

HARRISON COUNTY UTILITY AUTHORITY
BOARD MEETING
May 5, 2016

Be it remembered that a meeting of the Harrison County Utility Authority Board of Directors was held on May 5, 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:

Ms. Christy LeBatard, representing the City of Biloxi
Supervisor Angel Kibler-Middleton, Harrison County (2), Director
Mayor Billy Hewes, City of Gulfport, 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. Donald Scharr, Executive Director, HCUA
Mr. James Simpson, Wise Carter Attorneys, Esquire
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:

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

AUDIENCE:

Mr. Bruce Newton, Vice President, Digital Engineering
Mr. Dax Alexander, BMA Engineering
Mr. Russell Nobile, Wise Carter
Mr. Derrel Wilson, Utility Partners
Mr. Bobby Knesal, Utility Partners
Ms. Cindy Lamb, Pickering Engineering Firm
Ms. Elizabeth Raley, Raley & Raley Associates
Mr. Paul Foley, Michael Baker International

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

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

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Amendment to the Agenda

Mr. Scharr requested that the meeting agenda be amended to add the Proposed Connection Policy Amendment – New Rate Category for Public Industrial Parks as item F. 2 b 3.

Mayor McDermott made a motion to amend the agenda to add the Proposed Connection Policy Amendment – New Rate Category for Public Industrial Parks as item F. 2 b 3, 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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A. Public Comments – Ms. LeBatard opened the floor for public comments. There were no public comments.

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B. Approval of Board Meeting Minutes dated April 7, 2016

Mr. Gombos made a motion to approve the Board Meeting minutes dated April 7, 2016, 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.

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C. Approval of Board Meeting Minutes dated April 21, 2016

Mr. Gombos made a motion to approve the Board Meeting minutes dated April 21, 2016, 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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D. Approval of Wastewater Claims Docket dated May 6, 2016

Mr. Gombos made a motion to approve the May 6, 2016 HCUA Claims Docket, 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".

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E. a — Financial Reports – Non-CDBG

Mr. VanCourt provided a brief overview of the current budget status. All municipalities and systems are within budget, with the exception of the Canal Road system.

E. b – Financial Reports – CDBG

Mr. Newton stated the project is projected to be a couple of million dollars under budget at completion. He stated only three projects remain that have significant construction work: S14, S18, and W19/S21 projects.

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

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Old Business

F. 1 a – None

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New Business - CDBG

F. 2 a 1 – None

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New Business - Non – CDBG

F. 2 b 1 – Keegan Bayou Wastewater Treatment Facility – Floating Floor Seal Replacement – Authorization to Advertise

Mr. Gombos made a motion to table Keegan Bayou Wastewater Treatment Facility – Floating Floor Seal Replacement – Authorization to Advertise pending additional information from HCUA staff, 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 memo is attached hereto as exhibit "D".

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F. 2 b 2 – Emergency Declaration for the Recovery of Costs Related to Recent April Storms (No attachment - Declaration to be provided by Legal Counsel)

Mr. Scharr stated the April 28, 2016 rainstorm caused electrical and plumbing damage to some facilities. He stated HCUA needs to be positioned for any funding opportunities for repairs related to the storm.

Mr. Simpson recommended the Board authorize Mr. Scharr to pursue any potential funding opportunities to recoup the cost of the repairs.

Mayor McDermott made a motion to recognize a State of Emergency has been declared, authorize Mr. Scharr to pursue reimbursement for the cost of repairs incurred related to the severe weather event on April 28, 2016, and authorize Mr. Scharr to provide the County with the total cost of HCUA repairs to assist in meeting the County threshold. The motion was 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. 2 b 3 – Proposed Connection Policy Amendment – New Rate Category for Public Industrial Parks

Mr. Scharr stated HCUA continues to pursue funding for the project that would divert flow to the S12 interceptor and the Red Creek and Menge Avenue pump stations. In an effort to get the Harrison County Development Commission to support the project, Mr. Scharr recommended a new rate category for public industrial parks with a rate of \$1.50 per 1,000 gallons.

Mayor Hewes made a motion to approve the Proposed Connection Policy Amendment to Add a New Rate Category for Public Industrial Parks with a rate of \$1.50 per 1,000 gallons, 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 memo is attached hereto as exhibit "E".

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G. Executive Director's Report.

There was no Executive Director's Report.

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K. Executive Session

Ms. LeBatard asked if there was a need for Executive Session.

Mr. Simpson stated there was need for Executive Session.

Supervisor Ladner made a motion to go into closed session, seconded by Mayor Skellie. A roll call 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 into Closed Session to discuss the need for Executive Session.

Mr. Simpson stated a matter regarding the lawsuit against N-Y Associates needs to be discussed in Executive Session.

Supervisor Ladner made a motion to enter into Executive Session to discuss litigation matters, seconded by Mayor McDermott. A roll call 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 into Executive Session.

Mayor Skellie made a motion to exit the Executive Session and return to normal 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.

No action taken during Executive Session.

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Mr. Simpson asked the Board for permission to retain the expert witness to assist with litigation against N-Y Associates.

Supervisor Ladner made a motion to authorize Mr. Simpson to retain the expert witness to assist with the litigation against N-Y Associates, 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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L. Adjourn - At this time Mr. Gombos made a motion to adjourn, 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 to adjourn passed.

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Angel Middleton

Harrison County Utility Authority

Mark J. Palmer

Harrison County Utility Authority