

HARRISON COUNTY UTILITY AUTHORITY
BOARD MEETING
May 18, 2023

Be it remembered that a meeting of the Harrison County Utility Authority Board of Directors was held on May 18, 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:

Mr. Wayne Miller, representing City of Gulfport
Mayor Jimmy Rafferty, City of Pass Christian, Director
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
Ms. Jaclyn Turner, representing Harrison County (2)
Mr. John Wilson, Executive Director, HCUA
Mr. Alan Lane, Solid Waste Manager, HCUA
Ms. Sheila Marsh, Office Manager, HCUA
Mr. James Simpson, Wise Carter, Attorneys and Esquire

ABSENT:

Ms. Cindy Breaux, Chief Financial Officer, HCUA

AUDIENCE:

Sam Williams, Waste Management
Shea Magee, Waste Management
Tami Blackwell, The Focus Group
Chelsea Payne, The Focus Group
Chec White, Pelican Waste

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

There being a quorum sufficient to transact business of the Authority, Ms. Jaclyn Turner, 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

Ms. Jaclyn Turner opened the floor for public comments.

There were no public comments.

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C. Approval of the Claims Docket dated May 18, 2023

Mayor Andrew "Fofu" Gilich made a motion to approve the Claims Docket dated May 18, 2023, 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 the Claims Docket is attached hereto as exhibit "B".

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D. Approval of Board Meeting Minutes dated May 4, 2023

Mayor Andrew "Fofu" Gilich made a motion to approve the Board Meeting Minutes dated May 4, 2023, seconded by Mayor Jimmy Rafferty. 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 May 4, 2023, is attached hereto as exhibit "C".

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E. Financial Report

Mr. John Wilson presented the Financial Report and offered the Board Members opportunity for questions or comments. No questions or comments.

No action required. The Board accepted the Financial Report for April 2023 as presented. A copy of the report is attached hereto as exhibit "D".

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F. Marketing Report

Ms. Tami Blackwell, The Focus Group, explained that The Focus Group continues to increase traffic to the HCUA website in efforts to increase recycling participation from the public. April 2023 proved to be the highest recycling rate of 42%, and website traffic increased by 11%, the recycling event was the most popular post on the HCUA website. Clicks from ads to HCUA website increased. The standard industry average cost per click rate is \$1.72 and HCUA's click rate is \$.26 per click. Supervisor Marlin Ladner requested future information regarding public comments from HCUA Facebook page. Ms. Tami Blackwell noted that public comments will be included in future Marketing Reports.

No action taken. The Board accepted the Marketing Report as submitted by The Focus Group. A copy of the Marketing Report is attached hereto as exhibit "E".

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G. Action Items

G1. Old Business

G1a. HCUA Water and Sewer Connection & Jurisdiction Policy

Mr. John Wilson explained that Mr. Wayne Miller, representing The City of Gulfport, has brought to Mr. Wilson's attention that the red-lined paragraph included in the information for the agenda package under HCUA Water and Sewer Connection & Jurisdiction Policy was meant as a replacement paragraph of the paragraph immediately above the red lined paragraph and not meant as an additional paragraph.

Mr. James Simpson, Counsel explained that the red lined paragraph refers to areas outside the city limits but within the jurisdiction mile of the unincorporated areas. Once there is a request for service in an unincorporated area, Mr. Wilson will notify the member agencies that are eligible to provide services within the one-mile unincorporated area. Costs associated with services and other factors will be reviewed and discussed, and a decision will be made, by the Board Members, on which member agency will provide the water and/or sewer services. The city member agencies will be involved in the conversations and discussions on which agency could best provide water and/or sewer services.

Supervisor Marlin Ladner expressed that he would not vote against the presented policy, but if a situation arises in which Harrison County is denied the opportunity to serve in an unincorporated area in which Harrison County has the ability to serve there will be a problem. If Supervisor Ladner is on the Board of Supervisors and Harrison County is denied the opportunity to serve in an unincorporated area in which Harrison County has the ability to serve, Supervisor Ladner will make every effort to create a separate certificated water & sewer district that includes the

county with a different board to regulate the water & sewer district. The pipe was installed by Harrison County and Harrison County can provide services and should have the opportunity to provide services and collect the revenue to offset O&M costs.

Mayor Andrew "Fofu" Gilich requested clarification, on whether, or not the language in the presented policy refers to decisions made on a, case by case situation. Mr. Wilson explained that presented policy refers to discussions made on a, case by case situation within the one-mile jurisdiction.

The discussion for the new HCUA Water and Sewer Connection & Jurisdiction Policy – October 2023, is summed up as replace the first paragraph of wording in the most recent version of, "Where the HCUA has water and/or sewer system in sufficient availability and capacity, the HCUA shall consider the most practical and economical way to provide service to customers who are either (1) outside the service area of any certificated system or outside of, but within one mile of the incorporated limits of municipality; (2) within the unincorporated area of the County or any area certificated to the HCUA; or (3) are within the service area of a certificated water system or the incorporated limits of municipality, but by agreement with such system or municipality, it is agreed that HCUA will provide service." with wording, "In an effort to avoid conflict and needless duplication among water and/or sewer systems and in furtherance of the interests of the HCUA and its member agencies, it shall be the policy of the HCUA that when a request for the provision of water and/or sewer service is received from a customer outside of but within one mile of the incorporated limits of a municipality, the HCUA shall provide notice of the request to any member agency or agencies whose incorporated limits are within one mile of the of proposed customer and which has existing infrastructure and/or facilities located in close proximity to the proposed customer. In concert with its member agency or agencies whose incorporated limits are within one mile of the of proposed customer and who have water and/or sewer facilities of service available in close proximity to the proposed customer, the HCUA shall consider and evaluate the request for provision of water and /or sewer services to such customer by consideration of all relevant factors, specifically including but not limited to the sufficiency of all available services, to include an evaluation of available capacity; the proximity of the proposed customer to existing infrastructure and facilities regardless of ownership; the anticipated cost to the HCUA or its member agency of building service lines and/or requisite connections to the proposed customer; the time required for the HCUA or its member agency to complete any needed extension of service and/or requisite connections to the proposed customer; and the time line of anticipated demand/need for use of the requested services by the customer."

Mayor Andrew "Fofu" Gilich made motion to adopt new HCUA Water and Sewer Connection & Jurisdiction Policy, seconded by Mayor Jimmy Rafferty. 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 HCUA Water and Sewer Connection & Jurisdiction Policy is attached hereto as exhibit "F".

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G2. New Business

G2a. Long Beach Wastewater Phase I SP12-Summary Change Order, Final Pay Application and Close Out (Documents to be provided at meeting)

Mr. John Wilson explained that Long Beach Wastewater Phase I SP12 is complete. Mr. Bernie Parker, representing The City of Long Beach, made motion to accept Long Beach Wastewater Phase I SP12-Summary Change Order, Final Pay Application and Close Out, seconded by Mayor Andrew "Fofo" 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 Long Beach Wastewater Phase I SP12-Summary Change Order, Final Pay Application and Close Out is attached hereto as exhibit "G".

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H. Solid Waste Report

Mr. Alan Lane explained that April 2023 recycling rate (42%) increased from the April 2022 recycling rate (30%). Tuesdays and Wednesdays routes are proving to be the most increased recycling participation routes.

No action taken. A copy of the report is attached hereto as exhibit "H".

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I. Executive Director's Report

No report.

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J. Executive Session

Mr. James Simpson, Counsel explained that there was a potential ligation matter to discuss in Executive Session.

Mayor Andrew "Fofu" Gilich made motion to move into Executive Session, seconded by Ms. Jaclyn Turner. 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 move to Executive Session passed.

Supervisor Marlin Ladner made motion to return from Executive Session, 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 to return from Executive Session passed.

Mr. James Simpson, Counsel explained that no action taken in Executive Session.

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K. Adjourn – At this time Mr. Wayne Miller made a motion to adjourn, 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 to adjourn passed.

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Connie Rock Co

Harrison County Utility Authority

[Signature]

Harrison County Utility Authority