

The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, April 2, 2013 at 6:00 P.M. with Mayor Chip Johnson presiding. Aldermen present were: Sam Lauderdale, Sonny Bryant, Andrew Miller, Gary Higdon, Jamie Tipton, Marcus Manning, and Jeff Hobbs. Marcus Manning arrived late.

Also present for the meeting were: City Clerk Katie Subia, City Attorney Kenny Stockton, City Engineer Joe Frank Lauderdale, Fire Chief Hubert Jones, Planning Director Jared Darby, Public Works Director Gary McElhannon, Henry Bailey, Micah Robinson, Kristi Robinson, Doug Thornton, David Walker, Cathy Brooks, Steve Doss, Cassie Smith, and Sarah Thomas.

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### INVOCATION

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Alderman Miller gave the invocation.

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### APPROVAL OF AGENDA

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

Those voting "Aye": Alderman Lauderdale, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman Tipton, and Alderman Hobbs.

Those voting "Nay": None.

ORDERED AND DONE this the 2<sup>nd</sup> day of April 2013.

Agenda  
City of Hernando  
Mayor and Board of Alderman  
Regular Meeting

April 2, 2013

6:00pm

- 1) Call the meeting to order
- 2) Invocation
- 3) Approve Agenda
- 4) Approve Docket of Claims No.'s 97833 – 98085 less 97847, 97848, 97973, 97974, 97975
- 5) Approve Docket of Claims No.'s (Lauderdale) 97848 and 97973 - 97975
- 6) Approve Docket of Claims No.'s (Miller) 97847
- 7) Approve Minutes
- 8) Consent Agenda

- A) Authorize Cassaundra Perry to attend the Domestic Violence Training in Senatobia, MS on April 30, 2013 and authorize to reimburse for travel expense
  - B) Authorize Chief Hubert Jones, Deputy Chief Marshel Berry, Inspector Matt Massey, and Captain Sam Witt to attend the MS Fire Investigators Association Seminar in Bay St. Louis, MS on May 8-10, 2013. Also, authorize to pay for registration and travel expenses.
  - C) Authorize Melanie Gatlin and Christy Cox to attend the MS coastal Trauma Care Region, INC. 12<sup>th</sup> Annual Trauma Symposium in Biloxi, MS on May 1-2, 2013. Also authorize to pay for registration and travel expenses.
- 9) Presentation by ETI/AERC
- 10) Authorize to pay Desoto County Health Department \$60.00 for two permits for the concession stand (didn't make the docket)
- 11) Add Daniel Carson to the list of approved users of the City of Hernando's Master Card
- 12) Accept the lowest and best bid for the 2013 Asphalt Paving project from Lehman-Roberts
- 13) Executive Session – Negotiations
- 14) Adjourn

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**APPROVE DOCKET OF CLAIMS NO.'S 97833 – 98085 LESS 97847, 97848, 97973, 97974, AND 97975**

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The Board of Aldermen were presented with a docket of claims No. 97833 – 98085 less 97847, 97848, 97973, 97974, and 97975 in the amount of \$1,016,213.45 for approval.

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

Those voting "Aye": Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman Tipton, Alderman Hobbs, and Alderman Lauderdale.

Those voting "Nay": None.

ORDERED AND DONE this the 2<sup>nd</sup> day of April, 2013.

**APPROVE DOCKET OF CLAIMS NO. 97848 AND 97973 - 97975 (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. 97848 and 97973 - 97975 in the amount of \$192,756.58 for approval.

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 2<sup>nd</sup> day of April, 2013

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**APPROVE DOCKET OF CLAIMS NO. 97847 (MILLER)**

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Alderman Miller recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No. 97847 in the amount of \$34,914.68 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 Higdon, Alderman Tipton, Alderman Hobbs, Alderman Lauderdale, and Alderman Bryant.

Those voting "Nay": None.

ORDERED AND DONE this the 2<sup>nd</sup> day of April, 2013

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**APPROVE MINUTES FROM THE REGULAR BOARD MEETING ON MARCH 19, 2013**

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Motion was duly made by Alderman Lauderdale and seconded by Alderman Higdon to approve the Minutes from the regular Board Meeting on March 19, 2013. A vote was taken with the following results:

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

Those voting "Nay": None.

Alderman Tipton abstained from voting.

ORDERED AND DONE this the 19<sup>th</sup> day of March, 2013.

**CONSENT AGENDA**

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- A) Authorize Cassaundra Perry to attend the Domestic Violence Training in Senatobia, MS on April 30, 2013 and authorize to reimburse for travel expense
- B) Authorize Chief Hubert Jones, Deputy Chief Marshel Berry, Inspector Matt Massey, and Captain Sam Witt to attend the MS Fire Investigators Association Seminar in Bay St. Louis, MS on May 8-10, 2013. Also, authorize to pay for registration and travel expenses.
- C) Authorize Melanie Gatlin and Christy Cox to attend the MS coastal Trauma Care Region, INC. 12<sup>th</sup> Annual Trauma Symposium in Biloxi, MS on May 1-2, 2013. Also authorize to pay for registration and travel expenses

Motion was duly made by Alderman Miller and seconded by Alderman Tipton to approve the Consent Agenda. A vote was taken with the following results:

Those voting "Aye": Alderman Hobbs, Alderman Lauderdale, Alderman Bryant, Alderman Miller, Alderman Higdon, and Alderman Tipton.

Those voting "Nay": None.

ORDERED AND DONE this the 2<sup>nd</sup> day of April, 2013.

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**PRESENTATION BY ETI/AERC**

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Doug Thornton and David Walker presented the City with a 2013 Engineering Excellence Award for the Hernando Parks Master Plan.

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**AUTHORIZE TO PAY DESOTO COUNTY HEALTH DEPARTMENT \$60.00 FOR TWO PERMITS FOR THE CONCESSION STAND**

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Motion was duly made by Alderman Miller, and seconded by Alderman Bryant to authorize to pay Desoto County Health Department \$60.00 for two permits for the concession stands. A vote was taken with the following results:

Those voting "Aye": Alderman Lauderdale, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman Tipton, and Alderman Hobbs.

Those voting "Nay": None.

ORDERED AND DONE this the 2<sup>nd</sup> day of April, 2013.

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**ADD DANIEL CARSON TO THE LIST OF APPROVED USERS OF THE CITY OF HERNANDO'S MASTER CARD**

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**ADOPT RESOLUTION AUTHORIZING THE CITY OF HERNANDO TO GET A MASTERCARD**

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

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

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

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

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

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

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

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

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

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

Willis "Chip" Johnson	Mayor
Katie Subia	City Clerk
Julie Harris	Administrative Assistant

Dewayne Williams

Parks and Landscape Manager

Daniel Carson

Athletic Coordinator

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

Alderman Lauderdale	Voted: "Aye"
Alderman Bryant	Voted: "Aye"
Alderman Miller	Voted: "Aye"
Alderman Higdon	Voted: "Aye"
Alderman Tipton	Voted: "Aye"
Alderman Manning	Voted: Absent
Alderman Hobbs	Voted: "Aye"

The motion, having received an affirmative vote, was carried and the resolution adopted, this the 2<sup>nd</sup> day of April, 2013.

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

Chip Johnson

Mayor, City of Hernando

{Seal}

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

Katie Subia

City Clerk, City of Hernando

**ACCEPT THE LOWEST AND BEST BID FOR THE 2013 ASPHALT PAVING  
PROJECT FROM LEHMAN-ROBERTS**

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Joe Frank Lauderdale presented the bid information. Lehman-Roberts bid was the lowest and best at a price of \$264,133.40.

Motion was duly made by Alderman Lauderdale, and seconded by Alderman Tipton to accept the lowest and best bid from Lehman-Roberts at a price of \$264,133.40 for the 2013 Asphalt Paving project. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 2<sup>nd</sup> day of April, 2013

**GO INTO CLOSED SESSION**

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

Those voting "Aye": Alderman Higdon, Alderman Tipton, Alderman Hobbs, Alderman Lauderdale, Alderman Bryant, and Alderman Miller.

Those voting "Nay": None.

ORDERED AND DONE this the 2<sup>nd</sup> day of April, 2013

**GO INTO EXECUTIVE SESSION – NEGOTIATIONS**

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

Those voting "Aye": Alderman Tipton, Alderman Hobbs, Alderman Lauderdale, Alderman Bryant, Alderman Miller, and Alderman Higdon.

Those voting "Nay": None.

ORDERED AND DONE this the 2<sup>nd</sup> day of April, 2013

Alderman Tipton was present for the first part of executive session, on the Easement, then he recused himself and left the meeting before the second part of executive session, on the Resolution and agreement with Chris Gouras.

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**COME OUT OF EXECUTIVE SESSION – NEGOTIATIONS**

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

Those voting “Aye”: Alderman Manning, Alderman Hobbs, Alderman Lauderdale, Alderman Bryant, Alderman Miller, and Alderman Higdon.

Those voting “Nay”: None.

ORDERED AND DONE this the 2<sup>nd</sup> day of April, 2013

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**AGREEMENT & RESOLUTION FOR HERNANDO RIF**

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Motion was duly made by Alderman Lauderdale, and seconded by Alderman Higdon to authorize Mayor Johnson to sign an consulting agreement with Chris Gouras and the Resolution of the Board of Aldermen of Hernando, Mississippi, to authorize and approve the Mayor, on behalf of the City entering into a grant agreement with the Mississippi Development Authority in order to receive a grant on behalf of the City from the Mississippi Development Authority in an amount not to exceed thirty thousand dollars (\$30,000) for the purpose of constructing water system improvements and thus enhancing economic development through the creation of jobs. A vote was taken with the following results:

Those voting “Aye”: Alderman Hobbs, Alderman Lauderdale, Alderman Bryant, Alderman Miller, Alderman Higdon, and Alderman Tipton.

Those voting “Nay”: None.

ORDERED AND DONE this the 2<sup>nd</sup> day of April, 2013

**HERNANDO, MISSISSIPPI  
RESOLUTION OF AUTHORIZATION**

The Board of Aldermen, (the “Governing Body”) acting for and on behalf of Hernando, Mississippi (the “CITY”) took up for consideration the matter of authorizing and approving a grant on behalf of the CITY from the Mississippi Development Authority (the “MDA”) for the purpose of constructing water system improvements and thus enhancing economic development through the creation of jobs.

Thereupon Aldermen Lauderdale offered and moved the adoption of the following resolution:

**RESOLUTION OF THE BOARD OF ALDERMEN OF HERNANDO, MISSISSIPPI, TO AUTHORIZE AND APPROVE THE MAYOR, ON BEHALF OF THE CITY ENTERING INTO A GRANT AGREEMENT WITH THE MISSISSIPPI DEVELOPMENT AUTHORITY IN ORDER TO RECEIVE A GRANT ON BEHALF OF THE CITY FROM THE MISSISSIPPI DEVELOPMENT AUTHORITY IN AN AMOUNT NOT TO EXCEED THIRTY THOUSAND DOLLARS (\$30,000) FOR THE PURPOSE OF CONSTRUCTING WATER SYSTEM IMPROVEMENTS AND THUS ENHANCING ECONOMIC DEVELOPMENT THROUGH THE CREATION OF JOBS.**



**WHEREAS**, the Mississippi State Legislature enacted the Mississippi Rural Impact Fund (RIF) (House Bill 1335) during the 2003 Regular Session to assist and promote businesses and economic development in rural areas by providing grant and loans to rural communities and loan guarantees to businesses. The Mississippi Development (MDA) has established a grant and loan program for rural communities and loan guarantees to rural businesses to assist in completing projects; and

**WHEREAS**, pursuant to the Mississippi Rural Impact Fund (RIF), MDA is authorized to make a grant to the City for the purpose of renovating an industrial building and thus enhancing economic development through the creation of jobs, and ultimately enhancing the quality of life in order to expand existing industry; and

**WHEREAS**, pursuant to the Rural Impact Fund (RIF) and guidelines adopted by MDA, the City will file an application with MDA, for a grant to construction certain water system improvements; and

**WHEREAS**, based on the application, the Rural Impact Fund (RIF) and the guidelines, MDA has agreed to provide a grant to the City for the purposes set forth; and

**WHEREAS**, before the grant can be processed, a Grant Agreement must be entered into by the city and MDA, setting out the terms and conditions of the grant.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF HERNANDO AS FOLLOWS:**

**Section 1.** That all of the findings of fact made and set forth in the preamble to this resolution shall be and the same are hereby found, declared, and adjudicated to be true and correct.

**Section 2.** That the Board of Aldermen of Hernando, Mississippi, is now fully authorized and empowered under the provisions of the Mississippi Rural Impact Fund (RIF) to proceed with the execution of the Grant Agreement with MDA.

**Section 3.** That the Mayor of Hernando is hereby authorized and directed to execute any and all documents and certificates as may be necessary in order to consummate the transaction contemplated by the resolution and upon execution, each of the documents and certificates shall be legal, valid, and binding obligations of the City enforceable in accordance to the terms of each.

Alderman Higdon seconded the motion to adopt the foregoing Resolution and after the same had been read and considered section by section and put to a roll call vote, the results were as follows:

Alderman-At-Large, Sam Lauderdale	voted: "Aye"
Alderman Sonny Bryant	voted: "Aye"
Alderman Andrew Miller	voted: "Aye"
Alderman Gary Hidgon	voted: "Aye"
Alderman Jamie Tipton	voted: Not Present
Alderman Marcus Manning	voted: "Aye"
Alderman Jeff Hobbs	voted: "Aye"

The motion having received the foregoing vote of the Governing Body, the Mayor of the City of Hernando declared the motion carried and the Resolution adopted, on this the 2<sup>nd</sup> day of April, 2013.

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**CITY OF HERNANDO, MISSISSIPPI**

(SEAL)

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**CITY CLERK**

**EASEMENT**

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Motion was duly made by Alderman Miller, and seconded by Alderman Hobbs to purchase property for Milam sewer easement for \$1,200.00, based on the cost of litigation. A vote was taken with the following results:

Those voting "Aye": Alderman Lauderdale, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman Manning, and Alderman Hobbs.

Those voting "Nay": None.

ORDERED AND DONE this the 2<sup>nd</sup> day of April, 2013

**ADJOURN**

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

Motion passed with a unanimous vote of "Aye".

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MAYOR CHIP JOHNSON

ATTEST:

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KATIE SUBIA, CITY CLERK