigues discussed with the Board the response from the State Attorney General office concerning offering extension to the contractor for the CDBG projects soon to expire vs. going through a rebid process, after a full discussion, motion was made by Director Fillingame to authorize Attorney Artigues, Executive Director Pitalo and Brown and Mitchell, Inc. to make contract extension offers to the contractors, Director Ladner seconded the motion; it was voted on and it carried unanimously.

Old Business

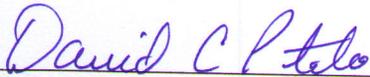
None

Adjourn

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



HCUA Board Chairman/Vice Chairman



HCUA Executive Director