

**REGULAR MEETING****APRIL 4, 2023**

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 April, being the 4<sup>th</sup> day of April 2023, at 2:00 p.m., when and where were present the following, to-wit:

Mayor Hal Ferrell; Aldermen Stan Harrison, Dennis Land, Bill Dugger, Bobby Walton and Teddy Morrow. Also present were: City Clerk Susan Berryhill; City Attorney Colmon Mitchell; Chief of Police Kerry Pittman; Assistant Chief of Police George Williford; Code Enforcement Officer Barry Thompson; Public Works Director David Karr; 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 Tommy Snyder, the following business was taken up.

**IN RE:        APPROVAL OF AGENDA**

Upon motion of Alderman Harrison and second of Alderman Walton and upon unanimous vote taken, the agenda of April 4, 2023, was approved.

CITY OF BATESVILLE BOARD MEETING

APRIL 4, 2023  
2:00 P.M. | CITY HALL

AGENDA

- 
- 1.     **CALL TO ORDER:**       Mayor Hal Ferrell
  
  - 2.     **INVOCATION:**         Tommy Snyder
  
  - 3.     **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, and pursuant to Order adopted March 23, 2023, you must sign the sign-in sheet with a complete address.”
  
  - 4.     **APPROVE AGENDA**
    - a.       April 4, 2023
  
  - 5.     **APPROVE MINUTES OF PRIOR MEETINGS**
    - a.   Regular Meeting – March 21, 2023
    - b.   Adjourned Meeting – March 22, 2023
    - c.   Adjourned Meeting – March 23, 2023
  
  - 6.     **CONSENT AGENDA**
    - a.   Approval for the Batesville Fire Department to host Mississippi Fire Academy field delivery NFPA 1041 I-II instructor course on April 24-May 5, 2023. Cost to City: \$257.52 (4 students) plus textbooks for 4 students. Reimburse expenses if necessary.
    - b.   Approval for Lieutenant Richard Lott to attend Total Control Defense Tactics Instructor Course in Yazoo City, Mississippi May 8-11, 2023. Reimburse travel expenses if necessary.
  
  - 7.     **PAY REQUEST AGENDA**
    - a.   Approval for payment in the amount of \$5,458.34 to be made to Slaughter & Associates in connection with the City’s redistricting.
    - b.   Approval for payment in the amount of \$7,000.00 to be made to Morris Lawn Service, LLC in connection with herbicide application. (Board approved April 5, 2022, Minute Book E-3, pages 343-344)
    - c.   Approval for payment in the amount of \$2,085.94 to be made to Mississippi Development Authority in connection with the final CAP loan payment. (Johnson Street)
    - d.   Approval for payment of invoice in the amount of \$42,862.10 (City’s ½) to be made to Sozo Architecture, PLLC in connection with the Concourse.
    - e.   Approval for payment of invoice in the amount of \$10,873.02 (City’s ½) to be made to Sozo Architecture, PLLC in connection with the reroof of remaining portions of the Concourse.

8. **HUMAN RESOURCES**

- a. Approval to accept the resignation of Gas Department employee, Matt Myrick, effective March 28, 2023.

9. **PUBLIC HEARINGS – 3:00 P.M.**

- i. Conditional Use Permit – Wesley Vonkanez for use #3.140 Tattoo and Body Piercing at 588 Highway 51 South
- ii. Conditional Use Permit – Anthony Fondren for use #2.240 sales from temporary or portable building for vegetable sales at Mid-Town Market on Highway 6 East.
- iii. Conditional Use Permit – Jerome Partee for use #2.240 sales from temporary or portable building for a concession trailer at Mid-Town Market on Highway 6 East
- iv. Conditional Use Permit – Margaret Bryant for use #2.240 sales from temporary or portable building for a sno-cone trailer at Panola Plaza

10. **BIDS RECONSIDERED**

- a. NRCS Emergency Watershed Protection – Daycare Ditch Project

11. **VISITORS**

- a. Beverly Ferrell
- b. Belinda Weems/Fred Williams
- c. Michael “Rusty” Dyson
- d. Clara Black

12. **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**

13. **CHIEF BUILDING OFFICIAL – ANDY BERRYHILL**

- a. Monthly inspection list
- b. Monthly complain list
- c. Planning Commission Meeting Minutes 3/27/2023

14. **CHIEF OF POLICE – KERRY PITTMAN**

**15. CITY ATTORNEY – COLMON MITCHELL**

- a. Free Port Warehouse – Lockers (2 locations)
- b. Order for publication – public hearings

**16. CITY CLERK – SUSAN BERRYHILL**

- a. Quote received – financing equipment
- b. Fair Housing Resolution
- c. Fair Housing Month Resolution

**17. FIRE CHIEF – TIM TAYLOR****18. PUBLIC WORKS DIRECTOR – DAVID KARR**

- a. Discuss the RWEAC program with Mississippi Rural Water and Mutual Aid agreement with the County
- b. Brewer Road status

**19. ALLOW CLAIMS: 36277-36813 (includes The Co-Op)****20. OTHER MATTERS BY MAYOR OR ALDERMAN:**

- a. Mayor Ferrell - Architectural services proposal – Civic Center

**21. EXECUTIVE SESSION****22. ADJOURNMENT****IN RE: APPROVAL OF MINUTES**

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, the minutes of the March 21, 2023, regular meeting, and the minutes of the March 22, 2023, and March 23, 2023, adjourned meetings, were approved.

IN RE: SIGNATURE SHEET FOR MEETING OF APRIL 4, 2023

Board Meeting  
April 4, 2023  
Signature Sheet

<u>Kerry Pittman</u> Please print name clearly	<u>106 College St. Batesville, MS 38606</u> Street Address, City, Zip
<u>George Williams</u> Please print name clearly	<u>106 College St. Batesville, MS 38606</u> Street Address, City, Zip
<u>David Kerr</u> Please print name clearly	<u>416 Ranchette Ave. Batesville, MS 38606</u> Street Address, City, Zip
<u>JOHN HAWKINS</u> Please print name clearly	<u>1104 Ave. Batesville, MS 38606</u> Street Address, City, Zip
<u>BARRY THOMPSON</u> Please print name clearly	<u>146 Little St. Batesville, MS 38606</u> Street Address, City, Zip
<u>David Tarver</u> Please print name clearly	<u>416 CR 454 Oxford, MS 38655</u> Street Address, City, Zip
<u>Belinda WEEMS</u> Please print name clearly	<u>103-10 Woodland Dr MS 38606</u> Street Address, City, Zip
<u>TORI FORD</u> Please print name clearly	<u>103-10 " " " "</u> Street Address, City, Zip
<u>Beverly Ferrell</u> Please print name clearly	<u>212 Bates St B. 38606</u> Street Address, City, Zip
<u>Walter Williams</u> Please print name clearly	<u>204 Broad Street, Batesville, MS 38606</u> Street Address, City, Zip
<u>Darrell Dixon</u> Please print name clearly	<u>NDPPD 220 Power Dr. Batesville, MS</u> Street Address, City, Zip
<u>Joe Azee</u> Please print name clearly	<u>150A Public Square, Batesville MS</u> Street Address, City, Zip
<u>Wesley VANDER</u> Please print name clearly	<u>174 KATHERINE DR SARDIS MS</u> Street Address, City, Zip
<u>Margaret Bryant</u> Please print name clearly	<u>333 Greenleaf Circle Courtland MS 38620</u> Street Address, City, Zip
<u>Casha Mosley</u> Please print name clearly	<u>216 Ridge Rd Courtland MS 38620</u> Street Address, City, Zip
<u>Jerome Kirtce</u> Please print name clearly	<u>426 Sarah Dickens Rd Sardis MS</u> Street Address, City, Zip 38666
<u>Anthony Fondren</u> Please print name clearly	<u>220 Flowers Rd Poplar, MS 38658</u> Street Address, City, Zip

**IN RE:        APPROVAL OF CONSENT AGENDA**

Upon motion of Alderman Dugger and second of Alderman Harrison 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 the Batesville Fire Department to host Mississippi Fire Academy field delivery NFPA 1041 I-II instructor course on April 24-May 5, 2023. Cost to City: \$257.52 (4 students) plus textbooks for 4 students. Reimburse expenses if necessary.
2. Approval for Lieutenant Richard Lott to attend Total Control Defense Tactics Instructor Course in Yazoo City, Mississippi May 8-11, 2023. 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 for payment in the amount of \$5,458.34 to be made to Slaughter & Associates in connection with the City's redistricting.
2. Approval for payment in the amount of \$7,000.00 to be made to Morris Lawn Service, LLC in connection with herbicide application. (Board approved April 5, 2022, Minute Book E-3, pages 343-344)
3. Approval for payment in the amount of \$2,085.94 to be made to Mississippi Development Authority in connection with the final CAP loan payment. (Johnson Street)
4. Approval for payment of invoice in the amount of \$42,862.10 (City's ½) to be made to Sozo Architecture, PLLC in connection with the Concourse.
5. Approval for payment of invoice in the amount of \$10,873.02 (City's ½) to be made to Sozo Architecture, PLLC in connection with the reroof of remaining portions of the Concourse.

**IN RE:        APPROVAL OF HUMAN RESOURCES 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 human resources agenda be and they are hereby approved:

1. Approval to accept the resignation of Gas Department employee, Matt Myrick, effective March 28, 2023.

**IN RE: BIDS RECONSIDERED – NRCS EWP – DAYCARE DITCH REPAIR PROJECT**

There came on for discussion the matter of bids received at the March 21, 2023, regular meeting of the Mayor and Board of Aldermen, for the NRCS EWP Daycare Ditch Repair Project. The bids received and itemized are listed below as follows:

<b>Colom Construction Company, Inc.</b>	<b>\$127,525.00</b>
<b>Brocato Construction, Inc.</b>	<b>\$161,175.00</b>

Having heard all bids received, upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that the bid from Colom Construction Company, Inc. in the amount of \$127,525.00 be and it is hereby accepted as the lowest and best bid for the NRCS EWP Daycare Ditch Repair Project, contingent upon the final easement being received and a written contract being signed by both parties. A copy of said bids are on file in the Office of the City Clerk and a copy of the bid tabulation follows:

**NRCS EWP DAYCARE DITCH PROJECT CERTIFIED BID TABULATION**

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	Colom Construction		Bracato Construction	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Mobilization - Demobilization	LS	1	\$ 25,000.00	\$ 25,000.00	\$ 26,775.00	\$ 26,775.00
2	Clearing and Grubbing	AC	1	\$ 10,000.00	\$ 10,000.00	\$ 26,250.00	\$ 26,250.00
3	Excess Excavation (AH) (LVM)	CY	650	\$ 8.50	\$ 5,525.00	\$ 31.50	\$ 20,475.00
4	Site Grading	AC	1	\$ 8,500.00	\$ 8,500.00	\$ 16,275.00	\$ 16,275.00
5	seeding, fertilizing and mulching	AC	1	\$ 8,500.00	\$ 8,500.00	\$ 2,625.00	\$ 2,625.00
6	Non-woven Geotextile Fabric Type V	SY	500	\$ 9.00	\$ 4,500.00	\$ 5.25	\$ 2,625.00
7	Loose RipRap, 300 lb	TON	900	\$ 70.00	\$ 63,000.00	\$ 68.25	\$ 61,425.00
8	Remove and Replace Fence (Non-participating)	LF	100	\$ 25.00	\$ 2,500.00	\$ 47.25	\$ 4,725.00
TOTAL				\$	127,525.00	\$	161,175.00

I hereby certify that this is a true and accurate Tabulation of Bids for the NRCS EWP daycare ditch Project. which were received and opened by the City of Batesville on Tuesday, March 21, 2023, at 2:00 P. M.

Certified By:   
Greg Smith, P.E.

3/22/2023  
Date



**IN RE: CITIZEN CONCERN**

The Mayor recognized Beverly Ferrell who appeared before the Mayor and Board of Aldermen who voiced her concerns about the vagrancy population in the City of Batesville.

No action was taken on the above matter.

**IN RE: YOUTH MINISTRY**

The Mayor recognized Belinda Weems and Tori Ford of Youth Ministry who appeared before the Mayor and Board of Aldermen to discuss their Scared Straight Program.

No action was taken on the above matter.

**IN RE: CRAPPIE EVENT**

Joe Azar, Director of Panola Partnership, appeared before the Mayor and Board of Aldermen requesting the use of the large conference room, at no charge, during the crappie event to be held at the Batesville Civic Center June 2, 2023. The crappie club will be purchasing a meal for the fishermen, at their expense, from Taylor Grocery during said crappie event.



IN RE:           **FAIR HOUSING MONTH PROCLAMATION**

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

***FAIR HOUSING MONTH***

- WHEREAS, April marks the anniversary of the passage of the Fair Housing Act of 1968, which sought to eliminate discrimination in housing opportunities and to affirmatively further housing choices for all Americans; and*
- WHEREAS, the ongoing struggle for dignity and housing opportunity for all is not the exclusive province of the Federal government; and*
- WHEREAS, vigorous local efforts to combat discrimination can be as effective, if not more so, than Federal efforts; and*
- WHEREAS, illegal barriers to equal opportunity in housing, no matter how subtle, diminish the rights of all;*

*NOW, THEREFORE, BE IT RESOLVED,*  
*that in the pursuit of the shared goal and responsibility of providing equal housing opportunities for all men and women, (the) City of Batesville, Mississippi, does hereby join in the national celebration by proclaiming;*  
***the MONTH OF APRIL, 2023***  
***as***  
***FAIR HOUSING MONTH***

*and encourages all agencies, institutions, and individuals, public and private, in (the) City of Batesville to abide by the letter and the spirit of the Fair Housing law;*  
*and acknowledge the Annual Action Plan Public Hearing conducted by Mississippi Development Authority and Mississippi Home Corporation at North Delta Planning & Development District, Inc. 220 Power Drive Batesville, MS 38606 on March 23, 2023 at 11:00 AM as its fair housing event.*

*Signed and sealed this \_\_\_\_ day of April, 2023.*

\_\_\_\_\_  
*Attest*

\_\_\_\_\_  
*Chief Elected Official*



IN RE:           **FAIR HOUSING RESOLUTION**

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

**City of Batesville , Mississippi**  
**FAIR HOUSING RESOLUTION**

**LET IT BE KNOWN TO ALL PERSONS OF** (the) City of Batesville, Mississippi that discrimination on the basis of race, color, religion, gender or national origin in the sale, rental, leasing or financing of housing or land to be used for construction of housing or in the provision of brokerage services is prohibited by Title VIII of the 1968 Civil Rights Act (Federal Fair Housing Law).

It is the policy of (the) City of Batesville, Mississippi to encourage equal opportunity in housing for all persons regardless of race, color, religion, gender or national origin. The Fair Housing Amendments Act of 1988 expands coverage to include disabled persons and families with children. Therefore, the City does hereby pass the following Resolution.

BE IT RESOLVED that within available resources, (the) City of Batesville will assist all persons who feel they have been discriminated against because of race, color, religion, gender, national origin, disability or familial status to seek equity under Federal and State laws by referring them to the U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Compliance Division.

BE IT FURTHER RESOLVED that (the) City of Batesville shall publicize this Resolution and through this publicity shall encourage owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law and amendments and any applicable state or local laws or ordinances.

(The) City of Batesville, MISSISSIPPI will, at a minimum: 1. Adopt and publicize the Fair Housing Resolution; 2. Post Fair Housing Posters in prominent public areas; 3. Provide Fair Housing Brochures Fair Housing information to the public; 4. Declare April as Fair Housing Month by Proclamation or Resolution; and 5. Acknowledge the Annual Action Plan Public Hearing conducted by Mississippi Development Authority and Mississippi Home Corporation at North Delta Planning & Development District, Inc. 220 Power Drive Batesville, MS 38606 on March 23, 2023 at 11:00 AM as its fair housing event.

**EFFECTIVE DATE:**

This Resolution shall be in effect April 1, 2023

\_\_\_\_\_  
Attest

\_\_\_\_\_  
Chief Elected Official



**IN RE:           FREE PORT WAREHOUSE EXEMPTION – LOCKERS  
MANUFACTURING, LLC**

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

ORDER OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF BATESVILLE, MISSISSIPPI, GRANTING A FREE PORT WAREHOUSE EXEMPTION FROM AD VALOREM PERSONAL PROPERTY TAXES TO PLASPROS, AS A WAREHOUSE AND/OR DISTRIBUTION CENTER AS AUTHORIZED BY §27-31-51 *Et Seq.* OF THE MISSISSIPPI CODE OF 1972, AS AMENDED (REVISED 2002)

WHEREAS, LOCKERS MANUFACTURING, LLC [the “Applicant”], that operates facilities at 209 Pearson Street in Batesville, Panola County, Mississippi, has filed its Application for a Free Port Warehouse Exemption and license as Authorized by §27-31-51 *Et Seq.*, of the Mississippi Code of 1972, as Amended [the “Application”], and

WHEREAS, the Board finds that the Warehouse is a “Free Port Warehouse” eligible to be licensed as such by the City under the provisions of §27-31-51 *Et Seq.* of the Mississippi Code of 1972, as amended.

IT IS, THEREFORE, HEREBY ORDERED by the Mayor and Board of Aldermen of the City of Batesville, Mississippi, as follows:

(1) That the Warehouse is a Free Port Warehouse eligible to be licensed as such by the City under the provisions of §27-31-51 *Et Seq.* of the Mississippi Code of 1972, as amended (Revised 2002) [the “Statutes”] and is, therefore, eligible for both a license and a free port exemption from all ad valorem taxes imposed by the City as provided by State Law.

(2) The Board does hereby approve the issuance of a Free Port Warehouse License to the Applicant.

(3) The Board does hereby direct the City Clerk to forward a certified copy of this Order to the City and/or Panola County Tax Assessor and to issue the said license.

SO ORDERED AND RESOLVED on this the 4<sup>th</sup> day of April, 2023.

MAYOR AND BOARD OF ALDERMEN OF  
THE CITY OF BATESVILLE, MISSISSIPPI

By: \_\_\_\_\_  
Hal Ferrell, Mayor

ATTEST:

\_\_\_\_\_  
Susan S. Berryhill, City Clerk

**IN RE:           FREE PORT WAREHOUSE EXEMPTION – LOCKERS  
MANUFACTURING, LLC**

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

ORDER OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF BATESVILLE, MISSISSIPPI, GRANTING A FREE PORT WAREHOUSE EXEMPTION FROM AD VALOREM PERSONAL PROPERTY TAXES TO PLASPROS, AS A WAREHOUSE AND/OR DISTRIBUTION CENTER AS AUTHORIZED BY §27-31-51 *Et Seq.* OF THE MISSISSIPPI CODE OF 1972, AS AMENDED (REVISED 2002)

WHEREAS, LOCKERS MANUFACTURING, LLC [the “Applicant”], that operates facilities at 175 Corporate Drive in Batesville, Panola County, Mississippi, has filed its Application for a Free Port Warehouse Exemption and license as Authorized by §27-31-51 *Et Seq.*, of the Mississippi Code of 1972, as Amended [the “Application”], and

WHEREAS, the Board finds that the Warehouse is a “Free Port Warehouse” eligible to be licensed as such by the City under the provisions of §27-31-51 *Et Seq.* of the Mississippi Code of 1972, as amended.

IT IS, THEREFORE, HEREBY ORDERED by the Mayor and Board of Aldermen of the City of Batesville, Mississippi, as follows:

(1) That the Warehouse is a Free Port Warehouse eligible to be licensed as such by the City under the provisions of §27-31-51 *Et Seq.* of the Mississippi Code of 1972, as amended (Revised 2002) [the “Statutes”] and is, therefore, eligible for both a license and a free port exemption from all ad valorem taxes imposed by the City as provided by State Law.

(2) The Board does hereby approve the issuance of a Free Port Warehouse License to the Applicant.

(3) The Board does hereby direct the City Clerk to forward a certified copy of this Order to the City and/or Panola County Tax Assessor and to issue the said license.

SO ORDERED AND RESOLVED on this the 4<sup>th</sup> day of April, 2023.

MAYOR AND BOARD OF ALDERMEN OF  
THE CITY OF BATESVILLE, MISSISSIPPI

By: \_\_\_\_\_  
Hal Ferrell, Mayor

ATTEST:

\_\_\_\_\_  
Susan S. Berryhill, City Clerk

**IN RE:            APPROVAL TO ADOPT ORDER – PUBLICATIONS**

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

**AN ORDER PERTAINING TO THE PUBLICATION OF NOTICES OF  
PUBLIC HEARINGS FOR MATTERS BEING ADMINISTERED  
BY THE BATESVILLE CODE OFFICE**

IT IS HEREBY ORDAINED that for any matter being administered in the Code Office that requires a public hearing, once the Chief Building Official of the City of Batesville has received sufficient material for the preparation of a Notice for Public Hearing, the said Official, at the first meeting of the Mayor and Board of Aldermen following the receipt of such material, shall request the Mayor and Board of Aldermen to set a public hearing for the matter. The said Official is hereby authorized, empowered, and directed to do all things necessary for or incidental to the performance of such Official's said duties.


ORDERED this the 4<sup>th</sup> day of April, 2023.

IN RE:           QUOTES RECEIVED – EQUIPMENT

The City of Batesville received the following quotes for financing equipment (backhoe-Water Department and four wheel loader):

- First Security Bank                   5.90% (4 annual payments of \$107,104.59)
- Cadence Equipment Finance   5.39% (4 annual payments of \$106.169.29)

Upon motion of Alderman Harrison and second of Alderman Dugger and upon unanimous vote taken, it was ordered that the quote from Cadence Equipment Finance in the amount of 5.39% be and it is hereby accepted as the lowest and best quote for financing equipment, contingent upon the appropriate contract documents being signed by both parties. A copy of said quotes are on file in the Office of the City Clerk and a copy of the accepted quote follows:



**CADENCE EQUIPMENT FINANCE**

3/16/2023

Sent via: [cityclerk@batesville.ms](mailto:cityclerk@batesville.ms)

City of Batesville, MS

It is a pleasure to submit for your consideration the following proposal to provide lease-purchase financing based on the terms and conditions set forth below:

1. Lessor:

Cadence Equipment Finance, a division of Cadence Bank

2. Lessee:

City of Batesville, MS

3. Equipment Description:

One (1) New Four Wheel Loader

4. Equipment Cost:

\$233,423.36

5. Lease Term:

4 annual payments

6. Lease Payments:

(These are approximate payment amounts. The actual payment will be determined at funding date.)  
  
4 annual payments @ \$66,633.06 arrears

7. Lease Rate:

5.39%

8. Funding Date:

This proposal is contingent upon the equipment being delivered and the lease funded prior to an increase of the prime rate above 7.75%. Any extension of the funding or delivery date must be in writing.

9. Purchase Option:

Title is passed to Lessee at lease expiration for no further consideration.

10. Non-appropriation/Termination:

The lease provides that Lessee is to make reasonable efforts to obtain funds to satisfy the obligation in each fiscal year. However, the lease may be terminated without penalty in the event of non-appropriation. In such event, the Lessee agrees to provide an attorney's opinion confirming the events of non-appropriation and Lessee's exercise of diligence to obtain funds.

11. Bank Qualification:

This lease-purchase financing shall be designated as a bank qualified tax-exempt transaction as per the 1986 Federal Tax Bill. This means that the Lessee's governing body will pass a resolution stating that it does not anticipate issuing more than \$10 million



in General Obligation debt or other debt falling under the Tax Bill's definition of qualifying debt during the calendar year that the lease is funded.

- 12. **Tax Status:** This proposal is subject to the Lessee being qualified as a governmental entity or "political subdivision" within the meaning of Section 103(a) of the Internal Revenue Code of 1954 as amended, within the meaning of said Section. Lessee agrees to cooperate with Lessor in providing evidence as deemed necessary or desirable by Lessor to substantiate such tax status.
- 13. **Net Lease:** This will be a net lease transaction whereby maintenance, insurance, taxes (if applicable), compliance with laws and similar expenses shall be borne by Lessee.
- 14. **Financial Statements:** Complete and current financial statements must be submitted to Lessor for review and approval of Lessee creditworthiness
- 15. **Lease Documentation:** This equipment lease-purchase package is subject to the mutual acceptance of lease-purchase documentation within a reasonable time period, otherwise payments will be subject to market change.

If the foregoing is acceptable, please so indicate by signing this letter in the space provided below and returning it to Cadence Equipment Finance. **The proposal is subject to approval by Cadence Equipment Finance's Credit Committee and to mutually acceptable terms, conditions and documentation.**

Acceptance of this proposal expires as the close of business on 4/16/2023. Extensions must be approved by the undersigned.

Any concerns or questions should be directed to Jonathan King at 228-223-4642 or [Jonathan.King@cadencebank.com](mailto:Jonathan.King@cadencebank.com).

*Jonathan King*

Jonathan King  
Municipal Territory Manager

**ACKNOWLEDGMENT AND ACCEPTANCE**

By: \_\_\_\_\_  
Title

Date: \_\_\_\_\_



CADENCE EQUIPMENT FINANCE

3/16/2023

Sent via: [cityclerk@batesville.ms](mailto:cityclerk@batesville.ms)

City of Batesville, MS

It is a pleasure to submit for your consideration the following proposal to provide lease-purchase financing based on the terms and conditions set forth below:

- 1. Lessor: Cadence Equipment Finance, a division of Cadence Bank
- 2. Lessee: City of Batesville, MS
- 3. Equipment Description: One (1) New Backhoe
- 4. Equipment Cost: \$138,500.00
- 5. Lease Term: 4 annual payments
- 6. Lease Payments: (These are approximate payment amounts. The actual payment will be determined at funding date.)  
  
4 annual payments @ \$39,536.23 arrears
- 7. Lease Rate: 5.39%
- 8. Funding Date: This proposal is contingent upon the equipment being delivered and the lease funded prior to an increase of the prime rate above 7.75%. Any extension of the funding or delivery date must be in writing.
- 9. Purchase Option: Title is passed to Lessee at lease expiration for no further consideration.
- 10. Non-appropriation/Termination: The lease provides that Lessee is to make reasonable efforts to obtain funds to satisfy the obligation in each fiscal year. However, the lease may be terminated without penalty in the event of non-appropriation. In such event, the Lessee agrees to provide an attorney's opinion confirming the events of non-appropriation and Lessee's exercise of diligence to obtain funds.
- 11. Bank Qualification: This lease-purchase financing shall be designated as a bank qualified tax-exempt transaction as per the 1986 Federal Tax Bill. **This means that the Lessee's governing body will pass a resolution stating that it does not anticipate issuing more than \$10 million**



in General Obligation debt or other debt falling under the Tax Bill's definition of qualifying debt during the calendar year that the lease is funded.

- 12. Tax Status: This proposal is subject to the Lessee being qualified as a governmental entity or "political subdivision" within the meaning of Section 103(a) of the Internal Revenue Code of 1954 as amended, within the meaning of said Section. Lessee agrees to cooperate with Lessor in providing evidence as deemed necessary or desirable by Lessor to substantiate such tax status.
- 13. Net Lease: This will be a net lease transaction whereby maintenance, insurance, taxes (if applicable), compliance with laws and similar expenses shall be borne by Lessee.
- 14. Financial Statements: Complete and current financial statements must be submitted to Lessor for review and approval of Lessee creditworthiness
- 15. Lease Documentation: This equipment lease-purchase package is subject to the mutual acceptance of lease-purchase documentation within a reasonable time period, otherwise payments will be subject to market change.

If the foregoing is acceptable, please so indicate by signing this letter in the space provided below and returning it to Cadence Equipment Finance. **The proposal is subject to approval by Cadence Equipment Finance's Credit Committee and to mutually acceptable terms, conditions and documentation.**

Acceptance of this proposal expires as the close of business on 4/16/2023. Extensions must be approved by the undersigned.

Any concerns or questions should be directed to Jonathan King at 228-223-4642 or [Jonathan.King@cadencebank.com](mailto:Jonathan.King@cadencebank.com).

*Jonathan King*

Jonathan King  
Municipal Territory Manager

**ACKNOWLEDGMENT AND ACCEPTANCE**

By: \_\_\_\_\_  
Title

Date: \_\_\_\_\_

**IN RE: MISSISSIPPI RURAL WATER ASSOCIATION RWEAC PROGRAM**

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 City become a member of the RWEAC program for natural disaster assistance, contingent upon the Legal Department reviewing and approving said program.

**IN RE: ARCHITECTURAL SERVICES PROPOSAL – CIVIC CENTER**

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that Phase I-flat fee for green room in lower south section of the Civic Center, as listed in the fees for services, as presented in the proposal from SOZO Architecture, PLLC for architectural services at the Batesville Civic Center, be and it is hereby approved for the amount of \$1,500.00.

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

The Mayor opened the Public Hearing and Code Enforcement Officer Barry Thompson explained the purpose of the hearing being a request from Wesley Vonkanel for a Conditional Use Permit to allow for *Use #3.140 Tattoo and Body Piercing Parlors* in a C-3, Commercial zone at 588 Highway 51 South. Said real property is located in the City of Batesville, Second Judicial District of Panola County, Mississippi, and is more particularly described as follows, to-wit:

Parcel #3185E0003700 0000200  
7.9 Acc Lots 2 & 5 & Pt Lots 3 & 4  
Southside Subdivision  
Section 16, Township 9S, Range 7W  
588 Highway 51, South

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:

Wesley Vonkanel was present in support and no one was present in opposition of this request.

Code Enforcement Officer Barry Thompson reported that the Planning Commission recommended said Conditional Use Permit request at their meeting held on February 27, 2023, with the hours of 2 P.M. to 10 P.M. and closed on Wednesdays and Sundays,

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:

03/15/23

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  
15th Day of March, 2023

Shandale Goodman



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

Account # 180200  
Ad # 1608738  
  
CITY OF BATESVILLE  
PO BOX 689  
BATESVILLE MS 38606

PUBLIC NOTICE  
NOTICE OF PUBLIC  
HEARING

WHEREAS, There has been submitted by Wesley Vonkanez to the Board of Mayor and Aldermen of the City of Batesville, Mississippi, an application for a Conditional Use Permit to allow Use #3.140 Tattoo and Body Piercing Parlors in a C-3, Commercial zone at 588 Highway 51 South. Said real property is located in the City of Batesville, Second Judicial District of Panola County, Mississippi, and is more particularly described as follows, to-wit: Parcel #3185E0003700 0000200 7.9 Acc Lots 2 & 5 & Pt Lots 3 & 4 Southside Subdivision Section 16, Township 9S, Range 7W 588 Highway 51, South 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 April 4, 2023, 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:  
Mar. 15, 2023  
PUBLIC HEARING

IN RE:           CONDITIONAL USE PERMIT REQUEST – WESLEY VONKANEL

Upon motion of Alderman Morrow and second of Alderman Walton and upon unanimous vote taken, it was ordered that the request from Wesley Vonkanel for a conditional use permit to allow for *Use #3.140 Tattoo and Body Piercing Parlors* in a C-3, Commercial zone at 588 Highway 51 South, be and it is hereby granted, with the hours of 2 P.M. to 10 P.M. and closed on Wednesdays and Sundays,

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

The Mayor opened the Public Hearing and Code Enforcement Officer Barry Thompson explained the purpose of the hearing being a request from Anthony Fondren for a Conditional Use Permit to allow for *Use #2.240 Sales from temporary or portable buildings, tent or other structures* for the operation of a produce sales 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

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:

Anthony Fondren was present in support and no one was present in opposition of this request.

Code Enforcement Officer Barry Thompson reported that the Planning Commission recommended said Conditional Use Permit request at their meeting held on February 27, 2023, with a two (2) year limit.

The Mayor declared the hearing closed.

Publisher's Certificate of Publication

STATE OF MISSISSIPPI  
COUNTY OF PANOLA

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- 03/15/23
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- 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  
15th Day of March, 2023

Shandale Goodman



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

PUBLIC NOTICE  
NOTICE OF PUBLIC  
HEARING

WHEREAS, There has been submitted by Anthony Fondren 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 produce sales 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 April 4, 2023, 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:  
Mar. 15, 2023  
PUBLIC HEARING

Account # 180200  
Ad # 1608710  
  
CITY OF BATESVILLE  
PO BOX 689  
BATESVILLE MS 38606

IN RE:           CONDITIONAL USE PERMIT REQUEST – ANTHONY FONDREN

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

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

The Mayor opened the Public Hearing and Code Enforcement Officer Barry Thompson explained the purpose of the hearing being a request from Jerome Partee for a Conditional Use Permit to allow for *Use #2.240 Sales from temporary or portable buildings, tent or other structures* for the operation of a concession stand 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

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:

Jerome Partee was present in support and no one was present in opposition of this request.

Code Enforcement Officer Barry Thompson reported that the Planning Commission recommended said Conditional Use Permit request at their meeting held on February 27, 2023, with a two (2) year limit.

The Mayor declared the hearing closed.

Publisher's Certificate of Publication

STATE OF MISSISSIPPI  
COUNTY OF PANOLA

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Rebecca Alexander

Rebecca Alexander, Publisher

Subscribed and sworn to before me this  
15th Day of March, 2023

Shandale Goodman



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

PUBLIC NOTICE  
NOTICE OF PUBLIC  
HEARING

WHEREAS, There has been submitted by Jerome Partee 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 concession stand 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 April 4, 2023, 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:  
Mar. 15, 2023  
PUBLIC HEARING

Account # 180200  
Ad # 1608728  
  
CITY OF BATESVILLE  
PO BOX 689  
BATESVILLE MS 38606

IN RE:           CONDITIONAL USE PERMIT REQUEST – JEROME PARTEE

Upon motion of Alderman Walton and second of Alderman Harrison and upon unanimous vote taken, it was ordered that the request from Jerome Partee for a conditional use permit to allow for *Use #2.240 Sales from temporary or portable buildings, tent or other structures* for the operation of a concession stand business in a C-2, Commercial zone at Mid-Town Market Shopping Center on Hwy. 6, East, be and it is hereby granted, for a two (2) year period, contingent upon Mr. Partee obtaining a transient vendor license.



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

The Mayor opened the Public Hearing and Code Enforcement Officer Barry Thompson explained the purpose of the hearing being a request from Margaret Bryant for a Conditional Use Permit to allow for *Use #2.240 Sales from temporary or portable buildings, tent or other structures* for the operation of a shaved ice business in a C-2, Commercial zone at Panola Plaza Shopping Center on Hwy. 6, West. Said real property is owned by EBI Holdings, LLC 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:

Pt. Lot 1, Blk 30 Original Town of Batesville  
Section 9, Township 9 South, Range 7 West in the  
City of Batesville, Second Judicial District of  
Panola County, Mississippi at Panola Plaza  
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:

Margaret Bryant was present in support and no one was present in opposition of this request.

Code Enforcement Officer Barry Thompson reported that the Planning Commission recommended said Conditional Use Permit request at their meeting held on February 27, 2023, with the following conditions:

dates of operation to be daily from April – October;  
the trailer being removed from the property by October 31;  
with the permit being good for two (2) years

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:

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Rebecca Alexander

Rebecca Alexander, Publisher

Subscribed and sworn to before me this  
15th Day of March, 2023

Shandale Goodman



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

PUBLIC NOTICE  
NOTICE OF PUBLIC  
HEARING

WHEREAS, There has been submitted by Margaret Bryant 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 shaved ice business in a C-2, Commercial zone at Panola Plaza Shopping Center on Hwy. 6, West. Said real property is owned by EBI Holdings, LLC 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: Pt. Lot 1, Blk 30 Original Town of Batesville Section 9, Township 9 South, Range 7 West in the City of Batesville, Second Judicial District of Panola County, Mississippi at Panola Plaza 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 April 4, 2023, 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:  
Mar. 15, 2023  
PUBLIC HEARING

Account # 180200  
Ad # 1608734

CITY OF BATESVILLE  
PO BOX 689  
BATESVILLE MS 38606

IN RE:            **CONDITIONAL USE PERMIT REQUEST – MARGARET BRYANT**

Upon motion of Alderman Land and second of Alderman Harrison and upon unanimous vote taken, it was ordered that the request from Margaret Bryant 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 shaved ice business in a C-2, Commercial zone at Panola Plaza Shopping Center on Hwy. 6, West, be and it is hereby granted with the following conditions,

- dates of operation to be daily from April – October;
- the trailer being removed from the property by October 31;
- with the permit being good for two (2) years
- obtain a transient vendor license

\*Alderman Harrison recused himself from the meeting.

**IN RE: ALLOW CLAIMS**

Upon motion of Alderman Dugger and second of Alderman Land and upon unanimous vote taken, it was ordered by the Mayor and Board of Aldermen of the City of Batesville, Mississippi that claims numbered 36277-36813 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 Harrison returned to the meeting.

**IN RE: NFL EVENT/CHEERLEADER RECOGNITION**

Upon motion of Alderman Walton and second of Alderman Morrow and upon unanimous vote taken, it was ordered that the City of Batesville furnish the use of the Batesville Civic Center, at no charge, Saturday, June 24, 2023, in order to host an NFL event/South Panola cheerleader recognition.

**IN RE: APPROVAL OF LUNCHEON – CIVIC CENTER**

Upon motion of Alderman Walton and second of Alderman Morrow and upon unanimous vote taken, it was ordered that the City of Batesville furnish the conference room, at no charge, Wednesday, May 24, 2023, in order to host a luncheon for potential Civic Center clients. Fish fry lunch to be provided by Taylor Grocery at their expense.

**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 Harrison, 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 potential litigation, potential real property acquisition, tax increment financing appeal and personnel matter-request to hire in Municipal Court.

**IN OPEN MEETING**

The Mayor announced that the Mayor and Board of Aldermen will go into executive session for the purpose of discussing potential litigation, potential real property acquisition, tax increment financing appeal and personnel matter-request to hire in Municipal Court 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 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 potential litigation involving a sign. (Code Enforcement Officer Barry Thompson was present for this discussion.)

There next came on for discussion the potential litigation involving the Public Works Shop project. (Public Works Director David Karr and Michael Jones of Sozo Architecture, PLLC were present for this discussion.)

There next came on for discussion the tax increment financing appeal. (Panola Partnership Director Joe Azar was present for this discussion.)

There next came on for discussion the potential real property acquisition. (Public Works Director David Karr was present for this discussion.)

There next came on for discussion the personnel matter in the Municipal Court.

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

**IN RE:       POTENTIAL LITIGATION**

The Mayor recognized Michael Jones of Sozo Architecture, PLLC who appeared before the Mayor and Board of Aldermen discussing the Public Works Shop project.

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 a change directive in connection with Russell Contracting and the Public Works Shop project.

**IN RE:       BARNSDALE ROAD/JOLLY JAMES ROAD**

Upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, it was ordered that Public Works Director David Karr contact property owners on Barnsdale Road/Jolly James Road for a title search and further ordered that Greg Smith of Mendrop Engineering Resources may proceed with surveying the property in connection therewith.

**IN RE: APPROVAL TO OFFER EMPLOYMENT – MUNICIPAL COURT**

Upon motion of Alderman Harrison and second of Alderman Walton and upon unanimous vote taken, it was ordered that Rene Hubbard be and she is hereby offered part-time employment in municipal court at a rate of \$25.00 per hour not to exceed 20 hours per week, contingent upon her accepting said offer and undergoing a medical exam and a drug and alcohol test and being free of drugs and cleared for employment pursuant thereto. Said offer expires midnight April 17, 2023, if not accepted.

**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 and Assistant Chief of Police George Williford and Assistant City Clerk Shonnah Weaver.

\*There was no action taken on the potential litigation involving a sign nor on the tax increment financing

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

1. Code Enforcement Officer Barry Thompson provided copies of the monthly inspection list, monthly complaint list and the Planning Commission meeting minutes of March 27, 2023, to the Mayor and Board of Aldermen.
2. Alderman Stan Harrison to obtain quotes for flooring for the conference room at the Batesville Civic Center.

Upon motion duly made and seconded, the meeting was adjourned to reconvene at 4:15 o'clock p.m., Thursday, April 6, 2023, 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 6<sup>th</sup> day of April, 2023

Hour: 4:15 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.