MINUTES OF THE EMERALD COAST UTILITIES AUTHORITY BOARD MEETING HELD TUESDAY, NOVEMBER 27, 2012 AT 3:15 P.M. IN THE ECUA BOARD ROOM AT 9255 STURDEVANT STREET, ELLYSON INDUSTRIAL PARK, PENSACOLA, FL

Members present: Larry Walker, Chairman
Vicki Campbell, Vice Chairman
Lois Benson
Elvin McCorvey
Dale Perkins

Counsel present: Bradley S. Odom

Staff present: Stephen E. Sorrell, Executive Director
Nathalie Bowers, Public Information Officer
Debra Buckley, Director of Finance
Mike Hamlin, Manager of Utility Development
Linda Iversen, Executive Assistant to the Board
David Roberts, Director of Information Technology
Jim Roberts, Public Information Officer

ITEM 1 – CALL TO ORDER

Chairman Walker called the regular meeting of the Emerald Coast Utilities Authority Board to order at approximately 3:43 p.m.

ITEM 2 – INVOCATION AND PLEDGE OF ALLEGIANCE

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

ITEM 3 – ADOPTION OF AGENDA

Mr. McCorvey added the topic of "citizen complaint on Coyle Street-Broussard claim against ECUA" to the agenda under New Business.

A motion was made by Mr. McCorvey, seconded by Ms. Campbell, to adopt the agenda as presented and amended. Motion carried 5-0.

ITEM 4 – COMMUNICATIONS AND PRESENTATIONS

None.

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ITEM 5 – APPROVAL OF MINUTES

A motion was made by Ms. Benson, seconded by Mr. McCorvey, to approve the minutes of the regular Board meeting October 25, 2012 as presented. Motion carried 5-0.

ITEM 6 - REPORT OF THE ECUA CITIZENS' ADVISORY COMMITTEE 11/14/12

F. Renewal of Maintenance Agreement for SunGard Public Sector Software

A motion was made by Mr. McCorvey to waive the competitive bidding process for the above-stated reasons and authorize the Executive Director to renew the maintenance contract with SunGard Public Sector, Inc., at a cost of $94,455.00, with funds allocated from the appropriate budget line item. *Motion died for lack of a second.*

Following consideration of Item H, a motion to reconsider Item F. was made by Mr. Perkins, seconded by Ms. Benson. Motion carried 4-1 with Mr. McCorvey voting against the motion.

A motion was made by Mr. Perkins, seconded by Mr. McCorvey, to waive the competitive bidding process for the above-stated reasons and authorize the Executive Director to renew the maintenance contract with SunGard Public Sector, Inc., at a cost of $94,455.00, with funds allocated from the appropriate budget line item. Motion carried 4-1 with Ms. Benson voting against the motion.

A motion was made by Ms. Benson, seconded by Ms. Campbell, to reinstate the $50,000 limit for the Executive Director to approve change orders without approval. Motion carried 3-2 with Messrs. McCorvey and Walker voting against the motion.

G. Sewer Expansion Program

Tabled in Committee until the December meeting.

H. Main Street Wastewater Treatment Plant Replacement Project

Ms. Benson commented that she feels it is time for the Board to resume their authority to approve the expenditures for the Main Street WWTP replacement project, stating that expenditures being made now are for portions of the project that are not time sensitive.

A motion was made by Mr. McCorvey, seconded by Mr. Perkins, to take no action at this time concerning the Executive Director's authority to approve contracts and expenditures related to the replacement of the Main Street WWTP, which may exceed his current purchasing authority of $50,000, with subsequent notification provided to the Board at its next meeting. Motion failed 2-3 with Benson, Campbell and Perkins voting against the motion.

I. Recyclable Materials Recovery Agreement

A motion was made by Ms. Benson, seconded by Ms. Campbell, to conceptually approve an agreement for Southern Waste Recovery to recover recyclable materials from ECUA's garbage waste stream, and authorize the Executive Director to execute all required documents to enable Southern Waste Recovery to provide this service to ECUA.

Mr. Perkins stated that he would like to see improved communication with the County and the Executive Director authorized to meet with them. Further, he would encourage the Board to table this issue and authorize the Executive Director to meet with the County.

A motion was made by Mr. Perkins, seconded by Mr. McCorvey, to table the issue until the December 13 meeting. Motion carried 3-2 with Messes. Benson and Campbell voting against the motion.

ITEM L - NEW BUSINESS

(1) Meeting schedule

Information only – the Committee voted 8-3 to schedule the Committee meetings for a six-month trial [beginning with the December meeting] for the third Tuesday of each month at 6:00 p.m. in the ECUA Board room.

Ms. Benson stated that she would like to see the changing of the Committee meeting time from 2:00 p.m. to 6:00 p.m. delayed until the start of daylight savings time.

A motion was made by Ms. Benson, seconded by Mr. McCorvey, to defer this issue until the Citizens' Advisory Committee has revisited the issue.

Mr. Odom advised that Ms. Benson's motion is improper in that the Committee sets its own meeting times. Ms. Benson withdrew her motion and Mr. McCorvey withdrew his second.

Mr. Perkins stated he would be okay with the Committee Chairman rescheduling the December Committee meeting for 3:00 p.m.

ITEM 7 - OPERATIONAL ITEMS:

(a) Selection of architectural design firm-Sanitation Support Building renovations

A motion was made by Mr. McCorvey, seconded by Ms. Benson, to reject the staff recommendation and that each Board member review the proposals and meet with the Executive Director to discuss them.

A substitute motion was made by Ms. Benson, seconded by Mr. McCorvey, to table this issue until the next Board meeting.

The vote on the substitute motion becoming the main motion carried 4-1 with Mr. Perkins voting against the motion.

The vote on the substitute motion as the main motion carried 3-2 with Messrs. Walker and Perkins voting against the motion.

ITEM 8 - INFORMATIONAL REPORTS:

None.

ITEM 9 - EXECUTIVE DIRECTOR'S REPORT:

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

(a) Notice of emergency project expenditures-Lift stations No. 11 and 53 force main replacements
(b) Expenditures approved by the Executive Director – Main Street WWTP

Mr. Sorrell also reported that ECUA employee Tim "Yogi" Colley passed away at noon on Sunday, November 25.

Also, the ground water monitoring wells have been installed at the Main Street property and staff is awaiting the results.

Further, the pigging project in the Highway 297A area is continuing and pressures are improving.

Mr. Sorrell also provided a report on the septage being accepted at the Central Water Reclamation Facility, stating they are only accepting waste from licensed, State of Florida haulers. Mr. Sorrell stated they are also monitoring the septage for contaminants.

ITEM 10 - ATTORNEY'S REPORT

Mr. Odom reported that with regard to the Deerfield Estates agreement, all parties have agreed to the agreement and a copy has been provided to the Homeowners Association representative in order that he may get the agreement to the County Attorney's office for signature. Further, bids for this project are scheduled to be opened next week.

Mr. Odom also reported that ECUA does not have any active liability claims for the first time in a long time.

ITEM 11 - UNFINISHED BUSINESS

None.

ITEM 12 - NEW BUSINESS

(a) Coyle Street claims (McCorvey)

Mr. McCorvey stated that he received a call from Mr. Broussard and also was provided a copy of an e-mail from someone in the Human Resources Department in which Mr. Broussard was informed he would be receiving payment for a claim. Further, Mr. Broussard has not received any payment as was indicated in the e-mail but was informed by the Human Resources Department that the person that sent out the e-mail was not authorized to make that decision.

A motion was made by Mr. McCorvey, seconded by Ms. Benson, that ECUA pay the gentleman in question the $4,000+ since a commitment to do this was made by an employee of ECUA. Motion carried 4-1 with Chairman Walker voting against the motion.

ITEM 13 - BOARD COMMUNICATIONS

(a) Ms. Campbell informed the members of conversations that she had been having with a constituent on almost a daily basis prior to being elected in which he would convey comments/actions by the other Board members. Ms. Campbell stated that upon her election, she informed the individual that she could no longer discuss ECUA related issues with him in that

he was placing himself in a position to become a conduit for information among the Board, as this would be a violation of the Sunshine Law.

ITEM 14 -OPEN FORUM

(a) Mr. Barry Tweedie, 10395 Old Dairy Lane, requested clarification of how ECUA is dealing with out-of-state septage haulers and local haulers. Mr. Sorrell advised that what ECUA is doing will not affect local haulers as their septage loads are from haulers that are licensed in the State of Florida and are disposing of loads that are from Florida and staff is sampling the loads for contaminants.

ITEM 15 - 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 4:47 p.m.

Respectfully submitted,

Stephen E. Sorrell
Executive Director

APPROVED BY THE ECUA BOARD
IN REGULAR SESSION ON _____.

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