

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

MARCH 19, 2024

REGULAR MEETING

MARCH 19, 2024

Be It Remembered that a Regular Meeting of the Mayor and Board of Aldermen of the City of Batesville was held on March 19, 2024, 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; Assistant City Clerk Shannah Weaver; Chief of Police Dennis Darby; Assistant Chief of Police Barry Thompson; Greg Smith of Mendrop Engineering Resources; Assistant Public Works Director Newt Benson; Fire Chief Tim Taylor; Deputy Chief David Tarver; Civic Center Director Rodney Holley; Parks and Recreation Director Heath Fullilove and Rebecca Alexander of The Panolian.

A quorum being present, the meeting was duly opened by the Mayor and, after the invocation given by Rodney Holley, 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 March 19, 2024, was approved.

MARCH 19, 2024

CITY OF BATESVILLE BOARD MEETING

**MARCH 19, 2024
2:00 P.M. | CITY HALL**

AGENDA

CALL TO ORDER: Mayor Hal Ferrell

INVOCATION: Rodney Holley

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

- March 19, 2024

APPROVE MINUTES OF PRIOR MEETINGS

- Regular Meeting – March 5, 2024

CONSENT AGENDA

1. Approval for Rodney Holley to attend promoter events in Nashville, Tennessee April 22- 24, 2024, with expenses paid/reimbursed by the City.
2. Approval for Dispatchers Carolyn Andrews and Cindy Roberson to attend CDE Suicide prevention training in Tupelo, Mississippi May 18-19, 2024, with expenses paid/reimbursed by the City.
3. Approval for Ryley Boyero to attend Domestic Abuse Protection Order Court Clerk Training via zoom, March 28, 2024.

PAY REQUEST AGENDA

1. Approval of payment of Pay Application #4 in the amount of \$61,622.85 to be made to M&N Construction, LLC in connection with the second phase of the Concourse. (Panola County Board of Supervisors Minutes attached.)
2. Approval of payment in the amount of \$28,148.00 to be made to Gulf States Engineering Co., Inc. for work done in connection with the Elm Street pump station. (Board approved May 16, 2023)
3. Approval of payment in the amount of \$4,947.96 to be made to Morris Lawn Service, LLC for landscape at the Civic Center.
4. Approval of pay application #5 in the amount of \$7,561.81 and pay application #6 (final) in the amount of \$27,738.62 (total \$35,300.43) to be made to Whitfield Electric Co., Inc. in connection with the Civic Center Lighting project.
5. Approval to reimburse any alderman \$40.00 to attend the Panola Partnership Banquet.

MARCH 19, 2024

HUMAN RESOURCES

1. Approval to offer full time employment to Rodney Johnson in the Street Department at a rate of \$14.00 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 April 1, 2024, at midnight if not accepted.
2. Approval to offer employment to William “Bill” Furniss as a certified patrolman at a pay rate of \$21.31 per hour, contingent upon him accepting said offer and undergoing a medical exam, psychological evaluation 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 April 1, 2024, at midnight if not accepted.
3. Approval to accept the resignation of Parker Liddell from the Fire Department, effective March 28, 2024.

VISITORS

1. Mamie Avery – food truck request
2. Derek Beardain
3. Iron Horse Crusaders Motorcyclist Association

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****CHIEF OF POLICE – DENNIS DARBY****CITY ATTORNEY – COLMON MITCHELL**

1. Potential executive session – leasing City property

ASSISTANT CITY CLERK – SHONNAH WEAVER

1. FEMA applicant agent designation
2. Potential executive session – personnel matters

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FIRE CHIEF – TIM TAYLOR**CIVIC CENTER DIRECTOR – RODNEY HOLLEY**

1. Discuss advertising for the Civic Center
2. Summer Celebration flyer

PARKS AND RECREATION DIRECTOR HEATH FULLILOVE**ASSISTANT PUBLIC WORKS DIRECTOR – NEWT BENSON**

1. Potential executive session – personnel matters

OTHER MATTERS BY MAYOR OR ALDERMAN:**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 March 5, 2024, regular meeting, were approved.

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IN RE: SIGNATURE SHEET FOR MEETING OF MARCH 19, 2024

Board Meeting
March 19, 2024
Signature Sheet

<i>Tom Whisler</i>	1098 Calwood DR Batesville MS
Please print name clearly	Street Address, City, Zip
<i>Gloria Tucker</i>	Courtland, MS 38620
Please print name clearly	Street Address, City, Zip
<i>Barry Thomas</i>	106 College St Batesville, MS 38606
Please print name clearly	Street Address, City, Zip
<i>Dennis Darby</i>	106 College ST Batesville 38606
Please print name clearly	Street Address, City, Zip
<i>Barry Holley</i>	240 Civic Dr. Bates
Please print name clearly	Street Address, City, Zip
<i>Gerald Long</i>	309 Hickory Ln Batesville, MS 38606
Please print name clearly	Street Address, City, Zip
<i>Crystal Edwards</i>	309 Hickory Ln Batesville, MS 38606
Please print name clearly	Street Address, City, Zip
<i>Jonathan Joy</i>	Po Box 275 Batesville, MS 38606
Please print name clearly	Street Address, City, Zip
<i>David Turner</i>	132 Van Varis
Please print name clearly	Street Address, City, Zip
<i>Tom Taylor</i>	132 Van Varis
Please print name clearly	Street Address, City, Zip
<i>Waverly</i>	City of Batesville
Please print name clearly	Street Address, City, Zip
<i>Joe Aire</i>	150A Public Survey
Please print name clearly	Street Address, City, Zip
<i>Deek Brink</i>	1698 Hwy 16 East MS 38921
Please print name clearly	Street Address, City, Zip
<i>Heath Fullerton</i>	City of Batesville
Please print name clearly	Street Address, City, Zip
<i>Manie Aver</i>	P. Partnership
Please print name clearly	Street Address, City, Zip
<i>B. Billingsley</i>	P. Partn Main St Board
Please print name clearly	Street Address, City, Zip
<i>Darrell Dixon</i>	NDPD
Please print name clearly	Street Address, City, Zip

IN RE: APPROVAL OF CONSENT AGENDA

Upon motion of Alderman Dugger and second of Alderman Morrow 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 Rodney Holley to attend promoter events in Nashville, Tennessee April 22- 24, 2024, with expenses paid/reimbursed by the City.
2. Approval for Dispatchers Carolyn Andrews and Cindy Roberson to attend CDE Suicide prevention training in Tupelo, Mississippi May 18-19, 2024, with expenses paid/reimbursed by the City.
3. Approval for Ryley Boyero to attend Domestic Abuse Protection Order Court Clerk Training via zoom, March 28, 2024.

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IN RE: APPROVAL OF PAY REQUEST AGENDA

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

1. Approval of payment of Pay Application #4 in the amount of \$61,622.85 to be made to M&N Construction, LLC in connection with the second phase of the Concourse. (Panola County Board of Supervisors Minutes attached.)
2. Approval of payment in the amount of \$28,148.00 to be made to Gulf States Engineering Co., Inc. for work done in connection with the Elm Street pump station. (Board approved May 16, 2023)
3. Approval of payment in the amount of \$4,947.96 to be made to Morris Lawn Service, LLC for landscape at the Civic Center.
4. Approval of pay application #5 in the amount of \$7,561.81 and pay application #6 (final) in the amount of \$27,738.62 (total \$35,300.43) to be made to Whitfield Electric Co., Inc. in connection with the Civic Center Lighting project.
5. Approval to reimburse any alderman \$40.00 to attend the Panola Partnership Banquet.

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 offer full time employment to Rodney Johnson in the Street Department at a rate of \$14.00 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 April 1, 2024, at midnight if not accepted.
2. Approval to offer employment to William “Bill” Furniss as a certified patrolman at a pay rate of \$21.31 per hour, contingent upon him accepting said offer and undergoing a medical exam, psychological evaluation 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 April 1, 2024, at midnight if not accepted.
3. Approval to accept the resignation of Parker Liddell from the Fire Department, effective March 28, 2024.

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IN RE: MAINSTREET CALENDAR OF EVENTS

The Mayor recognized Mamie Avery of Mainstreet who appeared before the Mayor and Board of Aldermen requesting approval of the Mainstreet calendar of events.

Upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, it was ordered that the following calendar of events for Mainstreet be and they are hereby approved, with all events coordinated with the Batesville Police Department and Street Department for necessary street closures:

- March 23, 2024 – Spring Festival of Beauties at SPHS Auditorium
- April 8, 2024 – Solar Eclipse of the Square with a food truck and shaved ice truck
- May 18, 2024 – Color Run – Jeremy Richey to have inflatables
- June 5, 2024 – beginning of Farmer’s Market
- July 3, 2024 – Farmer’s Market Day – Red, White & Blue Parade for Kids
- Fall Music Concert Series – September 26, October 3 & October 10, 2024
- October 5, 2024 – Art Mart – craft vendors, petting zoo, corn hole tournament and one band
- October 26, 2024 – Scare on the Square
- November 17, 2024 – Holiday Open House

IN RE: FOOD TRUCK ON THE SQUARE

Upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, it was ordered that Mainstreet be and they are hereby allowed to have a food truck on the Downtown Square, one day a week, possibly on Friday.

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IN RE: MISSISSIPPI GELBVIEH ASSOCIATION

The Mayor recognized Derek Beardain of the Mississippi Gelbvieh Association who appeared before the Mayor and Board of Aldermen requesting funding for their upcoming cattle show at the Batesville Civic Center.

Upon motion of Alderman Dugger and second of Alderman Walton and upon unanimous vote taken, it was ordered that the City of Batesville donate \$1,500.00 to the Mississippi Gelbvieh Association.

IN RE: IRON HORSE CRUSADERS

The Mayor recognized Gerald Legge of the Iron Horse Crusaders – Christian Motorcyclist Association who appeared before the Mayor and Board of Aldermen requesting street closure for the “Bikers at the Cross” event (Medical Center Drive/Randy Hendrix Drive) on April 6, 2024, between 10:00 a.m.-3:00 p.m.

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

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IN RE: FEMA APPLICANT AGENT DESIGNATION

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

IN RE: EASTER EGG HUNT

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that an Easter egg hunt to be held at Trussell Park and Patton Lane Park be and they are hereby approved.

IN RE: APPROVAL FOR BOY SCOUTS CAMPOUT - BATESVILLE MOUNDS

Upon motion of Alderman Harrison and second of Alderman Dugger and upon unanimous vote taken, it was ordered that the request for the use of the Batesville Mounds March 22-23, 2024, by the Boy Scouts, in order to hold a campout, be and it is hereby approved.

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IN OPEN SESSION

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

IN THE CLOSED MEETING

Mayor Ferrell announced that the meeting is closed to determine whether or not the Mayor and Board of Aldermen should declare an executive session. Present in the closed meeting were: Mayor Hal Ferrell; Aldermen Land, Harrison, Dugger, Morrow and Walton; City Attorney Colmon Mitchell; Assistant City Clerk Shonnah Weaver; Chief of Police Dennis Darby and Assistant Chief of Police Barry Thompson.

On motion made by Alderman Harrison, seconded by Alderman Walton, and unanimously carried upon the affirmative votes of Aldermen Land, Walton, Dugger, Morrow and Harrison it was ordered that the Mayor and Board of Aldermen go into executive session in order to discuss personnel matter in the Batesville Civic Center, employment and job performance and leasing city property.

MARCH 19, 2024

IN OPEN MEETING

The Mayor announced that the Mayor and Board of Aldermen will go into executive session for the purpose of discussing personnel matter in the Batesville Civic Center, employment and job performance and leasing city property and that the total vote on the motion to go into executive session was five (5) aldermen in favor and no aldermen opposed. Those present in the open meeting were Mayor Ferrell; Aldermen Harrison, Land, Dugger, Morrow and Walton; City Attorney Colmon Mitchell; Assistant City Clerk Shonnah Weaver; Chief of Police Dennis Darby and Assistant Chief of Police Barry Thompson.

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; Assistant City Clerk Shonnah Weaver; Chief of Police Dennis Darby and Assistant Chief of Police Barry Thompson.

There came on for discussion the personnel matter in the Batesville Civic Center. (Civic Center Director Rodney Holley was present during this part of discussion.)

There next came on for discussion employment and job performance. (Parks and Recreation Director Heath Fullilove, Assistant Public Works Director Newt Benson and Assistant Parks and Recreation Director Walter Bulter were present at different times during this part of discussion.)

There next came on for discussion leasing city property.

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

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IN OPEN MEETING

The Mayor announced that the Mayor and Board are now in open meeting. Those present were Mayor Ferrell; Aldermen Land, Harrison, Dugger, Morrow and Walton; City Attorney Colmon Mitchell; Assistant City Clerk Shonnah Weaver; Chief of Police Dennis Darby and Assistant Chief of Police Barry Thompson.

IN RE: FACILITY MAINTENANCE MANAGER – CIVIC CENTER

Upon motion of Alderman Morrow and second of Alderman Walton and upon unanimous vote taken, it was ordered that advertisement for the Facility Maintenance Manager at the Batesville Civic Center be placed in “The Panolian”, a legal newspaper published in the City of Batesville, Mississippi, for a period of two (2) weeks.

IN RE: EMPLOYMENT AND JOB PERFORMANCE**IN RE: OFFER OF EMPLOYMENT**

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that full-time employment be offered to Lindsey Sullivant Woods in Supervision and Finance at a rate of \$17.00 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 April 1, 2024, at midnight if not accepted.

MINUTE BOOK NO. H-3 – CITY OF BATESVILLE, MISSISSIPPI**MARCH 19, 2024****IN RE: OUTDOOR ARENA POLICY – CIVIC CENTER**

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that the following policy be and it is hereby adopted:

Batesville Civic Center**Outdoor Arena/Multipurpose Building Policy**

The Batesville Civic Center [“BCC”] welcomes the complimentary use of its outdoor arena and multipurpose building [“facilities” and each a “facility”] by groups of people from Batesville and Panola County, Mississippi, for these activities [also “event”] of the following nature that are not for profit: educational, cultural, agricultural, livestock, equine, and farm animal subject to and upon the following conditions:

1. All activities must be free, open to the public and media, and must be without fees, collections, and sales of services or materials. The use of tobacco products, vaping material and devices, drugs, and alcohol are prohibited at the facilities.
2. There will be no access to the inside of the BCC [the building housing the main arena and meeting/conference rooms]
3. A fully completed and executed application form for use of the facilities must be submitted to and received by the BCC Manager at least one week before the event. Applications will be considered and acted upon in order of receipt. No incomplete or unsigned Application will be considered.
4. The person(s) completing the application [the “Applicant” whether one or more] will be considered the official contact person and spokesperson for the group. The Applicant shall be responsible for maintaining order among the attendees and shall be financially responsible for any damages to the facilities and its contents.
5. The length of time for the event must include adequate time for setting up and returning the facilities to good order, which actions are the responsibility of the Applicant. No City of Batesville personnel will be responsible for setting up for the event, participating in, monitoring, or supervising the event, nor cleaning up after the event.
6. No food or beverages shall be consumed at the facilities
7. No publicity for the event shall state or imply that the BCC is sponsoring or endorsing the event
8. BCC is not responsible for any personal injuries or the damage to or loss of property.
9. Applicant shall indemnify and hold harmless The City of Batesville and its elected and appointed officials, and personnel [“Indemnified Person”] from and against any and all losses, claims, demands, suits, damages, and liabilities [“Claims”] relating to or arising out of the use of the facilities except to the extent such Claims are finally judicially determined to have resulted directly from the negligent or willful conduct of the Indemnified Person.

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10. The taking possession of the facilities pursuant to the approved Application shall constitute and be deemed to be conclusive evidence that the facilities have been found and determined by the Applicant to be in good, satisfactory, and safe condition
11. The application must state clearly which of the facilities is going to be used for the event. The selection of one facility excludes the other unless both are selected for use.
12. If there is more than one Applicant then the liability, obligations, and responsibility of the Applicant shall be joint and several.
13. BCC events will be given priority in the use of the facilities.
14. Private social gatherings are prohibited at the facilities.
15. BCC Manager and the Mayor and Board of Aldermen of the City of Batesville each reserves the right to cancel, reschedule, or deny usage of the facilities.
16. If the use of facilities is questionable, the Mayor and Board of Aldermen of the City of Batesville will be the final authority on that issue.

Application for Use of Outdoor Arena and Multipurpose Building

Complete Name of Organization: _____

Purpose of Organization: _____

Approximate number of members: _____ Estimated attendance of meeting: _____

Identify the intended use of the facilities _____

Identify the facilities that you desire to use _____ Outdoor Arena _____ Multi-Purpose Building [check one or both as may be desired]

Dates Requested: e.g. 1/1/2023

Meeting Times: e.g. From: 10:00AM To: 1:00PM

From: _____ To: _____
 From: _____ To: _____
 From: _____ To: _____

I/We have read and received a copy of the BCC Outdoor Arena and Multipurpose Building Policy. I/We, jointly and severally, do hereby covenant, contract, and agree to be bound by and to comply with the Policy and to perform the obligations, duties, and responsibilities set out in the Policy. I further understand that failure to do so will result in the loss of permission to use the facilities.

Applicant(s):

Name: _____ Phone: _____

Signature _____ Date _____

Name: _____ Phone: _____

Signature _____ Date _____

Name: _____ Phone: _____

Signature _____ Date _____

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MARCH 19, 2024

Upon motion duly made and seconded, the meeting was adjourned to reconvene at 1:00 o'clock p.m., Friday, March 22, 2024, at the City Hall at 103 College Street, Batesville, Mississippi.

In accordance with Section 25-41-7, Mississippi Code of 1972, as amended, a notice of said regular meeting has been posted in the City Hall and a copy of said notice follows these minutes.

Mayor

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

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

MARCH 19, 2024

**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 22nd day of March, 2024

Hour: 1:00 p.m.

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

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