

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

DECEMBER 3, 2024

REGULAR MEETING

DECEMBER 3, 2024

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 3rd day of December 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, and Teddy Morrow, Also present were City Clerk Shonnah Weaver; City Attorney Colmon Mitchell; Chief of Police Dennis Darby; Assistant Chief of Police Barry Thompson; Chief Building Official Andy Berryhill; Public Works Director Newt Benson; Assistant Public Works Director Gary Snider; Civic Center Director Rodney Holley; Fire Chief Tim Taylor; Administrative Assistant Sulli Woods; and The Panolian Jeremy Weldon.

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

IN RE: APPROVAL OF AGENDA

Upon motion of Alderman Harrison and second of Alderman Land on and upon unanimous vote taken, the agenda of December 3, 2024, was approved.

DECEMBER 3, 2024

CITY OF BATESVILLE BOARD MEETING

DECEMBER 3, 2024
2:00 P.M. | CITY HALL

AGENDA REVISED

CALL TO ORDER: Mayor Hal Ferrell

INVOCATION: Rev. Walters Williams

PLEDGE OF ALLEGIANCE

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 3, 2024

APPROVE MINUTES OF PRIOR MEETINGS

- November 19, 2024- Regular Meeting

CONSENT AGENDA

1. Request permission for Newt Benson, Gary Snider, Steve Caldwell, and Levi Burns to attend Mississippi Natural Gas Association Trade Show in Tupelo, MS. February 12th and 13th, 2025. The city will pay all registration fees, travel expenses including lodging, milage, and per diem.
2. Request permission for Chief Dennis Darby to attend 2025 New Police Chiefs Orientation in Pearl, MS on January 12-17, 2025. Costs are lodging and per diem/meal expense. There is no registration cost. He will travel in a city vehicle.
3. Request permission for Special Ops Investigator Zack White to attend Taser Instructor training December 29-30, 2024, in Union City, TN. Cost to the city are registration of \$495.00, lodging and per diem/meal expense. He will travel back and forth in a city vehicle.
4. Permission for Special Operations Investigator Zach White to attend the ROCIC Drug and Gang Conference March 15-20, 2025, in Destin, FL. Costs to the city are registration of \$150.00, lodging, and per diem/meal expenses. The parking expense to be incurred will be reimbursed through petty cash with proper receipts. He will travel in his personal vehicle.

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

DECEMBER 3, 2024

PAY REQUEST AGENDA

1. Approval for payment to emergency equipment professionals in the amount of \$11,376.92 for repairs on ladder 10:
 - R&R Hydraulic tank
 - Repair leaking diverter valves
2. Approval of payment to Interstate Billing Service, Inc. in the amount of \$6,863.16 in connection with Chipper Truck repair.
3. Approval of payment to Deere Credit, Inc. in the amount of \$7,900.42 in connection with leasing two backhoes.
4. Approval of payment to Panola County Sheriff in the amount of \$8,150.00 in connection with Inmate Housing Invoice.
5. Approval of payment to TDL Contractors Inc. in the amount of \$207,402.98 in connection with Batesville Pavilion and Museum.

HUMAN RESOURCES

1. Approval to hire Peyton Cook to the position of non-certified patrolman pending successful pre-employment physical examination, drug and alcohol screening and psychological evaluation. If hired, Mr. Cook hourly rate of pay will be PPO at \$20.06.
2. Approval for Officer Kasey Livingston pay rate is requested to change from P1 at \$22.36 to a P2 at \$23.25 due to holding the rank of certified officer for over 25 months as of 12/8/2024. Effective December 12, 2024.

VISITORS

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 HEARING – 3:00 P.M.

1. Conditional Use Permit- The Boiling Pot, LLC for seasonal crawfish sales
2. Rezoning Request- Annie McGill Blackburn at corner of Patterson & Jackson St.
3. Rezoning Request- Carlos Barahona at 4950 Goodhope Road

BIDS RECONSIDERED

REPORT OF DEPARTMENT HEADS

CHIEF BUILDING OFFICIAL – ANDY BERRYHILL

1. Monthly inspection & Complaint list
2. Planning commission minutes meeting for November
3. Set Public hearing Conditional Use Permit for Barfoot Village, Don Mays for Jan. 7, 2025
4. Set Clean Up Hearing as needed

ASSISTANT CHIEF OF POLICE – BARRY THOMPSON

1. Request permission to declare (1) wood desk City #04485 as surplus property and to destroy the item.
2. Request permission to declare (1) metal cabinet City #00322 as surplus property and to destroy item. The cabinet is broken and unable to be repaired.

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

DECEMBER 3, 2024

CITY ATTORNEY – COLMON MITCHELL**CITY CLERK – SHONNAH WEAVER**

1. Discuss trash cans
2. Discuss Utility bill
3. Transfer of funds

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

1. Approval to obtain specifications for gutter repair/replacements on BCC
2. Approve/accept quotes for the south ramp mats at Batesville Civic Center (attached)

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

1. Request permission to accept the lowest of the two quotes for the replacement/repair of new shop door for the older public works shop.
 - **Batesville Overhead Door - \$8,000.00**
 - **Grenada Overhead Door - \$9,200.00**
2. Requesting permission to create specifications for replacing the roof on the Purchasing Building off Thomas Street.
3. Requesting permission to create specifications for replacing the roof on the Sludge Press Building at the Wastewater Treatment Plant.
4. Request permission to obtain specification on handheld laser gas detector.

ALLOW CLAIMS: 49139-49715 (includes The Co-Op)

OTHER MATTERS BY MAYOR OR ALDERMAN:**EXECUTIVE SESSION**

1. Potential litigation- Police
2. Personnel- Shonnah

ADJOURNMENT

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

DECEMBER 3, 2024

IN RE: APPROVAL OF MINUTES

Upon motion of Alderman Morrow and second of Alderman Dugger and upon unanimous vote taken, November 19, 2024, regular meeting were approved.

IN RE: SIGNATURE SHEET FOR MEETING OF December 3, 2024

BOARD MEETING
December 3, 2024
Signature Sheet

<u>Newt Benson</u> Please print name clearly	<u>City</u> Street Address, City, Zip
<u>DENNIS DARBY</u> Please print name clearly	<u>BATESVILLE P.D.</u> Street Address, City, Zip
<u>Sam Thomas</u> Please print name clearly	<u>106 College St. BATESVILLE, MS 38606</u> Street Address, City, Zip
<u>Jonathan Buckley</u> Please print name clearly	<u>me address</u> Street Address, City, Zip
<u>Tom Whitside</u> Please print name clearly	<u>1098 Lakewood Dr. Batesville</u> Street Address, City, Zip
<u>Annie McMill Backlin</u> Please print name clearly	<u>1475 Madison Rd Apt 24 Batesville</u> Street Address, City, Zip
<u>Napoleon Harris</u> Please print name clearly	<u>Same as above</u> Street Address, City, Zip
<u>Greg Smith</u> Please print name clearly	<u>City</u> Street Address, City, Zip
<u>T. Taylor</u> Please print name clearly	<u>City Rd 110</u> Street Address, City, Zip
<u>Parone Holly</u> Please print name clearly	<u>Bee</u> Street Address, City, Zip
<u>Walter Williams</u> Please print name clearly	<u>204 BROAD ST. Batesville, MS</u> Street Address, City, Zip
<u>Kati Overall</u> Please print name clearly	<u>BPD</u> Street Address, City, Zip
<u>Dei Phillips</u> Please print name clearly	<u>14721 Hwy 35 S.</u> Street Address, City, Zip
<u>Daniell Dixon</u> Please print name clearly	<u>NDPP</u> Street Address, City, Zip
<u>Maria Rodriguez</u> Please print name clearly	<u></u> Street Address, City, Zip
<u>Diana Casanova</u> Please print name clearly	<u></u> Street Address, City, Zip
<u>Cecelia Zarboeem</u> Please print name clearly	<u></u> Street Address, City, Zip
<u>Joe Azar</u> Please print name clearly	<u></u> Street Address, City, Zip
<u>Gay Sander</u> Please print name clearly	<u>City</u> Street Address, City, Zip

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

DECEMBER 3, 2024

IN RE: APPROVAL OF CONSENT AGENDA

Upon motion of Alderman Dugger 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. Request permission for Newt Benson, Gary Snider, Steve Caldwell, and Levi Burns to attend Mississippi Natural Gas Association Trade Show in Tupelo, MS. February 12th and 13th, 2025. The city will pay all registration fees, travel expenses including lodging, milage, and per diem.
2. Request permission for Chief Dennis Darby to attend 2025 New Police Chiefs Orientation in Pearl, MS on January 12-17, 2025. Costs are lodging and per diem/meal expense. There is no registration cost. He will travel in a city vehicle.
3. Request permission for Special Ops Investigator Zack White to attend Taser Instructor training December 29-30, 2024, in Union City, TN. Cost to the city are registration of \$495.00, lodging and per diem/meal expense. He will travel back and forth in a city vehicle.
4. Permission for Special Operations Investigator Zach White to attend the ROCIC Drug and Gang Conference March 15-20, 2025, in Destin, FL. Costs to the city are registration of \$150.00, lodging, and per diem/meal expenses. The parking expense to be incurred will be reimbursed through petty cash with proper receipts. He will travel in his personal vehicle.

IN RE: APPROVAL OF PAY REQUEST AGENDA

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

1. Approval for payment to emergency equipment professionals in the amount of \$11,376.92 for repairs on ladder 10:
 - R&R Hydraulic tank
 - Repair leaking diverter valves
2. Approval of payment to Interstate Billing Service, Inc. in the amount of \$6,863.16 in connection with Chipper Truck repair.
3. Approval of payment to Deere Credit, Inc. in the amount of \$7,900.42 in connection with leasing two backhoes.
4. Approval of payment to Panola County Sheriff in the amount of \$8,150.00 in connection with Inmate Housing Invoice.
5. Approval of payment to TDL Contractors Inc. in the amount of \$207,402.98 in connection with Batesville Pavilion and Museum.

MINUTE BOOK NO. I-3 – CITY OF BATESVILLE, MISSISSIPPI**DECEMBER 3, 2024****IN RE: APPROVAL OF HUMAN RESOURCES AGENDA**

Upon motion of Alderman Harrison and second of Alderman Dugger 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 hire Peyton Cook to the position of non-certified patrolman pending successful pre-employment physical examination, drug and alcohol screening and psychological evaluation. If hired, Mr. Cook hourly rate of pay will be PPO at \$20.06.
2. Approval for Officer Kasey Livingston pay rate is requested to change from P1 at \$22.36 to a P2 at \$23.25 due to holding the rank of certified officer for over 25 months as of 12/8/2024. Effective December 12, 2024.

**IN RE: PUBLIC HEARING - 3:00 P.M.
PUBLIC HEARING – THE BOILING POT, LLC – CONDITIONAL
USE PERMIT**

The Mayor opened the Public Hearing and Chief Building Official Andy Berryhill explained the purpose of the hearing being a request from Tim Morrow for a Conditional Use Permit to allow for *Use #2.240 Sales from temporary or portable buildings, tent or other structures* in a C-2, Commercial Zone. Said real property is owned by F.W. Loden, III and is located at Mid-Town Market Shopping Center on Hwy. 6, East lying and situated in the City of Batesville, Second Judicial District of Panola County, Mississippi, and is more particularly described as follows, to-wit:

Lot (93.8x400) part of the Southeast Quarter of the
Southwest Quarter north of Hwy. 6, East located in
Section 9, Township 9 South, Range 7 West in the
City of Batesville, Second Judicial District of Panola
County, Mississippi at Mid-Town Market Shopping
Center

and

Notice of said hearing having been published in the manner and for the time required by law as evidenced by a copy of the Proof of Publication attached hereto:

No one was present in support or opposition of this request.

Chief Building Official Andy Berryhill reported that the Planning Commission recommended said Conditional Use Permit request be granted at their meeting held on October 28, 2024.

The Mayor declared the hearing closed.

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

DECEMBER 3, 2024

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:

11/13/24

2. The sum charged by the Newspaper for said publication is the actual lowest classified rate paid by commercial customer for an advertisement of similar size and frequency in the same newspaper in which the Notice was published.

3. There are no agreements between the Newspaper, publisher, manager or printer and the officer or attorney charged with the duty of placing the attached legal advertising notice whereby any advantage, gain or profit accrued to said officer or attorney



Rebecca Alexander, Publisher

Subscribed and sworn to before me this
13th Day of November, 2024




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

PUBLIC NOTICE

NOTICE OF PUBLIC
HEARING

WHEREAS, There has been submitted by Tim Morrow, The Boiling Pot, LLC 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 crawfish vending business in a C-2, Commercial zone at Mid-Town Market Shopping Center on Hwy. 6, East. Said real property is owned by F.W. Loden, III and is lying and situated in the City of Batesville, Second Judicial District of Panola County, Mississippi, and is more particularly described as follows, to-wit:

Lot (93.8x400) part of the Southeast Quarter of the Southwest Quarter north of Hwy. 6, East located in Section 9, Township 9 South, Range 7 West in the City of Batesville, Second Judicial District of Panola County, Mississippi at Mid-Town Market Shopping Center and

NOW THEREFORE, pursuant to the order of the Mayor and Board of Aldermen of the City of Batesville, Mississippi, notice is hereby given to all persons interested in, or in any way affected by, said application that a public hearing on said application shall be held by the Mayor and Board of Aldermen of the City of Batesville, Mississippi, at 3:00 P.M. on December 3, 2024, at the City Hall located at 103 College Street, Batesville, Mississippi, at which time all parties interested in or affected thereby, will be heard, after which a decision will be rendered by the said Board of Mayor and Aldermen.

Any objection made concerning the property described herein above may be made by any person in writing or in person at said hearing. If any objection

be made in writing, it must be filed with the undersigned before the said time if a hearing thereon or consideration thereof be desired, or any party interested may appear in person or by counsel on said date.

CITY OF BATESVILLE

Shonnah Weaver, City Clerk

The Panolian:
Nov. 13, 2024
HEARING 12.03.24 1

Account # 180200
Ad # 1909011

CITY OF BATESVILLE
PO BOX 689
BATESVILLE MS 38606

IN RE: **CONDITIONAL USE PERMIT REQUEST – THE BOILING POT,
LLC**

Upon motion of Alderman Morrow and second of Alderman Land and upon unanimous vote taken, it was ordered that the request from Tim Morrow for a conditional use permit to allow for *Use #2.240 Sales from temporary or portable buildings, tent or other structures* in a C-2, Commercial Zone located at Mid-Town Market Shopping Center on Hwy. 6, East, be and it is hereby approved for a two year period.

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

DECEMBER 3, 2024

**IN RE: PUBLIC HEARING - 3:00 P.M.
PUBLIC HEARING – ANNIE MCGILL BLACKBURN - REZONING**

The Mayor opened the Public Hearing and Chief Building Official Andy Berryhill explained the purpose of the hearing being a request from Annie McGill Blackburn that the following described property presently zoned C-2, Commercial District be rezoned to M-1, Manufactured Home. Said property lying and being situated in the City of Batesville, Second Judicial District of Panola County, Mississippi and more particularly described as follows, to-wit:

Lots 12, 13, 14 and 15 of Block D of Liberty Heights Subdivision and Being a fraction of Section 7, Township 9, Range 7 West, according to The Plat in Book L at Page 460 in the Batesville Office of the Chancery Clerk of Panola County, Mississippi.

and

Notice of said hearing having been published in the manner and for the time required by law as evidenced by a copy of the Proof of Publication attached hereto:

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

Chief Building Official Andy Berryhill reported that the Planning Commission recommended said rezoning request at their meeting held on October 28, 2024, due to there being a public need for such rezoning and the character of the neighborhood in which the property is located has changed to such an extent as to justify said reclassification and rezoning.

The Mayor declared the hearing closed.

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

DECEMBER 3, 2024

Publisher's Certificate of Publication

STATE OF MISSISSIPPI
COUNTY OF PANOLA

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

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3. There are no agreements between the Newspaper, publisher, manager or printer and the officer or attorney charged with the duty of placing the attached legal advertising notice whereby any advantage, gain or profit accrued to said officer or attorney



Rebecca Alexander, Publisher

Subscribed and sworn to before me this
13th Day of November, 2024




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

PUBLIC NOTICE

NOTICE OF PUBLIC
HEARING

Pursuant to the orders of the Mayor and Board of Aldermen of the City of Batesville, Mississippi, notice is hereby given to all persons interested in or in any way affected thereby, that said Board of Aldermen has, upon application of Annie McGill Blackburn, initiated the rezoning of the following described property from C-2, Commercial to M-1, Manufactured Home District. Said property lying and being situated in the City of Batesville, Second Judicial District of Panola County, Mississippi and more particularly described as follows, to-wit:

Lots 12, 13, 14 and 15 of Block D of Liberty Heights Subdivision and Being a fraction of Section 7, Township 9, Range 7 West, according to the Plat in Book L at Page 460 in the Batesville Office of the Chancery Clerk of Panola County, Mississippi.

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 December 3, 2024, 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
Shonnah Weaver, City Clerk

The Panolian:
Nov. 13, 2024
HEARING 12.03.24 2

Account # 180200
Ad # 1909015

CITY OF BATESVILLE
PO BOX 689
BATESVILLE MS 38606

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

DECEMBER 3, 2024

IN RE: ORDINANCE ADOPTED - REZONING, ANNIE MCGILL BLACKBURN

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

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

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

WHEREAS, the aforesaid changes consisted of rezoning the hereafter described property presently zoned C-2, Commercial, and

WHEREAS, December 3, 2024, was set as the date for the public hearing and notice of said hearing was given fifteen (15) days prior to the date set for said public hearing by publication in "The Panolian" a newspaper having general circulation in Batesville, Mississippi, on the proposed changes and amendments.

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

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

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

That the following described property presently zoned C-2, Commercial be rezoned M-1, Manufactured Home District and more particularly described as follows to wit:

Lots 12, 13, 14 and 15 of Block D of Liberty Heights Subdivision and Being a fraction of Section 7, Township 9, Range 7 West, according to The Plat in Book L at Page 460 in the Batesville Office of the Chancery Clerk of Panola County, Mississippi.

and

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

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

DECEMBER 3, 2024

ORDAINED, APPROVED AND ADOPTED by the Mayor and Board of Aldermen
of the City of Batesville, Mississippi, on this the 3rd day of December, 2024.

Hal Ferrell, Mayor

ATTEST:

Shannah Weaver, City Clerk

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

DECEMBER 3, 2024

**IN RE: PUBLIC HEARING - 3:00 P.M.
 PUBLIC HEARING – CARLOS BARAHONA - REZONING**

The Mayor opened the Public Hearing and Chief Building Official Andy Berryhill explained the purpose of the hearing being a request from Carlos Barahona that the following described property presently zoned AG, Agricultural be rezoned to C-2, Commercial District. Said property lying and being situated in the City of Batesville, Second Judicial District of Panola County, Mississippi and more particularly described as follows, to-wit:

A fractional part of the Northwest Quarter of the Southwest Quarter of Section 8, Township 9 South, Range 6 West, Second Judicial District, Panola County, Mississippi, and being more particularly described as follows, to-wit:

Beginning at a Set 1/2" Rebar that is 2226.59 feet North of and 5005.34 feet West of

A found 3/4" Iron Pipe marking the Southeast corner of said Section 8; then run North

87 degrees 07 minutes 09 seconds West 189.06 feet to a found 5/8" Rebar on the East right of way line of Good Hope Road; then run along the East right of way line Of Good Hope Road along a curve to the right having a Radius distance of 1786.71 Feet and an Arc distance of 249.29 feet and Chord bearing of North 05 degrees 58 minutes 36 seconds West for a Cord distance of 249.08 feet to a set 1/2" Rebar; then Leaving the East right of way line of Good Hope Road run North 81 degrees 25 minutes

37 seconds East 133.22 feet to a set 1/2" Rebar; then run North 58 degrees 12 minutes

49 seconds East 94.75 feet to a set 1/2" Rebar; then run South 00 degrees 26 minutes 06 seconds East 327.01 feet to the Point of Beginning and containing 1.29 Acres, more

Or less. All bearings for this description are Grid Bearings referenced to U.S. State Plane NAD 83 (2011), Mississippi West Zone by GPS. This property is Also subject to an ingress and egress access easement along the Northern portion of The property as described in Deed Book 2010 at Page 817 and Deed Book N-9 at Page 16 in the Batesville office of the Chancery Clerk of Panola County, Mississippi.

and

Notice of said hearing having been published in the manner and for the time required by law as evidenced by a copy of the Proof of Publication attached hereto:

Carlos Barahona was present and spoke in support of this request and no one was present in opposition of this request.

Chief Building Official Andy Berryhill reported that the Planning Commission recommended said rezoning request at their meeting held on October 28, 2024, due to there being a public need for such rezoning and the character of the neighborhood in which the property is located has changed to such an extent as to justify said reclassification and rezoning.

The Mayor declared the hearing closed.

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

DECEMBER 3, 2024

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:

11/13/24

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
13th Day of November, 2024

Shandale Goodman



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

Account # 180200
Ad # 1909017

CITY OF BATESVILLE
PO BOX 689
BATESVILLE MS 38606

PUBLIC NOTICE

NOTICE OF PUBLIC
HEARING

Pursuant to the orders of the Mayor and Board of Aldermen of the City of Batesville, Mississippi, notice is hereby given to all persons interested in or in any way affected thereby, that said Board of Aldermen has, upon application of Carlos Barahona, initiated the rezoning of the following described property from AG, Agricultural to C-3, Commercial District. Said property lying and being situated in the City of Batesville, Second Judicial District of Panola County, Mississippi and more particularly described as follows, to-wit:

A fractional part of the Northwest Quarter of the Southwest Quarter of Section 8, Township 9 South, Range 6 West, Second Judicial District, Panola County, Mississippi, and being more particularly described as follows, to-wit:
Beginning at a Set 1/2" Rebar that is 2226.59 feet North of and 5005.34 feet West of A found 3/4" Iron Pipe marking the Southeast corner of said Section 8; then run North 87 degrees 07 minutes 09 seconds West 189.06 feet to a found 5/8" Rebar on the East right of way line of Good Hope Road; then run along the East right of way line of Good Hope Road along a curve to the right having a Radius distance of 1786.71 Feet and an Arc distance of 249.29 feet and Chord bearing of North 05 degrees 58 minutes 36 seconds West for a Cord distance of 249.08 feet to a set 1/2" Rebar; then

Leaving the East right of way line of Good Hope Road run North 81 degrees 25 minutes 37 seconds East 133.22 feet to a set 1/2" Rebar; then run North 58 degrees 12 minutes 49 seconds East 94.75 feet to a set 1/2" Rebar; then run South 00 degrees 26 minutes 06 seconds East 327.01 feet to the Point of Beginning and containing 1.29 Acres, more or less. All bearings for this description are Grid Bearings referenced to U.S. State Plane NAD 83 (2011), Mississippi West Zone by GPS. This property is

Also subject to an ingress and egress access easement along the Northern portion of

The property as described in

Deed Book 2010 at Page 817

and Deed Book N-9 at Page

16 in the Batesville office of

the Chancery Clerk of Panola

County, Mississippi.

and

NOW THEREFORE, pursuant

to the order of the Mayor and

Board of Aldermen of the City

of Batesville, Mississippi, notice

is hereby given to all persons

interested in, or in any way affected by, said application that a public hearing on said application shall be held by the Mayor and Board of Aldermen of the City of Batesville, Mississippi, at 3:00 P.M. on December 3, 2024, 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
Shonnah Weaver, City Clerk

The Panolian:
Nov. 13, 2024
HEARING 12.03.24 3

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

DECEMBER 3, 2024

IN RE: ORDINANCE ADOPTED - REZONING, CARLOS BARHONA

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

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

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

WHEREAS, the aforesaid changes consisted of rezoning the hereafter described property presently zoned AG, Agricultural, and

WHEREAS, December 3, 2024, was set as the date for the public hearing and notice of said hearing was given fifteen (15) days prior to the date set for said public hearing by publication in "The Panolian" a newspaper having general circulation in Batesville, Mississippi, on the proposed changes and amendments.

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

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

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

That the following described property presently zoned AG, Agricultural be rezoned C-2, Commercial District and more particularly described as follows to wit:

A fractional part of the Northwest Quarter of the Southwest Quarter of Section 8, Township 9 South, Range 6 West, Second Judicial District, Panola County, Mississippi, and being more particularly described as follows, to-wit:

Beginning at a Set 1/2" Rebar that is 2226.59 feet North of and 5005.34 feet West of

A found 3/4" Iron Pipe marking the Southeast corner of said Section 8; then run North

87 degrees 07 minutes 09 seconds West 189.06 feet to a found 5/8" Rebar on the East right of way line of Good Hope Road; then run along the East right of way line Of Good Hope Road along a curve to the right having a Radius distance of 1786.71 Feet and an Arc distance of 249.29 feet and Chord bearing of North 05 degrees 58 minutes 36 seconds West for a Cord distance of 249.08 feet to a set 1/2" Rebar; then

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Leaving the East right of way line of Good Hope Road run North 81 degrees 25 minutes
37 seconds East 133.22 feet to a set $\frac{1}{2}$ " Rebar; then run North 58 degrees 12 minutes
49 seconds East 94.75 feet to a set $\frac{1}{2}$ " Rebar; then run South 00 degrees 26 minutes
06 seconds East 327.01 feet to the Point of Beginning and containing 1.29 Acres,
more
Or less. All bearings for this description are Grid Bearings referenced to
U.S. State Plane NAD 83 (2011), Mississippi West Zone by GPS. This property is
Also subject to an ingress and egress access easement along the Northern portion of
The property as described in Deed Book 2010 at Page 817 and Deed Book N-9 at
Page 16 in the Batesville office of the Chancery Clerk of Panola County,
Mississippi.

and

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

ORDAINED, APPROVED AND ADOPTED by the Mayor and Board of Aldermen
of the City of Batesville, Mississippi, on this the 3rd day of December, 2024.

Hal Ferrell, Mayor

ATTEST:

Shannah Weaver, City Clerk

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DECEMBER 3, 2024

IN RE: APPROVAL TO SET PUBLIC HEARING - CONDITIONAL USE PERMIT – BAREFOOT VILLAGE, DON MAYS

Upon motion of Alderman Harrison and second of Alderman Dugger 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 Don Mays 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 fireworks sales business in a C-2, Commercial zone at Mid-Town Market Shopping Center on Hwy. 6, East. Said real property is owned by F.W. Loden, III and is lying and situated in the City of Batesville, Second Judicial District of Panola County, Mississippi, and is more particularly described as follows, to-wit:

Lot (93.8x400) part of the Southeast Quarter of the Southwest Quarter north of Hwy. 6, East located in Section 9, Township 9 South, Range 7 West in the City of Batesville, Second Judicial District of Panola County, Mississippi at Mid-Town Market Shopping Center

and

WHEREAS, said request was reviewed by the Planning Commission of the City of Batesville at their meeting held on November 25, 2024, and

WHEREAS, said Planning Commission recommended that the Conditional Use Permit be granted and suggested the Board of Mayor and Aldermen impose conditions such as:

Two (2) year limit

and

NOW, THEREFORE, BE IT ORDERED that on the 7th day of January 2025, 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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DECEMBER 3, 2024

IN RE: SURPLUS PROPERTY-POLICE DEPARTMENT

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

R E S O L U T I O N

BE IT RESOLVED that the following equipment is obsolete and is not needed for municipal purposes and therefore, the wood desk should be and is hereby declared to be surplus property and further ordered that said wood desk, having no value, shall be disposed of as junk, described as follows, to-wit:

(1) Wood Desk (City #04485)

IN RE: SURPLUS PROPERTY-POLICE DEPARTMENT

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

R E S O L U T I O N

BE IT RESOLVED that the following equipment is obsolete and is not needed for municipal purposes and therefore, the metal cabinet should be and is hereby declared to be surplus property and further ordered that said metal cabinet, having no value, shall be disposed of as junk, described as follows, to-wit:

(1) Metal Cabinet (City #00322)

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DECEMBER 3, 2024

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

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

RESOLUTION

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the sum of \$500,000.00 of said surplus revenue be transferred from the City's Water and Sewer Operating fund to the City's General Fund and used for the best interests of the City as allowed by law.

RESOLVED this the 3rd day of December, 2024.

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DECEMBER 3, 2024

IN RE: STREETLIGHT

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that a streetlight be place on an existing pole, number 200606, located on Atwell Street.

IN RE: PREPARE SPECIFICATIONS- GUTTER REPAIR/REPLACEMENT

Upon motion of Alderman Morrow and second of Alderman Land and upon unanimous vote taken, it was ordered that Civic Center Director Rodney Holley, be & he is hereby authorized to obtain specifications for gutter repair/replacements.

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DECEMBER 3, 2024

IN RE: QUOTES RECEIVED-SOUTH RAMP MATS

The City of Batesville received the following quotes for South Ramp mats:

Double D Family Mat Shop, Inc \$7,457.07

TaurusMats \$19,525.00

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 Double D Family Mat Shop, Inc. in the amount of \$7,457.07 be and it is hereby approved and accepted as the lowest and best quote. Copies of the quotes are on file in the Office of the City Clerk and a copy of the accepted quote follows:

Double D Family Mat Shop, Inc.

6606 E Road 100S
Park, Kansas 67751

Quote

Date	Quote #
8/12/2024	143

Name / Address

Batesville Civic Center
290 Civic Center Drive
Batesville, MS 38606

P.O. No.	Rep	Project

Item	Description	Qty	Cost	Total
NonSlip Double D... FREIGHT	6' x 90' area - 15 pieces - Mats for South Ramp FREIGHT Out-of-state sale, exempt from sales tax	15	432.00 977.07	6,480.00 977.07 0.00

Amber Hutchinson

Here is your quote. Hope we can be of service to you! Thanks, Amber	Total	\$7,457.07
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IN RE: QUOTES RECEIVED-REPLACEMENT/REPAIR SHOP DOOR

The City of Batesville received the following quotes for replacement/repair of new shop door:

Batesville Overhead Door \$8,000.00

Grenada Overhead Door \$9,200.00

Upon recommendation of Public Works Director Newt Benson and upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that the quote from Batesville Overhead Door in the amount of \$8,000.00 be and it is hereby approved and accepted as the lowest and best quote. Copies of the quotes are on file in the Office of the City Clerk and a copy of the accepted quote follows:

INVOICE		
 Batesville Overhead Door Co., LLC <small>P.O. BOX 891 • BATESVILLE, MS 38606 • 662-563-0884</small>		<small>RESIDENTIAL • COMMERCIAL</small> 
SOLD TO: <u>City of Batesville</u> ADDRESS: _____		DATE: <u>10-4-24</u> P.O. _____
ORDERED	DESCRIPTION	AMOUNT
<i>Estimate for New Shop Door & Motor Street Dept. Shop</i>		
<i>Take down old existing Door And Install 1 New Sectional Shop Door & Motor.</i>		
1-	New Door. + Take down old Door	\$ 6500.00
1-	14" Trolley Motor	\$ 1500.00
<i>Estimate Good for 30 days.</i>		
		SUB-TOTAL <u>\$ 8000.00</u> TAX <u>Exempt</u> TOTAL <u>\$ 8000.00</u>
ACCEPTED BY: <u>Kathy Slay</u>		

AMM Printing & Copying | 662.83 2702

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IN RE: PREPARE SPECIFICATIONS- REPLACING THE ROOF ON PURCHASING BUILDING OFF THOMAS STRRET

Upon motion of Alderman Morrow and second of Alderman Dugger and upon unanimous vote taken, it was ordered that Public Works Director Newt Benson be & he is hereby authorized to obtain specifications for replacing the roof on the Purchasing Building on Thomas Street.

IN RE: PREPARE SPECIFICATIONS- REPLACING THE ROOF ON SLUDGE PRESS BUILDING

Upon motion of Alderman Harrison and second of Alderman Land and upon unanimous vote taken, it was ordered that Public Works Director Newt Benson be & he is hereby authorized to obtain specifications for replacing the roof on the Sludge Press Building at Wastewater Treatment Plant.

IN RE: PREPARE SPECIFICATIONS- HANDHELD LASER GAS DETECTOR

Upon motion of Alderman Morrow and second of Alderman Land and upon unanimous vote taken, it was ordered that Public Works Director Newt Benson be & he is hereby authorized to obtain specifications for Handheld Laser Gas Detector.

IN RE: TRASH CANS

Upon motion of Alderman Morrow and second of Alderman Land and upon unanimous vote taken, it was ordered that Panola County provide extra trash cans to be stored at the Street Department building in order for Street Department personnel to replace damaged trash cans as needed, provide trash cans for new services, and pick up trash cans for turned off services within the city limits of Batesville.

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IN RE: APPROVAL OF TVI-FIBER – BATESVILLE MOUNDS AND PAVILION

Upon recommendation of Public Works Director Newt Benson and upon motion of Alderman Morrow and second of Alderman Dugger and upon unanimous vote taken, it was ordered that TVI-Fiber be and it is hereby approved for the Batesville Mounds and Pavilion.

IN RE: PARKING LOT AT BATESVILLE MOUNDS

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that Public Works Director Newt Benson clean the parking lot at the Batesville Mounds and Pavilion.

*Alderman Harrison recused himself from the meeting.

IN RE: ALLOW CLAIMS

On motion made by Alderman Dugger, 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 49139-49715 (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.

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DECEMBER 3, 2024

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 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 Ferrell; Aldermen Land, Harrison, Dugger, and Morrow; City Attorney Colmon Mitchell; Chief of Police Dennis Darby; Assistant Chief of Police Barry Thompson City Clerk Shonnah Weaver and Administrative Assistant Sulli Woods.

On motion made by Alderman Harrison, seconded by Alderman Morrow, and unanimously carried upon the affirmative votes of Aldermen Land, Walton, Dugger, Morrow and Harrison it was ordered that the Mayor and Board of Aldermen go into executive session in order to discuss personnel matter, location of a new industry, potential litigation, and appealable order.

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, location of a new industry, potential litigation, and appealable order 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 Ferrell; Aldermen Harrison, Land, Dugger, and Morrow; City Attorney Colmon Mitchell; Chief of Police Dennis Darby; Assistant Chief of Police Barry Thompson; City Clerk Shonnah Weaver and Administrative Assistant Sulli Woods.

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IN EXECUTIVE SESSION

Mayor Ferrell announced that the Mayor and Board of Aldermen 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 Dennis Darby; City Clerk Shonnah Weaver and Administrative Assistant Sulli Woods.

There came on for discussion of personnel matter. (Public Works Director Newt Benson and Assistant Public Works Director Gary Snider were present for this conversation.)

There came on for discussion of location of a new industry. (Public Works Director Newt Benson, Assistant Public Works Director Gary Snider, and Panola Partnership Director Joe Azar were present for this conversation.)

There next came on for discussion of potential litigation. (J.P Wallace and Kati Overall were present for this conversation.)

There next came on for discussion of appealable order.

IN OPEN MEETING

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

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IN RE: PERSONNEL MATTER

Upon motion of Alderman Harrison and second of Alderman Dugger and upon unanimous vote taken, it was ordered that Stephen Sanford, Jr. in the Street Department be and he is hereby placed on probation with the City of Batesville until his court trial for reasons discussed in executive session.

IN RE: EASEMENT- CROWN

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, The City of Batesville authorized an easement of the railroad spur to the potential buyer of Crown Cork and Seal property for up to one year and then the City of Batesville will revisit the easement.

IN RE: PAYMENT TO DONNIE SHAW

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that payment in the amount of \$2,500.00 be made to Donnie Shaw for assisting with the Welcome to Batesville sign in front of Lowe's.

IN RE: PAYMENT TO MARTIN MURILLO

Upon motion of Alderman Harrison and second of Alderman Land and upon unanimous vote taken, it was ordered that payment in the amount of \$3,000.00 be made to Martin Murillo for laying the brick for the Welcome to Batesville sign in front of Lowe's.

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IN RE: OLD WATER DEPARTMENT

Upon motion of Alderman Dugger and second of Alderman Harrison and upon unanimous vote taken, it was ordered that Public Works Director Newt Benson tear down the old Water Department building and clean up around it.

*No action taken on the potential litigation matter.

OTHER MATTERS COMING BEFORE THE MAYOR AND BOARD FOR DISCUSSION

1. Chief Building Official Andy Berryhill provided copies of the monthly inspections, and the Planning Commission minutes for November.

Upon motion duly made and seconded, the meeting was adjourned.

Mayor

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