

The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, October 15, 2019 at 6:00 P.M. with Mayor Tom Ferguson presiding. Aldermen present were: Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, and Alderman Hobbs. Also present for the meeting were: City Clerk Katie Harbin, City Attorney Kenneth Stockton, Fire/EMS Chief Hubert Jones, Police Chief Scott Worsham, Public Works Director Bobby Burton, Court Clerk Cassandra Perry, Human Resources Manager Julie Harris, Planning Director Keith Briley, Community and Economic Development Director Gia Matheny, Animal Control Director Susan Huff, Parks and Recreation Director Dewayne Williams, Kelly Dion, Janet Clements, Carolyn Richards, Sigonie Swatzyna, Robert Spears, Traci Thompson, Curtis Usry, Jim Seay, Rita Ray, Chris Fuller, Yvonwe Fuller, Kim Derryberry, Dan Lehman, Kay Valentine, and Nick Pesce.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance

INVOCATION

Alderman Higdon gave the invocation.

AGENDA

Agenda
City of Hernando
Mayor and Board of Alderman
Regular Meeting

October 15, 2019

6:00pm

- 1) Call the meeting to order
- 2) Pledge of Allegiance
- 3) Invocation
- 4) Approve Agenda
- 5) Approve Docket of Claims No.'s 33170 – 33494 less 33209 – 33213
- 6) Approve Docket of Claims No.'s 33209 - 33213

- 7) Approve Minutes
- 8) Consent Agenda
 - A) Authorize Katie Harbin to attend the Debt Setoff training in Tupelo, MS on October 16, 2019, also authorize to pay travel expenses
 - B) Authorize Sandra Holliman to attend the APCO Communications Training Recertification in Southaven, MS November 13 – 15, 2019, also authorize to pay registration
 - C) Authorize Jacob Bramlett the ROCIC Spring Training Conference in Dallas, TX March 22-25, 2019, also authorize to pay registration and travel expenses
 - D) Authorize John Cotter to attend the CEW Recertification Course in Florence AL Nov 20 – 21, 2019, also authorize to pay registration and travel expenses.
 - E) Authorize Jacob Bramlett to attend the MAGI Conference in Meridian, MS on November 3-6, 2019, also authorize to pay registration and travel expenses
 - F) Authorize Mayor to sign Service Agreement with Gloria Oakley for HEAL Fall Session
 - G) Authorize Mayor to sign Service Agreement with Jill Morris for HEAL Fall Session
 - H) Authorize Mayor to sign Service Agreement with Loleta McLain for HEAL Fall Session
 - I) Authorize Mayor to sign Service Agreement with Minerva Hannah for HEAL Fall Session
- 9) Request from the Hernando Main Street Chamber of Commerce to temporarily close streets for the 2019 Christmas Parade
- 10) PL-1414 – Request Final Plat Approval for an Amendment to a Recorded Subdivision Final Plat – Arbor Point Subdivision – Nick Kreunen with Civil Link
- 11) PL-1415 – Request Final Plat Approval of a 2-Lot Commercial Subdivision “Bryant Two Lot Subdivision” – 2883 Highway 51 South – Andy Richardson with R&H Engineering and Surveying, LLC
- 12) Adopt Resolution if the Mayor and Board of Aldermen of the City of Hernando, Mississippi, authorizing the Mayor to enter into an Agreement with the Municipal Intercept Company, LLC (“MIC”) to collect the City’s Debt between MIC and the City as authorized by the Local Government Debt Collection Setoff Act, also designating the City Clerk as the Local Debt Collection Coordinator
- 13) Approve Budget Amendments fye 2019
- 14) Authorize to accept the quote from Peebles Sports Courts, LLC for Church Park Tennis Court resurfacing

- 15) Authorize to advertise for financing for a fire truck
- 16) Adopt Resolution to borrow funds from the Utility Fund to the General Fund in Anticipation of Taxes
- 17) Authorize to advertise to receive interest rate quotes for a Tax Anticipation Loan
- 18) Adopt Animal Control Ordinance Amendment
- 19) Discuss and approve request for sponsorships
- 20) Authorize to adjust utility bill for Deborah Taylor
- 21) Authorize to adjust utility bill for David Reaves
- 22) Authorize to pay Stewart Grading Co. \$4,160.00 for work on Renasant Trail
- 23) Authorize to pay Community Foundation of Northwest Mississippi \$20,000 for Playground Project at Conger Park
- 24) Executive Session for Parks Personnel and Negotiations
- 25) Adjourn

Motion was duly made by Alderman Harris and seconded by Alderman Miller to approve the agenda as presented. A vote was taken with the following results:

Those voting "Aye": Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, and Alderman Hobbs.

Those voting "Nay": None.

ORDERED AND DONE this the 15th day of October, 2019.

APPROVE DOCKET OF CLAIMS NO.'S 33170 – 33494 LESS 33209 - 33213

The Board of Aldermen were presented with a docket of claims No. 33170 – 33494 less 33209 - 33213 in the amount of \$914,156.24 for approval.

Motion was duly made by Alderman Hobbs and seconded by Alderman Harris to approve the docket of claims for payment as presented. A vote was taken with the following results:

Those voting "Aye": Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, and Alderman Harris.

Those voting "Nay": None.

ORDERED AND DONE this the 15th day of October, 2019.

APPROVE DOCKET OF CLAIMS NO.'S 33209 - 33213 (BRYANT)

Alderman Bryant recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No. 33209 - 33213 in the amount of \$394.23 for approval.

Motion was duly made by Alderman Higdon and seconded by Alderwoman Brooks to approve the docket of claims for payment as presented. A vote was taken with the following results:

Those voting "Aye": Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, and Alderman Harris.

Those voting "Nay": None.

ORDERED AND DONE this the 15th day of October, 2019.

APPROVE THE MINUTES FROM THE REGULAR MAYOR AND BOARD OF ALDERMEN MEETING ON OCTOBER 1, 2019

Motion was duly made by Alderman Hobbs and seconded by Alderman McLendon to approve the minutes from the regular Mayor and Board of Aldermen Meeting on October 1, 2019. A vote was taken with the following results:

Those voting "Aye": Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Harris, and Alderman Miller.

Those voting "Nay": None.

Alderman Bryant and Alderman Higdon abstained from voting.

ORDERED AND DONE this the 15th day of October, 2019.

CONSENT AGENDA

- A) Authorize Katie Harbin to attend the Debt Setoff training in Tupelo, MS on October 16, 2019, also authorize to pay travel expenses
- B) Authorize Sandra Holliman to attend the APCO Communications Training Recertification in Southaven, MS November 13 – 15, 2019, also authorize to pay registration
- C) Authorize Jacob Bramlett the ROCIC Spring Training Conference in Dallas, TX March 22-25, 2019, also authorize to pay registration and travel expenses
- D) Authorize John Cotter to attend the CEW Recertification Course in Florence AL Nov 20 – 21, 2019, also authorize to pay registration and travel expenses.
- E) Authorize Jacob Bramlett to attend the MAGI Conference in Meridian, MS on November 3-6, 2019, also authorize to pay registration and travel expenses
- F) Authorize Mayor to sign Service Agreement with Gloria Oakley for HEAL Fall Session
- J) Authorize Mayor to sign Service Agreement with Jill Morris for HEAL Fall Session

- K) Authorize Mayor to sign Service Agreement with Loleta McLain for HEAL Fall Session
- L) Authorize Mayor to sign Service Agreement with Minerva Hannah for HEAL Fall Session

Motion was duly made by Alderman Miller and seconded by Alderwoman Brooks to approve the consent agenda as presented. A vote was taken with the following results:

Those voting "Aye": Alderwoman Brooks, Alderman Hobbs, Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, and Alderman McLendon.

Those voting "Nay": None.

ORDERED AND DONE this the 15th day of October, 2019.

REQUEST FROM THE HERNANDO MAIN STREET CHAMBER OF COMMERCE TO TEMPORARILY CLOSE STREETS FOR THE 2019 CHRISTMAS PARADE

Motion was duly made by Alderman Miller and seconded by Alderwoman Brooks to approve the request from the Hernando Main Street Chamber of Commerce to temporarily close streets for the 2019 Christmas Parade on December 2, 2019 and have December 9, 2019 as a rain date. A vote was taken with the following results:

Those voting "Aye": Alderman Hobbs, Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, and Alderwoman Brooks.

Those voting "Nay": None.

ORDERED AND DONE this the 15th day of October, 2019.

PL – 1414 – REQUEST FINAL PLAT APPROVAL FOR AN AMENDMENT TO A RECORDED SUBDIVISION FINAL PLAT – ARBOR POINT SUBDIVISION – NICK KREUNEN WITH CIVIL LINK



**City of
Hernando**
MISSISSIPPI

**BOARD OF ALDERMEN
STAFF REPORT**

Project No.: PL-1414 Item No.: __
 Request: Final Plat Approval of Arbor Pointe Subdivision
 Location: Southwest Corner of Memphis Street and Ferguson Road

Applicant: Nick Kreunen with Civil Link

Date: October 15, 2019

INTRODUCTION:

Mr. Nick Kreunen with Civil Link is requesting Final Plat approval for a revision to the property line between Lots 29 and 30 of the Arbor Pointe Subdivision located at the Southwest Corner of Memphis Street and Ferguson Road.

BACKGROUND:

The property to the north is Laurelwood Subdivision Section C and the property to the south is vacant.

On December 12, 2017, the Planning Commission voted to recommend denial to the Board of Aldermen the rezoning of the property from the M-1 Light Industrial Zoning District to the R-10 Residential Single-Family Medium Density. On February 20, 2018, the Board of Aldermen voted to approve the rezoning from the M-1 Light Industrial Zoning District to the R-10 Residential Single-Family Medium Density. The Planning Commission granted Final Plat approval on April 9, 2019. The Board of Aldermen granted Final Plat approval on April 16, 2019. The final plat was recorded in the office of the Chancer Clerk on June 13, 2019, in Plat Book 128 Pages 11 – 12.

DISCUSSION:

The request is being made to move the south line of Lot 29 a distance of 6-feet to the south of its current location. Please see the following from the City of Hernando Subdivision Regulations.

Article VII – Revision of Recorded Plats

B. Revision of Plats

- 1. The Mayor and Board of Aldermen on such terms and conditions as it imposes, may authorize revision of recorded plat combining lots, changing lot lines or calls, correcting errors, and other revisions on application by the owners of the lots being changed. The corrected plat shall be filed as a separate revision of the subdivision to include a notation attached to the originally recorded plat showing revisions made and location of corrected plat. A title certificate may be required on the corrected plat.*

STAFF COMMENTS:

1. The request is to revise the Final Plat because of the relocation of a lot line.
2. Article VII. §B. ¶1. of the City of Hernando Subdivision Regulations allows for the revision of the subdivision for the requested reason.

3. The new Lots 29 and 30 are larger than the minimum lot size allowed by the R-10 Residential Single-Family Zoning District.

PLANNING COMMISSION ACTION:

The Planning Commission met on Tuesday, October 8, 2019, and voted to grant Final Plat approval for the revision to the Arbor Pointe Subdivision regarding the relocation of the property line between Lots 29 and 30, subject to Staff Comments.

STAFF RECOMMENDATION:

Staff recommends approval subject to staff comments.

PROPOSED MOTION:

I move to grant Final Plat approval for the revision to the Arbor Pointe Subdivision regarding the relocation of the property line between Lots 29 and 30, subject to Staff Comments.

Alderman McLendon asked about some erosion on the south side.

Planning Director Keith Briley answered he had not seen it.

Alderman McLendon stated there is some erosion on the south side, will this affect this.

Civil Link answered I don't know anything about the erosion, but no, this won't affect this item.

Alderman McLendon stated that everything the City has asked for, the developer has done, water, sewer, lift station. I appreciate that.

Motion was duly made by Alderman Miller and seconded by Alderman Higdon to approve to grant Final Plat approval for the revision to the Arbor Pointe Subdivision regarding the relocation of the property line between lots 29 and 30, subject to staff comments. A vote was taken with the following results:

Those voting "Aye": Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, and Alderman Hobbs.

Those voting "Nay": None.

ORDERED AND DONE this the 15th day of October, 2019.

**PL – 1415 – REQUEST FINAL PLAT APPROVAL OF A 2-LOT COMMERCIAL
SUBDIVISION “BRYANT TWO LOT SUBDIVISION” – 2883 HIGHWAY 51 SOUTH –
ANDY RICHARDSON WITH R&H ENGINEERING AND SURVEYING, LLC**



**City of
Hernando**
MISSISSIPPI

**BOARD OF ALDERMEN
STAFF REPORT**

Project No.:	PL-1415	Item No.:	__
Request:	Final Plat Approval of a Commercial Subdivision called Bryant Two Lot Subdivision		
Location:	2883 Highway 51 South		
Applicant:	Andy Richardson with R&H Engineering and Surveying, LLC		
Date:	October 15, 2019		

INTRODUCTION:

Mr. Andy Richardson with R&H Engineering and Surveying, LLC is requesting Final Plat approval for a 2-Lot Commercial Subdivision to be called Bryant Two Lot Subdivision.

BACKGROUND:

The property is located on the southwest corner of Hill Street and Highway 51 South at 2883 Highway 51 South. The property is currently zoned C-2 Highway Commercial. The property currently has two (2) buildings located on the site.

DISCUSSION:

The applicant desires to subdivide the property into two lots for the corresponding sale of one of the buildings located on the property.

STAFF COMMENTS:

4. The request is for final plat approval for the creation of a two-lot commercial subdivision.
5. The C-2 Zoning District has no required minimum lot size.
6. The C-2 Zoning District requires the following setbacks:
 - Front Yard.....50 feet
 - Rear Yard20 feet
 - Side Yard 0 feet

7. Following Board of Aldermen approval, the Applicant shall submit the final plat to the Office of Planning for recording.

PROPOSED MOTION:

The Planning Commission met on Tuesday, October 8, 2019, and voted to grant Final Plat approval for Bryant Two Lot Subdivision a 2-Lot Commercial Subdivision located at 2883 Highway 51 South, subject to Staff Comments.

STAFF RECOMMENDATION:

Staff recommends approval subject to staff comments.

PROPOSED MOTION:

I move to grant Final Plat approval for Bryant Two Lot Subdivision a 2-Lot Commercial Subdivision located at 2883 Highway 51 South, subject to Staff Comments.

Alderman Miller asked what's the distance between side yard, even though it's not required.

Planning Director Keith Briley answered 5 – 10 feet on the northern, 15 – 20 for the Southern part.

Alderman McLendon stated if turned down, will there be restrictions on a new one.

Alderman Miller stated it'd be the same as now, we aren't waiving setbacks anyway.

Keith Briley stated the existing buildings are legal non-conformance.

Alderman McLendon if they are torn down will they have to be compliant with current standards.

Keith Briley answered yes regarding setbacks, parking requirements, and building material, etc.

Alderman McLendon stated he would like this information in the minutes.

Motion was duly made by Alderman Harris and seconded by Alderman Miller to approve to grant Final Plat approval for Bryant Two Lot Subdivision a 2-lot Commercial Subdivision located at 2883 Highway 51 South, subject to Staff comments. A vote was taken with the following results:

Those voting “Aye”: Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Harris, and Alderman Miller.

Those voting “Nay”: None.

Alderman Bryant abstained from voting.

ORDERED AND DONE this the 15th day of October, 2019

ADOPT A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF HERNANDO, MISSISSIPPI, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE MUNICIPAL INTERCEPT COMPANY, LLC (“MIC”) TO COLLECT THE CITY’S DEBT BETWEEN MIC AND THE CITY AS AUTHORIZED BY THE LOCAL GOVERNMENT DEBT COLLECTION SETOFF ACT, ALSO DESIGNATING THE CITY CLERK AS THE LOCAL DET COLLECTION COORDINATOR

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF HERNANDO, MISSISSIPPI, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE MUNICIPAL INTERCEPT COMPANY, LLC (“MIC”) TO COLLECT THE CITY’S DEBT BETWEEN MIC AND THE CITY AS AUTHORIZED BY THE LOCAL GOVERNMENT DEBT COLLECTION SETOFF ACT.

WHEREAS, the Local Government Debt Collection Setoff Act, House Bill No. 991, 2019 Regular Session Mississippi Legislature (the “Act”), authorizes Municipal Intercept Company, LLC, (“MIC”) to submit debts to the Mississippi Department of Revenue on behalf of municipalities for interception by setting off against any debtor’s refund, as defined in Section 3 of the Act, the sum of any debt owed to the City; and

WHEREAS, the Mayor and Board of Aldermen of the City of Hernando, Mississippi (the “City”), desires to enter into the Agreement to Collect Municipal Debt between MIC and the City (the “Agreement”); and

WHEREAS, the purpose of the Agreement is to authorize MIC to submit the City’s debt to the Mississippi Department of Revenue for setoff against a debtor’s Mississippi State Income Tax Refund in accordance with the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE [BOARD OF ALDERMEN] [CITY COUNCIL] [BOARD OF SELECTMEN] OF [CITY] [TOWN], AS FOLLOWS:

1. That the Board of Aldermen hereby authorizes MIC to collect the debts of the City as may be submitted thereto from time to time, approves the Agreement to Collect Municipal Debt, attached as **Exhibit A**, between MIC and the City, and further authorizes the Mayor, City Clerk, and/or City Manager to execute said agreement.
2. That the Board of Aldermen hereby designates the City Clerk to serve as debt setoff coordinator pursuant to and in accordance with the Agreement.

Following the reading of the foregoing resolution, Alderman Miller made the motion for its adoption. Alderman McLendon seconded the motion for its adoption. The Mayor put the question to a vote, and the members voted unanimously to adopt the Resolution.

The motion having received the unanimous affirmative vote of the Board of Aldermen of the City of Hernando, Mississippi, the Mayor declared the motion carried and the resolution adopted, on this the 15th day of October 2019.

AGREEMENT TO COLLECT MUNICIPAL DEBT

This Agreement is entered into by and between the City of Hernando, Mississippi (the "Claimant Local Government"), and Municipal Intercept Company, LLC ("MIC"), (together, the Claimant Local Government and MIC are the "Parties").

WHEREAS, the Local Government Debt Collection Setoff Act, House Bill No. 991, 2019 Regular Session of the Mississippi Legislature (the "Act"), authorizes MIC to submit debts to the Mississippi Department of Revenue ("MDOR") for setoff under the procedures established in the Act, namely by setting off against any refund, as defined in Section 3 of the Act, the sum of any debt owed to the Claimant Local Government; and

WHEREAS, the Claimant Local Government is a municipality acting through its nonprofit member organization with respect to the collection of any debt that has been finalized by law, order or resolution pursuant to the Act; and

WHEREAS, Claimant Local Government desires to enter into this Agreement with MIC for the purpose of collecting its debts as allowed by the Act; and

WHEREAS, MIC agrees to submit debts to MDOR on behalf of Claimant Local Government.

NOW THEREFORE, in consideration of the mutual covenants and agreements, terms and conditions contained herein, Claimant Local Government and MIC mutually agree as follows:

SECTION I: TERM/TERMINATION

This Agreement shall remain and continue in full force and effect from year to year unless modified or terminated in writing by either party upon ninety (90) days written notice to the other party. Upon termination of this Agreement all sums due and owing from either party to the other shall remain a lawful obligation of the party and be due and payable.

SECTION II: REPRESENTATIONS AND OBLIGATIONS OF THE PARTIES

- A. Claimant Local Government hereby designates, appoints, and authorizes MIC to submit Claimant Local Government's debt to MDOR for setoff.
- B. Unless otherwise indicated, "debt" is defined to mean any liquidated sum of \$50.00 or more due and owing a Claimant Local Government which has accrued through contract, subrogation, tort, justice or municipal court conviction or any other debt regardless of whether there is an outstanding judgment for the sum, which is not less than sixty (60) days old, and which has been properly noticed and adjudicated by the Claimant Local Government as due and owed; provided, however, debts owed by an individual that are less than \$50.00 may be aggregated together to meet the \$50.00 threshold requirement.

- C. The Parties agree and understand that the debtor will pay a twenty-five percent (25%) collection assistance fee (the "Collection Assistance Fee") that will be added by MDOR to the debt after it is submitted for setoff by MIC. MIC will retain twenty percent (20%) of the collection assistance fee, and MDOR will retain five percent (5%) of the Collection Assistance Fee.
- D. Claimant Local Government designates the City Clerk to serve as debt setoff coordinator (the "Coordinator"). The Coordinator has been authorized by the Claimant Local Government and is designated to receive notices and communication from MIC on behalf of the Claimant Local Government. Claimant Local Government will notify MIC in writing within seven (7) days of any change in the Coordinator. MIC will only discuss or share information regarding debts submitted to MIC by the Claimant Local Government with the Coordinator.
- The Claimant Local Government agrees to cooperate with MIC to supply MIC with any and all information that in the opinion of MIC is necessary for the proper implementation of this Agreement. The Claimant Local Government further understands that the Coordinator is required to undergo training provided by MIC prior to MIC submitting a Request (defined below) to MDOR.
- E. The Claimant Local Government understands that the MIC will utilize direct deposit and agrees to provide MIC with account information as may be requested to accomplish the purposes of this Agreement and update such account information as necessary. Once funds are actually received by and deposited with MIC as a result of a setoff, MIC will remit funds by wire to the Claimant Local Government, less the Collection Assistance Fee.
- F. Claimant Local Government shall request MIC to submit a debt to MDOR for setoff by completing a Setoff Request Form provided by the MIC ("Request"). MIC will submit Request(s) to MDOR via the Mississippi Automated Revenue System ("MARS"), or any other method approved by MDOR. Claimant Local Government agrees to notify MIC and to submit another Request as soon as practical if there are any amendments or other changes to the initial Request.
- G. The Claimant Local Government, and not MIC, shall be solely responsible for complying with any notice and/or hearing requirements pursuant to the Act, or otherwise. This includes, but is not limited to, the Claimant Local Government providing a debtor written notice of its' intent to setoff the debt and holding a hearing if the debtor so requests within thirty (30) days after the date the Claimant Local Government sends notice of the proposed setoff.
- H. Claimant Local Government shall certify to MIC that it has complied with all statute of limitations, statutory requirements, rules, and regulations, including notice and

hearing procedures for a Request. The Claimant Local Government shall not submit a Request to MIC for setoff less than fourteen (14) days from a final adjudication by the Claimant Local Government that the debt is owed and that the debtor has been given proper notice and/or a hearing, as applicable, under the Act.

- I. After a Request has been submitted to MIC for setoff, Claimant Local Government will provide written notice to MIC and MDOR as soon as practical, but not longer than three (3) days, from the date the debtor repays a debt, in part or in full, or from the date the Claimant Local Government receives any notice of or becomes aware of a legal action staying the collection of the debt, including bankruptcy.
- J. MIC shall submit a debt to MDOR for setoff within fourteen (14) days of receipt of the Request.

SECTION IV: UNDERSTANDING OF PARTIES

- A. MIC shall not accept a Request that is not prepared as specified by MIC. The Parties agree, however, that MIC is not liable for the priority or the amount that MDOR pays a Request. Further, the Claimant Local Government understands that any amendment to a Request may delay the payment of a Request.
- B. MIC is responsible for submitting Requests to MDOR for repayment that qualify under the Act, and the repayment of the debt is subject to MDOR's rules and regulations.
- C. Claimant Local Government understands that MDOR will not setoff a Request unless the debtor is entitled to at least a refund of \$50.00, and that it may require multiple setoffs to satisfy a Request. The Collection Assistance Fee will be levied against the amount of each setoff in the event there are multiple setoffs. The Claimant Local Government understands that a Request submitted to MDOR will remain in MARS until the debt is fully paid or until MDOR is notified that the debt is no longer subject to setoff.
- D. Claimant Local Government acknowledges that MIC is relying on the Request to submit a debt to MDOR and that MIC can neither validate or verify a debtor's name or social security number, nor can MIC validate or verify the amount of debt or type of debt being submitted for setoff. Further, Claimant Local Government acknowledges that it is solely responsible for validating or verifying whether or not a debtor has filed any legal action, including but not limited to bankruptcy or other actions staying any collection efforts against the debt.

SECTION V: INDEMNIFICATION/REIMBURSEMENT

Claimant Local Government fully understands and warrants to MIC that by submission of any Request, Claimant Local Government has complied with all of the provisions of the Act, any

laws relating to debt collection, and this Agreement. To the extent allowed by law, the Claimant Local Government shall hold MIC free and harmless and shall indemnify MIC against any and all damages, claims, injuries, actions, liability, or proceedings arising from the setoff of debt as provided in the Act and pursuant to this Agreement. To the extent allowed by law, Claimant Local Government shall be solely responsible for the repayment of any and all sums setoff on Claimant Local Government's behalf pursuant to this Agreement, including any fees, interest, penalties and court costs to a taxpayer/debtor in the event a court of competent jurisdiction rules that said repayment is due and owing.

SECTION VI: ASSIGNMENT

This Agreement is not assignable by either party.

SECTION VII: CONFIDENTIAL INFORMATION

In the course of performance of this Agreement, the parties may find it necessary to disclose to the other party certain confidential information ("Confidential Information"). Confidential Information includes, but is not limited to, information relating to the parties' employees, trade secrets, customers, vendors, finances, operations, products, and other business information. Except as otherwise provided by law, the following terms apply to Confidential Information:

- (a) the non-disclosing party shall treat as confidential and use the same degree of care as it employs in the protection of its own similar confidential information, but in no event less than a reasonable degree of care; and,
- (b) the non-disclosing party will only use the information in connection with its business dealings with the disclosing party and shall disclose information only to employees or contractors having a need to know and who agree to be bound by the terms of this Section, unless otherwise authorized in writing by the disclosing party. Information shall not be subject to these terms if: (i) it is in the public domain at the time of disclosure, or enters the public domain without breach of this Agreement; (ii) it is known to the non-disclosing party prior to the disclosure, or it is independently developed by the non-disclosing party; (iii) it is obtained by non-disclosing party in good faith from a third party not under obligation of secrecy to the disclosing party; or, (iv) it is the subject of a court or government agency order to disclose, provided the non-disclosing party gives prompt notice to the disclosing party to allow the disclosing party to contest such order. The obligations set forth in this Section survive termination, rescission, non-renewal or expiration of this Agreement.

All information, including but not limited to printed, written, oral or computer-formatted information, which MIC may gain access to during the course of the performance of this Agreement shall be the property of Claimant Local Government, shall be held in the strictest confidence, and shall be used solely for the business purposes that are the subject of this Agreement. MIC shall maintain confidentiality of such information not only during the course of the performance of this Agreement but following its termination.

SECTION VIII: MISCELLANEOUS

- A. This Agreement represents the full and final understanding of the Parties with respect to the subject matter described herein and supersedes any and all prior agreements or understandings, written or oral, express or implied. This Agreement may be modified or amended only by a written statement signed by both Parties.
- B. The laws of the State of Mississippi shall govern the terms and conditions of this Agreement.
- C. The invalidity or unenforceability of any provisions of this Agreement shall not affect the validity or enforceability of any other provision of this Agreement, which shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the date indicated by the signatures below and has been granted all authority of their respective governing bodies to do so.

City of Hernando, MISSISSIPPI:

By:  _____

Date: 10/15/19

Title: Mayor

MUNICIPAL INTERCEPT COMPANY, LLC:

By: _____

Date: _____

Title: _____

Alderman Miller stated that this would allow the City to go after anyone that owes the City debt, we will also use the same methods we use now, but this would allow us another option. This would be for any old debt, past due, utility bills, fines, permits, etc.

Motion was duly made by Alderman Miller and seconded by Alderman McLendon adopt a Resolution of the Mayor and Board of Aldermen of the City of Hernando, Mississippi, Authorizing the Mayor to enter into an agreement with the Municipal Intercept Company, LLC (“MIC”) to collect the City’s Debt between MIC and the City as authorized by the local government Debt Setoff Act, also designating the City Clerk as the local debt collection coordinator. A vote was taken with the following results:

Those voting “Aye”: Alderman Miller, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Harris.

Those voting “Nay”: None.

ORDERED AND DONE this the 15th day of October, 2019

APPROVE BUDGET AMENDMENTS FYE 2019

**ORDER AMENDING BUDGET FOR FISCAL YEAR ENDING
SEPTEMBER 30, 2019**

Pursuant to Section 21-35-25 of the Mississippi Code 1972, Annotated, it is hereby ordered by the Mayor and Board of Aldermen of the City of Hernando, DeSoto County, State of Mississippi, that the budget for the fiscal year beginning October 1, 2018 and ending September 30, 2019, be amended and approved to wit:

	<u>PRIOR BUDGET</u>	<u>AMENDMENT</u>	<u>NEW BUDGET</u>
<u>GENERAL FUND</u>			
REVENUE			
State Shared Revenues	\$5,514,406.27	\$12,697.00	\$5,527,103.27
License and Permit	\$639,000.00	\$32,000.00	\$671,000.00
EXPENDITURES			
General Government Other Services & Charges	\$471,722.00	\$32,543.00	\$504,265.00
General Government Capital Outlay	\$98,000.00	\$6,175.00	\$104,175.00
General Contingency	\$169,093.82	\$5,979.00	\$175,072.82
<u>PARK FUND</u>			
EXPENDITURES			
PERSONNEL SERVICES	\$456,739.00	\$18,360.00	\$438,379.00
SUPPLIES	\$132,542.00	\$5,770.00	\$126,772.00
OTHER SERVICES AND CHARGES	\$273,619.00	\$17,330.00	\$290,949.00
CAPITAL OUTLAY	\$25,000.00	\$6,800.00	\$31,800.00
<u>UTILITY FUND</u>			
REVENUE			
WATER TAPS	\$100,000.00	\$10,000.00	\$110,000.00
EXPENDITURES			
SUPPLIES	\$318,550.00	\$12,000.00	\$330,550.00
OTHER SERVICES & CHARGES	\$3,557,258.00	\$10,000.00	\$3,567,258.00
CAPITAL OUTLAY	\$96,000.00	\$96,800.00	\$192,800.00
DEBT SERVICE	\$0.00	\$158,130.00	\$158,130.00
CONTINGENCY	\$535,819.00	\$266,930.00	\$268,889.00
	<u>PRIOR BUDGET</u>	<u>AMENDMENT</u>	<u>NEW BUDGET</u>
<u>GENERAL FUND</u>			
EXPENDITURES			

Admin Capital Outlay	\$104,175.00	\$60,000.00	\$164,175.00
Public Safety - Capital Outlay	\$523,095.38	\$30,000.00	\$553,095.38
Public Works Capital Outlay	\$933,165.89	\$500,000.00	\$1,433,165.89
Fire Department - Supplies	\$157,050.00	\$29,857.70	\$186,907.70
Contingency	\$135,072.82	\$89,857.70	\$45,215.12

PARK FUND**EXPENDITURES**

PERSONNEL SERVICES	\$420,673.00	\$85.00	\$420,588.00
SUPPLIES	\$133,649.00	\$85.00	\$133,734.00

BE IT ORDERED, that the Budget of Estimated Revenues and Expenditures for the Fiscal Year Ending September 30, 2019, for the City of Hernando, Mississippi be amended in the following respects:

BE IT FURTHER ORDERED that these amendments are necessary in the following funds:

General Fund – Amended expenses to cover for grant expenses, vehicles, and street overlays.

Park Fund – Moved money to cover basketball program expenses.

IT IS FURTHER ORDERED by the Mayor and Board of Aldermen that the foregoing budget amendments shall be published one (1) time as required by law in the DeSoto Times Tribune, a newspaper of general circulation in said city, fully qualified under the provisions of Chapter 497, General Laws of Mississippi, if amendment meets the requirements to be published.

Each amendment having been presented separately and as a whole, motion was duly made by Alderman Miller seconded by Alderman Higdon to adopt the foregoing resolution amending the budget of the City of Hernando. A roll call vote was taken with the following results:

Those voting “Aye”: Alderwoman Brooks, Alderman Hobbs, Alderman Harris, Alderman Bryant, Alderman Miller, and Alderman Higdon.

Those voting “Nay”: Alderman McLendon

ORDERED AND DONE this the 15th day of October 2019.

Tom Ferguson, Mayor

Attest:

Katie Harbin, City Clerk

**AUTHORIZE TO ACCEPT THE QUOTE FROM PEEBLES SPORTS COURTS, LLC
FOR CHURCH PARK TENNIS COURT RESURFACING**

Alderman Miller stated this is clarification of the last quote.

Mayor Ferguson stated Conger was on the last meeting, this is for Church Park.

Alderman Harris stated he just wants clarification this is for 2 courts.

Parks and Recreation Director Dewayne Williams stated it is for two courts.

Motion was duly made by Alderwoman Brooks and seconded by Alderman Harris to authorize to accept the quote from Peebles Sports Courts, LLC in the amount of \$7,800.00 for Church Park Tennis Court Resurfacing, after clarifying it is for two courts. A vote was taken with the following results:

Those voting "Aye": Alderman Hobbs, Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks.

Those voting "Nay": None.

ORDERED AND DONE this the 15th day of October, 2019

AUTHORIZE TO ADVERTISE FOR FINANCING FOR A FIRE TRUCK

Alderman Miller asked if we have a cost.

Fire/EMS Chief answered \$681,194.00

Motion was duly made by Alderman Miller and seconded by Alderman Higdon to authorize to advertise for financing for a fire truck in the amount of \$681,194.00. A vote was taken with the following results:

Those voting "Aye": Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, and Alderman Hobbs.

Those voting "Nay": None.

ORDERED AND DONE this the 15th day of October, 2019

**ADOPT RESOLUTION TO BORROW FUNDS FROM THE UTILITY FUND TO THE
GENERAL FUND IN ANTICIPATION OF TAXES**

**RESOLUTION TO BORROW FUNDS FROM THE UTILITY FUND TO
THE GENERAL FUND IN ANTICIPATION OF TAXES**

WHEREAS, the City of Hernando, a lawful municipality of the State of Mississippi, is acting pursuant to the power and authority vested to the governing authorities to borrow money for the current expenses of such municipality in anticipation of the ad valorem taxes to be collected for the current fiscal year pursuant to Section 21-33-325 of the Mississippi Code of 1972, Annotated, as Amended; and

WHEREAS, the City of Hernando has a need to borrow funds from the municipal Utility Fund Treasury account to pay current expenses in the General Fund; and

WHEREAS, the amount to be borrowed shall not exceed fifty percent (50%) of the anticipated, but uncollected, revenue to be produced by the current tax levy, against which such money is borrowed; and

WHEREAS, the City of Hernando has the authority to set the interest rate.

BE IT RESOLVED, that the City of Hernando, acting through its Mayor and Board of Aldermen, has determined the need to borrow for the General Fund, Four-Hundred Thousand Dollars (\$400,000.00), at zero interest, for a period not to exceed repayment by March 15, 2020. Said funds shall be transferred from the Utility Fund to the General Fund as needed.

Motion was duly made by Alderman Miller seconded by Alderman Higdon to adopt the foregoing "Resolution to Borrow Funds from the Utility Fund to the General Fund in Anticipation of Taxes". A roll call vote was taken with the following results:

Those voting "Aye": Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, and Alderman Harris.

Those voting "Nay": None.

WITNESS our signatures on this the 15th day of October, 2019.

ATTEST:

Tom Ferguson, Mayor

Katie Harbin, City Clerk

**AUTHORIZE TO ADVERTISE TO RECEIVE INTEREST RATE QUOTES FOR A TAX
ANTICIPATION LOAN**

Motion was duly made by Alderman Higdon and seconded by Alderman Harris to authorize to advertise to receive interest rate quotes for a Tax Anticipation Loan up to \$1,200,000.00. A vote was taken with the following results:

Those voting "Aye": Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Harris, and Alderman Bryant.

Those voting "Nay": None.

ORDERED AND DONE this the 15th day of October, 2019

ADOPT ANIMAL CONTROL ORDINANCE AMENDMENT

AN ORDINANCE OF THE MAYOR and BOARD OF ALDERMAN OF THE CITY OF HERNANDO, MISSISSIPPI FOR THE PURPOSE OF AMENDING THE EXISTING "AN ORDINANCE ESTABLISHING PROVISIONS AND REGULATIONS FOR THE ENFORCEMENT OF ANIMAL CONTROL WITHIN THE CITY OF HERNANDO, MISSISSIPPI" AS ADOPTED BY THE CITY OF HERNANDO, MISSISSIPPI ON SEPTEMBER 16, 2003 BY AMENDING SECTION IX (D)

WHEREAS, the Mayor and Board of Alderman of the City of Hernando, Mississippi adopted an Ordinance on September 16, 2003 which is entitled "**An Ordinance Establishing Provisions and Regulations For The Enforcement of Animal Control Within The City of Hernando, Mississippi**"; and

WHEREAS, this matter was brought on for discussion and consideration by the Mayor and Board of Alderman previously; and

WHEREAS, the Mayor and Board of Alderman do find and declare that this amendment is necessary to adjust the fees charged and/or incurred by the City of Hernando in Section IX (D) of the September 16, 2003 Ordinance as referenced above and to incorporate fees for domesticated cats and other domesticated animals as well and do find that it is proper to repeal the prior Section IX (D) of the September 16, 2003 Ordinance as referenced above.

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMAN FOR THE CITY OF HERNANDO, MISSISSIPPI AS FOLLOWS:

That the existing Section IX (D) of the ordinance as adopted on September 16, 2003 and entitled "An Ordinance Establishing Provisions and Regulations For The Enforcement of Animal Control Within The City of Hernando, Mississippi" shall be amended to read as follows:

SECTION IX

- D.** Disposition of any dog or cat or other such domesticated animal not specifically listed not claimed by the owner within five (5) days shall become the property of the City of Hernando and may be placed for adoption to a suitable home for the following fees:
- i. Maximum Adoption fee of \$125.00.
 - ii. Minimum Adoption fee of \$10.00.
 - iii. The adoption fees for any dog or cat or other such domesticated animal shall be set by the Animal Control Director with the approval of the Chief of Police and must never be lower than \$10.00 nor more than \$125.00, per animal.

- iv. This ordinance amendment allows for adoption fee adjustments to be made due to the fact that there will be times when the number of animals then being cared for by the city exceeds space and personnel limits and it may be necessary to lower the fees to facilitate and encourage adoptions to decrease the number of animals being cared for by the City of Hernando at such time. That any adoption fee amendments shall be recommended by the Animal Control Director of the City of Hernando and shall be approved by Hernando Chief of Police. That the recommendation and approval shall be in writing.
- v. Dogs or cats or other such domesticated animals may be transferred to the DeSoto County Animal Rescue Society or other animal shelters and/or humane society's with no adoption fee.
- vi. That no animal shall be euthanized for time or space purposes.
- vii. That the maximum amount that may be expended by the City of Hernando for veterinary and/or veterinary related services for any one animal is limited to the sum of five hundred dollars (\$500.00) while such animal is in the care and custody of the Hernando Animal Control, a division of the Hernando Police Department. This shall include, but not be limited to the cost of vaccinations and shots.
- viii. That any reference herein to the term "animal" shall be the same as if stated dog, cat or any other domesticated animal.

Any animal adopted out by the City of Hernando shall be properly vaccinated before adoption occurs and proof of such vaccination shall be provided to the adopting person. The City of Hernando, Mississippi shall maintain a record of all such animals vaccinated and the cost of such vaccinations.

The five (5) day "waiting period", as set forth in Section IX (A) of the September 16, 2003 Ordinance is hereby waived in the case of vicious dog or cat, a injured dog or cat or for any dog or cat suffering from an infectious disease. That further pursuant to Section 97-41-3 of the Mississippi Code of 1972, Annotated, as Amended, a maimed, wounded, injured or diseased dog or cat may be euthanized humanely without any waiting period. This provision shall also apply to any other domesticated animal.

That the City Clerk of the City of Hernando shall cause a copy of this Ordinance Amendment to be published one time in the DeSoto Times Tribune in the manner and form required by Section 21-19-25 of the Mississippi Code of 1972 Annotated, as Amended.

That the Hernando City Clerk shall cause a copy of this Ordinance Amendment to be filed in the Code of General Ordinances of the City of Hernando on or before its effective date and shall reference the September 16, 2003 "An Ordinance Establishing Provisions and Regulations For The Enforcement of Animal Control Within The City of Hernando, Mississippi" being amended.

That all provisions of the ordinances of the City of Hernando, Mississippi in conflict with the provisions of this ordinance amendment be, and the same are hereby, repealed and all other provisions of the ordinances of the City of Hernando not in conflict with the provisions of this ordinance shall remain in full force and effect. This shall include, but not be limited, to the existing Section IX (D) of the "An Ordinance Establishing Provisions and Regulations For The Enforcement of Animal Control Within The City of Hernando, Mississippi" dated September 16, 2003 which shall be repealed and replaced upon the passage of this ordinance amendment.

That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance amendment be adjudged or held to be unconstitutional, illegal or invalid, by any court of competent jurisdiction, the same shall not affect the validity of this ordinance amendment as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the ordinance being amended and/or the Code of Ordinances as a whole.

The above Ordinance Amendment was first reduced to writing, the requirement for reading waived and considered by Section(s) at the regular October 15, 2019, public meeting of the Mayor and Board of Aldermen and on motion duly made by Alderwoman Brooks, seconded by Alderman Hobbs, for the adoption of said Ordinance and seconded, a vote was taken as follows:

VOTE:


Alderman Higdon	X	YES	_____ NO
Alderwoman Brooks	X	YES	_____ NO
Alderman Bryant	X	YES	_____ NO
Alderman Harris	X	YES	_____ NO
Alderman Hobbs	X	YES	_____ NO
Alderman McLendon	X	YES	_____ NO
Alderman Miller	X	YES	_____ NO

APPROVED:



 TOM FERGUSON, MAYOR

ATTEST:



 KATIE HARBIN, CITY CLERK
 (SEAL)



Alderman McLendon stated the max of \$500 is for vetting expenses.

Alderwoman Brooks stated by that time the animal will be transferred to a rescue.

Alderman McLendon stated ok, it says for any one animal.

Motion was duly made by Alderwoman Brooks and seconded by Alderman Hobbs to adopt the Animal Control Ordinance Amendment, waiving the reading. A vote was taken with the following results:

Those voting "Aye": Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Harris, Alderman Bryant, and Alderman Miller.

Those voting "Nay": None.

ORDERED AND DONE this the 15th day of October, 2019

DISCUSS AND APPROVE REQUEST FOR SPONSORSHIPS

Alderman Miller stated so we have the Mayor's recommendations, on most, so do we need to do each one individually Kenny?

Kenny Stockton answered it would be better if you did.

Mayor Ferguson stated the Chamber requested \$30,000, we gave them that before, but budgeted \$20,000 this year.

Alderman Miller stated he doesn't think right now is the time to do a budget amendment, they can ask later for more money.

Mayor Ferguson asked if we agree on these values.

Alderman McLendon asked Dan Lehman, Desoto Family Theatre, how much did you ask for.

Dan Lehman with Desoto Family Theatre stated that they requested \$3,000 and would split it with Kudzu Playhouse.

Alderman Miller stated he's already made his request.

Alderman Hobbs asked what is in the budget.

Mayor Ferguson answered \$19,000.

Alderman Higdon asked what does he suggest for Desoto Family Theatre.

Mayor Ferguson answered he was thinking \$1,000. \$500 for Desoto Family Theatre and \$500 for the Kudzu playhouse.

Motion was duly made by Alderman Miller and seconded by Alderman Higdon to approve to sponsor the A'Fair with the Hernando Optimist Club in the amount of \$750.00 plus in

kind for services, from the Tourism fund, to promote the City of Hernando. A vote was taken with the following results:

Those voting "Aye": Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Harris, and Alderman Bryant.

Those voting "Nay": None.

ORDERED AND DONE this the 15th day of October, 2019

Motion was duly made by Alderman McLendon and seconded by Alderman Hobbs to approve to sponsor the Hernando Youth Football Association in the amount of \$2,500.00, from the Tourism fund, to promote the City of Hernando. A vote was taken with the following results:

Those voting "Aye": Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Harris, Alderman Bryant, Alderman Miller and Alderman Higdon.

Those voting "Nay": None.

ORDERED AND DONE this the 15th day of October, 2019

Motion was duly made by Alderman Miller and seconded by Alderman Bryant to approve to sponsor The ARC Northwest Mississippi in the amount of \$500.00, from the Tourism fund, to promote the City of Hernando. A vote was taken with the following results:

Those voting "Aye": Alderwoman Brooks, Alderman Hobbs, Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, and Alderman McLendon.

Those voting "Nay": None.

ORDERED AND DONE this the 15th day of October, 2019

Motion was duly made by Alderman Miller and seconded by Alderman Bryant to approve to sponsor The ARC Northwest Mississippi in the amount of \$500.00, from the Tourism fund, to promote the City of Hernando. A vote was taken with the following results:

Those voting "Aye": Alderwoman Brooks, Alderman Hobbs, Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, and Alderman McLendon.

Those voting "Nay": None.

ORDERED AND DONE this the 15th day of October, 2019

Motion was duly made by Alderman McLendon and seconded by Alderwoman Brooks to approve to sponsor the Desoto Family Theatre and the Kudzu Playhouse in the amount of \$2,00.00, being \$1,000.00 each, from the Tourism fund, to promote the City of Hernando. A vote was taken with the following results:

Those voting "Aye": Alderman Harris, Alderman McLendon, and Alderwoman Brooks.

Those voting "Nay": Alderman Bryant, Alderman Miller, Alderman Higdon, and Alderman Hobbs.

MOTION FAILED

Motion was duly made by Alderman Miller and seconded by Alderman Bryant to approve to sponsor the Desoto Family Theatre and the Kudzu Playhouse in the amount of \$1,00.00, being \$500.00 each, from the Tourism fund, to promote the City of Hernando. A vote was taken with the following results:

Those voting “Aye”: Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, and Alderman Hobbs.

Those voting “Nay”: None.

ORDERED AND DONE this the 15th day of October, 2019

Motion was duly made by Alderman Higdon and seconded by Alderman Miller to approve to sponsor The Healing Hearts Child Advocacy Center in the amount of \$500.00, from the Tourism fund, to promote the City of Hernando. A vote was taken with the following results:

Those voting “Aye”: Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, and Alderman Hobbs.

Those voting “Nay”: None.

ORDERED AND DONE this the 15th day of October, 2019

Motion was duly made by Alderman Hobbs and seconded by Alderman McLendon to approve to sponsor the Hernando Band Boosters in the amount of \$375.00, from the Tourism fund, to promote the City of Hernando. A vote was taken with the following results:

Those voting “Aye”: Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, and Alderman Harris.

Those voting “Nay”: None.

ORDERED AND DONE this the 15th day of October, 2019

AUTHORIZE TO ADJUST UTILITY BILL FOR DEBORAH TAYLOR

WATER LEAK REPAIR VERIFICATION
 City of Hernando Water and Sewer Department
 475 West Commerce Street Hernando, MS 38632
 662-429-9092

Customer Information (please print)

Name as it appears on bill Deborah Taylor

Service address 2323 Matigvale # 501

Daytime phone number () 662-560-7192

Do you rent the property at this address? If yes, the property owner or manager must complete the remainder of this form.

REPAIR INFORMATION (please print)

Property owner or managers name Paul Johnson Date of repair 6-3-19

Daytime phone number () 662-429-2009

Type of repair and location of property Underground leak affecting her water usage

Documentation and property owner's or manager's signature

Attach plumbing bill or receipts for repair parts. Sorry, no adjustments will be considered without this/these document(s).

By signing below, I certify that the information providing regarding this repair is correct. I understand that providing fraudulent information with the intent of lowering a utility bill may be punishable by applicable law.

I hereby grant permission to the City of Hernando Water and Sewer Department personnel to come onto my property to verify the repair of an outdoor leak.

I certify that I am the owner or rental property manager of the property located at this service address

Signature Paul Johnson
For Office use only

Account Number 10-0010911 Billing period ending 6-30-19

High month usage 8 minus 6 month average 3 = Amount of Adjustment 5

\$45.45 credit



We're there when you need us.

5073 Macon Rd. • Memphis, TN 38122 • Ph. (901) 685-8842 • Fax (901) 685-2698

TICKET No. [102530]

TO: Magnolia Apartments
Memphis, TN
5014 St

COMMENTS:

Invoice Date <u>4/8/19</u>	SERVICE MAN <u>SS & MIF</u>	P.O. Number	Date Completed
T.O.A. <u>9.00</u>	Description of Service Request <u>water leak underground</u>	Cust. Initials.	C.O.D. Charge
T.O.D. <u>10.27</u>			

QUANTITY	MATERIAL DESCRIPTION	UNIT PRICE	TOTAL
	Run 4 1/2' down and 5x4' of		
	galvanized to water line & located		
	leak under road under slab roughly		
	2" in 10". All the connections		
	Full to copper. All the valves		
	were checked. Cut out for clean		
	& repair it with 1" gal		
	direct connection. 1" x 1/2" gal		
	coupling. Checked for leaks		
	& no leaks were found at		
	this time. The hole was		
	& cleaned up area		
	& set up 1" x 1/2" x 1" gal		

All accounts are net 30 days and any unpaid balances accrue interest at 18% per annum (1 1/2% per month). All unpaid accounts are subject to collection cost to include court cost, interest and attorney fees.

TERMS: CHECK
 CASH
 CHARGE

Customer Signature: [Signature]

Sub-Total _____
 Tax _____
 Grand Total _____

If Culpepper Plumbing, Inc. brings an action to enforce its rights under this agreement, it may recover all expenses including reasonable attorney's fees and litigation costs incurred in connection with the action and any appeal therefrom.

Safeguard LITHO USA Form No. 811-2W18CS000060 02/18

Date	Code	Previous Reading	Present Reading	Consumption	Amount Due
09/30/2019	10	815	818	3	0.00
10/31/2019	10	812	815	3	44.86
07/31/2019	10	808	812	4	46.57
05/31/2019	10	800	808	8	63.50
02/29/2019	10	790	800	10	101.94
04/30/2019	10	777	790	13	128.50
03/31/2019					0.00

$$\begin{array}{r} 8 \\ - 3 \\ \hline \end{array}$$

$$5 \times 3.50 = 17.50$$

$$17.50 \div 2 = 8.75$$

$$5 \times 3.84 = 19.20$$

$$\underline{\hspace{1.5cm}}$$

$$\$ 45.45 \text{ Credit}$$

Motion was duly made by Alderman Harris and seconded by Alderman Miller to authorize to adjust the utility bill for Deborah Taylor in the amount of \$45.45, finding that the customer had a leak and did not receive the benefit of receiving the water services, also request that the water leak repair verification form and attached documents are put in the minutes. A vote was taken with the following results:

Those voting "Aye": Alderwoman Brooks, Alderman Hobbs, Alderman Harris, Alderman Miller, and Alderman McLendon.

Those voting "Nay": None.

ORDERED AND DONE this the 15th day of October, 2019

AUTHORIZE TO ADJUST UTILITY BILL FOR DAVID REAVES

WATER LEAK REPAIR VERIFICATION

City of Hernando Water and Sewer Department
475 West Commerce Street Hernando, MS 38632
662-429-9092

Customer Information (please print)

Name as it appears on bill David Reeves
Service address 680 Fairway Dr 38632
Daytime phone number (901) 794-9032

Do you rent the property at this address? NO If yes, the property owner or manager must complete the remainder of this form.

REPAIR INFORMATION (please print)

Property owner or managers name David Reeves Date of repair 9/13/19
Daytime phone number () 901 794 9032
Type of repair and location of property Outside at meter

Documentation and property owner's or manager's signature

Attach plumbing bill or receipts for repair parts. Sorry, no adjustments will be considered without this/these document(s).

By signing below, I certify that the information providing regarding this repair is correct. I understand that providing fraudulent information with the intent of lowering a utility bill may be punishable by applicable law.

I hereby grant permission to the City of Hernando Water and Sewer Department personnel to come onto my property to verify the repair of an outdoor leak.

I certify that I am the owner or rental property manager of the property located at this service address

Signature [Signature]

For Office use only

Account Number 07-0018101 Billing period ending 9-30-19

High month usage 86 minus 6 month average 14 = Amount of Adjustment 72

\$654.48

OK
[Signature]

Jetz Plumbing & Mechanical Cont Inc
 3227 Jean Drive
 Memphis, TN 38118
 (901) 795-2824

Invoice

Date	Invoice #
9/13/2019	

Bill To david reaves job ref, 680 fairway drive hernando,ms 38632

		P.O. No.	Terms	Project
Quantity	Description	Rate		Amount
1	re-paired water connection at street			0.00
1	labor		560.00	560.00
1	materials		28.00	28.00
			Total	\$588.00

Period	Code	Previous Reading	Present Reading	Consumption	Amount Due
10/31/2019	10				0.00
09/30/2019	10	825	911	86	795.16
08/31/2019	10	798	825	27	270.88
07/31/2019	10	774	798	24	264.07
06/30/2019	10	753	774	21	199.32
05/31/2019	10	747	753	6	101.40
04/30/2019	10	743	747	4	74.64
03/31/2019	10	739	742	3	66.07
02/28/2019	10	739	739	0	74.64
01/31/2019	10	727	733	6	83.56
12/31/2018	10	723	727	4	66.07
11/30/2018	10	718	723	5	74.64
10/31/2018	10	695	718	23	233.20

86
 - 14

 72 x 3.50 = 252.00
 252.00 ÷ 2 = 126.00
 72 x 3.84 = 276.48

 \$654.48

Motion was duly made by Alderman Harris and seconded by Alderman Miller to authorize to adjust the utility bill for David Reaves in the amount of \$654.48, finding that the customer had a leak and did not receive the benefit of receiving the water services, also request that the water leak repair verification form and attached documents are put in the minutes. A vote was taken with the following results:

Those voting "Aye": Alderwoman Brooks, Alderman Hobbs, Alderman Harris, Alderman Miller, and Alderman McLendon.

Those voting "Nay": None.

ORDERED AND DONE this the 15th day of October, 2019

AUTHORIZE TO PAY STEWART GRADING CO. FOR WORK ON RENASANT TRAIL

Motion was duly made by Alderman Hobbs and seconded by Alderman Higdon to authorize to pay Stewart Grading Co. for work on Renasant Trail, in the amount of \$4,160.00. A vote was taken with the following results:

Those voting "Aye": Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, and Alderman Hobbs.

Those voting "Nay": None.

ORDERED AND DONE this the 15th day of October, 2019

**AUTHORIZE TO PAY COMMUNITY FOUNDATION OF NORTHWEST MISSISSIPPI
\$20,000 FOR PLAYGROUND PROJECT AT CONGER PARK**

Motion was duly made by Alderman Miller and seconded by Alderman Higdon to authorize to pay the Community Foundation of Northwest Mississippi \$20,000 for Playground Project at Conger Park. A vote was taken with the following results:

Those voting "Aye": Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Harris, Alderman Bryant, and Alderman Miller.

Those voting "Nay": None.

ORDERED AND DONE this the 15th day of October, 2019

GO INTO CLOSED SESSION TO DISCUSS GOING INTO EXECUTIVE SESSION

Motion was duly made by Alderman Higdon and seconded by Alderman Hobbs to go into closed session to discuss going into executive session for Parks Personnel and Negotiations. A vote was taken with the following results:

Those voting "Aye": Alderman McLendon, Alderwoman Brooks, Alderman Harris, Alderman Harris, Alderman Miller, and Alderman Higdon.

Those voting "Nay": None.

ORDERED AND DONE this the 15th day of October, 2019

GO INTO EXECUTIVE SESSION FOR PARKS PERSONNEL AND NEGOTIATIONS

Motion was duly made by Alderman Higdon and seconded by Alderman Harris to go into Executive Session for Parks Personnel and Negotiations. A vote was taken with the following results:

Those voting "Aye": Alderwoman Brooks, Alderman Hobbs, Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, and Alderman McLendon.

Those voting "Nay": None.

ORDERED AND DONE this the 15th day of October, 2019

COME OUT OF EXECUTIVE SESSION

Motion was duly made by Alderman Higdon and seconded by Alderman Miller to come out of executive session for negotiations. A vote was taken with the following results:

Those voting "Aye": Alderman Hobbs, Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, and Alderwoman Brooks.

Those voting "Nay": None.

ORDERED AND DONE this the 15th day of October, 2019

FENCE AT 109 WREN STREET

Motion was duly made by Alderman Miller and seconded by Alderman Higdon direct the City Engineer to flag and/or survey, and take pictures of the area where the fence is on city property and direct the City Attorney send a letter to the owner giving 30 calendar days to remove the fence. A vote was taken with the following results:

Those voting "Aye": Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, and Alderman Hobbs.

Those voting "Nay": None.

ORDERED AND DONE this the 15th day of October, 2019

PARKS PERSONNEL

Motion was duly made by Alderman Miller and seconded by Alderman Higdon to suspend Quamin Moore in the Parks and Recreation Department without pay for a total of 3 days, with the date being at the discretion of the Parks and Recreation Director and the Mayor. A vote was taken with the following results:

Those voting "Aye": Alderman Hobbs, Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, and Alderwoman Brooks.

Those voting "Nay": None.

ORDERED AND DONE this the 15th day of October, 2019

ADJOURN

There being no further business at this time a motion was duly made by Alderman Bryant, seconded by Alderman Hobbs to adjourn.

Motion passed with a unanimous vote of "Aye".

MAYOR TOM FERGUSON

ATTEST:

KATIE HARBIN, CITY CLERK