

HARRISON COUNTY UTILITY AUTHORITY  
BOARD MEETING  
December 1, 2016

Be it remembered that a meeting of the Harrison County Utility Authority Board of Directors was held on December 1, 2016, at 9:00 a.m. at the Harrison County Utility Authority Board Room, at 10271 Express Drive in Gulfport, Mississippi. In attendance were:

BOARD AND STAFF:

Supervisor Marlin Ladner, Harrison County (1), Director  
Mr. Kris Riemann, representing the City of Gulfport  
Mayor Andrew "Fofu" Gilich, City of Biloxi, Director  
Mayor Billy Skellie, City of Long Beach, Director  
Mr. Al Gombos, representing the City of D'Iberville  
Supervisor Angel Kibler-Middleton, Harrison County (2), Director  
Mr. Malcolm Jones, representing the City of Pass Christian  
Mr. James Simpson, Wise Carter Attorneys, Esquire  
Mr. Donald Scharr, Executive Director, HCUA  
Ms. Patra Roberts, Office Manager, HCUA  
Mr. Michael VanCourt, Comptroller, HCUA  
Mr. John Wilson, O & M Manager, HCUA  
Mr. Seren Ainsworth, outgoing Solid Waste Coordinator, HCUA  
Mr. Alan Lane, incoming Solid Waste Coordinator, HCUA

ABSENT:

Mayor Billy Hewes, City of Gulfport, Director  
Mayor Chipper McDermott, City of Pass Christian, Director

AUDIENCE:

Mr. Bruce Newton, Digital Engineering  
Mr. Dax Alexander, BMA Engineering  
Mr. Bill Knesal, Knesal Engineering  
Mr. Bobby Knesal, Utility Partners  
Mr. Ruppert Jemmott, Waste Pro  
Mr. John Baptiste, Waste Pro  
Ms. Jenna Bennett, Team Waste

Letters of designation are attached hereto as exhibit "A".

There being a quorum sufficient to transact business of the Authority, Supervisor Ladner called the meeting to order. The following proceedings were had and done.

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**A. Opening Prayer and Pledge of Allegiance**

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**B. Public Comments**

Supervisor Ladner opened the floor for public comments.

Mr. Seren Ainsworth introduced Mr. Alan Lane as the new Solid Waste Coordinator. Mr. Lane will assume the position on December 5, 2016.

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**Amendment to Agenda**

Mr. Scharr recommended the agenda be amended to add items:

**CDBG:**

**G. 2 a 1. CDBG – Requests for Cash**

**G. 2 a 2. HARCUA-02 Budget Modification No. 72**

**G. 2 a 3. HARCUA-02 Budget Modification No. 73**

Mr. Gombos made a motion to amend the agenda, seconded by Mayor Skellie. A roll call vote resulted in the following votes:

Biloxi	voted	aye
Gulfport	voted	aye
D'Iberville	voted	aye
Long Beach	voted	aye
Harrison County (1)	voted	aye
Harrison County (2)	voted	aye
Pass Christian	voted	aye

The motion passed.

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**C. Approval of Board Meeting Minutes dated November 3, 2016**

Mr. Gombos made a motion to approve the Board Meeting Minutes dated November 3, 2016, seconded by Supervisor Middleton. A roll call vote resulted in the following votes:

Biloxi	voted	aye
Gulfport	voted	aye

D'Iberville	voted	aye
Long Beach	voted	aye
Harrison County (1)	voted	aye
Harrison County (2)	voted	aye
Pass Christian	voted	abstained

The motion passed.

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**D. Approval of Board Meeting Minutes dated November 17, 2016**

Mr. Gombos made a motion to approve the Board Meeting Minutes dated November 17, 2016, seconded by Mayor Skellie. A roll call vote resulted in the following votes:

Biloxi	voted	aye
Gulfport	voted	aye
D'Iberville	voted	aye
Long Beach	voted	aye
Harrison County (1)	voted	aye
Harrison County (2)	voted	aye
Pass Christian	voted	abstained

The motion passed.

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**E. Approval of HCUA Claims Docket dated December 2, 2016**

Mr. Gombos made a motion to approve the HCUA Claims Docket dated December 2, 2016, seconded by Mayor Gilich. A roll call vote resulted in the following votes:

Biloxi	voted	aye
Gulfport	voted	aye
D'Iberville	voted	aye
Long Beach	voted	aye
Harrison County (1)	voted	aye
Harrison County (2)	voted	aye
Pass Christian	voted	aye

The motion passed. A copy of the Claims Docket is attached hereto as exhibit "B".

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**F. a — Financial Reports – Non-CDBG**

Mr. VanCourt provided a brief overview of the current budget status.

Mr. Gombos made a motion to accept the Financial Report – Non-CDBG, seconded by Mayor Skellie. A roll call vote resulted in the following votes:

Biloxi	voted	aye
Gulfport	voted	aye
D'Iberville	voted	aye
Long Beach	voted	aye
Harrison County (1)	voted	aye
Harrison County (2)	voted	aye
Pass Christian	voted	aye

The motion passed. A copy of the Non-CDBG Financial Report is attached hereto as exhibit "C".

**F. b – Financial Reports – CDBG**

Mr. Newton stated S14 and S18 are the only two projects that remain open. He advised most excess grant funds have been sent back to MDEQ.

No action required.



**Old Business**

**G. 1 a - None**



**New Business - CDBG**

**G. 2 a 1 – CDBG – Requests for Cash**

On behalf of the CDBG Grant Administrator, Gouras and Associates, Mr. Newton recommended the approval of the Request for Cash in the amount of \$16,185.92

Mayor Gilich made a motion to approve the Request for Cash in the amount of \$16,185.92 based on the recommendation of the Grant Administrator and Mr. Newton, seconded by Mr. Jones. A roll call vote resulted in the following votes:

Biloxi	voted	aye
Gulfport	voted	aye
D'Iberville	voted	aye
Long Beach	voted	aye
Harrison County (1)	voted	aye
Harrison County (2)	voted	aye
Pass Christian	voted	aye

The motion passed. A copy of the Request for Cash Summary is attached hereto as exhibit "D".

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**G. 2 a 2 – HARCUA-02 Budget Modification No. 72**

Mr. Newton advised the budget modification is to extend the reimbursement period for construction on S14 and S18 through December 31, 2016.

Mr. Newton stated the S18 project is on-schedule to meet the grant close out deadline.

He stated the manholes and pipe have been installed on the S14 project. The contractor is not able to access parts of the site to vacuum test and coat the manholes, due to weather-related site conditions.

Mr. Jones made a motion to approve HARCUA-02 Budget Modification No. 72 based on the recommendation of Mr. Newton, seconded by Mayor Skellie. A roll call vote resulted in the following votes:

Biloxi	voted	aye
Gulfport	voted	aye
D'Iberville	voted	nay
Long Beach	voted	aye
Harrison County (1)	voted	aye
Harrison County (2)	voted	aye
Pass Christian	voted	aye

The motion passed. A copy of the budget modification is attached hereto as exhibit "E".

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**G. 2 a 3 – HARCUA-02 Budget Modification No. 73**

Mr. Jones made a motion to approve HARCUA-02 Budget Modification No. 73 based on the recommendation of Mr. Newton, seconded by Mayor Gilich. A roll call vote resulted in the following votes:

Biloxi	voted	aye
Gulfport	voted	aye
D'Iberville	voted	aye
Long Beach	voted	aye
Harrison County (1)	voted	aye
Harrison County (2)	voted	aye
Pass Christian	voted	aye

The motion passed. A copy of the budget modification is attached hereto as exhibit "F".



**Non-CDBG**

**G. 2 b 1 – Release of Lease – West Harrison Water & Sewer District**

Mayor Skellie made a motion to approve the Release of Lease – West Harrison Water & Sewer District, seconded by Mayor Gilich. A roll call vote resulted in the following votes:

Biloxi	voted	aye
Gulfport	voted	aye
D'Iberville	voted	aye
Long Beach	voted	aye
Harrison County (1)	voted	aye
Harrison County (2)	voted	aye
Pass Christian	voted	aye

The motion passed. A copy of the release is attached hereto as exhibit "G".



**G. 2 b 2 – D'Iberville/Biloxi Water Improvements – RPR Services Contract – Thompson Engineering (\$19,500)**

Mr. Gombos made a motion to approve the award for the D'Iberville/Biloxi Water Improvements – RPR Services Contract – Thompson Engineering (\$19,500) based on the recommendation of Mr. Scharr, seconded by Mr. Jones. A roll call vote resulted in the following votes:

Biloxi	voted	aye
Gulfport	voted	aye
D'Iberville	voted	aye
Long Beach	voted	aye
Harrison County (1)	voted	aye
Harrison County (2)	voted	aye
Pass Christian	voted	aye

The motion passed. A copy of the proposal is attached hereto as exhibit "H".

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**G. 2 b 3 - Pineville CIAP Project – Substantial Completion for Saunders Construction**

Mr. Bill Knesal recommended acceptance of substantial completion as of September 25, 2016.

Mayor Gilich made a motion to approve the Pineville CIAP Project – Substantial Completion for Saunders Construction based on the recommendation of Mr. Scharr, seconded by Mr. Jones. A roll call vote resulted in the following votes:

Biloxi	voted	aye
Gulfport	voted	aye
D'Iberville	voted	aye
Long Beach	voted	aye
Harrison County (1)	voted	aye
Harrison County (2)	voted	aye
Pass Christian	voted	aye

The motion passed. A copy of the certificate is attached hereto as exhibit "I".

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**G. 2 b 4 – Pineville CIAP Project – Substantial Completion for Walker Construction**

Mr. Bill Knesal recommended acceptance of substantial completion as of October 19, 2016.

Mayor Skellie made a motion to approve the Pineville CIAP Project – Substantial Completion for Walker Construction based on the recommendation of Mr. Scharr, seconded by Mr. Jones. A roll call vote resulted in the following votes:

Biloxi	voted	aye
Gulfport	voted	aye
D'Iberville	voted	aye
Long Beach	voted	aye
Harrison County (1)	voted	aye
Harrison County (2)	voted	aye
Pass Christian	voted	aye

The motion passed. A copy of the certificate is attached hereto as exhibit "J".

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**G. 2 b 5 – Pineville CIAP Project – Substantial Completion for J. Levens Builders**

Mr. Bill Knesal recommended acceptance of substantial completion as of October 28, 2016.

Mr. Jones made a motion to approve the Pineville CIAP Project – Substantial Completion for J. Levens Builders based on the recommendation of Mr. Scharr, seconded by Mayor Skellie. A roll call vote resulted in the following votes:

Biloxi	voted	aye
Gulfport	voted	aye
D'Iberville	voted	aye
Long Beach	voted	aye
Harrison County (1)	voted	aye
Harrison County (2)	voted	aye
Pass Christian	voted	aye

The motion passed. A copy of the certificate is attached hereto as exhibit "K".

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#### **G. 2 b 6 – Update on Public Outreach Program**

Mr. Ben Hunter, of the Focus Group, provided the Board with a progress update on the Public Outreach Program.

Phase One – Completed.

Research, team meetings, and planning with HCUA staff have been completed. The Facebook page was launched June 30, 2016 and continues to grow in reach and interaction with the public.

Phase Two – In-Progress.

Rebranding efforts and program development have been progressing over the past several weeks. The program creative pieces will be presented at the December 15, 2016 meeting.

Mr. Hunter also presented the Board with several logo options for consideration and feedback.

No action required.

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#### **J. Solid Waste Report**

Mr. Ainsworth provided the Board with the Waste Pro complaints received by HCUA for November.

He advised that feedback on the first draft of the RFP for solid waste collection has been received. The second draft will be distributed within the next two weeks. He anticipates advertising for the RFP in late January 2017.

There was a discussion regarding the requests for copies of the draft RFP from potential proposers. Mr. Simpson provided a legal opinion regarding the distribution of draft documents as a matter of public record. He stated any draft documents are a matter of public record and must be provided when requested.

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**K. Executive Director's Report**

Mr. Scharr advised the board that a public hearing will be held on January 9, 2017 to fulfill the application requirements for the State Revolving Funds.

Waste Pro was provided formal notice of fines assessed for contract violations from the month of August 2016, in the amount of \$85,000. Waste Pro submitted a response to the notice stating they are not in agreement with the assessment, but provided no justification or new information. Based on advice of legal counsel, HCUA will withhold the \$85,000 from Waste Pro's next payment. Mr. Simpson advised the contract does not specifically provide a method for paying fines.

Mr. Simpson recommend Board approval to authorize the withholding of the fines.

Mr. Jones made a motion to authorize the withholding of \$85,000 in fees assessed to Waste Pro based on the recommendation of Mr. Simpson, seconded by Mr. Riemann. A roll call vote resulted in the following votes:

Biloxi	voted	aye
Gulfport	voted	aye
D'Iberville	voted	aye
Long Beach	voted	aye
Harrison County (1)	voted	aye
Harrison County (2)	voted	aye
Pass Christian	voted	aye

The motion passed.

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**L. Executive Session**

Mayor Skellie made a motion to enter into closed session to determine the need for Executive Session.

A roll call vote resulted in the following votes:

Biloxi	voted	aye
Gulfport	voted	aye
D'Iberville	voted	aye
Long Beach	voted	aye
Harrison County (1)	voted	aye
Harrison County (2)	voted	aye
Pass Christian	voted	aye

The motion passed.

Supervisor Middleton stated the need to discuss personnel matters in Executive Session.

Mayor Skellie made a motion to enter Executive Session, seconded by Mr. Gombos. A roll call vote resulted in the following votes:

Biloxi	voted	aye
Gulfport	voted	aye
D'Iberville	voted	aye
Long Beach	voted	aye
Harrison County (1)	voted	aye
Harrison County (2)	voted	aye
Pass Christian	voted	aye

The motion passed. The Board entered into Executive Session.

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Mr. Jones made a motion to exit Executive Session and return to Open Session, seconded by Mayor Skellie. A roll call vote resulted in the following votes:

Biloxi	voted	aye
Gulfport	voted	aye
D'Iberville	voted	aye
Long Beach	voted	aye
Harrison County (1)	voted	aye
Harrison County (2)	voted	aye
Pass Christian	voted	aye

The motion passed. The Board returned to Open Session.

No action taken in Executive Session.

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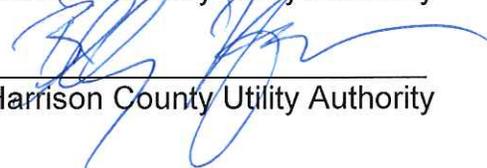
**M. Adjourn** - At this time Mayor Skellie made a motion to adjourn, seconded by Mr. Jones. A roll call vote resulted in the following votes:

Biloxi	voted	aye
Gulfport	voted	aye
D'Iberville	voted	aye
Long Beach	voted	aye
Harrison County (1)	voted	aye
Harrison County (2)	voted	aye
Pass Christian	voted	aye

The motion to adjourn passed.

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Harrison County Utility Authority

  
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