

CITY OF HERNANDO REGULAR MEETING JUNE 21, 2011

The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, June 21, 2011 at 6:00 P.M. with Mayor Chip Johnson presiding. Aldermen present were: Sam Lauderdale, E.R. "Sonny" Bryant, Andrew Miller, Gary Higdon, Alderman Manning, and Jeff Hobbs. Alderman Tipton arrived late.

Also present for the meeting were: City Clerk Katie Subia, City Attorney Kenny Stockton, Fire Chief Hubert Jones, City Engineer Joe Frank Lauderdale, Public Works Director Gary McElhannon, Donde Baldwin, Dewayne Williams, Deborah Sivira, Jeffery Williams, Henry Bailey, and Robert Long.

INVOCATION

Alderman Higdon gave the invocation.

APPROVAL OF AGENDA

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 21st day of June 2011.

Agenda
City of Hernando
Mayor and Board of Alderman
Regular Meeting

June 21, 2011

6:00pm

- 1) Meeting called to order
- 2) Invocation
- 3) Approve Agenda
- 4) Approve Docket of Claims No.'s 90083 – 90251 less 90094, 90095, and 90203
- 5) Approve Docket of Claims No.'s (Lauderdale) 90095 and 90203
- 6) Approve Docket of Claims No.'s (Miller) 90094
- 7) Approve Minutes
- 8) Consent Agenda
 - A) Authorize to pay registration and for t-shirts for the participants of the Mississippi Municipal Service Company 5K Fun Run/Walk at the MML conference, out of the Tourism fund, to promote the City of Hernando.
 - B) Approve request from Lieutenant Brad Loftis to transfer from Lieutenant to Driver and decrease pay, according to the pay scale.
- 9) University of Mississippi proposal to perform Parks Survey
- 10) Planning Commission

- A) 11-6-RZ2 – Renasant Bank – Application to rezone 8.3 acres located on the on the west side of Highway 51 and North of Packing Plant Road from R-10 to C-4
 - B) Montclair Subdivision Scriveners Error - Williams Engineering is requesting to correct the Section number in the Title Block of Montclair Subdivision Phase 1. The current title block reads Section 24 and should say Section 23.
- 11) Request from Future Business leaders of American for a donation to help Connor Donovan attend the FBLA National Conference (\$150.00)
 - 12) Authorize Mayor Johnson to sign contract with American Municipal Services collection agency.
 - 13) Hernando Industrial Park Plat Revision – Authorize Mayor Johnson to sign a Waiver of Process in regard to the Chancery Court Suit (Bob Barber, Planning Director has approved of the Plat Revision)
 - 14) Authorize to cut a check to pay Aflac \$1,755.05, Unum (long and short term) \$868.34, and Unum (Life Insurance) \$775.72 (invoices did not make it on the docket)
 - 15) Executive Session – Contract Negotiations for Water and Sewer
 - 16) Adjourn

APPROVE DOCKET OF CLAIMS NO.’S 90083 – 90251 LESS 90094, 90095, AND 90203

The Board of Aldermen were presented with a docket of claims No. 90083 – 90251 less 90094, 90095, and 90203 in the amount of \$368,441.46 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 Miller, Alderman Higdon, Alderman Manning, Alderman Hobbs, Alderman Lauderdale, and Alderman Bryant.

Those voting “Nay”: None.

ORDERED AND DONE this the 21st day of June, 2011.

APPROVE DOCKET OF CLAIMS NO.’s (LAUDERDALE) 90095 and 90203

Alderman Lauderdale recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No.’s 90095 and 90203 in the amount of \$183,503.99 for approval.

Motion was duly made by Alderman Manning, 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 Manning, Alderman Hobbs, Alderman Bryant, and Alderman Miller.

Those voting “Nay”: None.

ORDERED AND DONE this the 21st day of June 2011.

APPROVE DOCKET OF CLAIMS NO.’s (MILLER) 90094

Alderman Miller recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No.90094 in the amount of \$31,097.92 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 Manning, Alderman Hobbs, Alderman Lauderdale, Alderman Bryant, and Alderman Higdon.

Those voting "Nay": None.

ORDERED AND DONE this the 21st day of June 2011.

APPROVE MINUTES

Motion was duly made by Alderman Hobbs, and seconded by Alderman Manning to approve the minutes of the regular meeting held on June 7th, 2011, as presented. 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 21st day of June 2011.

CONSENT AGENDA

- A) Authorize to pay registration and for t-shirts for the participants of the Mississippi Municipal Service Company 5K Fun Run/Walk at the MML conference, out of the Tourism fund, to promote the City of Hernando.
- B) Approve request from Lieutenant Brad Loftis to transfer from Lieutenant to Driver and decrease pay, according to the pay scale.

Motion was duly made by Alderman Higdon, and seconded by Alderman Miller to approve the consent agenda. 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 21st day of June 2011.

UNIVERSITY OF MISSISSIPPI PROPOSAL TO PERFORM PARKS SURVEY

Dewayne Williams, Parks Director, introduced Anna Pechenik and Dr. Beason with the University of Mississippi.

Anna Pechenik presented the information about the survey. This survey will be done to find out what the citizens of Hernando want from the Parks and Recreation Department, and how we can better serve them. The survey would be done online.

Dr. Beason stated that we would be able to view the questionnaire online before they went live with it.

Mayor Johnson stated that he thinks this would be very helpful, especially when it comes to budget time and trying to decide what to spend the money on.

Alderman Miller stated that he was concerned since it was an online survey that the whole community wouldn't be represented properly. Some citizens in his ward don't have computers or access to the internet.

Dewayne Williams answered that they have also talked about passing out flyers to inform them to take the online survey. That there are a lot of them that do have computers, and a lot of them go to the library to get on the internet.

Mayor Johnson suggested setting up a computer at City Hall that citizens could come in and use to complete the survey.

Alderman Miller stated that when you go strictly online it leaves out a total segment of the community.

Alderman Higdon asked if there was anyway were could get a paper survey to hand out to some citizens.

Mayor Johnson asked Anna Pechenik what her opinion was.

Anna Pechenik answered that the reason they chose the online survey was because it was easier for citizens, it is easier for them to get the information, and it is greener.

Mayor Johnson asked if we could do some paper surveys.

Dr. Beason, University of Mississippi, answered that the reason for the online was because it does reduce the cost, it is also very time intensive because of the way they do their data. The goal of this survey is representation so if we need to change something around then we can do that, it just may take us more time and effort to get the results back to you.

Mayor Johnson stated that if we had some paper surveys we would make sure that we kept it secure, and we could help with the data entry.

Alderman Tipton asked if they could supply computers that could be put at the Civic Center or the Churches in Alderman Miller's Ward.

Dr. Beason answered that they might be able to bring a couple of them up here, but our tech department would have to put the internet on them.

Mayor Johnson stated that he doesn't think we will have thousands respond. I think we could just let them use Ruthie's computer when they came in there or they could use a spare computer we have here at City Hall.

Dewayne Williams stated that we could also ask them to go take it at the library.

Alderman Miller stated that he thinks this is an issue that we can work through; he just wanted to make it aware that they may not get the results they should get.

Dr. Beason advised that in the next few days they will have the survey up and we could take the survey and leave comments.

Motion was duly made by Alderman Miller, and seconded by Alderman Higdon to authorize to move forward with the survey and to reimburse any minimal cost occurred. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 21st day of June 2011.

PLANNING COMMISSION

- A) 11-6-RZ2 – Renasant Bank – Application to rezone 8.3 acres located on the on the west side of Highway 51 and North of Packing Plant Road from R-10 to C-4
- B) Montclair Subdivision Scriveners Error - Williams Engineering is requesting to correct the Section number in the Title Block of Montclair Subdivision Phase 1. The current title block reads Section 24 and should say Section 23.

11-6-RZ2 – RENASANT BANK – APPLICATION TO REZONE 8.3 ACRES LOCATED ON THE WEST SIDE OF HIGHWAY 51 AND NORTH OF PACKING PLANT ROAD FROM R-10 TO C-4

Bob Barber, Planning Director, presented the information.

Motion was duly made by Alderman Tipton, and seconded by Alderman Higdon to approve the rezoning based upon the recommendation and findings of the Planning Commission. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 21st day of June 2011.

MONTCLAIR SUBDIVISION SCRIVENERS ERROR – WILLIAMS ENGINEERING IS REQUESTING TO CORRECT THE SECTION NUMBER IN THE TITLE BLOCK OF MONTCLAIR SUBDIVISION PHASE 1. THE CURRENT TITLE BLOCK READS SECTION 24 AND SHOULD SAY SECTION 23

Bob Barber, Planning Director, presented the information.

Motion was duly made by Alderman Higdon, and seconded by Alderman Manning to approve the correction of the section number. A vote was taken with the following results:

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

Those voting “Nay”: None.

ORDERED AND DONE this the 21st day of June 2011.

APPROVE TO AMEND THE AGENA TO ADD ITEM #10B1 TO INCLUDE A DISTANCE ON THE WEST LOT LINE OF LOT 49 TO BE 126.27 FEET INSTEAD OF THE CURRENT 76 FEET

Motion was duly made by Alderman Miller, and seconded by Alderman Tipton to approve to amend the agenda to add item #10B1 to include a distance on the West lot line of Lot 49 to be 126.27 feet instead of the current 76 feet. A vote was taken with the following results:

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

Those voting “Nay”: None.

ORDERED AND DONE this the 21st day of June 2011.

AUTHORIZE KENNY STOCKTON TO DO A BOARD ORDER FOR THE CORRECTIONS ON ITEMS 10B & 10B1

**ORDER OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF HERNANDO, MISSISSIPPI
APPROVING PLAT REVISION DUE TO SCRIVENER'S ERRORS**

WHEREAS, Jeffery W. Williams, PE/PLS, President of Williams Engineering Consultants, Inc. submitted a request to the Mayor and Board of Aldermen of the City of Hernando, Mississippi to authorize the revision of certain scrivener's errors in the recorded Plat for Montclair Subdivision, Phase 1 being situated in Section 23, Township 3 South, Range West as recorded in Plat Book 102, Page 27 in the office of the DeSoto County Chancery Clerk, and

WHEREAS, the recorded plat needs correct information to be reflected on said plat regarding the following matters/items:

Title Block Reference on sheets 1 and 2 as found at the bottom right of such sheets (Pages 27 and 28) should be corrected to read Section 23.

The West property line of Lot No. 49 as found on Sheet 1 (Page 27) should be corrected to read a distance of 126.27'.

The South line of Lot No. 41 as found on Sheet 1 (Page 27) should include a distance of 103.51'.

The street ROW (right of way) along Lot No. 52 as found on Sheet 1 (Page 27) should include a distance of 74.57' ; and

WHEREAS, the Mayor and Board of Aldermen are desirous of approving the corrections; and

WHEREAS, the City Engineer has approved of such correction and insertions onto the recorded plat of Montclair Subdivision, Phase I; and

WHEREAS, the City of Hernando has the authority to grant the application pursuant to the terms and provisions of Section 17-1-23 of the Mississippi Code (1972).

NOW, THEREFORE, BE IT ORDERED by the Mayor and Board of Aldermen of the City of Hernando, Mississippi as follows, to wit:

1. That the recorded final plat of Montclair Subdivision, Phase I, be revised to correct and include the specific matters as set forth above. That in all other respects the previously approved final plat will remain unchanged.
2. The Chancery Clerk of DeSoto County, Mississippi be, and is hereby requested to record a certified copy of this Order in the land records and to make a notation of same on the above described plat.

SO ORDERED AND DONE this 21st day of June, 2011.


CHIP JOHNSON, MAYOR

ATTEST:


KATIE SUBIA, CITY CLERK



Motion was duly made by Alderman Manning, and seconded by Alderman Higdon to authorize Kenny Stockton to do a Board Order for the corrections on items 10B and 10B1. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 21st day of June 2011.

**REQUEST FROM FUTURE BUSINESS LEADERS OF AMERICA FOR A DONATION
TO HELP CONNOR DONOVAN ATTEND THE FBLA NATIONAL CONFERENCE
(150.00)**

Melinda Hatcher presented information on Connor's behalf.

Alderman Manning also spoke a little on Connor's behalf, about his character.

Motion was duly made by Alderman Higdon, and seconded by Alderman Tipton to approve the request from the Future Business Leaders of America for a Donation, of \$150.00, to help Connor Donovan attend the FBLA National Conference and to also promote the City of Hernando. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 21st day of June 2011.

**AUTHORIZE MAYOR JOHNSON TO SIGN A CONTRACT WITH AMERICAN
MUNICIPAL SERVICES COLLECTION AGENCY**

Deborah Sivira with Municipal Services Collection agency spoke about their services.

City Attorney Kenny Stockton went over some of the details of the contract and stated that the contract looked good to him. AMS had to change some things, but they were very cooperative.

Alderman Miller wanted to know if we looked at other Collection agencies.

Mayor Johnson answered that we did look at other companies and this was the best one. The others wanted to charge a higher fee and are out of Memphis.

Alderman Miller stated that this Board has only heard from one agency.

Mayor Johnson answered that Jannett Riley suggested that we hire AMS after she had talked with other companies, but she thought it would be best if we waited until the new City Clerk was in place.

Alderman Miller asked why the others didn't come before the Board.

Mayor Johnson stated that back in August the Board instructed Jannett to go back and look at other companies and then come back to the Board with a recommendation. She interviewed some and then recommended AMS.

Alderman Miller said that he did not remember that conversation.

Mayor Johnson stated that there were others interviewed.

Kenny Stockton advised that we do have a thirty day out with this company.

Motion was duly made by Alderman Tipton, and seconded by Alderman Higdon authorize the Mayor to sign a contract with American Municipal Collection agency to collect on EMS, Utilities, and miscellaneous. A vote was taken with the following results:

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

Those voting "Nay": Alderman Miller.

ORDERED AND DONE this the 21st day of June 2011.

HERNANDO INDUSTRIAL PARK PLAT REVISION – AUTHOIRZE MAYOR JOHNSON TO SIGN A WAIVER OF PROCESS IN REGARD TO THE CHANCERY COURT SUIT (BOB BARBER, PLANNING DIRECTOR, HAS APPROVED OF THE PLAT REVISION)

Kenny Stockton gave the details on the Hernando Industrial Park Plat Revision.

Motion was duly made by Alderman Lauderdale, and seconded by Alderman Miller to approve the Hernando Industrial Park Plat Revision. A vote was taken with the following results:

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

Those voting “Nay”: None.

ORDERED AND DONE this the 21st day of June 2011.

AUTHOIRZE TO CUT A CHECK TO PAY AFLAC \$1,755.05, UNUM (LONG AND SHORT TERM) \$868.34, AND UNUM (LIFE INSURANCE) \$775.72 (INVOICES DID NOT MAKE IT ON THE DOCKET)

Motion was duly made by Alderman Miller, and seconded by Alderman Higdon to authorize to cut a check to pay Aflac in the amount of \$1,755.05, Unum in the amount of \$868.34 and Unum in the amount of \$775.72. A vote was taken with the following results:

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

Those voting “Nay”: None.

ORDERED AND DONE this the 21st day of June 2011.

APPROVE TO AMEND THE AGENDA TO ADD AN ITEM #15 TO TAKE JOE FRANK LAUDERDALE’S RECOMMENDATION AND ADD THE MISSING DISTANCE ON THE MONTCLAIR SUBDIVISION SCRIVENERS ERROR

Joe Frank Lauderdale gave the details on the correction that needs to be done.

Motion was duly made by Alderman Miller, and seconded by Alderman Bryant to amend the agenda to add an Item #15 to take Joe Franks recommendations and add the missing distance on the Montclair Subdivision Scriveners error. A vote was taken with the following results:

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

Those voting “Nay”: None.

ORDERED AND DONE this the 21st day of June 2011.

AUTHORIZE TO DO A BOARD ORDER

Motion was duly made by Alderman Tipton, and seconded by Alderman Miller to authorize Kenny Stockton to do a Board Order per Joe Frank Lauderdale’s recommendations about the corrections and to add the missing distance on the Montclair Subdivision Scriveners error. A vote was taken with the following results:

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

Those voting “Nay”: None.

ORDERED AND DONE this the 21st day of June 2011.

EXECUTIVE SESSION – CONTRACT NEGOTIATIONS FOR WATER AND SEWER

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

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

Those voting “Nay”: None.

ORDERED AND DONE this the 21st day of June 2011.

COME OUT OF EXECUTIVE SESSION – CONTRACT NEGOTIATIONS FOR WATER AND SEWER

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

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

Those voting “Nay”: None.

ORDERED AND DONE this the 21st day of June 2011.

ADJOURN

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”.

MAYOR CHIP JOHNSON

ATTEST:

KATIE SUBIA, CITY CLERK