

The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, October 3, 2017 at 6:00 P.M. with Mayor Tom Ferguson presiding. Aldermen present were: Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, and Alderwoman Brooks. Also present for the meeting were: City Clerk Katie Harbin, City Attorney Kenny Stockton, City Engineer Joe Frank Lauderdale, Fire Chief Hubert Jones, Assistant Police Chief Shane Ellis, Captain Charles Lanphere, Human Resource Director Julie Harris, Community and Economic Development Director Gia Matheny, Planning Director Keith Briley, Zoning Administrator Kristen Duggan, Public Works Director Gary McElhannon, Assistant Public Works Director Bobby Burton, Jared Darby, Rhonda Alliston, Bill Roberson, James A Vice, Sr., Shirley T. McLendon, Carolyn Richards, Bob Cooke, Greg Smith, Vickey McLendon, Robert Spears, Tanner Louie, Robert L Reiner, Russell Brooks, and Tina Murchison.

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**PLEDGE OF ALLEGIANCE**

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Pledge of Allegiance

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**INVOCATION**

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Alderman Miller gave the invocation.

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**AGENDA**

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Agenda  
City of Hernando  
Mayor and Board of Alderman  
Regular Meeting

October 3, 2017

6:00pm

- 1) Call the meeting to order
- 2) Pledge of Allegiance
- 3) Invocation
- 4) Approve Agenda
- 5) Approve Docket of Claims No.'s 120272 – 120458
- 6) Approve to pay Blue Cross Blue Shield invoice GBP1316834 in the amount of \$1,259.44 (final bill)
- 7) Approve Minutes from the regular recessed meeting on September 14, 2017
- 8) Approve Minutes from the regular meeting on September 19, 2017
- 9) Consent Agenda
  - A) Authorize Hubert Jones, Marshel Berry, Matt Massey and Sam Witt to attend the MFIA Fall Seminar in Vicksburg, MS on October 25-27, 2017, also authorize to pay registration and travel expenses.
  - B) Authorize Gia Matheny and Kristen Duggan to attend the Atlanta ICSC Conference in Atlanta, GA on October 16-18, 2017, also authorize to pay registration and travel expenses (reimbursed by Brownfields)

- C) Authorize Joanna Herring to attend the MEMTA Board Meeting in Louisville, MS at the MS State Fire Academy on October 28, 2017, also authorize to pay registration and travel expenses.
- 10) Authorize to hire Keith Harrell as a CDL driver in the Brush Department at a rate of \$14.50 per hour
- 11) Authorize a step increase for Michael Furniss from a P3 to a P4 at the rate of \$22.25 per hour
- 12) Authorize a step increase for Hosie Porter from a P1 to a P2 at the rate of \$19.50 per hour
- 13) Authorize to hire Quamin Moore as a seasonal employee in the Parks Department at \$8.50 per hour
- 14) Authorize to hire Jarret Wright as a seasonal employee in the Parks Department at \$8.50 per hour
- 15) Application for Final Subdivision titled "Jefferson Estates, Section B" submitted by Reiner Development, LLC. The subdivision is comprised of 49 lots totaling 19.17 acres located on the southeast corner of Holly Springs Road and Jaybird Road; situated in Section 21, Township 3 South, and Range 7 West. The property is currently zoned PUD, Planned Unit Development. (File: PL-1267)
- 16) Approve Municipal Compliance Questionnaire
- 17) Adopt Amended Resolution Authorizing City of Hernando Credit Card users (Visa)
- 18) Adopt Amended Resolution Authorizing City of Hernando Credit Card users (Mastercard)
- 19) Authorize Mayor Ferguson to sign a contract for Professional Services with Desoto County Schools, for a School Resource Officer
- 20) Authorize Mayor Ferguson to sign a Memorandum of Understanding between the Mississippi Transportation Commission and Desoto County, Mississippi and The City of Hernando, Mississippi, LPA project 107357-701000 STP-7885-00(001), upon approval from MDOT
- 21) Authorize Mayor Ferguson to sign a Preliminary Engineering Services Contract with Pickering Firm, Inc, STP-7885-00(001) LPA/107537-711000, upon approval from MDOT
- 22) Authorize Mayor Ferguson to sign the Agreement of Desoto County, Mississippi and the City of Hernando, Mississippi for the Design and Construction of Realigned McIngvale Road
- 23) Adopt the Water Use Ordinance
- 24) Authorize Mayor Ferguson to sign the Interlocal Agreement Between the City of Hernando, Mississippi and Nesbit Water Association, Inc. for the project known as the "Hall Road Improvement Project"
- 25) Authorize Mayor Ferguson to sign an agreement with Entergy to install street lights on Keenlan Dr W
- 26) Discussion of the Ordinance for Discharging Firearms in City Limits
- 27) Discussion of \$5,000,000 Bond projects

28) Executive Session for Police Personnel

29) Adjourn

Motion was duly made by Alderman Higdon, and seconded by Alderwoman Brooks to approve to the agenda as presented, after adding # 22 "Authorize Mayor Ferguson to sign the Agreement with Desoto County, Mississippi and the City of Hernando, Mississippi for the Design and Construction of Realigned McIngvale Road". A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 3<sup>rd</sup> day of October, 2017.

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**APPROVE DOCKET OF CLAIMS NO.'S 120272 - 120458**

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The Board of Aldermen were presented with a docket of claims No. 120272 - 120458 in the amount of \$947,606.98 for approval.

Motion was duly made by Alderman Miller, and seconded by Alderman Higdon 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, and Alderman Harris.

Those voting "Nay": None.

ORDERED AND DONE this the 3<sup>rd</sup> day of October, 2017

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**APPROVE TO PAY BLUE CROSS BLUE SHIELD INVOICE GBP1316834 IN THE AMOUNT OF \$1,259.44 (FINAL BILL)**

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Motion was duly made by Alderman Higdon, and seconded by Alderman Harris to approve to pay Blue Cross Blue Shield invoice GBP1316834 in the amount of \$1,259.44. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 3<sup>rd</sup> day of October, 2017

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**APPROVE MINUTES FROM THE REGULAR BOARD MEETING ON SEPTEMBER 14, 2017**

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Motion was duly made by Alderman Higdon, and seconded by Alderwoman Brooks to approve the Minutes from the regular Board Meeting on September 14, 2017 as presented. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 3<sup>rd</sup> day of October, 2017

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**APPROVE MINUTES FROM THE REGULAR BOARD MEETING ON SEPTEMBER 19, 2017**

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Motion was duly made by Alderman McLendon, and seconded by Alderman Harris to approve the Minutes from the regular Board Meeting on September 19, 2017 as presented, after adding some discussion on the Veterans Parade item. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 3<sup>rd</sup> day of October, 2017

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**CONSENT AGENDA**

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- A) Authorize Hubert Jones, Marshel Berry, Matt Massey and Sam Witt to attend the MFIA Fall Seminar in Vicksburg, MS on October 25-27, 2017, also authorize to pay registration and travel expenses.
- B) Authorize Gia Matheny and Kristen Duggan to attend the Atlanta ICSC Conference in Atlanta, GA on October 16-18, 2017, also authorize to pay registration and travel expenses (reimbursed by Brownfields)
- C) Authorize Joanna Herring to attend the MEMTA Board Meeting in Louisville, MS at the MS State Fire Academy on October 28, 2017, also authorize to pay registration and travel expenses.

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 3<sup>rd</sup> day of October, 2017

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**AUTHORIZE TO HIRE KEITH HARRELL AS A CDL DRIVER IN THE BRUSH DEPARTMENT AT A RATE OF \$14.50 PER HOUR**

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Motion was duly made by Alderman Higdon and seconded by Alderman Harris to authorize to hire Keith Harrell as a CDL driver in the Brush Department at a rate of \$14.50 per hour, following the recommendation of the Personnel Committee, based on the recommendation of the Public Works Director. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 3<sup>rd</sup> day of October, 2017

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**AUTHORIZE A STEP INCREASE FOR MICHAEL FURNISS FROM A P3 TO A P4 AT THE RATE OF \$22.25 PER HOUR**

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Motion was duly made by Alderman Miller and seconded by Alderman Bryant to authorize a step increase for Michael Furniss from a P3 to a P4 at the rate of \$22.25 per hour, following the recommendation of the Personnel Committee, based on the recommendation of the Police Chief. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 3<sup>rd</sup> day of October, 2017

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**AUTHORIZE A STEP INCREASE FOR HOSIE PORTER FROM A P1 TO A P2 AT THE RATE OF \$19.50 PER HOUR**

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Motion was duly made by Alderman Higdon and seconded by Alderman Harris authorize a step increase for Hosie Porter from a P1 to a P2 at the rate of \$19.50 per hour, following the recommendation of the Personnel Committee, based on the recommendation of the Police Chief. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 3<sup>rd</sup> day of October, 2017

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**AUTHORIZE TO HIRE QUAMIN MOORE AS A SEASONAL EMPLOYEE IN THE PARKS DEPARTMENT AT \$8.50 PER HOUR**

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Alderman Miller wanted to clarify that if this employee is recommended to go to full time, they will go with the amounts budgeted, up to \$11.00 per hour.

Motion was duly made by Alderman Miller and seconded by Alderman Higdon to authorize to hire Quamin Moore as a seasonal employee in the Parks Department at a rate of \$8.50 per hour, following the recommendation of the Personnel Committee, based on the recommendation of the Parks Director. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 3<sup>rd</sup> day of October, 2017

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**AUTHORIZE TO HIRE JARRET WRIGHT AS A SEASONAL EMPLOYEE IN THE PARKS DEPARTMENT AT \$8.50 PER HOUR**

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Alderman Higdon stated that this employee will have the same conditions, if they are recommended to go to full time, they will go with the amounts budgeted.

Motion was duly made by Alderman Higdon and seconded by Alderman Bryant to authorize to hire Jarret Wright as a seasonal employee in the Parks Department at a rate of \$8.50 per hour, following the recommendation of the Personnel Committee, based on the recommendation of the Parks Director. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 3<sup>rd</sup> day of October, 2017

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**APPLICATION FOR FINAL SUBDIVISION TITLED "JEFFERSON ESTATES, SECTION B", SUBMITTED BY REINER DEVELOPMENT, LLC. THE SUBDIVISION IS COMPRISED OF 49 LOTS TOTALING 19.17 ACRES LOCATED ON THE SOUTHEAST CORNER OF HOLLY SPRINGS ROAD AND JAYBIRD ROAD; SITUATED IN SECTION 21, TOWNSHIP 3 SOUTH, AND RANGE 7 WEST. THE PROPERTY IS CURRENTLY ZONED PUD, PLANNED UNIT DEVELOPMENT (FILE: PL-1267)**

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Jared Darby presented the staff report. The Planning Commission recommended approval. Alderwoman Brooks asked if they had any more common space.

Greg Smith answered no ma'am.

Alderwoman Brooks asked if the square footage was about the same.

Greg Smith answered yes.

Alderman McLendon stated that we had to do some street work, is this the same developer.

Joe Frank Lauderdale answered that we used their bond money.

Jared Darby stated that it is in the staff report that they engineer and planning director will come up with the amount for the bond.

Alderman McLendon stated no fences on top of the ditches.

Jared Darby answered no sir.

Bobby Burton asked if this would connect to the current lift station.

Greg Smith answered that they will eliminate that one and put a new one further down to service the entire area.

Alderwoman Brooks asked if this would create any environmental problems.

Greg Smith answered no, they had a study done and it stated that there wouldn't be any issues.

**MAYOR AND BOARD OF ALDERMAN  
FILE: PL-1267**

**DATE: October 3rd, 2017**

**CAPTION: Final Subdivision; Jefferson Estates, Section B; Reiner Development, LLC**

**INTRODUCTION:**

Reiner Development, LLC, the owner of the subject property, is requesting a final subdivision approval for Jefferson Estates Section B. The subdivision will consist of 49 residential lots with one lot representing common open space. The subdivision is located at the intersection of Jaybird Road and Holly Springs. The subdivision is zoned PUD, Planned Unit Development.

**DESCRIPTION:**

The subdivision will have multiple entry points and matches the approved development plan with one exception, the common open space looks to be a bit bigger in the Planned Unit Development narrative. Otherwise, all is well. As the City Planner, I have allowed developers to develop a reasonable amount of lots within a larger development if proper access is provided and current residents are not subjected to any unnecessary construction traffic. The Board will see the subdivision is served by three entrances and exits. Street A and Street B will require temporary cul-de-sacs that should be approved by the City Engineer. Designated construction entrances and exits should be well labeled and maintained by the developer. The City engineer will also need to determine a bond amount for city right-of-way that will be affected by the designated construction traffic.

The lots themselves range from 11,047 sq. ft. to 22,894 sq. ft. with most lots between 14,000 sq. ft. - 15,000 sq. ft. the developer will be responsible for installing all amenities before the first permit is issued and connect with the corresponding amenities from existing phases. Note: that there is no existing development to the east and west of the proposed subdivision only to the north where it connects with Jefferson Estates, Section A.

**PLANNING COMMISSION COMMENTS:**

The Planning Commission has found that the geometry of the proposed plat meets the City of Hernando's Subdivision Regulations, and the lots are within keeping of the character of the neighborhood and the Jefferson Estates Development Plan. If the Mayor and Board of Alderman chooses to approve the plat, the Commission recommends the following conditions of approval:

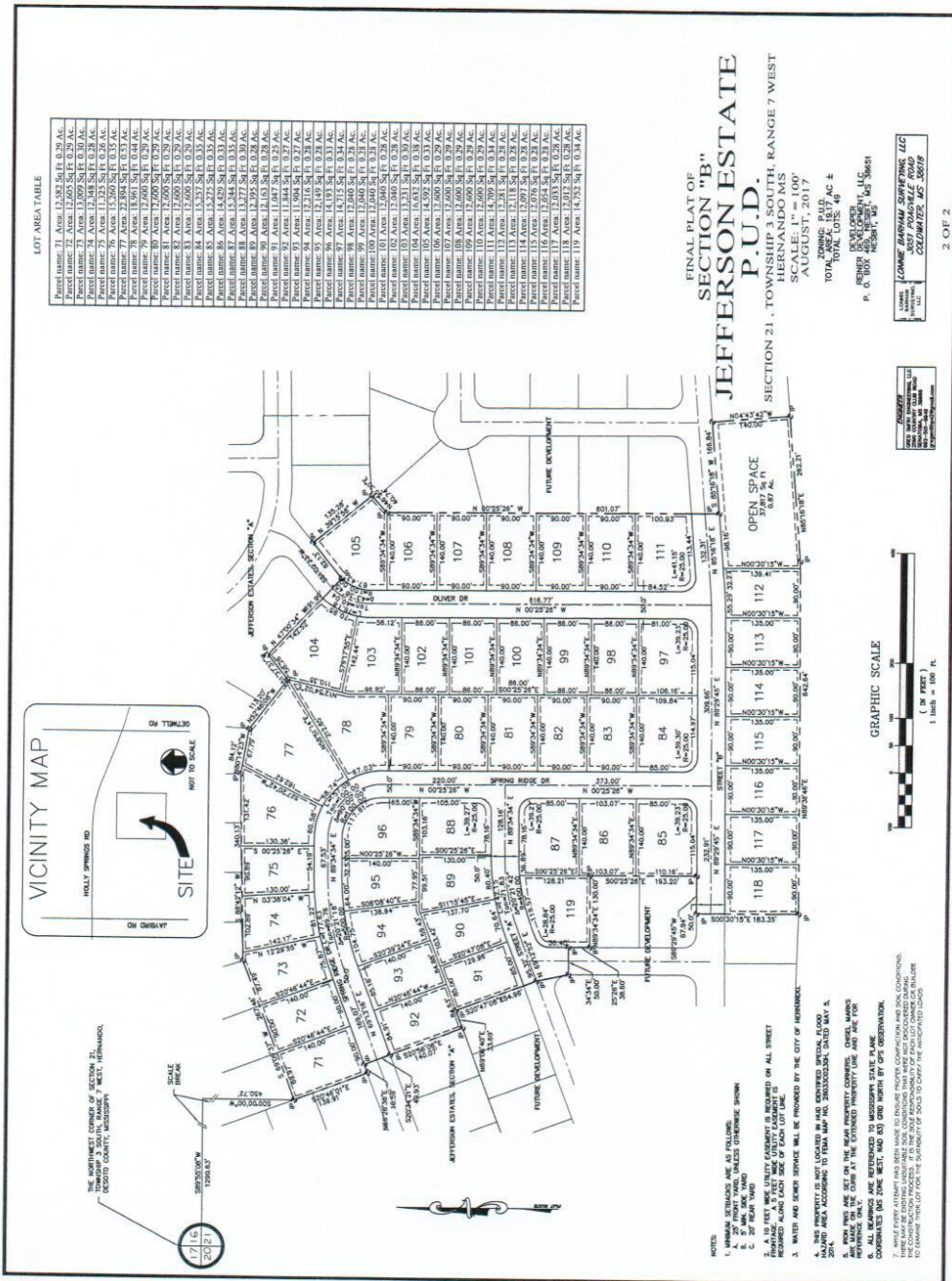
- A. All landscaping in all common open space areas, natural areas, buffer areas, streetscape areas, medians, islands, and the entrance signage areas and such other associated improvements shall be installed/constructed prior to the issuance of any building permit within that respective phase of the development. Street trees may be bonded insuring their installation prior to the final inspection and occupancy of the residence upon each lot.
- B. Improvements to be the responsibility of the developer and not the responsibility of the City of Hernando.
- C. Grading, drainage, and engineering construction plans to be approved by the City Engineer and Public Works Director.

- D. The developer shall install drainage pipe, erosion control material, sewer mains and service, water mains, fire hydrants, and service, gas mains and service, curb and gutter for all streets, and gravel or soil cement base for the streets and one (1) layer of blacktop, 1½" thick, before the plat of the subdivision, or any phase of the subdivision, is recorded. A performance guarantee must be filed for the remainder of the improvements in an amount set by the City Engineer. This includes another 1½" of blacktop making a total of three (3") of blacktop surface and sidewalks.
- E. Sidewalks to be installed on the both sides of all streets.
- F. Finished floor elevations shall be listed for each lot.
- G. Streetlights to be installed at the developer's expense. Streetlight plans to be submitted to the City Engineer and Planning Director for approval.
- H. All utilities and services (electric, telephone, cable, etc.) to be installed underground. The water service lines shall be installed with tracing wire at the top.
- I. Final approval by the Board of Aldermen and recording of the plat.
- J. No relocated buildings will be allowed.
- K. Location map shall be referenced by Section-Township-Range.
- L. Surrounding properties that are within 100 ft. shall be outlined with ownership records given.
- M. Bond for construction traffic shall be determined and approved by the City Engineer.
- N. A letter of understanding shall be submitted to the Office of Planning detailing how and when all landscape amenities will be installed. Letter shall be approved by the City Planner.
- O. Ownership documents shall be provided to planning department for ownership verification.
- P. Street A and B will need temporary cul-de-sacs to be approved by the City Engineer.

**INCLUDED EXHIBITS:**

- Jefferson Estates Subdivision, Section B
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**APPROVE MUNICIPAL COMPLIANCE QUESTIONNAIRE**

**Municipal Compliance Questionnaire**

As part of the municipality's audit, the governing authorities of the municipality must make certain assertions with regard to legal compliance. The municipal compliance questionnaire was developed for this purpose.

The following questionnaire and related certification must be completed at the end of the municipality's fiscal year and entered into the official minutes of the governing authorities at their next regular meeting.

The governing authorities should take care to answer these questions accurately. Incorrect answers could reduce the auditor's reliance on the questionnaire responses, resulting in the need to perform additional audit procedures at added cost.

**Information**

*Note: Due to the size of some municipalities, some of the questions may not be applicable. If so, mark N/A in answer blanks. Answers to other questions may require more than "yes" or "no," and, as a result, more information on this questionnaire may be required and/or separate work papers may be needed.*

- 1. Name and address of municipality:  
City of Hernando  
475 W Commerce St Hernando, MS 38632
- 2. List the date and population of the latest official U.S. Census or most recent official census:  
2010      14,090
- 3. Names, addresses and telephone numbers of officials (include elected officials, chief administrative officer, and attorney).  
See attached
- 4. Period of time covered by this questionnaire:  
 From: October 1 2016      To: September 30 2017
- 5. Expiration date of current elected officials' term: June 2021

**IV-B0**

**MUNICIPAL COMPLIANCE QUESTIONNAIRE**  
 Year Ended September 30, 20\_\_

Answer All Questions: Y - YES, N - NO, N/A - NOT APPLICABLE

**PART I - General**

- |   |   |
|---|---|
| 1. Have all ordinances been entered into the ordinance book and included in the minutes? (Section 21-13-13)   | Y |
| 2. Do all municipal vehicles have public license plates and proper markings? (Sections 25-1-87 and 27-19-27)  | Y |
| 3. Are municipal records open to the public? (Section 25-61-5)  | Y |
| 4. Are meetings of the board open to the public? (Section 25-41-5)  | Y |
| 5. Are notices of special or recess meetings posted? (Section 25-41-13)   | Y |
| 5. Are all required personnel covered by appropriate surety bonds?  | Y |
| · Board or council members (Sec. 21-17-5)   | Y |
| · Appointed officers and those handling money, see statutes governing the form of government (i.e., Section 21-3-5 for Code Charter)  | Y |
| · Municipal clerk (Section 21-15-38)  | Y |
| · Deputy clerk (Section 21-15-23)   | Y |
| · Chief of police (Section 21-21-1)   | Y |
| · Deputy police (Section 45-5-9) (if hired under this law)  | Y |
| 7. Are minutes of board meetings prepared to properly reflect the actions of the board? (Sections 21-15-17 and 21-15-19)  | Y |
| 8. Are minutes of board meetings signed by the mayor or majority of the board within 30 days of the meeting? (Section 21-15-33)   | Y |
| 9. Has the municipality complied with the nepotism law in its employment practices? (Section 25-1-53)   | Y |
| 10. Did all officers, employees of the municipality, or their relatives avoid any personal interest in any contracts with the municipality during their term or within one year after their terms of office or employment? (Section 25-4-105) | Y |
| 11. Does the municipality contract with a Certified Public Accountant or an auditor approved by the State Auditor for its annual audit within twelve months of the end of each fiscal year? (Section 21-35-31)                                | Y |

**IV-B1**

12. Has the municipality published a synopsis or notice of the annual audit within 30 days of acceptance? (Section 21-35-31 or 21-17-19) Y
- PART II - Cash and Related Records**
1. Where required, is a claims docket maintained? (Section 21-39-7) Y
2. Are all claims paid in the order of their entry in the claims docket? (Section 21-39-9) Y
3. Does the claims docket identify the claimant, claim number, amount and fund from which each warrant will be issued? (Section 21-39-7) Y
4. Are all warrants approved by the board, signed by the mayor or majority of the board, attested to by the clerk, and bearing the municipal seal? (Section 21-39-13) Y
5. Are warrants for approved claims held until sufficient cash is available in the fund from which it is drawn? (Section 21-39-13) Y
6. Has the municipality adopted and entered on its minutes a budget in the format prescribed by the Office of the State Auditor? (Sections 21-35-5, 21-35-7 and 21-35-9) Y
7. Does the municipality operate on a cash basis budget, except for expenditures paid within 30 days of fiscal year end or for construction in progress? (Section 21-35-23) Y
8. Has the municipality held a public hearing and published its adopted budget? (Sections 21-35-5, 27-39-203, & 27-39-205) Y
9. Has the municipality complied with legal publication requirements when budgetary changes of 10% or more are made to a department's budget? (Section 21-35-25) Y
10. If revenues are less than estimated and a deficit is anticipated, did the board revise the budget by its regular July meeting? (Section 21-35-25) Y 1/2 N/A

IV-B2



- 11. Have financial records been maintained in accordance with the chart of accounts prescribed by the State Auditor? (Section 21-35-11) Y  
\_\_\_\_\_
  - 12. Does the municipal clerk submit to the board a monthly report of expenditures against each budget item for the preceding month and fiscal year to date and the unexpended balances of each budget item? (Section 21-35-13) Y  
\_\_\_\_\_
  - 13. Does the board avoid approving claims and the city clerk not issue any warrants which would be in excess of budgeted amounts, except for court-ordered or emergency expenditures? (Section 21-35-17) Y  
\_\_\_\_\_
  - 14. Has the municipality commissioned municipal depositories? (Sections 27-105-353 and 27-105-363) Y  
\_\_\_\_\_
  - 15. Have investments of funds been restricted to those instruments authorized by law? (Section 21-33-323) Y  
\_\_\_\_\_
  - 16. Are donations restricted to those specifically authorized by law? [Section 21-17-5 (Section 66, Miss. Constitution) -- Sections 21-19-45 through 21-19-59, etc.] Y  
\_\_\_\_\_
  - 17. Are fixed assets properly tagged and accounted for? (Section II - Municipal Audit and Accounting Guide) Y  
\_\_\_\_\_
  - 18. Is all travel authorized in advance and reimbursements made in accordance with Section 25-3-41? Y  
\_\_\_\_\_
  - 19. Are all travel advances made in accordance with the State Auditor's regulations? (Section 25-3-41) Y  
\_\_\_\_\_
- PART III - Purchasing and Receiving**
- 1. Are bids solicited for purchases, when required by law (written bids and advertising)? [Section 31-7-13(b) and (c)] Y  
\_\_\_\_\_
  - 2. Are all lowest and best bid decisions properly documented? [Section 31-7-13(d)] Y  
\_\_\_\_\_
  - 3. Are all one-source item and emergency purchases documented on the board's minutes? [Section 31-7-13(m) and (k)] Y  
\_\_\_\_\_
  - 4. Do all officers and employees understand and refrain from accepting gifts or kickbacks from suppliers? (Section 31-7-23) Y  
\_\_\_\_\_

IV-B3

**PART IV - Bonds and Other Debt**

- 1. Has the municipality complied with the percentage of taxable property limitation on bonds and other debt issued during the year? (Section 21-33-303) Y
- 2. Has the municipality levied and collected taxes, in a sufficient amount for the retirement of general obligation debt principal and interest? (Section 21-33-87) Y
- 3. Have the required trust funds been established for utility revenue bonds? (Section 21-27-65) N/A
- 4. Have expenditures of bond proceeds been strictly limited to the purposes for which the bonds were issued? (Section 21-33-317) Y
- 5. Has the municipality refrained from borrowing, except where it had specific authority? (Section 21-17-5) Y

**PART V - Taxes and Other Receipts**

- 1. Has the municipality adopted the county ad valorem tax rolls? (Section 27-35-167) Y
- 2. Are interest and penalties being collected on delinquent ad valorem taxes? (Section 21-33-53) Y
- 3. Has the municipality conducted an annual land sale for delinquent ad valorem taxes? (Section 21-33-63) N/A
- 4. Have the various ad valorem tax collections been deposited into the appropriate funds? (Separate Funds for Each Tax Levy) (Section 21-33-53) Y
- 5. Has the increase in ad valorem taxes, if any, been limited to amounts allowed by law? (Sections 27-39-320 and 27-39-321) Y
- 6. Are local privilege taxes collected from all businesses located within the municipality, except those exempted? (Section 27-17-5) Y
- 7. Are transient vendor taxes collected from all transient vendors within the municipality, except those exempted? (Section 75-85-1) Y
- 8. Is money received from the state's "Municipal Fire Protection Fund" spent only to improve municipal fire departments? (Section 83-1-37) Y

**IV-B4**



- 9. Has the municipality levied or appropriated not less than 1/4 mill for fire protection and certified to the county it provides its own fire protection or allowed the county to levy such tax? (Sections 83-1-37 and 83-1-39) Y
- 10. Are state-imposed court assessments collected and settled monthly? (Section 99-19-73, 83-39-31, etc.) Y
- 11. Are all fines and forfeitures collected when due and settled immediately to the municipal treasury? (Section 21-15-21) Y
- 12. Are bids solicited by advertisement or, under special circumstances, three appraisals obtained when real property is sold? (Section 21-17-1) Y
- 13. Has the municipality determined the full and complete cost for solid waste for the previous fiscal year? (Section 17-17-347) Y
- 14. Has the municipality published an itemized report of all revenues, costs and expenses incurred by the municipality during the immediately preceding fiscal year in operating the garbage or rubbish collection or disposal system? (Section 17-17-348) Y
- 15. Has the municipality conducted an annual inventory of its assets in accordance with guidelines established by the Office of the State Auditor? (MMAAG) Y

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**IV-B6**

(MUNICIPAL NAME)

Certification to Municipal Compliance Questionnaire

Year Ended September 30, 2017

We have reviewed all questions and responses as contained in this Municipal Compliance Questionnaire for the Municipality of Hernando, and, to the best of our knowledge and belief, all responses are accurate.

[Signature]  
(City Clerk's Signature)

[Signature]  
(Mayor's Signature)

10/4/17  
(Date)

10-4-17  
(Date)

Minute Book References:

Book Number \_\_\_\_\_

Page \_\_\_\_\_

*(Clerk is to enter minute book references when questionnaire is accepted by board.)*

IV-B7

<b>Name</b>	<b>Title</b>	<b>Address</b>	<b>Phone Number</b>
N.C. Tom Ferguson Jr	Mayor	93 La Bauve Hernando	901-387-9890
W.I. "Doc" Harris, Jr	Alderman at Large	1966 Robertson Road Hernando	662-449-6412
Sonny Bryant	Alderman - Ward 1	1909 West Oak Grove Rd Hernando, MS 38632	901-604-3818
Andrew Miller	Alderman - Ward 2	3030 Caffey St. Hernando, MS 38632	901-827-5651
Gary Higdon	Alderman - Ward 3	545 Augusta Dr Hernando, MS 38632	901-262-7212
Michael McLendon	Alderman - Ward 4	2245 Memphis St Hernando, MS 38632	901-219-0900
Cathy Brooks	Alderman - Ward 5	320 Shady Grove Rd Hernando, MS 38632	901-485-8486
Jeff Hobbs	Alderman - Ward 6	1055 Wooten Rd Hernando, MS 38651	901-233-3751
Kenny Stockton	City Attorney	449 West Commerce St, Hernando MS 38632	662-429-3469

Motion was duly made by Alderman Miller and seconded by Alderman Higdon to approve the Municipal Compliance Questionnaire fye 2017. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 3<sup>rd</sup> day of October, 2017

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**ADOPT AMENDED RESOLUTION AUTHORIZING CITY OF HERNANDO CREDIT  
CARD USERS (VISA)**

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**ADOPT AMENDED RESOLUTION AUTHORIZING CITY OF HERNANDO CREDIT  
CARD USERS (VISA)**

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BOARD MEMBER Higdon moved the adoption of the following Resolution and Order:

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN, THE GOVERNING BODY (“THE BOARD”) OF THE CITY OF HERNANDO, MISSISSIPPI FINDING IT NECESSARY TO ACQUIRE A CREDIT CARD FOR GOVERNMENTAL OR PROPRIETARY PURPOSES AUTHORIZED BY LAW: FINDING THAT IT WOULD BE IN THE PUBLIC INTEREST TO ACQUIRE SUCH CREDIT CARD: FINDING THAT THE FIRST SECURITY BANK, HERNANDO, MISSISSIPPI, HAS OFFERED TO ACQUIRE SUCH CREDIT CARD: FINDING THAT SUCH PROPOSAL IS IN THE INTEREST OF THE BORROWER AND AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK (THE “AUTHORIZED OFFICERS”) TO EXECUTE AN APPLICATION AND RESOLUTION.

WHEREAS, the Board has determined that it is necessary to acquire a credit card for purposes authorized by law and

WHEREAS, the Board does by these presents determine that it would be in the public interest to acquire a credit card; and

WHEREAS, the Board anticipates that it will not purchase more than \$10,000.00 in any month; and

WHEREAS, the First Security Bank of Hernando, Mississippi, has proposed to acquire said credit card with no annual fee.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

SECTION 1: The Board hereby accepts the aforementioned proposal of First Security Bank pursuant to the terms and conditions thereto.

SECTION 2: The Authorized Officers are hereby authorized and directed to execute an Agreement for said credit card making the City of Hernando responsible for the payments charged on said credit card.

SECTION 3: The Board of Aldermen authorizes the following persons to use said credit cards:

Tom Ferguson	Mayor
Katie Harbin	City Clerk
Gary McElhannon	Public Works Superintendent
Hubert Jones	Fire Chief / EMS Director
Marshel Berry	Deputy Fire Chief
Scott Worsham	Police Chief
Shane Ellis	Assistant Police Chief
W.I. “Doc” Harris	Alderman
E. R. “Sonny” Bryant	Alderman
Andrew Miller	Alderman
Gary Higdon	Alderman
Michael McLendon	Alderman
Cathy Brooks	Alderwoman

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Jeff Hobbs	Alderman
Keith Briley	Planning Director
Dewayne Williams	Parks and Recreation Director
Julie Harris	Human Resource Director
Gia Matheny	Director of Community and Economic Development
Daniel Carson	Assistant Parks and Recreation Director
Dolly Brechin	Program Coordinator
Jessica Green	Executive Assistant to the Mayor

BOARD MEMBER Miller seconded the motion and after a full discussion, the same was put to vote with the following results:

Alderman Harris	Voted: AYE
Alderman Bryant	Voted: AYE
Alderman Miller	Voted: AYE
Alderman Higdon	Voted: AYE
Alderman McLendon	Voted: AYE
Alderwoman Brooks	Voted: AYE
Alderman Hobbs	Voted: ABSENT

The motion, having received an affirmative vote, was carried and the resolution adopted, this the 3<sup>rd</sup> day of October, 2017.

By: \_\_\_\_\_

Tom Ferguson  
Mayor, City of Hernando

{Seal}

By: \_\_\_\_\_

Katie Harbin  
City Clerk, City of Hernando



**ADOPT AMENDED RESOLUTION AUTHORIZING CITY OF HERNANDO CREDIT CARD USERS (MASTERCARD)**

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**ADOPT AMENDED RESOLUTION AUTHORIZING CITY OF HERNANDO CREDIT CARD USERS (MASTERCARD)**

---

BOARD MEMBER Higdon moved the adoption of the following Resolution and Order:

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN, THE GOVERNING BODY (“THE BOARD”) OF THE CITY OF HERNANDO, MISSISSIPPI FINDING IT NECESSARY TO ACQUIRE A MASTERCARD FOR GOVERNMENTAL OR PROPRIETARY PURPOSES AUTHORIZED BY LAW: FINDING THAT IT WOULD BE IN THE PUBLIC INTEREST TO ACQUIRE SUCH MASTERCARD: FINDING THAT THE FIRST SECUTIY BANK, HERNANDO, MISSISSIPPI, HAS OFFERED TO ACQUIRE SUCH MASTERCARD: FINDING THAT SUCH PROPOSAL IS IN THE INTEREST OF THE BORROWER AND AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK (THE “AUTHORIZED OFFICERS”) TO EXECUTE AN APPLICATION AND RESOLUTION.

WHEREAS, the Board has determined that it is necessary to acquire a MasterCard for purposes authorized by law and

WHEREAS, the Board does by these presents determine that it would be in the public interest to acquire a MasterCard; and

WHEREAS, the Board anticipates that it will not purchase more than \$10,000.00 in any month; and

WHEREAS, the First Security Bank of Hernando, Mississippi, has proposed to acquire said MasterCard with no annual fee.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

SECTION 1: The Board hereby accepts the aforementioned proposal of First Security Bank pursuant to the terms and conditions thereto.

SECTION 2: The Authorized Officers are hereby authorized and directed to execute an Agreement for said MasterCard making the City of Hernando responsible for the payments charged on said MasterCard.

SECTION 3: The Board of Aldermen authorizes the following persons to use said MasterCard:

- |                  |   |
|------------------|---|
| Tom Ferguson     | Mayor                                   |
| Katie Harbin     | City Clerk                              |
| Julie Harris     | Human Resource Manager                  |
| Dewayne Williams | Parks and Recreation Director           |
| Daniel Carson    | Assistant Parks and Recreation Director |
| Jessica Green    | Executive Assistant to the Mayor        |

BOARD MEMBER Brooks seconded the motion and after a full discussion, the same was put to vote with the following results:

- |                 |            |
|-----------------|------------|
| Alderman Harris | Voted: AYE |
| Alderman Bryant | Voted: AYE |

Alderman Miller	Voted: AYE
Alderman Higdon	Voted: AYE
Alderman McLendon	Voted: AYE
Alderwoman Brooks	Voted: AYE
Alderman Hobbs	Voted: ABSENT

The motion, having received an affirmative vote, was carried and the resolution adopted, this the 3<sup>rd</sup> day of October, 2017.

By: \_\_\_\_\_

Tom Ferguson  
Mayor, City of Hernando

{Seal}

By: \_\_\_\_\_

Katie Harbin  
City Clerk, City of Hernando

**AUTHORIZE MAYOR FERGUSON TO SIGN A CONTRACT FOR PROFESSIONAL SERVICES WITH DESOTO COUNTY SCHOOLS, FOR A SCHOOL RESOURCE OFFICER**

---

Motion was duly made by Alderman Miller and seconded by Alderman Bryant to authorize Mayor Ferguson to sign a contract for Professional Services with Desoto County Schools, for a School Resource Officer. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 3<sup>rd</sup> day of October, 2017

**AUTHORIZE MAYOR FERGUSON TO SIGN A MEMORANDUM OF UNDERSTANDING BETWEEN THE MISSISSIPPI TRANSPORTATION COMMISSION AND DESOTO COUNTY, MISSISSIPPI AND THE CITY OF HERNANDO, MISSISSIPPI, LPA PROJECT 107357-701000 STP-7885-00(001), UPON APPROVAL FROM MDOT**

---

Motion was duly made by Alderwoman Brooks and seconded by Alderman Higdon to authorize Mayor Ferguson to sign a Memorandum of Understanding between the Mississippi Transportation Commission and Desoto County, Mississippi and the City of Hernando, Mississippi, LPA project 107357-701000 STP-7885-00(001), upon approval from MDOT. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 3<sup>rd</sup> day of October, 2017

---

**AUTHORIZE MAYOR FERGUSON TO SIGN A PRELIMINARY ENGINEERING SERVICES CONTRACT WITH PICKERING FIRM, INC, STP-7885-00(001)/LPA/107537-711000, UPON APPROVAL FROM MDOT**

---

Motion was duly made by Alderman Miller and seconded by Alderman McLendon to authorize Mayor Ferguson to sign a Preliminary Engineering Services Contract with Pickering Firm, Inc., STP-7885-00(001)/LPA/107537-711000, upon approval from MDOT. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 3<sup>rd</sup> day of October, 2017

---

**AUTHORIZE MAYOR FERGUSON TO SIGN AN AGREEMENT OF DESOTO COUNTY, MISSISSIPPI AND THE CITY OF HERNANDO, MISSISSIPPI FOR THE DESIGN AND CONSTRUCTION OF REALIGNED MCINGVALE ROAD**

---

Kenny Stockton stated that the County has approved this agreement.

Motion was duly made by Alderman Miller and seconded by Alderman Higdon to authorize Mayor Ferguson to sign an Agreement of Desoto County, Mississippi and the City of Hernando, Mississippi for the Design and Construction of Realigned McIngvale Road, based upon the Mayor, Kenny Stockton, and Joe Frank Lauderdale's approval. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 3<sup>rd</sup> day of October, 2017

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**ADOPT THE WATER USE ORDINANCE**

---

**CITY OF HERNANDO USER CHARGE ORDINANCE**

**AN ORDINANCE TO PROVIDE FOR THE COLLECTION OF USER CHARGES FROM USERS OF THE PUBLIC WATER WORKS OF THE CITY OF HERNANDO, MISSISSIPPI.**

**BE IT ORDAINED BY THE CITY OF HERNANDO, COUNTY OF DESOTO, STATE OF MISSISSIPPI AS FOLLOWS:**

**ARTICLE I**

**DEFINITIONS**

The following words and terms when used in this ordinance are intended to mean and shall mean as follows, to wit:

**Superintendent** shall mean the public works director and/or general manager of the utilities of City of Hernando.

**Person** shall mean any person, firm or corporation, either as principal or as agent for another.

**Municipal Mains** shall mean any and all water-carrying and water-distributing pipes, mains and conduits owned and maintained by the City of Hernando.

**Water** shall mean the water service or water supply belonging to and furnished, or to be furnished, by the City of Hernando, Mississippi unless otherwise stated.

**ARTICLE II****USER CHARGES**

- Section 1. User charge shall be the charged levied on all users including, but not limited to, persons, firms, corporations or governmental entities that consume water from the public supply.
- Section 2. The user charge shall include the costs of operation and maintenance (including replacement) of the public water works, retirement of existing debt included herein, and repayment of any Drinking Water Systems Loans in accordance with the approved User Charge System, included herein by reference.
- Section 3. The Superintendent shall review not less often than every two years the contributions of users, the total costs of operation and maintenance (including replacement) of the water works, and the user charge system. The Superintendent shall revise the user charge, if necessary, to generate sufficient revenue to pay the total operation and maintenance (including replacement) costs of the water works, retirement of existing debt included herein, and repayment of any Drinking Water Systems Loans.
- Section 4. Each user shall be notified, at least annually, in conjunction with a regular bill, of the rate and portion of the user charge, which is attributable to operation and maintenance of the water works.
- Section 5. No free water shall be furnished to any user.
- Section 6. All private homes and residences, and all trailer parks and apartment complexes having two or more users to a water meter (hereinafter referred to as “residential customers”) shall pay a flat minimum monthly charge of \$12.50 up to 2000 gallons of water, with no quantity discount for any such customer who do not reach or exceed the 2000 minimum. For all residential customers located within the city limits of Hernando, Mississippi the charge for all water used in excess of 2000 gallons shall be charged an additional rate of \$3.15 per thousand gallon(s) up to 5000 gallons. For all residential customers located with the city limits of Hernando the charge for all water used in excess of 5000 gallons shall be charged an additional rate of \$3.50 per gallon.

For all such “residential customers” located outside the city limits a minimum monthly charge of \$16.00 per 3000 gallons of water shall apply. For all such residential customers located outside the city limits the charge for all water used in excess of the 3000 gallon minimum charge shall be charged the rate of \$3.50 per 1000 gallon(s) used in excess of 3000 gallons and up to 5000 gallons. For all residential customers located outside the city limits of Hernando the charge for all water used in excess of 5000 gallons shall be charged at the rate of \$3.95 per thousand gallon (s).

For commercial customers inside the city, a straight minimum monthly charge of \$12.50 for the first 2000 gallons, with no quantity discount for such customers. For the amounts used by commercial customers in excess of 2000 gallons and up to 5000 gallons, the rate for the additional water used shall be \$3.15 per thousand. For all amounts used by the commercial customers in excess of 5000 gallons the rate for the additional water used shall be \$3.50 per thousand gallon(s) so used. Commercial Customers are defined herein as all those customers other than those identified as “residential customers”.

For all commercial customers outside the city limits a minimum monthly charge of \$16.00 per 3000 gallons of water shall apply. For all such commercial customers located outside the city limits the charge for all water used in excess of the 3000 gallon minimum charge shall be charged the rate of \$3.50 per 1000

gallon(s) used in excess of 3000 gallons and up to 5000 gallons. For all such commercial customers located outside the city limits of Hernando the charge for all water used in excess of 5000 gallons shall be charged at the rate of \$3.95 per thousand gallons.

**SEWER CHARGE:**

The city sewer charge for all residential and commercial customers, located within the city limits of Hernando, Mississippi the sewer charge fee shall be a minimum of \$6.25 per month per customer or fifty per cent (50%) of the monthly water bill, whichever is greater.

The city sewer charge for all residential and commercial customers, located outside the city limits the sewer charge fee shall be a minimum of \$8.00 per month per customer or fifty per cent (50%) of the monthly water bill, whichever amount is greater.

The aforesaid Sewer Charge is not one and the same as the DCRUA (DeSoto County Regional Utility Authority) charge as reflected on the customer water bill(s).

Section 7. All current water customers or consumers who are supplied water beyond the corporate limits of the municipality will pay the applicable amounts shown herein.

Section 8. Any and all future connections outside the corporate limits of the municipality will be evaluated on an individual basis to determine demand and supply capability, and any and all connections may or may not be approved if connection or connections are deemed to not be in the best interest of the municipality, and all connections, made will not constitute a guarantee of continuing service or supply (pressure) during the period of service.

Section 9. Charges and bills for water furnished to business of commercial customers or consumers or any other persons furnished water shall mature on the date of the statement or bill. Such charges and bills shall be due and payable on the date of the statement and any such charges or bills not paid on or before 15 days from date of statement shall be in default.

Section 10. Failure, neglect or refusal to pay any water bill on or before 15 days from date of statement shall subject the customer, consumer or user of the water to the loss and discontinuance of his water service and supply without notice. If any such water service and supply is lost or discontinued because of the nonpayment of any such statement on or before 15 days from the date payment is due, the service and/or supply shall not be resumed until the bill or statement is paid in full, together with a continuation charge (reconnect fee) of \$40.00, this amount having been determined as the reasonable cost incurred by the municipality in resuming such service.

Section 11. Meter Deposits- Any water customer or consumer shall not be entitled to any water service or supply unless and until such person makes a meter deposit with the municipality as follows, to wit:

- A. All residences: \$75.00 per family unit.
- All rental: \$125.00 per unit.
- All commercial property: \$150.00 per unit.

- B. For a 1-inch tap or larger, a meter deposit shall be required in advance, in such amount as shall be determined from time to time as reflected in the official minutes of the City.

- C. The size of the meter installed shall be determined by the public works director and/or his agent, who shall give consideration to the estimated consumption and use of water by the respective customer and consumer. Any deposit made shall not bear interest but shall be refunded after termination of the water service and supply and after payment of all sums due for water theretofore furnished. The making of any such deposit shall not affect the right of the municipality to discontinue water service for non-payment of the charge and bill therefore. However, in the event of any such non-payment, the municipality may cut off and discontinue the services if the charges or statement remain in default for more than 15 days after the date of the statement.
- D. The municipality may, at its option, apply any such deposits toward payment of any amount due the municipality for water theretofore furnished.
- E. Any and all water meters installed by the municipality shall remain the exclusive property of the municipality.

Section 12. Irrigation Meters may be installed in the City of Hernando to those water customers serviced by the City of Hernando provided that they have a potable water meter and are currently being provided with potable water from the City of Hernando. Irrigation meters will be subject to the following:



- I. Irrigation Meters may be installed for those customers currently having potable water service and no deposit will be required for the irrigation meter.
- II. The City of Hernando will perform a standard installation of any such irrigation meter at a cost of \$450.00 plus applicable sales tax and which shall be for a three-quarter (3/4) inch service line only and the installation of any such meter will be for a meter located immediately adjacent to the customers existing meter subject to the exceptions as contained herein. The installation of any irrigation meter in any size in excess of a three-quarter (3/4) inch line shall be done at the actual cost of any such installation incurred by the City of Hernando.
- III. The installation cost of \$450.00, plus applicable sales tax, for a three-quarter (3/4) inch meter base only shall not include any of the following:
  - A. Line relocation.  
Boring of any street, driveway, sidewalk or any other such obstacle.
  - B. Movement of existing meters.  
Removal of any obstructions, including but not limited to sidewalks, driveways, landscaping, utility/service lines of any kind other than water or any other such obstruction.
  - C. Any other cost that would require additional services, equipment or manpower other than the typical installation of a irrigation meter in ground covered only by grass or like vegetation.
- IV. The failure of any customer to pay the irrigation water bill each month shall be subject to both the “cut off” of services by the City of Hernando for both potable water and irrigation water.
- V. The City of Hernando shall not be responsible for any damage incurred by the customer as a result of the installation of a irrigation meter including but not limited to damage to landscaping, lawns or any other improvements located on the property. That additionally, the City of Hernando shall not be responsible for any loss of water pressure to any customer as a result of the installation an irrigation meter.

The City of Hernando shall have a separate application for Irrigation Meter installation and each application must be signed by the property owner and shall contain a waiver of damages.

### **ARTICLE III**

#### **RATE SCHEDULE**

The following rate system shall apply to each user of the water works. This system includes the user charge as established herein and the charge for debt service and recovery of other costs, each based on volume of flow.

#### **WATER RATE SCHEDULE (MONTHLY):**

- A. RESIDENTIAL CUSTOMERS LOCATED INSIDE THE CITY LIMITS OF HERNANDO, MISSISSIPPI

<b><u>Water Usage</u></b>	<b><u>Rate</u></b>
Initial Increment:	
0 to 2000 Gallons	\$12.50
Additional Increments:	

2000 to 5000 Gallons	\$ 3.15 per thousand gallons used
5000 Gallons or more	\$ 3.50 per thousand gallons used

B. RESIDENTIAL CUSTOMERS LOCATED OUTSIDE THE CITY LIMITS OF HERNANDO, MISSISSIPPI

<u>Water Usage</u>	<u>Rate</u>
Initial Increment:	
0 to 3000 Gallons	\$16.00
Additional Increment:	
3000 up to 5000 Gallons	\$ 3.50 per thousand gallons used
5000 Gallons or more	\$ 3.95 per thousand gallons used

C. COMMERCIAL CUSTOMERS LOCATED INSIDE THE CITY LIMITS OF HERNANDO, MISSISSIPPI

<u>Water Usage</u>	<u>Rate</u>
Initial Increment:	
0 to 2000 Gallons	\$12.50
Additional Increments:	
2000 to 5000 Gallons	\$ 3.15 per thousand gallons used
5000 Gallons or more	\$ 3.50 per thousand gallons used

D. COMMERCIAL CUSTOMERS LOCATED OUTSIDE THE CITY LIMITS OF HERNANDO, MISSISSIPPI

<u>Water Usage</u>	<u>Rate</u>
Initial Increment:	
0 to 3000 Gallons	\$16.00
Additional Increments:	
3000 up to 5000 Gallons	\$ 3.50 per thousand gallons used
5000 Gallons or more	\$ 3.95 per thousand gallons used

- E. That the City of Hernando, Mississippi shall automatically increase the aforesaid water rates by the rate of three percent (3%) as of October 1 of each year beginning with October 1, 2018 and continuing each year thereafter. That this increase is intended to reflect the annual increase in the cost of operating the City of Hernando water and sewer systems. That this amount be decreased by Mayor and Board of Alderman provided that such decrease is made before October 1 of any such year.

**SEWER RATE SCHEDULE (MONTHLY):**

A. CITY RESIDENTIAL WATER CUSTOMERS LOCATED WITHIN INSIDE THE CITY LIMITS OF HERNANDO, MISSISSIPPI:

\$6.25 minimum charge or 50% of actual water usage each month, whichever amount is greater.

B. CITY RESIDENTIAL WATER CUSTOMERS LOCATED OUTSIDE THE CITY LIMITS OF HERNANDO, MISSISSIPPI:

\$8.00 minimum charge or 50% of actual water usage each month, whichever amount is greater.

C. CITY COMMERCIAL WATER CUSTOMERS LOCATED WITHIN THE CITY LIMITS OF HERNANDO, MISSISSIPPI:

\$6.25 minimum charge or 50% of actual water usage each month, whichever amount is greater.

D. CITY COMMERCIAL WATER CUSTOMERS LOCATED OUTSIDE THE CITY LIMITS OF HERNANDO, MISSISSIPPI:

\$8.00 minimum charge or 50% of actual water usage each month, whichever amount is greater.

E. RESIDENTIAL SEWER CUSTOMERS INSIDE THE CITY OF HERNANDO, MISSISSIPPI WHO DO NOT RECEIVE CITY WATER SERVICES SHALL BE CHARGED A MONTHLY SEWER CHARGE OF \$9.00.

F. COMMERCIAL SEWER CUSTOMERS INSIDE THE CITY OF HERNANDO, MISSISSIPPI WHO DO NOT RECEIVE CITY WATER SERVICES SHALL BE CHARGED A MONTHLY SEWER FEE OF \$15.00.

G. COMMERCIAL CUSTOMERS, WHICH INCLUDES INDUSTRIAL CUSTOMERS, WITHOUT CITY OF HERNANDO WATER SERVICE SHALL BE REVIEWED ON AN INDIVIDUAL BASIS TO DETERMINE IF THE AFORESAID \$15.00 FEE IS SUFFICIENT AND IF IT IS DETERMINED BY THE PUBLIC WORKS DIRECTOR AND/OR HIS AGENT, ANY SUCH CUSTOMER MAY BE REQUIRED TO INSTALL A METER FOR DETERMINING THE ACTUAL SEWAGE USE AND IF SO METERED THE RATE CHARGED SHALL AT THE SAME RATE AS IF WATER WAS SUPPLIED BY THE CITY OF HERNANDO, MISSISSIPPI.

H. ALL CUSTOMERS OR THOSE WHO COULD BE CUSTOMERS OF THE CITY OF HERNANDO, MISSISSIPPI WATER AND/OR SEWER SYSTEM SHALL BE CHARGED A MONTHLY \$5.00 WASTE WATER FEE WHICH SHALL APPLY TO THE BONDED DEBT OF THE SYSTEM.

*The aforesaid Sewer Charges are not one and the same as the DCRUA (DeSoto County Regional Utility Authority) charge as reflected on the customer water bill(s).*

#### ARTICLE IV

DeSoto County Regional Utility Authority (DCRUA) charges and/or fees:

The DeSoto County Regional Utility Authority, herein referred to as DCRUA rates within the boundaries of the City of Hernando, Mississippi and for those areas located outside the city limits of Hernando, Mississippi and which areas are served by the City of Hernando, Mississippi are set by DCRUA and which amounts are passed on to all such customers of the City of Hernando, Mississippi water and/or sewer department. That currently the rates as set by DCRUA are based on the following:

- 9,000 gallons for residential customers without city water or a water usage reading shall be multiplied by the rate given to the City of Hernando by DCRUA. (APPLIES TO RESIDENTIAL CUSTOMERS WITHOUT MONTHLY WATER USAGE BILLING INFORMATION AVAILABLE.) (Example: 9000 Gallons would be  $9 \times 3.94$  per thousand gallons for a total of \$35.46 per month.)
- 26,000 gallons for commercial customers without city water shall be multiplied by the rate given to the City of Hernando by DCRUA. (APPLIES

TO COMMERCIAL CUSTOMERS WITHOUT MONTHLY WATER USAGE BILLING INFORMATION AVAILABLE.) *(Example: 26,000 Gallons would be 26 x 3.94 per thousand gallons for a total of \$102.44 per month.)*

- For residential customers for whom a water usage reading is available the City of Hernando will use the actual gallons used multiplied by the DCRUA rate as provided to the City of Hernando. (APPLIES RESIDENTIAL CUSTOMERS WITH MONTHLY WATER USAGE INFORMATION AVAILABLE.)
- For commercial customers for whom a water usage reading is available the City of Hernando will use the actual gallons used multiplied by the DCRUA rate as provided to the City of Hernando. (APPLIES TO COMMERCIAL CUSTOMERS WITH MONTHLY WATER USAGE INFORMATION AVAILABLE.)

The City of Hernando will automatically pass all DCRUA rate changes, either increases or decreases, to all such customers as identified above, as soon as practicable after the same are received from DCRUA

#### **ARTICLE V**

##### **TRANSFERS**

No person shall be entitled to transfer his water service from one location to another, except as hereinafter set forth. When premises are vacated, or the use thereof discontinued by a water customer, he shall pay his bill in full for the old location and make all necessary arrangements for the new cut-in before being entitled to any further water service, and the customer shall pay a fee of \$15.00 for transfer of water service from one location to another. Relocation, at the request of an owner or customer, of a water meter, connection or tap on the same property shall require payment of a charge determined from time to time as reflected on the official minutes of the city. No person shall be entitled to a water cut-in or to water service at any location if he is in arrears for water service rendered at that or any other location.

#### **ARTICLE VI**

##### **TAMPERING WITH METERS**

If any person tampers with or in anywise makes or attempts to make any improper use or adjustment of any water meter, stopcock, or service pipe, or attempts in any way to avoid payment of the proper amount due or to become due for the water obtained or to be obtained or used by such person or for his benefit, then in any said events the superintendent shall have the right, without notice, to immediately discontinue the water service of such person and/or charges for all resulting damages and costs to be reflected on the following month's water bill.

#### **ARTICLE VII**

##### **PENALTIES**

Any person willfully violating any of the prohibitions or provisions of this ordinance shall be guilty of a misdemeanor and shall, on conviction, be fined in a sum not to exceed \$500.00 or imprisoned for not more than 30 days or both.

#### **ARTICLE VIII**

##### **AMENDMENTS**

This Ordinance shall be amended, as necessary, to comply with Federal or State Regulations.

**ARTICLE IX**

**VALIDITY**

- Section 1. All ordinances or parts of ordinances in conflict are hereby repealed, including but not limited to that ordinance as approved on or about February 4, 2014 and which provision shall be effective upon this ordinance being valid and effective according to the laws of the State of Mississippi.
- Section 2. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance, which can be given effect without such invalid part or parts.
- Section 3. This Ordinance shall be in full force and effect from and after its passage, approval, recording and publishing as provided for by law. The effective date of this ordinance shall be thirty (30) days after its passage.

The above Ordinance was first reduced to writing and considered by Sections and the reading of the same having been waived at the regular October 3, 2017, public meeting of the Mayor and Board of Aldermen and on motion duly made by Alderman Higdon, seconded by Alderman Harris, for the adoption of said Ordinance and seconded, a vote was taken as follows:

	<b><u>VOTE</u></b>
ALDERMAN GARY HIGDON	AYE
ALDERWOMAN CATHY BROOKS	AYE
ALDERMAN SONNY BRYANT	AYE
ALDERMAN DOC HARRIS	AYE
ALDERMAN JEFF HOBBS	ABSENT
ALDERMAN MIKE MCLENDON	AYE
ALDERMAN ANDREW MILLER	AYE

Thereupon the Mayor declared this Ordinance duly adopted this the 4<sup>th</sup> day of October, 2017, and declared the same to be full force and effect according to law.

\_\_\_\_\_  
TOM FERGUSON, MAYOR

ATTESTED TO:

\_\_\_\_\_  
KATIE HARBIN  
CITY CLERK

**AUTHORIZE MAYOR FERGUSON TO SIGN THE INTERLOCAL AGREEMENT  
BETWEEN THE CITY OF HERNANDO, MISSISSIPPI AND NESBIT WATER  
ASSOCIATION, INC. FOR THE PROJECT KNOWN AS THE "HALL ROAD  
IMPROVEMENT PROJECT"**

---

Motion was duly made by Alderman Harris and seconded by Alderman Higdon to authorize Mayor Ferguson to sign the Interlocal Agreement Between the City of Hernando, Mississippi and Nesbit Water Association, Inc. for the project known as the "Hall Road Improvement Project". A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 3<sup>rd</sup> day of October, 2017

**AUTHORIZE MAYOR FERGUSON TO SIGN AN AGREEMENT WITH ENTERGY TO  
INSTALL STREET LIGHTS ON KEENLAN DR W**

---

Alderman McLendon asked if it would be more feasible to wait until the County extended the road.

Joe Frank Lauderdale stated that we have received different plans to put lights up. Right now we don't have power there.

Alderman McLendon asked if when the County does the road, will they do the lights.

Joe Frank Lauderdale answered that is up to the County.

Alderman Miller stated that he wanted Joe Frank Lauderdale to look at a plan for putting lights on Commerce, east of McIngvale, and bring it back to the Board at the next meeting.

Motion was duly made by Alderman Higdon and seconded by Alderman Miller to authorize Mayor Ferguson to sign an agreement with Entergy to install street lights on Keenlan Dr W. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 3<sup>rd</sup> day of October, 2017

**DISCUSSION OF THE ORDINANCE FOR DISCHARGING FIREARMS IN CITY LIMITS**

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Motion was duly made by Alderman Miller and seconded by Alderman Bryant to table this item until the next Board meeting. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 3<sup>rd</sup> day of October, 2017

**DISCUSSION OF \$5,000,000 BOND PROJECTS**

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Alderman McLendon stated that we need to make sure we have the \$1,000,000 set aside for the McIngvale project and \$500,000 set aside for the water system purchase.

Alderman Miller stated that it is in there now.

Mayor Ferguson stated that it is, but we need to stop going over budget in other items.

Alderwoman Brooks mentioned that we are obligated to do the Road to Renasant Park.



Alderman Higdon stated that everything that is spent with this money, will come before the Board.

Joe Frank Lauderdale stated that we will need \$50,000 for the road to Renasant Park. The Hall Rd water line will cost about \$90,000, prices have gone up. The price for the Downtown project will come in around \$250,000.

Alderwoman Brooks asked about the animal shelter.

Assistant Police Chief Shane Ellis stated that they have someone drawing plans now, the first set drawn would cost too much, so we sent it back to be re drawn.

Alderman McLendon asked about the MPO projects.

Mayor Ferguson asked if that amount budgeted for them was enough.

Joe Frank Lauderdale answered so far. We have to bid out the McIngvale Overlay, then we can tell more.

Alderman McLendon stated that it shows Byhalia and Commerce.

Alderman Higdon answered that is the paving.

Joe Frank Lauderdale stated that they have split those projects up now. Commerce will be re applied for next year. We pulled that money for the signal project.

Alderman McLendon asked if MDOT decided that the signal was more important than Commerce.

Joe Frank Lauderdale stated that he thinks that was implied.

Alderman McLendon stated that Downtown says \$120,000.

Joe Frank answered that it will be around \$250,000 now.

Alderman Higdon stated that the two hot items are the McIngvale Rd and Water down payment.

Alderman Miller stated and the Road to Renasant Park.

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**GO INTO CLOSED SESSION TO DISCUSS GOING INTO EXECUTVIE SESSION FOR POLICE PERSONNEL**

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Motion was duly made by Alderwoman Brooks and seconded by Alderman Higdon to approve to go into closed session to discuss going into executive session to discuss going into executive session for police personnel. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 3<sup>rd</sup> day of October, 2017

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**GO INTO EXECUTVIE SESSION FOR POLICE PERSONNEL**

---

Motion was duly made by Alderman Miller and seconded by Alderman Bryant to approve to go into executive session for police personnel. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 3<sup>rd</sup> day of October, 2017

**COME OUT OF EXECUTVIE SESSION FOR POLICE PERSONNEL**

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 3<sup>rd</sup> day of October, 2017

**POLICE PERSONNEL**

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Motion was duly made by Alderman Miller and seconded by Alderman Higdon to authorize to suspend Leonardis Cunningham for one work day shift, without pay, with the day to be decided on by the Police Chief or Assistant Police Chief. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 3<sup>rd</sup> day of October, 2017

**ADJOURN**

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

Motion passed with a unanimous vote of "Aye".

\_\_\_\_\_  
MAYOR TOM FERGUSON

ATTEST:

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KATIE HARBIN, CITY CLERK