

HARRISON COUNTY UTILITY AUTHORITY  
BOARD MEETING  
August 3, 2017

Be it remembered that a meeting of the Harrison County Utility Authority Board of Directors was held on August 3, 2017, 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  
Mayor Billy Hewes, City of Gulfport, Director  
Mayor Andrew "Fofu" Gilich, City of Biloxi, Director  
Mayor George Bass, City of Long Beach, Director  
Mr. Al Gombos, representing the City of D'Iberville  
Supervisor Angel Kibler-Middleton, Harrison County (2), Director  
Mayor Chipper McDermott, City of Pass Christian, Director  
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:

AUDIENCE:

Mr. Bruce Newton, Digital Engineering  
Mr. Jason Overstreet, A. Garner Russell & Associates  
Dr. John Kelly, City of Gulfport  
Mr. Hugh Keating, City of Gulfport  
Mr. Dwight Gordon, City of Pass Christian  
Mr. Derrel Wilson, Utility Partners  
Mr. Bobby Knesal, Utility Partners  
Ms. Cindy Lamb, Pickering Engineering  
Mr. Ron Robertson, City of Long Beach  
Ms. Jenna Bennett, Team Waste  
Mr. Andrew Densing, Team Waste  
Mr. Cody Waters, Team Waste  
Mr. Tim Callahan, Team Waste  
Mr. Michael Yarborough, Waste Management  
Mr. Steve Rubert, Waste Pro  
Mr. Jon Bierd, Waste Pro  
Mr. Tim Herman, Waste Pro  
Ms. Brynn Joachim, The Focus Group  
Mr. Roddie Matherne, Pelican Waste  
Mr. Tommy Thibodeaux, Pelican Waste

Ms. Lavada Johnson, Pelican Waste

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.

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

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**B. Public Comments**

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

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**C. Approval of Board Meeting Minutes dated July 6, 2017**

Mr. Gombos made a motion to approve the Board Meeting Minutes dated July 6, 2017, 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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**D. Approval of Special Board Meeting Minutes dated July 12, 2017**

Mr. Gombos made a motion to approve the Special Board Meeting Minutes dated July 12, 2017, 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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**E. Approval of Board Meeting Minutes dated July 20, 2017**

Mr. Gombos made a motion to approve the Board Meeting Minutes dated July 20, 2017, 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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**F. Approval of Special Board Meeting Minutes dated July 28, 2017**

Mr. Gombos made a motion to approve the Special Board Meeting Minutes dated July 28 2017, 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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**G. Approval of HCUA Claims Docket dated August 4, 2017**

Mayor Bass made a motion to approve the HCUA Claims Docket dated August 4, 2017, 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 Claims Docket is attached hereto as exhibit "B".

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### **New Business – CDBG**

**H.1 a – None.**

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### **New Business – Non CDBG**

**H. 1 b 1 – Eagle Point Lagoon Closure, Demo and Grading – Contract for Engineering Services – A. Garner Russell & Associates**

Mr. Scharr requested the item be tabled.

Mr. Gombos made a motion to table the Eagle Point Lagoon Closure, Demo and Grading – Contract for Engineering Services – A. Garner Russell & Associated, 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 item is tabled.

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### **Old Business**

**H. 2 a – Gulfport’s Request to Withdraw from HCUA Solid Waste Agreement**

Mr. Simpson provided the Board with a status update on the five items related to Gulfport’s departure from the solid waste contract.

There was a discussion regarding Gulfport’s response to the five items listed:

1. The Solid Waste Plan required by Gulfport
2. The loss dump fees paid by Team Waste and Waste Management
3. The pending lawsuit filed by Team Waste seeking enforcement of its contract
4. The comingling of rubbish with garbage under Gulfport’s contract
5. Possibly seeking alternate counsel to represent HCUA if litigation against the City of Gulfport becomes inevitable.

Mr. Simpson will forward the revised MOU to the City of Gulfport to include costs of amending the solid waste plan.

Mr. Simpson recommended approval of the settlement agreement, contingent on Board approval of Gulfport’s withdrawal from the solid waste agreement.

Supervisor Ladner made a motion to approve the Settlement Agreement with Team Waste, 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 settlement agreement is attached hereto as exhibit “C”.

The Board will meet next Thursday, August 10, 2017 at 9:00 AM to consider Gulfport’s Revised Memorandum of Understanding.



**G. Executive Director’s Report**

Mr. Scharr advised HCUA is about to begin distributing information to residents regarding the new solid waste services. He advised that he will meet with each municipality to review the new route schedules.

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## **H. Executive Session**

Mr. Simpson stated there was no need for Executive Session.

Mr. Simpson advised the Board that the proposed remedy for Waste Pro's performance issues were rejected by Waste Pro.

Mr. Tim Herman addressed the Board on Waste Pro's behalf. He advised Mayor Gilich that 49 percent of the complaints are in the City of Biloxi. He advised the Mayor that he would send additional trucks to Biloxi this weekend and do everything they can to get it cleaned up. Mr. Herman stated he is offering this service to the Mayor for the City of Biloxi, not as a part of HCUA.

Mr. Herman stated there are numerous issues around the rubbish/trash matter. He advised 97 percent of complaints are related to rubbish/trash. He stated there are virtually no complaints about garbage and recycle services.

Mr. Herman noted that Tropical Storm Cindy resulted in increased volumes of debris. He said the City of Biloxi and possibly some other member agencies issued a state of emergency. Mr. Herman stated Section 14.5 of the Waste Pro contract includes provisions for not collecting any of the excess rubbish/trash that would be generated by emergency circumstances. He noted the volume of rubbish in June 2017 was higher than the previous three years. Mr. Herman advised he made the decision not to implement the contract provision that calls for additional compensation for servicing excessive trash/rubbish related to an emergency event. He stated Waste Pro had teams working on the weekends to address the increased volumes.

Mr. Herman noted the volumes for rubbish/trash are at an all-time high in Harrison County. He stated Waste Pro is doing everything they can to deal with the historically high volumes and get everything caught up. He stated he feels Waste Pro has gone above and beyond what is required. Mr. Herman advised Waste Pro will continue its services for the next two months.

Mr. Simpson stated Waste Pro should have asked for additional resources. If the contract allows you to be paid for additional tropical storm waste, then you should have it. He pointed out that there are several piles that have been out long before Tropical Storm Cindy, and Mr. Herman did not offer any explanation as to why they have not been picked up.

Mr. Herman said he does not have answers to why specific instances of piles not being picked up have occurred. He advised Supervisor Ladner that he would have answer today regarding the piles he mentioned.

Mr. Herman stated a big issue is the fact that Waste Pro is being directed by HCUA to address areas and the issues have been previously resolved. He stated this inefficient.

Mr. Herman stated he has directed the local managers to not respond to the requests coming in from HCUA. He stated this is an efficient way to do it.

Mayor Bass advised Mr. Herman that the remaining member agencies represent 51 percent who need their issues taken care of also. He stated if the routes are being completed properly the first time, there would not be such a large amount of complaints and requests being submitted. Mayor Bass stated not responding to "hot ticket" calls from HCUA is not acceptable.

Mr. Herman stated the Board has to concede that there is a record amount of trash being collected. He stated Waste Pro is collecting an all-time record amount of rubbish/trash in Harrison County. He stated that it is factually wrong to continue to indicate that Waste Pro is not picking up trash.

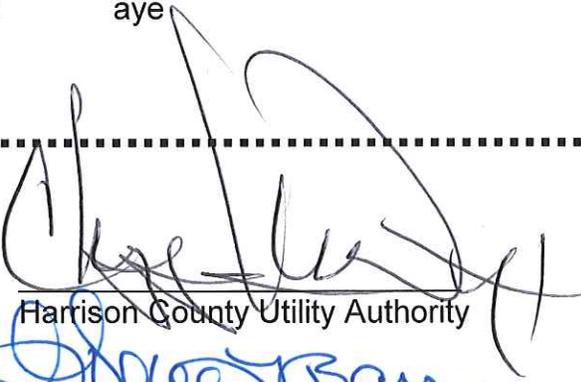
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**I. Adjourn** - At this time Mr. Gombos made a motion to adjourn, seconded by Mayor Bass. A roll call vote resulted in the following votes:

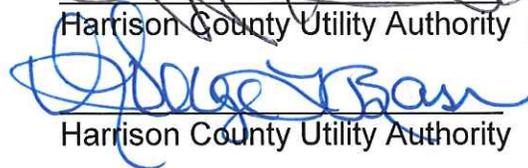
Biloxi	voted	aye
Gulfport	voted	aye
D'Iberville	voted	aye
Long Beach	voted	aye
Harrison County (1)	voted	aye
Harrison County (2)	voted	aye
Pass Christian	voted	aye

The motion to adjourn passed.

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Harrison County Utility Authority



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