

**Highway 79 Corridor Authority**  
**Board Meeting Minutes**  
**Wednesday, December 13, 2023**

- I. **Call to Order** – Tray Hawkins, Chairman
- II. **Invocation** - Tray Hawkins, Chairman
- III. **Pledge of Allegiance** – Tray Hawkins, Chairman

The “Pledge of Allegiance” was recited by those in attendance.

- IV. **Citizens to be Heard** – None
- V. **Minutes** -

M 1: Motion to Approve Board Minutes of the September 13, 2023, Board Meeting by Jeff Good, second by Tray Hawkins. Motion carried 2-0.

- VI. **Consent Agenda**

CA1: Motion to approve Invoices to be paid by Jeff Good, second by Tray Hawkins. Motion carried 2-0.

- VII. **Finance**

FA 1 Finance Report YTD Budget vs. Actuals

Adam Dieterich and Kristy Walker from Carr, Riggs and Ingram went over the report in the packet. Mr. Dieterich reported that there were no unexpected costs to report. The first payment installments have been received from both Washington and Holmes Counties. Finances are trending as expected.

FA 2 Revenue Sharing Payment Updates

FA 3 Other Items – None

- VIII. **Operations**

OP 1 Other Items – Troy Rendell from US Water

Chairman Hawkins asked about the boring for Dr. Hawkins’ office. Mr. Rendell stated the boring was complete and they should have been able to tie in last week. Mr. Rendell said he was awaiting confirmation of project completion. Chairman Hawkins ask when they anticipate Dr. Hawkins’ office being online. Mr. Rendell said he would verify and get back to Chairman Hawkins via email.

- IX. **System Manager and Administration**

SM 1 Board Discussion Regarding Meeting Schedule for 2024

Chairman Hawkins stated that quarterly meetings would be preferable unless there was something specific that needed to be addressed. Mr. Rosenthal suggested the next meeting be in February 2024. He said the connection fee needs to be put in place for the Dr. Hawkins lateral. Also, the conveyance of the system to

Bonifay. Mr. Rosenthal said a meeting in February could take care of those two items and then move to quarterly meetings.

SM 2 Update on Construction of Lateral for Dr. Hawkins

Chairman Hawkins asked Mr. Rendell if he had anything to add.  
None.

**X. General Counsel**

GC 1 Update from City of Bonifay Concerning Assumption of DEO Grant Obligations

Chairman Hawkins asked Mr. Rosenthal if he had any update on the conveyance of the system to Bonifay. Mr. Rosenthal said they had heard back from DEO and DOT, and they informed him that it was possible to convey the system to the City of Bonifay as long as the purpose of the grant was not disturbed. And as long as the DEO grant and the grant obligations remained in place. Washington County is the grantee for that Chairman Hawkins asked if the system was conveyed to the City of Bonifay, Washington County would still be responsible for the grant obligations. Mr. Rosenthal confirmed that Washington County is who DEO will be looking to. Chairman Hawkins asked if Bonifay would sign a Hold Harmless agreement to Washington County that they were accepting responsibility. Mr. Rosenthal said essentially that those financial obligations would be assigned to the City of Bonifay. We are waiting to hear back from them, though we did receive meeting minutes from the City of Bonifay, and it appears they have agreed to take on those obligations as part of a conveyance. The meeting minutes have been included in your packet. Chairman Hawkins said that DEO would see that as a secondary agreement between Washington County and the City of Bonifay. DEO would still come after Washington County for the call back and then it would be litigation between Washington County and the City of Bonifay. Mr. Rosenthal said he believes, based on the discussion they have had with DEO, that they would be okay with full assignment to the City of Bonifay. Mr. Good said he believes the only hold-up with the city of Bonifay now is the hold-up with finding a new lawyer. When that person comes online, it should be ready for the next meeting. Chairman Hawkins said he just wants to be clear with DEO that once this takes place, that Washington County will no longer be responsible for the grant, and it would convey completely to the City of Bonifay. Mr. Rosenthal said DEO indicated that if the Highway 79 Corridor Authority wanted to do a full assignment of the grant obligations, that they would need to do a little more due diligence on their end before approving that. Chairman Hawkins said he just wanted to make sure that DEO knows that the City of Bonifay is the place holder for the contract. Mr. Rosenthal said DEO just wants to make sure whomever they are partnering with would be capable of

fulfilling the grant obligations. DEO wants to complete that review. They did indicate they could do a full assignment as long as it is another public entity, which Bonifay is. We are just waiting to see if they meet all of the requirements. We can start working through that and draw up a conveyance agreement.

GC 2 Update Regarding Adoption of Special Connection Fee for Connections to Lateral

This item is to be discussed in the February 2024 meeting and public noticing for this item will be done prior to the meeting.

**XI. Board Items**

BD 1 Other Items – None

Adjourn - Chairman Hawkins set a motion to adjourn at 10:16am CST.

Date Minutes Approved – March 13, 2024