

HARRISON COUNTY UTILITY AUTHORITY  
BOARD MEETING  
April 6, 2023

Be it remembered that a meeting of the Harrison County Utility Authority Board of Directors was held on April 6, 2023, 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 Billy Hewes, City of Gulfport, Director
- Mr. Wayne Miller, representing City of Gulfport
- Mayor Jimmy Rafferty, City of Pass Christian, Director - via Telecom
- Mayor Andrew "Fofa" Gilich, City of Biloxi, Director
- Bernie Parker, representing City of Long Beach
- Mr. Al Gombos, representing the City of D'Iberville
- Supervisor Marlin Ladner, Harrison County (1), Director
- Supervisor Connie Rockco, Harrison County (2), Director
- Mr. John Wilson, Executive Director, HCUA
- Ms. Sheila Marsh, Office Manager, HCUA
- Ms. Valerie Cuevas, Administrative Assistant, HCUA
- Mr. James Simpson, Wise Carter, Attorneys and Esquire

ABSENT:

AUDIENCE:

- Cara Wagner, Pickering Firm, Inc.
- Kevin McCumby, H2O Innovation
- Shea Magee, Waste Management
- Derrel Wilson, H2O
- Cindy Lamb, Pickering Firm, Inc.
- Chec White, Pelican Waste
- Wayne Miller, City of Gulfport

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

There being a quorum sufficient to transact business of the Authority, Supervisor Connie Rockco, representing Harrison County, called the meeting to order. The following proceedings were had and done.

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

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**B. Public Comments**

Supervisor Connie Rockco opened the floor for public comments.

There were no public comments.

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**C. Approval of the Claims Docket dated April 6, 2023**

Mr. Al Gombos made a motion to approve the Claims Docket dated April 6, 2023, seconded by Mayor Andrew "Fofu" Gilich. A vote resulted in the following:

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 March 16, 2023**

Mr. Al Gombos made a motion to approve the Board Meeting Minutes dated March 16, 2023, seconded by Mayor Andrew "Fofu" Gilich.

Mayor Billy Hewes noted correction to Board Meeting Minutes dated March 16, 2023, page 5, last paragraph. Change "Mayor Billy Hewes explained if unanimous among constituents" to "Mayor Billy Hewes requested unanimous consent to withdraw motion".

Mayor Andrew "Fofu" Gilich made motion to approve the Board Meeting Minutes dated March 16, 2023, with correction noted by Mayor Billy Hewes, seconded by Supervisor Marlin Ladner. A vote resulted in the following:

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 Board Meeting Minutes dated March 16, 2023 - Revised, is attached hereto as exhibit "C".

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**E. Action Items**

**E1. Old Business**

**E1a. Water & Wastewater Policy – 1 Mile Jurisdiction**

Mr. John Wilson explained that the Board requested policies and/or guidelines regarding the 1-mile jurisdiction for circumstances when more than one entity is capable and willing to provide services to customers, or one entity is capable of providing service and another entity is capable of providing services in the same location, the decision to serve will be which entity can serve the customer sewer.

Supervisor Marlin Ladner requested clarification as to the definition of "Utility Authority" as mentioned in the wastewater policy and whether, or not, "Utility Authority" refers to service provided by the county and/or the cities. Mr. John Wilson responded, "Yes", definition refers to the county and the cities.

Mr. John Wilson explained, in his opinion, if a city and the county can provide water within the 1-mile jurisdiction, the county should provide services due to revenue needs and if a city and county can provide sewer but not water within the 1-mile jurisdiction, the county should provide services. If there is a situation where one entity can provide water services and one provide sewer services, default to the entity that can provide sewer and the entity providing the sewer services should receive assistance in providing water services. Mr. Wilson noted that there are areas where providing sewer service is available but providing water service is not an option due to area being a certificated area.

Supervisor Marlin Ladner expressed that he does not want the county to lose first option of providing services within the 1-mile jurisdiction if the county is capable and willing to provide services. In a case where the city provides services, the city should require permission from the county to provide the services.

Mayor Billy Hewes noted that historical documents have been provided regarding the 1-mile jurisdiction, but what is needed from Mr. Wilson is a narrative or paragraph that includes clear language that includes factors of cost to provide services and who can provide services in a timely manner. Mayor Hewes requested a written policy be presented to the Board that includes all variables and the policy will be reviewed. The goal is to have a written policy to consider and adopt at the next Board Meeting.

Mr. James Simpson explained that according to Mississippi State Law, the state addressed certificated areas of service and if an area is certificated then the provider can provide service and charge connection and monthly service fees.

Supervisor Marlin Ladner explained that the dilemma is when two providers can both serve and willing to serve in the unincorporated areas of the county. The county should have first option to provide services.

Mayor Billy Hewes noted that wording in the policy, "HCUA shall provide" removes the cities from any discussion involving services.

Supervisor Marlin Ladner suggested replacing "shall" with "may" in the policy.

Mayor Billy Hewes excused himself from the Board Meeting and Mr. Wayne Miller sat on the Board.

Mr. Al Gombos explained that in the policy, utilities and the intent should be defined, and an O&M postage rate (based on flow) should be considered.

No action taken. A copy of Water & Wastewater Policy – 1 Mile Jurisdiction, is attached hereto as exhibit "D".

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## **E2. New Business**

### **E2a. LB Wastewater System – Final/Substantial Completion**

Mr. John Wilson explained that LB Wastewater System Phase I has reached final/substantial completion. Pipe is in the ground and in operation. The paving is completed.

Supervisor Marlin Ladner made motion to approve LB Wastewater System – Final/Substantial Completion, seconded by Mayor Andrew "Fofu" Gilich. A vote resulted in the following:

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 LB Wastewater System – Final/Substantial Completion is attached hereto as exhibit "E".

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**E2b. Pickering – S14 Completion**

Mr. John Wilson explained that S14 Project is near completion. Manhole and forcemain repairs have been completed. The final stage is closing out with the Corp of Engineers and MDEQ. Funds are required in order to close out the permits.

Mayor Andrew "Fofi" Gilich made motion to approve Pickering – S14 Completion seconded by Mr. Bernie Parker. A vote resulted in the following:

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 Pickering – S14 Completion is attached hereto as exhibit "F".

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**E2c. Memorandum of Understanding – Harrison County**

Mr. James Simpson, Counsel, explained that the County Board of Supervisors prepared and adopted a Memorandum of Understanding with Harrison County Utility Authority and Mr. Simpson request that the HCUA Board also adopt and spread on the minutes, The Memorandum of Understanding – Harrison County.

Mr. Al Gombos made motion to adopt Memorandum of Understanding – Harrison County, seconded by Supervisor Connie Rockco. A vote resulted in the following:

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 of Understanding – Harrison County is attached hereto as exhibit "G".

**F. Executive Director’s Report**

No report given.



**G. Executive Session**

There was no need for Executive Session.



**H. Adjourn** – At this time Mr. Al Gombos made a motion to adjourn, seconded by Mr. Bernie Parker. A vote resulted in the following:

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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