
JULY 18, 2023

REGULAR MEETING

JULY 18, 2023

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 July, being the 18th day of July 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, Teddy Morrow and Bobby Walton. Also present were: City Attorney Colmon Mitchell; City Clerk Susan Berryhill; Chief of Police Kerry Pittman; Assistant Chief of Police George Williford; Chief Building Official Andy Berryhill; Public Works Director David Karr; Assistant Public Works Director Newt Benson; Fire Chief Tim Taylor; Deputy Chief David Tarver and Assistant City Clerk Shonnah Weaver.

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

IN RE: APPROVAL OF AGENDA

Upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, the agenda of July 18, 2023, was approved, with the addition of setting a public hearing in the Code Office.

JULY 18, 2023

CITY OF BATESVILLE BOARD MEETING

JULY 18, 2023
2:00 P.M. | CITY HALL

AGENDA

1. **CALL TO ORDER:** Mayor Hal Ferrell
2. **INVOCATION:** Richard Russo
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. July 18, 2023
5. **APPROVE MINUTES OF PRIOR MEETINGS**
 - a. Regular Meeting – July 5, 2023
 - b. Adjourned Meeting – July 17, 2023
6. **CONSENT AGENDA**
 - a. Approval to allow Trent Griffin to attend Rope I at the Mississippi Fire Academy August 6-10, 2023, in place of Michael T. McGraw previously approved. Reimburse travel expenses if necessary.
 - b. Approval for Batesville Fire Department to host MS Fire Academy Field Delivery NFPA 1002 Driver Operator Training course July 24 -August 4, 2023. Cost to host the class - \$1,964.00.
7. **PAY REQUEST AGENDA**
 - a. Approval of payment in the amount of \$138,500.00 to be made to Stribling Equipment, LLC for the purchase of one (1) backhoe for use in the Water Department.
 - b. Approval of payment in the amount of \$3,317.96 to be made to Susan Berryhill as reimbursement for tables and chairs for the Public Works Shop.

MINUTE BOOK NO. G-3 – CITY OF BATESVILLE, MISSISSIPPI**JULY 18, 2023****8. HUMAN RESOURCES**

- a. Approval to accept the resignation of Roy Hyde from the Batesville Civic Center, effective October 31, 2023.
- b. Approval to offer employment to the following five potential employees as non-certified firemen at a pay rate of \$13.16 per hour, contingent upon them 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, and that said offer of employment expires on July 31, 2023, at midnight if not accepted:
 - Landon Brown
 - Micah Morrow
 - Genesis Gonzalez
 - Timothy Kyle Cloclasure
 - Thomas Jones-King

9. VISITORS

- a. Twanda Robinson Butts
- b. First Regional Library
- c. Brian Lee
- d. Finch Henry Job Corps Management
- e. Jeremy Richey

10. PUBLIC HEARINGS – 3:00 P.M.

- a. Annie Johnson/Petro Leland – rezoning request for 237 MLK, Jr. Drive from R-7, Residential to M-1, Manufactured Housing

11. CLEAN UP HEARINGS – 3:00 P.M.

- a. Teta & Sheila Wooten – 201 Fisher Street

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

JULY 18, 2023

REPORT OF DEPARTMENT HEADS

13. **CHIEF BUILDING OFFICIAL – ANDY BERRYHILL**
 - a. Mayor and Board of Aldermen Use Permit – Charlotte Weniger – massage therapy
 - b. Re-appointment of Dave Billingsley (Ward IV) to the Planning Commission for a 5-year term and appoint Jeff Swindoll (Ward III) to the Licensing Commission for a 6-year term.
 - c. Ordinance for authority to clean property by expedited procedures in accordance with 21-19-11
14. **CHIEF OF POLICE – KERRY PITTMAN**
 - a. Monthly report
15. **CITY ATTORNEY – COLMON MITCHELL**
16. **CITY CLERK – SUSAN BERRYHILL**
 - a. Civic Center RV Park
 - b. Discuss quotes for camera/clean sewer lines on Martin Luther King, Jr. Drive
 - c. FEMA applicant designation
 - d. Quotes received – financing equipment
 - e. Declare surplus property
printer – HP Laser Jet 600 (CNDCGDG1KW)
couch (1)
chairs (6)
 - f. Transfer funds from tourism to the multi-purpose fund - \$750,000.00
 - g. Transfer funds from water to the general fund - \$1,000,000.00
 - h. Landscape specifications
 - i. Approval to adopt uniform assessment schedule
17. **FIRE CHIEF – TIM TAYLOR**
 - a. Discuss ordinance supplementing provisions of the fire code and enforcement
18. **CIVIC CENTER/EVENT DIRECTOR – RODNEY HOLLEY**
 - a. Potential executive session matter
19. **PUBLIC WORKS DIRECTOR – DAVID KARR**
 - a. Approval to accept reverse auction bid – gas radio endpoints
 - b. Permit application – C Spire
 - c. Quotes received – Ford 350 (Water and Sewer Department) – previously approved November 1, 2022
 - d. Approval for the Mayor to sign the updated letter regarding the Martin Luther King, Jr. sidewalks.

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20. OTHER MATTERS BY MAYOR OR ALDERMAN:

a. Alderman Harrison

- move to rescind Resolution adopted on July 5, 2023, setting the budget for the Legends of the Gridiron at \$11,932.91
- move to amend the Resolution adopted on June 6, 2023, setting the budget for the Legends of the Gridiron by replacing the sum of \$5,000.00 with the sum of \$7,585.11

21. 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 July 5, 2023, regular meeting and the minutes of the July 17, 2023, adjourned meeting, were approved.

MINUTE BOOK NO. G-3 – CITY OF BATESVILLE, MISSISSIPPI

JULY 18, 2023

IN RE: SIGNATURE SHEET FOR MEETING OF JULY 18, 2023

Board MeetingJuly 18, 2023Signature Sheet

Lorraine Kinn 821 Hwy 51 South 38602
 Please print name clearly Street Address, City, Zip

Mary Allen 821 Hwy 51 South Batesville, MS 38606
 Please print name clearly Street Address, City, Zip

Richard D. Russo, II 103 Womack Lane Batesville 38606
 Please print name clearly Street Address, City, Zip

Lori Barnes 370 W Commerce St Hernando, MS 38632
 Please print name clearly Street Address, City, Zip

Nancy Anderson 370 W Commerce St Hernando, MS 38632/Batesville Library
 Please print name clearly Street Address, City, Zip

Jane Carlson 505 College Street Batesville, MS 38606
 Please print name clearly Street Address, City, Zip

Jennifer Stephenson 370 W. Commerce St., Hernando, MS 38632
 Please print name clearly Street Address, City, Zip

Jeremy Richay 296A Woodruff Rd Batesville, MS 38606
 Please print name clearly Street Address, City, Zip

Linda Carter 200 Hwy 51 N. Batesville, MS
 Please print name clearly Street Address, City, Zip

David Powell 370 W. Commerce, Hernando, MS
 Please print name clearly Street Address, City, Zip

Debrauta Harris 821 Highway 51 South Batesville, MS
 Please print name clearly Street Address, City, Zip

Yvonne Jackson 221 Hwy 51 South 38606
 Please print name clearly Street Address, City, Zip

Charlotte Weniger 203 Pamela Street Batesville MS
 Please print name clearly Street Address, City, Zip

Thomas Bell 974 Woodruff Rd Batesville MS 38606
 Please print name clearly Street Address, City, Zip

Ed Berg 111 City of Batesville
 Please print name clearly Street Address, City, Zip

Tim Taylor 132 Van Voris Batesville
 Please print name clearly Street Address, City, Zip

John Hawkins 1101 Hwy 800, B. V. MS
 Please print name clearly Street Address, City, Zip

David Karr City of Batesville
 Please print name clearly Street Address, City, Zip

Walt Benner City of Batesville
 Please print name clearly Street Address, City, Zip

David Turvin 132 Van Voris
 Please print name clearly Street Address, City, Zip

James E. Snyder 132 Van Voris
 Please print name clearly Street Address, City, Zip

Gloria Tucker 2164 Arnold Courtland
 Please print name clearly Street Address, City, Zip

Jim Whittaker 1098 Lakewood Belfield
 Regina Druetto 9825 Hwy 51 Courtland
 Brian Lee 203 King St Batesville.

Kerry Pittman 106 College St Batesville, MS
 Please print name clearly Street Address, City, Zip

Mamie Avery 1504 Public Sq. Batesville
 Joe Azar Please print name clearly Street Address, City, Zip

Romeo Hester BCE 290 Civic Dr. Bldg. M 38606
 Please print name clearly Street Address, City, Zip

Annie Johnson 111 Boyd St. Batesville, MS.
 Please print name clearly Street Address, City, Zip

MINUTE BOOK NO. G-3 – CITY OF BATESVILLE, MISSISSIPPI**JULY 18, 2023****IN RE: APPROVAL OF CONSENT AGENDA**

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

- a. Approval to allow Trent Griffin to attend Rope I at the Mississippi Fire Academy August 6-10, 2023, in place of Michael T. McGraw previously approved. Reimburse travel expenses if necessary.
- b. Approval for Batesville Fire Department to host MS Fire Academy Field Delivery NFPA 1002 Driver Operator Training course July 24-August 4, 2023. Cost to host the class - \$1,964.00.

IN RE: APPROVAL OF PAY REQUEST 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 pay request agenda be and they are hereby approved:

- a. Approval of payment in the amount of \$138,500.00 to be made to Stribling Equipment, LLC for the purchase of one (1) backhoe for use in the Water Department.
- b. Approval of payment in the amount of \$3,317.96 to be made to Susan Berryhill as reimbursement for tables and chairs for the Public Works Shop.

IN RE: APPROVAL OF HUMAN RESOURCES AGENDA

Upon motion of Alderman Walton 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:

- a. Approval to accept the resignation of Roy Hyde from the Batesville Civic Center, effective October 31, 2023.
- b. Approval to offer employment to the following as non-certified firemen at a pay rate of \$13.16 per hour, contingent upon them 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, and that said offer of employment expires on July 31, 2023, at midnight if not accepted:
 - Landon Brown
 - Micah Morrow
 - Genesis Gonzalez
 - Timothy Kyle Cloclasure
 - Thomas Jones-King

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IN RE: FINCH HENRY JOB CORPS

DeAunta Harris of Finch Henry Job Corps appeared before the Mayor and Board of Aldermen requesting the use of the Batesville Civic Center, at a discounted rate, for their graduation to be held Friday, August 18, 2023, 2:00 p.m.-4:00 p.m.

Upon unanimous consent, it was ordered that the above request be and it is hereby taken under advisement.

IN RE: PRAYER ON THE SQUARE

Jeremy Richey, youth minister for First Baptist Church, came before the Mayor and Board of Aldermen requesting the use of the parking lot in front of Panola Partnership for a prayer rally on July 30, 2023, at 6:00 p.m.

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

IN RE: MAINSTREET EVENTS

Mamie Avery of Mainstreet appeared before the Mayor and Board of Aldermen to inform them of the following Mainstreet events planned for the rest of the year:

- Fall Concert Series – September 21, October 5 & October 19, 2023
- Scare on the Square – October 28, 2023
- Art Mart – October 14, 2023
- Veteran's Day – November 10, 2023
- Holiday Open House – November 19, 2023

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**IN RE: MAYOR AND BOARD OF ALDERMEN USE PERMIT –
CHARLOTTE WENIGER – MASSAGE THERAPY**

Chief Building Official Andy Berryhill presented a Mayor and Board of Aldermen Use Permit made by Charlotte Weniger, that was recommended by the Planning Commission, for use #3.110 – services not related to goods or merchandise (massage therapy) located at 150 Public Square. Hours of operation will be Monday-Friday 8:00 a.m.-4:00 p.m. or as needed.

Upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, it was ordered that the above request be and it is hereby approved.

IN RE: RE-APPOINTMENT TO PLANNING COMMISSION

Upon motion of Alderman Harrison and second of Alderman Dugger and upon unanimous vote taken, it was ordered that Dave Billingsley - Ward IV, be and he is hereby re-appointed to serve on the Planning Commission for a five (5) year term, expiring July 2028.

IN RE: APPOINTMENT TO LICENSING COMMISSION

Upon motion of Alderman Harrison and second of Alderman Dugger and upon unanimous vote taken, it was ordered that Jeff Swindoll - Ward III, be and he is hereby appointed to serve on the Licensing Commission for a six (6) year term, expiring July 2029.

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**IN RE: APPROVAL TO ADOPT ORDINANCE – PROPERTY
CLEANUP**

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

AN ORDINANCE ADOPTING, AUTHORIZING, AND
IMPLEMENTING THE AUTHORITY AND
PROCEDURE FOR CLEANING CERTAIN PROPERTY
IN THE CITY OF BATESVILLE, MISSISSIPPI, SET
OUT IN SECTION 21-19-11(2) OF THE MISSISSIPPI
CODE OF 1972 AS NOW ENACTED AND AS
HEREAFTER AMENDED AND SUPPLEMENTED
FROM TIME TO TIME

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

1. The word “tract” in this ordinance shall mean property or a parcel of land that is located in the City of Batesville (“City”) and that is one (1) acre or less in size for which the cost to clean the said property or parcel of land does not exceed Two Hundred Fifty (\$250.00), excluding administrative costs.

2. The word “Official” in this ordinance shall mean Andy Berryhill, the Chief Building Official. The Official shall be and is hereby authorized to determine whether the tract is in such a state of uncleanliness as to be a menace to the public health, safety, and welfare of the community. If the Official determines that the tract is in such state of uncleanliness the determination shall be set forth and recorded in the minutes of the Mayor and Board of Aldermen of the City.

Thereafter the Mayor and Board of Aldermen shall, and the Official is hereby authorized and directed to, take all actions and do all things allowed, authorized, and required by Section 21-19-11(2) of the Mississippi Code of 1972 as now enacted and as hereafter amended and supplemented from time to time (the “Code”) pertaining to or related in any way to the tract.

3. The current period of excessive rain and heat is resulting in the excessive growth of grass and weeds in the City and such growth requires the immediate efforts to mitigate such growth. This ordinance addresses that problem and is for the preservation and the promotion of the public peace, health, and safety and upon the unanimous affirmative vote for this ordinance by all members of the Mayor and Board of Aldermen this ordinance shall be effective from and after its passage as

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allowed by Section 21-13-11 of the Mississippi Code of 1972, as now enacted and as hereafter amended and supplemented from time to time.

ORDAINED, APPROVED, AND ADOPTED on this the 18th day of July, 2023.

HAL FERRELL, Mayor

ATTEST:

SUSAN S. BERRYHILL, City Clerk

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**IN RE: APPROVAL TO SET PUBLIC HEARING – REZONING –
JULIE WHITAKER LANG**

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

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

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

WHEREAS, The said Julie Whitaker Lang requests that the following described property presently zoned AG, Agricultural be rezoned to C-2, Commercial District. Said property lying and being situated in the City of Batesville, Second Judicial District of Panola County, Mississippi and more particularly described as follows, to-wit:

That fractional part of the Southwest Quarter of Section 3, Township 9 South, Range 7 West, more particularly described as: Beginning at a Set $\frac{1}{2}$ " Rebar on the East right of way line of Keating Road (40' from centerline) that is 2639.28 feet West of and 946.26 feet North of a Found $\frac{1}{2}$ " Rebar marking the Southeast corner of the Southwest Quarter of said Section 3; then run along the East right of way line of Keating Road North 01 degrees 12 minutes 39 seconds East 348.53 feet to a Set $\frac{1}{2}$ " Rebar; then leaving the East right of way line of Keating Road run North 89 degrees 59 minutes 23 seconds East 633.50 feet to a Set $\frac{1}{2}$ " Rebar; then run North 89 degrees 05 minutes 32 seconds East 33.60 feet to a point in the center of a creek (the corner in the creek is South 89 degrees 05 minutes 32 seconds West 16.12 feet from a Found $\frac{1}{2}$ " Rebar marking the Northwest corner of Lot 10 of Womack Cove of Lakewood Villages Subdivision); then run along the creek South 08 degrees 12 minutes 53 seconds East 306.80 feet to a point in the center of the creek; then leaving the center of the creek run South 86 degrees 22 minutes 49 seconds West (passing over a Set $\frac{1}{2}$ " Rebar Witness corner 8.89 feet from the corner in the creek) 719.73 feet to the Point of Beginning and containing 5.19 Acres, more or less. All bearings for this description are Grid Bearings referenced to U.S. State Plane (NAD 83), Mississippi West Zone by GPS.

and

WHEREAS, said request will be reviewed by the Planning Commission of the City of Batesville at their meeting on July 24, 2023, and

NOW, THEREFORE, BE IT ORDERED that on the 15th day of August 2023, at 3:00 o'clock P.M. in the City Hall of the City of Batesville, Mississippi, the Mayor and Board of Aldermen will hold a public hearing on said application and the Clerk of the City of Batesville, Mississippi, is hereby ordered and authorized to place a notice of said public hearing for publication in "The Panolian", a newspaper having a general circulation in the City of Batesville, Mississippi.

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IN RE: APPROVAL TO AMEND ORDER OF MINUTES – QUOTES RECEIVED – SEWER LINES

Upon motion of Alderman Harrison and second of Alderman Land and upon unanimous vote taken, it was ordered that the Minutes of March 21, 2023, recorded in Minute Book F-3 at Page 528 be and they are hereby amended as follows:

The City of Batesville received the following quotes electronically to camera and clean the sewer lines on Martin Luther King, Jr. Drive:

Paul Smithey Construction Company, Inc. \$4.30/foot (camera)
\$4.30/foot (clean)

M&M Underground Video Inspection Service, LLC \$4.00/foot (camera)
\$4.00/foot (clean)

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that the quote from M&M Underground Video Inspection Service, LLC in the amount of \$8.00/foot be and it is hereby accepted as the lowest and best quote to camera and clean the sewer lines on Martin Luther King, Jr. Drive. A copy of said quotes are on file in the Office of the City Clerk and a copy of the accepted quote follows:



8460 CR 701
Ripley, MS, 38663
662-587-1058
mmundergroundvideo@hotmail.com

**M&M Underground Video Inspection Service,
LLC** Estimate

For: City of Batesville
glance@panola.com
PO Box 689
Batesville MS 38606

Estimate No: 47
Date: 02/24/2023

PO NUMBER

PO

Description	Quantity	Rate	Amount
CCTV 8" to 12" sewer line per ft	1	\$4.00	\$4.00
Clean 8" to 12" sewer line per ft	1	\$4.00	\$4.00
			Subtotal
			\$8.00
			Total
			\$8.00
			Total
			\$8.00

Notes

Price is per foot

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IN RE: QUOTES RECEIVED – EQUIPMENT FINANCING

The City of Batesville received the following quotes for financing the following equipment:

STREET	PW	1	2023 John Deere 524P Four Wheel Loader	1DW524PAHPLX19666	233,423.36
STREET	PW	1	2023 Bandit 18XP Brush Chipper	FMUS1811PR526309	87,471.00
T. TAYLOR	Fire	1	2023 Ram 1500 SSV	1C6RR7XT7PS564448	35,669.00
D. TARVER	Fire	1	2023 Ram 1500 SSV	1C6RR7XT9PS564449	35,669.00
PD #39	Police	1	2023 Dodge Durango	1C4RDJFG6PC558384	37,917.00
PD #46	Police	1	2023 Dodge Durango	1C4RDJFG1PC567946	37,917.00
B. THOMPSON	Code	1	2022 Ford F150	1FTFW1P84NKE33570	38,087.00
					506,153.36

First Security Bank 5.97% (4 annual payments of \$145,993.75)

Cadence Equipment Finance 5.59% (4 annual payments of \$145,187.75)

Upon motion of Alderman Harrison and second of Alderman Land and upon unanimous vote taken, it was ordered that the quote from Cadence Equipment Finance in the amount of 5.59% 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

7/13/2023

Sent via: 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 Wheel Loader, Brush Chipper and Various Vehicles
4. Equipment Cost: \$506,153.36
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 @ \$145,187.75 arrears
7. Lease Rate: 5.59%
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 8.25%. 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

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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 8/13/2023. 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

Jonathan King

Jonathan King
Municipal Territory Manager

ACKNOWLEDGMENT AND ACCEPTANCE

By: _____
Title _____

Date: _____

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IN RE: FEMA APPLICANT AGENT DESIGNATION

Upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, it was ordered that City Clerk Susan Berryhill be and she is hereby designated as the applicant agent for the FEMA 4697 Disaster.

IN RE: SURPLUS PROPERTY – SUPERVISION & FINANCE

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

R E S O L U T I O N

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, having no value shall be disposed of as junk, described as follows, to-wit:

HP Laser Jet 600 printer (CNDCGDG1KW)
One couch
Six chairs

JULY 18, 2023

**IN RE: TRANSFER OF FUNDS - TOURISM TO MULTI PURPOSE
BUILDING**

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

RESOLUTION

WHEREAS, the City of Batesville, Mississippi, is authorized under Chapter 824, Local and Private Laws of 1992, as amended by Chapter 912, Local and Private Laws of 1997, as amended by House Bill Number 1587 of the 2016 Mississippi Legislative Session, to collect certain revenue and expend same for the purpose of establishing, promoting, and developing tourism, economic development and industry and related matters within the city and the surrounding areas; and

WHEREAS, the Batesville Civic Center is owned and operated by the City to help establish, promote, and develop tourism, economic development and industry and related matters within the City and surrounding areas.

NOW, THEREFORE, BE IT RESOLVED as follows:

1.

That the Mayor and Board of Aldermen does hereby find and determine that the Batesville Civic Center is owned and operated by the City in a manner that helps to establish, promote, and develop tourism, economic development, and industry and related matters within the city and the surrounding area.

2.

That the Mayor and Board of Aldermen does hereby find and determine that the Batesville Civic Center attracts visitors and tourists to the City and will help to promote and enhance the tourism, industry, and economic development of the city and the surrounding area.

3.

That the city shall set aside, appropriate, expend and transfer from the revenues received pursuant to said Chapter 824 and said amendments, a sum not to exceed \$750,000.00 to the fund for the Batesville Civic Center known as the Multi Purpose Building Fund for use in the operation and maintenance of the Batesville Civic Center.

RESOLVED this the 18th day of July, 2023.

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IN RE: TRANSFER OF FUNDS FROM WATER AND SEWER OPERATING FUND TO GENERAL FUND

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

RESOLUTION

WHEREAS, the revenues of the City's Water and Sewer Operating Fund have been set aside in accordance with Section 21-27-57 of the Mississippi Code of 1972, and after so doing there is surplus revenue remaining, and

WHEREAS, the revenue of the City's Water and Sewer Operating Fund derived from sources other than the issuance of bonds has been applied in accordance with Section 21-27-61 of the Mississippi Code of 1972, and

WHEREAS, there remains a surplus of revenue of the City's Water and Sewer Operating Fund that may be transferred to the City's General Fund as authorized by the aforesaid sections of the Mississippi Code which would be in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED that the sum of 1,000,000.00 of said surplus revenue be transferred from the City's Water and Sewer Operating fund to the City's General Fund and used for the best interests of the City as allowed by law.

RESOLVED this the 18th day of July, 2023.

JULY 18, 2023

IN RE: APPROVAL TO ADOPT THE UNIFORM ASSESSMENT SCHEDULE 2023-2024

There came on for further consideration by the Mayor and Board of Aldermen of the City of Batesville, the matter of the Uniform Assessment Schedule for the year 2023-2024.

And it appearing to the Board, and the Board finding that there has been no objection, or complaint filed, to the adoption of said Schedule, said matter having been in every respect, handled and conducted as provided in Section 27-51-21 of the Mississippi Code.

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

RESOLVED that the Uniform Assessment Schedule for the year 2023-2024 as prepared by the Department of Revenue be and the same is hereby adopted as the Uniform Assessment Schedule for the City of Batesville for the year 2023-2024 and that a copy of this order be forwarded to the Tax Collector of Panola County, Mississippi, for his use in collecting taxes for the City of Batesville for the year 2023-2024, in accordance with previous orders of the Mayor and Board of Aldermen.

This the 18th day of July, 2023.

MINUTE BOOK NO. G-3 – CITY OF BATESVILLE, MISSISSIPPI

JULY 18, 2023

IN RE: ORDINANCE – FIRE CODE AND ENFORCEMENT

Fire Chief Tim Taylor and Fire Code Inspector James Snyder discussed with the Mayor and Board of Aldermen the ordinance supplementing provisions of the fire code and enforcement.

Upon unanimous consent, it was ordered that the above matter be and it is hereby taken under advisement.

MINUTE BOOK NO. G-3 – CITY OF BATESVILLE, MISSISSIPPI

JULY 18, 2023

IN RE: BIDS RECEIVED THROUGH REVERSE AUCTION – GAS RADIO ENDPOINTS

This day the Mayor and Board of Aldermen received bids through reverse auction for the purchase of gas radio endpoints, pursuant to advertisement made in the manner and for the time provided by law as evidenced by a copy of the Proof of Publication attached hereto directed by order of the Mayor and Board of Aldermen adopted on the 16th day of May 2023, of record in Minute Book G-3 at page(s) 38 of said Board. Public Works Director David Karr having read said bids, found that the following bids were received:

United Systems	\$90.90/each
----------------	--------------

Having heard all bids received, upon motion of Alderman Harrison and second of Alderman Walton and upon unanimous vote taken, it was ordered that the reverse auction bid from United Systems in the amount of \$90.90/each, for the purchase of gas radio endpoints, be and it is hereby accepted as the lowest and best bid.

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:

06/21/23, 06/28/23

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

PUBLIC NOTICE**NOTICE TO BIDDERS**

The City of Batesville, Mississippi ("City") is requesting bids for the "PURCHASE OF GAS RADIO ENDPOINTS."

UN-PRICED BID PROPOSALS will be accepted until the 4:00 P.M., Wednesday, July 5, 2023.

Bidding will be held by electronic reverse auction at 10:00 A.M., on Wednesday, July 12, 2023. Electronic reverse auction bids can be submitted at www.centralbidding.com. Please contact Central Bidding at 225-810-4814 if you have any questions relating to the electronic bidding process.

The Mayor and Board of Aldermen reserve the right to reject any or all bids and waive any informality.

/s/ Hal Ferrell, Mayor

/s/ Susan Berryhill, City Clerk

The Panolian:

Jun. 21 and 28, 2023

BIDS/ENDPOINTS

Rebecca Alexander

Rebecca Alexander, Publisher

Subscribed and sworn to before me this
28th Day of June, 2023

Shandale Goodman



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

Account # 180200
Ad # 1664666

CITY OF BATESVILLE
PO BOX 689
BATESVILLE MS 38606

MINUTE BOOK NO. G-3 – CITY OF BATESVILLE, MISSISSIPPI

JULY 18, 2023

IN RE: APPROVAL OF PERMIT APPLICATION – C-SPIRE

Upon recommendation of Public Works Director David Karr and on motion made by Alderman Morrow, second by Alderman Harrison and unanimously carried upon a vote being taken there, it was ordered that the permit application from C-Spire for the construction or adjustment of a utility within City road right-of-way, at the District Attorney's office on Highway 6, be and it is hereby approved, subject to the City's right to exercise complete control of said right-of-way and streets including, but not limited to, the City's right to repair, maintain, widen, extend and abandon or close such streets and right-of-way and on the condition that C-Spire shall be responsible for and shall pay the costs and expenses of any relocation of this utility made necessary by the City's exercise of any such rights.

MINUTE BOOK NO. G-3 – CITY OF BATESVILLE, MISSISSIPPI

JULY 18, 2023

IN RE: QUOTES RECEIVED – FORD F-350 TRUCK

The City of Batesville received the following quotes for a Ford F-350 truck for use in the Water and Sewer Department:

Landers South	\$57,576.90
Cannon Motors of Mississippi	\$62,450.00

Upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, it was ordered that the quote from Landers South in the amount of \$57,576.90 be and it is hereby accepted as the lowest and best quote for a Ford F-350 truck for use in the Water and Sewer Department. A copy of said quotes are on file in the Office of the City Clerk and a copy of the accepted quote follows:

LANDERS		Ford	171835	252827
SOUTH			DATE 07/13/2023	
95 GOODMAN RD EAST SOUTHAVEN MS 38671-9517			SALESMAN DANNY LEHMAN	
			STOCK # 23ST0098F	
			COLOR OXFORD WHITE	
VEHICLE BUYERS ORDER				
PURCHASER CITY OF BATESVILLE				
ADDRESS PO BOX 689		City BATESVILLE	State MS	Zip 38606-0689
Enter My Order For 1 Yr. 2023		Make FORD	Type PU	PHONE NO.
V.I.N. No. 1FTRF3DT0PEC27312		Mod. # F3D	Mile. 16	RES. 662/647-1275 BUS.
UNLESS OTHERWISE SPECIFICALLY STATED, ALL PRICES HEREON SHOWN ARE THE DEALER'S PRICES FOR CASH AND DO NOT CONSTITUTE THE TIME PRICE.				
<small>PROCESSING/SERVICE FEE: The fees include complete cosmetic detailing materials, administrative services, notary services, courier services, fuel. This charge represents cost or profit to the seller/dealer for items such as inspection, cleaning and adjusting new and used vehicles and preparing documents related to the sale. This fee does not represent any payment for mechanical service, which have been reimbursed to the dealer from the manufacturer.</small>				
<small>DISCLAIMER OF WARRANTIES: The seller, Landers, hereby expressly disclaims all warranties, either express or implied, including any implied warranty of MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, and Landers neither assumes nor authorizes any other person to assume for it any liability in connection with the sale.</small>				
<small>The only warranties applicable to the vehicle are warranties made by the manufacturer. Your rights under any manufacturer's new vehicle warranty shall not be implied hereunder.</small>				
<small>Any warranties issued in connection with dealer-installed equipment are warranties of the manufacturer of such equipment and not Landers.</small>				
<small>The undersigned further warrants and agrees that Landers shall not be liable for any consequential damages, including but not limited to, damages for inconvenience, annoyance and mental anguish.</small>				
<small>The purchaser of the vehicle described herein understands and agrees that it may have suffered damage or vandalism during production, transit, or while in the control and possession of the Seller. The Purchaser agrees to purchase the vehicle subject to any such damage or vandalism, and agrees that the Seller makes no representations or warranties of any kind, including warranties of merchantability or fitness for a particular purpose, with regard to any such damage or vandalism or any repair thereof.</small>				
<small>I warrant that the balance owed on my trade-in is correct as stated below, that there are no liens other than those listed below, and that if the actual amount is greater I will reimburse Landers, and if the amount is less Landers will remit the difference to the lessor.</small>				
<small>I warrant that said vehicle(s) HAS NOT been wrecked, damaged, reconstructed, rebuilt, and does not have a salvage or reconstructed title.</small>				
<small>I warrant that the emission control equipment is intact and operational. I have not removed or altered said equipment while in my possession, nor do I have knowledge of anyone else doing so. TRADE-IN: In consideration of the amount of the trade-in allowance stated below, all of purchaser's right, title and interest in is hereby assigned, sold, and conveyed to Landers. Purchaser is to execute all documents necessary to transfer certificate of title.</small>				
<small>*A DOCUMENT/SERVICE FEE IS NOT AN OFFICIAL FEE AND IS NOT REQUIRED BY LAW. HOWEVER, IT MAY BE CHARGED TO A BUYER/LESSEE FOR THE HANDLING OF DOCUMENTS AND THE PERFORMING OF SERVICES RELATED TO THE SALE OR LEASE AND MAY INCLUDE DEALER PROFIT. THIS NOTICE IS REQUIRED BY REGULATION OF THE MISSISSIPPI MOTOR VEHICLE COMMISSION."</small>				
USED CAR ALLOWANCE				
UPON VERIFICATION, BUYER AGREES TO PAY AMOUNT EXCEEDING THIS FIGURE:		N/A	Balance Owed	
For Off Owed To:				
Address:				
Yr.	Make	Model	Color	
Lic. No.	Serial No.	Mileage		
PAYMENT SCHEDULE/LIEN HOLDER				
PAYMENT MADE PAYABLE TO: CASH				
N/A	equal monthly installments of \$ 57576.90			
each, first payment due 08/27/2023				
and due the same time of each succeeding month.				
<small>I will agree to pay the balance of purchase price on terms set forth above and will accept delivery within forty-eight (48) hours after being notified that car or truck is ready.</small>				
<small>Failure on any part to complete this purchase under the terms of this contract forfeits my deposit as liquidated damages for your expense and efforts incident to this transaction and in which event permits you to dispose of my cash, car or truck without any liability on your part whatsoever. It is further agreed and understood that this instrument is not assignable nor transferable by the purchaser. In the event that any instrument of payment hereunder must be placed in court hand for collection, I (we) agree to pay interest at the maximum legal rate and attorney or other collection fee and court cost in court.</small>				
<small>I agree that you will not be held liable for any delay or failure to make delivery through any cause whatsoever.</small>				
<small>It is expressly agreed that legal title to said car or truck shall not pass to me until the full purchase price thereof, including freight and delivery charges, as stipulated above shall have been paid by me. It is also agreed that said vehicle will not be used for hire until fully paid for.</small>				
<small>Any new vehicle price quoted is for immediate delivery, but if the price should be increased by the manufacturer before any new car or truck has been assigned to me then this order shall be construed as if the increased price was originally inserted herein.</small>				
THIS VEHICLE RETAIL BUYERS ORDER				
<small>is an offer by me to purchase the vehicle described herein on the terms and conditions specified on this document. This agreement is not enforceable except upon the acceptance of my offer by the Sales Manager or his authorized representatives of Landers as indicated below. The buyer agrees that THERE ARE NOT REPRESENTATIVES, WARRANTIES OR CONDITIONS EXCEPT THOSE WHICH ARE WRITTEN WITHIN THE FOUR CORNERS OF THIS VEHICLE BUYERS ORDER. The representations of the manufacturer and vendor statements and verbal statements and representations are merged into this instrument and any representations not contained herein are void and unenforceable. I WARRANT THAT I AM EIGHTEEN YEARS OF AGE OR OLDER. I ACKNOWLEDGE THAT I HAVE READ THE ADDITIONAL TERMS AND CONDITIONS ON THE BACK OF THIS ORDER AND THAT THEY ARE PART OF THIS CONTRACT.</small>				
<small>5/19/2023 BATESVILLE, MS</small>				
X Buyers Signature _____				
X Buyers Signature _____				
Accepted By: 				
7178211LFS-FI				

MINUTE BOOK NO. G-3 – CITY OF BATESVILLE, MISSISSIPPI

JULY 18, 2023

IN RE: MARTIN LUTHER KING, JR. SIDEWALKS

Upon recommendation of Public Works Director David Karr and upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, it was ordered that Mayor Ferrell be and he is hereby authorized to sign the updated letter to the Mississippi Department of Transportation (MDOT) in connection with the Martin Luther King, Jr. sidewalk project. A copy of said letter follows:

May 31, 2023

Stephen Rone
Consultant Services Director
Mississippi Department of Transportation
P.O. Box 1850
Jackson, Mississippi 39215

REFERENCE: CONSULTANT SELECTION
STP-0012-00(028)LPA / 109396-701000

Dear Mr. Rone,

With this letter the City of Batesville (LPA) is requesting to use the Small Purchase Procedures as outlined in the Local Public Agency Consultant Operating Procedures for Professional Services, Section 2.2.1 Small Purchase Procedures.

The LPA has considered (3) three qualified firms Mendrop Engineering Resources, Neel-Schaffer, and Elliott & Britt Engineering. By our internal selection process, we have selected Mendrop Engineering Recourses as our Professional Services Consultant for preliminary engineering to assist us with this Project. The total costs for these services that will be utilizing federal funds for the Consultant selected are estimated to be less than the Federal Simplified Acquisition Threshold.

Thank you for your time and consideration. Please call me at 662-563-4576 if you have any questions, concerns or comments.

Sincerely,
The City of Batesville, Mississippi

Hal Ferrell, Mayor

cc: State LPA Engineer	Lee Frederick,
PE	
LPA District Coordinator	{--}
LPA officials	{--}

JULY 18, 2023

IN RE: STREET LIGHT – MILLCROSS ROAD

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that a street light be placed on an existing pole #202268 located on Millcross Road.

IN RE: APPROVAL TO RESCIND RESOLUTION – LEGENDS OF THE GRIDIRON EVENT

Upon motion of Alderman Harrison and second of Alderman Land and upon unanimous vote taken, it was ordered that the Resolution adopted July 5, 2023, recorded in Minute Book G-3 at Page 155, relative to the Legends of the Gridiron Event, be and it is hereby rescinded.

MINUTE BOOK NO. G-3 – CITY OF BATESVILLE, MISSISSIPPI

JULY 18, 2023

**IN RE: APPROVAL TO AMEND ORDER OF MINUTES -
RESOLUTION – LEGENDS OF THE GRIDIRON EVENT**

Upon motion of Alderman Harrison and second of Alderman Land and upon unanimous vote taken, the Resolution adopted June 6, 2023, recorded in Minute Book G-3 at Page 94 be and it is hereby amended to read as follows:

RESOLUTION

Whereas, the City of Batesville is holding an event at the Batesville Civic Center named the “Legends of the Gridiron” which will honor the South Panola Football legacy; and

Whereas, the event will advertise and bring into favorable notice the opportunities, possibilities, and resources of the City of Batesville and will be helpful toward advancing the moral, financial, and other interest of the City of Batesville; and

Whereas, the City of Batesville is authorized under and by virtue of Sections 17-3-1 and -3 of the Mississippi Code of 1972 to set aside, appropriate, and expend monies, not to exceed one (1) mill of its respective valuation assessment, for the purpose of advertising and bringing into favorable notice the opportunities, possibilities and resources of the City of Batesville, Mississippi; and

Whereas, the Mayor and Board of Aldermen do hereby find and determine that the expenditure of up to \$11,932.91 for the event would not exceed the one (1) mill of the respective valuation and assessment of the City of Batesville and that said expenditure for the event would be for the purpose of advertising and bringing into favorable notice the opportunities, possibilities and resources of the City of Batesville, Mississippi, and that such would be helpful toward advancing the moral financial and other interests of the City of Batesville, Mississippi; and

Whereas, the Mayor and Board of Aldermen do hereby find and determine that such an expenditure comes within the authority granted by the aforesaid sections of the Mississippi Code of 1972.

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

1.

That the City of Batesville, Mississippi, shall expend up to \$7,585.11 plus any donations received by the City of Batesville to hold the Legends of the Gridiron event, honoring the South Panola Football legacy and also for the purpose of advertising and bringing into favorable notice the opportunities, possibilities and resources of the City of Batesville, Mississippi, and that the use of said municipal funds for said purpose will be helpful towards advancing the moral, financial and other interests of the City of Batesville, Mississippi.

RESOLVED this the 18th day of July, 2023.

MINUTE BOOK NO. G-3 – CITY OF BATESVILLE, MISSISSIPPI

JULY 18, 2023

**IN RE: PUBLIC HEARING - 3:00 P.M.
PUBLIC HEARING – PETRA LELAND - REZONING**

The Mayor opened the Public Hearing and Chief Building Official Andy Berryhill explained the purpose of the hearing being a request from Petra Leland that the following described property presently zoned R-7, Residential be rezoned M-1, Manufactured Home District. Said property lying and being situated in the City of Batesville, Second Judicial District of Panola County, Mississippi and more particularly described as follows, to-wit:

That fractional part of the Southwest Quarter of the Southwest Quarter of Section 5, Township 9 South, Range 7 West, more particularly described as: Beginning at a point on the West right-of-way of Stage Coach Road that is 203.1 feet North of and 182.9 feet East of the Southwest corner of said Section 5, running North 88 degrees 41 minutes West along a property line fence for a distance of 162.7 feet; thence North 0 degrees 40 minutes West for a distance of 95.9 feet; thence South 88 degrees East for a distance of 165 feet to the West right-of-way of Stage Coach Road; thence South 0 degrees 40 minutes West along said West right-of-way for a distance of 93.9 feet to the point of beginning, containing 0.36 acre, more or less and being the identical property conveyed to Stella Alexis, et al by Elizabeth Hamilton by Deed dated 1 May 1991 and of record in Deed Book N-7 at page 578 in the Batesville office of the Chancery Clerk of Panola County, Mississippi.

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:

Annie Johnson was present and spoke in support of this request and no one was present in opposition of this request.

Chief Building Official Andy Berryhill reported that the Planning Commission recommended said rezoning request at their meeting held on June 26, 2023, due to there being a public need for such rezoning and the character of the neighborhood in which the property is located has changed to such an extent as to justify said reclassification and rezoning.

The Mayor declared the hearing closed.

MINUTE BOOK NO. G-3 – CITY OF BATESVILLE, MISSISSIPPI

JULY 18, 2023

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:

06/28/23

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, Publisher

Subscribed and sworn to before me this
28th Day of June, 2023



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



Account # 180200
Ad # 1668286

CITY OF BATESVILLE
PO BOX 689
BATESVILLE MS 38606

PUBLIC NOTICE
NOTICE OF PUBLIC
HEARING

interested may appear in person and or by counsel at said public hearing.

CITY OF BATESVILLE

Susan S. Berryhill, City Clerk

The Panolian:

Jun. 28, 2023

PUBLIC HEARING

Pursuant to the orders of the Mayor and Board of Aldermen of the City of Batesville, Mississippi, notice is hereby given to all persons interested in or in any way affected thereby, that said Board of Aldermen has, upon application of Petra Leland, initiated the rezoning of the following described property from R-7, Residential to M-1, Manufactured Home District. Said property lying and being situated in the City of Batesville, Second Judicial District of Panola County, Mississippi and more particularly described as follows, to-wit:

That fractional part of the Southwest Quarter of the Southwest Quarter of Section 5, Township 9 South, Range 7 West, more particularly described as:

Beginning at a point on the West right-of-way of Stage Coach Road that is 203.1 feet North of and 182.9 feet East of the Southwest corner of said Section 5, running North 88 degrees 41 minutes West along a property line fence for a distance of 162.7 feet; thence North 0 degrees 40 minutes West for a distance of 95.9 feet; thence South 88 degrees East for a distance of 165 feet to the West right-of-way of Stage Coach Road; thence South 0 degrees 40 minutes West along said West right-of-way for a distance of 93.9 feet to the point of beginning, containing 0.36 acre, more or less and being the identical property conveyed to Stella Alexis, et al by Elizabeth Hamilton by Deed dated 1 May 1991 and of record in Deed Book N-7 at page 578 in the Batesville office of the Chancery Clerk of Panola County, Mississippi.

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 July 18, 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 prior to or at time of said public hearing. Any party

JULY 18, 2023

IN RE: ORDINANCE ADOPTED - REZONING, PETRA LELAND

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

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

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

WHEREAS, the aforesaid changes consisted of rezoning the hereafter described property presently zoned R-7, residential, and

WHEREAS, July 18, 2023, was set as the date for the public hearing and notice of said hearing was given fifteen (15) days prior to the date set for said public hearing by publication in "The Panolian" a newspaper having general circulation in Batesville, Mississippi, on the proposed changes and amendments.

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

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

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

That the following described property presently zoned R-7, residential be rezoned M-1, Manufactured Home District and more particularly described as follows to wit:

That fractional part of the Southwest Quarter of the Southwest Quarter of Section 5, Township 9 South, Range 7 West, more particularly described as: Beginning at a point on the West right-of-way of Stage Coach Road that is 203.1 feet North of and 182.9 feet East of the Southwest corner of said Section 5, running North 88 degrees 41 minutes West along a property line fence for a distance of 162.7 feet; thence North 0 degrees 40 minutes West for a distance of 95.9 feet; thence South 88 degrees East for a distance of 165 feet to the West right-of-way of Stage Coach Road; thence South 0 degrees 40 minutes West along said West right-of-way for a distance of 93.9 feet to the point of beginning, containing 0.36 acre, more or less and being the identical property conveyed to Stella Alexis, et al by Elizabeth

MINUTE BOOK NO. G-3 – CITY OF BATESVILLE, MISSISSIPPI

JULY 18, 2023

Hamilton by Deed dated 1 May 1991 and of record in Deed Book N-7 at page 578 in the Batesville office of the Chancery Clerk of Panola County, Mississippi.

and

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

ORDAINED, APPROVED AND ADOPTED by the Mayor and Board of Aldermen of the City of Batesville, Mississippi, on this the 18th day of July, 2023.

Hal Ferrell, Mayor

ATTEST:

Susan S, Berryhill, City Clerk

MINUTE BOOK NO. G-3 – CITY OF BATESVILLE, MISSISSIPPI

JULY 18, 2023

**IN RE: CLEANUP HEARING - 3:00 P.M.
 CLEANUP HEARING - 201 FISHER STREET**

Chief Building Official Andy Berryhill explained the purpose of the hearing to determine whether or not the hereinafter described parcel of real property, owned by Teta & Shelia Wooten at 201 Fisher Street, located in the City of Batesville is in such a state of uncleanliness as to be a menace to the public health, safety and welfare of the community, to-wit:

*Parcel Number as shown in the Office of the Panola County
Tax Assessor and Collector: 3183Q0000100 230001300,
SW Corner Lot 3 (75x85). Block 23 Original Town of Batesville,
Section 8, Township 9, Range 7 recorded in Deed Book 2006 at
Page 3558 in the Batesville Office of the Chancery Clerk of
Panola County, Mississippi.*

No one was present in support or opposition of said clean up hearing.

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

The hearing was concluded.

MINUTE BOOK NO. G-3 – CITY OF BATESVILLE, MISSISSIPPI

JULY 18, 2023

IN RE: ADJUDICATION OF PROPERTY OWNED BY TETA & SHELIA WOOTEN LOCATED ON 201 FISHER STREET TO BE A MENACE TO THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE COMMUNITY AND TO BE IN NEED OF CLEANING

The Mayor and Board of Aldermen having received evidence to the condition of the hereinafter described real property at a public hearing held pursuant to Section 21-19-11 of the Mississippi Code of 1972, annotated, as amended, and having duly considered said evidence, and upon motion of Alderman Harrison and second of Land and upon unanimous vote taken, the following Resolution was adopted:

RESOLUTION

WHEREAS, the Mayor and Board of Aldermen became aware that there were concern about the condition of the following described real property owned by Teta Wooten lying and being situated in the City of Batesville, Second Judicial District of Panola County, Mississippi, to-wit:

Parcel Number as shown in the Office of the Panola County Tax Assessor and Collector: 3183Q0000100 230001300, SW Corner Lot 3 (75x85). Block 23 Original Town of Batesville, Section 8, Township 9, Range 7 recorded in Deed Book 2006 at Page 3558 in the Batesville Office of the Chancery Clerk of Panola County, Mississippi.

WHEREAS, at a meeting of the Mayor and Board of Aldermen, held on the 6th day of June 2023, a hearing was set for the 18th day of July, 2023, at 3:00 p.m., at City Hall to determine whether or not said property is in such a state of uncleanliness as to be a menace to the public health, safety and welfare of the community; and

WHEREAS, notice of this hearing was given to the owner of the property in the manner and for the time required by law and the evidence thereof is on file in the Office of the Code Enforcement Officer of the City of Batesville, Mississippi; and

WHEREAS, the Mayor and Board of Aldermen heard proof as to the condition of the said property and its affects upon the health, safety and welfare of the community.

NOW, THEREFORE, be it resolved as follows:

That after hearing evidence as to the condition of said property, the Board of Aldermen is of the opinion, and does hereby find and adjudicate that the property in its present condition is a menace to the public health, safety and welfare of the community and the City shall proceed to secure and clean the property by use of municipal employees or contract labor and possible demo later as is authorized by Section 21-19-11 of the Mississippi Code of 1972 as amended.

RESOLVED this the 18th day of July, 2023.

MINUTE BOOK NO. G-3 – CITY OF BATESVILLE, MISSISSIPPI

JULY 18, 2023



City of Batesville Code Office

Building, Planning, Zoning, & Permitting

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

June 23, 2023

Mrs. Sheila Wooten
 201 Fisher Street
 Batesville, MS 38606

Mr. Teta Wooten
 201 Fisher Street
 Batesville, MS 38606

Mrs. Sheila Wooten
 32546B Blackjack Road
 Batesville, MS 38606

Mr. Teta Wooten
 32546B Blackjack Road
 Batesville, MS 38606

Ryan Heath Clay, Registered Agent for Clay
 Hill Farms, LLC
 8425 Hwy. 493
 Dekalb, MS 39328

William J. Crisler, Jr., Registered Agent for
 College Investment Co.
 806 Oakwood Dr.
 P. O. Box 1177
 Clinton, MS 39060

Re: Parcel Number as shown in the Office of the Panola County Tax
 Assessor and Collector: 3183Q0000100 230001300, Tract 10,
 Lot 3 (75 x 85), Block 23 Original Town of Batesville, Section 8,
 Township 9, Range 7, Deed recorded in Deed Book 2006
 at Page 3558 in the Batesville Office of the Chancery Clerk of Panola
 County, Mississippi

Dear Interested Parties:

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

The Mayor and Board of Aldermen of the City of Batesville, Mississippi [“Mayor and Board”], will conduct a hearing at City Hall located at 103 College Street, Batesville, Mississippi, on the 18th day of July, 2023, at 3:00 o’clock p.m. to determine whether your property identified above is in such a state of uncleanliness as to be a menace to the public health, safety and welfare of the community.

If, at the hearing, the Mayor and Board adjudicate that said property in its then condition is a menace to the public health, safety, and welfare of the community, and is, therefore, in need

Bradie Bailey
 Secretary/Receptionist

Andy Berryhill
 Chief Building Official

Briar Hodges
 Building Inspector

Barry Thompson
 Code Enforcement Officer

MINUTE BOOK NO. G-3 – CITY OF BATESVILLE, MISSISSIPPI**JULY 18, 2023**

of cleaning, then: (a) if you do not do so yourself, the City of Batesville shall proceed to clean the property, by use of City of Batesville employees or by contract, by cutting grass and weeds; filling cisterns; removing rubbish, abandoned or dilapidated fences, outside toilets, abandoned or dilapidated buildings, (including demolition of the dilapidated house and other improvements on the land), slabs, personal property, and other debris; and draining cesspools and standing water therefrom; (b) such adjudication will authorize the City of Batesville to re-enter the property for purposes of cleaning for a period of two (2) years after the final adjudication without any further hearing if notice is posted on the property and at City Hall or another place in the City of Batesville where such notices are generally posted at least seven (7) days before the property is re-entered for cleaning.

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

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

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

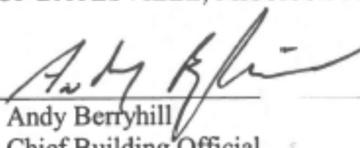
These proceedings are instituted by the Mayor and Board pursuant to Section 21-19-11 of the Mississippi Code of 1972, as amended. All decisions rendered by the Mayor and Board of Aldermen pursuant to this Section may be appealed in the same manner as other appeals from municipal boards or courts are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

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

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

Very truly yours,

CITY OF BATESVILLE, MISSISSIPPI

By: 

Andy Berryhill
Chief Building Official

cc: Fieldstone Mortgage Company
MERS (Mortgage Electronic Registration Systems, Inc.)
U. S. Bank National Association

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JULY 18, 2023

201 Fisher St.

AFFIDAVIT OF MAILING AND POSTING

STATE OF MISSISSIPPI

COUNTY OF PANOLA

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

1.

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

2.

At least two (2) weeks before the date of the hearing set forth in the Notice, I mailed, by United States Mail postage prepaid, the Notice to the address of the subject property identified in the Notice unless it is vacant, and to the address where the ad valorem tax notice for such property is sent by the office charged with collecting ad valorem tax and to others as shown on the copy of the letter attached hereto.

3.

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

SWORN TO AND SUBSCRIBED before me, on this the 23rd day of

June, 2023.

(SEAL)

My Commission Expires _____
NOTARY PUBLIC

MINUTE BOOK NO. G-3 – CITY OF BATESVILLE, MISSISSIPPI

JULY 18, 2023

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 Land, 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 Civic Center, the potential acquisition of real property and the sale of surplus real property.

JULY 18, 2023

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 Civic Center, the potential acquisition of real property and the sale of surplus 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 matter in the Civic Center. (Civic Center/Event Director Rodney Holley was present during this discussion.)

There next came on for discussion the potential acquisition of real property.

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

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

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JULY 18, 2023

IN RE: APPROVAL TO OFFER EMPLOYMENT – CIVIC CENTER

On motion of Alderman Harrison, second of Alderman Morrow and unanimously carried by a vote taken, it was ordered that Jeffrey Rich be offered full-time employment in the Batesville Civic Center as Facility Manager at a rate of \$52,000.00 per year, contingent upon him 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, and that said offer of employment expires on July 31, 2023, at midnight if not accepted.

IN RE: APPROVAL FOR OUTSIDE EMPLOYMENT – CIVIC CENTER

Upon motion of Alderman Morrow and second of Alderman Dugger and upon unanimous vote taken, it was ordered that a request, as outlined in the City's Personnel Policy, from Civic Center employee Dawn Mitchell to engage in part-time, non-city employment with the Panola County Sheriff's Office, be and it is hereby allowed.

IN RE: SALE OF SURPLUS REAL PROPERTY

Upon motion of Alderman Morrow and second of Alderman Dugger and upon unanimous vote taken, it was ordered that the contract, in connection with the sale of surplus real property, be and it is hereby extended until August 31, 2023.

JULY 18, 2023

IN RE: JP HUDSON PARK

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

JULY 18, 2023

IN OPEN MEETING

The Mayor announced that the Mayor and Board are now in open meeting.

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

OTHER MATTERS COMING BEFORE THE MAYOR AND BOARD FOR DISCUSSION

1. Lori Barnes, regional director of First Regional Library and Amanda Tutor, manager of the Batesville library, appeared before the Mayor and Board of Aldermen to discuss the FY 2024 budget for the Batesville library.
2. Brian Lee of 203 King Street appeared before the Mayor and Board of Aldermen to address his concerns regarding Code Office violations.
3. Darrell Dixon of North Delta Planning and Development District provided updates on projects
4. Chief of Police Kerry Pittman provided copies of the monthly report to the Mayor and Board of Aldermen.

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JULY 18, 2023

Upon motion duly made and seconded, the meeting was adjourned to reconvene at 2:00 o'clock p.m., Tuesday, August 1, 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

MINUTE BOOK NO. G-3 – CITY OF BATESVILLE, MISSISSIPPI

JULY 18, 2023

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

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

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

Date: On the 1st day of August, 2023

Hour: 2:00 p.m.

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

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