

SEPTEMBER 19, 2023

REGULAR MEETING

SEPTEMBER 19, 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 of September, being the 19th day of September 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; Greg Smith of Mendrop Engineering Resources; Code Enforcement Officer Barry Thompson; Public Works Director David Karr; Assistant Public Works Director Newt Benson; Fire Chief Tim Taylor; Deputy Chief David Tarver; Civic Center Director Rodney Holley; 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 John Howell, Jr., the following business was taken up.

IN RE: APPROVAL OF AGENDA

Upon motion of Alderman Harrison and second of Alderman Dugger and upon unanimous vote taken, the agenda of September 19, 2023, was approved.

SEPTEMBER 19, 2023

CITY OF BATESVILLE BOARD MEETING

SEPTEMBER 19, 2023

2:00 P.M.| CITY HALL

AGENDA

CALL TO ORDER: Mayor Hal Ferrell

INVOCATION: John Howell, Jr.

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.”

APPROVE AGENDA

- September 19, 2023

APPROVE MINUTES OF PRIOR MEETINGS

- Regular Meeting – September 5, 2023
- Adjourned Meeting – September 7, 2023
- Adjourned Meeting – September 12, 2023

CONSENT AGENDA

1. Approval for Andy Berryhill and Briar Hodges to attend BOAM Winter Conference in Natchez, Mississippi November 29-December 1, 2023, with expenses paid/reimbursed by the City.
2. Approval for Mark Ivy to attend the Damage Prevention workshop in Biloxi, Mississippi November 1-3, 2023, with expenses paid/reimbursed by the City.
3. Approval for Debbie Turner to attend the Certified Municipal Clerks Program in Oxford, Mississippi September 27-29, 2023, with expenses paid/reimbursed by the City.
4. Approval for Cindy Roper to attend the BBI Payroll system training in Flowood. The training will be on either November 8, 9 or 10, 2023, depending on interest, with expenses paid/reimbursed by the City.
5. Approval for Zach White to attend Public Safety UAS-1.0 training October 8-12, 2023, in Forrest County, Mississippi with expenses paid/reimbursed by the City. He will travel in a City vehicle.

PAY REQUEST AGENDA

1. Approval to issue payment in the amount of \$167,556.00 to Caldwell Insurance, Inc. for Worker’s Comp coverage from 10/1/2023-10/1/2024.
2. Approval to issue payment in the amount of \$4,262.90 to Garver, LLC for professional engineering services in connection with the Sanitary Sewer Rehab and Replacement Project.
3. Approval to issue payment in the amount of \$29,200.88 to Sunbelt Fire, Inc. for bunker gear – MS State Contract. Board approved May 3, 2023.

SEPTEMBER 19, 2023

4. Approval to issue refunds to the following for boys 11-12 league:
- Tashyanna Renfrow \$50.00
 - Candance Porter \$50.00
 - Daniel Deaton \$50.00
 - Emily Cochran \$50.00
 - Tiffany Thomas \$50.00
 - Mary Alice Earnest \$50.00
 - Joshua Goodnight \$50.00
 - Morgan Shegog \$50.00
 - Connie Hill \$50.00
 - Amber Biggers \$100.00
 - Heather Callihan \$50.00
 - Clarence Hollins \$50.00
 - Kim Moore \$50.00
5. Approval to issue refunds to the following for girls 11-12 league:
- Shaveler Williams \$50.00
 - Eleazar Rios \$50.00
 - Amy Corbin \$50.00
 - Ashley Smith \$50.00
 - Candace Porter \$50.00
 - Britney Ashmore \$50.00
 - Renay Smith \$50.00
 - Amber Griffin \$50.00
 - Brittany Dettor \$50.00
6. Approval to issue payment in the amount of \$7,343.59 to Tri-State Meter & Regulator Service, Inc. in connection with the gas meter for a hotel located in the City of Batesville. Board approved August 15, 2023.

HUMAN RESOURCES

1. Approval to offer full-time employment to a potential employee in the Gas Department as a welder at a rate of \$19.00 per hour 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, and that said offer of employment expires on October 2, 2023, at midnight if not accepted.
2. Approval to offer full-time employment to a potential employee as a dispatcher with the Batesville Police Department at a rate of \$15.91 per hour contingent upon her accepted said offer and undergoing a medical exam, drug and alcohol test and psychological evaluation and being free of drugs and cleared for employment pursuant thereto, and that said offer of employment expires on October 2, 2023, at midnight if not accepted.
3. Approval to promote an employee from Firefighter to Driver/Operator on Shift B with a pay increase from \$13.91 per hour to \$15.49 per hour, effective September 21, 2023.
4. Approval to offer full-time employment to a potential employee as a non-certified fireman at a rate of \$13.55 per hour 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 October 2, 2023, at midnight if not accepted.

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

SEPTEMBER 19, 2023

5. Approval to offer full-time employment to a potential employee as a non-certified fireman at a rate of \$13.55 per hour 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 October 2, 2023, at midnight if not accepted.

BIDS RECEIVED/RECONSIDERED

- Leaf Loader (reverse auction)
- RFQ's – Legal, Architectural & Engineering

PUBLIC HEARINGS – 3:00 P.M.

1. Variance – Steve McMinn
2. Variance – Jack's Family Restaurant

VISITORS

1. Chris Smith
2. Tamie & James Germany – Mississippi Raiders Football
3. Jerry Cooley

PERMANENT VISITORS

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

REPORT OF DEPARTMENT HEADS**CHIEF BUILDING OFFICIAL – ANDY BERRYHILL**

1. Set Public Hearing
 - Conditional Use Permit – Corey Dale of Bee Hive Assisted Living – use #7.200 in a C-2, Commercial Zone (October 17, 2023)
2. Set clean-up/Public Hearings as needed

CHIEF OF POLICE – KERRY PITTMAN

1. Monthly report

CITY ATTORNEY – COLMON MITCHELL

1. Approval of the release of the enclosed document
2. Ordinance – Curfew
3. Ordinance – Rewards for car theft

SEPTEMBER 19, 2023

CITY CLERK – SUSAN BERRYHILL

FIRE CHIEF – TIM TAYLOR

1. Authority for the Mayor, City Clerk and Fire Chief to sign documents – Cybersecurity Grant
2. Monthly report

CIVIC CENTER/EVENT DIRECTOR – RODNEY HOLLEY

PUBLIC WORKS DIRECTOR – DAVID KARR

1. Quotes received – effluent meter – Waste Water Treatment Plant
2. Quotes received – shop addition - Trussell Park

OTHER MATTERS BY MAYOR OR ALDERMAN:

ADJOURNMENT

IN RE: APPROVAL OF MINUTES

Upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, the minutes of the September 5, 2023, regular meeting and the minutes of the September 7, 2023, and September 12, 2023, adjourned meetings, were approved.

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

SEPTEMBER 19, 2023

IN RE: SIGNATURE SHEET FOR MEETING OF SEPTEMBER 19, 2023

Board Meeting
September 19, 2023
Signature Sheet

| | |
|---|---|
| <i>Jim Whalen</i> Please print name clearly | <i>1098 Lakewood Dr Batesville</i> Street Address, City, Zip |
| <i>Rebecca Hoke</i> Please print name clearly | <i>290 Pine Lane Batesville MS</i> Street Address, City, Zip |
| <i>David Turner</i> Please print name clearly | <i>132 VAN VORIS ST.</i> Street Address, City, Zip |
| <i>Jim Turner</i> Please print name clearly | <i>" " " "</i> Street Address, City, Zip |
| <i>John Howell</i> Please print name clearly | <i>102 WOOD DUCK</i> Street Address, City, Zip |
| <i>Mark Benson</i> Please print name clearly | <i>City of Batesville</i> Street Address, City, Zip |
| <i>KERRY Bittman</i> Please print name clearly | <i>106 College St Batesville, MS</i> Street Address, City, Zip |
| <i>Greg Smith</i> Please print name clearly | <i>2595 Country Club Rd, Senatobia, MS</i> Street Address, City, Zip |
| <i>Phuokar</i> Please print name clearly | <i>City</i> Street Address, City, Zip |
| <i>James/Tamie Germany</i> Please print name clearly | <i>148 Oaklawn Dr Batesville, MS 38606</i> Street Address, City, Zip |
| <i>Chris M Smith</i> Please print name clearly | <i>109 Womack Cv Batesville</i> Street Address, City, Zip |
| <i>Josh Hunk</i> Please print name clearly | <i>Bville</i> Street Address, City, Zip |
| <i>George Williford</i> Please print name clearly | <i>106 College St Batesville, MS</i> Street Address, City, Zip |
| <i>Mamie Avery</i> Please print name clearly | <i>190A Public Sq</i> Street Address, City, Zip |
| <i>Darrell Ray</i> Please print name clearly | <i>INDIAN</i> Street Address, City, Zip |
| <i>Walter Williams</i> Please print name clearly | <i>204 Broad St Batesville, MS 38606</i> Street Address, City, Zip |
| <i>Terry Cashey</i> Please print name clearly | <i>327 Fender Ave Batesville 38606</i> Street Address, City, Zip |
| <i>Colbie Tucker</i> Please print name clearly | Street Address, City, Zip |
| <i>Bruce Thomas</i> Please print name clearly | <i>146 Public Sq Batesville, MS 38606</i> Street Address, City, Zip |
| <i>Joe Azzo</i> Please print name clearly | <i>Parula Partnership</i> Street Address, City, Zip |
| <i>Lanya Durrence</i> Please print name clearly | <i>223 Frederick Ave Covington, MS 38620</i> Street Address, City, Zip |
| <i>Jim Avery</i> Please print name clearly | <i>124 W. Dixie Rd, Birmingham, AL 35209</i> Street Address, City, Zip |

SEPTEMBER 19, 2023

IN RE: APPROVAL OF CONSENT 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 consent agenda be and they are hereby approved:

- 1. Approval for Andy Berryhill and Briar Hodges to attend BOAM Winter Conference in Natchez, Mississippi November 29-December 1, 2023, with expenses paid/reimbursed by the City.
- 2. Approval for Mark Ivy to attend the Damage Prevention workshop in Biloxi, Mississippi November 1-3, 2023, with expenses paid/reimbursed by the City.
- 3. Approval for Debbie Turner to attend the Certified Municipal Clerks Program in Oxford, Mississippi September 27-29, 2023, with expenses paid/reimbursed by the City.
- 4. Approval for Cindy Roper to attend the BBI Payroll system training in Flowood. The training will be on either November 8, 9 or 10, 2023, depending on interest, with expenses paid/reimbursed by the City.
- 5. Approval for Zach White to attend Public Safety UAS-1.0 training October 8-12, 2023, in Forrest County, Mississippi with expenses paid/reimbursed by the City. He will travel in a City vehicle.

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 to issue payment in the amount of \$167,556.00 to Caldwell Insurance, Inc. for Worker’s Comp coverage from 10/1/2023-10/1/2024.
- 2. Approval to issue payment in the amount of \$4,262.90 to Garver, LLC for professional engineering services in connection with the Sanitary Sewer Rehab and Replacement Project.
- 3. Approval to issue payment in the amount of \$29,200.88 to Sunbelt Fire, Inc. for bunker gear – MS State Contract. Board approved May 3, 2023.
- 4. Approval to issue refunds to the following for boys 11-12 league:
 - Tashyanna Renfrow \$50.00
 - Candance Porter \$50.00
 - Daniel Deaton \$50.00
 - Emily Cochran \$50.00
 - Tiffany Thomas \$50.00
 - Mary Alice Earnest \$50.00
 - Joshua Goodnight \$50.00
 - Morgan Shegog \$50.00
 - Connie Hill \$50.00
 - Amber Biggers \$100.00
 - Heather Callihan \$50.00
 - Clarence Hollins \$50.00
 - Kim Moore \$50.00

SEPTEMBER 19, 2023

- 5. Approval to issue refunds to the following for girls 11-12 league:
 - Shaveler Williams \$50.00
 - Eleazar Rios \$50.00
 - Amy Corbin \$50.00
 - Ashley Smith \$50.00
 - Candace Porter \$50.00
 - Britney Ashmore \$50.00
 - Renay Smith \$50.00
 - Amber Griffin \$50.00
 - Brittany Dettor \$50.00

- 6. Approval to issue payment in the amount of \$7,343.59 to Tri-State Meter & Regulator Service, Inc. in connection with the gas meter for a hotel located in the City of Batesville. Board approved August 15, 2023.

IN RE: APPROVAL OF HUMAN RESOURCES AGENDA

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

- 1. Approval to offer full-time employment to Cheyenne VanTricht in the Gas Department as a welder at a rate of \$19.00 per hour 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, and that said offer of employment expires on October 2, 2023, at midnight if not accepted.

- 2. Approval to offer full-time employment to Maranda Whitworth as a dispatcher with the Batesville Police Department at a rate of \$15.91 per hour contingent upon her accepted said offer and undergoing a medical exam, drug and alcohol test and psychological evaluation and being free of drugs and cleared for employment pursuant thereto, and that said offer of employment expires on October 2, 2023, at midnight if not accepted.

- 3. Approval to promote Justin Sanders from Firefighter to Driver/Operator on Shift B with a pay increase from \$13.91 per hour to \$15.49 per hour, effective September 21, 20223.

- 4. Approval to offer full-time employment to Dewayne Deante Brassell as a non-certified fireman at a rate of \$13.55 per hour 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 October 2, 2023, at midnight if not accepted.

- 5. Approval to offer full-time employment to Noah Michael White as a non-certified fireman at a rate of \$13.55 per hour 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 October 2, 2023, at midnight if not accepted.

City Attorney Colmon Mitchell recused himself from the meeting.

This day the Mayor and Board of Aldermen received sealed competitive proposals for Legal Services for the FY 2023 MCWI Project(s), pursuant to advertisement duly made in “*The Panolian*”, a legal newspaper published and having a general circulation in the City of Batesville, for the time and in the manner provided by law. The following proposals were received:

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that the above proposals be and they are hereby taken under advisement.

City Attorney Colmon Mitchell returned to the meeting.

The Panolian:
Aug. 30 and Sep. 6, 2023
RFQ/LEGAL SERVICES

SEPTEMBER 19, 2023

IN RE: **PROPOSALS FOR ARCHITECTURAL SERVICES – FY 2023
MCWI PROJECT(S)**

This day the Mayor and Board of Aldermen received sealed competitive proposals for Architectural Services for the FY 2023 MCWI Project(s), pursuant to advertisement duly made in “*The Panolian*”, a legal newspaper published and having a general circulation in the City of Batesville, for the time and in the manner provided by law. The following proposals were received:

**Sozo Architecture, PLLC
Garver, LLC**

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that the above proposals be and they are hereby taken under advisement.

Publisher's Certificate of Publication

**STATE OF MISSISSIPPI
COUNTY OF PANOLA**

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

- 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:

08/30/23, 09/06/23
- 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.
- 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
6th Day of September, 2023

Shandale Goodman

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

Account # 180200
Ad # 1695974

CITY OF BATESVILLE
PO BOX 689
BATESVILLE MS 38606

PUBLIC NOTICES

**REQUEST
FOR QUALIFICATIONS FOR
LEGAL SERVICES**

The City of Batesville requests proposals from qualified firms or individuals to provide Attorney services for work related to the implementation of approved FY 2023 MCWI project(s). You are invited to submit a proposal, in accordance with this request, to the Office of the City Clerk, City of Batesville, 103 College Street, P O Box 689, Batesville, MS 38606, no later than 12 Noon on September 19, 2023. The Attorney will be responsible for reviewing project cost estimates and a preliminary Legal report for application preparation and if awarded, the selected Attorney will provide all legal services through project close-out in accordance with federal, state, and local laws, regulations, and policies. The scope of work includes but is not limited to the following: 1) legal review of plans and specifications, 2) legal review of bid documents, 3) assist in bid opening and legal review of bid tabulation, 4) legal review of the execution of construction contracts, 5) attend pre-construction conference, and 6) legal review of any construction inspection reports to the municipality and legal review of all payment requests. The City of Batesville is an Equal Opportunity Employer. The city encourages Minority-owned Business Enterprises (MBEs) and Woman-owned Business Enterprises (WBEs) to submit proposals. One (1) original and six (6) copies of the proposals must be submitted in a sealed envelope and marked with the following language: "Proposal for MCWI Program Legal Services." Proposals will be evaluated on the following factors: Qualifications (40 points), Experience (40 points) and Capacity for Performance (20 points). To be evaluated properly, the following must be addressed in detail: Qualifications – List of qualifications of persons to be assigned to project; Experience – Information regarding the firm's experience and the projects previously undertaken, including the type and amount of grants awarded, the projects activities, and the status of the projects; Capacity for Performance – Identify the number and title of staff assigned to provide services. Please include a copy of the firm's registration in the E-Verify system. The City of Batesville Board of Aldermen will meet to evaluate each proposal. The city may hold proposals for a period of not to exceed thirty (30) days

for the purpose of reviewing the content of the proposals and investigating the qualifications of the firms and assigned individuals. The city reserves the right to reject any and/or all proposals and waive any irregularities. Subject to MCWI award(s) and the removal of all environmental conditions, the City of Batesville will award a contract with the qualified individual or firm whose proposal has the highest number of cumulative points issued by the board and determined to be the most advantageous to the city, price and other factors considered. The contract will include the scope and extent of work and other essential requirements. An individual contract will be executed for each awarded project, and the contract will be on a fixed price basis. The City of Batesville has the authority to terminate the selection at any time.

The Panolian:
Aug. 30 and Sep. 6, 2023
RFQ/LEGAL SERVICES

SEPTEMBER 19, 2023

IN RE: **PROPOSALS FOR ENGINEERING SERVICES – FY 2023
MCWI PROJECT(S)**

This day the Mayor and Board of Aldermen received sealed competitive proposals for Engineering Services for the FY 2023 MCWI Project(s), pursuant to advertisement duly made in “*The Panolian*”, a legal newspaper published and having a general circulation in the City of Batesville, for the time and in the manner provided by law. The following proposals were received:

**Garver, LLC
Mendrop Engineering Resources**

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that the above proposals be and they are hereby taken under advisement.

Publisher's Certificate of Publication

**STATE OF MISSISSIPPI
COUNTY OF PANOLA**

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

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

08/30/23, 09/06/23
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
6th Day of September, 2023

Shandale Goodman

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

Account # 180200
Ad # 1695974

CITY OF BATESVILLE
PO BOX 689
BATESVILLE MS 38606

PUBLIC NOTICES

**REQUEST
FOR QUALIFICATIONS FOR
LEGAL SERVICES**

The City of Batesville requests proposals from qualified firms or individuals to provide Attorney services for work related to the implementation of approved FY 2023 MCWI project(s). You are invited to submit a proposal, in accordance with this request, to the Office of the City Clerk, City of Batesville, 103 College Street, P O Box 689, Batesville, MS 38606, no later than 12 Noon on September 19, 2023. The Attorney will be responsible for reviewing project cost estimates and a preliminary Legal report for application preparation and if awarded, the selected Attorney will provide all legal services through project close-out in accordance with federal, state, and local laws, regulations, and policies. The scope of work includes but is not limited to the following: 1) legal review of plans and specifications, 2) legal review of bid documents, 3) assist in bid opening and legal review of bid tabulation, 4) legal review of the execution of construction contracts, 5) attend pre-construction conference, and 6) legal review of any construction inspection reports to the municipality and legal review of all payment requests. The City of Batesville is an Equal Opportunity Employer. The city encourages Minority-owned Business Enterprises (MBEs) and Woman-owned Business Enterprises (WBEs) to submit proposals. One (1) original and six (6) copies of the proposals must be submitted in a sealed envelope and marked with the following language: "Proposal for MCWI Program Legal Services." Proposals will be evaluated on the following factors: Qualifications (40 points), Experience (40 points) and Capacity for Performance (20 points). To be evaluated properly, the following must be addressed in detail: Qualifications – List of qualifications of persons to be assigned to project; Experience – Information regarding the firm's experience and the projects previously undertaken, including the type and amount of grants awarded, the projects activities, and the status of the projects; Capacity for Performance – Identify the number and title of staff assigned to provide services. Please include a copy of the firm's registration in the E-Verify system. The City of Batesville Board of Aldermen will meet to evaluate each proposal. The city may hold proposals for a period of not to exceed thirty (30) days for the purpose of reviewing the content of the proposals and investigating the qualifications of the firms and assigned individuals. The city reserves the right to reject any and/or all proposals and waive any irregularities. Subject to MCWI award(s) and the removal of all environmental conditions, the City of Batesville will award a contract with the qualified individual or firm whose proposal has the highest number of cumulative points issued by the board and determined to be the most advantageous to the city, price and other factors considered. The contract will include the scope and extent of work and other essential requirements. An individual contract will be executed for each awarded project, and the contract will be on a fixed price basis. The City of Batesville has the authority to terminate the selection at any time.

The Panolian:
Aug. 30 and Sep. 6, 2023
RFQ/LEGAL SERVICES

SEPTEMBER 19, 2023

IN RE: **BIDS RECEIVED THROUGH REVERSE AUCTION – LEAF
LOADER**

This day the Mayor and Board of Aldermen received bids through reverse auction for a leaf loader, 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 1st day of August 2023, of record in Minute Book G-3 at page(s) 227 of said Board. Assistant Public Works Director Newt Benson having read said bids, found that the following bids were received:

Covington Sales and Service \$259,884.00

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 Covington Sales and Service in the amount of \$259,884.00, for a leaf loader, be and it is hereby accepted as the lowest and best bid.

Publisher's Certificate of Publication

**STATE OF MISSISSIPPI
COUNTY OF PANOLA**

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08/23/23, 08/30/23
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 A LEAF LOADER."
UN-PRICED BID PROPOSALS will be accepted until 4:00 P.M., Wednesday, September 6, 2023.
Bidding will be held by electronic reverse auction at 10:00 A.M., on Wednesday, September 13, 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:
Aug. 23 and 30, 2023
BIDS/LEAF LOADER

Rebecca Alexander

Rebecca Alexander, Publisher

Subscribed and sworn to before me this
30th Day of August, 2023

Shandale Goodman


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

SEPTEMBER 19, 2023

IN RE: GATEWAY TO THE DELTA 10 MILE RACE - ROTARY CLUB

The Mayor recognized Chris Smith of the Batesville Rotary Club who appeared before the Mayor and Board of Aldermen requesting approval for the 11th annual Gateway to the Delta 10 mile race scheduled for Saturday, November 11, 2023.

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

IN RE: MISSISSIPPI RAIDERS ARENA FOOTBALL

The Mayor recognized Tamie Germany, representative for Mississippi Raiders arena football, appeared before the Mayor and Board of Aldermen requesting a letter of intent to play at the Batesville Civic Center.

Upon unanimous consent, City Attorney Colmon Mitchell was instructed to prepare said letter of intent.

IN RE: POLICE ESCORT FOR FUNERALS

The Mayor recognized Jerry Cooley who appeared before the Mayor and Board of Aldermen inquiring about the City of Batesville’s policy regarding police escorts for funerals.

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

SEPTEMBER 19, 2023

IN RE: FALL CONCERT SERIES

Mamie Avery of Mainstreet informed the Mayor and Board of Aldermen that the dates for the Fall Concert Series have changed to September 21, September 28, and October 5, 2023.

IN RE: FIREWORKS ORDINANCE

The Mayor recognized Mamie Avery of Mainstreet who appeared before the Mayor and Board of Aldermen requesting that the enforcement of the fireworks ordinance be suspended in order to have a small fireworks show on one of the Fall Concert Series nights, September 28, 2023.

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that the enforcement of the fireworks ordinance be and it is hereby suspended for the fireworks show on one of the Fall Concert Series nights, September 28, 2023.

IN RE: APPROVAL TO RELEASE RE-PURCHASE AGREEMENT – BATESVILLE HMA DEVELOPMENT, LLC

Upon motion of Alderman Harrison and second of Alderman Walton and upon unanimous vote taken, it was ordered to terminate the re-purchase agreement with Batesville HMA Development, LLC as recorded in the Chancery Clerk's office and further ordered that the Mayor and City Clerk have the authority to sign the necessary documents.

SEPTEMBER 19, 2023

**IN RE: SET PUBLIC HEARING – CONDITIONAL USE PERMIT –
 COREY DALE – BEE HIVE ASSISTED LIVING**

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

**ORDER SETTING TIME, DATE, AND PLACE OF PUBLIC HEARING
ON CONDITIONAL USE PERMITS IN THE CITY OF BATESVILLE,
MISSISSIPPI AND AUTHORIZING THE CITY CLERK TO
PUBLISH NOTICE OF SAID HEARING**

WHEREAS, There has been submitted by Corey Dale of Beehive Assisted Living to the Board of Mayor and Aldermen of the City of Batesville, Mississippi, an application for a Conditional Use Permit to allow *Use #7.200 Intermediate Care Facility* in a C-2, Commercial, zone for construction of a new building. Said real property is owned by Joyce W. Whitaker Revocable Trust and is located on Keating road lying and situated in the City of Batesville, Second Judicial District of Panola County, Mississippi, and is 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 ½” 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 ½ “ 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 ½” 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 ½” 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 ½” 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 ½” 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 held on September 25, 2023, and

NOW, THEREFORE, BE IT ORDERED that on the 17th day of October 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.

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

SEPTEMBER 19, 2023

IN RE: ORDINANCE – REWARDS FOR CAR THEFT

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

AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF BATESVILLE, MISSISSIPPI, PROVIDING FOR MONETARY REWARDS FOR INFORMATION RELATIVE TO THE THEFT OF, WILLFUL OR MALICIOUS TRESPASS UPON, OR BREAKING AND ENTERING OF A CAR OR ANY OTHER VEHICLE

BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Batesville, Mississippi, that pursuant to section 99-3-39 of the Mississippi Code of 1972, as may be amended and supplemented from time to time, the Mayor and Board of Aldermen of the City of Batesville shall offer rewards in the amount of One Thousand Dollars (\$1,000.00) for information leading to the apprehension of any person subsequently convicted of the theft of a car or any other vehicle, the willful or malicious trespass upon a car or any other vehicle, or the breaking and entering of a car or any other vehicle committed within the City of Batesville.

ADOPTED, ORDAINED AND APPROVED this 19th day of September, 2023.

HAL FERRELL, Mayor

ATTEST:

SUSAN S. BERRYHILL, CITY CLERK

SEPTEMBER 19, 2023

IN RE: CYBERSECURITY GRANT – FIRE DEPARTMENT

Upon motion of Alderman Dugger and second of Alderman Harrison and upon unanimous vote taken, it was ordered that the Mayor, City Clerk and Fire Chief be and they are hereby authorized to sign the necessary documents in regards to the cybersecurity grant process.



**Mississippi Office of Homeland Security
State and Local Cybersecurity Grant Program
Interest Survey and Memorandum of
Understanding**



As part of the State and Local Cybersecurity Grant Program (SLCGP), the Mississippi Office of Homeland Security (MOHS) is conducting a survey to determine the interests and needs of the eligible populations toward cybersecurity. Attached is an Interest Survey to participate in the program, as well Memorandum of Understanding (MOU) that will allow for the State and the MOHS to retain grant funds for the FY22 SLCGP. Funds retained from the award will provide a statewide needs and readiness assessment to determine gaps, vulnerabilities, and capabilities of local jurisdictions, with an emphasis in rural jurisdictions.

According to the Federal Emergency Management, local jurisdictions are defined as county, municipality, city, town, township, local public authority, school district, special district, intrastate district, council of governments (regardless of whether the council of governments is incorporated as a nonprofit corporation under State law), regional or interstate government entity, or agency or instrumentality of a local government; an Indian tribe or authorized tribal organization, or in Alaska a Native village or Alaska Regional Native Corporation; and a rural community, unincorporated town or village, or other public entity.

Interest Survey: The survey is designed to collect information from local government entities who are eligible to participate in the State and Local Cybersecurity Grant Program (SLCGP). This participation survey may include receiving state provided services, programming, and funding with the future year(s) of the SLCGP funding opportunities.


The survey is an assessment, designed to ascertain a local entity's interest and potential need for cybersecurity services outlined through the grant period of performance ending August 31, 2026. Information regarding the grant's requirements can be found on the Mississippi Office of Homeland Security Cybersecurity webpage at: <https://www.homelandsecurity.ms.gov/grants/homeland-security-state-and-local-cybersecurity-grant-program-slcgp>

A local government entity's participation in this survey signals an interest and an intention to participate in the SLCGP. Participation in the survey and needs assessment will be used to understand and prioritize the use of awarded funds, but survey participation does not guarantee funding will be available to meet the needs for all submissions.


Memorandum of Understanding: The attached MOU is a document signed by the local jurisdiction to support the MOU in the retention of grant award funds for the purpose of providing the state, local, and rural jurisdictions with a readiness assessment for the evaluation of gaps, vulnerabilities, and capabilities. Data provided from the assessments will provide a path forward toward securing local jurisdictions into more secure cybersecurity postures.

Please return both the Interest Survey and the MOU to the following email address, to be part of this program. If you have any questions regarding the survey, please contact mohsgrants@dps.ms.gov

SEPTEMBER 19, 2023



Mississippi Statewide Cybersecurity Strategic Plan



State of Mississippi

Fiscal Year 2022 State and Local Cybersecurity Grant Program

Interest Survey Form

I, _____ (Printed Name), the duly appointed authorized agency on behalf of the _____ ("Local Governmental Entity"), located at _____ (address) hereby **expressly consent** to the State of Mississippi's State Administrative Agency (SAA), namely the Mississippi Office of Homeland Security (MOHS), undertaking the following acts in accordance with the State and Local Cybersecurity Grant Program (SLCGP) for Fiscal Year (FY) 2022, Funding Opportunity DHS-22-137-000-01, as authorized by Section 2220A of the Homeland Security Act of 2022, as amended (Pub. L. No. 107-296) (6 U.S.C. §665g):

1. Retain **\$654,731.00** in SLCGP for FY2022 at the State Level, as Management and Administration Costs, as well as SLCGP Operations Costs. Funds are in alignment and compliance with Federal allowances.

2. Utilize **\$2,618,920.00** in SLCGP funds for FY2022 as follows:

a. 96.18% for Asset Management Systems and Cybersecurity Readiness Assessments for local and rural entities. Assessment will provide an overall assessment of Mississippi cybersecurity structure, gaps, vulnerabilities, and capabilities.

b. **3.81%** for cybersecurity training for local and rural entities, to include training sessions, cybersecurity exercises and training software programs.

This consent is given to be in the best interest of the Local Government Entity and is provided without duress or fear of reprisal. This consent is only effective for FY2022 SLCGP federal funds.


Signed, on _____ (day), _____ (month) _____ (year), in _____ County, Mississippi.

_____ (Signature)


_____ (Printed Name)

_____ (Title)

SEPTEMBER 19, 2023



Mississippi Statewide Cybersecurity Strategic Plan



State of Mississippi

Fiscal Year 2022 State and Local Cybersecurity Grant Program

Interest Survey Form

_____ ("Local Governmental Entity"), located

at _____ (address)

☐ **IS** interested in participating in the State and Local Cybersecurity Grant Program

☐ **IS NOT** interested in participating in the State and Local Cybersecurity Grant Program

Grant Program (SLCGP) for Fiscal Year (FY) 2022, Funding Opportunity Number DHS-22-137-000-01, as authorized by Section 2220A of the Homeland Security Act of 2002, as amended (Pub. L. No. 107-296) (6 U.S.C. § 665g).

Organization Type: _____

Point of Contact: _____

Contact Number: _____

Contact E-mail: _____

Is your organization interested in services/solutions procured, managed, and deployed by the state providing support to local government: _____ YES _____ NO

Signed, on _____ (day), _____ (month) _____ (year), in _____ County, Mississippi.

(Signature)

(Printed Name)

(Title)

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

SEPTEMBER 19, 2023

IN RE: QUOTES RECEIVED–EFFLUENT METER–WASTEWATER TREATMENT PLANT

The City of Batesville received the following quotes electronically for an effluent meter for use in the Wastewater Treatment Plant:

CCLYNCH & Associates \$7,258.00
Luckett Pump & Well Service, Inc. \$7,207.50

Upon motion of Alderman Dugger and second of Alderman Harrison and upon unanimous vote taken, it was ordered that the quote from Luckett Pump & Well Service, Inc. in the amount of \$7,207.50 be and it is hereby accepted as the lowest and best quote for an effluent meter for use in the Wastewater Treatment Plant. A copy of said quotes are on file in the Office of the City Clerk and a copy of the accepted quote follows:

Luckett Pump & Well Service, Inc
1420 Emerald Rd. (Dublin)
Tutwiler, MS 38963-5213

(662)624-2398 www.luckettump.com
Fax: (662)624-2399 luckettump@gmail.com

Estimate

| Date | Estimate # |
|-----------|------------|
| 8/22/2023 | 6851 |

| Name / Address | | Ship To | |
|---|--|--|--|
| City of Batesville POB 689 Batesville, MS 38606 | | City of Batesville WWTP Batesville, MS | |

Due to the instability of product pricing, pricing is good for 10 days from the date of estimate.

| P.O. No. | Terms | Shipped Via | Rep | MPC # or Tax Exempt # |
|----------|--------------------|-------------|-----|-----------------------|
| | Net due in 30 days | sample | BCM | |

| Qty | Item | Description | Rate | Total |
|-----|---------------|--|----------|----------|
| 1 | Material a... | Material and labor to install the following at the Batesville WWTP: One Pulsar Ultra 4 flow monitor wall mounted with integral keypad 100-240VAC 10-28VDC 4-20mA output with one pulse output with 3 relays and SD card logger Model 1741110002XX-XXP One Pulsar Dbmach3 sensor One stainless steel mounting bracket One surge suppressor ac One fiberglass enclosure | 7,207.50 | 7,207.50 |

If you accept the estimate and would like for LPW to proceed, estimate must have the PO#(if required), Signature & date and be faxed or emailed to Luckett Pump. Thank you.

PO#: _____

Signature: _____ Date: _____

| | |
|-------------------------|------------|
| Subtotal | \$7,207.50 |
| Sales Tax (0.0%) | \$0.00 |
| Total | \$7,207.50 |

SEPTEMBER 19, 2023

IN RE: QUOTES RECEIVED–SHOP ADDITION–TRUSSELL PARK

The City of Batesville received the following quotes for a shop addition at Trussell Park:

| | |
|--------------------------------------|-------------|
| Joel Williams | \$19,250.00 |
| Storage Solutions of Batesville, LLC | \$28,000.00 |

Upon motion of Alderman Harrison and second of Alderman Land and upon unanimous vote taken, it was ordered that the quote from Joel Williams in the amount of \$19,250.00 be and it is hereby accepted as the lowest and best quote for a shop addition at Trussell Park. A copy of said quotes are on file in the Office of the City Clerk and a copy of the accepted quote follows:

Joel Williams

290 Cottage Trail Rd

Batesville, MS 38606

662.832.4570

City of Batesville

Building Quote

SCOPE OF WORK


Provide labor and materials to install a 12' x 20' addition to match the existing side entrance metal building at Trussell Park. This will include one 9' x 8' roll up door and the concrete foundation.

| TIME AND MATERIALS ESTIMATE FOR WORK | | | | | | AMOUNT |
|--------------------------------------|---------------------|-----|--|--------------|-----------|--------------|
| Item No. | Item Description | QTY | | Unit Price | Sales Tax | |
| 1 | Labor and materials | 1 | | \$ 19,250.00 | | \$ 19,250.00 |
| 8 | | | | | \$ - | \$ - |
| 9 | | | | | \$ - | \$ - |
| 10 | | | | | \$ - | \$ - |
| 11 | | | | | \$ - | \$ - |
| 12 | | | | | \$ - | \$ - |
| 13 | | | | | \$ - | \$ - |
| 14 | | | | | \$ - | \$ - |
| 15 | | | | | \$ - | \$ - |
| TOTAL SELF PERFORMED WORK COST | | | | | | \$ 19,250.00 |

Total \$ 19,250.00

Joel Williams

PREPARED BY



September 13, 2023

DATE

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

SEPTEMBER 19, 2023

IN RE: LEHMAN ROBERTS’ GAS BILL

There came on for discussion the matter of Lehman Roberts’ gas bill being excessively high. Public Works Director asked if penalties could be removed from the bill.

Upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, it was ordered that the Legal Department obtain an Attorney General’s opinion regarding said discussion.

IN RE: LIGHTS AT TRUSSELL PARK

Upon motion of Alderman Harrison and second of Alderman Walton and upon unanimous vote taken, it was ordered that seven (7) poles with LED lights be added to the front and back parking/driving area at Trussell Park for a cost of \$17.00 per pole per month.

SEPTEMBER 19, 2023

**IN RE: PUBLIC HEARING - 3:00 P.M.
PUBLIC HEARING – STEVE MCMINN - VARIANCE**

The Mayor opened the Public Hearing and Code Enforcement Officer Barry Thompson explained the purpose of the hearing being a request from Steve McMinn, for a Variance to allow a 20’ street frontage setback at his property for the construction of an addition to his existing shop. Said property is located at 160 Perkins Lane in the City of Batesville, Second Judicial District of Panola County, Mississippi, and is described as:

A tract of land in the Northeast Quarter of Section 17, Township 9 South, Range 7 West, Panola County, Mississippi, and being more particularly described as follows:
Beginning at an iron stake that is 275.0 feet South and 407.5 feet West of the Southeast corner of Lot 7 of the Pleasant Acres Subdivision in the City of Batesville, Mississippi, as shown by the official plat of said subdivision on file at the office of the Chancery Clerk at Batesville, Mississippi, running thence North 89 Degrees and 50 Minutes West along the South line of a dedicated street for a distance of 250 feet to an iron stake; thence North 1 Degree and 10 Minutes East along the West line of a dedicated street for a distance of 800 feet to an iron stake on the South line of Perkins Lane; thence South 76 Degrees West along the South line of said Perkins Lane for a distance of 406 feet to an iron stake; thence South 0 Degrees and 45 Minutes West for a distance of 691.5 feet to an iron stake; thence South 40 Degrees and 45 Minutes East for a distance of 30 feet to an iron stake; thence South 89 Degrees and 50 Minutes East for a distance of 398 feet to an iron stake; thence South 0 Degrees and 30 Minutes West for a distance of 126 feet to an iron stake; thence South 86 Degrees East for a distance of 217.5 feet to an iron stake; thence North 1 Degree and 10 Minutes East for a distance of 155 feet to the point of beginning.
Less and Except:
Beginning at an iron stake that is 225.0 feet South and 407.5 feet West of the Southeast corner of Lot 7 of the Pleasant Acres Subdivision in the City of Batesville, Mississippi as shown by the official plat of said Subdivision on file at the office of the Chancery Clerk of Batesville, Mississippi, running thence North 89 Degrees and 50 Minutes West along the North Line of a dedicated street for a distance of 200 feet to an iron stake; thence North 1 Degree and 10 Minutes East for a distance of 53.3 feet to an iron stake; thence South 89 Degrees and 50 Minutes East for a distance of 200 feet to an iron stake; thence South 1 Degree and 10 Minutes West for a distance of 53.3 feet to the point of beginning, and being the property conveyed to Elizabeth S. Hubbard as described in the deed of record in Book M-6, Page 99.

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:

Tonya Durrance was present and spoke in support of this request and no one was present in opposition of this request.

Code Enforcement Officer Barry Thompson reported that the Planning Commission recommended said variance request at their meeting held on August 28, 2023.

The Mayor declared the hearing closed.

SEPTEMBER 19, 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:

08/23/23

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
23rd Day of August, 2023

Shandale Goodman



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

Account # 180200
Ad # 1696268

CITY OF BATESVILLE
PO BOX 689
BATESVILLE MS 38606

PUBLIC NOTICE
NOTICE OF PUBLIC
HEARING

WHEREAS, Steve McMinn has made application to the Mayor and Board of Aldermen of the City of Batesville, Mississippi, requesting that they grant a variance from the requirements of the zoning ordinance of the City of Batesville, Mississippi, to allow a 20' street frontage setback at his property for the construction of an addition to his existing shop. Said property is located at 160 Perkins Lane, in the City of Batesville, Second Judicial District of Panola County, Mississippi, and is described as

A tract of land in the Northeast Quarter of Section 17, Township 9 South, Range 7 West, Panola County, Mississippi, and being more particularly described as follows:

Beginning at an iron stake that is 275.0 feet South and 407.5 feet West of the Southeast corner of Lot 7 of the Pleasant Acres Subdivision in the City of Batesville, Mississippi, as shown by the official plat of said subdivision on file at the office of the Chancery Clerk at Batesville, Mississippi, running thence North 89 Degrees and 50 Minutes West along the South line of a dedicated street for a distance of 250 feet to an iron stake; thence North 1 Degree and 10 Minutes East along the West line of a dedicated street for a distance of 800 feet to an iron stake on the South line of Perkins Lane; thence South 76 Degrees West along the South line of said Perkins Lane for a distance of 406 feet to an iron stake; thence South 0 Degrees and 45 Minutes West for a distance of 691.5 feet to an iron stake; thence South 40 Degrees and 45 Minutes East for a distance of 30 feet to an iron stake; thence South 89 Degrees and 50 Minutes East for a distance of 398 feet to an iron stake; thence South 0 Degrees and 30 Minutes West for a distance of 126 feet to an iron stake; thence South 85 Degrees East for a distance of 217.5 feet to an iron stake; thence North 1 Degree and 10 Minutes East for a distance of 155 feet to the point of beginning.
Less and Except:

Beginning at an iron stake that is 225.0 feet South and 407.5 feet West of the Southeast corner of Lot 7 of the Pleasant Acres Subdivision in the City of Batesville, Mississippi as shown by the official plat of said Subdivision on file at the office of the Chancery Clerk of Batesville, Mississippi, running thence North 89 Degrees and 50 Minutes West along the North Line of a dedicated street for a distance of 200 feet to an iron stake; thence North 1 Degree and 10 Minutes

East for a distance of 53.3 feet to an iron stake; thence South 89 Degrees and 50 Minutes East for a distance of 200 feet to an iron stake; thence South 1 Degree and 10 Minutes West for a distance of 53.3 feet to the point of beginning, and being the property conveyed to Elizabeth S. Hubbard as described in the deed of record in Book M-6, Page 99.

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 September 19, 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 interested may appear in person and or by counsel at said public hearing.

CITY OF BATESVILLE
Susan S. Berryhill, City Clerk

The Panolian:
Aug. 23, 2023
HEARING 9/19/23

IN RE: VARIANCE – STEVE MCMINN

On motion of Alderman Harrison, second of Alderman Dugger and unanimously carried by a vote being taken, it was ordered that the request from Steve McMinn for a variance to allow 20' street frontage setback at his property for the construction of an addition to his existing shop located at 160 Perkins Lane, be and it is hereby granted.

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

SEPTEMBER 19, 2023

**IN RE: PUBLIC HEARING - 3:00 P.M.
PUBLIC HEARING–JACK’S FAMILY RESTAURANT-
VARIANCE**

The Mayor opened the Public Hearing and Code Enforcement Officer Barry Thompson explained the purpose of the hearing being a request from Jim Avery/Jack’s Family Restaurant, for a Variance from the minimum required parking spaces from 36 spaces to 30 spaces. Said property is located at 696 MS-6 East in the City of Batesville, Second

Judicial District of Panola County, Mississippi, and is described as:

Parcel # 3185C0006000 20000300
LOT (165X200) PT NE 1/4 NE ¼
UNPLATTED LAND 16-9-7
696 MS-6 East

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:

Jim Avery was present and spoke in support of this request and no one was present in opposition of this request.

Code Enforcement Officer Barry Thompson reported that the Planning Commission recommended said variance request at their meeting held on August 28, 2023.

The Mayor declared the hearing closed.

SEPTEMBER 19, 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:

08/30/23

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
30th Day of August, 2023

Shandale Goodman



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

Account # 180200
Ad # 1700066

CITY OF BATESVILLE
PO BOX 689
BATESVILLE MS 38606

PUBLIC NOTICE
NOTICE OF PUBLIC
HEARING

WHEREAS, Jack's Family Restaurant has made application to the Mayor and Board of Aldermen of the City of Batesville, Mississippi, requesting that they grant a variance from the minimum required parking spaces from 36 spaces to 30 spaces. Said property is located at 696 MS-6 East, in the City of Batesville, Second Judicial District of Panola County, Mississippi, and is described as Parcel # 3185C0006000 20000300.

LOT (165X200) PT NE 1/4 NE 1/4 UNPLATTED LAND 16-9-7 696 MS-6 East 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 September 19, 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 interested may appear in person and or by counsel at said public hearing.

CITY OF BATESVILLE
Susan S. Berryhill, City Clerk

The Panolian:
Aug. 30, 2023
VARIANCE HEARING

IN RE: VARIANCE – JIM AVERY/JACK’S FAMILY RESTAURANT

On motion of Alderman Walton, second of Alderman Land and unanimously carried by a vote being taken, it was ordered that the request from Jim Avery/Jack’s Family Restaurant for a variance from the minimum required parking spaces from 36 spaces to 30 spaces located at 696 MS-6 East, be and it is hereby granted.

SEPTEMBER 19, 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; Chief of Police Kerry Pittman; Assistant Chief of Police George Williford; Public Works Director David Karr; Assistant Public Works Director Newt Benson and Assistant City Clerk Shonnah Weaver.

On motion made by Alderman Harrison, seconded by Alderman Dugger, and unanimously carried upon the affirmative votes of Aldermen Land, Walton, Dugger, Morrow and Harrison it was ordered that the Mayor and Board of Aldermen go into executive session in order to discuss the sale of surplus real property, the potential acquisition of real property and tax increment financing.

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

SEPTEMBER 19, 2023

IN OPEN MEETING

The Mayor announced that the Mayor and Board of Aldermen will go into executive session for the purpose of discussing the sale of surplus real property, the potential acquisition of real property and tax increment financing 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 Attorney Colmon Mitchell; Chief of Police Kerry Pittman; Assistant Chief of Police George Williford; Public Works Director David Karr; Assistant Public Works Director Newt Benson and Assistant City Clerk Shonnah Weaver.

IN EXECUTIVE SESSION

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

There came on for discussion the sale of surplus real property. (Panola Partnership Director Joe Azar was present for this discussion.)

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

There next came on for discussion the consideration of the tax increment financing.

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

SEPTEMBER 19, 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; Chief of Police Kerry Pittman; Assistant Chief of Police George Willford; Public Works Director David Karr; Assistant Public Works Director Newt Benson and Assistant City Clerk Shonnah Weaver.

IN RE: SALE OF SURPLUS PROPERTY

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that a curb be required at the south edge of the property in relation to the sale of surplus property.

IN RE: POTENTIAL ACQUISITION OF REAL PROPERTY

Upon motion of Alderman Dugger and second of Alderman Walton and upon unanimous vote taken, the Board declined the resolution as presented in executive session and instructed the Legal Department to send a response to their attorney.

*No action was taken on the matter of the tax increment financing.

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

SEPTEMBER 19, 2023

OTHER MATTERS COMING BEFORE THE MAYOR AND BOARD FOR DISCUSSION

1. Darrell Dixon of North Delta Planning and Development District appeared before the Mayor and Board of Aldermen to provide updates. He also discussed the bid tabulation in regards to the Concourse.
2. Chief of Police Kerry Pittman provided a copy of the monthly police report to the Mayor and Board of Aldermen.

SEPTEMBER 19, 2023

Upon motion duly made and seconded, the meeting was adjourned to reconvene at 10:00 o'clock a.m., Monday, September 25, 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

SEPTEMBER 19, 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 25th day of September, 2023

Hour: 10:00 a.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.