

The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, May 18, 2021 at 6:00 P.M. with Mayor Tom Ferguson presiding. Aldermen present were: Alderman Harris, Alderwoman Lynch, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks (via phone) and Alderman Hobbs. Also present for the meeting were: City Clerk Katie Harbin, City Attorney Kenneth Stockton, City Engineer Joe Frank Lauderdale, Community and Economic Development Director Gia Matheny, Zoning Administrator Kristen Duggan, Planning Consultant BJ Page, Assistant Police Chief Shane Ellis, Fire Chief Marshal Berry, Deputy Fire Chief Sam Witt, Public Works Director Lee Germany, Assistant Public Works Director Curtis Bain, Human Resource Director Julie Harris, Greg Smith, Beth R Ross, Kevin Brisco, Bruce Robinson, Sandra Wampley, Darrell Dixon, Andy Richardson, Ben Piper, Bob and Loisy Reiner, Johnny Coleman, and Amanda Cunningham.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance

INVOCATION

Alderman Higdon gave the invocation.

AGENDA

- | | | |
|--------------|--|--------|
| | Agenda
City of Hernando
Mayor and Board of Alderman
Regular Meeting | |
| May 18, 2021 | | 6:00pm |
- 1) Call the meeting to order
 - 2) Pledge of Allegiance
 - 3) Invocation
 - 4) Approve Agenda
 - 5) Approve Docket of Claims No.'s 42163 - 42455
 - 6) Approve Minutes from the regular Mayor and Board of Aldermen Meeting on May 4, 2021
 - 7) Consent Agenda
 - A) Authorize Gia Matheny to attend the Destination Downtown Conference in Starkville, MS on September 15 – 17, 2021, also authorize to pay registration and travel expenses
 - B) Authorize to give Police Officer Ross Smith a step increase from a P3 to a P4
 - C) Authorize to declare the following Fire Department Hose surplus and dispose of (due to failure during test):

Number	Size
• 10	1.75

- 120 2.5
- 173 2.5
- 194 1.75
- 248 1.75
- 256 5
- 257 5
- 290 1.75
- 311 2.5
- 436 1.75
- 474 2.5

D) Authorize to declare the following water meters surplus and dispose of (broken/no longer working):

- RG3 Qty 46
- Senus Qty 38
- Precision Qty 4
- Hersey Qty 4
- Master Meter Qty 9
- Blank Bases Qty 25

E) Authorize to pay Pickering Firm, Inc. Invoice 88599 in the amount of \$48,350.00 for the AWG Infrastructure Improvements

F) Authorize to pay Pickering Firm, Inc. Invoice 88955 in the amount of \$53,450.00 for the AWG Infrastructure Improvements

G) Authorize Brennan Robertson, Sports Director, to attend the Dizzy Dean meeting in Grenada on June 5, 2021, also authorize to pay travel expenses.

- 8) Recognize the Hernando High School Softball team for the becoming the 6A Softball State Champions
- 9) Proclaim Sunday May 30, 2021 as the New Growth in Christ Empowerment Church Day
- 10) Proclaim Thursday May 27, 2021 as Homer Dee Skelton Day
- 11) Authorize to hire Dan Kirkland Russel as a full time Certified Police Officer with a pay of \$20.59 per hour
- 12) Authorize to promote Jeremy McCallum to Captain in the Fire Department at a rate of \$20.43 per hour, effective June 1, 2021
- 13) Authorize to promote Daniel Barnette to Lieutenant in the Fire Department at a \$17.71 per hour, effective June 1, 2021
- 14) Authorize to promote Chris Hale to Driver in the Fire Department at a rate of \$15.34 per hour, effective June 1, 2021
- 15) Approve Audit FYE 2019
- 16) PL-1519 – Request for Final Plat Approval, Copperleaf at Arbor Pointe Subdivision, Phase 2, 43 residential lots and 2 common open space lots on 18.88 acres located west of Memphis Street at the western terminus of Arbor Pointe Boulevard in Section 12, Township 3 South, Range 8 West, zoned “R-10,” Single-Family Residential District – Nick Kreunen, Civil-Link, on behalf of M & R Builders, L.L.C., the property-owner.

- 17) PL-1517 – Request for Final Plat Approval, Jefferson Estates Subdivision, Section “D,” 21 residential lots and 1 common open space lot on 11.94 acres located on the south of Holly Springs Road and east of Jaybird Road in Section 21, Township 3 South, Range 7 West, zoned “PUD,” Planned Unit Development District – Andy Richardson of R&H Engineering and Surveying, representing Robert Reiner, the property-owner.
- 18) PI-1505 – Request to Rezone a 54.13-acre tract of land located on the southwest corner of Holly Springs Road and Getwell Road, more specifically known as Parcel Number 307521000-0000900 in Section 21, Township 3 South, Range 7 West, Greg Smith of Mendrop Wages Engineering Resources representing Ridgestone, L.L.C. (butch Davis), the property owner.
- 19) PL-1499-Request for Final Plat approval, Magnolia Commons, Phase 4, 36 Lots, 14.57 acres, located on the East side of magnolia Drive, North of Magnolia Gardens Drive, at the Northern terminus of Magnolia Bloom Drive, in Section 19, Township 3 South, Range 7 West, zoned “R-12,” Overlay District – C&C Construction (Johnny Coleman), property owner, Ben Smith, IPD LLC, engineer
- 20) PL – 1461 – Request for an Amendment to the Madison Lakes PUD – Located on the Southeast Corner of Green T Road and McIngvale Road – Bob Dalhoff with DT Design Studio (tabled from 12-15-2020)
- 21) Authorize to accept the Continuing Disclosure Submission, Butler Snow
- 22) Authorize the Mayor to sign a contract with Brandi Johnson, Deputy Circuit Clerk, for Election Services for the General Election
- 23) Adopt Resolution of the City of Hernando Authorizing the Borrowing of Funds from Trustmark National Bank in the Amount of \$194,000 (Parks and Cemetery loan) and authorize the Mayor to sign
- 24) Authorize the Mayor to sign a Promissory Note for the Trustmark National Bank Loan of \$194,000 (Parks and Cemetery)
- 25) Authorize City Attorney Kenny Stockton to prepare an ordinance for the water tap fees
- 26) Authorize the Mayor to sign a Service Agreement with Ambulance Medical Billing, for ambulance billing and payment services
- 27) Authorize the Mayor to sign a Service Agreement with Cintas for Uniforms for the Public Works Department
- 28) Approve Utility Adjustment Docket
- 29) Adjourn

AMENDED AGENDA

Agenda
City of Hernando
Mayor and Board of Alderman
Regular Meeting

May 18, 2021

6:00pm

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 - f. Authorize to pay Pickering Firm, Inc. Invoice 88955 in the amount of \$53,450.00 for the AWG Infrastructure Improvements
 - g. Authorize Brennan Robertson, Sports Director, to attend the Dizzy Dean meeting in Grenada on June 5, 2021, also authorize to pay travel expenses.
- 8) Recognize the Hernando High School Softball team for the becoming the 6A Softball State Champions

- 9) Proclaim Sunday May 30, 2021 as the New Growth in Christ Empowerment Church Day
- 10) Proclaim Thursday May 27, 2021 as Homer Dee Skelton Day
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- 25) Authorize the Mayor to sign a Service Agreement with Ambulance Medical Billing, for ambulance billing and payment services
- 26) Authorize the Mayor to sign a Service Agreement with Cintas for Uniforms for the Public Works Department
- 27) Approve Utility Adjustment Docket
- 28) Adjourn

Motion was duly made by Alderman Harris and seconded by Alderman Miller to approve the agenda as presented after removing item # 20 for PL 1461, Madison Lakes. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of May, 2021.

APPROVE DOCKET OF CLAIMS NO.'S 42163 - 42455

The Board of Aldermen were presented with a docket of claims No. 42163 - 42455, in the amount of \$635,437.58 for approval.

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of May, 2021.

APPROVE MINUTES FROM THE REGULAR MAYOR AND BOARD OF ALDERMEN MEETING ON MAY 4, 2021

Motion was duly made by Alderman Hobbs and seconded by Alderman Higdon to approve the minutes from the regular Mayor and Board of Aldermen Meeting on May 4, 2021, as presented. A vote was taken with the following results:

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

Those voting "Nay": None.

Alderwoman Brooks abstained from voting.

ORDERED AND DONE this the 18th day of May, 2021.

CONSENT AGENDA

- a. Authorize Gia Matheny to attend the Destination Downtown Conference in Starkville, MS on September 15 – 17, 2021, also authorize to pay registration and travel expenses
- b. Authorize to give Police Officer Ross Smith a step increase from a P3 to a P4
- c. Authorize to declare the following Fire Department Hose surplus and dispose of (due to failure during test):
- | Number | Size |
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- d. Authorize to declare the following water meters surplus and dispose of (broken/no longer working):
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- e. Authorize to pay Pickering Firm, Inc. Invoice 88599 in the amount of \$48,350.00 for the AWG Infrastructure Improvements
- f. Authorize to pay Pickering Firm, Inc. Invoice 88955 in the amount of \$53,450.00 for the AWG Infrastructure Improvements
- g. Authorize Brennan Robertson, Sports Director, to attend the Dizzy Dean meeting in Grenada on June 5, 2021, also authorize to pay travel expenses.

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of May, 2021.

RECOGNIZE THE HERNANDO HIGH SCHOOL SOFTBALL TEAM FOR BECOMING THE 6A SOFTBALL STATE CHAMPIONS

Mayor Ferguson announced that we wanted to recognize the Hernando High School Softball team on their win for the 6A Softball State Championship. The Mayor and Board Thanked the Softball team for their hard work and dedication.

**PROCLAIM SUNDAY MAY 30, 2021 AS THE NEW GROWTH IN CHRIST
EMPOWERMENT CHURCH DAY**

Alderman Miller read the Proclamation.

City of Hernando, Mississippi
Mayor's Proclamation

WHEREAS, New Growth in Christ Empowerment Church was established July 2017 by Alphonso O. Parker, Sr.

WHEREAS, Pastor Alphonso decided to follow the vision given to him by God and he created New Growth in Christ Empowerment Church

WHEREAS, the first service was held July 2, 2017 at 370 West Commerce Street in Hernando, MS

WHEREAS, the attendance was over ¾ of long-term members from the congregation at the previous church

WHEREAS, New Growth continued to worship at the location for two (2) years and seven (7) months until the membership increased, and the location reached its maximum capacity

WHEREAS, being led by God, a decision was made to acquire a new building in Hernando Mississippi off of Robertson Road

WHEREAS, in February 2020 New Growth in Christ Empowerment Church held their first service in the new sanctuary

WHEREAS, on March 29, 2021 New Growth in Christ Empowerment Church, 1090 Robertson Rd Hernando, MS 38632 became their new, permanent home

WHEREAS, New Growth in Christ Empowerment Church is a faith based, non-denominational organization with over 120+ members

WHEREAS, New Growth in Christ Empowerment Church purpose is to serve as a place or refuge for the community as well as spread the gospel of Jesus Christ

WHEREAS, *"Empowered to Impact, Impacted to Empower"*

NOW, THEREFORE, I, Tom Ferguson, Mayor of the City of Hernando, hereby honor the New Growth in Christ Empowerment Church and proclaim, Sunday, May 30, 2021 New Growth in Christ Empowerment Church within the City and urge all the citizens of Hernando to pay special tribute to this church on this special day. In witness whereof, I have hereunto set my hand and caused the Seal of the City of Hernando, Mississippi, to be affixed this the 17th day of May, 2021



Tom Ferguson, Mayor
City of Hernando, Mississippi

Motion was duly made by Alderman Miller and seconded by Alderwoman Lynch to authorize to proclaim Sunday May 30, 2021 as the New Growth in Christ Empowerment Church Day. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of May, 2021.

PROCLAIM THURSDAY MAY 27, 2021 AS HOMER DEE SKELTON DAY

Mayor Ferguson read the Proclamation.



*City of Hernando
Mayor's Proclamation*

Whereas, Homer Dee Skelton was born May 27, 1931 in Alamo, Tn and

Whereas, he was a Christian, a successful businessman, a philanthropist, an accomplished pilot and

Whereas, he was a veteran of the National Guard, and

Whereas, he successfully operated multiple dealerships in Memphis, Millington and Olive Branch and

Whereas, he also believed in giving back to his community and supporting his community and

Whereas, he gave one hundred percent of his salary from his car dealerships for the past number of years to the Homer Skelton Charitable Foundation to support his church, community, and public and private schools and

Whereas, he gave significant donations to DeSoto County schools each year, in 2017 he made an additional donation to Hernando Elementary Schools for technology. Mr. Skelton made sure children were taken care of and

Whereas, the Homer Skelton Foundation donated to the Wesley Meadows Retirement Community in Hernando, MS where the Memory Support Green House was built and

Whereas, the number of lives Mr. Homer Dee Skelton touched through his generosity was truly countless

Now Therefore, Be It Resolved that I, N.C. Tom Ferguson, Jr., Mayor, proclaim, May 27, 2021 "Homer Dee Skelton Day" in Hernando, Mississippi.



N.C. Tom Ferguson, Jr., Mayor
City of Hernando, Mississippi

N.C. Ferguson, Jr.

Motion was duly made by Alderman Higdon and seconded by Alderman McLendon to authorize to proclaim Thursday May 27, 2021 as Homer Dee Skelton Day. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of May, 2021.

**AUTHORIZE TO HIRE DAN KIRKLAND RUSSEL AS A FULL TIME CERTIFIED
POLICE OFFICER WITH A PAY OF \$20.59 PER HOUR**

Motion was duly made by Alderman Miller and seconded by Alderman Higdon to authorize to hire Dan Kirkland Russel as a full time Certified Police Officer with a pay of \$20.59 per hour, following the Personnel Committee's recommendation, based on the recommendation of the Police Chief. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of May, 2021.

AUTHORIZE TO PROMOTE JEREMY MCCALLUM TO CAPTAIN IN THE FIRE DEPARTMENT AT A RATE OF \$20.43 PER HOUR, EFFECTIVE JUNE 1, 2021

Motion was duly made by Alderman Higdon and seconded by Alderman McLendon to authorize to promote Jeremy McCallum to Captain in the Fire Department at a rate of \$20.43 per hour, effective June 1, 2021, following the recommendation of the Personnel Committee, based on the recommendation of the Fire / EMS Chief. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of May, 2021.

AUTHORIZE TO PROMOTE DANIEL BARNETTE TO LIEUTENANT IN THE FIRE DEPARTMENT AT A RATE OF \$17.71 PER HOUR, EFFECTIVE JUNE 1, 2021

Motion was duly made by Alderman McLendon and seconded by Alderman Higdon to authorize to promote Daniel Barnette to Lieutenant in the Fire Department at a rate of \$17.71 per hour, effective June 1, 2021, following the recommendation of the Personnel Committee, based on the recommendation of the Fire / EMS Chief. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of May, 2021.

AUTHORIZE TO PROMOTE CHRIS HALE TO DRIVER IN THE FIRE DEPARTMENT AT A RATE OF \$15.34 PER HOUR, EFFECTIVE JUNE 1, 2021

Motion was duly made by Alderman Miller and seconded by Alderman Higdon to authorize to promote Chris Hale to Driver in the Fire Department at a rate of \$15.34 per hour, effective June 1, 2021, following the recommendation of the Personnel Committee, based on the recommendation of the Fire / EMS Chief. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of May, 2021.

APPROVE AUDIT FYE 2019

David Engel, Fortenberry and Ballard, presented the Audit Report fye 2019.

Mr. Engel stated that the net position was up in 2019 over 2018. The General fund balance doubled in a 2 year period. Property taxes went up, and related to that the public safety expenses went up providing for the citizens of Hernando. There were no findings, this was a clean report. Regarding the Single Audit, for Federal monies, there were no findings there either.

Mayor Ferguson asked you do single audits on that.

David Engel answered yes.

Mayor Ferguson stated if it is over a certain amount of money, is when you do those.

David Engel answered correct, \$750,000 and over.

David Engel stated he wanted to give Katie and Melinda a pat on the back for doing such a good job getting the information to us. They did a great job.

Alderman Higdon stated I second that.

Mayor Ferguson stated you've done, looked at audits since 2017, has the City been in a positive move.

David Engel answered yes, all I can look at is the financial audits, it has been a move forward.

Mayor Ferguson stated if audits are behind, is it true that you can't get reimbursed from grants.

David Engel answered some of them are reimbursing. It depends on different factors. I have had other cities ask about the same thing.

Mayor Ferguson stated there are a lot of different factors.

David Engel stated yes, I wish I had more competition. I have several cities, school districts, and counties. A lot on my plate.

Alderman McLendon asked public safety went up? Did the assessments go up?

David Engel answered yes, every 4 years the County re assess values. Public Safety did go up. You had some capital, ambulances, fire trucks, and don't forget the PERS liability.

Alderman Hobbs stated that's exactly what it was.

Mayor Ferguson asked about 2015.

David Engel answered it was about 5,900,000.

Alderman McLendon asked what category streets are under.

David Engel answered Public Works, general fund.

Motion was duly made by Alderman Harris and seconded by Alderman Miller to approve the Audit Report FYE 2019. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of May, 2021.

PL – 1519 – REQUEST FOR FINAL PLAT APPROVAL, COPPERLEAF AT ARBOR POINTE SUBDIVISION, PHASE 2, 43 RESIDENTIAL LOTS AND 2 COMMON OPEN SPACE LOTS ON 18.88 ACRES LOCATED WEST OF MEMPHIS STREET AT THE WESTERN TERMINUS OF ARBOR POINTE BOULEVARD IN SECTION 12, TOWNSHIP 3 SOUTH, RANGE 8 WEST, ZONED "R-10", SINGLE-FAMILY RESIDENTIAL DISTRICT – NICK KREUNEN, CIVIL-LINK, ON BEHALF OF M & R BUILDERS, LLC, PROPERTY OWNER.

BJ Page presented the staff report. Mr. Page stated that this passed the Planning Commission with a 6/2 vote.



**City of
Hernando**
MISSISSIPPI

**BOARD OF ALDERMEN
STAFF REPORT**

Project No.: PL-1519
 Request: Request Final Plat Approval for Copperleaf at Arbor Pointe Subdivision, Phase 2
 Location: West of Memphis Street at the western terminus of Arbor Pointe Boulevard
 Applicant: Nick Kreunen with Civil Link, on behalf of M & R Builders, L.L.C. (Johnny McBride) property-owner
 Date: May 18, 2021

INTRODUCTION:

Mr. Nick Kreunen with Civil Link consulting engineers, on behalf of the property-owner, is requesting Final Plat approval for Copperleaf at Arbor Pointe Subdivision, Phase 2. The subject property will be the final phase of the Copperleaf at Arbor Pointe Subdivision. The property is located west of Memphis Street, north of Whitfield Drive, and south of Ferguson Road, at the western terminus of Arbor Pointe Boulevard in Section 12, Range 3 South, Township 8 West. The subject property is currently zoned in the “R-10,” Single Family Residential (Medium Density) District.

BACKGROUND:

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 District (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 District (Medium Density). The Planning Commission approved the preliminary plat for Copperleaf Subdivision on May 8, 2018. The Planning Commission then granted Final Plat approval for Phase 1 of Copperleaf Subdivision on April 9, 2019. The Board of Aldermen followed with Final Plat approval for Phase 1 on April 16, 2019. The final plat for Phase 1 was recorded in the office of the Chancery Clerk on June 13, 2019, in Plat Book 128, Pages 15 – 16.

DISCUSSION:

The proposed subdivision is Copperleaf at Arbor Pointe Subdivision, Phase 2 and will consist of 45 lots: 43 single-family residential lots and 2 common open space lots. The subject property is zoned in the “R-10,” Single-Family Residential District (Medium Density), which is a standard zoning District with a 10,000 sq. ft. minimum lot size. The proposed lots will range in size from 10,000 sq. ft. up to 23,835 sq. ft. with the large majority of lots falling in the 10,000 sq. ft. to 14,000 sq. ft. range. The minimum floor area for a residence is proposed as 1,800 sq. ft., which matches the requirement in the previously approved Phase 1.

Each lot will have the required setbacks listed below which conform to the approved Preliminary Plat, the Restrictive Covenants, and the “R-10” zoning district requirements.

Front Yard.....25'	Side Yard.....5' min., total of 15'
Rear Yard.....20'	Street Side Yard.....25'

STAFF COMMENTS:

1. As Phase 2 will complete the Copperleaf at Arbor Pointe Subdivision, any public improvements or common elements required in Phase 2 or any previously approved phases of Copperleaf at Arbor Pointe Subdivision or Arbor Pointe Subdivision must be completed and dedicated to either the City or Homeowners Association as applicable.

2. A review of the “Declaration of Covenants, Conditions, and Restrictions of Copperleaf at Arbor Pointe Subdivision” submitted with the final plat for Phase 2 reflects several inconsistencies/errors in comparison with the same document recorded with Phase 1 of Copperleaf at Arbor Pointe Subdivision.
 - A. The Phase 2 document identifies the “grantee” as the Arbor Pointe Homeowners Association, rather than the Copperleaf Homeowners Association referenced in the Phase 1 document. The Copperleaf Homeowners Association is currently incorporated under the Mississippi Secretary of State’s office (#1182244) and is considered “in good standing.”
 - B. The Indexing Instructions on the Phase 2 document references Lots 1 – 38 of Arbor Pointe Subdivision rather than Lots 116 – 158 of Copperleaf at Arbor Pointe Subdivision.
 - C. Article 1, Section 1, of the Phase 2 document again references the Arbor Pointe Homeowners Association rather than the Copperleaf Homeowners Association.
 - D. Article 1, Section 6 of the Phase 2 document defines the Declarant as the Copperleaf at Arbor Pointe, L.L.C. even though the Grantor listed on the document is identified as the Arbor Leaf, L.L.C.
 - E. Article 4, Section 5, in the eighth line, the Phase 2 document reflects in parentheses the number two (2), while the Phase 1 document reflects the number one-half (½).
 - F. Article 6, Section 3, Item “c.,” the last sentence refers to a “planned development.” The Copperleaf at Arbor Pointe Subdivision is not a planned development.
 - G. Article 6, Section 3, Item “g.,” other references to a “planned development,” in both the second and third lines.
 - H. Article 6, Section 3, Item “o.,” the paragraph lost its margins.
 - I. Article 6, Section 3, Item “v.,” this item in the Phase 2 document references “all phases of Arbor Pointe Subdivision,” as opposed to the Phase 1 document which references “all phases of Copperleaf at Arbor Pointe Subdivision.”
 - J. The Phase 2 document lists two Article Sixes: “Covenants and Restrictions for Use,” on page 9; and “General Provisions,” on page 13.
 - K. The Phase 2 document **does not** include Article 7, “Housing for Older Persons Provisions,” that **is** contained in the Phase 1 document.

PROPOSED MOTION:

The Planning Commission reviewed this request for a Final Plat approval for Copperleaf at Arbor Pointe Subdivision, Phase 2, a 45-Lot Single Family Residential Subdivision (43 residential lots and 2 common open spaces) located west of Memphis Street, at the western terminus of Arbor Pointe Boulevard in Section 12, Range 3 South, Township 8 West, at their meeting on May 11, 2021. Based upon a finding that the submitted final plat generally conforms to the requirements of the approved preliminary plat and the City’s codes and ordinances, the Commission voted to recommend **approval** of the Final Plat request to the Board of Aldermen on a vote of 6 Commissioners in favor (Ashworth, Carter, Cotton, Hawkins, Jordan, Skeen), and 2 Commissioners against (Jernigan and Wicker), subject to the following conditions:

1. Revise the Owner’s and Mortgagee’s Certificates to state “...and dedicate the right-of-way for the roads and utility easements as shown on the plat of the Subdivision to the City of Hernando for the public use forever.” Eliminate the following wording, “...and reserve for the public utilities the utility easements as shown on the plat.”
2. Revise the plat to correct Note #1.
3. Revise the plat to reflect the section corner tie-in.

4. Any buffer areas, retention basins, landscape areas, open areas, street medians, entrance signs, and any other common elements, proposed to be dedicated to the Homeowners Association in Phase 2 shall be deeded over to the Copperleaf Homeowners Association with the recording of the final plat of that phase. A copy of all of deeds transferring common elements to the Copperleaf Homeowners Association shall be submitted to the staff for inclusion in the file prior to the issuance of any building permits in Phase 2.
5. Revise the "Declaration of Covenants, Conditions, and Restrictions of Copperleaf at Arbor Pointe Subdivision" submitted with the Phase 2 application to match the "Declaration of Covenants, Conditions, and Restrictions of Copperleaf at Arbor Pointe Subdivision" recorded with Phase 1 of the Copperleaf at Arbor Pointe Subdivision. Revise the "Declaration of Covenants, Conditions, and Restrictions of Copperleaf at Arbor Pointe Subdivision" submitted with the Phase 2 application to address all of the comments discussed under Item #2 of the "Staff Comments" above. Revise Article 6, "General Provisions (Article 8 as corrected)," Section 3, "Amendments," of the "Declaration of Covenants, Conditions, and Restrictions of Copperleaf at Arbor Pointe Subdivision," submitted with the Phase 2 application to add the following statement: "Any proposed amendments to this "Declaration of Covenants, Conditions, and Restrictions of Copperleaf at Arbor Pointe Subdivision" must be submitted to the City of Hernando, Mississippi, Planning Commission for review and approval prior to recording." The revised "Declaration of Covenants, Conditions, and Restrictions of Copperleaf at Arbor Pointe Subdivision" to be recorded with Phase 2 must be submitted to the Hernando Planning Department for review and approval prior to recording the final plat for Phase 2. Revise the proposed Phase 2 "Declaration of Covenants, Conditions, and Restrictions of Copperleaf at Arbor Pointe Subdivision" to include Article VII, "Housing for Older Persons Provisions," as contained in the recorded Phase 1 "Declaration of Covenants, Conditions, and Restrictions of Copperleaf at Arbor Pointe Subdivision."
6. As Phase 2 completes the subdivision, all common elements required in all previous phases of the development must be completed and dedicated to the applicable Homeowners Association prior to the issuance of any building permits in Phase 2.
7. Improvements are to be the responsibility of the developer and not the responsibility of the City of Hernando.
8. 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 recording of the final plat for Phase 2. Street trees may be bonded insuring their installation prior to the final inspection and occupancy of the residence upon each lot.
9. 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 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. Prior to recording the final plat, all public improvements shall be installed, completed, and accepted by the City of Hernando.
10. Sidewalks shall be installed on both sides of all streets, with the exception of Memphis Street where sidewalks will only be required on the west side of the street to the extent the street borders the development.
11. Finished floor elevations shall be listed for each lot.
12. Grading, drainage, and engineering construction plans to be approved by the City Engineer and Public Works Director.

13. Streetlights shall be installed at the developer's expense. Streetlight plans shall be submitted to the Office of Planning for City Engineer and Planning Director approval.
14. All utilities and services (electric, telephone, cable, etc.) are to be installed underground. The water service lines shall be installed with tracing wire at the top.
15. Following Plat Approval, the Developer shall submit two (2) complete sets of construction plans for review and approval to the Office of Planning.
16. Prior to recording the final plat, the Developer shall submit for approval a schedule of Lot Numbers and associated street addresses to the Office of Planning. Corner lots shall include potential addresses for both streets.
17. Prior to submitting the plat for recording, the applicant shall coordinate with the Post Office the centralized delivery location of the mailboxes.

Alderman Miller asked in our general requirements, where does it state the requirements when and where to put up speed limit and stop signs. We have several subdivisions that don't have them up and have been cleared. The City Inspectors do that, correct?

Planning Consultant BJ Page stated it is my understanding that before improvements are accepted by the City, it has to be signed off on by the City Engineer and Public Works.

City Engineer Joe Frank Lauderdale stated we do a bond for street signs and stop signs. We haven't been requiring one for speed limit signs. They are required to have signs up or a bond for the signs.

Alderman Miller asked Assistant Police Chief Ellis if there is no stop sign and someone wrecks.

Assistant Police Chief Ellis stated I'm not a lawyer but if it's turned over to the City to maintain, I think it would be up to the developer.

Kenny Stockton stated I agree with that, they should put them up. The bond is to make sure they put them up.

Alderman Miller stated we have a problem then.

City Attorney Kenny Stockton stated it should be up when it becomes a public road. There must be some type of traffic control there.

BJ Page stated generally speaking, it should be check and in place before the bond is released. I'm not sure of the process of who does what.

Alderman Higdon stated can we make sure Article 7 is put back in for the final plat approval.

BJ Page stated yes, it actually states that in the report, all of those things have to be corrected before we will record the plat.

Alderman Hobbs stated typically when the vote is yay or nay, there has to be a finding, why did it have 2 nays.

BJ Page stated approvals are based on code of ordinances and meet preliminary plat, subject to conditions. The ones voted against we don't have a finding; they weren't the majority.

I think, not speaking for the two that voted against, was because of the general dislike for the development and drainage.

Alderman Hobbs asked what is the problem with the drainage.

Joe Frank Lauderdale stated I've only looked at one that I've been told about, last year. The developer worked on that situation. That's the only one I know about.

Alderman Hobbs stated as of recently, there are still homeowners that aren't satisfied with the drainage, as of two months ago. Have you spoke to them in the last two months.

Joe Frank Lauderdale answered no.

Alderman Hobbs stated Kristen, you're aware of this as well aren't you.

Kristen Duggan, Zoning Administrator, answered yes.

Alderman Hobbs asked Kristen if she spoke to Joe Frank about it, asking him to go over there and look at it.

Kristen Duggan answered yes, we spoke about it, it was several months ago.

Alderman Hobbs asked Joe Frank you haven't gone over there and looked at it since.

Joe Frank Lauderdale answered no. I know I've had a claim on a house, they just weren't satisfied with the remedy, between the homeowner and the person that built the house. Since the home is finialed out, is owned and lived in now, I don't know that the City has any recourse on private property.

Alderman Hobbs stated well if it is still flooding and the City is the one that approved the elevation, I don't know how the City wouldn't be responsible.

Joe Fran Lauderdale stated we don't approve the elevation.

Alderman Hobbs stated we don't approve the original dirt work on it, we don't approve to make sure that the elevation is correct and is going to drain correctly.

Joe Frank Lauderdale stated we do that, but people build houses and they change the elevation of the houses.

Alderman Hobbs asked why don't we go back after, to recheck.

Alderman Hobbs asked Mayor Ferguson is we have a drainage issue in Hernando.

Mayor Ferguson answered yes, I'm not familiar with this one. I know Joe has brought in the code, following the measurements.

Alderman Hobbs stated if we are approving the elevation from the beginning, what's the point, if you're not going to go back and check these builders every time they build a house. because they will change the elevation to fit themselves to get the water off their property and just move it to the next one.

Joe Frank Lauderdale stated that is exactly what they do.

Alderman Hobbs stated that is exactly what's been going on and why this City has so many problems with drainage issues.

Joe Frank Lauderdale stated we don't. Joe Frank Lauderdale stated you'd have to have a full-time person to keep up with all of the slabs being built. But you are exactly right that is what they do, change the elevation.

Alderman McLendon asked if we have any fines if they are caught doing that.

Joe Frank Lauderdale stated I don't think so.

Alderman Hobbs stated so it's something the we can control; we're just not doing it.

Kenny Stockton stated the City is not doing that.

Alderman Hobbs stated we'd have to have a full-time staff.

Kenny Stockton answered yes, they would almost have to be inspected daily. Not saying you couldn't do it, you would just have to devote a lot of resources.

Alderman Hobbs asked Bobby Stewart, what do y'all do over there at Johnny Colemans, how do you eliminate that from happening.

Bobby Stewart answered I set the pads up builder ready. On both size lots above curb you need a minimum of 1 foot to drain.

Alderman Hobbs asked why can't we require everyone to do this, if that's the problem.

Joe Frank Lauderdale stated we ask everyone that builds houses, that if the water falls on their lot, stay on their lot. I've looked at lots and certain subdivisions where the house, the driveway, and the air conditioner take up the entire lot, so there is really nowhere for the water to go, to travel another block. We get different situations like that.

Alderman Hobbs stated is there nothing the City can do about this.

Mayor Ferguson asked can we not change the Ordinance.

Joe Frank Lauderdale stated if we can look at every slab and stamp that it's ok, yeah, we can fix that.

Alderman Hobbs stated I don't understand why we couldn't fix it.

Joe Frank Lauderdale answered we could.

Alderman Hobbs stated if they want to build here in Hernando, they will pay for that engineering, or they can build somewhere else. I've been here 12 years, I think everyone up here can agree, that's all we hear about, drainage issues. It always goes back to the Developer and they are always pointing their finger at the City. I know a couple more subdivisions as well, the same issues. I've been to some houses and you can see that the back yard is lower than the front, and there should be drainage in the front. But originally when you approved it, that isn't the way it was.

Joe Frank Lauderdale stated correct. If they would build their house eight inches higher, they could remedy that situation.

Bobby Stewart stated a lot of builders don't pre grade their lots. To raise them up to get the drainage.

Bob Reiner stated I've ran into the problem as a developer, put to a grade as the City wants you to do it. Then sell it and then the builder comes in and changes it. The lot is like it

should be, then the builder comes in and does exactly what you said, takes dirt from the back and changes it. The developer always gets blamed for it. I'm not sure what the City needs to do for the builder to do it right. I can't tell them what to do with their property. There need to be a stage or by-law, where an inspector can go back to inspect it after the builder has ownership. We have to do an erosion control plan for the State. When we sell the lot we get a paper that says the homeowner is then responsible to make sure the water goes where it is supposed to go. That takes liability off of us. When we sell it, we the developer, loose control.

Alderman McLendon stated on a convenance the restriction that states "no lot shall be used except for private ..." and "no business of any kind..." What keeps a developer from selling all the lots to a hedge fund for rental properties. What wording do we put in those to prevent this.

Kenny Stockton answered I'm not sure that we can. It is a problem. I will have to research it. It's happening right now in Hernando.

BJ Page stated biggest issues, in Olive Branch, a developer came in and developed a condo project. The bank took over and sold it to one owner, then it became like apartments.

Alderman McLendon asked Kenny if he can research that.

Kenny Stockton answered he'd be happy to.

Alderman McLendon asked what protects the City.

Kenny Stockton answered you stop development, ... it's going to happen.

Alderman Miller stated that's not what we are dealing with here tonight.

Alderman McLendon stated it's right here, "...no businesses allowed.."

Kenny Stockton stated that is for businesses. Renter's living is not a business.

Alderman Hobbs asked Nick about some drainage issue that are over there. If the developer is willing to work on that, I'll be ok with this. If the developer isn't, I won't be.

Nick Kreunen, Civil Link, stated the only complaint that we've received the developer fixed.

Alderman Hobbs asked if they cannot cut that south side. Who did that, the City.

Nick Kreunen answered yes, the City. We can.

Alderman Hobbs asked if he thing that will help.

Nick Kreunen answered yes.

Alderman Hobbs asked if we amended the plan, to cut the buffer back, would it hurt anything.

Nick Kreunen answered he wasn't sure.

Alderman Hobbs asked if the developer be willing.

Jerry McBride stated I would have to determine the cost. The area is tight and someone else owns the other side of the buffer. It can be done, but it will be expensive.

Alderman Hobbs stated I think it's something we should do.

Kenny Stockton stated you can do it, it is Phase 1, you'd have to amend it.

Nick Kreunen stated there is currently a bond up for erosion, would give us time to research and look at it.

Alderman Hobbs asked how much is the bond for.

Nick Kreunen stated I think \$100,000 plus.

Kenny Stockton stated the property is now owned by a private owner. You'd have to have their permission.

Jerry McBride stated you have to have the same slope on the other side of the buffer. The water is in the back yard, not in the house.

Alderman Hobbs asked did we not realize it was getting to be an issue.

Jerry McBride stated it's just drainage.

Nick Kreunen stated that all street signs will be in place before the plat is recorded.

Mayor Ferguson stated open drain, HOA.

Alderman McLendon asked if Phase 1 and Phase 2 are different HOA's.

BJ Page answered no, it's a typo, I think. It should be Copperleaf.

Nick Kreunen stated we'd really like to look at the drainage issues, there is a bond up for Phase I, which is not this item tonight.

Alderman Hobbs stated I don't want to approve a Phase 3 if Phase I isn't correct yet.

Jerry McBride stated I put up a bond for every phase out there, about \$400,000 in bonds. Why am I being held hostage, because 3 people out of 120 have water in their backyard.

Alderman Hobbs stated yes sir, but if I was one of the 3, I'd want it corrected.

Jerry McBride stated they all walked the lots, picked them, and the house. I've fixed the only complaint I received.

Alderman Hobbs stated the problem is not fixed.

Jerry McBride stated I will work with you. I'll fix what I can. I can't open up my pocket book, but you do have \$400,000 in bonds right now.

Alderman Hobbs asked Kenny Stockton what his recommendation was.

Mayor Ferguson stated we have bond money.

Kenny Stockton stated the money isn't the problem. We'd have to get permission. At the very least I'd get a commitment from the developer and Nick with Civil Link to bring it back.

Nick Kreunen stated I can look at it and get with Joe Frank.

Alderman Hobbs asked who will have to approve it.

Mayor Ferguson stated the Board.

Alderman Hobbs stated they said the other property owners.

Nick Kreunen stated possibly, other having issues.

Alderman Hobbs stated this should have been addressed months ago.

Nick Kreunen stated I heard something about it a year ago. I haven't heard anything since.

Alderman McLendon asked is it Copperleaf HOA.

Jerry McBride stated it was originally Copperleaf and Arbor Pointe if it was just the 36 lots in the HOA and have a Board

Alderman McLendon asked I and II are Copperleaf and Arbor Pointe is I and II also.

Alderman Hobbs stated I'd like it in the minutes that the drainage issue will be fixed with all bond money.

Nick Kreunen stated he would look at it.

Jerry McBride stated I'm not signing an open check book. We will look at it and if it's reasonable we will. If you would have called me a couple months ago, I would have met you out there.

Motion was duly made by Alderman Hobbs and seconded by Alderman Harris to approve the request for Final Plat Approval, Copperleaf at Arbor Pointe Subdivision, Phase 2, 43 residential lots and 2 common open space lots on 18.88 acres located west of Memphis Street at the western terminus of Arbor Pointe Boulevard in Section 12, Township 3 South, Range 8 West, zoned "R-10," Single-Family Residential District, subject to Conditions 1 – 17 listed, with the stipulation of it being looked at and bringing back a solution for the drainage issue to the Board of Aldermen, by June 15, 2021.. A vote was taken with the following results:

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

Those voting "Nay": Alderwoman Brooks.

ORDERED AND DONE this the 18th day of May, 2021.

PL – 1517 – REQUEST FOR FINAL PLAT APPROVAL, JEFFERSON ESTATES SUBDIVISION, SECTION "D", 21 RESIDENTIAL LOTS AND 1 COMMON OPEN SPACE LOT ON 11.94 ACRES LOCATED ON THE SOUTH OF HOLLY SPRINGS ROAD AND EAST OF JAYBIRD ROAD IN SECTION 21, TOWNSHIP 3 SOUTH, RANGE 7 WEST, ZONED "PUD", PLANNED UNIT DEVELOPMENT DISTRICT – ANDY RICHARDSON OF R&H ENGINEERING AND SURVEYING, REPRESENTING ROBERT REINER, PROPERTY OWNER

BJ Page, Planning Consultant, presented the Staff Report. Mr. Page stated that this passed the Planning Commission unanimously.



City of
Hernando
MISSISSIPPI

BOARD OF ALDERMEN
STAFF REPORT

Project No.: PL-1517
 Request: Request for Final Plat Approval for Jefferson Estates Subd., Section "D"
 Location: Located on the Southeast corner of Holly Springs Road and Jaybird Road, at the eastern terminus of Jaxon Road
 Applicant: Mr. Andrew Richardson of R&H Engineering, on behalf of Robert Reiner, the property-owner
 Date: May 18, 2021

INTRODUCTION:

Mr. Andrew Richardson of R&H Engineering, on behalf of Robert Reiner, the property-owner, is requesting Final Plat approval for Jefferson Estates Subdivision, Section "D." The subject property will be the fourth section of the Jefferson Estates Subdivision but **is not** the final section of that development. The property is located on the southeast corner of Holly Springs Road and Jaybird Road, at the eastern terminus of Jaxon Road in Section 21, Township 3 South, Range 7 West. The subject property is currently zoned "PUD," Planned Unit Development.

DISCUSSION:

Jefferson Estates started out in unincorporated DeSoto County, when the property was originally rezoned from the "A," Agricultural District to the "PUD," Planned Unit Development District by the DeSoto County Board of Supervisors in 2003. The proposed development was annexed into the City of Hernando in 2005. The following is a brief history of the development up to this point:

1. Section "A" – 70 Residential Lots, 3 Common Open Space Lots

Planning Commission Approval – April 10, 2007

Board of Aldermen Approval – April 17, 2007

Recorded – May 30, 2007 – Plat Book 104, Pages 5-7

2. Section "B" – 43 Residential Lots, 1 Common Open Space Lot

Planning Commission Approval – September 12, 2018

Board of Aldermen Approval – October 3, 2018

Recorded – December 19, 2018 – Plat Book 126, Pages 14-15

3. Section "C" – 26 Residential Lots, 1 Common Open Space Lot

Planning Commission Approval – August 11, 2020

Board of Aldermen Approval – August 18, 2020

Recorded – August 24, 2020 – Plat Book 133, Pages 8-9

The proposed subdivision will be developed as Jefferson Estates Subdivision, Section "D," and will consist of 22 lots: 21 single-family residential lots and 1 common open space lot. The residential lot sizes range from 12,581 sq. ft. up to 58,394 sq. ft., with the majority of the lots in the 12,000 – 16,000 sq. ft. range. The common open space lot (163) consists of 44,111 sq. ft.

Access into Section "D" will be provided by the extension of Jaxon Drive. Three stub streets will be provided (Winterwood Drive, Autumn Wind Drive, and Honeysuckle Lane) that will eventually provide access from Section "D" to the second entrance to the subdivision from Holly Springs Road (Oliver Parkway) through the eventual development of the intervening property.

All of the streets in Section "D" will have a 50' R.O.W. The streets and public utilities are already in place, with the exception of the final layer of asphalt on the streets and sidewalks.

Each lot will have the required setbacks listed below which conform to the approved Preliminary Plan and the Restrictive Covenants requirements.

Front 25 feet
Side 5 feet total
Rear 20 feet

The minimum heated floor area for all residences in this development is 2,000 sq. ft., exclusive of garages, open porches, and basements. The restrictive covenants recorded with Section "A" were also attached to Sections "B" and "C" through the recording of a "Declaration of Joinder." It is anticipated that the developer will use the same approach with Section "D."

STAFF COMMENTS:

1. A drive-through of the development reflects that the public improvements appear to be in place in Section "D," with the exception of the final layer of asphalt on the streets (which will occur following the construction of the majority of the homes), and sidewalks (which will be installed as each residence is constructed).
2. As previously noted, Section "D" does not complete the development of the subdivision; however, a recent drive-through of the subdivision reflects that all of the common elements approved with the original PUD approval have been installed, with the exception of the most recent sections of the development, where the common open spaces are still under active construction (COS Lot 123, Section "B" and COS Lot 150, Section "C"), which may be why these two common open space lots in Section "B" and "C," have not yet been transferred to the Homeowners Association.

PROPOSED MOTION:

The Planning Commission reviewed this request for a Final Plat approval for Jefferson Estates Subdivision, Section "D," a 22-lot single family residential subdivision located on the southeast corner of Holly Springs Road and Jaybird Road, at the eastern terminus of Jaxon Road in Section 21, Township 3 South, Range 7 West, at their meeting on May 11, 2021. Based upon a finding that the submitted final plat generally conforms to the approved preliminary plan for the planned unit development, and generally meets the requirements of the City's codes and ordinances, the Commission voted unanimously to recommend **approval** of the Final Plat request to the Board of Aldermen, subject to the following conditions:

18. Revise the final plat to address the following:

- A. Revise the Owner's and Mortgagee's Certificates to state "...and dedicate the right-of-way for the roads and utility easements as shown on the plat of the Subdivision to the City of Hernando for the public use forever." Eliminate the following wording, "...and reserve for the public utilities the utility easements as shown on the plat."
- B. Revise the Mayor and Board of Aldermen's Certificate to read "City of Hernando," not "City of Horn Lake."
- C. Revise the plat to reflect the ownership of all adjacent properties.
- D. Revise the plat to label the front yard building line and its depth.
- E. Revise the plat to identify the right-of-way widths of all of the streets.

19. A Homeowners Association is to be established prior to the recording of the final plat. Any buffer areas, retention basins, landscape areas, open areas, street medians, entrance signs, and any other common elements, proposed to be dedicated to the Homeowners Association in that phase shall be deeded over to the Homeowners Association with the recording of the final plat of that respective phase. A copy of the finalized incorporation papers and all deeds transferring common elements to the Homeowners Association shall be submitted to the staff for inclusion in the file.

20. The Homeowners Association covenants shall be submitted to and approved by Planning Staff prior to recording of the plat. The submitted covenants shall match the covenants that were recorded with Phases "A," "B," and "C" of Jefferson Estates Subdivision. If amendments are requested by the developer, if the proposed changes are more restrictive than what is currently required by the previous sections of Jefferson Estates Subdivision, then those changes may be approved by the Planning staff. If the proposed changes are less restrictive than what is currently required by the previous sections of Jefferson Estates Subdivision, then those changes must be approved by the Planning Commission.
21. All common elements required in all previous sections of the development must be completed and dedicated to the Homeowners Association prior to the issuance of any building permits in Section "D."
22. Improvements are to be the responsibility of the developer and not the responsibility of the City of Hernando.
23. 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.
24. 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 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. Prior to recording the final plat, all public improvements shall be installed, completed, and accepted by the City of Hernando.
25. Prior to the beginning of utility and improvement construction, the Developer shall enter into a Development Contract with the City of Hernando for the installation of all required Public Improvements. This is in accordance with Article VI Required Minimum Improvements, §B. Procedures for Posting or Release of Bonds of the City of Hernando's Land Subdivision Ordinance.
26. Sidewalks shall be installed on both sides of all streets.
27. Finished floor elevations shall be listed for each lot.
28. Grading, drainage, and engineering construction plans to be approved by the City Engineer and Public Works Director.
29. Streetlights shall be installed at the developer's expense. Streetlight plans shall be submitted to the Office of Planning for City Engineer and Planning Director approval.
30. All utilities and services (electric, telephone, cable, etc.) are to be installed underground. The water service lines shall be installed with tracing wire at the top.
31. Following Plat Approval, the Developer shall submit two (2) complete sets of construction plans for review and approval to the Office of Planning.
32. Prior to recording the final plat, the Developer shall submit for approval a schedule of Lot Numbers and associated street addresses to the Office of Planning. Corner lots shall include potential addresses for both streets.
33. Prior to submitting the plat for recording, the applicant shall coordinate with the Post Office the centralized delivery location of the mailboxes.

Mayor Ferguson stated a stubbed-out road, it is to nowhere.

BJ Page stated in terms of a connection between Jefferson Estates and St. Ives, it will happen when that property is developed. If it isn't developed, it won't be done.

Mayor Ferguson asked if it is developed then the road will go through.

BJ Page stated the creek isn't on St. Ives, it's on the property in between.

Alderwoman Brooks stated it was mentioned that it would be finished out and a road done, and it would be a secondary entrance to St. Ives.

BJ Page stated I think that is still a possibility.

Mayor Ferguson asked at no time was an agreement done with St. Ives.

Robert Reiner answered no. I was asked to stub off roads so that if they wanted to connect, they could. Other people own the land that is between Jefferson and St. Ives.

Alderman McLendon asked will you allow their construction entrance on your property.

Robert Reiner stated that's a good question. I did let them, but I don't know if the HOA will let them. I know St. Ives has the problem of only one entrance.

Alderman McLendon asked can the HOS ask for a bond for construction traffic.

Kenny Stockton answered they can, I don't know why they would want to.

Alderman McLendon stated doesn't emergency vehicles need more than one entrance?

Alderwoman Brooks stated it depends on the number of houses.

Beth Ross stated I'm not sure if the HOA in St. Ives has been released yet. They are paying dues, but not in control. The construction traffic is still going through the only entrance that they have. Dump trucks and 18 Wheelers are going through where kids are playing. TO develop that lot between Jefferson and St. Ives, I think it is way too long to wait to open up a second entrance, for safety, for the families in there.

Alderman McLendon stated this is Jefferson Estates, so we will have to cross that one when we get to it.

Alderman McLendon stated will the City put up an access road sign or the developer.

Kenny Stockton answered the City.

Motion was duly made by Alderman Higdon and seconded by Alderman Harris to approve the Final Plat Approval, Jefferson Estates Subdivision, Section “D”, 21 residential lots and 1 common open space lot on 11.94 acres located on the south side of Holly Springs Road and east of Jaybird Road in Section 21, Township 3 South, Range 7 West, zoned “PUD”, Planned Unit Development District, subject to Conditions 1 – 16 listed. A vote was taken with the following results:

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

Those voting “Nay”: None.

ORDERED AND DONE this the 18th day of May, 2021.

PL – 1505 – REQUEST TO REZONE A 54.13 ACRE TRACT OF LAND LOCATED ON THE SOUTHWEST CONNER OF HOLLY SPRINGS ROAD AND GETWELL ROAD, MORE SPECIFICALLY KNOWN AS PARCEL NUMBER 307521000-0000900 IN SECTION 21, TOWNSHIP 3 SOUTH, RANGE 7 WEST

BJ Page, Planning Consultant, presented the Staff Report.



**City of
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**BOARD OF ALDERMEN
STAFF REPORT**

Project No.: PL-1505
 Request: Zoning Map Amendment from the “A,” Agricultural District to the “R-12,” Residential Single-Family District (Medium Density)
 Location: Southwest corner of Holly Springs and Getwell Road in Section 21, Township 3 South, Range 7 West
 Applicant: Greg Smith of Mendrop Engineering Resources, representing Ridgestone, L.L.C. (Butch Davis), the property-owner
 Date: May 18, 2021

INTRODUCTION:

Mr. Greg Smith with Mendrop Engineering Resources, representing Ridgestone L.L.C., the owner of the property, is requesting the rezoning of a 54.13-acre parcel of land from its current zoning of the “A,” Agricultural District to the “R-12,” Residential Single-Family District (Medium Density). The subject property (Parcel No. 307521000-0000900) is located on the southwest corner of Holly Springs Road and Getwell Road in the extreme southeast corner of the City.

The Future Land Use Map for the City’s currently adopted General Development Plan identifies the subject property in the “**Master Plan Residential – Low Density**” land use designation. This category is to provide for modern, attractive, and efficient development with access needs that demand location along major arterial roadways. This category strives for the highest quality private- and public-sector development. This includes nodes at interchanges along the I-69/Highway 304 corridor. It does not allow distribution centers.

The purpose of the **Master Planned Residential – Low Density** designation is intended to give the developer the ability to be flexible and creative for development of a residential project, while at the same time give the City adequate control over the design and impact of the project. The **MPR** designation allows the developer and the City the opportunity for a well-integrated design that is responsive to the unique locational and physical features of a site.

It is intended that **MPR** designated land be developed based on an overall plan (master plan) prepared by the developers of the property and approved by the City. In instances where this designation covers contiguous parcels, all individual parcels should be included in the master planning effort. The master plan should detail the site and include Hernando General Development Plan 2007 - 2027 street improvements, as well as the timing (phasing) of the project. The overall plan will be evaluated upon its adequacy in the following areas: (1) Compatibility with the natural contours of the land and a drainage/erosion control plan that emphasizes water quality as well as erosion control and flooding issues. (2) The development is well connected to surrounding areas, with stub out streets on all sides. (3) The development provides a complete circulation system within the neighborhood. (4) The development preserves mature tree canopy as much as possible and provides for appropriate street trees and landscaped entrance features. (5) The development provides a variety of housing types in a single project. (6) The development provides a residential pattern book detailing the quality of the architectural features of the housing units, accessory structures, lighting, landscaping, mailboxes, traffic signs, and amenity buildings and structures.

The zoning classification recommended by the General Development Plan for properties identified as the “**Master Planned Residential – Low Density**” land use designation is the **Planned Unit Development District**. Therefore, although the applicant’s request to rezone the property residential would somewhat conform to the recommendations of the General Development Plan, the request to rezone the subject property to a standard residential district such as the “R-12” district, **would not** conform to the recommendations of the General Development Plan since the Plan recommends the **Planned Unit Development District** as the preferred zoning district for the **MPR** designated properties.

DISCUSSION:

Article XVIII Amendments of the City of Hernando Zoning Ordinance allows for the amendment of the text or map of the Zoning Ordinance provided the applicant demonstrates the appropriateness of the change and address the following criteria for the zoning amendment.

1. How the proposed amendment would conform to the General Development Plan.

Applicant Response: The subject property is zoned “A” which is an agricultural district with a minimum lot size of 1.5 acres. This property is in the immediate vicinity of developments of much lower lot sizes. For this reason, I feel that the current zoning would be out of character with the surrounding properties and thus inappropriate.

Staff Comments: The applicant’s request to rezone the subject property to the “R-12,” Residential Single-Family District (Medium Density) does not conform to the recommendations of the City’s adopted General Development Plan, which recommends the Planned Unit Development District as the preferred zoning district for properties identified as the “**Master Planned Residential – Low Density**” land use designation, which would also require submission of a master plan for the entire development for approval by the City as part of the rezoning approval process.

2. Why the existing zoning district classification of the property in question is inappropriate or improper.

Applicant Response: There have been changes in the neighborhood which sufficiently alter the nature of the area to justify the requested zoning. Among them are the properties currently under development including Jefferson Place, St Ives and the rezoning of the Oliver tract. There has also been a PUD approved named Short Fork Farms PUD just north of the subject site less than a mile away that lies within the City of Hernando Water and Sewer Service Area that constitutes a substantial change in the neighborhood. There are currently upgrades taking place on Holly Springs Road east of the subject property which will allow for better traffic flow on that East-West Corridor. Recent upgrades to sewer infrastructure have created a more efficient way to serve the subject property as well, thus allowing such as the requested property zoning classification.

Staff Comments: The current “A,” Agricultural District zoning is not appropriate as it does not conform with the “**Master Planned Residential – Low Density**” land use designation recommended in the General Development Plan.

3. **That major economic, physical, or social changes, if any, have occurred in the vicinity of the property in question that were not anticipated by the General Development Plan and have substantially altered the basic character of the area, which make the proposed amendment to the Zoning District Map appropriate.**

Applicant Response: According to the General Development plan, this area is in a block that is specified for Master Planned Low Density Residential. In this block there are several existing developments. Jefferson Place PUD is currently being developed and has lots as small as 11,046 square feet. St Ives, Section “A” has lots as small as 9,230 square feet. St Ives Section “B” is currently under construction and is zoned R-15. And St. Ives will connect with the subject property near the south end. The Oliver Tract has been zoned as an R-20 overlay. Given the nature of the developments which have been developed and are being developed in this block much of which will interconnect, I feel the requested zoning for the subject tract is in keeping with general character of the existing developments in this block. This block is experiencing major growth and is a desirable place to live. This proposal would tie the block together thus fulfilling the public need and demand for more residential infrastructure in that area.

Staff Comments: The key to this criterion is whether changes have occurred that **were not anticipated** by the General Development Plan. In this instance, all of the property to the west and south of the subject property falls within the “**Master Planned Residential – Low Density**” land use designation. All of the new developments referenced fall within the “PUD,” Planned Unit Development District, or other planned district residential overlays, which are the preferred zoning districts for properties that fall within the “**Master Planned Residential – Low Density**” land use designation. Therefore, these developments **were anticipated** by the General Development Plan. Additionally, these master planned developments are the only nearby developments with densities equal to or higher than the proposed standard zoning district (R-12), the only other standard zoning districts in the area are lower density developments from the proposed project (R-15 and R-30). Finally, a change in the zoning to a district not in conformance with the Future Land Use Plan can be viewed as Spot Zoning

STAFF COMMENTS:

1. The request before you is for a rezoning of the subject property from the “A,” Agricultural District to the “R-12,” Residential Single-Family District (Medium Density).
2. If the rezoning request is ultimately approved, any future division of the property shall occur through the subdivision process as defined in the City of Hernando Subdivision Regulations. Because the “R-12” district is not a planned district, such as “PUD” or an overlay district, subdivision plat approval is not a part of the request before you.
3. Copies of the “A,” Agricultural District and the “R-12,” Residential Single-Family District (Medium Density), regulations from the Zoning Ordinance are attached for your review.
4. The Planning Commission reviewed this request for a rezoning of Parcel No. 307521000-0000900, which is a 54.13-acre tract located on the southwest corner of Holly Springs Road and Getwell Road, in Section 21, Township 3 West, Range 7 South, from the “A,” Agricultural District to the “R-12,” Residential Single-Family District (Medium Density), at their meeting on May 11, 2021. The Commission found that the applicant’s request did not conform to the recommendations of the General Development Plan; therefore, the Commission voted unanimously to recommend **approval** to the Board of Aldermen of a rezoning to the “**PUD,**” **Planned Unit Development District** (with the project text and preliminary development plan to be submitted for review and approval, at a later date), rather

than the “R-12,” Residential Single-Family District (Medium Density) requested by the applicant.

PROPOSED MOTION:

Motion to Approve

A motion to approve the rezoning of Parcel No. 307521000-0000900, which is a 54.13-acre tract located on the southwest corner of Holly Springs Road and Getwell Road, in Section 21, Township 3 West, Range 7 South, from the “A,” Agricultural District to the “**PUD,**” **Planned Unit Development District** (with the project text and preliminary development plan to be submitted for review and approval, at a later date), based upon the following findings:

1. How the proposed amendment would conform to the General Development Plan.

The applicant’s request to rezone the subject property to the “R-12,” Residential Single-Family District (Medium Density) does not conform to the recommendations of the City’s adopted General Development Plan, which recommends the Planned Unit Development District as the preferred zoning district for properties identified in the “**Master Planned Residential**” land use designation.

2. Why the existing zoning district classification of the property in question is inappropriate or improper.

The subject property is zoned “A” which is an agricultural district with a minimum lot size of 1.5 acres. This property is in the immediate vicinity of developments of much lower lot sizes. Therefore, the current zoning would be out of character with the surrounding properties and the recommendations of the General Development Plan and thus inappropriate.

3. That major economic, physical, or social changes, if any, have occurred in the vicinity of the property in question that were not anticipated by the General Development Plan and have substantially altered the basic character of the area, which make the proposed amendment to the Zoning District Map appropriate.

There have been changes in the neighborhood which sufficiently alter the nature of the area to justify the recommended PUD zoning. Among them are the properties currently under development including Jefferson Place, St Ives and the rezoning of the Oliver tract. There has also been a PUD approved named Short Fork Farms PUD just north of the subject site less than a mile away that lies within the City of Hernando Water and Sewer Service Area that constitutes a substantial change in the neighborhood. There are currently upgrades taking place on Holly Springs Road east of the subject property which will allow for better traffic flow on that East-West Corridor. Recent upgrades to sewer infrastructure have created a more efficient way to serve the subject property as well, thus allowing for a more urban level of development.

According to the General Development plan, this area is designated for **Master Planned Residential** land use. In this area there are several existing developments. Jefferson Place PUD is currently being developed and has lots as small as 11,046 square feet. St Ives, Section “A,” which is also zoned PUD, has lots as small as 9,230 square feet. St Ives Section “B” is currently under construction and is zoned R-15, and St. Ives will connect with the subject property near the south end. The Oliver Tract has been zoned as an R-20 planned overlay district. Given the nature of the developments which have been developed and are being developed in this area, much of which will interconnect, the recommended PUD zoning for the subject tract is in keeping with general character of the existing developments in this area, and the recommendations of the General Development Plan. This area is experiencing major growth and is a desirable place to live. This proposal would tie the area together thus fulfilling a public need and demand for more residential infrastructure in that area.

Motion to Deny

A motion to **deny** to the rezoning of Parcel No. 307521000-0000900, which is a 54.13-acre tract located on the southwest corner of Holly Springs Road and Getwell Road, in Section 21, Township 3 West, Range 7 South, from the “A,” Agricultural District to the “R-12,” Residential Single-Family District (Medium Density), based upon the following findings:

1. How the proposed amendment would conform to the General Development Plan.

The applicant’s request to rezone the subject property to the “R-12,” Residential Single-Family District (Medium Density) does not conform to the recommendations of the City’s adopted General Development Plan, which recommends the Planned Unit Development District as the preferred zoning district for properties identified as the “**Master Planned Residential**” land use designation.

2. Why the existing zoning district classification of the property in question is inappropriate or improper.

The current “A,” Agricultural District zoning is not appropriate as it does not conform with the preferred zoning district for properties under the “**Master Planned Residential**” land use designation as recommended in the General Development Plan.

3. That major economic, physical, or social changes, if any, have occurred in the vicinity of the property in question that were not anticipated by the General Development Plan and have substantially altered the basic character of the area, which make the proposed amendment to the Zoning District Map appropriate.

The key to this criterion is whether changes have occurred that **were not anticipated** by the General Development Plan. In this instance, all of the property to the west and south of the subject property falls within the “**Master Planned Residential – Low Density**” land use designation. All of the new developments referenced fall within the “PUD,” Planned Unit Development District, or other planned district residential overlays, which are the preferred zoning districts for properties that fall within the “**Master Planned Residential – Low Density**” land use designation. Therefore, these developments **were anticipated** by the General Development Plan. Additionally, these master planned developments are the only nearby developments with densities equal to or higher than the proposed standard zoning district (R-12), the only other standard zoning districts in the area are lower density developments from the proposed development (R-15 and R-30). Finally, a change in the zoning to a district not in conformance with the Future Land Use Plan can be viewed as Spot Zoning

Motion to Table

The Board of Aldermen may wish to **table** the item to the next regularly scheduled meeting in the event the Board should feel that they need additional information submitted by the applicant or that they need more time to consider the request.

Alderman Miller asked, for clarity, did the developer request a PUD or did the Planning Commission Board give the PUD.

BJ Page stated the developer originally requested a R12.

Alderman Miller asked if the applicant request a PUD after the R12 was denied.

Kenny Stockton stated the applicant accepted and agreed to the PUD. They stated it was actually better.

Greg Smith stated that they originally wanted R12, but changed the request to the PUD after discussions and concerns, we decided that the PUD was better. St. Ives is west, neighboring property. The PUD does conform to the General Development Plan. It is currently Zoned AR and that is not appropriate. The property around it is residential not AR.

Alderman McLendon stated so no 1 ½ acre lots?

Greg Smith answered there could possibly be. It will be mixed with larger and smaller lots and green space.

Alderman McLendon asked if you have discussed a connection with St. Ives.

Greg Smith answered we have had an agreements and discussions. We will stub a road out for them.

Motion was duly made by Alderman Harris and seconded by Alderman McLendon to approve the request to Rezone a 54.13-acre tract of land located on the southwest corner of Holly Springs Road and Getwell Road, more specifically known as Parcel Number 307521000-0000900 in Section 21, Township 3 South, Range 7 West, subject to Conditions 1-3 listed. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of May, 2021.

PL – 1499 – REQUEST FOR FINAL PLAT APPROVAL, MAGNOLIA COMMONS, PHASE 4, 36 LOTS, 14.57 ACRES, LOCATED ON THE EAST SIDE OF MAGNOLIA DRIVE, NORTH OF MAGNOLIA GARDENS DRIVE, AT THE NORTHERN TERMINUS OF MAGNOLIA BLOOM DRIVE, IN SECTION 19, TOWNSHIP 3 SOUTH, RANGE 7 WEST, ZONED "R-12", OVERLAY DISTRICT, C&C CONSTRUCTION (JOHNNY COLEMAN), PROPERTY OWNER, BEN SMITH, IPD LLC, ENGINEER

BJ Page, Planning Consultant, presented the Staff Report.



**City of
Hernando**
MISSISSIPPI

**BOARD OF ALDERMEN
STAFF REPORT**

Project No.: PL-1499
Request: Request Final Plat Approval of Magnolia Commons Subdivision Phase 4
Location: East Side of Magnolia Drive and North of Magnolia Gardens Drive
Applicant: Ben Smith with IPD, LLC

Date: May 18, 2021

Mr. Ben Smith with IPD, LLC, on behalf of the property-owner, C&C Construction (Johnny Coleman), is requesting Final Plat approval for Magnolia Commons Subdivision, Phase 4. The subject property will be the final phase of the Magnolia Commons Subdivision. The property is located east of Magnolia Drive, north of Magnolia Gardens Drive, and at the northern terminus of Magnolia Bloom Drive.

The item first appeared on the Board's agenda for their meeting on February 16, 2021. Prior to that meeting, the staff had raised concerns with the developer about proposed common open space improvements that were part of the original preliminary plat approval that had not yet been completed. The applicant contended that, due to final engineering on the project and the severe topography in many of the common open space areas, these common elements could not, in many cases, be completed. As a result of these concerns, the applicant requested to table this item to have additional time to put together a plan showing what improvements to these common open space areas could be achieved. Therefore, at that time, the Board of Aldermen voted to table this application without hearing the application.

The applicant has now prepared a plan reviewing his intentions for the completion of the private improvements in this subdivision and is ready to present it to the Board of Aldermen for consideration. A copy of the proposed plan is attached to this report for the Board's review. The original staff report from February 16, 2021, containing the Planning Commission's recommendation and the proposed motion, is also attached for the Board's review. If the Board finds the applicant's plan acceptable, the staff still recommends maintaining Condition of Approval #7, which would be applied to the new plan, since it sets a time frame for completion of those common open space improvements.

"As Phase 4 completes the subdivision, all common elements required in all previous phases of the development must be completed and dedicated to the Homeowners Association prior to the issuance of any building permits in Phase 4."



**City of
Hernando**
MISSISSIPPI

**BOARD OF ALDERMEN
STAFF REPORT**

Project No.: PL-1499
Request: Request Final Plat Approval of Magnolia Commons Subdivision Phase 4
Location: East Side of Magnolia Drive and North of Magnolia Gardens Drive
Applicant: Ben Smith with IPD, LLC
Date: February 16, 2021

INTRODUCTION:

Mr. Ben Smith with IPD, LLC, on behalf of the property-owner, C&C Construction (Johnny Coleman), is requesting Final Plat approval for Magnolia Commons Subdivision, Phase 4. The subject property will be the final phase of the Magnolia Commons Subdivision. The property is located east of Magnolia Drive, north of Magnolia Gardens Drive, and at the northern terminus of Magnolia Bloom Drive.

BACKGROUND:

Magnolia Commons Subdivision was originally approved as Magnolia Gardens Subdivision in an unincorporated area of DeSoto County. The Magnolia Commons development area is currently zoned R-8 Overlay and R-12 Overlay. The zoning designations were approved by the DeSoto County Board of Supervisors on July 7, 2004. The proposed development was annexed into the City of Hernando in 2005.

The Final Plat for Phase 1 was approved by Planning Commission on January 10, 2006, by the Board of Aldermen on January 17, 2006, and recorded in the Chancery Clerks Office on February 21, 2006 in Book 97 Page 11-12. The Final Plat for Phase 2 was approved by Planning Commission on April 12, 2016, by the Board of Aldermen on April 19, 2016, and recorded in the Chancery Clerks Office on July 21, 2016, in Book 122 Page 5-6. The Final Plat for Phase 3 was approved by Planning Commission on December 11, 2018, by the Board of Aldermen on December 18, 2018, and recorded in the Chancery Clerks Office on January 24, 2019, in Book 126 Page 22-23.

DISCUSSION:

The proposed subdivision is developed as Magnolia Commons Subdivision, Phase 4 and will consist of 36 lots: 34 single-family residential lots and 2 common open spaces. The subject property is zoned R-12 Overlay. Under the R-12 Overlay, as approved by DeSoto County, the developer can increase density by calculating the net density as opposed to the gross density as in non-overlay residential zoning districts. This allows for the incorporation of common open space and lots sizes in the calculations of the net density. As a result, the minimum lot size of a standard "R-12," Single-Family Residential District does not have to be adhered to. As proposed, the residential lots in Phase 4 range from 9,000 sq. ft. up to 19,413 sq. ft. Common Open Space "E" consists of 1.15 acres, while Common Open Space "F" consists of 3.20 acres.

Access into Phase 4 is by the extension of Magnolia Bloom Drive and Magnolia Leaf Cove northward, Magnolia Heights Drive westward, and Magnolia Ridge Drive eastward. All streets in Phase 4 will have a 50' R.O.W. The streets and public utilities are already in place, with the exception of the final layer of asphalt on the streets and sidewalks.

Each lot will have the required setbacks listed below which conform to the approved Preliminary Plat and the Restrictive Covenants requirements.

Front 20 feet
Side 5 feet
Rear 20 feet

The minimum house size approved for this development is 1,600 sq. ft. Although the developer is proposing several home designs in the 1,600 sq. ft. range, he is also proposing a number in excess of the minimum. His stated intention is to promote larger house sizes in Phase 4.

STAFF COMMENTS:

3. A drive-through of the development reflects that the public improvements appear to be in place in Phase 4, with the exception of the final layer of asphalt on the streets (which will occur following the construction of the majority of the homes), and sidewalks (which will be installed as each residence is constructed).
4. As Phase 4 will complete the subdivision, any public improvements or common elements required in Phase 4, *or any previously approved phases*, must be completed and dedicated to either the City or Homeowners Association as applicable.

5. The Planning Commission reviewed this request for final plat approval at their meeting on February 9, 2021, and found that the submitted plat generally conformed to the requirements of the Subdivision Regulations; therefore, the Commission voted unanimously to recommend to the Board of Aldermen approval of the final plat subject to certain specified conditions listed in the proposed motion below.

PROPOSED MOTION:

Motion to grant Final Plat approval for Magnolia Commons Subdivision Phase 4, a 36-Lot Single Family Residential Subdivision located east of Magnolia Drive, north of Magnolia Gardens Drive, and at the northern terminus of Magnolia Bloom Drive based upon a finding that the submitted plat generally conforms to the preliminary plat for the development and the requirements of the City's codes and ordinances, subject to the following conditions:

34. Revise the Owner's and Mortgage's Certificates to state "...and dedicate the right-of-way for the roads and utility easements as shown on the plat of the Subdivision to the City of Hernando for the public use forever." Eliminate the following wording, "...and reserve for the public utilities the utility easements as shown on the plat."
35. Revise the plat to complete Note #5 concerning Restrictive Covenants.
36. Revise the plat to include the minimum lot size of Lots 185 and 186. (The lots must meet or exceed the required minimum of 9,000 sq. ft.)
37. Revise the plat to reflect the section corner tie-in.
38. A Homeowners Association is to be established prior to the recording of the final plat. Any buffer areas, retention basins, landscape areas, open areas, street medians, entrance signs, and any other common elements, proposed to be dedicated to the Homeowners Association in that phase shall be deeded over to the Homeowners Association with the recording of the final plat of that respective phase. A copy of the finalized incorporation papers and all deeds transferring common elements to the Homeowners Association shall be submitted to the staff for inclusion in the file.
39. The Homeowners Association covenants shall be submitted to and approved by Planning Staff prior to recording of the plat. The submitted covenants shall match the covenants that were recorded with Phase I of Magnolia Commons. If amendments are requested by the developer shall be approved by planning staff. If the proposed changes are less than what is currently required by the previous phases of Magnolia Commons, those changes shall be approved by the Planning Commission.
40. As Phase 4 completes the subdivision, all common elements required in all previous phases of the development must be completed and dedicated to the Homeowners Association prior to the issuance of any building permits in Phase 4.
41. The Pattern Book required by Article IV §B. h. of the City of Hernando Subdivision Regulations Ordinance will be the same that was approved for Phase 3. Copies are attached to the staff report.
42. Improvements are to be the responsibility of the developer and not the responsibility of the City of Hernando.
43. 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.

44. 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 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. Prior to recording the final plat, all public improvements shall be installed, completed, and accepted by the City of Hernando.
45. Sidewalks shall be installed on both sides of all streets.
46. Finished floor elevations shall be listed for each lot.
47. Grading, drainage, and engineering construction plans to be approved by the City Engineer and Public Works Director.
48. Streetlights shall be installed at the developer's expense. Streetlight plans shall be submitted to the Office of Planning for City Engineer and Planning Director approval.
49. All utilities and services (electric, telephone, cable, etc.) are to be installed underground. The water service lines shall be installed with tracing wire at the top.
50. No relocated buildings will be allowed.
51. Following Plat Approval, the Developer shall submit two (2) complete sets of construction plans for review and approval to the Office of Planning.
52. Prior to recording the final plat, the Developer shall submit for approval a schedule of Lot Numbers and associated street addresses to the Office of Planning. Corner lots shall include potential addresses for both streets.
53. Prior to submitting the plat for recording, the applicant shall coordinate with the Post Office the centralized delivery location of the mailboxes.

Alderman McLendon asked if it 1600 square feet heated. Do we have a requirement about front facing garages?

BJ Page answered not in rezoning.

Alderman Miller asked in that area, do you have the road signs up.

Johnny Coleman answered we do, but we have also had several stolen, but they are now replaced.

Alderman Miller stated as of this morning, not all were there.

Johnny Coleman answered not in the new section, but others are. They have to be up before the plat can be recorded. Alderman McLendon these will start at 2000 sq feet heated. We build nothing but 1800 and up. The property value will be \$138 to \$140 a foot. Mrs. Jernigan also brought up about the side load garages. With the width of the lots. I advised her that we do have a very good HOA, and they have a good legal team.

Alderman McLendon some of the garages are a stable look, not conventional.

Johnny Coleman stated in the convenance, they can't park on the street at night.

Alderman McLendon asked if they have any retention ponds.

Johnny Coleman answered no, we have blue line ditches. We're building on top of a mountain.

Motion was duly made by Alderman Hobbs and seconded by Alderman McLendon to approve the request for Final Plat, Magnolia Commons, Phase 4, 36 Lots, 14.57 acres, located on the east side of Magnolia Drive, North of Magnolia Gardens Drive, at the Northern terminus of Magnolia Bloom Drive, in Section 19, Township 3 South, Range 7 West, zoned "R-12", Overlay District, subject to Conditions 1-20 listed A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of May, 2021.

AUTHORIZE TO ACCEPT THE CONTINUING DISCLOSURE SUBMISSION, FYE 2020, BUTLER SNOW

**APPENDIX A - ECONOMIC AND DEMOGRAPHIC INFORMATION
FISCAL YEAR 2020 - CITY OF HERNANDO, MISSISSIPPI**

General Description

The City of Hernando, Mississippi (the "City"), is situated in the northwest corner of the State, and is located 14 miles southeast of Memphis, Tennessee traveling southbound on Interstate 55. It is the county seat of DeSoto County (the "County") and is one of the State's fastest growing areas.

Population

1990	2000	2010	2019 Estimate
4,564	6,812	14,090	16,399

SOURCE: Census Data information at website: www.census.gov; February 2021.

Government¹

The City is governed by a Mayor (the "Mayor") and a Board of Aldermen (the "Board of Aldermen"). The Mayor is elected for a term of four years. The Board of Aldermen consists of seven (7) members, each of whom is elected for a four-year term; six (6) members are elected by ward or precinct, and one (1) member is elected at large. The current members of the Board of Aldermen are:

Name	Occupation	Position Held Since
W.I. "Doc" Harris, Jr.	Retired	7/1/17
Natalie Lynch	Businesswoman	1/7/21
Andrew Miller	Retired	3/4/03
Gary Higdon	Retired	7/1/05
Michael McLendon	Insurance Sales	7/1/13
Cathy Brooks	Banking	7/1/13
Jeff Hobbs	Businessman	7/1/09
N.C. Tom Ferguson	Full-Time Mayor	7/1/17

Transportation

Highway, rail, air and water access are all easily available to the City of Hernando. Major highway access is from Interstate 55 and U.S. Highway 51. Mississippi Highway 304 also runs through the City. Approximately 100 common carriers serve the area.

Rail service is provided by Canadian National-Illinois Central Railroad.

¹ As of March 2021.

Air access is provided by two airports: Memphis International, with over 300 outgoing flights daily, and Twinkle Town Airport in Walls, Mississippi, about 10 miles away, which is a general aviation airport. The port of Memphis, about 17 miles away, is full-service port on the Mississippi River with a channel depth of nine feet.

Per Capita Income

Year	County	Mississippi	United States	County as % Of U.S.
2019	42,007	38,914	56,490	74%
2018	41,058	37,852	54,606	75%
2017	39,221	36,536	52,118	75%
2016	38,066	35,672	50,015	76%
2015	36,919	35,206	49,019	75%

SOURCE: Bureau of Economic Analysis: Regional Economic Accounts at website: www.bea.gov. (BEA data last updated November 17, 2020). Information available as of February 2021.

Retail Sales

State Fiscal Year Ended June 30	Amount
2020	\$327,608,154
2019	298,425,012
2018	287,616,244
2017	269,773,708
2016	251,780,066

SOURCE: [Annual Reports](#) for fiscal years indicated, Mississippi Department of Revenue website: www.dor.ms.gov; February 2021.

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Major Employers

The following is a partial listing of major employers in DeSoto County, their products or services and their approximate number of employees:

Employer	Employees	Product/Service
DeSoto County School District	3,872	Education
Baptist Memorial Hospital	1,750	Healthcare
Williams-Sonoma	993	Distribution of specialty cooking products
Milwaukee Electric Tool	800	Distribution of portable electric tools
Synnex	600	Manufacturing and distribution
Fed Ex Ground	433	Package sorting hub
Methodist Olive Branch Hospital	423	Healthcare
McKesson Corporation	400	Distribution Center
Future Electronics	357	Electronic equipment & supplies
Landau Uniforms	330	Uniform manufacturer
Siemens Industry Inc.	300	Computer-based building management systems
DeSoto County Civic Center	300	Convention and meeting center
Newly Weds Foods	282	Food Ingredients, seasonings, blends, flavors
Associated Wholesale Grocers	265	Third-party logistics
J.T. Shannon Lumber Company	250	Hardwood lumber and plank flooring
Helen of Troy (OB)	250	Distribution of personal care products
KIK Custom Products	223	Manufacture of guest amenity soaps
Scan Source, Inc.	220	Distribution of specialty technology products

SOURCE: DeSoto County Economic Development Council at www.desotocounty.com. Information available as of February 2021.

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Unemployment Statistics

Year	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Annual Average
2016	4.6	4.3	4.2	3.9	4.5	5.1	4.4	4.1	4.0	3.9	3.5	3.8	4.2
2017	4.2	3.9	3.8	3.6	4.1	4.7	4.2	3.8	3.6	3.4	3.4	3.4	3.8
2018	3.8	3.8	3.7	3.5	3.8	4.7	4.1	3.8	3.7	3.6	3.6	3.8	3.8
2019	4.5	4.2	4.2	3.9	4.4	5.2	5.0	4.5	4.4	4.2	4.2	4.1	4.4
2020	4.2	4.1	3.8	11.4	7.7	7.6	7.8	6.6	5.6	5.1	4.3	4.1	5.9

SOURCE: Mississippi Department of Employment Security: Labor Market Data at website: www.mdes.ms.gov; February 2021.

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County Employment Statistics

	2015	2016	2017	2018	2019
RESIDENCE BASED EMPLOYMENT					
I. Civilian Labor Force	84,660	87,410	88,830	90,550	91,400
II. Unemployed	4,050	3,670	3,410	3,460	4,020
Rate	4.8	4.2	3.8	3.8	4.4
III. Employed	80,610	83,740	85,420	87,090	87,380
ESTABLISHMENT BASED EMPLOYMENT					
I. Manufacturing	4,010	4,050	4,350	4,470	4,490
II. Non-manufacturing	50,120	52,560	56,490	58,340	60,450
A. Agriculture, Forestry, Fishing & Hunting	130	110	120	120	120
B. Mining	4,050	4,350	4,470	4,480	4,530
C. Utilities	52,560	56,490	58,210	60,500	61,720
D. Construction	110	120	0	0	0
E. Wholesale Trade	40	30	30	40	40
F. Retail Trade	160	170	180	170	180
G. Transportation & Warehousing	2,020	1,980	2,240	2,240	2,300
H. Information	3,500	3,690	3,760	3,330	3,400
I. Finance & Insurance	8,690	9,870	9,990	10,080	9,820
J. Real Estate, Rental & Leasing	7,810	8,970	9,680	10,870	11,420
K. Prof., Scientific & Technical Service	240	230	240	320	450
L. Management of Companies & Entertainment	940	1,020	1,050	1,100	1,120
M. Administrative Support & Waste Management	460	480	510	540	500
N. Educational Services	930	930	980	980	960
O. Health Care & Social Assistance	5,560	5,730	5,940	6,100	6,400
P. Arts, Entertainment & Recreation	750	720	760	800	850
Q. Accommodation & Food Service	7,510	7,990	8,220	8,320	8,450
R. Other Services (except Public Administration)	990	1,090	1,180	1,170	1,160
S. Government	6,730	6,820	6,880	6,920	6,960
Education	4,130	4,200	4,210	4,240	4,240
III. Total Nonagricultural Employment	56,610	60,840	62,680	64,980	66,250

SOURCE: Mississippi Department of Employment Security: Annual Averages: Labor Force and Establishment Based Employment 2011 Forward, Labor Market Information Department at website: www.mdes.ms.gov; Last revision date of information 5/11/2020. Available as of February 2021.

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Banking Institutions

Institutions	Total Assets
Regions Bank ²	\$144,473,000,000
BancorpSouth Bank ³	23,557,299,000
Trustmark National Bank ⁴	15,556,137,000
Renasant Bank ⁵	14,793,082,000
BankPlus ⁶	4,545,241,000
Community Bank of Mississippi ⁷	3,849,031,000
First Security Bank ⁸	660,627,000

SOURCE: Obtained from the FDIC's website, <http://research.fdic.gov/bankfind/index.html>. Assets stated as of September 30, 2020, unless otherwise noted. Information available as of February 2021.

² Headquarters located in Birmingham, Alabama.
³ Headquarters located in Tupelo, Mississippi.
⁴ Headquarters located in Jackson, Mississippi.
⁵ Headquarters located in Tupelo, Mississippi.
⁶ Headquarters located in Tupelo, Mississippi.
⁷ Headquarters located in Forrest, Mississippi.
⁸ Headquarters located in Batesville, Mississippi.

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Educational Facilities

The City schools are part of the DeSoto County School District, which is the largest and fastest growing school district in the State. Its Gifted Instructional Program also has the largest enrollment of any such program in the State. The School District operates 24 elementary and intermediate schools, 8 middle schools, and 8 high schools, in addition to a vocational complex and an alternative center. The County is credited with having one of the best technical preparatory programs in the State. Also, thanks to the State's Computers in the Classroom initiative, every classroom in the School District is equipped with computers and internet accessibility, as well as opportunities for distance learning. The high schools are all on block scheduling, which allows more advanced students to complete higher level courses and to earn college credits through dual enrollment and offers remediation to students who are experiencing difficulties. All schools are accredited by the Southern Association of Colleges and Schools and by the State, and about 87% of the County's high school graduates attend college. Total enrollment for the School District for the current scholastic year and for the four preceding years is as follows:

Scholastic Year	Enrollment
2020-2021	34,067
2019-2020	34,752
2018-2019	34,492
2017-2018	33,991
2016-2017	33,537

SOURCE: DeSoto County School District and Office of Research and Statistics, Mississippi Department of Education's website: <http://reports.mde.k12.ms.us/data/>; February 2021.

The main campus of Northwest Community College, which offers college level courses that are transferable to most major colleges and universities, is approximately 30 miles from the City. The college's DeSoto Center is 8 miles away in Southaven. Nearby institutions offering bachelor's degree and post-graduate programs include Memphis State University (about 15 miles), Rust College (about 25 miles), and the University of Mississippi (about 60 miles).

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Assessed Valuation⁹ **TAX INFORMATION**

Fiscal Year	Real Property	Personal Property ¹⁰	Public Utility Property	Total
2020	\$109,107,064	\$54,248,361	\$5,316,446	\$168,671,871
2019	104,652,745	51,076,148	5,642,279	161,371,172
2018	99,522,090	50,599,800	4,716,872	154,838,762
2017	97,003,647	38,521,672	5,151,785	140,677,104
2016	95,429,711	35,076,516	4,956,527	135,462,754

SOURCE: Office of City Clerk; March 2021.

Assessed valuations are based upon the following assessment ratios:

- (a) Real and personal property (excluding single-family owner-occupied residential real property and motor vehicles, respectively), fifteen percent (15%) of true value;
- (b) Single-family owner-occupied residential real property, ten percent (10%) of true value;
- (c) Motor vehicles and public utility property, thirty percent (30%) of true value.

The 1986 Session of the Mississippi Legislature adopted House Concurrent Resolution No. 41 (the "Resolution"), pursuant to which there was proposed an amendment to the Mississippi Constitution of 1890 (the "Amendment"). The Amendment provided, *inter alia*, that the assessment ratio of any one class of property shall not be more than three times the assessment ratio on any other class of property.

The Amendment set forth five classes of property and the assessment ratios which would be applicable thereto upon the adoption of the Amendment. The assessment ratios set forth in the Amendment are identical to those established by Section 27-35-4, Mississippi Code of 1972, as it existed prior to the Amendment, except that the assessment ratio for single-family, owner-occupied residential real property under the Amendment is set at ten percent (10%) of true value as opposed to fifteen percent (15%) of true value under previously existing law.

Procedure for Property Assessments

The Tax Assessor of DeSoto County assesses all real and personal property subject to taxation in the County, including property in the City, except motor vehicles and property owned by public service corporations, both of which are required by law to be assessed by the Mississippi Department of Revenue.

Section 21-33-9, Mississippi Code of 1972, as amended, provides that the governing authorities of a municipality which is located within a county having completed a county-wide reappraisal approved by the Mississippi Department of Revenue and which has been furnished a true copy of that part of the County assessment roll containing the property located within a municipality as provided in Section 27-35-167, Mississippi Code of

⁹ The total assessed valuation is approved in September preceding the fiscal year of the City and represents the value of real property, personal property and public utility property for the year indicated on which taxes are assessed for the following fiscal year's budget. For example, the taxes for the assessed valuation figures for 2020 are collected starting in January 2021 for the 2020-21 fiscal year budget of the City.
¹⁰ Personal property includes mobile homes and automobiles.

1972, as amended, shall adopt such assessment rolls for its assessment purposes. The City is utilizing the assessment rolls of the County.

The City may not correct or revise such assessment rolls except for the purpose of conforming the municipal assessment roll to corrections or revisions made to the County assessment roll. All objections to the municipal assessment roll may be heard by the Board of Supervisors of the County at the time and in the manner that objections to the County assessment roll are heard. The Board of Supervisors shall notify, in writing, the Governing Body and the Tax Assessor of the City of any corrections or revisions made by it to the part of the County assessment roll adopted as the municipal assessment roll.

Tax Levy per \$1,000 Valuation¹¹

	2020-21	2019-20	2018-19	2017-18	2016-17
General Fund	32.7954	33.1994	32.76	27.385	26.17
Library Fund	0.91	0.943	0.8935	0.843	0.86
Municipal Bond & Interest Fund	5.06	4.623	5.1119	4.697	5.895
Culture & Recreation	2.000	2.000	2.00	2.00	2.00
TOTAL	40.7654	40.7654	40.7654	34.925	34.925

SOURCE: Office the City Clerk; March 2021.

Ad Valorem Tax Collections

Year	Amount Budgeted	Amount Collected	Difference Over/(Under)
2020	\$6,452,560.00	\$6,116,620.38	(\$335,939.62)
2019	6,242,240.00	6,250,677.07	8,437.07
2018	5,921,021.00	5,969,856.00	48,835.00
2017	4,002,854.00	4,084,419.00	81,565.00
2016	3,764,287.00	3,778,953.66	14,666.66

SOURCE: Office of the City Clerk; March 2021.

Procedure for Tax Collections

The Governing Body is required to levy a special tax upon all of the taxable property within the geographical limits of the City each year sufficient to provide for the payment of the principal of and interest on the City's general obligation bonds. If any taxpayer neglects or refuses to pay his taxes on the due date thereof, the unpaid taxes bear interest at the rate of one percent (1%) per month or fractional part thereof from the delinquent date to the date of payment of such taxes. When enforcement officers take action to collect delinquent taxes, other fees, penalties and costs may accrue. Both real property and personal property are subject to public tax sale.

¹¹ Tax levy figures are given in mills.

Section 21-33-63, Mississippi Code of 1972, as may be amended from time to time, and related statutes provide that after the fifteenth day of February and after the fifteenth day of August in each year, the tax collector for each municipality shall advertise all lands in such municipality on which all the taxes due and in arrears have not been paid, as well as all land liable for sale on the first Monday of April or the third Monday of September following, as the case may be.

Reappraisal of Property and Limitation on Ad Valorem Levies

Senate Bill No. 2672, General Laws of Mississippi, Regular Session 1980, codified in part as Sections 27-35-49 and 27-35-50, Mississippi Code of 1972 (the "Reappraisal Act"), provides that all real and personal property in the State shall be appraised at true value and assessed in proportion to true value. To ensure that property taxes do not increase dramatically as the counties complete reappraisals, the Reappraisal Act provides for the limit on increase in tax revenues discussed below.

The statute limits ad valorem tax levies by the City subsequent to October 1, 1980, to a rate which will result in an increase in total receipts of not greater than ten percent (10%) over the previous year's receipts, excluding revenue from ad valorem taxes on any newly constructed properties, any existing properties added to the tax rolls or any properties previously exempt which were not assessed in the next preceding year. This limitation does not apply to levies for the payment of the principal of and the interest on general obligation bonds issued by the City or to certain other specified levies. The limitation may be increased only if the proposed increase is approved by a majority of those voting in an election held on such question.

On August 20, 1980, the Mississippi Supreme Court rendered its decision in *State Tax Commission v. Fondren*, 387 So.2d 712, affirming the decree of the Chancery Court of the First Judicial District of Hinds County, Mississippi, wherein the Mississippi Department of Revenue (formerly, the State Tax Commission) was enjoined from accepting and approving assessment rolls from any county in the State for the tax year 1983 unless the Mississippi Department of Revenue (formerly, the State Tax Commission) equalized the assessment rolls of all of the counties. Due to the intervening passage of the Reappraisal Act, the Supreme Court reversed that part of the lower court's decree ordering the assessment of property at true value (although it must still be appraised at true value), holding instead that assessed value may be expressed as a percentage of true value. Pursuant to the Supreme Court modification of the Chancellor's decree, on November 15, 1980, the Mississippi Department of Revenue (formerly, the State Tax Commission) filed a master plan to assist counties in determining true value. On February 7, 1983, the Chancery Court granted an extension until July 1, 1984, of its previous deadline past which the Mississippi Department of Revenue (formerly, the State Tax Commission) could not accept and approve tax rolls from counties which had not yet reappraised. The City has completed reappraisal.

Homestead Exemption

The Mississippi Homestead Exemption Law of 1946 reduces the local tax burden on homes qualifying by law and substitutes revenues from other sources of taxation on the State level as a reimbursement to the local taxing units for such tax loss. Provisions of the homestead exemption law determine qualification, define ownership and limit the amount of property that may come within the exemption. The exemption is not applicable to taxes levied for the payment of the Bonds, except as hereinafter noted.

Those homeowners who qualify for the homestead exemption and who have reached the age of sixty-five (65) years on or before January 1 of the year for which the exemption is claimed, service-connected, totally disabled American veterans who were honorably discharged from military service and those qualified as disabled under the federal Social Security Act are exempt from any and all ad valorem taxes on qualifying homesteads not in excess of \$7,500 of assessed value thereof.

The tax loss resulting to local taxing units from properly qualified homestead exemptions is reimbursed by the Mississippi Department of Revenue. Beginning with the 1984 supplemental ad valorem tax roll and for each roll thereafter, no taxing unit shall be reimbursed an amount in excess of one hundred six percent (106%) of the total net reimbursement made to such taxing unit in the next preceding year.

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Ten Largest Taxpayers

Ten of the largest taxpayers in the City for fiscal year 2020 are as follows:

Taxpayer	Assessed Valuation	Taxes Collected
SXP SCHULZ XTRUDED PRODUCTS LP	9,635,792	392,754.88
MRB-HERNANDO LP	1,655,848	67,492.36
KROGER LIMITED PARTNERSHIP I	1,376,073	56,088.74
WAL-MART REAL ESTATE BUS TRUST	1,361,491	55,494.37
TEGRA MEDICAL (MS) LLC	1,090,177	44,435.61
NCI GROUP INC	1,041,457	42,449.79
WAL-MART STORES EAST LP	987,225	40,239.29
KROGER LP	930,684	37,934.68
SXP CRA-OCTG INC	818,195	33,349.63
NITEO PRODUCTS LLC	807,981	32,933.31
Totals:	19,704,923	803,172.66

SOURCE: Office of the City Clerk; March 2021.

DEBT INFORMATION

Legal Debt Limit Statement

(As of March 1, 2021)

	15% Limit	20% Limit
Authorized Debt Limit (Last Completed Assessment for Taxation - \$168,671,871)	\$25,300,781	\$33,734,374
Present Debt Subject to Debt Limits	7,300,000	7,300,000
Margin for Further Debt	\$18,000,781	\$26,434,374

Statutory Debt Limits

The City is subject to a general statutory debt limitation under which no municipality in the State may incur general obligation bonded indebtedness in an amount which will exceed fifteen percent (15%) of the assessed value of the taxable property within such municipality according to the last completed assessment for taxation.

In computing general obligation bonded indebtedness for purposes of such fifteen percent (15%) limitation, there may be deducted all bonds or other evidences of indebtedness issued for school, water and sewerage systems,

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gas and light and power purposes and for the construction of special improvements primarily chargeable to the property benefited, or for the purpose of paying a municipality's proportion of any betterment program, a portion of which is primarily chargeable to the property benefited. However, in no case may a municipality contract any indebtedness payable in whole or in part from proceeds of ad valorem taxes which, when added to all of its outstanding general obligation indebtedness, both bonded and floating, exceeds twenty percent (20%) of the assessed value of the taxable property within such municipality.

In arriving at the limitations set forth above, bonds issued for school purposes, bonds payable exclusively from the revenues of any municipally-owned utility, general obligation industrial bonds issued under the provisions of Sections 57-1-1 to 57-1-51, Mississippi Code of 1972, as amended, and special assessment improvement bonds issued under the provisions of Sections 21-41-1 to 21-41-53, Mississippi Code of 1972, as amended, are not included. Also excluded from both limitations are contract obligations subject to annual appropriations.

Outstanding General Obligation Bonded Debt

(As of March 1, 2021)

Issue	Date of Issue	Outstanding Principal
General Obligation Refunding Bonds, Series 2012	11/08/12	1,325,000
General Obligation Bonds, Series 2015	12/29/15	3,665,000
General Obligation Refunding Bonds, Series 2016	5/03/16	2,310,000
Total		\$7,300,000

SOURCE: City Clerk's office, February 2020

Other Outstanding Long-Term Debt

(As of March 1, 2021)

Issue	Date of Issue	Amount
Department of Economic and Community Development Sewer CAP Loan (50289)	1999	\$32,640.39
Department of Environmental Quality Water Pollution Control	06/01/2003	87,239.87
Department of Economic & Community Development Sewer CAP Loan (50378)	05/17/2002	68,515.23
Department of Economic & Community Development Sewer CAP Loan (50469)	05/18/2005	69,537.71
DWSI Phase 4 (L170009)	11/5/2010	625,474.94
SRF (C280868-03-3)	5/1/2014	1,318,939.53
Taxable Tax Increment Limited Obligation Bonds, Series 2016 (The Hampton Inn Hotel Project)	1/21/2016	185,000
Total		\$2,387,347.67

SOURCE: City Clerk's office, March 2021

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Annual Debt Service Requirements

FY Ending September 30	Existing Debt ¹²		
	Principal	Interest	Total
2021	\$950,000.00	\$179,631.26	\$1,129,631.26
2022	\$970,000.00	\$159,031.26	\$1,129,031.26
2023	\$955,000.00	\$137,528.13	\$1,092,528.13
2024	\$945,000.00	\$115,675.00	\$1,060,675.00
2025	\$545,000.00	\$98,800.00	\$643,800.00
2026	\$560,000.00	\$85,950.00	\$645,950.00
2027	\$585,000.00	\$72,687.50	\$657,687.50
2028	\$235,000.00	\$57,937.50	\$292,937.50
2029	\$240,000.00	\$52,000.00	\$292,000.00
2030	\$250,000.00	\$45,875.00	\$295,875.00
2031	\$260,000.00	\$39,500.00	\$299,500.00
2032	\$270,000.00	\$32,875.00	\$302,875.00
2033	\$280,000.00	\$26,000.00	\$306,000.00
2034	\$290,000.00	\$18,875.00	\$308,875.00
2035	\$300,000.00	\$11,500.00	\$311,500.00
2036	\$310,000.00	\$3,875.00	\$313,875.00
Total	\$7,945,000.00	\$1,137,740.65	\$9,082,740.65

¹²As of March 1, 2021.

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General Obligation Bonded Debt

Issue	Fiscal Year Ended September 30				
	2020	2019	2018	2017	2016
General Obligation Bonds (05/01/07)	-0-	-0-	-0-	-0-	3,280,000
General Obligation Refunding Bonds (11/08/12)	1,790,000	2,420,000	2,680,000	3,110,000	3,530,000
General Obligation Refunding Bonds (12/29/15)	3,845,000	4,020,000	4,185,000	4,345,000	4,500,000
General Obligation Refunding Bonds (5/03/16)	2,310,000	2,605,000	2,895,000	3,185,000	3,220,000
Totals:	\$7,945,000	\$8,865,000	\$9,760,000	\$10,640,000	\$14,530,000

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Debt Ratios

FY Ended September 30	General Obligation Debt	General Obligation Debt to Assessed Value
2020	\$7,945,000	4.71%
2019	8,865,000	5.49
2018	9,760,000	6.30
2017	10,640,000	7.56
2016	14,530,000	10.73

Overlapping General Obligation Indebtedness

County ¹³	2019 Population Estimate	Assessed Valuation	General Obligation Bonded Debt	General Obligation Bonded Debt Per Capita
DeSoto County	184,945	\$2,011,695,921	\$64,355,000	\$347.97

School District	Assessed Valuation	Total General Obligation Bonded Debt
DeSoto County School District	\$2,104,064,620	\$10,040,000 ¹⁴

¹³ Source: County Administrator's Office, February 2021.

¹⁴ Source: Offices of the School District December 2020.



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Disclosure Categories

Rule 15c2-12 Disclosure

Annual Financial Information and Operating Data: FY 2020 Appendix A Information - City of Hernando, MS, for the year ended 09/30/2020

Document

File	Period Date
FY 2020 Appendix A Information - City of Hernando.	03/22/2021

Associated Securities

The following are associated with this continuing disclosure submission.

CUSIP-6	Issuer Name
427668	CITY OF HERNANDO, MISSISSIPPI

Total CUSIPs associated with this submission: 101
 The disclosure will be published for the following securities.

CUSIP-9	Issue Description	Dated Date	Maturity Date	Coupon (%)
427668DQ8	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012	11/08/2012	10/01/2013	2
427668DR6	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012	11/08/2012	10/01/2014	2
427668DS4	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012	11/08/2012	10/01/2015	2
427668DT2	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012	11/08/2012	10/01/2016	2
427668DU9	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012	11/08/2012	10/01/2017	2
427668DV7	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012	11/08/2012	10/01/2018	2
427668DW5	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012	11/08/2012	10/01/2019	2
427668DX3	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012	11/08/2012	10/01/2020	2
427668DY1	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012	11/08/2012	10/01/2021	2.25
427668DZ8	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012	11/08/2012	10/01/2022	2.375
427668EA2	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012	11/08/2012	10/01/2023	2.5
427668EX2	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016	05/03/2016	05/01/2018	1
427668EY0	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016	05/03/2016	05/01/2019	2
427668EZ7	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016	05/03/2016	05/01/2020	2
427668FA1	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016	05/03/2016	05/01/2021	2

CUSIP-9	Issue Description	Dated Date	Maturity Date	Coupon (%)
427668FB9	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016	05/03/2016	05/01/2022	2
427668FC7	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016	05/03/2016	05/01/2023	2
427668FD5	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016	05/03/2016	05/01/2024	2
427668FE3	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016	05/03/2016	05/01/2025	2.25
427668FF0	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016	05/03/2016	05/01/2026	2.25
427668FG8	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016	05/03/2016	05/01/2027	2.5
427668BY3	WTR & SWR	10/01/2003	10/01/2004	5
427668BZ0	WTR & SWR	10/01/2003	10/01/2005	5
427668CA4	WTR & SWR	10/01/2003	10/01/2006	4.5
427668CB2	WTR & SWR	10/01/2003	10/01/2007	4.5
427668CC0	WTR & SWR	10/01/2003	10/01/2008	4.5
427668CD8	WTR & SWR	10/01/2003	10/01/2009	4.5
427668CE6	WTR & SWR	10/01/2003	10/01/2010	4.25
427668CF3	WTR & SWR	10/01/2003	10/01/2011	4
427668CG1	WTR & SWR	10/01/2003	10/01/2012	3.75
427668CH9	WTR & SWR	10/01/2003	10/01/2013	3.5
427668CJ5	WTR & SWR	10/01/2003	10/01/2014	3.6
427668CK2	WTR & SWR	10/01/2003	10/01/2015	3.625
427668CL0	WTR & SWR	10/01/2003	10/01/2016	3.75
427668CM8	WTR & SWR	10/01/2003	10/01/2017	3.75
427668CN6	WTR & SWR	10/01/2003	10/01/2018	3.8
427668CP1	WTR & SWR	10/01/2003	10/01/2019	3.9
427668CQ9	WTR & SWR	10/01/2003	10/01/2020	4
427668CR7	WTR & SWR	10/01/2003	10/01/2021	4
427668CS5	WTR & SWR	10/01/2003	10/01/2022	4.1
427668CT3	WTR & SWR	10/01/2003	10/01/2023	4.1
427668BC1	<no issue name>	04/01/2003	04/01/2004	4.8
427668BD9	<no issue name>	04/01/2003	04/01/2005	4.8
427668BE7	<no issue name>	04/01/2003	04/01/2006	4.8
427668BF4	<no issue name>	04/01/2003	04/01/2007	4.8
427668BG2	<no issue name>	04/01/2003	04/01/2008	4.8
427668BH0	<no issue name>	04/01/2003	04/01/2009	4.75
427668BJ6	<no issue name>	04/01/2003	04/01/2010	4.625
427668BK3	<no issue name>	04/01/2003	04/01/2011	4.625

CUSIP-9	Issue Description	Dated Date	Maturity Date	Coupon (%)
427668ED6	GO BDS 2015	12/01/2015	12/01/2018	2.5
427668EE4	GO BDS 2015	12/01/2015	12/01/2019	2.5
427668EF1	GO BDS 2015	12/01/2015	12/01/2020	2.5
427668EG9	GO BDS 2015	12/01/2015	12/01/2021	2.5
427668EH7	GO BDS 2015	12/01/2015	12/01/2022	2.5
427668EJ3	GO BDS 2015	12/01/2015	12/01/2023	2.5
427668EK0	GO BDS 2015	12/01/2015	12/01/2024	2.5
427668EL8	GO BDS 2015	12/01/2015	12/01/2025	2.5
427668EM6	GO BDS 2015	12/01/2015	12/01/2026	2.5
427668EN4	GO BDS 2015	12/01/2015	12/01/2027	2.5
427668EP9	GO BDS 2015	12/01/2015	12/01/2028	2.5
427668EQ7	GO BDS 2015	12/01/2015	12/01/2029	2.5
427668ER5	GO BDS 2015	12/01/2015	12/01/2030	2.5
427668ES3	GO BDS 2015	12/01/2015	12/01/2031	2.5
427668ET1	GO BDS 2015	12/01/2015	12/01/2032	2.5
427668EU8	GO BDS 2015	12/01/2015	12/01/2033	2.5
427668EV6	GO BDS 2015	12/01/2015	12/01/2034	2.5
427668EW4	GO BDS 2015	12/01/2015	12/01/2035	2.5

<p>Submitter's Contact Information Butler Snow LLP Name: PAMELA WILDER Address: P. O. BOX 6010 City, State Zip: RIDGELAND, MS 39158 Phone Number: 6019854335 Email: pamela.wilder@butlersnow.com</p>	<p>Issuer's Contact Information</p>	<p>Obligated Person's Contact Information</p>
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**NOTICE OF FAILURE TO FILE
 FY 2020 Audited or Unaudited Financial Statements**

Issuer: City of Hernando, Mississippi

NOTICE IS HEREBY PROVIDED that the Audited Financial Statements and/or the Unaudited Financial Statements for Fiscal Year 2020 of the City of Hernando, Mississippi are unavailable for filing at this time. The financial statements will be filed upon availability thereof.



Submission ID: P21106993
 Submission Date: 3/22/2021 7:06 PM
 Status: PUBLISHED

Disclosure Categories

Rule 15c2-12 Disclosure

Failure to Provide Annual Financial Information: Notice of Failure to File FY 2020 Audit - City of Hernando, MS, for the year ended 09/30/2020

Document

File	Period Date
Notice of Failure to File FY 2020 Audit - City of	03/22/2021

Associated Securities

The following are associated with this continuing disclosure submission.

CUSIP-6	Issuer Name
427668	CITY OF HERNANDO, MISSISSIPPI

Total CUSIPs associated with this submission: 101
 The disclosure will be published for the following securities.

CUSIP-9	Issue Description	Dated Date	Maturity Date	Coupon (%)
427668DQ8	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012	11/08/2012	10/01/2013	2
427668DR6	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012	11/08/2012	10/01/2014	2
427668DS4	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012	11/08/2012	10/01/2015	2
427668DT2	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012	11/08/2012	10/01/2016	2
427668DU9	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012	11/08/2012	10/01/2017	2
427668DV7	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012	11/08/2012	10/01/2018	2
427668DW5	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012	11/08/2012	10/01/2019	2
427668DX3	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012	11/08/2012	10/01/2020	2
427668DY1	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012	11/08/2012	10/01/2021	2.25
427668DZ8	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012	11/08/2012	10/01/2022	2.375
427668EA2	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012	11/08/2012	10/01/2023	2.5
427668EX2	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016	05/03/2016	05/01/2018	1
427668EY0	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016	05/03/2016	05/01/2019	2
427668EZ7	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016	05/03/2016	05/01/2020	2
427668FA1	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016	05/03/2016	05/01/2021	2

CUSIP-9	Issue Description	Dated Date	Maturity Date	Coupon (%)
427668FB9	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016	05/03/2016	05/01/2022	2
427668FC7	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016	05/03/2016	05/01/2023	2
427668FD5	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016	05/03/2016	05/01/2024	2
427668FE3	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016	05/03/2016	05/01/2025	2.25
427668FF0	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016	05/03/2016	05/01/2026	2.25
427668FG8	GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016	05/03/2016	05/01/2027	2.5
427668BY3	WTR & SWR	10/01/2003	10/01/2004	5
427668BZ0	WTR & SWR	10/01/2003	10/01/2005	5
427668CA4	WTR & SWR	10/01/2003	10/01/2006	4.5
427668CB2	WTR & SWR	10/01/2003	10/01/2007	4.5
427668CC0	WTR & SWR	10/01/2003	10/01/2008	4.5
427668CD8	WTR & SWR	10/01/2003	10/01/2009	4.5
427668CE6	WTR & SWR	10/01/2003	10/01/2010	4.25
427668CF3	WTR & SWR	10/01/2003	10/01/2011	4
427668CG1	WTR & SWR	10/01/2003	10/01/2012	3.75
427668CH9	WTR & SWR	10/01/2003	10/01/2013	3.5
427668CJ5	WTR & SWR	10/01/2003	10/01/2014	3.6
427668CK2	WTR & SWR	10/01/2003	10/01/2015	3.625
427668CL0	WTR & SWR	10/01/2003	10/01/2016	3.75
427668CM8	WTR & SWR	10/01/2003	10/01/2017	3.75
427668CN6	WTR & SWR	10/01/2003	10/01/2018	3.8
427668CP1	WTR & SWR	10/01/2003	10/01/2019	3.9
427668CQ9	WTR & SWR	10/01/2003	10/01/2020	4
427668CR7	WTR & SWR	10/01/2003	10/01/2021	4
427668CS5	WTR & SWR	10/01/2003	10/01/2022	4.1
427668CT3	WTR & SWR	10/01/2003	10/01/2023	4.1
427668BC1	<no issue name>	04/01/2003	04/01/2004	4.8
427668BD9	<no issue name>	04/01/2003	04/01/2005	4.8
427668BE7	<no issue name>	04/01/2003	04/01/2006	4.8
427668BF4	<no issue name>	04/01/2003	04/01/2007	4.8
427668BG2	<no issue name>	04/01/2003	04/01/2008	4.8
427668BH0	<no issue name>	04/01/2003	04/01/2009	4.75
427668BJ6	<no issue name>	04/01/2003	04/01/2010	4.625
427668BK3	<no issue name>	04/01/2003	04/01/2011	4.625

CUSIP-9	Issue Description	Dated Date	Maturity Date	Coupon (%)
427668BL1	<no issue name>	04/01/2003	04/01/2012	4.625
427668BM9	<no issue name>	04/01/2003	04/01/2013	3.75
427668BN7	<no issue name>	04/01/2003	04/01/2014	3.375
427668BP2	<no issue name>	04/01/2003	04/01/2015	3.4
427668BC0	<no issue name>	04/01/2003	04/01/2016	3.5
427668BR8	<no issue name>	04/01/2003	04/01/2017	3.6
427668BS6	<no issue name>	04/01/2003	04/01/2018	3.7
427668BT4	<no issue name>	04/01/2003	04/01/2019	3.7
427668BU1	<no issue name>	04/01/2003	04/01/2020	3.7
427668BV9	<no issue name>	04/01/2003	04/01/2021	3.7
427668BW7	<no issue name>	04/01/2003	04/01/2022	3.7
427668BX5	<no issue name>	04/01/2003	04/01/2023	3.7
427668CU0	<no issue name>	05/01/2007	05/01/2008	5.4
427668CV8	<no issue name>	05/01/2007	05/01/2009	5.4
427668CW6	<no issue name>	05/01/2007	05/01/2010	5.4
427668CX4	<no issue name>	05/01/2007	05/01/2011	5.4
427668CY2	<no issue name>	05/01/2007	05/01/2012	5.4
427668CZ9	<no issue name>	05/01/2007	05/01/2013	5.4
427668DA3	<no issue name>	05/01/2007	05/01/2014	5.4
427668DB1	<no issue name>	05/01/2007	05/01/2015	4.75
427668DC9	<no issue name>	05/01/2007	05/01/2016	3.8
427668DD7	<no issue name>	05/01/2007	05/01/2017	3.8
427668DE5	<no issue name>	05/01/2007	05/01/2018	3.8
427668DF2	<no issue name>	05/01/2007	05/01/2019	3.8
427668DG0	<no issue name>	05/01/2007	05/01/2020	3.8
427668DH8	<no issue name>	05/01/2007	05/01/2021	3.8
427668DJ4	<no issue name>	05/01/2007	05/01/2022	3.8
427668DK1	<no issue name>	05/01/2007	05/01/2023	3.8
427668DL9	<no issue name>	05/01/2007	05/01/2024	3.8
427668DM7	<no issue name>	05/01/2007	05/01/2025	3.8
427668DN5	<no issue name>	05/01/2007	05/01/2026	3.8
427668DP0	<no issue name>	05/01/2007	05/01/2027	3.8
427668EB0	<no issue name>	12/01/2015	12/01/2016	2.5
427668EC8	GO BDS 2015	12/01/2015	12/01/2017	2.5

CUSIP-9	Issue Description	Dated Date	Maturity Date	Coupon (%)
427668ED6	GO BDS 2015	12/01/2015	12/01/2018	2.5
427668EE4	GO BDS 2015	12/01/2015	12/01/2019	2.5
427668EF1	GO BDS 2015	12/01/2015	12/01/2020	2.5
427668EG9	GO BDS 2015	12/01/2015	12/01/2021	2.5
427668EH7	GO BDS 2015	12/01/2015	12/01/2022	2.5
427668EJ3	GO BDS 2015	12/01/2015	12/01/2023	2.5
427668EK0	GO BDS 2015	12/01/2015	12/01/2024	2.5
427668EL8	GO BDS 2015	12/01/2015	12/01/2025	2.5
427668EM6	GO BDS 2015	12/01/2015	12/01/2026	2.5
427668EN4	GO BDS 2015	12/01/2015	12/01/2027	2.5
427668EP9	GO BDS 2015	12/01/2015	12/01/2028	2.5
427668EQ7	GO BDS 2015	12/01/2015	12/01/2029	2.5
427668ER5	GO BDS 2015	12/01/2015	12/01/2030	2.5
427668ES3	GO BDS 2015	12/01/2015	12/01/2031	2.5
427668ET1	GO BDS 2015	12/01/2015	12/01/2032	2.5
427668EU8	GO BDS 2015	12/01/2015	12/01/2033	2.5
427668EV6	GO BDS 2015	12/01/2015	12/01/2034	2.5
427668EW4	GO BDS 2015	12/01/2015	12/01/2035	2.5

<p>Submitter's Contact Information Butler Snow LLP Name: PAMELA WILDER Address: P. O. BOX 6010 City, State Zip: RIDGELAND, MS 39158 Phone Number: 601 985 4335 Email: pamela.wilder@butlersnow.com</p>	<p>Issuer's Contact Information</p>	<p>Obligated Person's Contact Information</p>
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Motion was duly made by Alderman Miller and seconded by Alderman Higdon to authorize to accept the Continuing Disclosure Submission, fye 2020, from Butler Snow. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of May, 2021.

**AUTHORIZE THE MAYOR TO SIGN A CONTRACT WITH BRANDI JOHNSON,
DEPUTY CIRCUIT CLERK, FOR ELECTION SERVICES FOR THE GENERAL
ELECTION**

Motion was duly made by Alderman Higdon and seconded by Alderman Harris to authorize the Mayor to sign a contract with Brandi Johnson, Deputy Circuit Clerk, for election services for the General Election. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of May, 2021.

**ADOPT RESOLUTION OF THE CITY OF HERNANDO AUTHORIZING THE
BORROWING OF FUNDS FROM TRUSTMARK NATIONAL BANK IN THE
AMOUNT OF \$194,000 (PARKS AND CEMETERY LOAN) AND AUTHORIZE THE
MAYOR TO SIGN**

Motion was duly made by Alderman Higdon and seconded by Alderman Miller to adopt Resolution of the City of Hernando authorizing the borrowing of funds from Trustmark National Bank in the amount of \$194,000 (Parks and Cemetery loan) and authorize the Mayor to sign. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of May, 2021.

**AUTHORIZE THE MAYOR TO SIGN A PROMISSORY NOTE FOR THE
TRUSTMARK NATIONAL BANK LOAN OF \$194,000 (PARKS AND CEMETERY)**

Motion was duly made by Alderman Higdon and seconded by Alderman Harris to authorize the Mayor to sign a Promissory Note for the Trustmark National Bank loan of \$194,000, (Parks and Cemetery). A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of May, 2021.

AUTHORIZE CITY ATTORNEY TO PREPARE AN ORDINANCE FOR THE WATER TAP FEES

Motion was duly made by Alderman Higdon and seconded by Alderman Harris to authorize the City Attorney to prepare an Ordinance for the Water Tap fees within 1 mile outside of the City limits. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of May, 2021.

AUTHORIZE THE MAYOR TO SIGN A SERVICE AGREEMENT WITH AMBULANCE MEDICAL BILLING, FOR AMBULANCE BILLING AND PAYMENT SERVICES

Motion was duly made by Alderman Miller and seconded by Alderman Higdon to authorize the Mayor to sign a Service Agreement with Ambulance Medical Billing, for ambulance billing and payment services. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of May, 2021.

AUTHORIZE THE MAYOR TO SIGN A SERVICE AGREEMENT WITH CINTAS FOR UNIFORMS FOR THE PUBLIC WORKS DEPARTMENT

Motion was duly made by Alderman Higdon and seconded by Alderman Harris to authorize the Mayor to sign a Service Agreement with Cintas for Uniforms for the Public Works Department. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of May, 2021.

APPROVE UTILITY BILL ADJUSTMENT DOCKET

Utility Bill Adjustment Docket
5/18/2021

The addresses listed below experienced a leak and did not receive the benefit of receiving water service.

House #	Street	Adjusted Amount	Reason for Leak Adjustment
1 2280	Thousand Oaks Drive	109.70	leak under the slab
2 582	W Commerce Street	312.75	leak at the meter



WATER LEAK REPAIR VERIFICATION
 City of Hernando Utility Department
 475 W Commerce St
 Hernando, MS 38632
 662-429-9092

Names as it appears on bill Zach Tibbett
 Service Address 2280 Thousand Oaks Drive, Hernando, MS 38632
 Phone Number (901) 831-9995
 Customer Account# _____
 Do you rent the property at this address? _____ If yes the property owner or manager must completed the remainder of this form.
 Property owner or manager Name & Phone # Zach Tibbett 901-831-9995
 Date of Repair 4/26-4/30
 Repaired by North Delta Services
 Explanation & Location of Leak Water was leaking under the slab. Discovered 2nd week of April - had plumber come look around the 9th. Arranged to have house repiped.

PLEASE READ AND INITIAL THE STATEMENTS BELOW BEFORE SIGNING.

APPLYING FOR A LEAK ADJUSTMENT DOES NOT PREVENT YOUR SERVICES FROM BEING DISCONNECTED. You are still responsible for paying your bill as normal. You will be contacted by the office once the adjustment is complete.

I have attached a receipt for the repairs with the leak adjustment form. (The receipt must show the leak was outside.)

I understand that the leak adjustment must be approved by the board. If it is not approved by the board, I will be responsible for the balance.

I understand that I am only eligible for one leak adjustment per 12 months. THERE ARE NO EXCEPTIONS TO THIS POLICY.

Customer Signature Zach Tibbett Date 5/6/21

For Office Use Only

Account Number 06-3306380 Billing Period Ending 4-30-21
 High month usage 31 minus 6 month average 3 = Amount of Adjustment 28

APPROVED 5-10-21

\$ 109.70 Credit



North Delta Services

Cody Holliday
 Business Number 662-519-3620
 662-288-6203
 kristyholliday2013@yahoo.com

BILL TO

Zach Tibbett
 Thousand Oaks
 901-831-9995
 zachtibbett@yahoo.com

DESCRIPTION

-Repipe all water lines in the house (14 fixtures plus a new water service) \$7,100.00
- all new angle stops
Labor & materials

Payment Instructions

BY CHECK
 North Delta Services

*recieved \$3700
 Cody Holliday*

<https://app.invoicessimple.com/v/XQx0dmhFY>

31

Period	Code	Previous Reading	Present Reading	Consumption	Amount Due	Rate	High	Low	Avg	Dialing
03/31/2021	30	1525	1556	31	125.70					
04/30/2021	30	1570	1525	5	23.00					
05/31/2021	30	1500	1520	20	14.00					
06/30/2021	30	1510	1520	10	16.00					
07/31/2020	30	1515	1518	3	17.60					
08/31/2020	30	1514	1516	2	17.60					
09/30/2020	30	1512	1514	2	17.60					
10/31/2020	30	1509	1513	4	16.00					
11/30/2020	30	1508	1509	1	16.00					
12/31/2020	30	1503	1506	3	16.00					
01/31/2021	30	1500	1503	3	16.00					
02/28/2021	30	1499	1500	1	17.60					
Prnt for the Period										

(3 AVG)

BA & B.95

31	125.70
- 3	16.00
28	109.70



WATER LEAK REPAIR VERIFICATION
City of Hernando Utility Department
475 W Commerce St
Hernando, MS 38632
662-429-9092

Names as it appears on bill Amanda Cunningham
Service Address 582 W. Commerce St
Phone Number (901) 674-9610
Customer Account# 04-0017150

Do you rent the property at this address? No If yes the property owner or manager must completed the remainder of this form.

Property owner or manager Name & Phone #
Date of Repair

Repaired by
Explanation & Location of Leak During the February winter storm around the 20th of the month there was a leak in the setter of the meter due to pipe freezing.

PLEASE READ AND INITIAL THE STATEMENTS BELOW BEFORE SIGNING.
[X] APPLYING FOR A LEAK ADJUSTMENT DOES NOT PREVENT YOUR SERVICES FROM BEING DISCONNECTED. You are still responsible for paying your bill as normal. You will be contacted by the office once the adjustment is complete.

[N/A] I have attached a receipt for the repairs with the leak adjustment form. (The receipt must show the leak was outside.) Leak at the meter.

[X] I understand that the leak adjustment must be approved by the board. If it is not approved by the board, I will be responsible for the balance.

[X] I understand that I am only eligible for one leak adjustment per 12 months. THERE ARE NO EXCEPTIONS TO THIS POLICY.

Customer Signature Amanda Cunningham Date 5-17-21

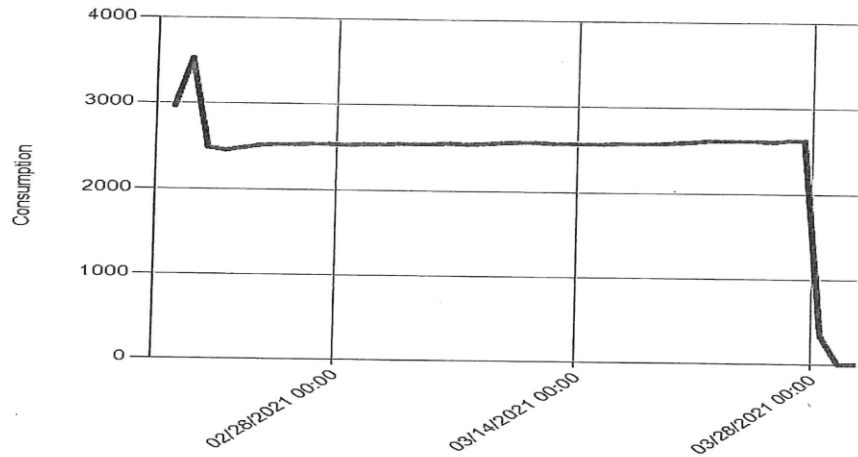
For Office Use Only

Account Number 04-0017150 Billing Period Ending 4/30/21

High month usage 94 minus 6 month average 5 = Amount of Adjustment 89

APPROVED 5-18-21 \$ 312.75

Command Result Unit ID: 09632452
Get Logged Readings Unit ID: 09632452



Motion was duly made by Alderman Harris and seconded by Alderman Hobbs to approve the Utility Bill Adjustment Docket, finding that the customers 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": Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Harris, and Alderwoman Lynch.

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of May, 2021.

ADJOURN

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

Motion passed with a unanimous vote of "Aye".

MAYOR TOM FERGUSON

ATTEST:

KATIE HARBIN, CITY CLERK