

HARRISON COUNTY UTILITY AUTHORITY
BOARD MEETING
May 3, 2018

Be it remembered that a meeting of the Harrison County Utility Authority Board of Directors was held on May 3, 2018 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:

Mayor Chipper McDermott, City of Pass Christian, Director
Mayor George Bass, City of Long Beach, Director
Mr. Al Gombos, representing the City of D'Iberville
Mayor Billy Hewes, City of Gulfport, Director
Supervisor Angel Kibler-Middleton, Harrison County (2), Director
Supervisor Marlin Ladner, Harrison County (1), Director
Mr. Mike Leonard, representing the City of Biloxi
Mr. James Simpson, Wise Carter Attorneys, Esquire
Mr. Donald Scharr, Executive Director, HCUA
Ms. Patra Roberts, Office Manager, HCUA
Ms. Julie Christian, Chief Financial Officer, HCUA
Mr. John Wilson, O & M Manager, HCUA
Mr. Alan Lane, Solid Waste Coordinator, HCUA

ABSENT:

Mayor Andrew "Fofu" Gilich, City of Biloxi, Director

AUDIENCE:

Mr. Jason Overstreet, A. Garner Russell & Associates
Ms. Cindy Lamb, Pickering Firm
Mr. Andy Phelan, Pickering Firm
Mr. Bernie Parker, City of Long Beach
Mr. Damon Torricelli, Neel Schaffer
Mr. Bobby Knesal, Knesal Engineering
Ms. Colby Cantrell, Pelican Waste
Mr. Charles Roberts, Pelican Waste
Ms. Jenna Bennett, Waste Management
Mr. Derrel Wilson, Utility Partners

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

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

A. Opening Prayer and Pledge of Allegiance

B. Public Comments

Mayor McDermott opened the floor for public comments. There were no public comments.

C. Approval of the Claims Docket dated May 4, 2018

Mayor Bass made a motion to approve the Claims Docket dated May 4, 2018, 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	aye

The motion passed. A copy of the claims docket is attached hereto as exhibit "B".

D. Approval of Board Meeting Minutes dated April 19, 2018

Mr. Gombos made a motion to approve the Board Meeting Minutes dated April 19, 2018, 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	aye

The motion passed. A copy of the meeting minutes is attached hereto as exhibit "C".

E. Technical Committee Meeting Minutes dated April 25, 2018

Mr. Gombos made a motion to approve the Board Meeting Minutes dated April 25, 2018, seconded by Mayor Bass. 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 meeting minutes is attached hereto as exhibit "D".

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Old Business

F. 1 a – None

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New Business

F. 2 a – Acceptance of MDEQ Waste Tire Collection Grant (\$51,500)

Mayor Bass made a motion to accept MDEQ Waste Tire Collection Grant (\$51,500), seconded by Mayor Hewes. 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 award letter is attached hereto as exhibit "E".

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F. 2 b – W. Fritz Creek Project Phase II - DMR Agent Authorization Letter

Mayor Bass made a motion to approve the West Fritz Creek Project Phase II – DMR Agent Authorization Letter, seconded by Mayor Hewes. A roll call vote resulted in the following votes:

Biloxi	voted	aye
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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 authorization letter is attached hereto as exhibit "F".

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F. 2 c – Just Compensation Resolution – White Trac Easement

Supervisor Ladner made a motion to approve the Just Compensation Resolution for the White Trac Easement and authorize purchase of the easement in the amount of \$25,900, seconded by Mayor Bass. 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 resolution is attached hereto as exhibit "G".

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F. 2 d – Keegan Bayou – SBR Liner #3 – Engineering Services Contract Simpkins & Costelli

Mayor Bass made a motion to approve the Engineering Services Contract with Simpkins & Costelli for the installation of the Keegan Bayou – SBR Line #3 on an hourly basis not to exceed \$12,000, 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	aye

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

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F. 2 e – Eagle Point Lagoon Closure – Change Order No. 1 – Advanced Construction and Development

The change order represents an overall decrease of \$44,275 to the contractor's bid price.

Supervisor Ladner made a motion to approve the Eagle Point Lagoon Closure – Change Order No. 1 – Advanced Construction and Development, seconded by Mayor Bass. 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 change order is attached hereto as exhibit "I".

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F. 2 f – 2018 Solid Waste House Count

Mr. Scharr recommended the Board accept the alternative house count method using the addresses where carts have been delivered.

There was discussion regarding the use of other methods to perform the house count.

Mr. Simpson advised that the contract does allow each member agency to choose the method for use in their municipality.

Mr. Gombos made a motion to table the 2018 Solid Waste House Count, seconded by Supervisor Ladner. 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 item was tabled.

A copy of the memorandum is attached hereto as exhibit "J".

F. 2 g – Dogwood Hills – Update

Dogwood Hills made an offer to allow HCUA to assume their water system. Mr. Scharr recommended Board authorization to proceed with the assessment of the system with the intent of acquisition.

Mr. Gombos made a motion to authorize Mr. Scharr and legal counsel to proceed with the assessment of the system with the intent of acquisition, seconded by Mayor Bass. 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 memorandum is attached hereto as exhibit "K".

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F. 2 h – RPR Services

Mayor Bass made a motion to authorize advertising the Request for Qualification for RPR Services, 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. A copy of the memorandum is attached hereto as exhibit "L".

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G. Executive Director's Report

Mr. Scharr provided a status update on the potential BP project (SP-12). The BP Environmental Checklist has been submitted to MDEQ. He stated that MDEQ continues to encourage HCUA to request more funding for this project. The Board was provided a handout that details the expanded request to include all of the Price Brothers pipe.

Mr. Scharr requested that a group of board members be assembled to meet with Governor Bryant, regarding the request for funding.

A copy of the estimate is attached hereto as exhibit "M".

Mr. Scharr provided a status update on the S-14 project. He advised that the initial assessment/inspection is complete. Physical testing will begin next week.

The Board was provided with Pickering's findings from the assessment.

Mr. Scharr advised the Board of a Notice of Violation from MDEQ, related to the expiration of the storm water permit for the S-14 project. He has provided a response to MDEQ.

Supervisor Middleton inquired about what measures are being taken to stop the flow of untreated sewage from Steve Day's lagoon. Mr. Scharr stated that he has provided notice to MDEQ. Mr. Scharr advised he will provide a written letter to MDEQ regarding the matter.

A copy of the assessment is attached hereto as exhibit "N".

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H. Executive Session

Supervisor Middleton made a motion to enter Closed Session to determine the need for Executive Session, seconded by Mayor Bass. 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 Closed Session.

Mayor Bass made a motion to exit Closed Session, 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 aye

The motion passed. The Board returned to Open Session.

Mr. Simpson stated the need to discuss two litigation matters and one potential litigation matter.

Mayor Bass made a motion to enter Executive Session, seconded by Supervisor Ladner. 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 Executive Session.

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Mayor Bass made a motion to exit Executive Session and return to Open Session, seconded by Supervisor Ladner. 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.

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Mr. Simpson requested board approval of the settlement between Miller and Bearden, where HCUA is named as an additional party in the lawsuit. HCUA will release the money held in escrow.

Supervisor Ladner made a motion to approve the settlement between Miller and Bearden and authorize the release of retainage, seconded by Mayor Bass. 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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Mr. Simpson requested board approval to resolve the claims with Waste Pro and authorize the release of funds, as discussed.

Mayor Bass made a motion to authorize legal counsel to resolve the claims with Waste Pro and authorize the release of funds as discussed, 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	aye


The motion passed.

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I. Adjourn - At this time Mr. Gombos made a motion to adjourn, seconded by Mayor Bass. 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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