

HARRISON COUNTY UTILITY AUTHORITY  
BOARD MEETING  
November 1, 2018

Be it remembered that a meeting of the Harrison County Utility Authority Board of Directors was held on November 1, 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  
Mayor Andrew "Fofa" Gilich, City of Biloxi, Director  
Mr. Danny Boudreaux, representing Harrison County  
Supervisor Marlin Ladner, Harrison County (1), 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:

Supervisor Angel Kibler-Middleton, Harrison County (2), Director

AUDIENCE:

Mr. Tim Holleman, Boyce Holleman & Associates  
Mr. Peter Abide, the City of Biloxi  
Ms. Cindy Lamb, Pickering Firm  
Mr. Andy Phelan, Pickering Firm  
Mr. Scott Burge, BMA Engineering  
Mr. Dax Alexander, BMA Engineering  
Mr. Jason Overstreet, Overstreet & Associates  
Mr. Bernie Parker, City of Long Beach  
Mr. Damon Torricelli, Neel Schaffer  
Mr. Charles Roberts, Pelican Waste  
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 Bass called the meeting to order. The following proceedings were had and done.

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

.....

**B. Public Comments**

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

.....

**C. Approval of the Claims Docket dated November 2, 2018**

Mayor Gilich made a motion to approve the Claims Docket dated November 2, 2018, 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 "B".

.....

**D. Approval of Board Meeting Minutes dated October 18, 2018**

Mayor Gilich made a motion to approve the Board Meeting Minutes dated October 18, 2018, 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 meeting minutes is attached hereto as exhibit "C".

.....

**Old Business**

**E. 1 a – HCUA Construction/Engineering Management**

Mr. Scharr recommended authorization to move forward with the advertisement of the job opening for the Staff Engineer position.

Mayor Hewes recommended adjusting the maximum salary to ensure a well-qualified applicant pool. Mr. Scharr suggested raising the salary maximum to \$70,000.

Mayor McDermott made a motion to increase the top of the salary range to \$70,000 and authorize the advertisement for the Staff Engineer position, 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 memorandum is attached hereto as exhibit "D".

---

## **New Business**

### **E. 2 a – Authorized Signatory**

Mr. Simpson advised the resolution authorizes the Executive Director to execute MDEQ documents related to the proposed BP Projects.

Mr. Gombos made a motion to approve the Resolution providing Signatory Authority to the Executive Director for documents related to the BP Projects, 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 resolution is attached hereto as exhibit "E".

**E. 2 b – Assignment of Engineering Contract – West Fritz Creek Phase 2**

Mr. Gombos stated that he does not believe the West Fritz Creek Project was ever approved by the Board. He recommended the item be tabled until the original project approval is confirmed. Mr. Simpson advised that minutes reflect that the Board has previously voted unanimously to approve the contract and unanimously to amend the contract three times, which could constitute approval of the project.

Mr. Simpson stated that he will review the minutes to determine what has been done to approve capital projects historically.

Mr. Gombos made a motion to table the Assignment of Engineering Contract – West Fritz Creek Phase 2, 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 is tabled.

Mr. Simpson will present a resolution approving the project at the November 15, 2018 board meeting.

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

.....

**E. 2 c – S-14 Project Update**

Mr. Scharr stated HCUA staff met with the Corps of Engineers again. He stated HCUA must define the additional work that will be required involving the excavation of materials and fill.

Mr. Simpson stated there has been several different developments related to the potential litigation. He recommended further discussion in Executive Session.

The matter will be taken up in Executive Session.

## F. Executive Director's Report

Mr. Scharr advised the executed grant for the USACE Planning Assistance has been received.

He stated that he will modify the project description for the BP Price Brothers project to expand it to allow for add/alternates if pricing is lower.

.....

## G. Executive Session

Mayor McDermott made a motion to enter 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. The Board went into a Closed Session to determine the need for an Executive Session.

Mayor McDermott made a motion to exit Closed 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.

Mr. Simpson stated the Board has found it appropriate to go into Executive Session to discuss potential litigation matters related to the S-14 project and the on-going litigation with the City of Gulfport.

Mayor McDermott 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.

Mayor McDermott made a motion to exit 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 returned to Open Session.

Mr. Simpson stated that no action was taken during Executive Session.

Mr. Simpson is requesting the Board grant authorization to have the Pickering Firm evaluate the report and proposal submitted by Jay Bearden Construction on the S-14 project and report their findings.

Mayor Gilich made a motion to grant authorization to the Pickering Firm for evaluation of the report/proposal submitted by Jay Bearden Construction on the S-14 project, 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.

.....

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

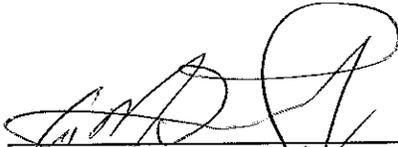
Biloxi	voted	aye
Gulfport	voted	aye
D'Iberville	voted	aye
Long Beach	voted	aye
Harrison County (1)	voted	aye

Harrison County (2)  
Pass Christian

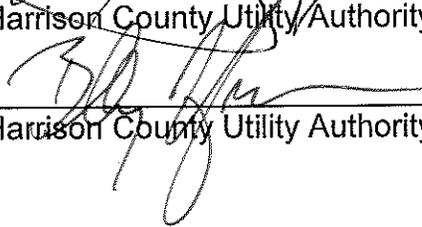
voted  
voted

aye  
aye

The motion to adjourn passed.



Harrison County Utility Authority



Harrison County Utility Authority