

REGULAR MEETING
NOVEMBER 15, 2022

Be It Remembered that a Regular Meeting of the Mayor and Board of Aldermen of the City of Batesville was held on the third Tuesday afternoon of November, being the 15th day of November 2022, at 1:00 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; Assistant City Attorney Ryan Revere; Chief of Police Kerry Pittman; Public Works Director David Karr; Assistant Public Works Director Newt Benson; and Assistant City Clerk Shannah Weaver.

A quorum being present, the meeting was duly opened by the Mayor and, the following business was taken up.

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; Assistant City Attorney Ryan Revere; City Clerk Susan Berryhill; Chief of Police Kerry Pittman; Public Works Director David Karr; Assistant Public Works Director Newt Benson and Assistant City Clerk Shonnah Weaver.

On motion made by Alderman Dugger, seconded by Alderman Morrow, 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 economic development and tax increment financing (Covenant Logistics).

IN OPEN MEETING

The Mayor announced that the Mayor and Board of Aldermen will go into executive session for the purpose of discussing economic development and tax increment financing (Covenant Logistics) 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; Assistant City Attorney Ryan Revere; Chief of Police Kerry Pittman; Public Works Director David Karr; Assistant Public Works Director Newt Benson 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; Assistant City Attorney Ryan Revere; Chief of Police Kerry Pittman; Public Works Director David Karr; Assistant Public Works Director Newt Benson and Assistant City Clerk Shannah Weaver.

There came on for discussion the economic development matter. (Kevin Jennings of Noon Real Estate; Mamie Avery, Katie Azar and Robbie Haley of Panola Partnership were present for this discussion.)

There next came on for discussion the tax increment financing (Covenant Logistics). (Chief of Police Kerry Pittman was not present for this discussion.)

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; Assistant City Attorney Ryan Revere; City Clerk Susan Berryhill; Chief of Police Kerry Pittman; Public Works Director David Karr; Assistant Public Works Director Newt Benson and Assistant City Clerk Shannah Weaver.

Note: no action was taken on the economic development matter and the tax increment financing discussed in executive session.

*The Mayor and Board of Aldermen recessed until 2:00 p.m.

Pursuant to the recess taken, the Mayor and Board of Aldermen of the City of Batesville reconvened at 2:00 p.m., at the City Hall, 103 College Street, Batesville, Mississippi, when and where were present the following, to-wit: Mayor Hal Ferrell; Aldermen Dennis Land, Bill Dugger, Stan Harrison, Teddy Morrow and Bobby Walton and City Clerk Susan Berryhill. Also present were City Attorney Colmon Mitchell; Chief of Police Kerry Pittman; Assistant Chief of Police George Williford; Blake Mendrop of Mendrop Engineering Resources; Chief Building Official Andy Berryhill; Fire Chief Tim Taylor; Deputy Chief David Tarver; Public Works Director David Karr; Assistant Public Works Director Newt Benson; Assistant City Clerk Shannah 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 Harrison and second of Alderman Morrow and upon unanimous vote taken, the agenda of November 15, 2022, was approved with the addition of training to the consent agenda.

CITY OF BATESVILLE BOARD MEETING

NOVEMBER 15, 2022
1:00 P.M. | CITY HALL

AGENDA

CALL TO ORDER: Mayor Hal Ferrell

INVOCATION:

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

PROCLAMATION/RECOGNITION

MINUTES OF PRIOR MEETINGS

1. Regular Meeting – November 1, 2022

CONSENT AGENDA

1. Approval for K-9 Sergeant Greg Jones to attend Gulf Coast High Intensity Drug Trafficking Area (HIDTA) Narcotics Enforcement and Trafficking Investigations in a Hotel and Freight Carries Training on December 7-10, 2022, in Biloxi, Mississippi. There is no cost for registration. Costs to city are lodging and per diem for meals. He will travel in a City vehicle. Reimburse travel expenses if necessary.

HUMAN RESOURCES

1. Approval of retirement letter from Administrative Assistant to the Chief, Nita Taylor, of the Batesville Police Department, effective December 31, 2022.
2. Approval of resignation letter from Sergeant Richard Andrew Geeslin of the Batesville Police Department, effective November 13, 2022.

BIDS RECONSIDERED

1. Hospital drainage

VISITORS

1. Russell Covington
2. Rev. Tim Ellis – Bethany Baptist Church

PUBLIC HEARING – 3:00 p.m.

1. Zoning Ordinance Amendment – Solar Energy Systems

PERMANENT VISITORS

- Panola Partnership
- North Delta Planning and Development – Home Program
- Mendrop Engineering Resources – change order (Murphree Paving)
- 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. Ordinance Regulating Solar Energy Systems
- **CHIEF OF POLICE – KERRY PITTMAN**
 1. Approval of specs and to obtain quotes – duty holsters, self locking systems and low ride cantable belt loops
 2. Approval of specs and to obtain quotes – weapon mounted lights for duty weapons
 3. Approval of specs and to obtain quotes – Police K-9 single purpose lab
 4. Monthly report
- **CITY ATTORNEY – COLMON MITCHELL**
 1. Executive Session – potential acquisition of real property
- **CITY CLERK – SUSAN BERRYHILL**
- **FIRE CHIEF – TIM TAYLOR**
 1. Approval to purchase two (2) trucks – MS State Contract #8200065470
 2. Monthly reports
 3. Approval to declare surplus property – see attached
 4. Executive Session – request to hire
- **PUBLIC WORKS DIRECTOR – DAVID KARR**

OTHER MATTERS BY MAYOR OR ALDERMAN:

1. Mayor – approval of Consulting Agreement

ALLOW CLAIMS: 33327-33847 (includes the Co-Op)

EXECUTIVE SESSION

1. Colmon – potential acquisition of real property
2. Tim Taylor – request to hire

ADJOURNMENT

IN RE: APPROVAL OF MINUTES

Upon motion of Alderman Harrison and second of Alderman Dugger and upon unanimous vote taken, the minutes of the November 1, 2022, regular meeting, were approved.

IN RE: **SIGNATURE SHEET FOR MEETING OF NOVEMBER 15, 2022**

Board Meeting
November 15, 2022
Signature Sheet
PLEASE PRINT NAME CLEARLY

Henry Pittman
Please print name clearly

Mark Benson
Please print name clearly

George Williford
Please print name clearly

David Tarver
Please print name clearly

Josh Hawkins
Please print name clearly

Russell Cavington
Please print name clearly

Rocky Holley
Please print name clearly

Tim Taylor
Please print name clearly

Darrell Dixon
Please print name clearly

Robbie Haley
Please print name clearly

David Kast
Please print name clearly

IN RE: APPROVAL OF CONSENT AGENDA

Upon motion of Alderman Morrow and second of Alderman Land 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 K-9 Sergeant Greg Jones to attend Gulf Coast High Intensity Drug Trafficking Area (HIDTA) Narcotics Enforcement and Trafficking Investigations in Hotel and Freight Carries Training on December 7-10, 2022, in Biloxi, Mississippi. There is no cost for registration. Costs to city are lodging and per diem for meals. He will travel in a City vehicle. Reimburse travel expenses if necessary.
2. Approval for Cordarius Givens, and an alternate if necessary, to attend the Haz Mat Tech Class at the Mississippi State Fire Academy December 5-9, 2022, instead of December 5-15, 2022, previously approved November 1, 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 HUMAN RESOURCES AGENDA

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

1. Approval of retirement letter from Administrative Assistant to the Chief, Nita Taylor, of the Batesville Police Department, effective December 31, 2022.
2. Approval of resignation letter from Sergeant Richard Andrew Geeslin of the Batesville Police Department, effective November 13, 2022.

IN RE: BIDS RECONSIDERED – HOSPITAL DRAINAGE IMPROVEMENTS

There came on for discussion the matter of bids received at the November 1, 2022, regular meeting of the Mayor and Board of Aldermen, for the Hospital Drainage Project. The bids received and itemized are listed below as follows:

Brocato Construction Co., Inc.	\$245,904.75
Enscor, LLC	\$207,350.00

Having heard all bids received, 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 bids be and they hereby remain under advisement. The Mayor and Board of Aldermen reserves the right to reject any and all bids.

IN RE: CONCERNED CITIZEN

The Mayor recognized Russell Covington, of 207 Broad Street, who appeared before the Mayor and Board of Aldermen to voice his concerns regarding dogs that are not leashed and loud pipes on vehicles.

Upon unanimous consent, Chief of Police Kerry Pittman was directed to look in to the above matter.

IN RE: CHRISTMAS PROGRAM – BETHANY BAPTIST CHURCH

The Mayor recognized Rev. Tim Ellis of Bethany Baptist Church who appeared before the Mayor and Board of Aldermen requesting the use of the pavilion on the Downtown Square December 17, 2022, with singing, a live nativity scene and hot chocolate and cookies.

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

IN RE: APPROVAL FOR MAYOR TO SIGN CONSULTING AGREEMENT-CIVIC CENTER

Upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, it was ordered that the Mayor be and he is hereby authorized to sign the consulting agreement between the City of Batesville and Rodney Holley and further ordered that payment of a consulting fee in the amount of \$3,000.00 be paid monthly. A copy of said agreement is on file in the Office of the City Clerk and a copy follows:

CONSULTING AGREEMENT

This Consulting Agreement [“Agreement”] is entered into this day between the CITY OF BATESVILLE, MISSISSIPPI [“City”] and RODNEY HOLLEY [“Holley”] on this the 1st day of November 2022.

For good and valuable consideration, the City and Holley agree as follows:

1.

Holley will conduct a viability study of the current condition of the Batesville Civic Center [“BCC”] and identify the improvements that are needed for its use as a multi-purpose arena and potential concert and entertainment venue in order to attract a wider variety of events and maximize income potential and entertainment value for the City of Batesville and the surrounding area.

2.

The City will pay Holley a consulting fee of Three Thousand Dollars (\$3,000.00) per month. Each monthly payment will be made on the first day of each month for the immediately preceding month.

3.

Holley agrees to use his relationships with promoters throughout the southeast portion of the United States and with sound and production companies to gain feedback and interest in the possibility of hosting and/or promoting events at the BCC. Holley will compile this information and present it to the Mayor and Board of Aldermen of the City [“Mayor and Board”].

4.

Once this information is reviewed by the Mayor and Board, Holley will work with interested independent promoters to check availabilities of artists that are interested in performing at the BCC.

5.

Holley will present to the Mayor and Board the aspects of what is expected of the City of Batesville as part of promoting a successful event.

6.

If artists and/or concerts are confirmed Holley will serve as liaison between the promoter, the artist(s), the BCC, and the City.

7.

Holley will serve as the supervisor for each event which includes but is not limited to advancing information with all parties, day of event load-in, performers, venue personnel, security, catering, load-out, and settlement with all parties.

8.

Holley will provide monthly progress reports to the City of Batesville, Mississippi, due on the first day of each month following the immediately preceding month.

9.

Notices under this Agreement shall be given to the parties at the following addresses:

TO: City of Batesville, Mississippi
Attn: Mayor Hal Ferrell
103 College Street
P. O. Box 689
Batesville, MS 38606
Ph: (662) 563-4576

TO: Rodney Holley
1501 Jackson Ave. W, Suite 113 PMB 190
Oxford, MS 38655
Ph: (662) 832-3433

10.

Holley is an independent contractor providing consulting services to the City. Holley is not employee of the City. The City is not the employer of Holley.

11.

To the extent that this Agreement is susceptible to more than one interpretation, has ambiguities, and/or contains vague terms, then this Agreement shall be interpreted as if drafted by both parties. This Agreement shall be governed by and enforced pursuant to the laws of the State of Mississippi. Jurisdiction and venue for any action on this Agreement shall be in the appropriate state court in the Second Judicial District of Panola County, Mississippi. In the event of a breach of contract, each party shall have all of the rights and remedies allowed by law and equity of the State of Mississippi.

12.

Neither party may assign its rights or obligations under this Agreement without the prior written consent of the other party.

13.

This Agreement shall be in full force and effect for a period of twelve months (one year). This Agreement may be terminated with or without cause by either party upon 90 days' notice to the other party at the address set out herein.

14.

This Agreement may be signed in one or more counterparts, each of which shall constitute an original, and all of which, taken together, shall constitute one and the same Agreement. Delivery of executed counterparts of this Agreement may be accomplished by email and such emailed Agreement shall constitute a signed original.

15.

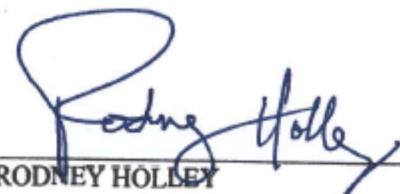
This Agreement constitutes the complete agreement between the parties and there are no other agreements or understandings that exist between the parties.

CITY OF BATESVILLE, MISSISSIPPI

By: _____
HAL FERRELL, Mayor

ATTEST:

SUSAN S. BERRYHILL, City Clerk


RODNEY HOLLEY

-4-

IN RE: APPROVAL TO RE-APPLY – ARPA MATCHING FUNDS

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that Darrell Dixon of North Delta Planning and Development District be and he is hereby authorized to re-apply for the ARPA matching funds through the Mississippi Municipal and County Water Infrastructure Program (MCWI).

IN RE: APPROVAL OF CHANGE ORDER NO. 1 – OVERLAY PROJECT

There came on for discussion the approval of the Change Order Number 1, set out below, in connection with the 2022 Street Overlay Project.

Upon motion of Alderman Harrison and second of Alderman Land and unanimously carried upon the affirmative vote of all board members present, the Mayor and Board of Aldermen of the City of Batesville, found and determined that the changes or modifications to the original contract as shown in the Change Order are necessary or would better serve the purpose of the City, are necessary or incidental to the completion and scope of the work as originally bid, are not outside the scope of the original contact, are commercially reasonable, are not made to circumvent the public purchasing statutes and the increased contract amount is reasonable and ordered that said Change Order No. 1 in the amount of \$28,062.25, shown below, be and the same is hereby approved resulting in a revised contract price of \$1,394,270.20.

CONTRACT CHANGE ORDER				
OWNER:	The City of Batesville			
CONTRACTOR:	Gregory Companies, LLC dba Murphree Paving			
DATE:	11-7-22	PROJECT NO:		
CHANGE ORDER NUMBER:	1	CONTRACT NUMBER:		
PROJECT NAME:	2022 Batesville Street Overlay Project			
REASON FOR CHANGE:	Added full pavement overlay to Vance Street. Deducts on other quantities.			
YOU ARE HEREBY REQUESTED TO COMPLY WITH THE FOLLOWING CHANGES FROM THE CONTRACT PLANS, SPECIFICATIONS AND CONTRACT DOCUMENTS: (USE ADDITIONAL SHEETS IF REQUIRED)				
ITEM NO.	DESCRIPTION OF CHANGE(S) (QUANTITIES, ETC.)	UNIT COST	TOTAL CONTRACT	TOTAL ELIGIBLE COST
1.	Added pavement of Vance - \$60,665.00 add		\$60,665.00	
2.	Deducts for quantity underage \$32,602.75 deduct		\$32,602.75	
	Net Change Order - \$28,062.25 add			
ORIGINAL CONTRACT AMOUNT:		1,366,207.95	TOTAL	TOTAL ELIGIBLE
CURRENT CONTRACT AMOUNT:		\$1,366,207.95	\$ 1,366,207.95	\$
THIS CONTRACT CHANGE:		\$28,062.25	\$ 28,062.25	\$
REVISED CONTRACT AMOUNT:		\$1,394,270.20	\$ 1,394,270.20	0\$
CURRENT CONTRACT COMPLETION DATE:		10-25-22		
TIME EXTENSION REQUIRED BY CHANGE:				
REVISED CONTRACT COMPLETION DATE:		10-25-22		
THIS DOCUMENT SHALL BE AN AMENDMENT TO THE CONTRACT AND ALL PROVISIONS OF THE CONTRACT WILL APPLY.				
RECOMMENDED BY:	 ENGINEER		11-7-22	DATE
ACCEPTED BY:	CONTRACTOR			
APPROVED BY:	OWNER			

*Alderman Bill Dugger recused himself from the meeting.

IN RE: APPROVAL TO ADOPT AN ORDINANCE – REGULATING SOLAR ENERGY SYSTEMS

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

AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF BATESVILLE, MISSISSIPPI, REGULATING SOLAR ENERGY SYSTEMS

WHEREAS, it is in the best interest of the City of Batesville, Mississippi [“City”] to facilitate the siting, construction, installation, and decommissioning of Solar Energy Systems in the City in a manner that encourages local economic development and protects the health, safety, and welfare of the citizens of the City, and at the same time mitigates any adverse impacts to wildlife, agricultural lands, forests, and other natural landscapes; and

WHEREAS, the intent of the City is to increase energy security and diversify the energy portfolio, to promote the use of Mississippi-based energy resources, to decrease the cost of energy, to bolster local economic development and employment prospects, to increase consumers’ choices in energy consumption, to encourage the use of a renewable energy resource, and to reduce pollution; and

WHEREAS, the intent of the City is not to compromise or contradict the health, safety, or environmental requirements contained in federal and State of Mississippi laws, nor is it to create heightened standards for the siting, construction, installation, and decommissioning of Solar Energy Systems that would discriminate against Solar Energy Systems relative to other similar commercial, industrial, or utility projects within the City;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Batesville, Mississippi, as follows:

1.

The following words and phrases have the following meanings in this Ordinance:

Solar Energy System means a device or structural design feature that provides for the collection of solar energy for electricity generation, consumption, or transmission or for thermal application. For purposes of this section, Solar Energy System refers only to

(1) photovoltaic Solar Energy Systems that convert solar energy directly into electricity through a semiconductor device, or (2) solar thermal systems that use collectors to convert the sun's rays into useful forms of energy for water heating, space heating, or space cooling. Solar Energy System includes all components of the electricity generating facility (inverters, transformers, switchgear, substations, communications infrastructure, and other ancillary or related equipment), but does not include transmission lines or generation tie lines connecting the Solar Energy System to a utility-owned substation.

Ground Mounted Solar Energy System means a Solar Energy System that is structurally mounted to the ground and does not qualify as an Integrated Solar Energy System [“ISES”]. For purpose of this section, any solar canopy that does not qualify as an Integrated Solar Energy System shall be considered a Ground Mounted Solar Energy System, regardless of where it is mounted.

2.

No Solar Energy System shall be located, installed, constructed, modified, or operated in the City unless it complies with the Batesville Zoning Ordinance. All Solar Energy Systems must be in compliance with all applicable State of Mississippi and federal laws and regulations and shall obtain all necessary City, State of Mississippi, and federal permits and licenses.

3.

A Ground Mounted Solar Energy System shall be enclosed by perimeter fencing. The fencing material must be approved by the City Planning Commission and the Mayor and Board of Aldermen of the City of Batesville before the fence is built or installed.

4.

A Solar Energy System shall display signs stating the risks that may result from contact with a Solar Energy System, identifying the owner of the Solar Energy System and providing emergency contact information. All signs shall comply with the requirements of the Batesville Zoning Ordinance.

5.

Decommissioning. Unless otherwise approved by the Mayor and Board of Aldermen, decommissioning of a Ground Mounted Solar Energy System shall begin no later than twelve (12) months after a Ground Mounted Solar Energy System has permanently ceased to generate electricity, and the owner or operator of the Ground

Mounted Solar Energy System shall return the property to its condition prior to the installation of the Ground Mounted Solar Energy System or to some other condition reasonably appropriate for the designated land use within twenty-four (24) months after a Ground Mounted Solar Energy System has permanently ceased to generate electricity. Notwithstanding anything to the contrary, a Ground Mounted Solar Energy System will not be considered to have permanently ceased to generate electricity unless it has failed to diligently pursue the production of, or restoration of the Ground Mounted Solar Energy System's ability to produce, electricity for at least six (6) consecutive months. A decommissioning plan shall be required to ensure that facilities are properly removed after their useful life. The plan shall include provisions for removal of all structures, foundations, electrical equipment and internal or perimeter access roads, restoration of soil and vegetation, and a plan ensuring financial resources will be available to fully decommission the site. The decommissioning shall be done in compliance with all applicable State of Mississippi, federal, and City of Batesville laws, regulations, and ordinances.

ORDAINED, APPROVED, AND ADOPTED on this the 15th day of November, 2022.

HAL FERREL, Mayor

ATTEST:

SUSAN S. BERRYHILL, City Clerk

IN RE: PUBLIC HEARING 3:00 P.M. – SOLAR ENERGY ZONING AMENDMENT

The Mayor opened the Public Hearing and Chief Building Official Andy Berryhill explained the purpose of the hearing being the consideration of zoning amendment for solar energy systems as set out below in the Notice of Public Hearing.

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:

No one was present in opposition to the adoption of the zoning amendment for solar energy systems.

The Mayor declared the hearing closed.

Publisher's Certificate of Publication

STATE OF MISSISSIPPI COUNTY OF PANOLA

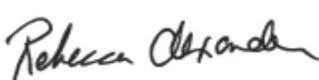
Rebecca Alexander, being duly sworn, on oath says she is and during all times herein stated has been an employee of Batesville Newsmedia publisher and printer of the The Panolian (the "Newspaper"), has full knowledge of the facts herein stated as follows:

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:

10/19/22

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:
19th Day of October, 2022



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

Account # 180200
Ad # 1531797

CITY OF BATESVILLE
PO BOX 689
BATESVILLE MS 38606



PUBLIC NOTICE

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

Appendix A, The Code of Ordinances, City of Batesville, Mississippi, to allow the following designation and classifications and the permitted use: 17.300 Solar Energy Systems shall be permitted in zoning district Agricultural
3. Amend Article VI, Section 604(d) of the Batesville Zoning Ordinance, Appendix A, The Code of Ordinances, City of Batesville, Mississippi, to include the following:

(3) Solar Energy Systems

WHEREAS, statutes controlling such amendments require a public hearing to be held prior the approval of said amendments.

NOW, THEREFORE, BE IT ORDERED that on the 15th day of November, 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 amendments 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.

Susan S. Berryhill, City Clerk

The Panolian:
Oct. 19, 2022
PUBLIC HEARING

WHEREAS, the Mayor and Board of Aldermen of the City of Batesville, Mississippi ("Governing Authority") is considering amendments to the Comprehensive Zoning Plan of the City of Batesville, Mississippi, and to the Batesville Zoning Ordinance ("Ordinance") in order to address Solar Energy Systems; and
WHEREAS, the proposed amendments to the Batesville Zoning Ordinance ("Ordinance") and to the Comprehensive Zoning Plan of the City of Batesville, Mississippi, are as follows, to-wit:

1. Amend Article II, Section 201 of the Batesville Zoning Ordinance, Appendix A, The Code of Ordinances, City of Batesville, Mississippi, to allow adding to it the following definitions:

Solar Energy System means a device or structural design feature that provides for the collection of solar energy for electricity generation, consumption, or transmission or for thermal application. For purposes of this section, Solar Energy System refers only to (1) photovoltaic Solar Energy Systems that convert solar energy directly into electricity through a semiconductor device, or (2) solar thermal systems that use collectors to convert the sun's rays into useful forms of energy for water heating, space heating, or space cooling. Solar Energy System includes all components of the electricity generating facility (inverters, transformers, switchgear, substations, communications infrastructure, and other ancillary or related equipment), but does not include transmission lines or generation tie lines connecting the Solar Energy System to the utility-owned substation.

Ground Mounted Solar Energy System means a Solar Energy System that is structurally mounting to the ground and does not qualify as an Integrated Solar Energy System ("ISES"). For purpose of this section, any solar canopy that does not qualify as an Integrated Solar Energy System shall be considered a Ground Mounted Solar Energy System, regardless of where it is mounted.
2. Amend Article IV, Section 401 ("Table of Permissible Uses"), Batesville Zoning Ordinance,

IN RE: APPROVAL TO ADOPT ORDINANCE – SOLAR ENERGY ZONING AMENDMENT

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

AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF BATESVILLE, MISSISSIPPI, AMENDING THE BATESVILLE ZONING ORDINANCE, APPENDIX A, THE CODE OF ORDINANCES, CITY OF BATESVILLE, MISSISSIPPI, PERTAINING TO SOLAR ENERGY SYSTEMS

WHEREAS, it is in the best interest of the City of Batesville, Mississippi [“City”] to facilitate the siting, construction, installation, and decommissioning of Solar Energy Systems in the City in a manner that encourages local economic development and protects the health, safety, and welfare of the citizens of the City, and at the same time mitigates any adverse impacts to wildlife, agricultural lands, forests, and other natural landscapes; and

WHEREAS, the intent of the City is to increase energy security and diversify the energy portfolio, to promote the use of Mississippi-based energy resources, to decrease the cost of energy, to bolster local economic development and employment prospects, to increase consumers’ choices in energy consumption, to encourage the use of a renewable energy resource, and to reduce pollution; and

WHEREAS, the intent of the City is not to compromise or contradict the health, safety, or environmental requirements contained in federal and State of Mississippi laws, nor is it to create heightened standards for the siting, construction, installation, and decommissioning of Solar Energy Systems that would discriminate against Solar Energy Systems relative to other similar commercial, industrial, or utility projects with the City;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Batesville, Mississippi, as follows:

17.300 Solar Energy Systems shall be permitted in zoning district Agricultural;

3.

Article VI, Section 604(d) of the Batesville Zoning Ordinance, Appendix A, The Code of Ordinances, City of Batesville, Mississippi, be and the same is hereby amended to include the following:

(3) Solar Energy Systems

ORDAINED, APPROVED, AND ADOPTED on this the 15th day of November, 2022.

HAL FERRELL, MAYOR

ATTEST:

SUSAN S. BERRYHILL, City Clerk

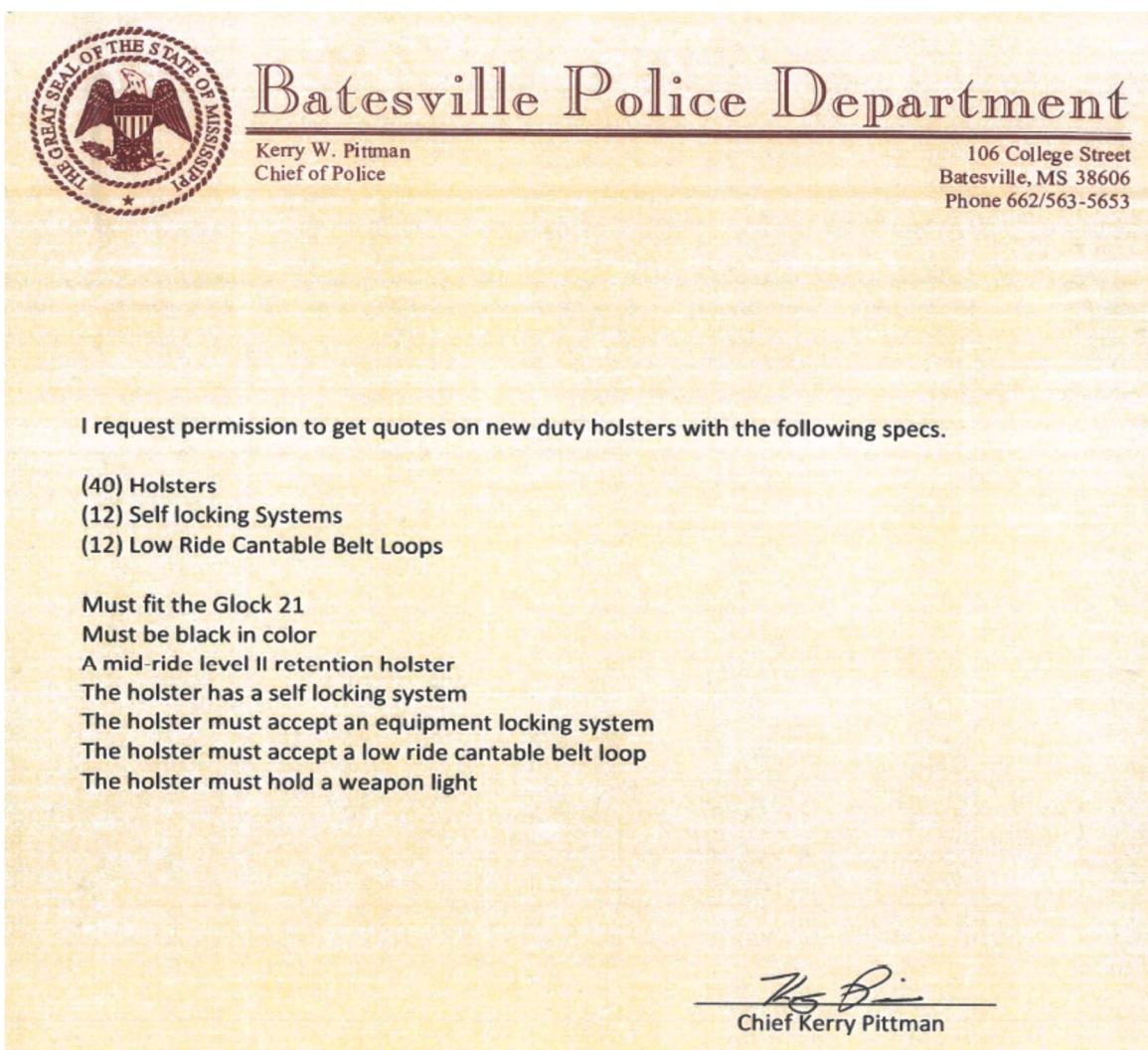
*Alderman Bill Dugger returned to the meeting.

IN RE: RENTAL PROPERTY OWNERS

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that anyone that owns rental property has until December 31, 2022, to register their property with the Code Office and further ordered that penalties will be enforced, effective January 1, 2023, for anyone that has not complied.

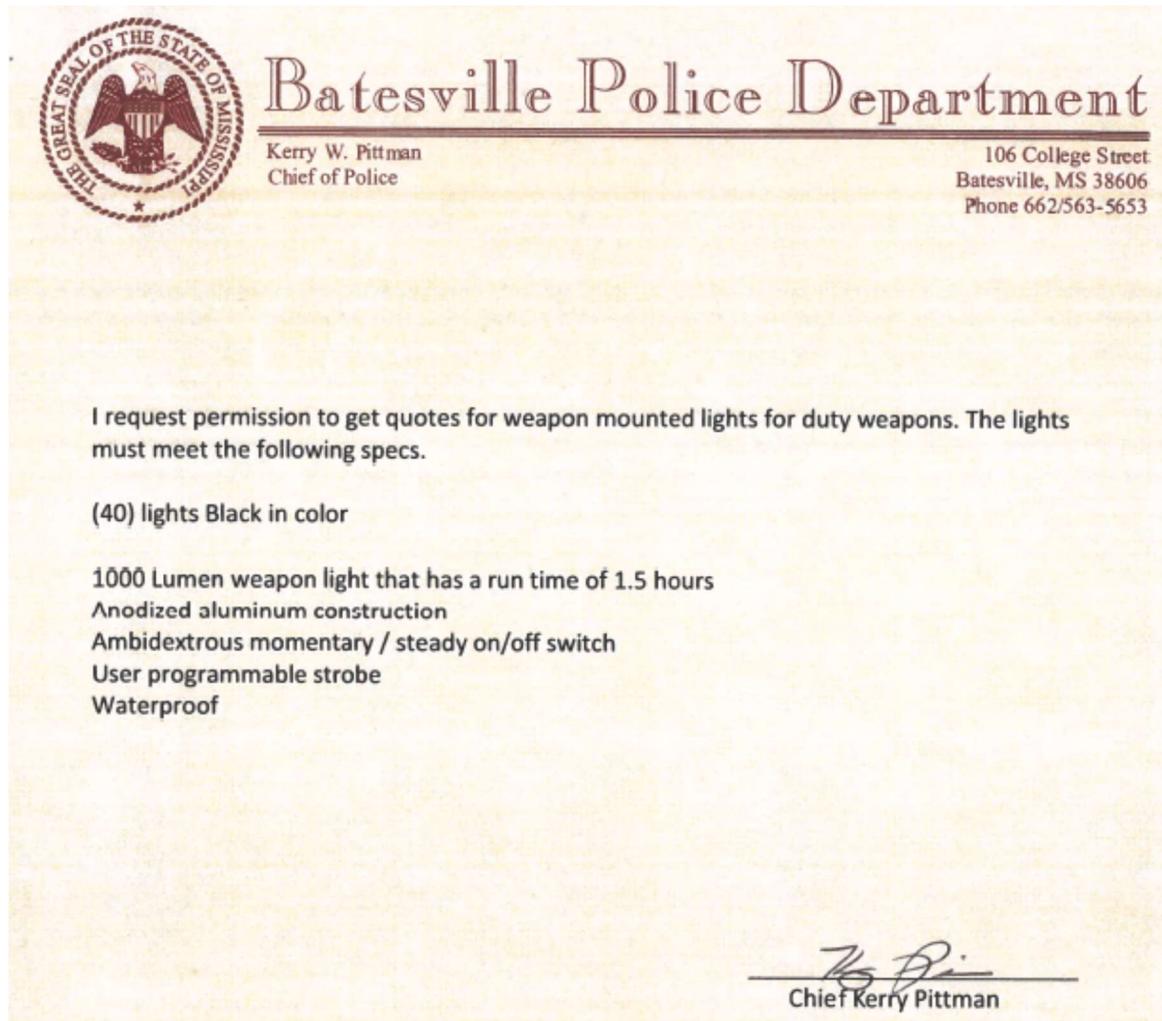
**IN RE: APPROVAL OF SPECIFICATIONS AND TO OBTAIN QUOTES –
DUTY HOLSTERS, SELF LOCKING SYSTEMS AND LOW RIDE
CANTABLE BELT LOOPS**

Upon motion of Alderman Land and second of Alderman Dugger and upon unanimous vote taken, it was ordered that the following specifications be and they are hereby approved and further ordered that Chief of Police Kerry Pittman be and he is hereby authorized to obtain quotes for duty holsters, self locking systems and low ride cantable belt loops:



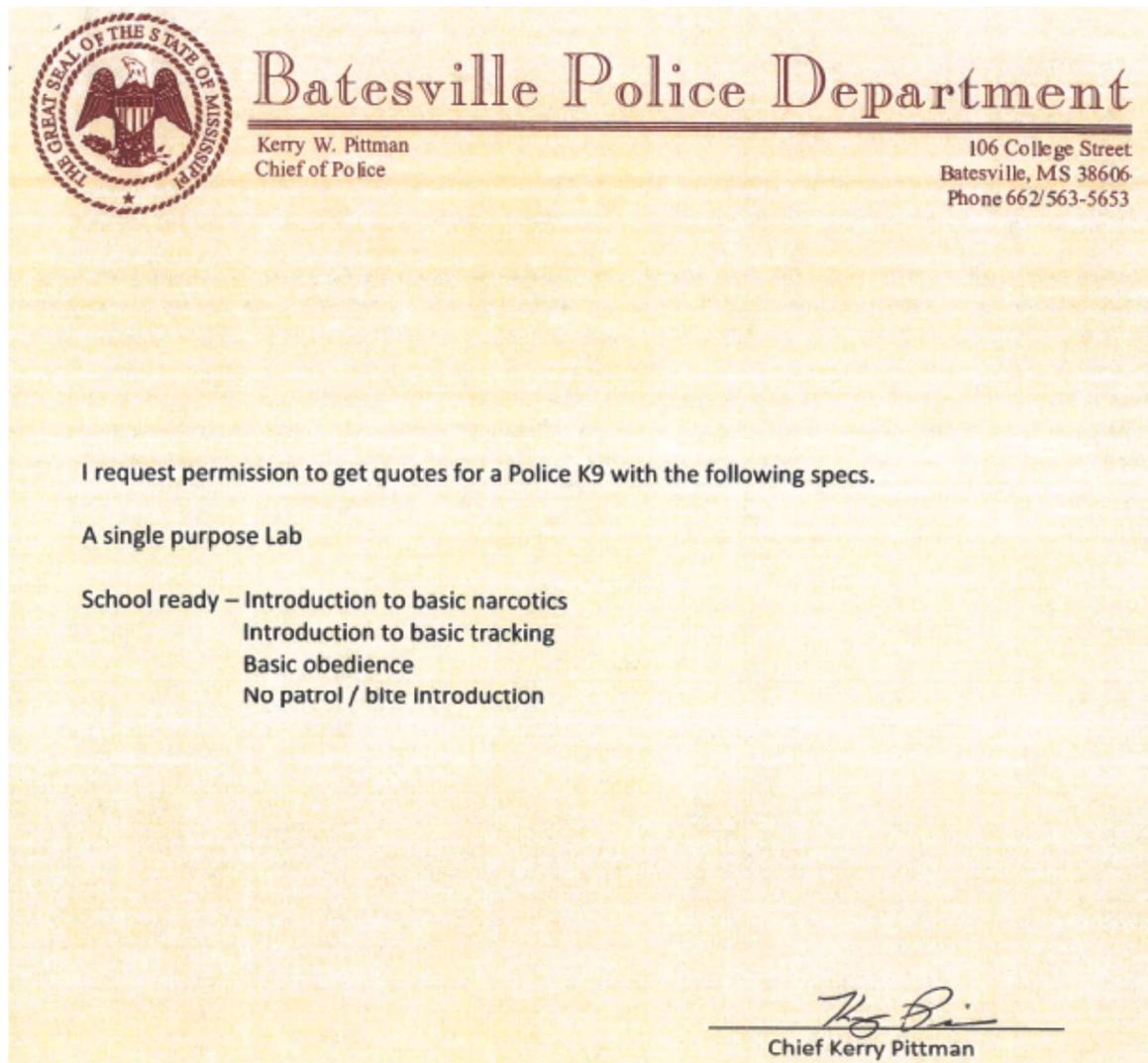
**IN RE: APPROVAL OF SPECIFICATIONS AND TO OBTAIN QUOTES –
WEAPON MOUNTED LIGHTS FOR DUTY WEAPONS**

Upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, it was ordered that the following specifications be and they are hereby approved and further ordered that Chief of Police Kerry Pittman be and he is hereby authorized to obtain quotes for weapon mounted lights for duty weapons:



**IN RE: APPROVAL OF SPECIFICATIONS AND TO OBTAIN QUOTES –
K-9 SINGLE PURPOSE LAB**

Upon motion of Alderman Dugger and second of Alderman Land and upon unanimous vote taken, it was ordered that the following specifications be and they are hereby approved and further ordered that Chief of Police Kerry Pittman be and he is hereby authorized to obtain quotes for a K-9 single purpose lab:



IN RE: APPROVAL TO PURCHASE TRUCKS – FIRE DEPARTMENT – MS STATE CONTRACT

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that Fire Chief Tim Taylor be and he is hereby authorized to purchase two (2) trucks from Landers CDJR in the amount of \$35,669.00 each through MS State Contract #8200065470.

STANDARD/OPTIONAL EQUIPMENT FORM		2022-2023 State Police Vehicles Contract				
DESCRIPTION:	Pick-Up Truck, 4 Wheel Drive, Crew Cab, Special Service Vehicle					Contract No: 8200065470
VENDOR:	Landers CDJR					Dan Lehman
ITEM NO.:	7180462546					15 Phone: 901-870-2332
MAKE/MODEL	RAM 1500 SSV	26D	Miles Per Gallon	City	Hwy	21 Fax:
ENGINE:	5.7L V8 HEMI		Combined			17 E-Mail: DLehman@Landersmemphis.com
PRICE INCLUDING TITLE FEE:	\$ 35,622.00					
LIST FACTORY COLORS AVAILABLE AT NO CHARGE:						
White Flame/Red						
LIST FACTORY COLORS AT ADDITIONAL CHARGE:						
PRICE \$:	AS LISTED					
\$92.00	\$92.00	\$92.00	\$184.00	\$184.00	\$415.00	\$415.00
Diamond	Hydro Blue	Patriot	Granite	Billet Silver	Low Vol	Low Vol
Black Crystal	Pearl Coat	Blue Pearl	Crystal Met.	Metallic Clear	National	National
P/C	Coat	Coat	Clear Coat	Coat	Safety Yellow	Safety Yellow
ITEM		OPTION CODE	DEALER COST	REQ. OPTION CODE		
List optional engines:						
Engine 4, 6, or 8 Cylinders INC						
Axles: locking type 4WD, with limited slip axle INC						
Power Windows and Locks INC						
Speed Control INC						
Front License Plate Bracket INC						
Automatic Transmission INC						
Cloth Seats INC						
Trailer Towing Package INC						
Factory Standard Wheels INC						
Vinyl Flooring INC						
Hands Free Capability INC						
40/20/40 BENCH INC \$47						
TRAILER BRAKE CONTROL XHC \$272						
32 GALLON TANK NFX \$409						
ALL TERRAIN TIRES TTB \$231						
CHROME APPEARANCE GROUP AED \$640						
PROTECTION GROUP ADB \$364						
Power Black Trailer Tow Mirrors GPG \$165						

~~\$ 35,622.00~~
~~47.00~~
~~\$ 35,669.00~~ 11/8/22
 DAN LEHMAN
 DLR

IN RE: SURPLUS PROPERTY - FIRE DEPARTMENT

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

RESOLUTION

BE IT RESOLVED that the following equipment is obsolete and is not needed for municipal purposes and therefore, the equipment should be and is hereby declared to be surplus property and further ordered that said equipment, shall be disposed of through govdeals.com, an online auction, described as follows, to-wit: 11 sections of 2-way radio tower.

**IN RE: TRANSFER OF SURPLUS PROPERTY – TOWN OF SARDIS FIRE
DEPARTMENT**

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

RESOLUTION

WHEREAS, the City of Batesville Fire Department owns air masks that are currently not being used by the Batesville Fire Department and is of little or no value; and

WHEREAS, Fire Chief Tim Taylor has requested that said air masks be declared surplus property and transferred to the Town of Sardis for use by the Fire Department for no monetary consideration; and

WHEREAS, the transfer of said air masks for no monetary consideration is below market value, however, it is in the best interest of the taxpayers of the State of Mississippi, and of the City of Batesville to transfer said air masks that are not being used by the City of Batesville Fire Department and will be used by the Town of Sardis Fire Department which will benefit the taxpayers of the State of Mississippi; and

WHEREAS, Section 31-7-13(m)(vi) of the Mississippi Code of 1972 as amended allows the transfer of said air masks.

NOW, THEREFORE, the City of Batesville does hereby declare said air masks be transferred to the Town of Sardis for use by the Fire Department for no monetary consideration because it is in the best interest of the taxpayers of the State of Mississippi and the City of Batesville.

RESOLVED this the 15th day of November, 2022.

*Alderman Stan Harrison recused himself from the meeting

IN RE: ALLOW CLAIMS

Upon motion of Alderman Dugger and second of Alderman Walton and upon unanimous vote taken, it was ordered by the Mayor and Board of Aldermen of the City of Batesville, Mississippi that claims numbered 33327-33847 (includes the Co-Op) be and the same are hereby approved and allowed, and shall be paid by Warrant drawn on the fund indicated.

*Alderman Stan Harrison returned to the meeting

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; Chief of Police Kerry Pittman; Assistant Chief of Police George Williford and Assistant City Clerk Shonnah Weaver.

On motion made by Alderman Dugger, seconded by Alderman Morrow, 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 personnel matters in the Fire Department, sale of surplus real property and potential purchase of real 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, sale of surplus real property and potential purchase of real 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 George Williford and Assistant City Clerk Shannah 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 Shannah Weaver.

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

There next came on for discussion the sale of surplus real property.

There next came on for discussion the potential purchase of real 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 Shannah Weaver.

IN RE: APPROVAL TO OFFER EMPLOYMENT – FIRE DEPARTMENT

Upon motion of Alderman Morrow and second of Alderman Land and upon unanimous vote taken, it was ordered that Parker Noblin, Nicholas Arendale and Gage Johnson be and they are hereby offered full-time employment as a non-certified firefighter in the Fire Department at a rate of \$13.16 per hour, contingent upon them 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 December 5, 2022, at midnight if not accepted.

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 Mayor be and he is hereby authorized to sign the agreement for the sale of real property.

IN RE: SALE OF SURPLUS REAL PROPERTY

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that the Contract for Sale of Real Property be and it is hereby amended to extend for an additional 90 days without payment.

*Alderman Stan Harrison recused himself from the meeting

IN RE: POTENTIAL PURCHASE OF REAL PROPERTY

Upon unanimous consent, the Board of Aldermen directed the Legal Department to contact the structural engineering firm for more details regarding scope of work in connection with the potential purchase of real property.

*Alderman Stan Harrison returned to the meeting

OTHER MATTERS COMING BEFORE THE MAYOR AND BOARD FOR DISCUSSION

1. Chief of Police Kerry Pittman provided a copy of the monthly police report to the Mayor and Board of Aldermen.
2. Chief of Police Kerry Pittman stated that the speed limits on Highway 6 east and west have been addressed by the Mississippi Department of Transportation.
3. Fire Chief Tim Taylor provided copies of monthly reports to the Mayor and Board of Aldermen.

Upon motion duly made and seconded, the meeting was adjourned to reconvene at 3:00 o'clock p.m., Monday, November 21, 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

**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 21st day of November, 2022

Hour: 3:00 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.