

**MINUTE BOOK NO. I-3 – CITY OF BATESVILLE, MISSISSIPPI****FEBRUARY 4, 2025****REGULAR MEETING****FEBRUARY 4, 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 February, being the 4<sup>th</sup> day of February 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; Assistant Public Works Director Gary Snider; Civic Center Director Rodney Holley; Administrative Assistant Sulli Woods; Fire Chief Tim Taylor; Deputy Fire Chief David Tarver; and The Panolian Jeremy Weldon.

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

**IN RE: APPROVAL OF AGENDA**

Upon motion of Alderman Harrison and second of Alderman Land and upon unanimous vote taken, the agenda of February 4, 2025, was approved.

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

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FEBRUARY 4, 2025

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# **CITY OF BATESVILLE BOARD MEETING**

FEBRUARY 4, 2025  
2:00 P.M. | CITY HALL

## **AGENDA**

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**CALL TO ORDER:** Mayor Hal Ferrell

**INVOCATION:** Barbara Young

### **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**

- February 4, 2025

### **APPROVE MINUTES OF PRIOR MEETINGS**

- January 21, 2025- Adjourned Meeting
- January 21, 2025- Regular Meeting

### **CONSENT AGENDA**

1. Approval for Hal Ferrell attend legislative meetings in Jackson, MS on February 5-6, 2025. All expenses paid/reimbursed by the city.
2. Approval for Dennis Pearson to attend the Confined Space Rescue Class at the MSFA on March 3-6, 2025. He will travel in a city vehicle. All expenses will be paid/reimbursed by the city.
3. Approval for Caleb Moffet and Jon Rybolt to attend the Haz Mat Tech Class sponsored by the MSFA, this is a course and will be taught online for two weeks. They will attend Lafayette County Fire Department Training Center for one week for skills and testing. Online Course begins February 17, 2025, to February 28, 2025. Students will Attend the LCFDT Campus for one week on March 3-7, 2024. Allow any alternates if they can't attend. They will travel in a city vehicle each day. All expenses will be paid/reimbursed by the city.
4. Approval for Shonnah Weaver to attend the 2025 Spring Municipal Clerk Conference April 9-11, 2025, in Hattiesburg, MS. All expenses will be paid/reimbursed by the city.

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

FEBRUARY 4, 2025

**PAY REQUEST AGENDA**

1. Approval of payment to Panola County Sheriff Office in the amount of \$9,400.00 in connection with jail board fees.
2. Approval of payment to Red Bud Supply, Inc. in the amount of \$5,538.00 in connection with pedestrian cross walk sign and lights.
3. Approval of payment to Motorola Solutions, Inc. in the amount of \$47,396.31 in connection with maintenance agreement with dispatch consoles.
4. Approval of payment to Doubled Family Mat Shop, Inc. in the amount of \$7,457.07 in connection with cattle mats at the Civic Center.
5. Approval of payment to Digital-Ally in the amount of \$35,016.00 in connection with the Maintenance Agreement.
6. Approval of payment to Gregory Companies, LLC dba Murphree Paving Company in the amount of \$1,295,620.77 in connection with 2024 Paving Project.

**HUMAN RESOURCES**

1. Approval to hire Victoria Perkins to the position of School Resource Officer pending successful pre-employment physical examination, drug, and alcohol screening. Her hourly pay will be \$24.15 per hour.
2. Approval to hire Austin Brown as fulltime fireman pending successful pre-employment physical examination, drug, and alcohol screening. His pay rate will be \$15.55 per hour. Application of any longevity from Senatobia Fire and Southaven Fire upon adequate documentation presented to the City Clerk's Office.

**VISITORS**

1. Patrice Hoskins- Hoskins Road Tailgate

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

1. Monthly Inspection & Complaint List
2. Planning commission minutes meeting for January
3. Set Public hearings for March 4, 2025, at 2:15 pm for the following:
  - a. Conditional use permit request for Mike Moore
  - b. Conditional use permit request for Ernie Capwell
  - c. Conditional use permit for Anthony Fondren
4. Set clean-up hearings for March 4, 2025, at 2:15 pm for the following:
  - a. Hall Plumber Estate at 111 Patton Lane
  - b. Kaye Anthony Smith at 313 Willa Street

**MINUTE BOOK NO. I-3 – CITY OF BATESVILLE, MISSISSIPPI****FEBRUARY 4, 2025****ASSISTANT CHIEF OF POLICE – BARRY THOMPSON**

1. Permission to make repairs to the Cambium, LPU, and weather proofing kit or a radio on the tower behind MHP. Total cost \$12,375.00

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

1. Cash Drawer for Debbie Turner- \$150.00
2. Discuss the use of voting machines for 2025 election

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

1. Upcoming events at BCC
2. Mississippi Blood Service

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

1. Request permission to add listed equipment to be surplus
2. Request permission to auction listed equipment, (If this is approved, will have a contract to be approved at the Feb 18<sup>th</sup> meeting.)
  - Keith Cooper, Jeff Martin Auctioneers Brooklyn, MS – 10% plus we must deliver equipment
  - **Steve May, Thomas Auction & Real Estate Kosciusko, MS – 5% and they pick everything up**
3. Requesting permission for services outside the city limits.
  - Angela Ales – 964 Trantham Rd – Water, \$1,145.62
  - Bailey Lawrence – 184 Austin Dr – Water, \$1,145.62
  - Whit Lawrence – 254 Austin Dr – Water, \$1,145.62
4. Request permission to approve specifications for mosquito machine
5. Request permission to put the specifications for aeration system at the lagoon out for advertising and/or reverse auction.
6. Requesting permission to add 2" gas main down Austin Dr – 1800' total (Loop)

**ALLOW CLAIMS: 50232-50726 (includes The Co-Op)****OTHER MATTERS BY MAYOR OR ALDERMAN:****EXECUTIVE SESSION**

1. Personnel matter- Police
2. Delinquent Sewer Accounts

**ADJOURNMENT**

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

FEBRUARY 4, 2025

**IN RE: APPROVAL OF MINUTES**

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, January 21, 2025, adjourned meeting and January 21, 2025, regular meeting were approved.

**IN RE: SIGNATURE SHEET FOR MEETING OF FEBRUARY 4, 2025****BOARD MEETING****February 4, 2025****Signature Sheet**

<u>Jim Wh. Taylor</u>	<u>1098 Lakeview Dr Batesville MS</u>
Please print name clearly	Street Address, City, Zip
<u>Jimmy W. Wh. Taylor</u>	<u>207 Bates St. Batesville MS</u>
Please print name clearly	Street Address, City, Zip
<u>Patrice Hoskins</u>	<u>971 Bethlehem Rd B'ville, MS</u>
Please print name clearly	Street Address, City, Zip
<u>Mary Brown</u>	<u>City</u>
Please print name clearly	Street Address, City, Zip
<u>Dennis DAREY</u>	<u>106 College St Batesville, MS</u>
Please print name clearly	Street Address, City, Zip
<u>Parry Thompson</u>	<u>106 College St. Batesville, MS</u>
Please print name clearly	Street Address, City, Zip
<u>Jonathan Buckley</u>	<u>Mendrop</u>
Please print name clearly	Street Address, City, Zip
<u>Greg Smith</u>	<u>Street Address, City, Zip</u>
<u>David Tarras</u>	<u>172 Van Voris</u>
Please print name clearly	Street Address, City, Zip
<u>Bonny Thompson</u>	<u>106 College St. Batesville, MS</u>
Please print name clearly	Street Address, City, Zip
<u>Andy Berryhill</u>	<u>City</u>
Please print name clearly	Street Address, City, Zip
<u>Gloria Turner</u>	<u>City</u>
Please print name clearly	Street Address, City, Zip
<u>Florida Jackson</u>	<u>302 Parks place Rd Batesville</u>
Please print name clearly	Street Address, City, Zip
<u>Maggie Sheggs</u>	<u>302 Park Place Rd. Batesville</u>
Please print name clearly	Street Address, City, Zip
<u>Walter Williams</u>	<u>204 Broad St Batesville, MS 38606</u>
Please print name clearly	Street Address, City, Zip
<u>Joy Taylor</u>	<u>City</u>
Please print name clearly	Street Address, City, Zip

**MINUTE BOOK NO. I-3 – CITY OF BATESVILLE, MISSISSIPPI****FEBRUARY 4, 2025****IN RE: APPROVAL OF CONSENT AGENDA**

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

1. Approval for Hal Ferrell to attend legislative meetings in Jackson, MS on February 5-6, 2025. All expenses paid/reimbursed by the city.
2. Approval for Dennis Pearson to attend the Confined Space Rescue Class at the MSFA on March 3-6, 2025. He will travel in a city vehicle. All expenses will be paid/reimbursed by the city.
3. Approval for Caleb Moffet and Jon Rybolt to attend the Haz Mat Tech Class sponsored by the MSFA, this is a course and will be taught online for two weeks. They will attend Lafayette County Fire Department Training Center for one week for skills and testing. Online Course begins February 17, 2025, to February 28, 2025. Students will Attend the LCFDT Campus for one week on March 3-7, 2024. Allow any alternates if they can't attend. They will travel in a city vehicle each day. All expenses will be paid/reimbursed by the city.
4. Approval for Shonnah Weaver to attend the 2025 Spring Municipal Clerk Conference April 9-11, 2025, in Hattiesburg, MS. All expenses will be paid/reimbursed by the city.

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

1. Approval of payment to Panola County Sheriff Office in the amount of \$9,400.00 in connection with jail board fees.
2. Approval of payment to Red Bud Supply, Inc. in the amount of \$5,538.00 in connection with pedestrian cross walk sign and lights.
3. Approval of payment to Motorola Solutions, Inc. in the amount of \$47,396.31 in connection with maintenance agreement with dispatch consoles.
4. Approval of payment to Doubled Family Mat Shop, Inc. in the amount of \$7,457.07 in connection with cattle mats at the Civic Center.
5. Approval of payment to Digital-Ally in the amount of \$35,016.00 in connection with the Maintenance Agreement.
6. Approval of payment to Gregory Companies, LLC dba Murphree Paving Company in the amount of \$1,295,620.77 in connection with 2024 Paving Project.

**MINUTE BOOK NO. I-3 – CITY OF BATESVILLE, MISSISSIPPI****FEBRUARY 4, 2025****IN RE: APPROVAL OF HUMAN RESOURCES AGENDA**

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

1. Approval to hire Victoria Perkins to the position of School Resource Officer pending successful pre-employment physical examination, drug, and alcohol screening. Her hourly pay will be \$24.15 per hour.
2. Approval to hire Austin Brown as fulltime fireman pending successful pre-employment physical examination, drug, and alcohol screening. His pay rate will be \$15.55 per hour. Application of any longevity from Senatobia Fire and Southaven Fire upon adequate documentation presented to the City Clerk's Office.

**IN RE: REQUEST FOR TAILGATE PARTY - HOSKINS ROAD**

The Mayor recognized Patrice Hoskins who appeared before the Mayor and Board of Aldermen requesting to hold a tailgate party on Hoskins Road, Saturday, May 24, 2025.

Upon motion of Alderman Morrow, second of Alderman Dugger 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.

**IN RE: MAYOR TO SIGN**

Upon motion of Alderman Dugger and second of Alderman Morrow and upon unanimous vote taken, it was ordered that Mayor Hal Ferrell be & he is hereby authorized to sign the MDA Monitoring Response.



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

FEBRUARY 4, 2025

**IN RE: BIDS RECEIVED – HWY 35 ARC PUMP STATION PROJECT**

This day the Mayor and Board of Aldermen discussed the sealed competitive bids

that were received and opened on December 17, 2024, for the Hwy 35 ARC Pump Station Project, pursuant to advertisement made in the manner and for the time provided by law as evidenced by a copy of Proof of Publication attached hereto. Greg Smith of Mendrop Engineering Resources found that the following bids were received and are on file in the Office of the City Clerk.

Brocato Construction, Inc. \$2,148,837.60

Having heard all bids received, upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that the bids be and they are hereby rejected.

## **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:

10/16/24, 10/23/24

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  
23rd Day of October, 2024

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

Account # 180200  
Ad # 1805234

CITY OF BATESVILLE  
PO BOX 689  
BATESVILLE MS 38606

PUBLIC NOTICE

## ADVERTISEMENT FOR BIDS

Notice is hereby given that sealed bids for the Hwy 35 ARC Pump Station Project will be received by The City of Batesville, herein called the "OWN-ER", at Batesville City Hall, 103 College Street, Batesville, MS until 2:00 P.M., Local Time on November 19, 2024 at which time they will be publicly opened and read aloud. Bids received after this time will not be accepted and will be returned unopened.

unopened. A Pre-Bid Conference is currently scheduled for 11-5-24 at 10 am. The project scope includes: The work to be performed under this contract shall consist of furnishing all labor, tools, equipment and materials and performing

all work necessary for the complete construction of the sewer lift station specified in the construction documents. Contract time is 180 consecutive calendar days. Liquidated damages in the amount of \$250.00 will be assessed for each consecutive calendar day thereafter. Bidders must be qualified under Mississippi Law and show a current Certificate of Responsibility issued by the Mississippi Board of Public Contractors establishing classification as to the value and type of construction work on which he is authorized to bid. The Plans, Specifications, and Contract Documents may be examined at the following locations:

1. Batesville City Hall, 103 College Street, Batesville, MS 38606, (662) 563-4576
2. Mendrop Engineering Resources, 109A Eureka Street, Batesville, MS 38606, (662)

501-9946  
Copies of the Contract Documents may be obtained at the offices of Mendrop Engineering Resources, LLC, 109A Eureka Street, Batesville, MS 38606, Telephone 662-501-9946, upon payment of \$150 for each set, NOT to be refunded. The cost of the contract documents includes standard shipping and handling via USPS First Class Mail or UPS Ground, as well as printing expenses.

printing expenses.  
Disadvantaged business enterprises are encouraged to make inquiries regarding potential bidding; subcontracting opportunities; and equipment, material and/or supply needs.  
Any contract or contracts awarded under this invitation for

awarded under this invitation for bids are expected to be funded in part by the Appalachian Regional Commission (ARC) and by The City of Batesville, Mississippi.

The bidder shall guarantee to hold his bid good and may not

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

FEBRUARY 4, 2025

## IN RE: BIDS RECEIVED – HWY 35 NORTH SEWER IMPROVEMENTS

This day the Mayor and Board of Aldermen discussed the sealed competitive bids that were received and opened on January 7, 2025, for the Hwy. 35 North Sewer Improvements, pursuant to advertisement made in the manner and for the time provided by law as evidenced by a copy of Proof of Publication attached hereto. Greg Smith of Mendrop Engineering Resources found that the following bids were received and are on file in the Office of the City Clerk.

Brocato Construction, Inc.	\$3,956,720.29
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Having heard all bids received, upon motion of Alderman Morrow and second of Alderman Dugger and upon unanimous vote taken, it was ordered that the bids be and they are hereby rejected.

### 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:  
10/16/24, 10/23/24
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  
23rd Day of October, 2024

*Shandale Goodman*



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

Account # 180200  
Ad # 1895235

CITY OF BATESVILLE  
PO BOX 689  
BATESVILLE MS 38606

#### PUBLIC NOTICE

#### ADVERTISEMENT FOR BIDS

Notice is hereby given that sealed bids for the Hwy 35 North Sewer Improvements will be received by The City of Batesville, herein called the "OWNER", at Batesville City Hall, 103 College Street, Batesville, MS until 2:00 P.M., Local Time on November 19, 2024 at which time they will be publicly opened and read aloud. Bids received after this time will not be accepted and will be returned unopened.

A Pre-Bid Conference is not currently scheduled for this project. The project scope includes: The work to be performed under this contract shall consist of furnishing all labor, tools, equipment and materials and performing all work necessary for the complete construction of the gravity sewer main as shown in the construction documents. Contract time is 180 consecutive calendar days. Liquidated damages in the amount of \$250.00 will be assessed for each consecutive calendar day thereafter.

Bidders must be qualified under Mississippi Law and show a current Certificate of Responsibility issued by the Mississippi Board of Public Contractors establishing classification as to the value and type of construction work on which he is authorized to bid. The Plans, Specifications, and Contract Documents may be examined at the following locations:

1. Batesville City Hall, 103 College Street, Batesville, MS 38606, (662) 563-4576
2. Mendrop Engineering Resources, 109A Eureka Street, Batesville, MS 38606, (662) 501-9946

Copies of the Contract Documents may be obtained at the offices of Mendrop Engineering Resources, LLC, 109A Eureka Street, Batesville, MS 38606, Telephone 662-501-9946, upon payment of \$150 for each set, NOT to be refunded. The cost of the contract documents includes standard shipping and handling via USPS First Class Mail or UPS Ground, as well as printing expenses.

Disadvantaged business enterprises are encouraged to make inquiries regarding potential bidding; subcontracting opportunities; and equipment, material and/or supply needs.

Any contract or contracts awarded under this invitation for bids are expected to be funded in part by the Appalachian Regional Commission (ARC) and by The City of Batesville, Mississippi.

The bidder shall guarantee to hold his bid good and may not withdraw his bid for a period of 60 calendar days after the

scheduled closing time for receiving bids.

The award, if made, will be made to the party submitting the lowest and best responsive, responsible bid deemed most favorable to the Owner. The City of Batesville reserves the right to reject any and all bids and to waive any informalities or irregularities in the bids received.

The City of Batesville  
Mayor Hal Ferrell

The Panolian:  
Oct. 16 and 23, 2024  
BIDS/HWY 35

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

FEBRUARY 4, 2025

**IN RE: SET PUBLIC HEARING – CONDITIONAL USE PERMIT – MIKE MOORE**

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

**ORDER SETTING TIME, DATE, AND PLACE OF PUBLIC HEARING  
ON 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 Mike Moore 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-3, Commercial zone at 111 Turner Street. Said real property is owned by Joey Caine Construction, LLC 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 #3182N0004800 0002600 Lot (62.9x138) Lot 25  
West of Street – Willa Cox S/D Section 9, Township 9S,  
Range 7W – 111 Turner Street

And

WHEREAS, the request said was reviewed by the Planning Commission of the City of Batesville at their meeting held on January 27, 2025, 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 Permit

and

NOW, THEREFORE, BE IT ORDERED that on the 4<sup>th</sup> day of March 2025, at 2:15 P.M. in the City Hall of the City of Batesville, Mississippi, the Mayor and Board of Aldermen will hold a public hearing on said application and the Clerk of the City of Batesville, Mississippi, is hereby ordered and authorized to place a notice of said public hearing for publication in “The Panolian”, a newspaper having a general circulation in the City of Batesville, Mississippi.

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

FEBRUARY 4, 2025

**IN RE: SET PUBLIC HEARING – CONDITIONAL USE PERMIT – ERNIE CAPWELL**

Upon motion of Alderman Harrison and second of Alderman Morrow 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 Ernie Capwell 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 the vacant lot between Shell and East Oaks Shopping Center on Hwy. 6, East owned by Tres Brassell, Or at the vacant lot west of Hardee's on Hwy. 6 East owned by Daniel Westerfield. Said real properties are lying and situated in the City of Batesville, Second Judicial District of Panola County, Mississippi, and are more particularly described as follows, to-wit:

Lot (178x187.2) part of the North Half of the  
Northeast Quarter of the Northeast Quarter  
Unplatted land located in Section 16,  
Township 9 South, Range 7 West in the  
City of Batesville, Second Judicial District of  
Panola County, Mississippi on Hwy. 6, East

And

2.5 ACC PT SE 1/4 SE 1/4 - UNPLATTED LAND  
Located in Section 9, Township 9 South,  
Range 7 West in the City of Batesville, Second  
Judicial District of Panola, County, Mississippi

and

WHEREAS, said request was reviewed by the Planning Commission of the City of Batesville at their meeting held on January 27, 2025, 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 4<sup>th</sup> day of March 2025 at 2:15 P.M. in the City Hall of the City of Batesville, Mississippi, the Mayor and Board of Aldermen will hold a public hearing on said application and the Clerk of the City of Batesville, Mississippi, is hereby ordered and authorized to place a notice of said public hearing for publication in "The Panolian", a newspaper having a general circulation in the City of Batesville, Mississippi.

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

FEBRUARY 4, 2025

**IN RE: SET PUBLIC HEARING – CONDITIONAL USE PERMIT – ANTHONY FONDREN**

Upon motion of Alderman Harrison and second of Alderman Morrow 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 Anthony Fondren 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 produce 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 January 27, 2025, 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 4<sup>th</sup> day of March 2025, at 2:15 P.M. in the City Hall of the City of Batesville, Mississippi, the Mayor and Board of Aldermen will hold a public hearing on said application and the Clerk of the City of Batesville, Mississippi, is hereby ordered and authorized to place a notice of said public hearing for publication in “The Panolian”, a newspaper having a general circulation in the City of Batesville, Mississippi.

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

FEBRUARY 4, 2025

**IN RE: SET CLEAN UP HEARING- 111 PATTON LANE**

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

**RESOLUTION SETTING PUBLIC HEARING**

WHEREAS, there came on for consideration the need to hold a public hearing to determine whether property owned by the following persons and located at the following locations in the City of Batesville, Mississippi, are in such a state of uncleanliness as to be a menace to the public health, safety and welfare of the community.

Hall Plumber Estate- 111 Patton Lane

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Board of Aldermen of the City of Batesville will conduct a hearing at City Hall on the 4<sup>th</sup> day of March, 2025, at 2:15 p.m. to determine if said properties are in such a state of uncleanliness as to be a menace to the public health, safety and welfare of the community and that notice of such hearing be given to the owners in the manner and for the time required by law.

RESOLVED this on the 4<sup>th</sup> day of February 2025.

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FEBRUARY 4, 2025

**IN RE: SET CLEAN UP HEARING- 313 WILLA STREET**

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

**RESOLUTION SETTING PUBLIC HEARING**

WHEREAS, there came into consideration the need to hold a public hearing to determine whether property owned by the following persons and located at the following locations in the City of Batesville, Mississippi, are in such a state of uncleanliness as to be a menace to the public health, safety and welfare of the community.

Kaye Anthony Smith- 313 Willa Street

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Board of Aldermen of the City of Batesville will conduct a hearing at City Hall on the 4<sup>th</sup> day of March, 2025, at 2:15 p.m. to determine if said properties are in such a state of uncleanliness as to be a menace to the public health, safety and welfare of the community and that notice of such hearing be given to the owners in the manner and for the time required by law.

RESOLVED this on the 4<sup>th</sup> day of February 2025.

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

FEBRUARY 4, 2025

## IN RE: MOTOROLA SOLUTIONS

Upon motion of Alderman Harrison and second of Alderman Land and upon unanimous vote taken, it was ordered that repairs be made to the cambium, LPU, and weather proofing kit or a radio on the tower behind MHP. Motorola Solutions is a sole source provider and only authorized seller of Astro System. These repairs will cost \$12,375.00.

01/15/2025

 <b>MOTOROLA SOLUTIONS</b>	<b>Quote Submitted by:</b> <b>Jace Lester</b> <b>(903) 227-8986</b> <b>jace.lester1@motorolasolutions.com</b>
<b>Quote Description:</b>	
End User: Richard Stoenesmet Batesville Police Department P.O. Box 689 Batesville, MS 38606 1036133742	
Quote is Valid for 90 Days from date listed above.	
Pricing in accordance with MS State Contract 3429 Section G, subsection system integration services - Net 45	
<b>LINE ITEM</b> <b>QTY</b> <b>DESCRIPTION</b>	<b>Price</b> <b>Ext. Price</b> <b>MS 3429 Price</b> <b>3429 Price Ext.</b>
1      1      Repairs to microwave link for dispatch consoles - parts and labor included	\$      13,750.00      \$      13,750.00      \$      12,375.00      \$      12,375.00
<small>* All line items listed under <b>Misc. Parts - EQUIPMENT</b> is included in the total price.</small>	
Misc. Parts - EQUIPMENT	
- Cambium RFU 17g Low	
- Cambium RFU 19g High	
- LPU-Surge Arrestor Kit	
- Weather Proofing Kit	
<small><b>SUBTOTAL</b>      \$      13,750.00  <b>MS 3429 Discount</b>      \$      1,375.00  <b>TOTAL</b>      \$      12,375.00</small>	
<b>Customer Responsibilities</b>	
1      Access to dispatch center 2 3	
Quote Accepted By: _____ Date: _____	


**MOTOROLA  
SOLUTIONS**


**MOTOROLA**

January 15, 2025

Batesville Police Department  
P.O. Box 689 Batesville, MS 38606

Re: Sole Source Procurement

(Motorola Proposal dated January 15, 2025)

To Whom It May Concern:

This letter is to confirm that Motorola Solutions (MSI) is the sole source provider and only authorized seller of Astro System Support which includes hardware products, software maintenance, and factory authorized services.

Motorola greatly appreciates the opportunity to serve Batesville Police Department. Please feel free to contact me if you have any questions.

Sincerely,

*Jace Lester*

Jace Lester  
Customer Support Manager  
Motorola Solutions, Inc.  
(903) 227-8986

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

FEBRUARY 4, 2025

**IN RE: APPROVAL TO ESTABLISH CASH DRAWER – DEBBIE TURNER**

Upon motion of Alderman Dugger and second of Alderman Land and upon unanimous vote taken, it was ordered that a cash drawer be established in the amount of \$150.00 for Debbie Turner.

**IN RE: VOTING MACHINE FOR 2025 ELECTION**

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that the election commission determine which voting machine will benefit the city the best for the 2025 Municipal Election.

**IN RE: MISSISSIPPI BLOOD SERVICE**

Upon motion of Alderman Harrison and second of Alderman Dugger and upon unanimous vote taken, it was ordered that Civic Center Director Rodney Holley be & he is hereby authorized to place advertisement on the electronic sign at the Batesville Civic Center regarding the Mississippi Blood Drive for Brandy Darby to be held on February 17, 2025.

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

FEBRUARY 4, 2025

**IN RE: SURPLUS PROPERTY – PUBLIC WORKS DEPARTMENT**

Upon motion of Alderman Harrison 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 equipment should be and is hereby declared to be surplus property and further ordered that said equipment, shall be sent to auction, described as follows, to-wit:

Description	Model Number	Serial Number	VIN #
6' Big BEE L-660 Bushog			
Woods 60" Finishing Mower	RM660-1	7187-1	
2003 Ford Explorer			1FMZV72K232B14869
2004 Aquatech Sewer Machine	SJ600	24101046	
Woods Batwing 3180	9318	553333	
2012 New Holland TS6 120		10413648	
2003 Chevrolet C7500 Duramax Diesel			1GBM7C13X4F505476
1997 GMC C7500			1GDL7H1JOVJ517939
Delta Low Boy Manufactured 9-81	ID# 2973		
1977 Great Dane Box Trailer	830T45		86222
Fruehauf Flat Bed 45 ft			
2002 Ford Ranger			1FTYR10E52PB35883
2004 Ford Ranger			1FTYR10E52PB23223
1997 Chevrolet			1GBHP32YXV3300481
2000 Ford F 450 XL Super Duty			1FDXW46F91EA03351
1996 Ford F150			1FTEF15N4TLB59508
RHYNO	FR10	13989	
RHYNO	4105-3	30031	
Stone Pac 3100	WP3100R	62007226	
2001 Ford F250 XL Super Duty			1FTNX20L21EC91659

**IN RE: QUOTES RECEIVED – AUCTION**

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

**Jeff Martin Auctioneers - 10% plus we will deliver equipment**

**Thomas Auction & Real Estate - 5% and they pick up equipment**

Upon recommendation of Public Works Director Newt Benson and upon motion of Alderman Land and second of Alderman Harrison and upon unanimous vote taken, it was ordered that the quote from Thomas Auction & Real Estate in the amount of 5% and they pick up equipment be and it is hereby approved and accepted as the lowest and best quote.

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

FEBRUARY 4, 2025

**IN RE: EXTENSION OF CITY UTILITIES OUTSIDE THE CITY LIMITS**

There came for discussion the matter of a request for water services for Angela Ales, located at 964 Trantham Road, outside the city limits of Batesville.

Upon recommendation of Public Works Director Newt Benson and upon motion of Alderman Harrison and second of Alderman Land and upon unanimous vote taken, it was ordered that city water services be provided to Angela Ales's property located at 964 Trantham Road, contingent upon and subject to him paying \$1,145.62 for said service in advance of such extension. A copy of the total amount owed by Angela Ales, is as follows:

1/21/2025  
Quote #: 80  
Page: 1

Quoted To:  
water/sewer  
103 collage st.

Phone:	Terms:	Salesperson: MARK			
Cust PO:	Ship Via:	Valid Through: 2/4/2025			
Reference: Angela Ales		Taxable	Quantity	Price	Extended
Stock Code	Description				
BACKHOE#4	Equipment on Job	N	2.00	44.00	88.00
TOTAL LABOR	Total Labor on Job	N	1.00	169.62	169.62
TOTAL OF MISC. MATE	water connection fee	N	1.00	750.00	750.00
TOTAL OF MISC. MATE	Deposit	N	1.00	100.00	100.00
TRUCK#11	Equipment on Job	N	2.00	19.00	38.00

1/21/2025  
Quote for Angela Ales ,  
964 Trantham Rd.

SubTotal:	1,145.62
Tax:	0.00
Shipping:	0.00
Total:	1,145.62

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

FEBRUARY 4, 2025

**IN RE: EXTENSION OF CITY UTILITIES OUTSIDE THE CITY LIMITS**

There came for discussion the matter of a request for water services for Bailey Lawrence, located at 184 Austin Drive, outside the city limits of Batesville.

Upon recommendation of Public Works Director Newt Benson and upon motion of Alderman Harrison and second of Alderman Land and upon unanimous vote taken, it was ordered that city water services be provided to Bailey Lawrence's property located at 184 Austin Drive, contingent upon and subject to him paying \$1,145.62 for said service in advance of such extension. A copy of the total amount owed by Bailey Lawrence, is as follows:

1/21/2025  
Quote #: 80  
Page: 1

Quoted To:  
water/sewer  
103 collage st.

Phone:	Cust PO:	Terms:	Salesperson: MARK Valid Through: 2/4/2025			
Reference: Bailey Lawrence		Ship Via:	Taxable	Quantity	Price	Extended
Stock Code	Description					
BACKHOE#4	Equipment on Job		N	2.00	44.00	88.00
TOTAL LABOR	Total Labor on Job		N	1.00	169.62	169.62
TOTAL OF MISC. MATE	water connection fee		N	1.00	750.00	750.00
TOTAL OF MISC. MATE	Deposit		N	1.00	100.00	100.00
TRUCK#11	Equipment on Job		N	2.00	19.00	38.00

1/21/2025  
Quote for Bailey Lawrence,  
184 Austin Dr.

SubTotal:	1,145.62
Tax:	0.00
Shipping:	0.00
Total:	1,145.62

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

FEBRUARY 4, 2025

**IN RE: EXTENSION OF CITY UTILITIES OUTSIDE THE CITY LIMITS**

There came for discussion the matter of a request for water services for Whit Lawrence, located at 254 Austin Drive, outside the city limits of Batesville.

Upon recommendation of Public Works Director Newt Benson and upon motion of Alderman Harrison and second of Alderman Land and upon unanimous vote taken, it was ordered that city water services be provided to Whit Lawrence's property located at 254 Austin Drive, contingent upon and subject to him paying \$1,145.62 for said service in advance of such extension. A copy of the total amount owed by Whit Lawrence, is as follows:

1/21/2025  
Quote #: 80  
Page: 1

Quoted To:  
water/sewer  
103 collage st.

Stock Code	Description	Terms: Ship Via:	Taxable	Quantity	Price	Extended
BACKHOE#4	Equipment on Job		N	2.00	44.00	88.00
TOTAL LABOR	Total Labor on Job		N	1.00	169.62	169.62
TOTAL OF MISC. MATE	water connection fee		N	1.00	750.00	750.00
TOTAL OF MISC. MATE	Deposit		N	1.00	100.00	100.00
TRUCK#11	Equipment on Job		N	2.00	19.00	38.00

1/21/2025  
Quote for Whit Lawrence,  
254 Austin Dr.

SubTotal:	1,145.62
Tax:	0.00
Shipping:	0.00
Total:	1,145.62

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

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FEBRUARY 4, 2025

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**IN RE: 2 INCH GAS LINE**

Upon motion of Alderman Dugger 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 extend the gas line to Austin Drive.

**IN RE: APPROVAL OF SPECIFICATIONS FOR MOSQUITO MACHINE**

Upon motion of Alderman Harrison and second of Alderman Land and upon unanimous vote taken, it was ordered that the following specifications for a mosquito machine, be and they are hereby approved.

**Specifications for Mosquito Machine**

- 18-25 hp commercial quality twin cylinder engine
- Air cooled
- Electric Start
- Fuel injection
- 350-400 cfm high output blower
- VAAT nozzle
- 12-15-gallon fuel tank
- Electric throttle and choke
- Variable Flow
- 3550 RPM, 4 PSIG=379 CFM, 9PSIG=354 CFM
- Horizontal mount, LH drive
- Remote engine start/stop, flush, spray on/off
- 450-500 lbs (222.2 kg)
- Pressure gauges included

**MINUTE BOOK NO. I-3 – CITY OF BATESVILLE, MISSISSIPPI****FEBRUARY 4, 2025****IN RE: REVERSE AUCTION-**

On motion of Alderman Morrow, second of Alderman Harrison and unanimously carried by a vote being taken, it was ordered that the City Clerk publish in *The Panolian*, a legal newspaper published at Batesville, Mississippi, notice for not less than two consecutive weeks that the Mayor and Board of Aldermen will cause an electronic reverse auction to be conducted and will receive bids by electronic bid submission at City Hall at 103 College Street, Batesville, Mississippi, for aeration system at the WWTP lagoon. The Mayor and Board of Aldermen reserves the right to reject any and all bids.

\*Alderman Harrison recused himself from the meeting.

**IN RE: ALLOW CLAIMS**

On motion made by Alderman Morrow, 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 50232-50726 (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.

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

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FEBRUARY 4, 2025

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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 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 Shannah Weaver and Administrative Assistant Sulli Woods.

On motion made by Alderman Harrison, seconded by Alderman Land, and unanimously carried upon the affirmative votes of Aldermen Land, Walton, Dugger, Morrow and Harrison it was ordered that the Mayor and Board of Aldermen go into executive session in order to discuss personnel matters; acquire real property; and appealable orders.

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

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FEBRUARY 4, 2025

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**IN OPEN MEETING**

The Mayor announced that the Mayor and Board of Aldermen will go into executive session for the purpose of discussing personnel matters; acquire real property; and appealable orders 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.

**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 matters.

There came on for acquire real property. (Public Works Director Newt Benson, Assistant Public Works Director Gary Snider, Panola Partnership Director Joe Azar, Blake Mendrop of Mendrop Engineering Resources, and Greg Smith of Mendrop Engineering Resources were present for this conversation.)

There came on for discussion of appealable orders.

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

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FEBRUARY 4, 2025

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**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, and Morrow; City Attorney Colmon Mitchell; Chief of Police Dennis Darby; City Clerk Shonnah Weaver and Administrative Assistant Sulli Woods.

**IN RE: PERSONNEL MATTER**

Upon motion of Alderman Harrison and second of Alderman Land and upon unanimous vote taken, it was ordered that the rank of Lt. Josh Busby be demoted to Seargent with a decrease in pay to \$26.83 per hour. (S-2)

**IN RE: GAS LINE**

Upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, it was ordered for Public Works Director Newt Benson relocate the gas line off of Hwy 6 and Civic center Drive to the street right away at the expense of the city.

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

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FEBRUARY 4, 2025

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**IN RE: NOON REAL ESTATE, LLC**

Upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, it was ordered that the request from Noon Real Estate, LLC for an extension be & it is hereby granted & further ordered that Mayor Hal Ferrell be and he is hereby authorized to execute the amending contract as follows:

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

FEBRUARY 4, 2025

FIRST AMENDMENT TO  
CONTRACT FOR THE SALE OF REAL PROPERTY

THIS FIRST AMENDMENT TO CONTRACT FOR THE SALE OF REAL PROPERTY ("Amendment") is made by and between **THE CITY OF BATESVILLE, MISSISSIPPI**, a municipal corporation ("Seller") and **NOON REAL ESTATE, LLC**, a Tennessee limited liability company ("Purchaser"). The Effective Date of this Amendment shall be the date on which the last party executes the Amendment.

WHEREAS, Seller and Purchaser are parties to that certain Contract for Sale of Real Property, as amended by that certain Letter Amendment dated August 9, 2024 (the "Contract"), for the purchase of certain real property containing approximately 7.19 acres, more or less, adjacent to Medial Center Drive and House Carlson Drive, Batesville, MS 38606, as reflected, more or less, in Panola County Mississippi Tax Parcel ID Nos. of 318620005800 0000800, 318620005800 0000801, and 3186200005800 0000700 (the "Property");

WHEREAS, Seller and Purchaser now desire to further amend, supplement or otherwise modify certain terms of the Contract;

NOW, THEREFORE, in consideration of the agreements herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Seller and Purchaser hereby agree as follows:

1. Amendment to Section 3 – Effective Date. The final sentence of Section 3 is hereby deleted from the Contract.

2. Amendment to Section 5(a) - Inspection Period. Section 5(a) of the Contract is hereby deleted in its entirety and replaced with the following:

(a) The Parties acknowledge that the Purchaser needs an opportunity to review, examine, evaluate or otherwise satisfy itself with respect to the condition, status, and suitability of the Property. Purchaser shall have a period (the "Inspection Period") commencing upon the Effective Date of this Contract and continuing through and including the "Inspection Completion Date" (as hereinafter defined), in which to conduct such inspections and otherwise examine same. If, prior to 11:59 p.m. on the March 31, 2026 ("Inspection Completion Date"), Purchaser determines for any or no reason at all that the Property is unacceptable (in Purchaser's sole discretion), then Purchaser shall have the right to give written notice to Seller electing to terminate this Contract, provided such notice is delivered no later than 11:59 p.m. on the Inspection Completion Date.

In the event such written notice of termination is given by Purchase prior to 11:59 p.m. on the Inspection Completion Date, then the Earnest Money shall be retained by the Seller; and upon such delivery, this Contract shall be terminated, and neither Party shall have any further rights or obligations each to the other under this Contract.

In the event the Contract is not terminated by 11:59 p.m. on the Inspection Completion Date, the Earnest Money shall become non-refundable to Purchaser but remain applicable towards the Purchase Price.

3. All capitalized terms used but not otherwise defined herein shall have the respective meanings set forth in the Contract.

4. This Amendment may be executed in counterparts, each of which shall be deemed an original document, but all of which shall together constitute a single agreement. This Amendment shall not be binding on or constitute evidence of a contract between the parties until such time as a counterpart of this document has been executed by each party and a copy thereof delivered to the other party. The signature of any party to any counterpart shall be deemed a signature to and may be appended to any other counterpart. Facsimile or electronic (email) signatures shall be as valid as originals.

5. Except as specifically modified herein, all terms and conditions of the Contract remain valid and in full force and effect.

*Remainder of page intentionally blank.  
See following page for signatures.*

**MINUTE BOOK NO. I-3 – CITY OF BATESVILLE, MISSISSIPPI****FEBRUARY 4, 2025**

IN WITNESS WHEREOF, the parties have executed this Amendment as of the date appearing below each party's signature.

**SELLER:**

**THE CITY OF BATESVILLE, MISSISSIPPI,**  
a municipal corporation

\_\_\_\_\_  
Hal Ferrell, Mayor

Date: \_\_\_\_\_

**PURCHASER:**

**NOON REAL ESTATE, LLC,**  
a Tennessee limited liability company

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Date: \_\_\_\_\_

**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 January.

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

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FEBRUARY 4, 2025

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

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Mayor

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

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

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FEBRUARY 4, 2025

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