

*******SUPERVISOR, CHAD MCLARTY RECUSED HIMSELF AT THIS TIME*******


**ORDER: ADOPT ATTACHED RESOLUTION FOR PUNPKIN WATER
ASSOCIATION**

Motion was made by Brent Larson, duly seconded by David Rikard, to adopt Resolution for Punkin Water Association.


The vote on the motion was as follows:

Supervisor Brent Larson, voted yes
Supervisor Larry Gillespie, voted yes
Supervisor David Rikard, voted yes
Supervisor Chad McLarty, voted yes
Supervisor Mike Roberts, voted yes

After the vote, President Roberts, declared the motion carried, this the 7th day of February, 2022.



Mike Roberts, President
Board of Supervisors



Sherry Wall, Chancery Clerk

SUPERVISOR, CHAD MCLARTY RETURNED TO THE MEETING AT THIS TIME

**RESOLUTION OF THE BOARD OF SUPERVISORS OF LAFAYETTE COUNTY, MISSISSIPPI
IN SUPPORT OF LOCAL AND PRIVATE LEGISLATION AUTHORIZING THE CITY OF
OXFORD TO PURCHASE THE PUNKIN WATER SYSTEM AND PROVIDE WATER
UTILITY SERVICES TO AND WITHIN THE PUNKIN WATER ASSOCIATION
CERTIFICATED AREA**

WHEREAS, Punkin Water Association (PWA) is a Mississippi not-for-profit corporation duly organized and existing under the laws of the State of Mississippi. PWA holds a certificate of public convenience and necessity issued by the Mississippi Public Service Commission and is thereby authorized to offer potable water services to its members who reside within the geographical boundaries of the certificated area; and

WHEREAS, the certificated area served by the PWA is located within the unincorporated areas of Lafayette County, Mississippi; and

WHEREAS, the City of Oxford, Mississippi owns and operates facilities designed and operated to provide water services to customers within certain geographical confines within and outside the City of Oxford, Mississippi corporate limits; and

WHEREAS, the membership of the PWA desires to transfer the ownership of its water system and the PWA certificate of public convenience and necessity and the exclusive rights to provide water services to PWA members to the City of Oxford, Mississippi; and

WHEREAS, the PWA and the City of Oxford have expressed their mutual intent to enter into an agreement for the transfer of the PWA system to the City of Oxford, Mississippi; and

WHEREAS, Section 21-27-39 of the Mississippi Code of 1972 authorizes municipalities to supply utility services to customers located within 5 (five) miles of the corporate limits of the municipality; and

WHEREAS, portions of the PWA certificate of public convenience and necessity, and certain PWA members, are located greater than five (5) miles from the corporate limits of the City of Oxford; and

WHEREAS, the Board of Supervisors has been advised by the Lafayette County Planning Department of the City of Oxford's practice of requiring residential and commercial developers desiring to develop land located outside the City's corporate limits to obtain the City's approval of commercial site plan and residential subdivisions as a condition to receiving City water and sewer services, a practice which the Board of Supervisors finds interferes and conflicts with Lafayette County's jurisdiction and its administration of Lafayette County's land use regulations; and

WHEREAS, being advised of the circumstances supporting the PWA membership's desire to transfer ownership of the water system and the PWA certificate of public convenience and necessity to the City of Oxford, Mississippi, and being further advised that the City of Oxford, Mississippi's

proposed acquisition of the PWA owned water system and the PWA certificate of public convenience and necessity would violate Section 21-27-39 of the Mississippi Code of 1972, the Lafayette County, Mississippi Board of Supervisors hereby fully supports the passage of local and private legislation authorizing the City of Oxford, Mississippi to acquire the PWA water system and the certificate of public convenience and necessity, and to provide water services to the entirety of the PWA certificated area, PROVIDED that such local and private legislation does not otherwise authorize the City of Oxford, Mississippi to serve non-PWA customers located beyond five (5) miles of the corporate limits of the City of Oxford, Mississippi.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Lafayette County, Mississippi fully supports the passage of such local and private legislation that would authorize the City of Oxford, Mississippi to serve customers within the Punkin Water Association certificated area to the extent such area lies outside of the five-mile limit imposed under Section 21-27-39 of the Mississippi Code of 1972; and

BE IT FURTHER RESOLVED, by the Board of Supervisors of Lafayette County, Mississippi, that the Board of Supervisors is opposed to any local and private legislation that would otherwise generally authorize the City of Oxford, Mississippi to serve non--PWA customers located beyond the five-mile limit imposed under Section 21-27-39 of the Mississippi Code of 1972.

The above and foregoing Resolution having been presented to the Lafayette County Board of Supervisors at its February 7, 2022 board meeting, Supervisor_moved that the foregoing Resolution be adopted and said motion was seconded by Supervisor

_____, and upon the question being put to a vote, the vote was as follows:

____-Supervisor Roberts

____- Supervisor McLarty

____- Supervisor Rikard

____- Supervisor Larson

____- Supervisor Gillespie

WHEREUPON, having received the unanimous approval of the members of the Board of

Supervisors, the foregoing Resolution was declared passed and adopted at a regular meeting of the Board of Supervisors of Lafayette County, Mississippi;

ON THIS, the __th day of February, 2022.

Mike Roberts, President

ATTEST:

Sherry Wall,
Chancery Clerk, Lafayette County, Mississippi

