

HARRISON COUNTY UTILITY AUTHORITY
BOARD MEETING
September 20, 2017

Be it remembered that a meeting of the Harrison County Utility Authority Board of Directors was held on September 20, 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 Chipper McDermott, City of Pass Christian, Director
Mayor George Bass, City of Long Beach, Director
Mr. Mike Leonard, representing the City of Biloxi
Mr. Danny Boudreaux, representing Harrison County (2)
Mayor Billy Hewes, City of Gulfport, Director
Mr. Al Gombos, representing the City of D'Iberville
Mr. James Simpson, Wise Carter Attorneys, Esquire
Mr. Donald Scharr, Executive Director, HCUA
Mr. John Wilson, O & M Manager, HCUA
Ms. Patra Roberts, Office Manager, HCUA
Ms. Julie Christian, Chief Financial Officer, HCUA
Mr. Alan Lane, Solid Waste Coordinator, HCUA

ABSENT:

Mayor Andrew "Fofo" Gilich, City of Biloxi, Director
Supervisor Angel Kibler-Middleton, Harrison County (2), Director

AUDIENCE:

Mr. Bruce Newton, Digital Engineering
Mr. Tim Holleman, Holleman & Associates
Mr. Derrel Wilson, Utility Partners
Dr. John Kelly City of Gulfport
Ms. Linda Elias, City of Gulfport
Mr. Wayne Miller, City of Gulfport
Mr. Hugh Keating, City of Gulfport
Mr. Peter Abide, City of Biloxi
Mr. Jon Bierd, Waste Pro
Ms. Amy Tingley, Waste Pro
Mr. Charles Roberts, Pelican Waste
Ms. Lavada Johnson, Pelican Waste
Mr. Sam Williams, Waste Management
Ms. Jenna Bennett, Team Waste
Mr. Andrew Densing, Team Waste
Mr. Cody Waters, Team Waste
Mr. Tim Callahan, Team Waste
Ms. Darlene Gaubert, Team Waste

Ms. Brynn Joachim, The Focus Group
Ms. Kerry Atkinson, DANCEL

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. Invocation 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 HCUA Claims Docket dated September 22, 2017

Mr. Gombos made a motion to approve the September 22, 2017 HCUA Claims Docket, 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 claims docket is attached hereto as exhibit "B".

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D. Approval of Board Meeting Minutes dated September 7, 2017

Mr. Gombos made a motion to approve the Board Meeting Minutes dated September 7, 2017, seconded by Mayor Bass. 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 minutes is attached hereto as exhibit "C".

E. Financial Report

Ms. Christian provided a brief overview of the current budget status through August 31, 2017.

No action taken. A copy of the financial report is attached hereto as exhibit "D".

F. 2 a – Waste Pro Notification of Unresolved Deficiencies (June – August 2017)

Mr. Scharr requested authorization to notify Waste Pro of outstanding collection issues and to request their response.

Mr. Gombos made a motion to authorize Mr. Scharr to notify Waste Pro of the Outstanding Deficiencies (June – August 2017) as recommended, 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 "E".

F. 2 b – Waste Pro Communications

Mr. Scharr provided the Board with email correspondences from Tim Herman, Waste Pro's Chief Operating Officer, regarding HCUA concerns about Waste Pro services.

No action required. A copy of the correspondence is attached hereto as exhibit "F".

F. 2 c – Solid Waste Issues

Mr. Holleman requested the Board enter into Executive Session for discussion on pending litigation.

Executive Session

Mayor Bass 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.

Mr. Holleman stated the need to discuss the pending litigation with the City of Gulfport.

Mr. Gombos made a motion to enter Executive Session, seconded by Supervisor Ladner.

Mayor McDermott requested Mayor Hewes be excluded from the Executive Session discussion. Mayor Hewes agreed to the request.

Mayor Hewes requested Mr. Simpson be excluded from the Executive Session discussion and any deliberations on this matter. Mr. Simpson advised that there has been no determination or vote indicating that he has a conflict of interest.

Mr. Holleman requested Mr. Simpson be party to the discussion in his role as HCUA attorney. The majority of the board members requested Mr. Simpson participate in the 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

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The motion passed. The Board entered into Executive Session.

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

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

The motion passed. The Board returned to Open Session.

There was no action taken during Executive Session.

Mr. Boudreaux entered the meeting.
Mayor Hewes entered the meeting.

Mr. Holleman stated HCUA and the City of Gulfport have reached a Memorandum of Understanding to temporarily resolve the issues with Gulfport. He is requesting board approval of the Memorandum of Understanding and to authorize the Board President to execute the document.

Supervisor Ladner made a motion to take a brief recess for all parties to review the Memorandum of Understanding, prior to approval, 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 meeting was recessed.

The meeting reconvened.

Mr. Abide advised that Mayor Hewes will execute the Memorandum of Understanding.

Mr. Leonard made a motion to approve the Memorandum of Understanding related to the City of Gulfport Solid Waste Matters (Option 1), 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.

A copy of the executed Memorandum of Understanding is attached hereto as exhibit "G".

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Mr. Holleman requested the Board approve the Agreed Order to withdraw the motion for preliminary injunctive relief in light of the approved memorandum of understanding.

Supervisor Ladner made a motion to approve the Agreed Order to withdraw the motion for preliminary injunctive relief in light of the approved memorandum of understanding, 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 agreed order is attached hereto as exhibit "H".

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F. 2 d – FY-2018 Budget Approval

Mr. Gombos made a motion to approve the Fiscal Year 2018 Budget, 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. A copy of the budget is attached hereto as exhibit "I".

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F. 2 e – Pelican Waste Amendment No. 1 – Inclusion of Gulfport for Solid Waste Collection Services

Mr. Simpson advised the amendment to include Gulfport in solid waste collection services is not necessary as a result of the settlement.

No action taken.

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Non-Agenda Item

Amendment to Pelican Waste Contract for Additional Services – Discussion

Mr. Scharr requested board authorization to begin negotiations with Pelican Waste to begin working early to address the performance deficiencies from Waste Pro regarding debris collection.

Mr. Bubert advised Waste Pro has a plan in place and will get everything cleaned up before October 1, 2017. Mr. Scharr requested Mr. Bubert submit the plan to him and the member agencies, Mr. Bubert will send the plan out today.

If Waste Pro's plan is not sufficient to address the issues, the board will meet next week to approve the amendment to authorize Pelican Waste to start working early.

Mr. Gombos made a motion to authorize Mr. Scharr to negotiate an amendment with Pelican Waste for additional services while awaiting review of the Waste Pro plan, 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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F. 2 f – Team Waste Amendment No. 1 – Inclusion of Gulfport for Solid Waste Collection Services

Mr. Simpson advised the amendment to include Gulfport in solid waste collection services is not necessary as a result of the settlement. Mr. Simpson requested the item be tabled.

Mr. Gombos made a motion to table the Team Waste Amendment No. 1 – Inclusion of Gulfport for Solid Waste Collection Services, 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.

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G. Executive Director's Report

There was no Executive Director's Report.

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H. Executive Session

Please see above.

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

Biloxi	voted	aye
Gulfport	voted	aye
D'Iberville	voted	aye

Long Beach
Harrison County (1)
Harrison County (2)
Pass Christian

voted
voted
voted
voted

aye
aye
aye
aye

The motion to adjourn passed.



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Harrison County Utility Authority



Harrison County Utility Authority