

**REGULAR MEETING****NOVEMBER 1, 2022**

Be It Remembered that a Regular Meeting of the Mayor and Board of Aldermen of the City of Batesville was held on the first Tuesday afternoon of November, being the 1<sup>st</sup> day of November 2022, at 2:00 p.m., when and where were present the following, to-wit:

Mayor Hal Ferrell; Aldermen Stan Harrison, Dennis Land, Bill Dugger, Teddy Morrow and Bobby Walton. Also present were: City Clerk Susan Berryhill; City Attorney Colmon Mitchell; Chief Police Kerry Pittman; Assistant Chief of Police George Williford; Blake Mendrop and Greg Smith of Mendrop Engineering Resources; Chief Building Official Andy Berryhill; Assistant Public Works Director Newt Benson; Fire Chief Tim Taylor; Deputy Chief David Tarver; Assistant City Clerk Shonnah Weaver and Jeremy Weldon of The Panolian.

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

**IN RE:        APPROVAL OF AGENDA**

Upon motion of Alderman Morrow and second of Alderman Dugger and upon unanimous vote taken, the agenda of November 1, 2022, was approved with the addition of the discussion of the Code Office vehicle, a clean-up hearing and executive session-request to hire.

# CITY OF BATESVILLE BOARD MEETING

NOVEMBER 1, 2022  
2:00 P.M. | CITY HALL

## AGENDA

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**CALL TO ORDER:** Mayor Hal Ferrell

**INVOCATION:** Jeremy Weldon

**MAYOR'S WELCOME STATEMENT:** "To all in attendance, pursuant to Order by the Board of Aldermen, adopted on March 1, 2022, in order to address the Mayor and Board of Aldermen, you must be on the agenda."

### **CONFIRMATION OR AMENDMENT TO THE AGENDA**

### **MINUTES OF PRIOR MEETINGS**

1. Regular Meeting – October 18, 2022

### **CONSENT AGENDA**

1. Approval for City Officials and personnel to attend the Mid-Winter Legislative Conference in Jackson, Mississippi January 10-12, 2023, with expenses covered by the City. Reimburse travel expenses if necessary.
2. Approval for Heath Fullilove to attend the USSSA National Conference in Orlando, Florida November 14-17, 2022. No charge for registration. Airline ticket: \$500.00 round trip plus lodging and per diem for meals. Reimburse travel expenses if necessary.
3. Approval for Cordarius Givens, and an alternate if necessary, to attend the Haz Mat Tech Class at the Mississippi Fire Academy December 5-15, 2022. Course fee: \$770.00 plus per diem for meals. He will travel in a city vehicle. Reimburse travel expenses if necessary.

### **PAY REQUEST AGENDA**

1. Approval of payment #2 in the amount of \$103,292.82 to be made to Brocato Construction Co., Inc. in connection with the Gas Main Ext. – Lehman Roberts.
2. Approval of payment #17 in the amount of \$50,000.00 to be made to C & M Builders in connection with the Public Works shop.
3. Approval of payment #3 in the amount of \$6,030.36 to be made to Tocowa Electric Co., Inc. in connection with the Public Works shop.

**BIDS RECEIVED** – Hospital Drainage**PUBLIC HEARINGS** –

- a. Conditional Use Permit – Tim Morrow, The Boiling Pot, LLC – to allow crawfish sales from a mobile trailer at Mid-Town Market
- b. Conditional Use Permit – Summit Locations, LLC to allow an off-premise sign (billboard) at Highway 51 South
- c. Conditional Use Permit – Summit Locations, LLC to allow an off-premise sign (billboard) at 11604 Highway 6 West
- d. Rezoning request – Del Phillips – 450 Highway 51 South from a C-2, Commercial to C-3, Commercial

**VISITORS**

1. Mike Slaughter
2. Mary Murphy
3. Chris Smith

**PERMANENT VISITORS**

- Panola Partnership
- North Delta Planning and Development
- Mendrop Engineering Resources
- Panola County Board of Supervisors and department heads
- State or Federal legislators representing any part of Panola County
- Any person engaged in contractual business with the City of Batesville
- The Panolian Jeremy Weldon or his proxy

**REPORT OF DEPARTMENT HEADS**

- **CHIEF BUILDING OFFICIAL – ANDY BERRYHILL**

1. Property owners for Deaton, King & Draper Streets
2. Monthly complaints
3. Monthly inspections
4. Planning Commission minutes – October 24, 2022
5. Set Public Hearing – variance request to allow a canopy addition – Mt. Zion MB Church

- **CHIEF OF POLICE – KERRY PITTMAN**

1. Executive Session – request to hire

- **CITY ATTORNEY – COLMON MITCHELL**

1. Executive Session – possible sale of surplus property

- **CITY CLERK – SUSAN BERRYHILL**

1. Holiday request

- **FIRE CHIEF – TIM TAYLOR**

1. Executive Session – request to hire

- **PUBLIC WORKS DIRECTOR – DAVID KARR**

1. Request to purchase a replacement pump for Hadorn lift station
2. Request to purchase a 1-ton truck for use in the Sewer Department-MS State Contract
3. Bridge completed at the Batesville Mounds
4. Quotes received – poly liner
5. Boring request from Entergy
6. Executive Session – personnel matter – Street Department

**OTHER MATTERS BY MAYOR OR ALDERMAN:**

**MATTERS UNDER ADVISEMENT:**

**EXECUTIVE SESSION**

1. Kerry Pittman – request to hire
2. Tim Taylor - request to hire
3. Colmon Mitchell – possible sale of surplus property

**ADJOURNMENT**

**IN RE: APPROVAL OF MINUTES**

Upon motion of Alderman Harrison and second of Alderman Land and upon unanimous vote taken, the minutes of the September 20, 2022, regular meeting, and the minutes of the September 29, 2022, adjourned meeting, were approved.

IN RE: SIGNATURE SHEET FOR MEETING OF NOVEMBER 1, 2022

Board Meeting  
November 1, 2022  
Signature Sheet  
PLEASE PRINT NAME CLEARLY

*Kenny Pittman*  
Please print name clearly

*Geary Williford*  
Please print name clearly

*Deborah F. Fields*  
Please print name clearly

*MARY H. Murphy*  
Please print name clearly

*Wendy Tamm*  
Please print name clearly

*Neil Jensen*  
Please print name clearly

*Bill M...*  
Please print name clearly

*[Signature]*  
Please print name clearly

*[Signature]*  
Please print name clearly

*Audrey Beatty Hill*  
Please print name clearly

*Mike Laughton*  
Please print name clearly

*Walter Williams*  
Please print name clearly

*Charlie McGee*  
Please print name clearly

*Paul Baster Summit Location*  
Please print name clearly

*DEL Phillips = Amy Phillips*  
Please print name clearly

*Ginger Moxam The Rolling Pot LLC*  
Please print name clearly

*Samantha Lewis*  
Please print name clearly

**IN RE: APPROVAL OF CONSENT AGENDA**

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that the following matters and items on the consent agenda be and they are hereby approved:

1. Approval for City Officials and personnel to attend the Mid-Winter Legislative Conference in Jackson, Mississippi January 10-12, 2023, with expenses covered by the City. Reimburse travel expenses if necessary.
2. Approval for Heath Fullilove to attend the USSSA National Conference in Orlando, Florida November 14-17, 2022. No charge for registration. Airline ticket: \$500.00 round trip plus lodging and per diem for meals. Reimburse travel expenses if necessary.
3. Approval for Cordarius Givens, and an alternate if necessary, to attend the Haz Mat Tech Class at the Mississippi Fire Academy December 5-15, 2022. Course fee: \$770.00 plus per diem for meals. He will travel in a city vehicle. Reimburse travel expenses if necessary.

**IN RE: APPROVAL OF PAY REQUEST AGENDA**

Upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, it was ordered that the following matters and items on the pay request agenda be and they are hereby approved:

1. Approval of payment #2 in the amount of \$103,292.82 to be made to Brocato Construction Co., Inc. in connection with the Gas Main Ext. – Lehman Roberts.
2. Approval of payment #17 in the amount of \$50,000.00 to be made to C & M Builders in connection with Public Works shop.
3. Approval of payment #3 in the amount of \$6,030.36 to be made to Tocowa Electric Co., Inc. in connection with the Public Works shop.

**IN RE: BIDS RECEIVED – HOSPITAL DRAINAGE IMPROVEMENTS**

This day the Mayor and Board of Aldermen received sealed competitive bids for hospital drainage improvements, pursuant to advertisement made in the manner and for the time provided by law as evidenced by a copy of Proof of Publication attached hereto. Mayor Ferrell, having read aloud said bids, found that the following bids were received and are on file in the Office of the City Clerk.

<b>Brocato Construction Co., Inc.</b>	<b>\$245,904.75</b>
<b>Encsor, LLC</b>	<b>\$207,350.00</b>

Having heard all bids received, upon motion of Alderman Morrow and second of Alderman Dugger 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:  
  
09/14/22, 09/21/22
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 21st Day of September, 2022

*Shandale Goodman*



Shandale Goodman, Notary Public  
State of Mississippi  
My commission expires 07-30-2026

Account # 180200  
Ad # 1508882

CITY OF BATESVILLE  
PO BOX 689  
BATESVILLE MS 38606

#### PUBLIC NOTICE

#### ADVERTISEMENT FOR BIDS

Sealed bids for the construction of HOSPITAL DRAINAGE IMPROVEMENTS in Batesville, Mississippi will be received by The City of Batesville, herein called the "OWNER", at Batesville Public Works, 132 Van Voris, Batesville, MS 38606 until 10:00 A.M., Local Time on October 13, 2022 at which time they will be publicly opened and read aloud. Bids received after this time will not be accepted and will be returned unopened.

A Pre-Bid Conference will not be held.

The project scope includes: The project includes the construction 160 LF of 36" RCP pipe, two concrete curb inlets, and any utility relocations necessary to complete the project.

Contract time is 60 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) 563-4576
2. Mendrop Engineering Resources, LLC, 143 Public Square, Batesville, MS 38606, (662) 563-7314

Copies of the Contract Documents may be obtained at the offices of Mendrop Engineering Resources, LLC, 143 Public Square, Batesville, MS 38606, Telephone (662) 563-7314, 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 printing expenses.

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 60 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 all bids and to waive any informalities or irregularities in the bids received.*

The City of Batesville  
Mayor Hal Ferrell

The Panolian:  
Sept. 14 and 21, 2022  
**BIDS**

**IN RE: PUBLIC HEARING - 3:00 P.M.  
PUBLIC HEARING–TIM MORROW-CONDITIONAL USE PERMIT**

The Mayor opened the Public Hearing and Chief Building Official Andy Berryhill explained the purpose of the hearing being a request from Tim Morrow for a conditional use permit to allow *Use #2.240 Sales from temporary or portable buildings, tent or other structures* for the operation of a crawfish vending business in a C-2, Commercial zone at Mid-Town Market Shopping Center on Hwy. 6, East. Said real property is owned by F. W. Loden, III and is located in the City of Batesville, Second Judicial District of Panola County, Mississippi, and is more particularly described as follows, to-wit:

Lot (93.8x400) part of the Southeast Quarter of the Southwest Quarter north of Hwy. 6, East located in Section 9, Township 9 South, Range 7 West in the City of Batesville, Second Judicial District of Panola County, Mississippi at Mid-Town Market Shopping Center

and

Notice of said hearing having been published in the manner and for the time required by law as evidenced by a copy of the Proof of Publication attached hereto:

Ginger Morrow was present and spoke in support of this request.

Chief Building Official Andy Berryhill reported that the Planning Commission recommended at their meeting held on September 26, 2022, the conditional use permit be granted.

No one was present in opposition to the request.

The Mayor declared the hearing closed.



# Publisher's Certificate of Publication

## STATE OF MISSISSIPPI COUNTY OF PANOLA

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10/12/22

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, Publisher

Subscribed and sworn to before me this  
12th Day of October, 2022

Shandale Goodman, Notary Public  
State of Mississippi  
My commission expires 07-30-2026



Account # 180200  
Ad # 1528212

CITY OF BATESVILLE  
PO BOX 689  
BATESVILLE MS 38606

## PUBLIC NOTICE NOTICE OF PUBLIC HEARING

WHEREAS, There has been submitted by Tim Morrow, The Boiling Pot, LLC to the Board of Mayor and Aldermen of the City of Batesville, Mississippi, an application for a Conditional Use Permit to allow Use #2.240 Sales from temporary or portable buildings, tent or other structures for the operation of a crawfish vending business in a C-2, Commercial zone at Mid-Town Market Shopping Center on Hwy. 6, East. Said real property is owned by F.W. Loden, III and is lying and situated in the City of Batesville, Second Judicial District of Panola County, Mississippi, and is more particularly described as follows, to-wit:

Lot (93.8x400) part of the Southeast Quarter of the Southwest Quarter north of Hwy. 6, East located in Section 9, Township 9 South, Range 7 West in the City of Batesville, Second Judicial District of Panola County, Mississippi at Mid-Town Market Shopping Center and

NOW THEREFORE, pursuant to the order of the Mayor and Board of Aldermen of the City of Batesville, Mississippi, notice is hereby given to all persons interested in, or in any way affected by, said application that a public hearing on said application shall be held by the Mayor and Board of Aldermen of the City of Batesville, Mississippi, at 3:00 P.M. on November 1, 2022, at the City Hall located at 103 College Street, Batesville, Mississippi, at which time all parties interested in or affected thereby, will be heard, after which a decision will be rendered by the said Board of Mayor and Aldermen.

Any objection made concerning the property described herein above may be made by any person in writing or in person at said hearing. If any objection be made in writing, it must be filed with the undersigned before the said time if a hearing thereon or consideration thereof be desired, or any party interested may appear in person or by counsel on said date.

CITY OF BATESVILLE  
Susan S. Berryhill, City Clerk

The Panolian:  
Oct. 12, 2022  
PUBLIC HEARING 4

### IN RE:            **CONDITIONAL USE PERMIT – TIM MORROW**

Upon motion of Alderman Harrison and second of Alderman Land and upon unanimous vote taken, it was ordered that the request from Tim Morrow for a conditional use permit to allow *Use #2.240 Sales from temporary or portable buildings, tent or other structures* for the operation of a crawfish vending business in a C-2, Commercial zone at Mid-Town Market Shopping Center on Hwy. 6, East, be and the same is hereby granted.

**IN RE: PUBLIC HEARING - 3:00 P.M.  
PUBLIC HEARING–SUMMIT LOCATIONS, LLC-CONDITIONAL  
USE PERMIT**

The Mayor opened the Public Hearing and Chief Building Official Andy Berryhill explained the purpose of the hearing being a request from Summit Locations, LLC for a conditional use permit to allow *Use #27.000 Off-Premises Signs* in a C-3, Commercial, zone to install a 14x20 feet outdoor advertising sign. Said real property is owned by Mahlon Radu Pernell and is located at 11604 Highway 6 West lying and situated in the City of Batesville, Second Judicial District of Panola County, Mississippi, and is more particularly described as follows, to-wit:

Parcel Number: 1195 2200000 0000100  
2 ACC PT NE ¼ NE ¼ NE ¼  
Located in Section 22, Township 9, Range 8

and

Notice of said hearing having been published in the manner and for the time required by law as evidenced by a copy of the Proof of Publication attached hereto:

Paul Bastien was present and spoke in support of this request.

Chief Building Official Andy Berryhill reported that the Planning Commission recommended at their meeting held on September 26, 2022, the conditional use permit be granted.

No one was present in opposition to the request.

The Mayor declared the hearing closed.

# Publisher's Certificate of Publication

## STATE OF MISSISSIPPI COUNTY OF PANOLA

### PUBLIC NOTICE NOTICE OF PUBLIC HEARING

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Rebecca Alexander, Publisher

Subscribed and sworn to before me this  
12th Day of October, 2022



Shandale Goodman, Notary Public  
State of Mississippi  
My commission expires 07-30-2026

WHEREAS, There has been submitted by Summit Locations, LLC to the Board of Mayor and Aldermen of the City of Batesville, Mississippi, an application for a Conditional Use Permit to allow Use #27.000 Off-Premises Signs in a C-3, Commercial, zone to install a 14x20 feet outdoor advertising sign.

Said real property is owned by Mahlon Radu Pemell and is located at 11604 Highway 6 West lying and situated in the City of Batesville, Second Judicial District of Panola County, Mississippi, and is more particularly described as follows, to-wit: Parcel Number: 1195 2200000 0000100 2 ACC PT NE 1/4 NE 1/4 NE 1/4 Located in Section 22, Township 9, Range 8 and

NOW THEREFORE, pursuant to the order of the Mayor and Board of Aldermen of the City of Batesville, Mississippi, notice is hereby given to all persons interested in, or in any way affected by, said application that a public hearing on said application shall be held by the Mayor and Board of Aldermen of the City of Batesville, Mississippi, at 3:00 P.M. on November 1, 2022, at the City Hall located at 103 College Street, Batesville, Mississippi, at which time all parties interested in or affected thereby, will be heard, after which a decision will be rendered by the said Board of Mayor and Aldermen. Any objection made concerning the property described herein above may be made by any person in writing or in person at said hearing. If any objection be made in writing, it must be filed with the undersigned before the said time if a hearing thereon or consideration thereof be desired, or any party interested may appear in person or by counsel on said date.

CITY OF BATESVILLE  
Susan S. Berryhill, City Clerk

The Panolian:  
Oct. 12, 2022  
PUBLIC HEARING 3

Account # 180200  
Ad # 1528207

CITY OF BATESVILLE  
PO BOX 689  
BATESVILLE MS 38606

### IN RE:           CONDITIONAL USE PERMIT – SUMMIT LOCATIONS, LLC

Upon motion of Alderman Harrison and second of Alderman Land and upon unanimous vote taken, it was ordered that the request from Summit Locations, LLC for a conditional use permit to allow *Use #27.000 Off-Premises Signs* in a C-3, Commercial, zone to install a 14x20 feet outdoor advertising sign at 11604 Highway 6 West, be and the same is hereby granted.

**IN RE: PUBLIC HEARING - 3:00 P.M.  
PUBLIC HEARING–SUMMIT LOCATIONS, LLC-CONDITIONAL  
USE PERMIT**

The Mayor opened the Public Hearing and Chief Building Official Andy Berryhill explained the purpose of the hearing being a request from Summit Locations, LLC for a conditional use permit to allow *Use #27.000 Off-Premises Signs* in a I-2, Industrial, zone to install a 14x17 feet outdoor advertising sign. Said real property is owned by Larry White and is located at 731 US-51 South lying and situated in the City of Batesville, Second Judicial District of Panola County, Mississippi, and is more particularly described as follows, to-wit:

Parcel Number: 3185 0006300 0000800  
3 ACC PT NW ¼ NW ¼ W of Hwy 51  
Unplatted Land  
Located in Section 21, Township 9, Range 7

and

Notice of said hearing having been published in the manner and for the time required by law as evidenced by a copy of the Proof of Publication attached hereto:

Paul Bastien was present and spoke in support of this request.

Chief Building Official Andy Berryhill reported that the Planning Commission recommended at their meeting held on September 26, 2022, the conditional use permit be granted.

No one was present in opposition to the request.

The Mayor declared the hearing closed.

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## STATE OF MISSISSIPPI COUNTY OF PANOLA

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Rebecca Alexander, Publisher

Subscribed and sworn to before me this  
12th Day of October, 2022

Shandale Goodman, Notary Public  
State of Mississippi  
My commission expires 07-30-2026



Account # 180200  
Ad # 1528202

CITY OF BATESVILLE  
PO BOX 689  
BATESVILLE MS 38606

## PUBLIC NOTICE NOTICE OF PUBLIC HEARING

WHEREAS, There has been submitted by Summit Locations, LLC to the Board of Mayor and Aldermen of the City of Batesville, Mississippi, an application for a Conditional Use Permit to allow Use #27.000 Off-Premises Signs in a I-2, Industrial, zone to install a 14x17 feet outdoor advertising sign.

Said real property is owned by Larry White and is located at 731 US-51 South lying and situated in the City of Batesville, Second Judicial District of Panola County, Mississippi, and is more particularly described as follows, to-wit:

Parcel Number: 3185 0006300 0000800

3 ACC PT NW ¼ NW ¼ W of Hwy 51  
Unplatted Land  
Located in Section 21, Township 9, Range 7  
and

NOW THEREFORE, pursuant to the order of the Mayor and Board of Aldermen of the City of Batesville, Mississippi, notice is hereby given to all persons interested in, or in any way affected by, said application that a public hearing on said application shall be held by the Mayor and Board of Aldermen of the City of Batesville, Mississippi, at

3:00 P.M. on November 1, 2022, at the City Hall located at 103 College Street, Batesville, Mississippi, at which time all parties interested in or affected thereby, will be heard, after which a decision will be rendered by the said Board of Mayor and Aldermen. Any objection made concerning the property described herein above may be made by any person in writing or in person at said hearing. If any objection be made in writing, it must be filed with the undersigned before the said time if a hearing thereon or consideration thereof be desired, or any party interested may appear in person or by counsel on said date.

CITY OF BATESVILLE  
Susan S. Berryhill, City Clerk

The Panolian:  
Oct. 12, 2022  
PUBLIC HEARING 2

### IN RE:            **CONDITIONAL USE PERMIT – SUMMIT LOCATIONS, LLC**

Upon motion of Alderman Harrison and second of Alderman Land and upon unanimous vote taken, it was ordered that the request from Summit Locations, LLC for a conditional use permit to allow *Use #27.000 Off-Premises Signs* in a I-2, Industrial, zone to install a 14x17 feet outdoor advertising sign at 731 US-51 South, be and the same is hereby granted.

**IN RE: PUBLIC HEARING - 3:00 P.M.  
PUBLIC HEARING – DEL PHILLIPS - REZONING**

The Mayor opened the Public Hearing and Chief Building Official Andy Berryhill explained the purpose of the hearing being a request from Del Phillips that the following described property presently zoned C-2, Commercial be rezoned C-3, Commercial District. Said property lying and being situated in the City of Batesville, Second Judicial District of Panola County, Mississippi and more particularly described as follows, to-wit:

A fractional part of the Southwest Quarter of Section 16, Township 9 South, Range 7 West, and being more particularly described as follows, to-wit:

Beginning at a point on the East right of way line of U.S. Mississippi Highway No. 51 that is 2778.3 feet South of the North line of the said Section 16, as measured along the East right of way line of said U.S. Mississippi Highway No. 51, run Southwesterly along the said East right of way line a distance of 150 feet; thence North 89 degrees 00 minutes east a distance of 150 feet; thence South 89 degrees 00 minutes West for a distance of 492 feet to the point of beginning containing 1.7 acres, more or less.

and

Del Phillips were present and spoke in support of this request and no one was present in opposition of this request.

Chief Building Official Andy Berryhill reported that the Planning Commission recommended said rezoning request at their meeting held on September 26, 2022, due to there being a public need for such rezoning and the character of the neighborhood in which the property is located has changed to such an extent as to justify said reclassification and rezoning.

The Mayor declared the hearing closed.

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## STATE OF MISSISSIPPI COUNTY OF PANOLA

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Rebecca Alexander, Publisher

Subscribed and sworn to before me this 12th Day of October, 2022



Shandale Goodman, Notary Public  
State of Mississippi  
My commission expires 07-30-2026

Account # 180200  
Ad # 1528193

CITY OF BATESVILLE  
PO BOX 689  
BATESVILLE MS 38606

### PUBLIC NOTICE NOTICE OF PUBLIC HEARING

Pursuant to the orders of the Mayor and Board of Aldermen of the City of Batesville, Mississippi, notice is hereby given to all persons interested in or in any way affected thereby, that said Board of Aldermen has, upon application of Del Phillips, initiated the rezoning of the following described property from C-2, Commercial District to C-3, Commercial. Said property lying and being situated in the City of Batesville, Second Judicial District of Panola County, Mississippi and more particularly described as follows, to-wit: A fractional part of the Southwest Quarter of Section 16, Township 9 South, Range 7 West, and being more particularly described as follows, to-wit: Beginning at a point on the East right of way line of U.S. Mississippi Highway No. 51 that is 2778.3 feet South of the North line of the said Section 16, as measured along the East right of way line of said U.S. Mississippi Highway No. 51, run Southwesterly along the said East right of way line a distance of 150 feet; thence North 89 degrees 00 minutes east a distance of 150 feet; thence South 89 degrees 00 minutes West for a distance of 492 feet to the point of beginning containing 1.7 acres, more or less.

and  
NOW THEREFORE, pursuant to the order of the Mayor and Board of Aldermen of the City of Batesville, Mississippi, notice is hereby given to all persons interested in, or in any way affected by, said application that a public hearing on said application shall be held by the Mayor and Board of Aldermen of the City of Batesville, Mississippi, at 3:00 P.M. on November 1, 2022, at the City Hall located at 103 College Street, Batesville, Mississippi, at which time all parties interested in or affected thereby, will be heard, after which a decision will be rendered by the said Board of Mayor and Aldermen. Any objection made concerning the property described herein above may be made by any person in writing or in person at said hearing. If any objection be made in writing, it must be filed with the undersigned prior to or at time of said public hearing. Any party interested may appear in per-

son and or by counsel at said public hearing.

CITY OF BATESVILLE  
Susan S. Berryhill, City Clerk

The Panolian:  
Oct. 12, 2022  
PUBLIC HEARING 1

**IN RE: ORDINANCE ADOPTED - REZONING, DEL PHILLIPS**

Upon motion of Alderman Harrison, seconded by Alderman Morrow and upon unanimous vote taken, the following Ordinance was adopted:

**ORDINANCE OF THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF  
BATESVILLE, MISSISSIPPI, AMENDING CERTAIN SECTIONS OF THE  
COMPREHENSIVE ZONING PLAN OF THE CITY OF BATESVILLE,  
MISSISSIPPI**

WHEREAS, there has been submitted by Del Phillips to the Board of Mayor and Aldermen of the City of Batesville, Mississippi, certain changes to the Comprehensive Zoning Ordinance adopted by the City of Batesville on April 21, 1992 and amended by ordinance adopted on September 7, 2010.

WHEREAS, the aforesaid changes consisted of rezoning the hereafter described property presently zoned C-2, commercial, and

WHEREAS, November 1, 2022, was set as the date for the public hearing and notice of said hearing was given fifteen (15) days prior to the date set for said public hearing by publication in "The Panolian" a newspaper having general circulation in Batesville, Mississippi, on the proposed changes and amendments.

WHEREAS, at said public hearing there were no protests or objections made to the changes and amendments to the Comprehensive Zoning Ordinance of the City of Batesville, Mississippi, and

WHEREAS, the character of the neighborhood has changed substantially and there is a public need for rezoning said property.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of the City of Batesville, Mississippi, that the Comprehensive Zoning Ordinance of the City of Batesville be and the same is hereby amended as follows:

That the following described property presently zoned C-2, commercial be rezoned C-3, Commercial District and more particularly described as follows to wit:

A fractional part of the Southwest Quarter of Section 16, Township 9 South, Range 7 West, and being more particularly described as follows, to-wit:

Beginning at a point on the East right of way line of U.S. Mississippi Highway No. 51 that is 2778.3 feet South of the North line of the said Section 16, as measured along the East right of way line of said U.S. Mississippi Highway No. 51, run Southwesterly along the said East right of way line a distance of 150 feet; thence North 89 degrees 00 minutes east a distance of 150 feet; thence South 89 degrees 00 minutes West for a distance of 492 feet to the point of beginning containing 1.7 acres, more or less.



and

That the Batesville Zoning Ordinance is hereby ratified and confirmed, as previously amended from time to time, subject to this change.

ORDAINED, APPROVED AND ADOPTED by the Mayor and Board of Aldermen of the City of Batesville, Mississippi, on this the 1<sup>st</sup> day of November, 2022.

---

Hal Ferrell, Mayor

ATTEST:

---

Susan S, Berryhill, City Clerk

**IN RE:           CLEANUP HEARING - 3:00 P.M.  
                  CLEANUP HEARING – MS EQUITIES, LLC (KROGER PARKING  
                  LOT)**

Chief Building Official Andy Berryhill explained the purpose of the hearing to determine whether or not the hereinafter described parcel of real property, owned by MS Equities, LLC, located in the City of Batesville is in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community, to-wit:

Parcel #318240005400 10000700, 7.80 Acres and Parcel #318240005400  
10000701, 6.70 Acres, Pt. of Southwest Quarter of Southwest Quarter of Section  
10, Township 9, Range 7 in the Second Judicial District of Panola County,  
Mississippi, as shown in the Office of the Panola County Tax Assessor and  
Collector, and as shown in Deed recorded in Deed Book 2017 at Page 1416 in the  
Batesville Office of the Chancery Clerk of Panola County, Mississippi

Samantha Lewis was present in support and no one was present in opposition of said clean up hearing.

The Mayor and Board heard and received evidence relating to the condition of said property and its affect upon the public health, safety and welfare of the community.

The hearing was concluded.

**IN RE:           REPORT OF CLEANUP PROPERTY – MS EQUITIES, LLC  
                  (KROGER PARKING LOT)**

Chief Building Official Andy Berryhill advised the Mayor and Board of Aldermen that the property owned by MS Equities, LLC had been satisfactory cleaned and no further action is needed at this time on said matter.



# City of Batesville Code Office

Building, Planning, Zoning, & Permitting

146 Public Square  
P.O. Box 689  
Batesville, MS 38606  
Phone: 662-563-6621

October 7, 2022

MS Equities LLC  
1975 Hempstead Turnpike, Suite 309  
Westbury, NY 11534

Mrs. Samantha Lewis  
Real Estate Manager  
CBRE -- Property Management  
6070 Poplar Avenue, Suite 500  
Memphis, TN 38119

Re: Parcel #318240005400 10000700, 7.80 Acres and Parcel #318240005400 10000701, 6.70 Acres, Pt. of Southwest Quarter of Southwest Quarter of Section 10, Township 9, Range 7 in the Second Judicial District of Panola County, Mississippi, as shown in the Office of the Panola County Tax Assessor and Collector, and as shown in Deed recorded in Deed Book 2017 at Page 1416 in the Batesville Office of the Chancery Clerk of Panola County, Mississippi

Dear Sir or Madam:

This notice is provided to you by the City of Batesville, Mississippi ["City"], pursuant to Section 21-19-11 of the Mississippi Code of 1972, as amended. This notice is very important and deserves your immediate attention.

The Mayor and Board of Aldermen of the City of Batesville, Mississippi ["Mayor and Board"], will conduct a hearing at City Hall located at 103 College Street, Batesville, Mississippi, on the 1<sup>st</sup> day of November, 2022, at 3:00 o'clock p.m. to determine whether your real property identified above is in such a state of uncleanliness as to be a menace to the public health, safety and welfare of the community.

Bradie Bailey  
Secretary/Receptionist

Andy Berryhill  
Chief Building Official

Barry Thompson  
Code Enforcement Officer

MS Equities LLC  
Mrs. Samantha Lewis  
October 7, 2022  
Page Two (2)

If, at the hearing, the Mayor and Board adjudicate that said real property in its then condition is a menace to the public health, safety, and welfare of the community, and is, therefore, in need of cleaning, then: (a) if you do not do so yourself, the City of Batesville shall proceed to clean the property, by use of City of Batesville employees or by contract, by removing the messy and unsightly donation drop box located in the parking lot on the above described real property and the corresponding rubbish, abandoned personal property, and other debris adjacent to or near the donation drop box; (b) such adjudication will authorize the City of Batesville to re-enter the real property for purposes of cleaning for a period of one (1) year after the final adjudication without any further hearing if notice is posted on the real property and at City Hall or another place in the City of Batesville where such notices are generally posted at least seven (7) days before the real property is re-entered for cleaning.

If the City cleans the real property or has it cleaned, then after the real property has been cleaned, the Mayor and Board will adjudicate the actual cost of cleaning the real property and will also impose a penalty in an amount of One Thousand Five Hundred Dollars (\$1,500.00) or fifty percent (50%) of the actual cost of cleaning the real property, whichever is more. This cost and penalty may become a civil debt against you and/or, at the option of the Mayor and Board, an assessment against the real property.

If the Mayor and Board declares that the cost and penalty shall be collected as a civil debt against you, they may authorize the institution of a lawsuit against you for the cost and any penalty plus court costs, reasonable attorney's fees, and interest from the date that the real property was cleaned.

If the Mayor and Board declares that the cost and penalty shall be collected as an assessment against the real property, then the assessment shall be a lien against the real property identified above and may be enrolled in the Batesville Office of the Chancery Clerk of Panola County, Mississippi, as other judgments are enrolled. The lien against the real property shall be an encumbrance upon the real property and shall follow title to the real property. The assessment will be included with the municipal ad valorem taxes on the real property and payment of the assessment will be enforced in the same manner in which payment is enforced for municipal ad valorem taxes on the real property. The assessment levied shall become delinquent at the same time municipal ad valorem taxes become delinquent.

These proceedings are instituted by the Mayor and Board pursuant to Section 21-19-11 of the Mississippi Code of 1972, as amended. All decisions rendered by the Mayor and Board of Aldermen pursuant to this Section may be appealed in the same manner as other appeals from municipal boards or courts are taken.

MS Equities LLC  
Mrs. Samantha Lewis  
October 7, 2022  
Page Three (3)

A copy of this Notice shall be recorded in the minutes of the Mayor and Board in conjunction with the above referenced hearing.

This is a very serious and important matter. You should take steps to clean this real property immediately. You should make every effort to be present at the hearing or have someone appear on your behalf. The hearing will be conducted as scheduled whether or not you or someone on your behalf appears at the hearing. The Mayor and Board earnestly solicits your cooperation in resolving this matter.

Very truly yours,

CITY OF BATESVILLE, MISSISSIPPI

By:   
Andy Berryhill  
Chief Building Official

**AFFIDAVIT OF MAILING AND POSTING**

STATE OF MISSISSIPPI

COUNTY OF PANOLA

The undersigned after having been duly sworn states upon oath as follows:

1.

A true and correct copy of the Notice to the owner of the real property referred to herein is attached hereto as Exhibit "A".

2.

At least two (2) weeks before the date of the hearing set forth in the Notice, I mailed, by United States Mail postage prepaid, the Notice to the address where the ad valorem tax notice for such property is sent by the office charged with collecting ad valorem tax. There is no address for the vacant parking lot on which the donation drop box, corresponding rubbish, abandoned personal property, and other debris are located.

3.

At least two (2) weeks before the date of the hearing set forth in the Notice, I posted the Notice on the real property identified in the Notice and at the Batesville City Hall located at 103 College Street, Batesville, Mississippi 38606.



SWORN TO AND SUBSCRIBED before me, on this the 13<sup>th</sup> day of  
October, 2022.

  
NOTARY PUBLIC

(SEAL)

My Commission Expires: \_\_\_\_\_



**IN RE: CITY REDISTRICTING**

The Mayor recognized Mike Slaughter of Slaughter and Associates who appeared before the Mayor and Board of Aldermen to discuss the City of Batesville's redistricting benchmark plan.

Upon motion of Alderman Dugger and second of Alderman Harrison and upon unanimous vote taken, it was ordered that Mr. Slaughter prepare a preliminary consultant plan and bring back to the Mayor and Board of Aldermen for their consideration.

**IN RE: BISHOP E. M. FONDREN**

The Mayor recognized Mary Murphy who appeared before the Mayor and Board of Aldermen requesting recognition of Bishop E. M. Fondren for his years of service in the City of Batesville community.

Upon motion of Alderman Harrison and second of Alderman Walton and upon unanimous vote taken, it was ordered that a proclamation be prepared contingent upon Ms. Murphy providing the information needed for said proclamation.

**IN RE: ROTARY CLUB 10 MILER AND 5K RUN - GATEWAY TO THE DELTA**

The Mayor recognized Chris Smith of the Batesville Rotary Club who appeared before the Mayor and Board of Aldermen requesting approval for the 10<sup>th</sup> annual 10 mile race scheduled for Saturday, November 5, 2022.

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that the above request be and it is hereby granted and further ordered that said event be coordinated with the Batesville Police Department.

**IN RE: SET PUBLIC HEARING – VARIANCE – MT. ZION M.B. CHURCH**

Upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, the following Order was adopted:

ORDER SETTING TIME, DATE, AND PLACE OF PUBLIC HEARING  
ON VARIANCES TO THE COMPREHENSIVE ZONING PLAN OF THE CITY OF  
BATESVILLE, MISSISSIPPI AND AUTHORIZING THE CITY CLERK TO  
PUBLISH NOTICE OF SAID HEARING

WHEREAS, Mt. Zion M.B. Church has submitted to the Mayor and Board of Aldermen of the City of Batesville, Mississippi, certain changes to the Comprehensive Zoning Ordinance adopted by the City of Batesville on April 21, 1992 and amended by ordinance adopted on September 7, 2010.

WHEREAS, The said Mt. Zion M.B. Church requests a variance from the minimum distance required from street right-of-way line. Said property is located at 100 Hoskins Road in the City of Batesville, Second Judicial District of Panola County, Mississippi, and is described as:

Parcel #3183K0000100 40001800  
PT S ½ Lot 3 (173.2 x 130)  
BLK 4 Original Town of Batesville  
100 Hoskins Road

and

WHEREAS, said request was received by the Planning Commission of the City of Batesville at their meeting held on October 24, 2022, and

WHEREAS, said Planning Commission recommended the variance be allowed  
and

NOW, THEREFORE, BE IT ORDERED that on the 6<sup>th</sup> day of December 2022, at 3:00 o'clock P.M. in the City Hall of the City of Batesville, Mississippi, the Mayor and Board of Aldermen will hold a public hearing on said application and the Clerk of the City of Batesville, Mississippi, is hereby ordered and authorized to place a notice of said public hearing for publication in "The Panolian", a newspaper having a general circulation in the City of Batesville, Mississippi.

**IN RE: APPROVAL TO AMEND ORDER OF THE MINUTES – CODE ENFORCEMENT VEHICLE**

Chief Building Official Andy Berryhill informed the Mayor and Board of Aldermen that the vehicle, approved for purchase on April 5, 2022, through Mississippi State Contract #8200059575 from Mac Haik Ford for the amount of \$33,089.00, has optional running boards for an additional amount of \$228.00.

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that the Minutes of April 5, 2022, recorded in Minute Book E-3 at Page 331, be and they are hereby amended to include the additional \$228.00 for the optional running boards for a total of \$33,317.00 for the purchase of the Code Enforcement vehicle.

**IN RE: HOLIDAY CLOSINGS**

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that the following holiday closings be and they are hereby approved:

<i>In observance of Veteran's Day</i>	Friday, November 11, 2022
<i>In observance of Thanksgiving</i>	Thursday, November 24, 2022 Friday, November 25, 2022
<i>In observance of Christmas</i>	Friday, December 23, 2022 Monday, December 26, 2022
<i>In observance of New Year's</i>	Monday, January 2, 2023



**IN RE: QUOTES RECEIVED – REPLACEMENT PUMP – HADORN LIFT STATION**

The City of Batesville received the following quotes electronically for a replacement pump for the Hadorn lift station:

Gulf State Engineering Co., Inc.	\$15,369.00
Nedrow & Associates, Inc.	\$19,995.00

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that the quote from Gulf States Engineering Co., Inc. in the amount of \$15,369.00 be and it is hereby accepted as the lowest and best quote for the replacement pump for the Hadorn lift station and further ordered that the signature be waived due to the quotes being received electronically. A copy of said quotes are on file in the Office of the City Clerk and a copy of the accepted quote follows:



www.gsengr.com  
 Ph 662.890.4768  
 Fx 662.890.4769  
 8381 Industrial Drive  
 Olive Branch, MS 38654

Monday, October 24, 2022

Attention: Mr. David Karr – Director  
City of Batesville, MS

Subject: HCP Pump Replacement  
Our GS 22.10-24-06-122 BATESVILLE HCP

Mr. Karr:

After review of your request for a quotation of the subject lift station, 4" Submersible Pumps – 230/3. The pricing is for work at the station only – force main work or replacement is by others. Accordingly we offer:

1(One) Flygt Model NP3127 - 4" – 10 HP, 1750 RPM, 3/60/230V submersible pumps each with:

- 50 L.F. of power cable
- Hard Iron Impeller and Insert Ring
- Volute Drilled for 4" Customer Supplied Bracket
- Motor Thermal Sensors
- FLS Leakage Detector

1(One) MiniCAS 120 – Wired into Panel

**TOTAL NET PRICE, F.O.B. SHIPPING POINT WITH FULL FREIGHT ALLOWED TO OLIVE BRANCH ----- \$15,369.00**

**Delivery: 2 weeks after receipt of order**

**Conditions Of Proposal**

- 1) Scope of supply is limited to the equipment and services listed in this proposal. Items not specifically listed are to be supplied by others.
- 2) Federal, state and local taxes are not included in the quoted price and will be added to the invoice. Should this purchase qualify for sales tax exemption, an EXEMPTION CERTIFICATE MUST BE SUPPLIED PRIOR TO RELEASE OF ORDER TO PRODUCTION. If the exemption certificate is not provided prior to production release, Purchaser shall be responsible for paying taxes and shall revise the purchase order, prior to release of order to production, to reflect the inclusion of applicable taxes.
- 3) Seller shall assign the manufacturer's standard warranty to purchaser and/or purchaser's customer. No other warranty is provided nor implied.
- 4) Proposal price validity;

- a. Proposal is valid for acceptance 30 days from bid date or as extended in writing by the Seller.
  - b. Approved submittals must be returned within 30 days of submittal date with full release to production.
  - c. Instructions to hold production, delay shipment or store equipment are subject to price escalation and/or storage charges unless approved in writing by the Seller.
- 5) Quoted deliveries are based on the manufacture's estimate at the time of proposal. Actual delivery will be determined at the time order is released to production. Seller does not accept back charges, penalties or liquidated damages.
  - 6) The attached Gulf States Engineering Co., Inc. "Standard Terms And Conditions" apply to this proposal.
  - 7) Purchase contract is between Seller and Purchaser and exclusive of all others. Seller does not accept flow down obligations or conditions from Purchaser's client or the prime contract.
  - 8) Payment terms are Net 30 days after shipment. In the event Purchaser desires to delay shipment, payment will be due Net 30 days after notification equipment is ready to ship.

Attached hereto are a copy of our standard Terms and Conditions, which become a part of this quotation. If we can be of any additional service, please do not hesitate to contact us.

Yours very truly,  
GULF STATES ENGINEERING CO., INC.

George Peart  
Director of Sales  
Gulf States Engineering Co., Inc.  
Tel: 662-890-4768

cc: Mr. Rick Carney/GSE-OB  
NEDS

WE HEREBY ACCEPT THIS PROPOSAL:

Company: \_\_\_\_\_ Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

**IN RE: APPROVAL TO PURCHASE VEHICLE – SEWER DEPARTMENT**

Upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, it was ordered that the Sewer Department be and they are hereby authorized to purchase a Ford F-350 cab and chassis regular cab truck from Landers South, LLC for the amount of \$56,496.00 through Mississippi State Contract #820065510.

STANDARD/OPTIONAL EQUIPMENT FORM  
 DESCRIPTION: Truck, Cab and Chassis, 60 In cab to axle, 1 Ton, Gas  
 2022-2023 State/Fleet Contract  
 VENDOR: Landers South, LLC  
 ITEM NO.: 070-4730130-1  
 MAKE/MODEL: 2023 Ford F350 Cab and Chassis Reg Cab  
 ENGINE: 6.2L V8 GAS  
 PRICE INCLUDING TITLE FEE: \$40,401.00

Miles Per Gallon	
City	
Highway	
Combined	

Contract No:	820065510
Contact Person:	STEVE BELL
Phone:	901489562
Toll Free:	
Fax:	
	STEVE.BELL@LANDERSMEMPHIS.COM

LIST FACTORY COLORS AVAILABLE AT NO CHARGE:  
 WHITE Z1 BLACK UM CARBON GRAY M7 SILVER JS  
 RACE RED R2  
 LIST FACTORY COLORS AT ADDITIONAL CHARGE:  
 PRICE \$ \$600  
 Green Green Gem Vermillion Red  
 Yellow Orange

ITEM	OPTION CODE	DEALER COST	REQ OPTION CODE
List optional engines:			
7.3L V8 GAS	99N	\$1,551	
6.7L V8 DIESEL	99T	\$9,351	
Air Conditioner	INC		
Bumper: HD Rear Step	INC		
Cooling System: HD radiator	INC		
Trim-GVWR	INC		
Mirrors: LV/RH Trailer Towing Mirrors	INC		
Transmission: Automatic	INC		
Axles: rear Standard- 2wd/locking 4WD min limited slip	INC		
REAR CAMERA PREP PACKAGE	372	\$377	
POWER WINDOWS AND DOOR LOCKS	90L	\$1,001	
100V 400 WATT OUTLET	53C	\$180	
DUAL BATTERIES	866B	\$191	
DAYTIME RUNNING LIGHTS	542	\$41	
CLOTH SEATS		\$91	
CRUISE CONTROL	525	\$214	
FULL SIZE SPARE	512	\$319	
LIMITED SLIP REAR AXLE	249	\$392	
DUAL REAR WHEELS	73G	\$1,145	
LONG WHEEL BASE	169	\$166	
ALL TERRAIN TIRES	T8M	\$241	
4 WHEEL DRIVE LP GRADE SRW	73B	\$3,325	
4 WHEEL DRIVE LP GRADE DRW	73H	\$3,325	
TRAILER BRAKE CONTROLLER	52B	\$271	
PTO TAKE OFF	62B	\$273	
CNG	98F	\$286	
HEAVY DUTY ALTERNATOR	67B	\$104	

In an effort to be more efficient in government spending and to save taxpayer dollars, this year's contract does not provide for any options other than the ones listed on the Standard Equipment Form. Any vehicles purchased that deviate from this list will be in violation of State Contract bid requirements. If you need any equipment other than what is listed on this form, you will need to follow normal purchasing procedures.

56,496.00

**IN RE: QUOTES RECEIVED – CULVERT RENEW PIPE**

The City of Batesville received the following quotes electronically for culvert renew pipe:

K & L Supply, Inc.	\$19,750.00
Jones Enterprises	\$23,500.00

Upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, it was ordered that the quote from K & L Supply, Inc. in the amount of \$19,750.00 be and it is hereby accepted as the lowest and best quote for culvert renew pipe and further ordered that the signature be waived due to the quotes being received electronically. A copy of said quotes are on file in the Office of the City Clerk and a copy of the accepted quote follows:

---

**From:** Phil Landis <pll6561@yahoo.com>  
**Sent:** Wednesday, September 28, 2022 6:42 AM  
**To:** David Karr <publicworksdire@batesville.ms>  
**Subject:** [EXTERNAL Email]Culvert Renew Price Quote

Good morning Mr.Karr

Per your request I am submitting a price quote on the Culvert Renew pipe that is currently available. The joints are 10' in length. The quantities and sizes(inside diameter) are listed below:

- 19 ea. 30"
- 3 ea. 27"
- 2 ea. 24"
- 13 ea. 21"
- 19 ea. 12"
- 2 ea. 10"

This is a total of 58 ea 10' joints. Wholesale pricing on this quantity is approximately \$32,000 with retail in excess of \$40,000 plus shipping charges. We are offering this pipe to you for \$19,750.FOB Batesville, MS.

Your consideration is appreciated.

Phillip Landis  
President  
K & L Supply, Inc

**IN RE:           APPROVAL OF PERMIT APPLICATION - ENTERGY**

Upon recommendation of Public Works Director David Karr and upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that the permit application from Entergy for the construction or adjustment of a utility within City road right-of-way, at Highway 51, Highway 278 and Highway 35/Broadway Street be and it is hereby approved, subject to the City's right to exercise complete control of said right-of-way and streets including, but not limited to, the City's right to repair, maintain, widen, extend and abandon or close such streets and right-of-way and on the condition that Entergy shall be responsible for and shall pay the costs and expenses of any relocation of this utility made necessary by the City's exercise of any such rights, subject to and contingent upon the correct application being submitted.

**IN OPEN SESSION**

Alderman Harrison moved that the meeting be closed to determine whether or not the Mayor and Board of Aldermen should declare an executive session. Thereafter, upon the affirmative votes of Aldermen Walton, Land, Dugger, Morrow and Harrison it was ordered that the meeting be closed in order to determine whether or not the Board should declare an executive session.

**IN THE CLOSED MEETING**

Mayor Ferrell announced that the meeting is closed to determine whether or not the Mayor and Board of Aldermen should declare an executive session. Present in the closed meeting were: Mayor Hal Ferrell; Aldermen Land, Harrison, Dugger, Morrow and Walton; City Attorney Colmon Mitchell; City Clerk Susan Berryhill; Chief of Police Kerry Pittman; Assistant Chief of Police George Williford and Assistant City Clerk Shonnah Weaver.

On motion made by Alderman Morrow, seconded by Alderman Dugger, and unanimously carried upon the affirmative votes of Aldermen Land, Walton, Dugger, Morrow and Harrison it was ordered that the Mayor and Board of Aldermen go into executive session in order to discuss the personnel matters in the Fire Department, Police Department, Code Office and Street Department and the Tidwell property.

**IN OPEN MEETING**

The Mayor announced that the Mayor and Board of Aldermen will go into executive session for the purpose of discussing personnel matters in the Fire Department, Police Department, Code Office and Street Department and the Tidwell property and that the total vote on the motion to go into executive session was five (5) aldermen in favor and no aldermen opposed. Those present in the open meeting were Mayor Ferrell; Aldermen Harrison, Land, Dugger, Morrow and Walton; City Clerk Susan Berryhill; City Attorney Colmon Mitchell; Chief of Police Kerry Pittman; Assistant Chief of Police Goerge Williford and Assistant City Clerk Shonnah Weaver.

**IN EXECUTIVE SESSION**

Mayor Ferrell announced that the Mayor and Board are in executive session. Those present in executive session were Mayor Ferrell; Aldermen Harrison, Walton, Dugger, Morrow and Land; City Clerk Susan Berryhill; City Attorney Colmon Mitchell; Chief of Police Kerry Pittman; Assistant Chief of Police George Williford and Assistant City Clerk Shonnah Weaver.

There came on for discussion the personnel matter in the Fire Department. (Fire Chief Tim Taylor and Deputy Chief David Tarver were present for this discussion.)

There next came on for discussion the personnel matter in the Police Department.

There next came on for discussion the personnel matter in the Code Office. (Chief Building Official Andy Berryhill was present for this discussion.)

There next came on for discussion the personnel matter in the Street Department. (Assistant Public Works Director Newt Benson was present for this discussion.)

There next came on for discussion the Tidwell property.

The executive session was concluded and the Mayor and Board went into open meeting.

**IN OPEN MEETING**

The Mayor announced that the Mayor and Board are now in open meeting. Those present were Mayor Ferrell; Aldermen Land, Harrison, Dugger, Morrow and Walton; City Attorney Colmon Mitchell; City Clerk Susan Berryhill; Chief of Police Kerry Pittman; Assistant Chief of Police George Williford and Assistant City Clerk Shonnah Weaver.

**IN RE: APPROVAL TO OFFER EMPLOYMENT – FIRE DEPARTMENT**

Upon motion of Alderman Harrison and second of Alderman Walton and upon unanimous vote taken, it was ordered that Demetrius Garrett be and he is hereby offered full-time employment as a certified firefighter in the Fire Department at a rate of \$14.47 per hour (rate includes seven years longevity from Senatobia Fire Department), contingent upon him accepting the offer and undergoing a medical exam and a drug and alcohol test and being free of drugs and cleared for employment pursuant thereto, and that said offer of employment expires on November 14, 2022, at midnight if not accepted.

**IN RE: APPROVAL TO OFFER EMPLOYMENT - POLICE DEPARTMENT**

Upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, it was ordered that Kimeon Butler be and he is hereby offered full-time employment in the Police Department as a certified patrol officer at a rate of \$20.69 per hour, contingent upon him accepting the offer and undergoing a medical exam, psychological evaluation and a drug and alcohol test and being free of drugs and cleared for employment pursuant thereto, and that said offer of employment expires on November 14, 2022, at midnight if not accepted.



**IN RE: APPROVAL TO OFFER EMPLOYMENT – CODE OFFICE**

Upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, it was ordered that Douglas Tutor be and he is hereby offered full-time employment as an inspector in the Code Office at a rate of \$18.00 per hour, contingent upon him accepting the offer and undergoing a medical exam and a drug and alcohol test and being free of drugs and cleared for employment pursuant thereto, and that said offer of employment expires on November 14, 2022, at midnight if not accepted.

**IN RE: PERSONNEL MATTER – STREET DEPARTMENT**

Upon motion of Alderman Harrison and second of Alderman Dugger and upon unanimous vote taken, it was ordered that Street Department employee Charles Burkes be and he is hereby terminated for cause, effective immediately for the reasons discussed in Executive Session and set out in the written notice and as set out in his personnel file.

**IN RE: TIDWELL PROPERTY**

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that the Mayor be and he is hereby authorized to sign a quick claim deed in connection with the Tidwell property.

**OTHER MATTERS COMING BEFORE THE MAYOR AND BOARD FOR DISCUSSION**

1. Chief Building Official Andy Berryhill provided copies of the monthly inspection list, monthly complaint list and the Planning Commission meeting minutes of October 24, 2022, to the Mayor and Board of Aldermen. Mr. Berryhill also provided a list of property owners for Deaton Street, King Street and Draper Street as per the Mayor and Board of Aldermen's request.
2. The Mayor informed the Board of Aldermen that no trespassing signs and speed bumps have been placed on King Street, Deaton Street and Draper Street.
3. Work session set for Tuesday, November 15, 2022, at 1:00 p.m. with Noon Realty.

Upon motion duly made and seconded, the meeting was adjourned to reconvene at 1:00 o'clock p.m., Tuesday, November 15, 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.

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Mayor

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

**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**

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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 15<sup>th</sup> day of November, 2022

Hour: 1:00 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.