

The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, September 17, 2013 at 6:00 P.M. with Mayor Pro Temp Sam Lauderdale presiding. Aldermen present were: Sonny Bryant, Gary Higdon, Michael McLendon, Cathy Brooks, and Jeff Hobbs. Also present for the meeting were: City Clerk Katie Harbin, City Attorney Kenny Stockton, City Engineer Joe Frank Lauderdale, Fire Chief Hubert Jones, Police Chief Mike Riley, Assistant Public Works Director Bobby Burton, Henry Bailey, Robert Long, Les Green, Jane Henderson, Vickey McLendon, Kathy P Gordon, Allen Lyon, Andrew Edwards, and Ellen R Jernigan.

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### INVOCATION

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Alderwoman Higdon gave the invocation.

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### APPROVAL OF AGENDA

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Agenda  
City of Hernando  
Mayor and Board of Alderman  
Regular Meeting

September 17, 2013

6:00pm

- 1) Call the meeting to order
- 2) Invocation
- 3) Approve Agenda
- 4) Approve Docket of Claims No.'s 100267 – 100459 less 100300, 100301, 100328 - 100333
- 5) Approve Docket of Claims No.'s (Lauderdale) 100300
- 6) Approve Docket of Claims No.'s (Bryant) 100328 - 100333
- 7) Approve Docket of Claims No.'s (Miller) 100301
- 8) Approve Minutes
- 9) Consent Agenda
  - A) Authorize Chief Hubert Jones and Deputy Chief Marshel Berry to go to Alabama for negotiations on trading Ladder 1 for a front line Rescue Pumper and authorize to pay for travel expenses

- B) Authorize Mayor and Board members to attend the MML Small Town Conference in Tunica, MS on November 21-22, 2013, and authorize to pay registration and travel expenses
- 10) Approve request from Hernando High School for sponsorship for the History Department's Europe trip
- 11) Request from Hernando High School to purchase an ad in the yearbook
- 12) Approve request from Les Green for sponsorship of the 'Christmas in Hernando featuring the Germantown Symphony Orchestra' event
- 13) Approve Resolution of the Hernando Board of Aldermen declaring September 23<sup>rd</sup> – 27<sup>th</sup>, 2013 Stormwater Awareness week
- 14) Authorization to remove C.L Shaddock as Planning Commissioner
- 15) Appoint Ellen Jernigan to fill the remaining term on the open Planning Commissioner position
- 16) Authorize Mayor Johnson to sign a lease with Bill Lee for the property on Holly Springs Road, next to Fire Station 3
- 17) Authorize to accept the lowest and best bid for Shannon Lumber project bid
- 18) Authorize to accept the lowest and best quote for the Northwood project bid
- 19) Authorize to declare old police cars surplus and dispose
- 20) Executive Session for negotiations (soccer park road)
- 21) Adjourn

Motion was duly made by Alderman Higdon, and seconded by Alderman Hobbs to approve the agenda as presented, after adding item 9B to the consent agenda, authorizing the Mayor and Board to attend the MML Small Town Conference in Tunica, MS on November 21-22, 2013. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 17<sup>th</sup> day of September, 2013.

**APPOINT SPECIAL MAYOR PRO TEMP**

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Motion was duly made by Alderman Bryant, and seconded by Alderman McLendon to appoint Alderman Higdon as the Special Mayor Pro Temp. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 17<sup>th</sup> day of September, 2013.

**APPROVE DOCKET OF CLAIMS NO.'S 100267 – 100459 LESS 100300, 100301, 100328 - 100333**

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The Board of Aldermen were presented with a docket of claims No. 100267 - 100459 less 100300, 100301, 100328 - 100333 in the amount of \$2,635,149.69 for approval.

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 17<sup>th</sup> day of September, 2013.

**APPROVE DOCKET OF CLAIMS NO. 100300 (LAUDERDALE)**

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Alderman Lauderdale recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No.100300 in the amount of \$205,707.76 for approval.

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 17<sup>th</sup> day of September, 2013

**APPROVE DOCKET OF CLAIMS NO. 100328 - 100333 (BRYANT)**

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Alderman Bryant recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No.100328 - 100333 in the amount of \$978.55 for approval.

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 17<sup>th</sup> day of September, 2013

**APPROVE DOCKET OF CLAIMS NO. 100301 (MILLER)**

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Alderman Miller was not present at this meeting.

The Board of Aldermen were presented with a docket of claims No.100301 in the amount of \$37,022.62 for approval.

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 17<sup>th</sup> day of September, 2013

**APPROVE MINUTES**

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Motion was duly made by Alderman Bryant, and seconded by Alderwoman Brooks to approve the Minutes from the regular Board Meeting on September 3, 2013 and the special minutes on September 10, 2013 as presented. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 17<sup>th</sup> day of September, 2013

**CONSENT AGENDA**

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- A) Authorize Chief Hubert Jones and Deputy Chief Marshel Berry to go to Alabama for negotiations on trading Ladder 1 for a front line Rescue Pumper and authorize to pay for travel expenses
- B) Authorize Mayor and Board members to attend the MML Small Town Conference in Tunica, MS on November 21-22, 2013, and authorize to pay registration and travel expenses.

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 17<sup>th</sup> day of September, 2013

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**REQUEST FROM HERNANDO HIGH SCHOOL FOR SPONSORSHIP FOR THE HISTORY DEPARTMENT'S EUROPE TRIP**

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Motion was duly made by Alderman Higdon, and seconded by Alderman Bryant to approve the request from Hernando High School for sponsorship of the History Department's Europe trip, in the amount of \$375.00 to be paid out of tourism. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 17<sup>th</sup> day of September, 2013

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**REQUEST FROM HERNANDO HIGH SCHOOL TO PURCHASE AN AD IN THE YEARBOOK**

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Motion was duly made by Alderwoman Brooks, and seconded by Alderman Higdon to authorize the request from Hernando High School to purchase an ad in the Yearbook in the amount of \$150.00, to be paid out of tourism. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 17<sup>th</sup> day of September, 2013

**REQUEST FROM LES GREEN FOR SPONSORSHIP OF THE ‘CHRISTMAS IN  
HERNANDO FEATURING THE GERMANTOWN SYMPHONY ORCHESTRA’  
EVENT**

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Motion was duly made by Alderwoman Brooks, seconded by Alderman Higdon to table this request in order to get some more information on how much we can donate. A roll call vote was taken with the following results:

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

Those voting “Nay”: None.

ORDERED AND DONE this day 17<sup>th</sup> day of September, 2013.

**ADOPT RESOLUTION OF THE HERNANDO BOARD OF ALDERMEN DECLARING  
SEPTEMBER 23<sup>RD</sup> – 27<sup>TH</sup> 2013, STORMWATER AWARENESS WEEK**

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Motion was duly made by Alderman Higdon, seconded by Alderman Hobbs to adopt the Resolution of the Hernando Board of Aldermen declaring September 23<sup>rd</sup> – 27<sup>th</sup> Stormwater Awareness. A roll call vote was taken with the following results:

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

Those voting “Nay”: None.

ORDERED AND DONE this day 17<sup>th</sup> day of September, 2013.

**AUTHORIZATION TO REMOVE C.L SHADDOCK AS A PLANNING  
COMMISSIONER**

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Motion was duly made by Alderman Hobbs, seconded by Alderman Higdon to authorize to remove C.L Shaddock as a Planning Commissioner. A roll call vote was taken with the following results:

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

Those voting “Nay”: None.

ORDERED AND DONE this the 17<sup>th</sup> day of September, 2013.

**APPOINT ELLEN JERNIGAN TO FILL THE REMAINING TERM OF THE OPEN  
PLANNING COMMISSIONER POSITION**

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Motion was duly made by Alderman Higdon, seconded by Alderwoman Brooks to appoint Ellen Jernigan to fill the remaining term of the open Planning Commissioner Position. A roll call vote was taken with the following results:

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

Those voting “Nay”: None.

ORDERED AND DONE this the 17<sup>th</sup> day of September, 2013.

**AUTHORIZE MAYOR JOHNSON TO SIGN A LEASE WITH BILL LEE FOR THE  
PROPERTY ON HOLLY SPRINGS ROAD, NEXT TO FIRE STATION 3**

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Motion was duly made by Alderwoman Brooks, seconded by Alderman McLendon to authorize Mayor Johnson to sign a lease with Bill Lee for the Property on Holly Springs Road, next to Fire Station 3. A roll call vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 17<sup>th</sup> day of September, 2013.

**AUTHORIZE TO ACCEPT THE LOWEST AND BEST BID FOR SHANNON LUMBER  
PROJECT BID**

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Motion was duly made by Alderman Higdon, seconded by Alderman Bryant to authorize to accept the lowest and best bid from Cleveland in the amount of \$91,765.20 for the Shannon Lumber project. A roll call vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 17<sup>th</sup> day of September, 2013.

**AUTHORIZE TO ACCEPT THE LOWEST AND BEST QUOTE FOR THE  
NORTHWOOD PROJECT**

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09/17/2014 WED 2:49 FAX 9017533676 ARGO CONSTRUCTION

002/002



September 17, 2013

Joseph F. Lauderdale  
231 West Center Street  
Hernando, MS 38632

RE: Shannon Lumber Fire Protection Project  
Hernando, Desoto County, Mississippi

Dear Mr. Lauderdale

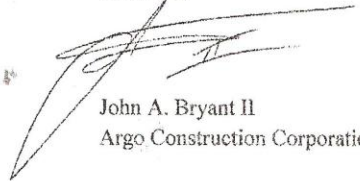
This is to confirm our telephone conversation of September 9, 2013.

We have no interest in being awarded solely the portion of the project, identified in Addendum No. 1, dated August 21, 2013, as Northwood Water Main Section. It is our opinion that the wording of the Contract Documents does not identify the two sections comprising the Bid as independent sections.

It is, and will be, our position that Argo Construction Corporation is the lowest responsive and responsible bidder. It is, and will be, our position that the bid of Cleveland Construction Co. was incomplete and should therefore be considered as non-responsive.

If you have any questions please contact me at (901) 258-8845.

Sincerely,



John A. Bryant II  
Argo Construction Corporation



**INFORMATION FOR BIDDERS**

BIDS will be received by the City of Hernando (herein called the "Owner"), at the City Hall (475 West Commerce Street) until 4:00 P.M. on Friday, September 6, 2013, and then said officials will publicly opened and read aloud. Each BID must be submitted in a sealed envelope, addressed to the City of Hernando, Hernando, Mississippi.

Each sealed envelope containing a BID must be plainly marked on the outside as BID for DWSI, Phase IV, Water Improvements Project Bid, and the envelope should bear on the outside the name of the BIDDER, his address, his Certificate of Responsibility Number and the name of the project for which the BID is submitted. If forwarded by mail, the sealed envelope containing the BID must be enclosed in another envelope addressed to the Owner at Hernando City Hall, 475 West Commerce St., Hernando, MS 38632.

No BID will be opened, considered or accepted unless the above information is given as specified. Sufficient evidence that said Certificate of Responsibility has been issued and is in effect at the time of receiving BIDS must be submitted when required by the OWNER.

All BIDS must be made on the required BID form. All blank spaces for BID prices must be filled in, in ink or typewritten, and the BID form must be fully completed and executed when submitted. Only one copy of the BID form is required.

The contract will be awarded on the basis of the low base BID or low combination of base BID and those alternatives which produce a total within available funds. The OWNER reserves the right to may waive any irregularities or minor defects or reject any or all BIDS. The OWNER reserves the right to award to other than the low BIDDER when, in the OWNER'S judgment. It is in his best interest to do so. Three such reasons are: (1) BIDDER being in arrears on existing contracts: (2) BIDDER being in litigation with the OWNER: (3) BIDDER having defaulted on a previous contract. The above is not an inclusive list. Any BID may be withdrawn prior to the above scheduled time for the opening of BIDS or authorized postponement thereof. Any BID received after the time and date specified shall not be considered. No BIDDER may withdraw a BID within 60 days after the actual date of the opening thereof. Should there be reasons why the contract cannot be awarded within the specified period, the time may be extended by mutual agreement between the Owner and the BIDDER.

BIDDERS must satisfy themselves of the accuracy of the estimated quantities in the BID Schedule by examination of the site and a review of the contract documents, including ADDENDA. After BIDS have been submitted, the BIDDER shall not assert that there was a misunderstanding concerning the quantities of WORK or of the nature of the WORK to be done.

Motion was duly made by Alderman Hobbs, and seconded by Alderwoman Brooks to reject all bids on the Northwood project based on Argo's letter, and paragraph 5 on page 2 of the bid documents, then to ask for new quotes for the project. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 17<sup>th</sup> day of September, 2013.

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#### **AUTHORIZE TO DECLARE OLD POLICE CARS SURPLUS AND DISPOSE**

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Motion was duly made by Alderman Hobbs, and seconded by Alderman Higdon to table this item until we have a complete list of VINs. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 17<sup>th</sup> day of September, 2013.

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#### **GO INTO CLOSED SESSION**

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Motion was duly made by Alderwoman Brooks, seconded by Alderman Higdon to have the go into closed session to discuss going into executive session for negotiations. A roll call vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 17<sup>th</sup> day of September, 2013.

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#### **COME OUT OF CLOSED SESSION**

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Motion was duly made by Alderwoman Hobbs, seconded by Alderman Higdon to come out of closed session. A roll call vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 17<sup>th</sup> day of September, 2013.

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**GO INTO EXECUTIVE SESSION FOR NEGOTIATIONS**

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Motion was duly made by Alderman Higdon, seconded by Alderman Hobbs to go into executive session for negotiations. A roll call vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 17<sup>th</sup> day of September, 2013.

**COME OUT OF EXECUTIVE SESSION FOR NEGOTIATIONS**

---

Motion was duly made by Alderwoman Brooks, seconded by Alderman Higdon to come out of executive session for negotiations. A roll call vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 17<sup>th</sup> day of September. 2013.

**AUTHORIZE MAYOR JOHNSON, KENNY STOCKTON AND JOE FRANK LAUDERDALE TO WORK WITH ALLAN SIMS AND PARTNERS TO ESTABLISH AN EASEMENT TO ALLAN SIMS PROPERTY AND A ROAD TO THE SOCCER FIELDS IN CONJUNCTION WITH DESOTO COUNTY**

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Motion was duly made by Alderman Hobbs, seconded by Alderman McLendon to authorize Mayor Johnson, Kenny Stockton, and Joe Frank Lauderdale to work with Allan Sims and partners to establish an easement to Allan Sims property and a road to the soccer fields in conjunction with Desoto County. A roll call vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 17<sup>th</sup> day of September. 2013.

**ADJOURN**

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

Motion passed with a unanimous vote of "Aye".

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MAYOR PRO TEMP SAM LAUDERDALE

ATTEST:

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KATIE HARBIN, CITY CLERK