

JANUARY 25, 2022

ADJOURNED MEETING

JANUARY 25, 2022

Pursuant to the adjournment taken, January 18, 2022, the Mayor and Board of Aldermen of the City of Batesville reconvened at 10:00 a.m., on January 25, 2022, at the City Hall, 103 College Street, Batesville, Mississippi, when and where were present the following, to-wit: Mayor Hal Ferrell; Aldermen Bill Dugger, Stan Harrison, Bobby Walton, Teddy Morrow and Dennis Land; City Attorney Colmon Mitchell; City Clerk Susan Berryhill; Chief of Police Kerry Pittman; Assistant Chief of Police George Williford; Blake Mendrop and Greg Smith of Mendrop Engineering Resources; Chief Building Official Andy Berryhill; Public Works Director David Karr; Assistant Public Works Director Newt Benson; Gas Superintendent Kevin Hodges and Assistant City Clerk Shonnah Weaver.

A quorum being present, the meeting was duly opened by the Mayor and, after the invocation given by David Karr, the following business was taken up.

JANUARY 25, 2022

IN RE: **BIDS RECEIVED - PROPOSED HIGH PRESSURE GAS MAIN**

This day the Mayor and Board of Aldermen received sealed competitive bids for the proposed high pressure gas main for the gas line extension the Lehman Roberts located on Farrish Gravel Road, pursuant to advertisement made in the manner and for the time provided by law as evidenced by a copy of the Proof of Publication attached hereto. City Engineer Blake Mendrop having read aloud said bids, found that the following bids were received and are on file in the Office of the City Clerk.

Brocato Construction Co., Inc. \$218,709.00
Cornerstone Underground & Excavation, Inc. \$231,975.00

Having heard all bids received, upon motion of Alderman Dugger and second of Alderman Harrison and upon unanimous vote taken, it was ordered that the bids be and they are hereby taken under advisement.

Publisher's Certificate of Publication

STATE OF MISSISSIPPI COUNTY OF PANOLA

Rebecca Alexander, being duly sworn, on oath says she is and during all times herein stated has been an employee of Batesville Newsmedia publisher and printer of the The Panolian (the "Newspaper"), has full knowledge of the facts herein stated as follows:

1. The Newspaper printed the copy of the matter attached hereto (the "Notice") was copied from the columns of the Newspaper and was printed and published in the English language on the following days and dates:

12/22/21, 12/29/21

2. The sum charged by the Newspaper for said publication is the actual lowest classified rate paid by commercial customer for an advertisement of similar size and frequency in the same newspaper in which the Notice was published.

3. There are no agreements between the Newspaper, publisher, manager or printer and the officer or attorney charged with the duty of placing the attached legal advertising notice whereby any advantage, gain or profit accrued to said officer or attorney

Rebecca Alexander

Rebecca Alexander, Publisher

Subscribed and sworn to before me this
29th Day of December, 2021

Shandale Goodman

Shandale Goodman, Notary Public
State of Mississippi
My commission expires 07-30-2022

Account # 180200
Ad # 1367791

CITY OF BATESVILLE
PO BOX 689
BATESVILLE MS 38606



PUBLIC NOTICE

printing expenses.

ADVERTISEMENT FOR BIDS

This procurement will be subject to all applicable sections of the Mississippi Code of 1972, Annotated.

The bidder shall guarantee to hold his bid good and may not withdraw his bid for a period of 90 calendar days after the scheduled closing time for receiving bids.

The award, if made, will be made to the party submitting the lowest and best bid deemed most favorable to the Owner. The City of Batesville reserves the right to reject any and all bids and to waive any informalities or irregularities in the bids received.

The City of Batesville
Mayor Hal Ferrell

The Panolian:
Dec. 22 and 29, 2021
BIDS

The project scope includes: The work to be performed under this contract shall consist of furnishing all labor, tools, equipment and materials and performing all work necessary for the complete construction of all facilities. The major items of work shall consist of, but not be limited to, the installation of new 4" High Pressure Poly gas main that operates at 60 psig (100 PSIG maximum allowable operating pressure), by traditional open cut and horizontal directional bore. The total project length is approximately 1.5 mile.

Contract time is 90 consecutive calendar days. Liquidated damages in the amount of \$200.00 will be assessed for each consecutive calendar day thereafter.

Bidders must be qualified under Mississippi Law and show a current Certificate of Responsibility issued by the Mississippi Board of Public Contractors establishing classification as to the value and type of construction work on which he is authorized to bid.

The Plans, Specifications, and Contract Documents may be examined at the following locations:

1. Batesville City Hall, 103 College Street, Batesville, MS 38606, (662) 563-4575
2. Mendrop-Wages, LLC, 143 Public Square, Batesville, MS 38606, (662) 563-7314
3. Mendrop-Wages, LLC, 854 Wilson Drive, Suite A, Ridgeland, MS 39157, (801) 899-5158

Copies of the Contract Documents may be obtained at the offices of Mendrop-Wages, LLC, 854 Wilson Drive, Suite A, Ridgeland, MS 39157, Telephone 601-899-5158, upon payment of \$150.00 for each set, NOT to be refunded. The cost of the contract documents includes standard shipping and handling via USPS First Class Mail or UPS Ground, as well as

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IN RE: TEMPORARY TENTS - BATESVILLE CIVIC CENTER

There came on for discussion, by Chief Building Official Andy Berryhill, a request to allow placement of a temporary tent for a circus to be held at the Batesville Civic Center.

Upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, it was ordered that permit fees for temporary tents at the Batesville Civic Center shall be included in the rental contract amount for the Batesville Civic Center and further that the permit for temporary tents must be obtained through the Code Office as well as be inspected.

IN RE: SALE OF SURPLUS REAL PROPERTY

Upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, it was ordered that the Contract for Sale of Real Property be and it is hereby accepted with the changes as presented and discussed.

IN RE: TIDWELL APPEAL

There came on for discussion the matter of the Tidwell appeal with Panola County. City Attorney Colmon Mitchell stated that the appeal has been placed on hold for now.

Upon unanimous consent, it was ordered that the Legal Department draft an agreement in regards to the Tidwell property.

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IN RE: APPROVAL TO RESCIND ORDER - BRENDA COMSTOCK

There came on for discussion the matter of the action taken at the meeting of the Mayor and Board of Aldermen on January 18, 2022, in regards to the payment amount to be issued to Brenda Comstock as compromise of the negligence claim against the City, due to her gas being erroneously disconnected by the City but not her water.

Upon motion of Alderman Harrison and second of Alderman Land and upon unanimous vote taken, it was ordered that the order recorded in Minute Book E-3 at Page 153 be and it is hereby rescinded.

IN RE: APPROVAL FOR PAYMENT - BRENDA COMSTOCK

There came on for discussion the matter of Brenda Comstock's claim against the City for \$1,070.49 due to her gas being erroneously disconnected by the City but not her water, causing her to replace her water heater due to Ms. Comstock thinking her water heater was not working.

The Mayor and Board of Aldermen determined that Brenda Comstock's claim against the City is legitimate and lawful and that it is in the best interest to compromise the claim by paying \$713.66 which is two-thirds of the claim since the negligence of the City and her plumber each contributed to her loss.

Therefore, upon motion of Alderman Harrison and second of Alderman Dugger and upon unanimous vote taken, it was ordered that payment in the amount of \$713.66 (two-thirds of the total cost of \$1,070.49) be issued to Ms. Comstock as compromise of her claim and that she sign a release of liability in favor of the City before the payment is delivered to her.

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IN RE: APPROVAL TO RESCIND ORDER - BUNKER GEAR

Upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, it was ordered to rescind the Order of the Minutes recorded in Minute Book E-3 at Page 143 in regards to the damaged bunker gear.

IN RE: DAMAGED BUNKER GEAR - FIRE DEPARTMENT

Upon motion of Alderman Morrow and second of Alderman Land and upon unanimous vote taken, it was ordered that the City accept the amount of \$2,750.00 as a sufficient measure of damages for the City's claim against JPS Carriers, Inc., for damages to the Batesville Fire Department's bunker gear and such acceptance is in the City's best interest so as to avoid the cost and delay of litigation over an unliquidated claim.

JANUARY 25, 2022

IN RE: NOTICE OF INTENT - AARON E. HENRY COMMUNITY HEALTH CENTER, INC.

Upon motion of Alderman Morrow and second of Alderman Dugger and upon unanimous vote taken, it was ordered that the Mayor be and he is hereby authorized to sign, in support, the Notice of Intent with the Aaron E. Henry Community Health Center, Inc. in regards to them applying for Federal assistance to provide public transportation services to the general public in non-urbanized areas. A copy of said notice follows:

NOTIFICATION OF INTENT TO APPLY FOR FEDERAL ASSISTANCE AVAILABLE FOR PUBLIC OR PRIVATE NON-PROFIT ORGANIZATIONS TO PROVIDE TRANSPORTATION SERVICES TO THE GENERAL PUBLIC IN NON-URBANIZED AREA

Applicant Organization: Aaron E. Henry Community Health Center Inc.

P.O. Box 1216 or 510 Hwy 322 Clarksdale, Mississippi 38614
Street Address or P. O. Box; City; State; Zip Code

Antoinette Gray-Brown (662) 624-5907 ext. 1113
Name of Contact Person; Telephone Number

I have been afforded the opportunity to review the transportation service proposal of the above named organization. Based on the review: (check one)

I do believe that this type of service is needed at this time.
 I do not believe that this type of service is needed at this time.

Comments: _____

Reviewer: _____

<u>Signature</u>	<u>Title</u>	<u>Date</u>
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Name of Organization

Address _____ City _____ State _____ Zip Code _____

Telephone Number _____

NOTE: Notification of Intent to Apply for Federal Assistance must be submitted to the city and county elected officials of all counties served. A copy of responses must be included with the application package. The applicant must include a list of all city, and county elected officials sent Notice of Intent to Apply.

PUBLIC NOTICE OF INTENT TO APPLY

All interested public and private transit and paratransit operators within Coahoma, Tallahatchie, Quitman, Tate, Panola, DeSoto and Tunica counties are hereby advised that the Aaron E. Henry Community Health Services Center, Inc. (DARTS) is applying to the Mississippi Department of Transportation, Public Transportation Division, Jackson, Mississippi, for a grant under 49 U.S.C. 5311 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act-A Legacy for Users (SAFETEA-LU) Moving Ahead for Progress in the 21st Century (MAP-21) and Fixing America's Surface Transportation (FAST) ACT, for the provision of public transportation services. Services are being provided or being proposed within the areas referenced above. This program consists of providing rural general public transportation to health care, shopping, education, employment, and recreation. The purpose of this notice is to advise all interested transit and paratransit operators of the proposed services for the general public in the areas described above and to ensure that such a project would not represent duplication of current or proposed services provided by existing transit or paratransit operators in the area.

Comments either for or against this service by such public private and paratransit operators will be received anytime within seven days from the date of this notice. All comments should be addressed to Aaron E. Henry Community Health Services Center, Inc., 510 Hwy 322, Post Office Box 1216, Clarksdale, MS 38614. Additional details regarding eligible activities, program requirements, and the program criteria will be provided at a virtual public hearing, which will be held at Aaron E. Henry Community Health Services Center, Inc. on Wednesday January 26, 2022 at 4:00 p.m.

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IN RE: COMMERCIAL DRIVER'S LICENSE

Public Works Director David Karr informed the Mayor and Board of Aldermen that effective February 7, 2022, you must go to a truck driving school in order to obtain a commercial driver's license. Mr. Karr would like to seek a third party to be able to come to the City of Batesville to provide the instruction and obtain the commercial driver's license.

Upon motion of Alderman Harrison and second of Alderman Dugger and upon unanimous vote taken, it was ordered that Mr. Karr seek a third party to provide instruction and further that the City pay for the initial DOT physical.

OTHER MATTERS DISCUSSED BY THE MAYOR AND BOARD OF ALDERMEN

1. Mayor Hal Ferrell provided an update to the Board of Aldermen regarding possible funding for the City.
2. Alderman Stan Harrison raised the question of the possibility of placing some regulations about entering and exiting the board meeting room while the meeting of the Mayor and Board of Aldermen is taking place.

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Upon motion duly made and seconded, the meeting was adjourned to reconvene at 2:00 o'clock p.m., Tuesday, February 1st, 2022, at the City Hall at 103 College Street, Batesville, Mississippi. In accordance with Section 25-41-7, Mississippi Code of 1972, as amended, a notice of said regular meeting has been posted in the City Hall and a copy of said notice follows these minutes.

Mayor

Clerk of the Mayor and Board of Aldermen
of the City of Batesville, Mississippi

JANUARY 25, 2022

**NOTICE OF PLACE, DATE, HOUR AND SUBJECT MATTER
OF A REGULAR MEETING OF THE MAYOR AND
BOARD OF ALDERMEN OF THE CITY OF BATESVILLE, MISSISSIPPI**

The regular meeting of the Mayor and Board of Aldermen of the City of Batesville, Mississippi, shall be held on the following subject matter at the following place, date, and hour, to-wit:

Place: City Hall, 103 College Street, Batesville, MS 38606

Date: On the 1st day of February, 2022

Hour: 2:00 p.m.

Subject Matter: To transact any and all business that may be transacted at the regular meeting of the Mayor and Board of Aldermen on the first and third Tuesdays of each month.

The meeting may be conducted through teleconference or video means. Participation is available to the general public at said location.

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