MINUTES OF THE EMERALD COAST UTILITIES AUTHORITY BOARD MEETING HELD THURSDAY, JUNE 28, 2012 AT 3:00 P.M. IN THE ECUA BOARD ROOM AT 9250 HAMMAN STREET, ELLYSON INDUSTRIAL PARK, PENSACOLA, FL

Members present: Elvin McCorvey, Chairman
Elizabeth S. Campbell, Vice Chairman
Lois Benson
Dale Perkins
Larry Walker

Counsel present: Bradley S. Odom

Staff present: Stephen E. Sorrell, Executive Director
Nathalie Bowers, Public Information Officer
Debra Buckley, Director of Finance
Tim Haag, Director of Communications and Government Affairs
Linda Iversen, Executive Assistant to the Board
Jim Roberts, Public Information Officer
Randy Rudd, Deputy Executive Director-Shared Services

ITEM 1 – CALL TO ORDER

Chairman McCorvey called the regular meeting of the Emerald Coast Utilities Authority Board to order at approximately 3:00 p.m.

ITEM 2 – INVOCATION AND PLEDGE OF ALLEGIANCE

Mr. Perkins provided the invocation and led the Pledge of Allegiance.

ITEM 3 – ADOPTION OF AGENDA

Mr. Odom added to the agenda item 9(a) – Resolution 12-07.

Mr. Sorrell added to the agenda item 8(c) – Notification of Emergency Purchase-Ellyson well repair.

A motion was made by Dr. Walker, seconded by Ms. Benson, to adopt the agenda as presented and amended. Motion carried 5-0.

ITEM 4 – COMMUNICATIONS AND PRESENTATIONS

Mr. Sorrell informed the Board that ECUA has received two SWANA awards and that Ms. Campbell would be accepting the awards on the behalf of ECUA at the Washington D.C. conference in August.

ITEM 5 – APPROVAL OF MINUTES

Ms. Campbell advised of a correction to page 7, first paragraph, last sentence, wording corrected to read "...formula can cause dental fluorosis" rather than "...formula is causing dental fluorosis".

Mr. Perkins advised of a correction to page 4, item (f), second paragraph, third sentence, wording corrected to read "...by a certain company..." rather than "by certain companies".

A motion was made by Ms. Benson, seconded by Dr. Walker, to approve the minutes of the regular Board meeting of May 24, 2012 as corrected. Motion carried 5-0.

ITEM 6 - OPERATIONAL ITEMS:

None.

ITEM 7 - INFORMATIONAL REPORTS:

None.

ITEM 8 - EXECUTIVE DIRECTOR'S REPORT:

The following reports were presented for information only and did not require action.

(a) Expenditures approved by the Executive Director – Main Street WWTP Replacement project
(b) Notification of Emergency Purchase – Water main relocation along Cypress Street
(c) Notification of Emergency Purchase-Ellyson well repair

Mr. Sorrell also reported on a sewage spill due to damage to a lift station by bricks getting into the station and main. The damage caused an overflow in a pond located in the Baybrook Subdivision and ECUA was in the process of cleaning up the spill.

Also, Mr. Sorrell reported on an odor complaint in the Crescent Lake area, stating that the source was not found; however, staff will continue to monitor and evaluate.

Mr. Sorrell informed the Board of an emergency repair by Pensacola Concrete Construction on Pensacola Beach due to a contractor boring through a main. The contractor will be billed for the damage and repairs.

Mr. Sorrell informed the Board that the July Board meeting would be held in the new Board room. Also, the Consumer Confidence Report (CCR) has been sent out to ECUA customers. The ECUA did not have any MCL violations in its water again this year.

ITEM 9 - ATTORNEY'S REPORT

(a) Resolution 12-07

Mr. Odom provided an overview of Resolution 12-07 and the issues relative to ECUA building a transfer station.

A motion was made by Mr. Perkins, seconded by Ms. Campbell, to adopt A RESOLUTION OF THE EMERALD COAST UTILITIES AUTHORITY STATING ITS INTENTION TO PROSECUTE AN ACTION IN ORDER TO INTERPRET A PREVIOUSLY ENTERED PERMANENT INJUNCTION AND DECLARE ITS RIGHTS, POWERS, AND PRIVILEGES TO BUILD A TRANSFER STATION; INITIATION OF THE CONFLICT RESOLUTION PROCEDURE UNDER THE FLORIDA GOVERNMENTAL CONFLICT RESOLUTION ACT; AND PROVIDING NOTICE TO ESCAMBIA COUNTY. Motion carried 5-0.

(b) Sewer Use Ordinance – Pre-treatment Enforcement Plan

Mr. Odom advised the Board that the Sewer Use Ordinance resolution was not being presented at this meeting as indicated it would be at the May meeting. Mr. Odom indicated that presentation of the resolution is planned for the July Board meeting.

(c) Ellyson property purchases

Mr. Odom informed the Board of issues relative to the "Ellyson Inn" property that were delaying the closing on the property purchase, stating that efforts to resolve those issues with the County are continuing. Also, Mr. Odom provided an update on the cleanup of the Conti property and it is anticipated that the property closing will occur within a month.

(d) Baylen Street property

Mr. Odom reported that there is an issue with the title to the property and if it is not resolved through the title company, the property would need to be obtained through eminent domain.

ITEM 10 - UNFINISHED BUSINESS

(a) Mr. Perkins inquired about additional operational measures for Pensacola Beach being in place for the Independence Day holiday and Mr. Sorrell stated that extra crews and services are in place.

(b) Upon an inquiry from Dr. Walker, Mr. Sorrell provided an update on the cleanup of the Cantonment location by the Zachary Company. Mr. Sorrell stated that inspections would be conducted within the next two weeks.

ITEM 11 - NEW BUSINESS

(a) Mr. Perkins reported that he had been contacted by Mr. Marty Donovan concerning a sewage spill in Davenport Bayou. Mr. Sorrell stated that the spill was a private lift station and it was assumed that it was ECUA. ECUA informed Mr. Donovan that it was not ECUA's and ECUA could not work on private property.

(b) Chairman McCorvey commented on the rain event earlier in the month and expressed his appreciation for how well the system held up and the efforts of the employees.

(c) Ms. Campbell provided an update on the information she provided at the May meeting regarding the CDC notification relative to fluoride in infant formula and dental fluorosis and the need for ECUA to pass the warning on to its customers. Ms. Campbell distributed copies of a "warning" statement that the State of New Hampshire is requiring to be placed on its consumer confidence reports mailed to customers and posted online.

ITEM 12 - BOARD COMMUNICATIONS

None.

ITEM 13 - OPEN FORUM

(a) Mr. David Carter, 4043 Overland Circle, Pace, FL, addressed the Board concerning costs he incurred on the Memorial Day holiday as a result of his delivering loads of wastes to the Central Water Reclamation Facility. Mr.

Carter stated that he was not aware that it was a holiday for ECUA and he was charged a premium rate as a result. Mr. Carter requested that his invoice for that day be adjusted to reflect the regular charges and not the premium rate as had he known it was a holiday for ECUA, he would not have made the deliveries.

A motion was made by Dr. Walker, seconded by Mr. Perkins, to adjust Mr. Carter's invoice to the normal Monday rate rather than the holiday rate. Motion carried 4-1 with Chairman McCorvey voting against the motion.

Staff was requested to inform the waste haulers of ECUA holidays and remind them that they would be charged the premium rate on ECUA designated holidays.

(b) Mr. Al Chaney addressed the Board concerning ECUA crews doing work on private property. Mr. Sorrell stated that ECUA employees are not permitted to work on private property and to his knowledge no employee has.

Mr. Chaney responded that he has proof of an occurrence at the direction of a Board member. Mr. Sorrell was directed by Chairman McCorvey to report back to the Board any information of such an occurrence of a Board member(s) ordering ECUA employees to work on private property.

ITEM 14 - ADJOURNMENT

There being no further business to come before the regular meeting of the Emerald Coast Utilities Authority Board, Chairman McCorvey declared the meeting adjourned at approximately 3:57 p.m.

Respectfully submitted,

Stephen E. Sorrell
Executive Director

APPROVED BY THE ECUA BOARD
IN REGULAR SESSION ON 07/26/12.

(X) Without corrections/amendments.
( ) With corrections/amendments being: