

HARRISON COUNTY UTILITY AUTHORITY
BOARD MEETING
July 7, 2016

Be it remembered that a meeting of the Harrison County Utility Authority Board of Directors was held on July 7, 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:

Mayor Andrew "Fofo" Gilich, City of Biloxi, Director
Mayor Billy Hewes, City of Gulfport, Director
Supervisor Angel Kibler-Middleton, Harrison County (2), Director
Mayor Billy Skellie, City of Long Beach, Director
Mr. Al Gombos, representing the City of D'Iberville
Supervisor Marlin Ladner, Harrison County (1), 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
Mr. Michael VanCourt, Comptroller, HCUA
Mr. John Wilson, O & M Manager, HCUA
Mr. Seren Ainsworth, Solid Waste Coordinator, HCUA

ABSENT:

AUDIENCE:

Mr. Bruce Newton, Vice President, Digital Engineering
Mr. Jeff Riopelle, Knesal Engineering
Mr. Dax Alexander, BMA Engineering
Mr. Gerald Blessey, City of Biloxi
Mr. Derrel Wilson, Utility Partners
Mr. Bobby Knesal, Utility Partners
Mr. Guillaume Clairet, Utility Partners
Ms. Cindy Lamb, Pickering Engineering Firm
Ms. Jenna Bennett, Team Waste
Mr. Demery Grubbs, Government Consultants

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

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

A. Public Comments – Mayor Gilich opened the floor for public comments.
There were no public comments.

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Amendments to the Agenda

Supervisor Ladner requested the agenda be amended to add a discussion regarding legal concerns related to the creation and operation of the HCUA.

Mayor McDermott made a motion to amend the agenda to add the discussion regarding legal concerns related to the creation and operation of the HCUA as item I. 2 a 1, 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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B. Election of Officers

Mr. Gombos made a motion to accept the transition of officers of the Harrison County Utility Authority for the term of July 2016 to July 2017 as listed below, seconded by Mayor McDermott:

Supervisor Marlin Ladner as President
Mayor Chipper McDermott as Vice-President
Mayor Billy Skellie as Secretary

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 List of Officers is attached hereto as exhibit "B".

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At this time the meeting was turned over to Supervisor Ladner to preside over.

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C. Approval of Board Meeting Minutes dated June 2, 2016

Mr. Gombos made a motion to approve the Board Meeting minutes dated June 2, 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	aye

The motion passed.

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D. Approval of Board Meeting Minutes dated June 16, 2016

Mr. Gombos made a motion to approve the Board Meeting minutes dated June 16, 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.

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E. Approval of Special Board Meeting Minutes dated June 23, 2016

Mr. Gombos made a motion to approve the Special Board Meeting minutes dated June 23, 2016, seconded by Mayor Gilich. 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.

F. Approval of Wastewater Claims Docket dated July 8, 2016

Mr. Scharr advised the Board of a correction to the claims docket. Page 6 of 11 was corrected to delete a duplicate payment to D & W Systems in the amount of \$2,292.00.

Mayor Gilich made a motion to approve the Corrected July 8, 2016 HCUA Claims Docket, seconded by Mayor McDermott. 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 "C".

G. Technical Committee Minutes

Mr. Gombos made a motion to approve the Technical Committee meeting minutes dated June 29, 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.

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H. a — Financial Reports – Non-CDBG

Mr. VanCourt provided a brief overview of the current budget status. All systems are currently within budget, except the 7th Ave Pump Station.

Mayor McDermott made a motion to approve the Financial Report – Non - CDBG, 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.

H. b – Financial Reports – CDBG

Mr. Newton stated the CDBG program is nearing completion. Mr. Newton stated that there is approximately \$2 million remaining in the grant program. S14 and S18 projects are still under construction.

A copy of the Non-CDBG Financial Report is attached hereto as exhibit "D".

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Old Business

I. 1 a – None

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New Business - CDBG

I. 2 a 1 – Discussion Regarding Legal Concerns Related to the Creation and Operation of the HCUA

Supervisor Ladner expressed concerns over the rapid growth of HCUA staff and in-house operations. He recommended that all hiring decisions be suspended until an evaluation of in-house cost savings be presented to the Board.

Mayor Hewes made a motion to amend the Board Procedural Rules to grant any Board member the right to enter a motion for consideration before the

Board, 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.

Supervisor Ladner made a motion to require any new or vacant HCUA positions to be approved individually by the Board of Directors. 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. 2 a 2 – HARCUA-02 Budget Modification No. 66

Mayor McDermott made a motion to approve HARCUA-02 Budget Modification No. 66 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	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 "E".

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I. 2 a 3 – S10 Riverbend/Robinwood Forest – Certificate of Substantial Completion – Jay Bearden, Inc.

Mayor Skellie made a motion to approve S10 Riverbend/Robinwood Forest – Certificate of Substantial Completion – Jay Bearden, Inc. 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 certificate is attached hereto as exhibit "F".

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I. 2 a 4 – S12d Revision No. 9 (Final) to Work Order No. 3

Mayor Skellie made a motion to approve S12d Revision No. 9 (Final) to Work Order No. 3, 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 work order is attached hereto as exhibit "G".

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I. 2 a 5 – S12b & S12d Projects – Engineering Amendment No. 7 – A. Garner Russell

Mayor McDermott made a motion to approve S12b & S12d Projects – Engineering Amendment No. 7 – A. Garner Russell 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	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 amendment is attached hereto as exhibit "H".

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I. 2 a 6 – W19/S21 Certificate Substantial Completion – Hemphill Construction

Mayor Skellie made a motion to approve W19/S21 Certificate Substantial Completion – Hemphill Construction 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 certificate is attached hereto as exhibit "I".

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I. 2 a 7 – W19/S21 Phase 2 Rebid Revision No. 3 (Summary) – Hemphill Construction

Mayor Gilich made a motion to approve W19/S21 Phase 2 Rebid Revision No. 3 (Summary) – Hemphill Construction 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	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 revision is attached hereto as exhibit "J".

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I. 2 a 8 – S14 Change Order No. 3 – Jay Bearden Construction

Mayor Skellie made a motion to approve S14 Change Order No. 3 – Jay Bearden Construction 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 change order is attached hereto as exhibit "K".

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I. 2 b 1 – Pineville CIAP Project No. 2 – Contractor Pay Request No. 5 for Saunders Construction - \$205,070.46 (contingent upon DMR approval)

Mayor McDermott made a motion to amend the Pineville CIAP Project No. 2 – Contractor Pay Request No. 5 for Saunders Construction - \$205,070.46 contingent upon DMR approval, 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 payment request is attached hereto as exhibit "L".

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I. 2 b 2 – Pineville CIAP Project No. 2– Contractor Pay Request No. 1 for Walker Construction - \$313,701.70 (contingent upon DMR approval)

Mayor Gilich made a motion to approve Pineville CIAP Project No. 2– Contractor Pay Request No. 1 for Walker Construction - \$313,701.70 (contingent upon DMR approval), 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 payment request is attached hereto as exhibit "M".

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I. 2 b 3 – Bond Refinancing Review and Consideration

Mr. Demery Grubbs recommended HCUA should select the direct placement of bonds with the swap left in place, on a 10 year term. Mr. Grubbs will return to the Board with a more detailed information on the 10-year direct placement option and consideration for the O & M reserve funds.

No action required. A copy of the refinancing summary is attached hereto as exhibit "N".

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I. 2 b 4 – Update on Public Outreach and Education

Mr. Scharr provided the Board with an update on Phase One of the Public Outreach and Education campaign. The Focus Group launched the HCUA Facebook page. The Focus Group will address the Board at the July 21, 2016 Board Meeting.

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J. Solid Waste Report

Mr. Scharr provided the Board with a complaint list since June 2016 that were received in the HCUA office.

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Mayor Hewes exited the meeting.

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K. Executive Director's Report.

Mr. Scharr requested the Board approve the Authorization to Advertise for Additional Work for the Pineville CIAP Project.

Supervisor Ladner made a motion to approve Authorization to Advertise for Additional Work for the Pineville CIAP Project, 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.

Mr. Scharr advised the Board that he and Mr. Simpson are having on-going discussions with ECHPUD and the Reserve at Carr Bridge regarding connecting the development to the Traditions facility.

Mr. Scharr stated HCUA move forward with developing a facilities plan, as a part of the Master Plan.

Mr. Scharr presented the Board with a copies of the agreements for the allocation of debt for all member agencies. He advised the Board that the current method of being allocation being used is not the same allocation methods that are in the original agreements. The Board advised Mr. Scharr to keep utilizing the current allocation methods for the FY 2017 budget purposes.

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L. Executive Session

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

Supervisor Ladner asked if there was a need for Executive Session.

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

Mayor McDermott made a motion to exit Closed 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 to adjourn passed.

Mr. Simpson provided the Board with the status of the lawsuits regarding the S18 Project - Cowan Road pump station. He stated that he will meet with the other attorneys to try to reach a settlement for the eminent domain cases.

Mr. Simpson advised the Board that Urban Planning has filed bankruptcy and there are no assets to recover. HCUA will not recoup any funds from the lawsuit.

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M. Adjourn - At this time Mayor McDermott made a motion to adjourn, 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 to adjourn passed.

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Harrison County Utility Authority



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