

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

DECEMBER 5, 2023

REGULAR MEETING

DECEMBER 5, 2023

Be It Remembered that a Regular Meeting of the Mayor and Board of Aldermen of the City of Batesville was held on the first Tuesday of December, being the 5th day of December 2023, at 2:00 p.m., when and where were present the following, to-wit:

Mayor Pro Tempore Teddy Morrow; Aldermen Stan Harrison, Dennis Land, Bill Dugger and Bobby Walton. Also present were: City Clerk Susan Berryhill; City Attorney Colmon Mitchell; Chief of Police Kerry Pittman; Captain Richard Stonestreet; Greg Smith of Mendrop Engineering Resources; Chief Building Official Andy Berryhill; Fire Chief Tim Taylor; Deputy Chief David Tarver; Public Works Director David Karr; Assistant Public Works Director Newt Benson; 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 Pro Tempore and, after the invocation given by Marshall Welsh, the following business was taken up.

IN RE: APPROVAL OF AGENDA

Upon motion of Alderman Harrison and second of Alderman Walton and upon unanimous vote taken, the agenda of December 5, 2023, was approved with the addition of discussion of the walking track at the Batesville Civic Center, event request by Tony Barragan and Taylor Grocery lease request.

DECEMBER 5, 2023

CITY OF BATESVILLE BOARD MEETING

DECEMBER 5, 2023

2:00 P.M. | CITY HALL

AGENDA**CALL TO ORDER:** Mayor Hal Ferrell**INVOCATION:** Marshall Welsh

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

- December 5, 2023

APPROVE MINUTES OF PRIOR MEETINGS

- Regular Meeting – November 21, 2023

CONSENT AGENDA

1. Approval for Bradie Bailey, Debbie Turner, Mackenzie Johnson and Susan Berryhill to attend the Spring Certified Municipal Clerk Program February 21-23, 2024 in Oxford, Mississippi with expenses paid/reimbursed by the City.
2. Approval that the following equipment in the Batesville Civic Center is obsolete and is not needed for municipal purposes and therefore, the equipment should be and is hereby declared to be surplus property and further ordered that said equipment, shall be disposed of as junk having no value, described as follows:
 - Approximately 24 tires to include a \$10.00 per tire disposal fee

PAY REQUEST AGENDA

1. Approval to issue payment to Davaine Lighting, LLC in the amount of \$5,766.66 for acoustic curtains and truss rigging for the Clint Black concert at the Batesville Civic Center. (Board approved on October 17, 2023 - \$6,120.00)

HUMAN RESOURCES

1. Approval to accept the resignation of Latavious Faulkner from the Street Department, effective November 28, 2023.
2. Approval to accept the resignation of Jaterious Dean from the Water Department, effective November 15, 2023.
3. Approval to accept the retirement of Public Works Director David Karr, effective June 30, 2024.

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VISITORS

1. Patricia Pittman
2. Margaret Pride

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

PUBLIC HEARINGS – 3:00 P.M.**BIDS RECEIVED****REPORT OF DEPARTMENT HEADS****CHIEF BUILDING OFFICIAL – ANDY BERRYHILL**

1. Monthly inspection and complaint lists
2. Set public hearing
 - Luke & James White – Conditional Use Permit for sales from portable building at 645 Highway 51 South – hearing for January 2, 2024

CHIEF OF POLICE – KERRY PITTMAN**CITY ATTORNEY – COLMON MITCHELL**

1. Ratify & confirm Bradford Painting Services matter
2. Resolution – sale of surplus property

CITY CLERK – SUSAN BERRYHILL

1. Rescind Order of Minutes dated October 17, 2023 – Final Resolution Ad Valorem Tax Exemption – Lockers Manufacturing, LLC – 175 Corporate Drive
2. Final Resolution – Ad Valorem Tax Exemption – Lockers Manufacturing, LLC – 175 Corporate Drive
3. Rescind Order of Minutes dated November 21, 2023 – Quotes for financing of leaf loader
4. Quotes received – financing of leaf loader

FIRE CHIEF – TIM TAYLOR

1. Approval of specifications and to obtain quotes for enclosure of plans review room at the Fire/Public Works building

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CIVIC CENTER DIRECTOR – RODNEY HOLLEY

1. Green Room quotes

PUBLIC WORKS DIRECTOR – DAVID KARR

1. Approval of specifications and to obtain quotes for a metal awning for Public Works Shop
2. Personnel rate structure
3. Deductive change order for Sanitary Sewer and Force main Improvements
4. Rail crossing permits for Batesville Mounds project (water and sewer)

ALLOW CLAIMS: 41507-42010 (includes The Co-Op)

OTHER MATTERS BY MAYOR OR ALDERMAN:

1. Alderman Harrison – personnel matter

EXECUTIVE SESSION**ADJOURNMENT****IN RE: APPROVAL OF MINUTES**

Upon motion of Alderman Harrison and second of Alderman Land and upon unanimous vote taken, the minutes of the November 21, 2023, regular meeting, were approved.

MINUTE BOOK NO. G-3 – CITY OF BATESVILLE, MISSISSIPPI**DECEMBER 5, 2023****IN RE: APPROVAL OF CONSENT 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 consent agenda be and they are hereby approved:

1. Approval for Bradie Bailey, Debbie Turner, Mackenzie Johnson and Susan Berryhill to attend the Spring Certified Municipal Clerk Program February 21-23, 2024 in Oxford, Mississippi with expenses paid/reimbursed by the City.
2. Approval that the following equipment in the Batesville Civic Center is obsolete and is not needed for municipal purposes and therefore, the equipment should be and is hereby declared to be surplus property and further ordered that said equipment, shall be disposed of as junk having no value, described as follows:
 - Approximately 24 tires to include a \$10.00 per tire disposal fee

IN RE: APPROVAL OF PAY REQUEST AGENDA

Upon motion of Alderman Harrison and second of Alderman Walton 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 to Davaine Lighting, LLC in the amount of \$5,766.66 for acoustic curtains and truss rigging for the Clint Black concert at the Batesville Civic Center. (Board approved on October 17, 2023 - \$6,120.00)

IN RE: APPROVAL OF HUMAN RESOURCES AGENDA

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

1. Approval to accept the resignation of Latavious Faulkner from the Street Department, effective November 28, 2023.
2. Approval to accept the resignation of Jaterious Dean from the Water Department, effective November 15, 2023.
3. Approval to accept the retirement of Public Works Director David Karr, effective June 30, 2024.

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IN RE: APPROVAL OF RAIL CROSSING PERMITS – BATESVILLE MOUNDS

Upon motion of Alderman Harrison and second of Alderman Walton and upon unanimous vote taken, it was ordered that the permit applications for the rail crossing for water and sewer at the Batesville Mounds be and they are hereby approved and further ordered that payment in the amount of \$9,000.00 (\$5,500.00 each-water/sewer) be issued to IMGRail Consulting, Inc. for said permit applications.

IMGRAIL
a GRAMS company

APPLICATION FOR PIPELINE ACCESS

Name of Applicant The City of Batesville FEIN# N. A.
 Corporate Name The City of Batesville
 Physical Address 103 College Street
 PO Box Batesville MS 38606
 Contact Name David Karr State MS Email publicworksdir@Batesville.ms
 Phone 662-563-6623 Cell 662-561-2562
 Type of Business Individual Corporation State in which incorporated
 Developer Partnership Type and State of partnership
 Municipality
 If revision/attachments to an existing agreement: Agreement # _____ Date _____
 If supplement to a master (general) agreement: Agreement # _____ Date _____
 Please attach copies of licenses.
 Will line exclusively serve lessee? Yes No Lessee Name The City of Batesville
 The work will be performed by: Contractor Company employees

ACCESS LOCATION & DESCRIPTION

Railroad Name Grenada Railroad
 Nearest City Batesville County: Panola State: MS
 Will line be located near public road Right-of-Way? Yes No
 If yes, Road Name Miss Hwy No. 35 DOT/AAR Crossing # N. A.
 Please indicate name, road number and width of Right-of-Way on drawing.

If a parallel application please complete the following:

Nearest Railroad Mile Post (Start) _____ Post # _____ Distance From _____ Direction _____
 Latitude _____ Beginning _____ Ending _____
 Longitude _____ Beginning _____ Ending _____
 Nearest Railroad Milepost (ending) _____ Total length of Run _____
 Valuation Stations (if known) _____ Beginning _____ Ending _____ Valuation Map # (if known) _____
If crossing please complete the following: (a separate application and fee is required for each crossing installation)
 Nearest Railroad Mile Post: 450 Post # 4077 ft Distance From _____ Direction _____
 Latitude N 34 deg 20 min 56.81 sec Longitude W89 deg 55 min 17.46 sec
 Valuation Station # (if known) _____ Valuation Map # (if known) _____
 Angle of Crossing 90 degrees Proposed Install Date Fall 2023
 Temporary track support or riprapping required? Yes No _____
 Wires, poles, obstructions to be relocated? Yes No _____ Describe and detail on drawing _____
 Product to be Conveyed _____
 Crossing will be for: Transmission Distribution Service
 Flammable? Yes No Temperature Atmospheric

1629 Race Track Road, Suite 206 St. Johns, Florida 32259 p. 904.264.1560 f. 904.448.1215 800-818-0184

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INSTALLATION & MATERIAL SPECIFICATIONS

	CARRIER PIPE		CASING PIPE	
Material	SDR 21 pvc		steel	
Material Specifications & Grade	ASTM D2241		A709 Grade 36	
Minimum Yield Strength of Material PSI	200 psi		36,000 psi	
Inside Diameter	2.149 in		4.03 in	
Wall Thickness	0.113 in		0.24 in	
Outside Diameter	2.375 in		4.5 in	
Type of Seam	n.a.		welded	
Kind of Joints	gasket joint		n.a.	
Vents:	How Many 2"	Size 2"	Height Above Ground 4'	
Seals:	<input checked="" type="radio"/> Both Ends	<input type="radio"/> One End		
Bury:	<input checked="" type="radio"/> Base of Rail to top of casing	<input type="radio"/> Below Roadway Ditch 6'	0'	
	<input type="radio"/> Not beneath tracks			
Cathodic Protection	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	What Kind _____	
Protective Coating	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	What Kind _____	
Method of Installation	jack and bore			
Max Working Pressure	200	Field Test Pressure 150	Test Type air	
Location of shut-off valves	Valve to be shut off at pump station			
Total Length in Railroad Right-of-Way	100'		Number of Manholes n.a.	

Application and plans must be approved and written authority received from the Railroad Company before construction is begun. Original and one copy of both application and drawing, along with a nonrefundable Application, Engineering Review and Right of Entry Fee in the amount of \$5,500 for parallel, plus \$5,500 for each crossing instance to be submitted to:

IMGRail Consulting, Inc.

1629 Race Track Road, Suite 206
St. Johns, Florida 32259Phone (904) 264-1560
Fax (904) 448-1215

Questions concerning this application should be submitted by email to applications@imgonline.net. All correspondence submitted by email receives priority response. Other requests can be made by calling (904) 264-1560.

Name Greg Smith, PE PLS Date 8-17-23
Phone 662-501-9946
Email Address gsmith@mendrop.net

A general liability insurance certificate listing the railroad as additional insured and an independent policy of Railroad Protective Liability (RPL) in the railroad's name is required. All pipeline/wireline occupancy must adhere to A.R.E.M.A guidelines and specifications for materials and installation. Proposal and construction must be in accordance with railroad specifications, The National Electrical Safety Code (current edition), and any/all governing laws or regulations. Please note: Specifications furnished in the Application Package are offered for guideline only, the railroad reserves the right to approve/decline any application.

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IMGRAIL
a RAMS company

APPLICATION FOR PIPELINE ACCESS

Name of Applicant The City of Batesville FEIN# N. A.

Corporate Name The City of Batesville

Physical Address 103 College Street

PO Box Batesville MS 38606

Contact Name David Karr Email publicworksdir@Batesville.ms

Phone 662-563-6623 Cell 662-561-2562

Type of Business Individual Corporation State in which incorporated
 Developer Partnership Type and State of partnership
 Municipality

If revision/attachments to an existing agreement: Agreement # _____ Date _____

If supplement to a master (general) agreement: Agreement # _____ Date _____

Please attach copies of licenses.

Will line exclusively serve lessee? Yes No Lessee Name The City of Batesville

The work will be performed by: Contractor Company employees

ACCESS LOCATION & DESCRIPTION

Railroad Name Grenada Railroad

Nearest City Batesville County: Panola State: MS

Will line be located near public road Right-of-Way? Yes No

If yes, Road Name Miss Hwy No. 35 DOT/AAR Crossing # N. A.
Please indicate name, road number and width of Right-of-Way on drawing.

If a parallel application please complete the following:

Nearest Railroad Mile Post (Start) _____ Post # _____ Distance from _____ to _____

Latitude _____ Beginning _____ Ending _____

Longitude _____ Beginning _____ Ending _____

Nearest Railroad Milepost (ending) _____ Total length of Run _____

Valuation Stations (if known) _____ Beginning _____ Ending _____ Valuation Map # (if known) _____

If crossing please complete the following: (a separate application and fee is required for each crossing installation)

Nearest Railroad Mile Post: 450 4066 ft north

Latitude N 34 deg 20 min 56.71 sec Longitude W89 deg 55 min 17.51 sec

Valuation Station # (if known) _____ Valuation Map # (if known) _____

Angle of Crossing 90 degrees Proposed Install Date Fall 2023

Temporary track support or riprap required? Yes No

Wires, poles, obstructions to be relocated? Yes No Describe and detail on drawing.

Product to be Conveyed _____

Crossing will be for: Transmission Distribution Service

Flammable? Yes No Temperature Atmospheric

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INSTALLATION & MATERIAL SPECIFICATIONS

	CARRIER PIPE		CASING PIPE	
Material	c-900 PVC		steel	
Material Specifications & Grade	C-900 DR18		A709 Grade 36	
Minimum Yield Strength of Material PSI	200 psi		36,000 psi	
Inside Diameter	2.149 in		4.03 in	
Wall Thickness	0.113 in		0.24 in	
Outside Diameter	2.375 in		4.5 in	
Type of Seam	n.a.		welded	
Kind of Joints	gasket joint		n.a.	
Vents:	How Many 2"	Size 2"	Height Above Ground 4'	
Seals:	<input checked="" type="radio"/> Both Ends	<input type="radio"/> One End		
Bury:	<input checked="" type="radio"/> Base of Rail to top of casing	<input type="radio"/> Below Roadway Ditch	6	0
	<input type="radio"/> Not beneath tracks			
Cathodic Protection	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	What Kind _____	
Protective Coating	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	What Kind _____	
Method of Installation	jack and bore			
Max Working Pressure	200	Field Test Pressure 150	Test Type air	
Location of shut-off valves	Valve to be shut off at pump station			
Total Length in Railroad Right-of-Way	100'		Number of Manholes	n.a.

Application and plans must be approved and written authority received from the Railroad Company before construction is begun. Original and one copy of both application and drawing, along with a nonrefundable Application, Engineering Review and Right of Entry Fee in the amount of \$5,500 for parallel, plus \$5,500 for each crossing instance to be submitted to:

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Questions concerning this application should be submitted by email to applications@imgonline.net. All correspondence submitted by email receives priority response. Other requests can be made by calling (904) 264-1560.

Name Greg Smith, PE PLS Date 8-17-23
Phone 662-501-9946
Email Address gsmith@mendrop.net

A general liability insurance certificate listing the railroad as additional insured and an independent policy of Railroad Protective Liability (RPL) in the railroad's name is required. All pipeline/wireline occupancy must adhere to A.R.E.M.A guidelines and specifications for materials and installation. Proposal and construction must be in accordance with railroad specifications, The National Electrical Safety Code (current edition), and any/all governing laws or regulations. Please note: Specifications furnished in the Application Package are offered for guideline only, the railroad reserves the right to approve/decline any application.

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IN RE: APPROVAL OF CHANGE ORDER NO. 2 – SANITARY SEWER AND FORCEMAIN IMPROVEMENTS, PHASE 1

There came on for discussion the approval of the Change Order No. 2, deducting the contract amount by \$25,448.63 in connection with the Sanitary Sewer and Forcemain Improvements, Phase 1.

Upon motion of Alderman Dugger and second of Alderman Land and unanimously carried upon the affirmative vote of all board members present, the Board found and determined that said changes or modifications to the original contract are necessary or would better serve the purpose of the City, are necessary or incidental to the completion of the work as originally bid, are not outside the scope of the original contact, are commercially reasonable, are not made to circumvent the public purchasing statutes and the deduction in the contract amount is reasonable and ordered that said Change Order No. 2, deducting the contract amount by \$25,448.63 for a new contract total of \$1,726,849.52 be and the same is hereby approved. A copy of said Change Order being on file in the Office of the City Clerk and a copy follows:

CONTRACT CHANGE ORDER				
OWNER:	The City of Batesville			
CONTRACTOR:	Bracato Construction, Inc.			
DATE:	11-28-23	PROJECT NO.:	c-300-116-19	
CHANGE ORDER NUMBER:	2	CONTRACT NUMBER:		
PROJECT NAME:	Sanitary Sewer and Forcemain Improvements, Phase 1			
REASON FOR CHANGE:	Project did not require as much material and labor as was in contract price			
YOU ARE HEREBY REQUESTED TO COMPLY WITH THE FOLLOWING CHANGES FROM THE CONTRACT PLANS, SPECIFICATIONS AND CONTRACT DOCUMENTS: (USE ADDITIONAL SHEETS IF REQUIRED)				
ITEM NO.	DESCRIPTION OF CHANGE(S) (QUANTITIES, ETC.)	UNIT COST	TOTAL CONTRACT	TOTAL ELIGIBLE COST
Total Project material and labor decreases				TOTAL ELIGIBLE
ORIGINAL CONTRACT AMOUNT:		\$1,752,298.15		
CURRENT CONTRACT AMOUNT:		\$ 1,752,298.15		
THIS CONTRACT CHANGE:		\$ -25,448.63		
REVISED CONTRACT AMOUNT:		\$ 1,726,849.52		
CURRENT CONTRACT COMPLETION DATE:		9-13-22		
TIME EXTENSION REQUIRED BY CHANGE:		0		
REVISED CONTRACT COMPLETION DATE:		9-13-22		
THIS DOCUMENT SHALL BE AN AMENDMENT TO THE CONTRACT AND ALL PROVISIONS OF THE CONTRACT WILL APPLY.				
RECOMMENDED BY:	<u>NY</u>	11-28-23		
ACCEPTED BY:	ENGINEER <u>Chris Bracato</u> CONTRACTOR	DATE <u>11-28-2023</u>		
APPROVED BY:	OWNER	DATE		

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DECEMBER 5, 2023

IN RE: SET PUBLIC HEARING – CONDITIONAL USE PERMIT – LUKE & JAMES WHITE

Upon motion of Alderman Harrison and second of Alderman Land 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 Luke White to the Board of Mayor and Aldermen of the City of Batesville, Mississippi, an application for a Conditional Use Permit to allow *Use #2.240 Sales from temporary or portable buildings, tent or other structures* for the operation of a sales office in a C-2, Commercial zone at 645 Hwy. 51, North. Said real property is owned by Danny Jones and is lying and situated in the City of Batesville, Second Judicial District of Panola County, Mississippi, and is more particularly described as follows, to-wit:

Parcel #3184H0003700 0001500
39 ACC PT LOT 13 –
SOUTHSIDE S/D – PB B-1/21,22
645 Hwy. 51, North

and

WHEREAS, said request will be reviewed by the Planning Commission of the City of Batesville at their meeting held on December 18, 2023

and

NOW, THEREFORE, BE IT ORDERED that on the 2nd day of January 2024, 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: RATIFY AND CONFIRM – BRADFORD PAINTING SERVICES

Upon motion of Alderman Harrison and second of Alderman Land and upon unanimous vote taken, the Mayor Pro Tempore and Board of Aldermen do hereby ratify and confirm the negotiation settlement in the sum of \$10,000.00 relative to the painting done at the Batesville Civic Center by Bradford Painting Services.

IN RE: APPROVAL TO RESCIND ORDER OF MINUTES – AD VALOREM TAX EXEMPTION – LOCKERS MANUFACTURING, LLC – 175 CORPORATE DRIVE

Upon motion of Alderman Harrison and second of Alderman Walton and upon unanimous vote taken, it was ordered that the minutes dated October 17, 2023, recorded in Minute Book G-3 at Page 488 approving the final resolution for ad valorem tax exemption for Lockers Manufacturing, LLC located at 175 Corporate Drive, be and they are hereby rescinded, due to incorrect dates.

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IN RE: REVISED FINAL RESOLUTION - AD VALOREM TAX EXEMPTION – LOCKERS MANUFACTURING, LLC – 175 CORPORATE DRIVE

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

**FINAL RESOLUTION GRANTING EXEMPTION
FROM AD VALOREM TAXES**

The City of Batesville this day considered the matter of granting exemption from ad valorem taxes, except school district taxes, to Lockers Manufacturing, LLC-175 Corporate Drive.

The City of Batesville finds that the Department of Revenue has certified that the applicant is eligible for exemption. The City of Batesville also finds that the property described in the application constitutes an industrial enterprise as described in Section 27-31-101, Mississippi Code of 1972, as amended.

The City of Batesville does hereby grant ad valorem tax exemption to the above taxpayer for a period of ten (10) years, beginning January 1, 2023, and expiring December 31, 2032, on the property described in the application with a total true value of \$1,619,728.00.

Therefore, the resolution to grant ad valorem tax exemption to the above- named enterprise is hereby approved by the City of Batesville for a period of ten (10) years as authorized by Section 27-31-109 et seq., Mississippi Code of 1972, as amended, on this the 5th day of December, 2023.

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IN RE: APPROVAL TO RESCIND ORDER OF MINUTES – QUOTES FOR FINANCING LEAF LOADER

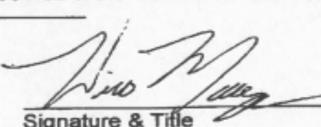
Upon motion of Alderman Dugger and second of Alderman Land and upon unanimous vote taken, it was ordered that the minutes dated November 21, 2023, recorded in Minute Book G-3 at Page(s) 560-561 approving the quotes for financing of a leaf loader, be and they are hereby rescinded.

IN RE: QUOTES RECEIVED – FINANCING – LEAF LOADER

The City of Batesville received the following quotes for financing of a leaf loader:

First Security Bank	5.78%
Cadence Equipment Finance	5.78%

Upon motion of Alderman Harrison and second of Alderman Land and upon unanimous vote taken, it was ordered that the quote from First Security Bank in the amount of 5.78% for financing of a leaf loader be and it is hereby approved and accepted as the lowest and best quote. A copy of said quotes are on file in the Office of the City Clerk and a copy of the accepted quote follows:

	Bringing Progress to North Mississippi	
	Hal Ferrell, Mayor • Susan S. Berryhill, CMC, City Clerk • Colmon Mitchell, City Attorney	
REQUEST FOR QUOTES FOR FINANCING FOR THE PURCHASE OF CITY EQUIPMENT		
CITY OF BATESVILLE, MISSISSIPPI		
Please provide a quote for financing said equipment for a four (4) year term with one (1) annual payment per year.		
Freightliner Leaf Loader	3ALACXFC0LDME6330	\$259,884.00
Amount of quotes to be shown in both words and figures. In case of a discrepancy, the amount shown in words will govern.		
Finance Rate:	5.78% (Figure)	
4 annual Pmts at 5.78% with the first 3 pmts of \$74,634.02 & the 4th & final of \$74,634.00		
(WORDS)		
Signature & Title		
First Security Bank		
Company Name		
230 Power Drive Batesville Ms. 38606		
Address & Phone		

MINUTE BOOK NO. G-3 – CITY OF BATESVILLE, MISSISSIPPI**DECEMBER 5, 2023****IN RE: APPROVAL OF SPECIFICATIONS – PLAN REVIEW ROOM**

Upon recommendation of Fire Chief Tim Taylor and upon motion of Alderman Dugger and second of Alderman Walton and upon unanimous vote taken, it was ordered that the specifications as presented for the enclosure of a plan review room at the Public Works/Fire Station, be and they are hereby approved and further ordered that quotes be obtained for said enclosure of a plan review room at the Public Works/Fire Station.

City of Batesville, Fire Department

Specifications for glass enclosure for Fire Station 1.

November 2023

Scope

Supply all materials and labor necessary for the construction and installation of a glass enclosure in the plans review room at Fire Station 1 in the administration suites of the building. All materials and equipment supplied by the vendor shall be new and un-used. All finishes, hardware, framing, glass, and etc. shall match the brand and type used throughout the building. All work shall be professionally constructed and installed with methods that is standard to the industry and shall present a durable, neat and orderly appearance.

Equipment**Plans Review Area**

Supply and install an approximately 14' 6" by 10-foot glass store front enclosure with door. Opening with a single transom 1 3/4" x 4 1/2" storefront door frame with 4 storefront side-lites on one side of the door frame. The door shall be narrow stile with a 10" bottom rail, std. push/pull handle, std. lock and glazed with 1/4 inch clear glass. The side-lites shall have 1/4 inch clear glass

Installation

The installation shall be coordinated with the Fire Chief or Public Works Director or their designated representative.

Warranty: Glass: 1 year Labor: 1 year Metal: 1 year

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

DECEMBER 5, 2023

IN RE: QUOTES RECEIVED – BATESVILLE CIVIC CENTER GREEN ROOM

The City of Batesville received the following quotes for the Batesville Civic Center Green Room:

Magnolia Rental and Sales Batesville	\$3,681.95
Mississippi Tent & Party Rental	\$6,296.78

Upon recommendation of Civic Center Director Rodney Holley and upon motion of Alderman Harrison and second of Alderman Land and upon unanimous vote taken, it was ordered that the quote from Magnolia Rental and Sales Batesville in the amount of \$3,681.95 be and it is hereby approved and accepted as the lowest and best quote for the Batesville Civic Center Green Room. A copy of said quotes are on file in the Office of the City Clerk and a copy of the accepted quote follows:

Magnolia Rental and Sales Batesville

175 Highway 51 South
Batesville, MS 38606
www.magnoliarental.com

662-563-8373 Phone
662-563-1392 Fax

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BATESVILLE CIVIC CENTER		Customer #: 25357	Phone 662-563-1392	Quote #: q14748-2
290 CIVIC CENTER DR		Job Descr: GREEN ROOM TENT		Status: Quote
Operator: BRIDGES BOWEN				
Quote To: Tue 11/ 7/2023 9:00AM				
Qty	Key	Item	Part#	Status
2	550042	CANOPY WALLS 8 X 20 SOLID	8309	Rental
3	52034-1	TABLES - 2 5' ROUND PEDESTAL TABLES	7615	Rental
2	510269-2	4" PEDESTAL LEGS	7615	Rental
3	62574-2	BLACK PUB SPANDEX PUB LINEN		Rental
2	68567-2	BLACK 8FT REOFANGLE SPANDEX		Rental
		BUFFET LINEN		
4	52028-2	TABLES - 4 ROUND		Rental
4	84267-2	BLACK 4FT ROUND SPANDEX		Rental
1	51109	BLACK WROUGHT IRON - SPHERE - 9 LIGHT	12118	Rental
		LOUNGE SEATING		
1	51110	BLACK WROUGHT IRON - SPHERE - 9 LIGHT	12118	Rental
		LOUNGE SEATING		
1	55002	10X20 WHITE FRAME TENT	8302	Rental
208	52062-2	PIPE AND DRAPE		Rental
		12 BLACK		
1	138606-2	DELIVERY-BATESVILLE		Delivery
1	LABOR?	LABOR	LABOR	Rental

Delivery Tue 11/ 7/2023 9:00AM

Pickup Mon 11/13/2023 9:00AM

Quote valid for 30 days.

Signature

BATESVILLE CIVIC CENTER

Green Room
quotes (2)

Rental:	\$2,733.00
Damage Waiver:	\$273.35
Sales:	\$575.10
Delivery Charge:	\$100.00
Subtotal:	\$3,681.95
Total:	\$3,681.95
Paid:	\$0.00
Amount Due:	\$3,681.95

Modification #2
Contract-Paramount (1)

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DECEMBER 5, 2023

IN RE: WALKING TRACK AT THE BATESVILLE CIVIC CENTER

Upon recommendation of Civic Center Director Rodney Holley and upon motion of Alderman Dugger and second of Alderman Harrison and upon unanimous vote taken, it was ordered to allow any interested citizen to walk around the upper level at the Batesville Civic Center between the hours of 7:00 a.m. and 4:00 p.m. Monday through Friday.

IN RE: CANNABIS CUP – BATESVILLE CIVIC CENTER

Tony Barragan appeared before the Mayor Pro Tempore and the Board of Aldermen requesting approval for Hybrid Relief to host the Cannabis Cup Award Show at the Batesville Civic Center on April 19, 2024, between 9:00 a.m. and 4:00 p.m.

Upon motion of Alderman Harrison and second of Alderman Land and upon unanimous vote taken, the above request be and it is hereby taken under advisement.

IN RE: METAL AWNING FOR PUBLIC WORKS SHOP

Upon motion of Alderman Harrison and second of Alderman Walton and upon unanimous vote taken, it was ordered that Assistant Public Works Director Newt Benson work with Michael Jones relative to the metal awning for the Public Works Shop.

IN RE: CLOSURE FOR CITY HALL

Upon motion of Alderman Harrison and second of Alderman Dugger and upon unanimous vote taken, it was ordered that City Hall be closed from 12:00 p.m. until 1:00 p.m. on Thursday, December 7, 2023, for the City of Batesville's Holiday meal.

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Alderman Harrison recused himself from the meeting.

IN RE: ALLOW CLAIMS

On motion made by Alderman Land, second by Alderman Walton and unanimously carried upon a vote being taken there, it was ordered by the Mayor and Board of Aldermen of the City of Batesville, Mississippi that claims numbered 41507-42010 (includes the Co-Op) be and the same are hereby approved and allowed and shall be paid by Warrant drawn on the fund indicated.

Alderman Harrison returned to the meeting.

IN OPEN SESSION

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

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IN THE CLOSED MEETING

Mayor Pro Tempore Teddy Morrow announced that the meeting is closed to determine whether or not the Mayor Pro Tempore and Board of Aldermen should declare an executive session. Present in the closed meeting were: Mayor Pro Tempore Teddy Morrow; Aldermen Land, Harrison, Dugger and Walton; City Attorney Colmon Mitchell; City Clerk Susan Berryhill; Chief of Police Kerry Pittman; Captain Richard Stonestreet; Public Works Director David Karr; Assistant Public Works Director Newt Benson and Assistant City Clerk Shannah Weaver.

On motion made by Alderman Harrison, seconded by Alderman Dugger, and unanimously carried upon the affirmative votes of Aldermen Land, Walton, Dugger and Harrison it was ordered that the Mayor Pro Tempore and Board of Aldermen go into executive session in order to discuss personnel rate structure; sale of surplus real property and personnel matters relating to professional competence.

IN OPEN MEETING

The Mayor Pro Tempore announced that the Mayor Pro Tempore and Board of Aldermen will go into executive session for the purpose of discussing personnel rate structure; sale of surplus real property and personnel matters relating to professional competence and that the total vote on the motion to go into executive session was four (4) aldermen in favor and no aldermen opposed. Those present in the open meeting were Mayor Pro Tempore Teddy Morrow; Aldermen Harrison, Land, Dugger and Walton; City Clerk Susan Berryhill; City Attorney Colmon Mitchell; Chief of Police Kerry Pittman; Captain Richard Stonestreet; Public Works Director David Karr; Assistant Public Works Director Newt Benson and Assistant City Clerk Shannah Weaver.

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IN EXECUTIVE SESSION

Mayor Pro Tempore Teddy Morrow announced that the Mayor Pro Tempore and Board of Aldermen 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; Captain Richard Stonestreet; Public Works Director David Karr; Assistant Public Works Director Newt Benson and Assistant City Clerk Shonnah Weaver.

There came on for discussion the personnel rate structure.

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

There next came on for discussion the personnel matters relating to professional competence.

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

IN OPEN MEETING

The Mayor Pro Tempore announced that the Mayor Pro Tempore and Board of Aldermen are now in open meeting. Those present were Mayor Pro Tempore Teddy Morrow; Aldermen Land, Harrison, Dugger and Walton; City Attorney Colmon Mitchell; City Clerk Susan Berryhill; Chief of Police Kerry Pittman; Captain Richard Stonestreet; Public Works Director David Karr; Assistant Public Works Director Newt Benson and Assistant City Clerk Shonnah Weaver.

MINUTE BOOK NO. G-3 – CITY OF BATESVILLE, MISSISSIPPI**DECEMBER 5, 2023****IN RE: PERSONNEL RATE STRUCTURE**

Upon recommendation of Public Works Director David Karr and upon motion of Alderman Harrison and second of Alderman Land and upon unanimous vote taken, it was ordered that the personnel rate structure as presented, be and it is hereby approved.

PROPOSED RATE STRUCTURE FOR LICENSURE AND CERTIFICATION**PUBLIC WORKS**

WATER CLASS D: (City's Classification) Requires High School Diploma or GED, and 1 year of experience in a Class D system.

\$2.00 per hour or \$4160.00 per year

New Hires with certification: Labor rate plus \$2.00 per hour for previous certification, plus \$1.50 per hour for every 3 years of previous experience.

Wastewater Class II: Requires High School Diploma or GED, and 1 year of experience in a Class II system or higher.

\$2.00 per hour or \$4160.00 per year

New Hires with certification: Labor rate plus \$2.00 per hour for previous certification, plus \$1.50 per hour for every 3 years of previous experience.

Wastewater Class IV: (City's Classification) Requires a High School Diploma or GED, and 6 years of experience in a Class IV facility, or a bachelor's degree in either biology, chemistry, physics, engineering or mathematics, plus 1 year of experience in a Class IV facility. Candidates for Class IV must have first passed a Class II examination prior to taking a Class IV class and examination.

\$3.00 per hour or \$6,240.00 per year.

New Hires with certification: Labor rate plus \$3.00 per hour for previous certification, plus \$2.00 per hour for every 3 years of previous experience.

Wastewater Collection Operator I and II: (City would be classified as a II) Both require 1 year of experience, Class II requires high school diploma or GED.

Collection Operator I: \$1.00 per hour or \$2080.00 per year

Collection Operator II: \$1.50 per hour or \$3,120.00 per year.

Underground Utility Locator: Requires 8-hour hands-on class and examination.

\$1.00 per hour or \$2080.00 per year

Heavy Equipment Operator: Has a minimum experience of 1 year in operations of excavators, mini-excavators, backhoes, dozers or similar equipment including tractors.

Labor rate plus \$2.00 per hour, with an additional \$2.00 per hour for every 10 years of experience.

Commercial Driver's License:

Labor rate plus \$2.00 per hour with an additional \$1.50 per hour for every 10 years of commercial driving experience.

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IN RE: SALE OF SURPLUS REAL PROPERTY

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF BATESVILLE, MISSISSIPPI, PURSUANT TO SECTION 57-7-1, MISSISSIPPI CODE OF 1972, AS AMENDED AND SUPPLEMENTED FROM TIME TO TIME, DETERMINING THAT THE VACANT REAL PROPERTY HEREINAFTER DESCRIBED OWNED BY THE CITY OF BATESVILLE, MISSISSIPPI, IS SURPLUS PROPERTY AND IS NO LONGER NEEDED OR USED FOR MUNICIPAL OR OTHER GOVERNMENTAL PURPOSES AND DIRECTING THAT SAID PROPERTY BE SOLD TO SAYLE LUBE, LLC, A MISSISSIPPI LIMITED LIABILITY COMPANY, FOR THE PURPOSES, ON THE CONDITIONS, AND FOR THE CONSIDERATION SET FORTH HEREIN, AND FOR RELATED PURPOSES

WHEREAS, the Mayor and Board of Aldermen of the City of Batesville, Mississippi [the “Governing Authority” and the “City”], acting for and on behalf of the City does hereby find, determine, adjudicate, and declare as follows:

1.

The City is the owner of the following identified vacant real property [hereinafter the “Property”] lying and being situated in the City of Batesville, Mississippi, to-wit:

LEGAL DESCRIPTION OF A 1.91 ACRE, MORE OR LESS, TRACT OF LAND BEING LOCATED IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 9 SOUTH, RANGE 7 WEST, BATESVILLE, MISSISSIPPI IN THE SECOND JUDICIAL DISTRICT OF PANOLA COUNTY AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northwest Corner of Section 15, Township 9 South, Range 7 West, run thence South 0 degrees East, 609.49 feet to a point; thence North 90 degrees East, 712.89 feet to an iron pin set at the True Point of Beginning for the herein described tract, run thence North 0 degrees 27 minutes 00 seconds East, 101.67 feet to an iron pin set; thence around a curve to the right having a radius of 35.00 feet and a chord bearing an distance of North 25 degrees 51 minutes 04 seconds East, 30.88 feet to an iron pin set; thence around a curve to the right having a radius of 290.00 feet and a chord bearing and distance of North 60 degrees 58 minutes 13 seconds East, 90.15 feet to an iron pin set; thence around a curve to the right having a radius of 35.00 feet and a chord bearing and distance of North 82 degrees 15 minutes 40 seconds East, 14.97 feet to an iron pin set; thence South 85 degrees 23 minutes 24 East, 87.43 feet to an iron pin set; thence South 87 degrees 10 minutes 55 seconds East, 284.68 feet to an iron pin set; thence around a curve to the right having a radius of 35.00 feet and a chord bearing and distance of South 53 degrees 54 minutes 23 seconds East, 38.41 feet to an iron pin set; thence South 20 degrees 37 minutes 51 seconds East, 133.79 feet to a point; thence South 89 degrees 20 minutes 50 seconds West, 557.62 feet to the Point of Beginning containing 1.91 acres, more or less, of land being subject to all codes, easements, restrictions, regulations and rights of way of record.

Easements for City utilities measuring 10 feet off the north, east and west boundary measuring 5 feet off the south boundary line are reserved by the Grantor.

All bearings herein established by GPS observation and referenced to the Mississippi State Plane Coordinate System West Zone NAD 83.

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2.

The Property is surplus property and is not used for and is not needed for municipal or other governmental or public purposes or for any related purposes, including but not limited to the civic center, stall barn and multi-plex arena project.

3.

Section 57-7-1, Mississippi Code of 1972, as amended and supplemented from time to time [hereinafter the “Code”], authorizes the Governing Authority of the City to sell City owned real property for commercial purposes upon such terms and conditions as the Governing Authority of the City shall prescribe when such Property is surplus property and is not used for or needed for municipal or other governmental purposes.

4.

On January 17, 2023, the Governing Authority adopted an order approving the sale of the Property to Sayle Lube, LLC, a Mississippi Limited Liability Company [“Sayle”] and the execution of a contract for the sale of the Property in consideration of the purchase price set forth in the contract.

5.

Pursuant to the aforesaid order, the City as Seller and Sayle Lube, LLC, as Purchaser entered into such a contract for sale entitled an “Agreement for the Purchase and Sale of Real Property” [the “Agreement “].

6.

Sayle, as a condition and requirement of the Agreement will construct on the Property certain commercial establishments that are identified and described in the Agreement which will provide a positive economic impact to the City and the community in numerous ways including, but not limited to, employment opportunities for local residents, the availability of consumer goods and services provided by the establishments, sale tax, tourism tax, and increased amounts ad valorem taxes on the real property resulting from the construction of said establishments. Further, the City finds and determines that this sale is in the best interest of the City and its citizens and will promote the economic and commercial development of the City and the community.

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7.

The Governing Authority finds and determines that the amended purchase price (\$436,000.00) of the Property is fair and reasonable and is sufficient and good consideration for the Property.

8.

That the Governing Authority of the City has complied with the provisions of the “Antiquities Law of Mississippi”. A copy of a letter dated November 28, 2023, from the Mississippi Department of Archives and History evidencing such compliance is attached hereto as “Exhibit A”.

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

I.

That the matters set forth in the above and foregoing paragraphs are hereby found, declared, and adjudicated to be true and correct and are incorporated into this paragraph by reference.

II.

That the Governing Authority of the City does hereby find, adjudicate and determine that the Property is surplus property and has ceased to be used for, and is not used for and is not needed for, municipal or other governmental or public purposes or for any related purposes, including but not limited to the civic center, stall barn, and multi-plex arena project, and that it is in the best interest of the City and will promote the economic and commercial development of the City for the City to sell the Property to Sayle Lube, LLC, a Mississippi Limited Liability Company, pursuant to, and on the terms and conditions and for the consideration contained in, the Agreement for the Purchase and Sale of Real Property.

III.

That upon payment to the City of the amended (increased) purchase price as provided in the Agreement the City shall convey the Property to Sayle Lube, LLC, a Mississippi Limited Liability Company, pursuant to, and on the terms and conditions and for the consideration contained in, the Agreement for the Purchase and Sale of Real Property; the Mayor and Clerk of the City of Batesville are hereby authorized and directed, for and on

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behalf of and in the name of the City, to execute, acknowledge, and deliver a Warranty Deed, and all other documents necessary for or incidental to the conveyance of the Property pursuant to the Agreement for the Purchase and Sale of Real Property including but, not limited to, a Settlement Statement, and the form of such deed and other documents shall be in such form as is satisfactory to the Mayor and City Clerk, in their discretion with advice of the City's Legal Department, as being in the best interest of the City, such their approval shall be conclusively evidenced by the execution and delivery thereof.

IV.

All actions heretofore taken by the Mayor and Clerk of the City, as may be authorized by the City, with respect to the sale of the Property are hereby approved, confirmed, and ratified.

V.

That either the Mayor, Hal Ferrell or Mayor Pro Tempore, Teddy Morrow and Clerk of the City, Susan Berryhill, be and each of them acting alone is hereby authorized and directed to take such actions and to execute such documents as may be necessary to effectuate the purposes of this Resolution.

RESOLVED this the 5th day of December 2023.

TEDDY MORROW, Mayor Pro Tempore

ATTEST:

SUSAN BERRYHILL, City Clerk

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IN RE: SUBDIVISION PLAT APPROVAL – SALE OF SURPLUS REAL PROPERTY

Upon motion of Alderman Harrison and second of Alderman Dugger and upon unanimous vote taken, it was ordered that the subdivision plat as presented, be and it is hereby approved, relative to the sale of surplus real property.

IN RE: APPROVAL TO OBTAIN QUOTES

Upon motion of Alderman Harrison and second of Alderman Land and upon unanimous vote taken, it was ordered that City Clerk Susan Berryhill be and she is hereby authorized to obtain quotes from various banks for the best rates for a CD.

IN RE: APPROVAL TO RELEASE LIEN – JAMES PEPPER/PENNY C. BRISCOE

Upon motion of Alderman Dugger and second of Alderman Harrison and upon unanimous vote taken, the Mayor Pro Tempore and Board of Aldermen authorized the release of the Mississippi Code Section 21-19-11 liens at the Panola County Circuit Clerk's office and Tax Assessor/Collector's office, against the James Pepper/Penny C. Briscoe property located at 119 Court Street and directed the City Attorney to write a letter to both offices requesting and authorizing the release of the liens.

IN RE: TAYLOR GROCERY

Upon unanimous consent, it was ordered that a contract be prepared to include liquor storage for Taylor Grocery at the Batesville Civic Center at a lease rate of \$5,000.00 per year.

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OTHER MATTERS COMING BEFORE THE MAYOR AND BOARD FOR DISCUSSION

1. Patricia Pittman of J & A Management appeared before the Mayor Pro Tempore and the Board of Aldermen to voice her concerns regarding a Police Department matter. Chief Kerry Pittman will discuss the matter with her further.
2. Margaret Pride appeared before the Mayor Pro Tempore and the Board of Aldermen to voice her complaint regarding a dispatcher in the Batesville Police Department. Chief Kerry Pittman instructed Ms. Pride to make a formal complaint.
3. Darrell Dixon appeared before the Mayor Pro Tempore and the Board of Aldermen to provide updates regarding the Batesville Mounds project.
4. Chief Building Official Andy Berryhill provided copies of the monthly inspections and compliants list.

Upon motion duly made and seconded, the meeting was adjourned to reconvene at 2:00 o'clock p.m., December 11, 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 Pro Tempore

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

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NOTICE OF PLACE, DATE, HOUR AND SUBJECT MATTER

OF AN ADJOURNED MEETING OF THE MAYOR AND

BOARD OF ALDERMEN OF THE CITY OF BATESVILLE, MISSISSIPPI

The adjourned meeting of the Mayor and Board of Aldermen, 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: December 11, 2023

Hour: 2:00 p.m.

Subject Matter: Executive Session - personnel matter and to transact any and all business that may be transacted at a meeting of the Mayor and Board of Aldermen.

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