



Hancock County Board of Supervisors

Recessed Meeting Minutes

June 22, 2017 at 12:00 a.m.

Board Meeting Room

1. Call to Order

- A. Pledge of Allegiance
- B. Invocation

2. Roll Call

Attendee Name	Title	Status	Arrived
David Yarborough	District 1	Absent	
Greg Shaw	District 2	Present	
Blaine LaFontaine	District 3	Present	
Scotty Adam	District 4	Present	
Darrin Bo Ladner	District 5	Present	

3. Amendments to the Agenda

- A. **Motion to:** Motion to excuse Supervisor David Yarborough.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Greg Shaw, District 2

SECONDER: Darrin Bo Ladner, District 5

AYES: Greg Shaw, Blaine LaFontaine, Scotty Adam, Darrin Bo Ladner

EXCUSED: David Yarborough

4. Executive Session

- 1. **Motion to:** Motion to consider executive session for matters related to the sale/lease of Hancock Medical Center.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Greg Shaw, District 2
SECONDER: Darrin Bo Ladner, District 5
AYES: Greg Shaw, Blaine LaFontaine, Scotty Adam, Darrin Bo Ladner
ABSENT: David Yarborough

2. **Motion to:** Motion to enter executive session for matters related to the sale/lease of Hancock Medical Center.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Darrin Bo Ladner, District 5
SECONDER: Blaine LaFontaine, District 3
AYES: Greg Shaw, Blaine LaFontaine, Scotty Adam, Darrin Bo Ladner
ABSENT: David Yarborough

3. **Motion to:** Motion to exit executive session for matters related to the sale/lease of Hancock Medical Center. WITH NO ACTION TAKEN.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Greg Shaw, District 2
SECONDER: Darrin Bo Ladner, District 5
AYES: Greg Shaw, Blaine LaFontaine, Scotty Adam, Darrin Bo Ladner
ABSENT: David Yarborough

5. County Attorney

1. Motion to consider resolution to approve the application of Trash Doctors to amend Solid Waste Plan, and approve resolution related to that approval and authorize and request Solid Waste Authority and its personnel and staff to issue any documents and applications, or resolutions to appropriate authorities under the resolution.

RESULT: APPROVED [UNANIMOUS]
MOVER: Greg Shaw, District 2
SECONDER: Scotty Adam, District 4
AYES: Greg Shaw, Blaine LaFontaine, Scotty Adam, Darrin Bo
Ladner
ABSENT: David Yarborough

2. **Motion to:** Motion to authorize County Attorney to submit the previous resolution to the Hancock County Solid Waste Authority.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Greg Shaw, District 2
SECONDER: Scotty Adam, District 4
AYES: Greg Shaw, Blaine LaFontaine, Scotty Adam, Darrin Bo
Ladner
ABSENT: David Yarborough

3. Motion to authorize County Attorney to negotiate action related to Hancock Medical Center and consider resolutions related to proposed lease, sale or strategic planning of the HMC.

RESULT: APPROVED [UNANIMOUS]
MOVER: Greg Shaw, District 2
SECONDER: Scotty Adam, District 4
AYES: Greg Shaw, Blaine LaFontaine, Scotty Adam, Darrin Bo
Ladner
ABSENT: David Yarborough

6. External Business Agenda

- A. **Motion to:** Motion to recess the meeting until 5:00p.m. to begin the Public Hearing to discuss Hancock County Library.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Scotty Adam, District 4
SECONDER: Darrin Bo Ladner, District 5
AYES: Greg Shaw, Blaine LaFontaine, Scotty Adam, Darrin Bo
Ladner
ABSENT: David Yarborough

- B. **Motion to:** Motion to call the meeting back to order at 5:00p.m.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Scotty Adam, District 4
SECONDER: Greg Shaw, District 2
AYES: Greg Shaw, Blaine LaFontaine, Scotty Adam, Darrin Bo
Ladner
ABSENT: David Yarborough

- C. Meeting among Hancock County, Mississippi and the cities of Bay Saint Louis, Waveland and Diamondhead to discuss interlocal agreement for the conduct of a joint Hancock County Library System.

7. **Supervisors Items**

A. **District 1**

B. **District 2**

C. **District 3**

D. **District 4**

E. **District 5**

8. **Adjourn/Recess**

1. **Motion to:** Motion to adjourn the meeting of June 22, 2017 at 5:55p.m.

RESULT: **ADOPTED [UNANIMOUS]**

MOVER: Scotty Adam, District 4

SECONDER: Darrin Bo Ladner, District 5

AYES: Greg Shaw, Blaine LaFontaine, Scotty Adam, Darrin Bo
Ladner

ABSENT: David Yarborough

The Minutes of the June 22, 2017 have been read and approved by me on June 23, 2017.



Supervisor Blaine LaFontaine, President

THERE CAME on for consideration by the Hancock County Board of Supervisors (the "Board of Supervisors"), the matter of further consideration of an amendment to the Hancock County Solid Waste Management Plan to include the operation of a medical waste and regulated processing facility owned and operated by Trash Doctors, LLC under the application submitted by Trash Doctors, LLC. After full consideration of the matter, consideration of comments at the public hearing and written comments submitted during the comment period, District 2 Supervisor Shaw offered and moved the adoption of the following resolution, which was seconded by District 4 Supervisor Adam :

**RESOLUTION OF THE HANCOCK COUNTY
BOARD OF SUPERVISORS APPROVING THE PROPOSED AMENDMENT TO THE
HANCOCK COUNTY SOLID WASTE MANAGEMENT PLAN
TO INCLUDE THE OPERATION OF A MEDICAL WASTE PROCESSING FACILITY
AND REGULATED WASTE PROCESSING
FACILITY BY TRASH DOCTORS, LLC PER ITS APPLICATION**

WHEREAS, the Board of Supervisors received a completed request for amendment to the Local Nonhazardous Solid Waste Management Plan from Trash Doctors, LLC to include a medical and regulated waste processing facility located at 13233 Webre, Bay Saint Louis, MS 39520, for operations more fully described in Trash Doctors, LLC's application to occur on a parcel of land consisting of approximately seven acres. A true and correct copy of the Application Request Form of Trash Doctors, LLC dated February 13, 2017 is attached hereto as part of *en globo* Exhibit "A.,"

WHEREAS, Trash Doctors submitted an application to amend the Hancock County Solid Waste Management Plan to allow it to own and operate a waste processing facility in Hancock County, Mississippi, and the Hancock County Solid Waste Authority held a joint public hearing to receive input from the general public regarding the plan amendment.;

WHEREAS, on May 8, 2017, the Hancock County Regional Solid Waste Management Authority, following notice of and conducting a public hearing and comment period, adopted a resolution to the Hancock County Solid Waste Management Plan to include the operation of a medical waste processing facility and APHIS regulated waste processing facility by Trash Doctors, LLC as is more fully detailed in Trash Doctors, LLC's application. A copy of the Hancock County Regional Solid Waste Management Authority's Resolution is attached hereto as Exhibit "C";

WHEREAS, the Board of Supervisors conducted a second public hearing on June 5, 2017 to receive public comment and input concerning Trash Doctors, LLC's application, which provides in detail its proposed operations asserted demonstrations required by statute, and the Board of Supervisors otherwise allowed another comment period comprising May 20, 2017 to June 20, 2017.;

WHEREAS, a public hearing was held before the Hancock County Board of Supervisors during the second comment period on June 5, 2017, at 2:00 p.m. at the Hancock County Board of

Supervisors' Boardroom located at 854 Highway 90, Bay Saint Louis, Mississippi 39520 to consider whether the application should be approved and the plan amended. Notice of the public comment period and public hearing was conspicuously published in the *Sea Coast Echo* on May 20, 2017 and May 27, 2017 stating the date of the public hearing and duration of the comment period. A copy of the Proof of Publication for said public comment period and public hearing is attached hereto as Exhibit "D.;"

WHEREAS, Hancock County provided notice of both the public comment period and public hearing to all adjacent and potentially affected property owners adjoining the facility—including the Hancock County Board of Supervisors, the Hancock County Port & Harbor Commission and Calvin Carbon Corporation—through hand delivered and/or certified, registered mail containing a copy of Trash Doctors, LLC's application, the notice of public comment period and notice of public hearing. A copy of those letters are contained within *en globo* Exhibit "B.;"

WHEREAS, a copy of the current Hancock County Solid Waste Management Plan, and the proposed amendment was placed for public review and examination throughout the public comment period during regular business hours at the office of the Solid Waste Authority/Board of Supervisors' Engineer whose office is located at 3036 Longfellow Road, Bay Saint Louis, MS 39520.;

WHEREAS, certified letters providing a copy of Trash Doctors, LLC's application, notification of the public comment period and notification of the public hearing were sent to each county adjacent to Hancock County in accordance with Mississippi law. The counties sent that documentation include Jackson County, Mississippi, Harrison County, Mississippi, Pearl River County, Mississippi and Saint Tammany Parish, Louisiana, and copies of the letters are included within *en globo* Exhibit "B.;"

WHEREAS, all required notices regarding adoption of the requested amendment to the Hancock County Solid Waste Management Plan were delivered in accordance with applicable law.;

WHEREAS, the public was afforded the opportunity to present written questions, concerns and comments to the office of the Solid Waste Authority/Board of Supervisors' Engineer during the public comment period and to present questions, concerns or comments in person at the June 5, 2017, public hearing.;

WHEREAS, the Board of Supervisors, during the June 5, 2017 public hearing, received oral comments of Mr. Bill Cork in support of the application and comments of Mr. Chris Lagarde opposing the application. The Board of Supervisors received written comments during the comment period only from Mr. Chris Lagarde, whose June 20, 2017 comments are attached hereto as Exhibit "E" and are in substance and in all materially ways consistent with his statements during the public hearing. The Board of Supervisors, considering the application and public comments, finds that Trash Doctors, LLC's application and assertion of need (as is more fully detailed in the attached application and Addendum No. 1) adequately and sufficiently demonstrates a need for the proposed facility, that Trash Doctors, LLC has met the elements required under Mississippi Code Section 17-17-227, and that Trash Doctors, LLC's application and

Demonstration of Need should be adopted by the Hancock County Board of Supervisors as its Determination of Need per Mississippi Code Section 17-17-227.

WHEREAS, the Board of Supervisors find that—based on the facts submitted, the application and indicated Addendum No. 1, other information submitted and review and the comments of the public—the application, proposed facility and proposed use meets needs identified in the approved local nonhazardous solid waste management plan when the Supervisors consider the application taking into account: the quantities of municipal solid waste generated and the design capacities of existing facilities; that the proposed facility complies with local land use and zoning requirements (as is indicated by the letter of Hancock County contained within *en globo* Exhibit “A”); that operation of the proposed facility will not negatively impact the waste reduction strategy of Hancock County; that the proposed service area of Trash Doctors, LLC’s proposed facility is consistent with the local nonhazardous solid waste management plan; and that the facility otherwise fills a need for Hancock County warranting amendment and designation of need.

NOW, WHEREFORE, PREMISES CONSIDERED, the Hancock County Board of Supervisors find and enter this order determining that it has considered the application of Trash Doctors, LLC, has provided all notices required by law, has provided the required public hearing and public comment period, and, having considered the public comments, the Board of Supervisors finds and orders that the above stated averments and statements are true and correct and that Trash Doctors, LLC has met its burden under Mississippi Code Section 17-17-227 and other applicable law and that Trash Doctors, LLC’s application for amendment to the Hancock County Local Solid Waste Management Plan should be and is hereby approved.

IT IS THEREFORE, HEREBY RESOLVED by the Hancock County Board of Supervisors approve Trash Doctors, LLC’s proposed modification to the Hancock County Local Solid Waste Management Plan. The Hancock County Board of Supervisors adopt and approve Trash Doctors, LLC’s application and the “Addendum No. 1” (Exhibit “F” hereto) as a modification to the Hancock County Local Solid Waste Management Plan for a formal request to the Mississippi Department of Environmental Quality for its review and consideration of the amendment. The Hancock County Board of Supervisors find that Trash Doctors, LLC has met its burden of demonstrating need for its applied services as per Mississippi Code Section 17-17-227, as well all elements required under that and other applicable statutes and laws. The Hancock County Board of Supervisors further state that the public comments support the need and application of Trash Doctors, LLC, and that comments opposing the plan do not obviate Trash Doctors, LLC having met its burden and demonstration of need.

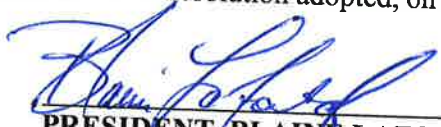
The Hancock County Board of Supervisors further hereby provide written notice to the Hancock County Regional Solid Waste Management Authority that the County has—following the publications, hearings, notices and comments applicable—approved this resolution as a written notification to the Authority evidencing approval by the Hancock County Board of Supervisors of Trash Doctors, LLC’s requested amendment. The Hancock County Board of Supervisors respectfully request that the Regional Solid Waste Management Authority provide and submit this Resolution and Approval, with other supporting and necessary documents, for review and approval by the commission per Mississippi law.

SO RESOLVED and made effective this the 22nd day of June, 2017.

With the motion moved and seconded, the Hancock County Board of Supervisors voted as follows:

Supervisor David Yarborough	voted: <u>Absent</u>
Supervisor Gre Shaw	voted: <u>aye</u>
Supervisor Blaine Lafontaine	voted: <u>aye</u>
Supervisor Scotty Adam	voted: <u>aye</u>
Supervisor Darrin (Bo) Ladner	voted: <u>aye</u>

The motion having received the affirmative vote of a majority of the members present, the President of the Board declared the motion carried and the resolution adopted, on this the 22nd day of June, 2017.



 PRESIDENT, BLAINE LAFONTAINE

ATTEST:



 TIMOTHY A. KELLAR, CHANCERY CLERK
 BOARD OF SUPERVISORS



Attachment: 2017.06.22 - Amendment to Solid Waste Plan - Executed (1634 : Trash Doctors Application Authorization)