

The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, November 6, 2018 at 6:00 P.M. with Mayor Tom Ferguson presiding. Aldermen present were: Alderman Harris, Alderman Bryant, Alderman Miller, Alderman McLendon, Alderwoman Brooks, and Alderman Hobbs. Also present for the meeting were: City Clerk Katie Harbin, City Attorney Kenny Stockton, City Engineer Joe Frank Lauderdale, Fire Chief Hubert Jones, Public Works Director Bobby Burton, Police Chief Scott Worsham, Assistant Police Chief Ellis, Human Resource Manager Julie Harris, Planning Director Keith Briley, Court Clerk Cassaundra Perry, Director of Economic and Community Development Gia Matheny, Animal Shelter/Control Director Susan Huff, Taylor Phillips, Kristen Budzak, Bill Roberson, Dewayne Dexter, Philip McDonough, Carolyn Richards, Michele R. Ward, Larry McKibben, Louis and Judy Baker, Jeannie Gentry, Janet Clements, Traci Thompson, Kelley Dion, Janet Ward, Pat Ward, Michelle Dunn McFarland, Michael Faulkner, Kay Valentine, Diane Franczyk, Ron Franczyk, April Davis, Mackenzie Davis, Renee Hobbs, Mary Olson, Jesse Dement, Tonia Marshall, Kathryn Marshall, Shanda Flynn, Ray Booth, Rachel M Cook, LaNora Hickman, Casey Thomsen, Kevin Thorn, Lauren Adams, Cameron Temple, Ken Thompson, Rebecca Engel, Wesly Calhan, Edward Pigeon, Andriano Dement, Carrie Thweatt, Chris Couch, Jessica Nicklay, Cydnie White, and Rob Long.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance

INVOCATION

Alderman Miller gave the invocation.

AGENDA

Agenda
City of Hernando
Mayor and Board of Alderman
Regular Meeting

November 6, 2018

6:00pm

- 1) Call the meeting to order
- 2) Pledge of Allegiance
- 3) Invocation
- 4) Approve Agenda
- 5) Approve Docket of Claims No.'s 27281 – 27650 less 27338
- 6) Approve Docket of Claims No.'s 27338 (Bryant)
- 7) Approve Minutes from Regular Mayor and Board of Aldermen Meeting on October 16, 2018
- 8) Approve Minutes from Special Mayor and Board of Aldermen Meeting on October 30, 2018
- 9) Consent Agenda

- A) Accept donation from Mary Riley in the amount of \$15 for veterinary cost for Romeo, for the Animal Shelter / Control department
 - B) Accept donation from Nancy Shellenberger in the amount of \$50 for building a new Animal Shelter, for the Animal Shelter / Control department
 - C) Authorize the Mayor and Board of Aldermen to attend the Mid-Winter Conference in Jackson on January 8-10, 2019, also authorize to pay registration and travel expenses.
 - D) Authorize Officer Ratliff and Officer Cotter to attend them Radar certification class in Jackson, MS on November 13 – 14, 2018 also authorize to pay registration.
 - E) Authorize Mikey Dyer, Willie Smith, Otis Lester and Steven Meene to attend Chemical spill response training in Batesville, MS on November 13, 2018, also authorize to pay registration.
 - F) Authorization for the City of Hernando to declare Friday November 23, 2018 in further observance of the Thanksgiving holiday, Monday December 24, 2017 in further observance of the Christmas Holiday, and Monday December 31, 2018 in further observance of the New Year in accordance with the Governor's Proclamation dated October 16, 2018.
- 10) Request from Palmer Home to temporarily close streets for the MudBug Bash on April 13, 2019
- 11) Authorize to temporarily close streets for the Water Tower 10K Race on October 12, 2019
- 12) Authorize to give Windell Mclain in the Public Works Department a 90 day performance raise of \$1.00 per hour, with another 90 day performance review/raise to follow
- 13) Authorize to move Willie Smith to the Sanitation Supervisor position in the Public Works Department and authorize a pay increase of \$1.00 per hour, with another 90 day performance review/raise to follow
- 14) Authorize to transfer Police Officer Brian Darby from full time to part time
- 15) Authorize to hire part time Certified Officer James M. O'Quinn
- 16) Approval of the Subdivision Development Agreement for Arbor Pointe Subdivision between the City of Hernando and Mr. Jerry McBride, Arbor Pointe LLC and to authorize the Mayor to execute the agreement
- 17) Accept lowest and best bid for Byhalia Road Asphalt Paving Project from APAC
- 18) Authorize to accept the lowest and best quote from Trustmark for a Tax Anticipation Loan
- 19) Adopt the Resolution of the City of Hernando Mississippi for approval and authorization to enter into a Tax Anticipation loan in the total amount of One Million Four Hundred Thousand Dollars (\$1,400,000.00)
- 20) Authorize the Public Works Department to purchase 3 vehicles on State Contract
- 21) Approve to purchase a Fire Truck on State Contract price
- 22) Authorize Fire/EMS Chief and Mayor Ferguson to travel to do a pre-inspection before purchase of the Fire Truck, authorize to pay travel expenses

- 23) Authorize to solicit quotes for a loan for the purchase of the Fire Truck
- 24) Authorize Mayor Ferguson to sign agreement with Nesbit Water Association for water main improvement on Highway 51
- 25) Authorize Mayor Ferguson to sign the Memorandum of Understanding with the MS Department of Finance and Administration for Senate Bill 2002 funding
- 26) Discussion of Animal Shelter location
- 27) Adopt Resolution of the Mayor and Board of Aldermen of City of Hernando, Mississippi, urging Mississippi's Congressional Delegation to Oppose the Federal Communications Commission's Proposed Rules Regarding Cable Franchise Fees and Mixed-Use Networks
- 28) Authorize to adjust utility bill for Kayla Moore (under previous policy)
- 29) Authorize to adjust utility bill for Mark Davis (under previous policy)
- 30) Authorize to adjust utility bill for Carol Amburn (under previous policy)
- 31) Authorize to adjust utility bill for Nick Harris (under previous policy)
- 32) Executive Session for Parks and Planning Department Personnel and Police Department Negotiations
- 33) Adjourn

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of November, 2018.

APPROVE DOCKET OF CLAIMS NO.'S 27281 - 27650 less 27338

The Board of Aldermen were presented with a docket of claims No. 27281 - 27650 less 27338 in the amount of \$830,585.81 for approval.

Motion was duly made by Alderman Hobbs 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 Bryant, Alderman Miller, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, and Alderman Harris.

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of November, 2018

APPROVE DOCKET OF CLAIMS NO.'S 27338 (Bryant)

Alderman Bryant recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No. 27338 in the amount of \$47.45 for approval.

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of November, 2018

APPROVE THE MINUTES FROM THE REGULAR MAYOR AND BOARD MEETING ON OCTOBER 16, 2018

Motion was duly made by Alderman Miller and seconded by Alderman Harris to approve the Minutes from the regular Mayor and Board of Aldermen meeting on October 16, 2018. A vote was taken with the following results:

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

Those voting "Nay": None.

Alderman McLendon abstained from voting.

ORDERED AND DONE this the 6th day of November, 2018

APPROVE THE MINUTES FROM THE REGULAR MAYOR AND BOARD MEETING ON OCTOBER 30, 2018

Motion was duly made by Alderman Miller and seconded by Alderman Hobbs to approve the Minutes from the special Mayor and Board of Aldermen meeting on October 30, 2018. A vote was taken with the following results:

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

Those voting "Nay": None.

Alderman McLendon and Alderwoman Brooks abstained from voting.

ORDERED AND DONE this the 6th day of November, 2018

CONSENT AGENDA

- A) Accept donation from Mary Riley in the amount of \$15 for veterinary cost for Romeo, for the Animal Shelter / Control department
- B) Accept donation from Nancy Shellenberger in the amount of \$50 for building a new Animal Shelter, for the Animal Shelter / Control department
- C) Authorize the Mayor and Board of Aldermen to attend the Mid-Winter Conference in Jackson on January 8-10, 2019, also authorize to pay registration and travel expenses.
- D) Authorize Officer Ratliff and Officer Cotter to attend them Radar certification class in Jackson, MS on November 13 – 14, 2018 also authorize to pay registration.
- E) Authorize Mikey Dyer, Willie Smith, Otis Lester and Steven Meene to attend Chemical spill response training in Batesville, MS on November 13, 2018, also authorize to pay registration.

- F) Authorization for the City of Hernando to declare Friday November 23, 2018 in further observance of the Thanksgiving holiday, Monday December 24, 2017 in further observance of the Christmas Holiday, and Monday December 31, 2018 in further observance of the New Year in accordance with the Governor's Proclamation dated October 16, 2018.

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of November, 2018

REQUEST FROM PALMER HOME TO TEMPORARILY CLOSE STREETS FOR THE MUDBUG BASH ON APRIL 13, 2019

Motion was duly made by Alderman Harris and seconded by Alderman McLendon to approve the request from the Palmer Home to temporarily close streets for the MudBug Bash on April 19, 2019. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of November, 2018

AUTHORIZE TO TEMPORARILY CLOSE STREETS FOR THE WATER TOWER 10K RACE ON OCTOBER 12, 2019

Motion was duly made by Alderman Miller and seconded by Alderman Hobbs to authorize temporarily close streets for the Water Tower 10K Race on October 12, 2019. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of November, 2018

AUTHORIZE TO GIVE WINDELL MCLAIN IN THE PUBLIC WORKS DEPARTMENT A 90 DAY PERFORMANCE RAISE OF \$1.00 PER HOUR, WITH ANOTHER 90 DAY PERFORMANCE REVIEW/RAISE TO FOLLOW

Motion was duly made by Alderman Miller and seconded by Alderman McLendon to authorize to give Windell Mclain in the Public Works Department a 90 day Performance raise of \$1.00 per hour, with another 90 day performance review/raise to follow, following the recommendation of the Personnel Committee, based on the recommendation of the Public Works Director. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of November, 2018

AUTHORIZE TO MOVE WILLIE SMITH TO THE SANITATION SUPERVISOR POSITION IN THE PUBLIC WORKS DEPARTMENT AND AUTHORIZE A PAY INCREASE OF \$1.00 PER HOUR, WITH ANOTHER 90 DAY PERFORMANCE REVIEW/RAISE TO FOLLOW

Motion was duly made by Alderman Miller and seconded by Alderman Hobbs to authorize to move Willis Smith to the Sanitation Supervisor position in the Public Works Department and authorize a pay increase of \$1.00 per hour, with another 90 day performance review/raise to follow, following the recommendation of the Personnel Committee, based on the recommendation of the Public Works Director. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of November, 2018

AUTHORIZE TO TRANSFER POLICE OFFICER BRIAN DARBY FROM FULL TIME TO PART TIME

Motion was duly made by Alderman Harris and seconded by Alderwoman Brooks to authorize to transfer Police Officer Brian Darby from full time to part time, following the recommendation of the Personnel Committee, based on the recommendation of the Police Chief. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of November, 2018

AUTHORIZE TO HIRE PART TIME CERTIFIED OFFICER JAMES M. O'QUIN

Motion was duly made by Alderman Harris and seconded by Alderman Miller to authorize to hire part time certified officer James M. O'Quin, following the recommendation of the Personnel Committee, based on the recommendation of the Police Chief. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of November, 2018

APPROVAL OF THE SUBDIVISION DEVELOPMENT AGREEMENT FOR ARBOR POINTE SUBDIVISION BETWEEN THE CITY OF HERNANDO AND MR. JERRY MCBRIDE, ARBOR POINTE LLC AND TO AUTHORIZE THE MAYOR TO EXECUTE THE AGREEMENT

Planning Director Keith Briley presented the information.



City of
Hernando
MISSISSIPPI

BOARD OF ALDERMEN
STAFF REPORT

Project No.: PL-1320 Item No.:
Request: Subdivision Development Agreement Approval for Arbor Pointe Subdivision
Location: Southwest Corner of Memphis Street and Ferguson Road
(Parcel No. 308112000 0000500)
Applicant: Keith Briley, AICP – Planning Director
Date: November 6, 2018

INTRODUCTION:

The request is for Subdivision Development Agreement approval for the development of Arbor Pointe Subdivision between the City of Hernando and Mr. Jerry McBride of Arbor Pointe LLC and to authorize the Mayor to execute the agreement.

BACKGROUND:

On December 12, 2017, the Planning Commission voted in a 4 to 2 decision 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 Medium Density. On February 20, 2018, the Board of Aldermen voted to approve the rezoning in a 6 to 1 voter from the M-1 Light Industrial Zoning District to the R-10 Residential Single-Family Medium Density. The Planning Commission approved the Preliminary Plat Approval on Tuesday, May 8, 2018

DISCUSSION:

The agreement before you is the City's standard Subdivision Development Agreement. It covers the Developer's responsibilities and obligations. Included in the agreement is the Bond Amounts as have been determined by the City Engineer.

STAFF COMMENTS:

1. The Development Agreement contains language that requires the Developer to reimburse the City for any engineering cost for review of the plans and inspections of the installation of the infrastructure. This will include any reimbursement for third-party inspection when required.
2. Mr. Jerry McBride is the developer of the subdivision under Arbor Pointe LLC, LLC.

STAFF RECOMMENDATION:

Staff recommends approval.

PROPOSED MOTION:

I move to approve the Subdivision Development Agreement for Arbor Pointe Subdivision 1 between the City of Hernando and Mr. Jerry McBride of Arbor Pointe LLC and to authorize the Mayor to execute the agreement.



City of Hernando

MISSISSIPPI

SUBDIVISION DEVELOPMENT AGREEMENT

THIS AGREEMENT MADE AND ENTERED INTO THIS THE 6th DAY OF November 2018, BY AND BETWEEN ARBOR POINTE LLC. HEREAFTER REFERRED TO AS THE "DEVELOPER" AND THE CITY OF HERNANDO, DESOTO COUNTY, MISSISSIPPI, HEREAFTER REFERRED TO AS THE "CITY."

WITNESSETH:

WHEREAS: The Developer is the owner of the subdivision known as ARBOR POINTE SUBDIVISION; and

WHEREAS: The Developer desires to open up and improve said Subdivision; and

WHEREAS: The Developer is now obligated in his responsibilities to the City and the City is desirous of the completion of such responsibilities by the Developer; and

WHEREAS: It is expressly agreed and understood that the estimated cost of construction for the improvements required by said Subdivision shall be the sum of \$ 1,573,000.00.

NOW, THEREFORE, in consideration of the promises and mutual covenants of the parties herein contained, it is agreed as follows:

1. That the Developer does hereby hold, bind, and obligate itself and its successors, assign, executors, administrators, heirs, and devisees to the City of Hernando, a Mississippi Municipal Corporation in the County of DeSoto, a Performance Surety in the sum of \$ 250,000.00 due at the time of final plat recording, and has secured its compliance with this obligation by the deposit with the City Clerk of said City of said sum in the form of a Letter of Credit / Bond / Cash Deposit which shall be irrevocable and shall be automatically renewable.
2. That the Developer does hereby hold, bind, and obligate itself and its successors, assign, executors, administrators, heirs, and devisees to the City of Hernando, a Mississippi Municipal Corporation in the County of DeSoto, a Maintenance Surety in the sum of \$ 35,000.00 for the repair of existing city streets used for construction access for this subdivision.
3. That the Developer agrees to submit two (2) copies of a plat of said Subdivision, suitable for recording, to the City's Department of Planning and Building for recording in the Chancery Clerk's Office of DeSoto County, Mississippi, within thirty (30) days from the date of this agreement.
4. That the Developer agrees to submit plans and specifications for all improvements to the City; obtain approval for the water and sewer improvements from the proper agency; and submit an "As-Built" plan upon completion of the project before any final inspection or certificate of occupancy shall be issued for any building constructed upon the lots within said Subdivision.
5. That the Developer herein does obligate itself and does agree to complete the construction and installation of the improvements proposed as part of the Arbor Pointe Subdivision in accordance with said plans and specifications now on file with the City Engineer's Office, and which referred to and made part of this instrument as if fully copied and set forth herein.
6. That the Developer does hereby agree that all work performed under this agreement shall be performed in accordance with the plans, grades, and specifications approved by the City Engineer and made a part of thereof, and according to the

standards and specifications of the City, for all such work subject to the approval of the City Engineer.

7. That the Developer agrees that all grading and drainage made necessary by the development of said Subdivision shall be constructed by the Developer in accordance with City regulations and the aforesaid approved plans and specifications.
8. That the Developer agrees to construct and maintain all drainage pipe, erosion control material, sewer mains and service, water mains, fire hydrants, and service, curb and gutter for all streets and gravel or soil cement base for the streets and a total of three (3") of blacktop surface, and any and all other improvements in said Subdivision in accordance with the City regulations and the aforesaid approved plans and specifications, or as otherwise designed by the City Engineer. The improvements described herein shall be considered Public Improvements and the cost thereof shall be as described here:

Roadway System:	\$ 733,000
Sidewalks:.....	\$ 50,000
Water Service System:	\$ 15,000
Sanitary Sewer Service System:	\$ 15,000
Stormwater Drainage System:	\$ 19,000
9. That the Developer accepts the responsibility for insuring the construction of sidewalks on both sides of all streets with the said Subdivision and along the right-of-way of all existing streets adjoining said Subdivision, including appropriate handicap ramps at all street intersections.
10. That the Developer accepts the responsibility for determining the location of the property lines and all right-of-way and utility easements within and adjoining the subject Subdivision before commencing work.
11. That the Developer agrees that it will not perform, permit, or direct others to perform grading, excavation, or any other construction or related activities upon any right-of-way or utility easement, on or off the property, or upon any public street easement, or right-of-way of the City without first obtaining a permit to do so from the City Engineer's Office.
12. That the Developer agrees that it will not damage, destroy, alter, rearrange, and/or relocate any such street, right-of-way utility easement, utility line, and/or related equipment on or off the property, during construction of said Subdivision or the construction of any building upon the lots of said Subdivision.
13. That the Developer agrees that it shall be liable to the City for any violation by the Developer, anyone acting on behalf of the Developer, any contractor, subcontractor, supplier laborer or others of the terms and/or provisions of this agreement.
14. That the Developer agrees to maintain proper barricades, fences, guards, and flagmen to insure the safety of all persons. All construction materials shall be kept off existing streets and City rights-of-way at all times. If mud, silt, gravel, or debris is blown or carried into existing street, the Developer agrees to take immediate steps to remove such materials. In the event that the City deems it necessary to clean or have cleaned the adjacent or nearby streets or rights-of-way due, in the sole opinion of the City, to the inaction or insufficient action of the Developer, the Developer agrees to reimburse the City for all expenses incurred.
15. That the Developer acknowledges and agrees to pay, on demand by the City, all costs of repair, replacement, relocation, regarding, or any other corrective measures necessitated by violations or noncompliance with the preceding paragraphs, including, but not limited to labor expense, equipment expense, parts, and supplies, supervision, and engineering.
16. That the Developer agrees that if it becomes necessary for the City to engage the services of the City Attorney, or other attorneys as a result of any violation or noncompliance with the provisions of the agreement, the Developer agrees to pay all reasonable attorney fees and expenses incurred by the City.

17. That the Developer agrees to hold the City, its attorneys, representatives, and employees harmless against all claims which may arise out of or result from the Developer's performance of this agreement, whether such performance is by the Developer, any subcontractor, general contractor or anyone directly or indirectly employed by any of them. This includes, but is not limited to property damage, personal injuries, and downstream deposits of sediment of debris from drainage.
18. That the Developer does recognize that this obligation is conditioned upon the performance the Developer of its undertaking herein and its completion of the construction and installation of all improvements herein called for, the same improvements to be completed within Eleven (11) months following the date of this agreement, and that upon the completion thereof, and subject to the approval of the City Engineer for the City of Hernando, this obligation to be null and void and said security returned , otherwise this agreement to remain in full force and effect.
19. That the Developer agrees that if it fails to complete the construction and installation of all the improvements of said Subdivision as shown and provided for by said plans and specifications herein referred to prior to the completion date herein above specified, and subject to the approval by the City Engineer for the City of Hernando, then the aforesaid security for the payment of such sum shall be and become the sole property of the City as liquidated damages; and, that it is expressly agreed and understood that until such time as the required improvements are satisfactorily or certificated of occupancy shall be issued for any building constructed upon the lots within said Subdivision.
20. That the Developer agrees that for any violation of the terms and provisions of this agreement the City shall have the right to deny any permits or approvals to the Developer on this or any other project.
21. That the Developer does recognize and expressly understands that the duties and responsibilities of this agreement may not be assigned.
22. That both the City and the Developer mutually agree that no action or inaction by the City shall not constitute a waiver of the City's rights to enforce the terms and provisions of this guarantee and/or any previous agreement between the parties of this or any project.
23. That the City agrees to accept the Subdivision upon the completion of all terms herein above set forth and release the performance guarantee upon the acceptance of said Subdivision. Satisfactory completion of all improvements within said subdivision to be certified by a licensed civil engineer and approved by the City Engineer for the City of Hernando.
24. That the Developer agrees to reimburse the City's actual and reasonable costs incurred for the City Engineer's review and approval of the preliminary design drawings and final construction plans/documents for all public improvements referred to in this Contract and the City Engineer's field review during construction. The Developer shall pay/reimburse the City such costs at the same rate and frequency as the City Engineer invoices the City.

IN WITNESS WHEREOF, the Developer and the City have hereunto set their hands this 6th day of November 2018.

DEVELOPER:

By: _____
Jerry McBride

Date: _____

Title: Member, Arbor Pointe LLC

CITY OF HERNANDO, MISSISSIPPI

BY: _____
Mayor

_____ Date

ATTEST: _____
City Clerk

Mayor Ferguson asked Joe Frank Lauderdale if this amount would be enough.

City Engineer Joe Frank Lauderdale answered yes.

Alderman McLendon asked if it says anywhere on the paper if it is on Memphis Street.

Keith Briley answered no it does not.

Alderman McLendon asked if we could move this to the next meeting since it didn't state the street, so citizens can be aware.

Alderman Miller stated that this doesn't have anything to do with that.

Alderman Hobbs stated that it does say Memphis Street on there, under location.

Alderman Miller asked Kenny Stockton, this does not have anything to do with the item tonight, does it?

Kenny Stockton answered that is correct.

Alderman Miller stated that you can deal with those issues when they come up. It has nothing to do with this item.

Alderman McLendon stated what are we doing different on this one to ensure we don't have issues after.

Alderman Miller stated that we are having our engineer look at it and tell us an appropriate amount.

Joe Frank Lauderdale stated that we are getting it all on the front end now.

Kenny Stockton stated that on page 2, under sidewalks, section 8, it needs to be a comma not a period.

Motion was duly made by Alderman Miller and seconded by Alderman Harris to approve the Subdivision Development Agreement for Arbor Pointe Subdivision between the City of Hernando and Mr. Jerry McBride, Arbor Pointe LLC and to authorize the Mayor to execute the

agreement, after correcting the typo on page 2, section 8, insert a comma to make it \$50,000 instead of \$50.000. A vote was taken with the following results:

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

Those voting "Nay": McLendon.

ORDERED AND DONE this the 6th day of November, 2018

**ACCEPT LOWEST AND BEST BID FOR BYHALIA ROAD ASPHALT PAVING
PROJECT FROM APAC**

Motion was duly made by Alderwoman Brooks and seconded by Alderman McLendon to accept the lowest and best bid for Byhalia Road Asphalt paving project from APAC. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of November, 2018

**AUTHORIZE TO ACCEPT THE LOWEST AND BEST QUOTE FROM TRUSTMARK
BANK FOR A TAX ANTICIPATION LOAN**

Motion was duly made by Alderman Hobbs and seconded by Alderman McLendon to authorize to accept the lowest and best quote from Trustmark Bank for a Tax Anticipation Loan. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of November, 2018

**ADOPT THE RESOLUTION OF THE CITY OF HERNANDO MISSISSIPPI FOR
APPROVAL AND AUTHORIZATION TO ENTER INTO A TAX ANTICIPATION
LOAN IN THE AMOUNT OF ONE MILLION FOUR HUNDRED (\$1,400,000.00)**

RESOLUTION OF NOVEMBER 6, 2018 OF THE CITY OF HERNANDO
MISSISSIPPI FOR APPROVAL AND AUTHORIZATION TO
ENTER INTO A TAX ANTICIPATION LOAN IN THE
TOTAL AMOUNT OF
ONE MILLION FOUR HUNDRED THOUSAND DOLLARS
(\$1,400,000.00)

WHEREAS, The Mayor and Board of Alderman of the City of Hernando, Mississippi have determined that it is necessary for the City of Hernando to borrow money to meet the current expenses of the City of Hernando; and

WHEREAS, The Mayor and Board of Alderman of the City of Hernando are authorized to borrow funds necessary to meet the current expenses of the City of Hernando in anticipation of the valorem taxes to be collected for the current fiscal year, being the year 2018-2019, and which authority is found at Section 21-33-325 of the Mississippi Code of 1972, as Amended; and

WHEREAS, The anticipated ad valorem tax revenue for the fiscal year 2018-2019 for the City of Hernando is anticipated to be six million, one hundred forty-two thousand, seven hundred six and no/100 dollars (\$6,142,706.00) as of September 30, 2018; and

WHEREAS, The Mayor and Board of Alderman resolve to borrow an amount of money not to exceed the sum of one million four hundred thousand and no/100 dollars (\$1,400,000.00) which is less than the fifty percent (50%) maximum amount allowed pursuant to section 21-33-325 of the Mississippi Code of 1972, Annotated, as Amended; and

WHEREAS, The Mayor and Board of Alderman, resolve to repay such money on or before March 15, 2019 as prescribed by the aforementioned statutory authority.

**THEREFORE BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMAN OF THE
CITY OF HERNANDO, MISSISSIPPI AS FOLLOWS:**

1. That the City of Hernando, Mississippi shall borrow the sum of one million four hundred thousand and no/100 dollars (\$1,400,000.00) from TRUSTMARK NATIONAL BANK for the purpose of paying the current expenses of the City of Hernando, Mississippi. That said loan is made in anticipation of ad valorem taxes to be collected for the current fiscal year. The money borrowed from Trustmark National Bank shall bear interest at the rate of **2.78%** per annum and shall be paid in full on or before March 15, 2019. That said repayment shall be paid from the first of moneys collected by virtue of the tax levy and the anticipation of which the money is being borrowed. That said funds being borrowed shall be used for no other purpose than the payment of the current expenses of the City of Hernando and which is authorized by Section 21-33-325 of the Mississippi Code of 1972 Annotated, as amended.

2. That the money being borrowed by the City of Hernando, Mississippi from Trustmark National Bank does not violate the interest rate cap as found in Section 75-17-105 of the Mississippi Code of 1972, Annotated, as Amended.

3. That the money borrowed, as set forth in paragraph number one (1) above shall be evidenced by a negotiable promissory Note of the City of Hernando, Mississippi in accordance with the following provisions and conditions:
 - A. The money borrowed, shall be payable, principal and all accrued interest to Trustmark National Bank on or before March 15, 2019, in lawful money.
 - B. That said repayment shall be payable without penalty on or before the maturity date.
 - C. That the Note shall be executed by the Mayor of the City of Hernando who shall personally affix his signature to the same and witnessed by the City Clerk of the City of Hernando, Mississippi, under the official seal of the City of Hernando, Mississippi in substantially the form on the attached Exhibit "A", being the proposed Tax Anticipation Note.
 - D. That said Note shall be issued in all respects and in conformity with the law, and the full faith, credit and resources of the City of Hernando, Mississippi, the same being irrevocably pledged to the payment of principal of one million four hundred thousand and no/100 dollars (\$1,400,000.00), and the interest on, said Note as the same matures and becomes due, with said funds to be repaid out of the first money collected by virtue of the tax levy, the anticipation of which such money is to be borrowed.
 - E. The amount of the Note does not exceed 50% of the anticipated, but uncollected, revenue to be produced by the current tax levy of the City of Hernando against which such money is borrowed.
 - F. The Note is hereby designated as a Qualified Tax Exempt Obligation, within the meaning and for the purposes as set forth in Section 265(b) of the Internal Revenue Code of 1986, as amended.

- G. That said money borrowed by the City of Hernando pursuant to this resolution shall not be applicable to any statutory limitation on indebtedness by a municipality as set forth in Section 21-33-325 of the Mississippi Code of 1972, Annotated, as Amended.
- H. That when said Note shall have been executed by the Mayor of the City of Hernando as provided, the Clerk of the City shall deliver said Note to Trustmark National Bank at its office in Hernando, Mississippi. That the City upon receipt of any note proceeds shall immediately deposit the same in the lawful depository bank for the City of Hernando and shall be placed in the "General Fund" account to be used for the purposes of paying the current expenses of the City of Hernando and for no other such purpose.

That the Motion to approve said Resolution was made as follows:

Alderman Miller (Introduced Motion)
 Alderman Hobbs (Seconded Motion)

Record Vote:

ALDERMAN HIGDON
 ALDERWOMAN BROOKS
 ALDERMAN BRYANT
 ALDERMAN HARRIS
 ALDERMAN HOBBS
 ALDERMAN MCLENDON
 ALDERMAN MILLER

YES	NO
Absent	_____
<input checked="" type="checkbox"/>	_____
<input checked="" type="checkbox"/>	_____
<input checked="" type="checkbox"/>	_____
<input checked="" type="checkbox"/>	_____
<input checked="" type="checkbox"/>	_____
<input checked="" type="checkbox"/>	_____



 MAYOR - TOM FERGUSON

ATTEST:



 CITY CLERK
 (SEAL)



UNITED STATES OF AMERICA
 STATE OF MISSISSIPPI
 CITY OF HERNANDO, MISSISSIPPI

EXHIBIT "A"

TAX ANTICIPATION NOTE

For value received the City of Hernando, Mississippi (the "Municipality"), acting by and through the Mayor and Board of Aldermen of the Municipality, acknowledges itself indebted and hereby promises to pay Trustmark National Bank, at its office in Hernando, Mississippi, in lawful money of the United States of America the principal amount of the advances made on this note, not to exceed the principal sum of one million four hundred thousand and no/100 Dollars (\$1,400,000.00), on or before March 15, 2019. Interest shall be payable on this Note from the date of each such advance at the rate of two and seventy-eight one hundreds of a percent (2.78%).

This Tax Anticipation Note may be prepaid at any time, in whole or in part, without penalty.

The principal amount of the Note will be drawn down by the City of Hernando, Mississippi from time to time. The amount of each advance will be recorded by the City Clerk in the place provided therefor on this Note, along with the date of such advance, and the signature of the City Clerk shall be affixed in witness of each such advance in the place provided therefor.

The Note is issued to raise money for the purpose of providing money for current expenses of the City of Hernando in anticipation of the ad valorem taxes to be collected for the then current fiscal year as authorized by Section 21-33-325, Mississippi Code of 1972 Annotated, as Amended. This note is issued under the authority of the Constitution of the State of Mississippi and in accordance with the foregoing statute.

It is hereby certified, recited and declared that all things, conditions, and acts required by the Constitution and laws of the State of Mississippi to exist, to happen, and to be performed, precedent to and in the issuance of this Note do exist, have happened, and have been performed in regular and due form, time and manner, as required by the Constitution and Laws of said State. The Note shall be payable out of the first moneys collected by reason of the tax levy for the Municipality for the current fiscal year, in anticipation of which the Note has been directed to be issued.

IN TESTIMONY WHEREOF, the City of Hernando, acting herein by the City of Hernando, and through the Board of Aldermen has caused this Note to be manually signed by the Mayor of the City of Hernando attested by the City Clerk and the seal to be impressed hereon on this the 6th day of November, 2018.

CITY OF HERNANDO, MISSISSIPPI

[Signature]
TOM FERGUSON, MAYOR

ATTEST:

[Signature]
KATIE HARBIN, CITY CLERK
CITY OF HERNANDO



(SEAL)

DRAFT

RECORD OF MULTIPLE ADVANCES BY MUNICIPALITY

The Municipality acknowledges that the purchase price of this Note has been paid in multiple advances in the amounts and on the dates set forth below, as endorsed by the signature of the City Clerk of the City of Hernando, Mississippi.

<u>AMOUNT ADVANCED</u>	<u>DATE ADVANCED</u>	<u>TOTAL AMOUNT ADVANCED</u>	<u>SIGNATURE OF CITY CLERK</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Carolyn Richards asked what is this for.

Mayor Ferguson answered it is a loan because we have more bills right now than money, until the taxes come in the Spring.

AUTHORIZE THE PUBLIC WORKS DEPARTMENT TO PURCHASE 3 VEHICLES ON STATE CONTRACT

Motion was duly made by Alderman Harris and seconded by Alderman Miller to authorize the Public Works Department to purchase 3 vehicles on State Contract. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of November, 2018

APPROVE TO PURCHASE A FIRE TRUCK ON STATE CONTRACT PRICE

Motion was duly made by Alderman Hobbs and seconded by Alderman Bryant to approve the Fire Department to purchase a Fire Truck on State Contract price. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of November, 2018

**AUTHORIZE FIRE/EMS CHIEF AND MAYOR FERGUSON TO TRAVEL TO DO A
PRE-INSPECTION BEFORE PURCHASE OF THE FIRE TRUCK, ALSO AUTHORIZE
TO PAY TRAVEL EXPENSES**

Alderman Miller asked where they are going.

Fire/EMS Chief Hubert Jones answered to Wisconsin and South Carolina.

Motion was duly made by Alderman Miller and seconded by Alderman McLendon to authorize the Fire/EMS Chief and Mayor Ferguson to travel to do a pre-inspection before purchase of the Fire Truck, also authorize to pay travel expenses. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of November, 2018

**AUTHORIZE TO SOLICIT QUOTES FOR A LOAN FOR THE PURCHASE OF THE
FIRE TRUCK**

Motion was duly made by Alderman Hobbs and seconded by Alderwoman Brooks to authorize to solicit quotes for a loan for the purchase of the Fire Truck. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of November, 2018

**AUTHORIZE MAYOR FERGUSON TO SIGN AN AGREEMENT WITH NESBIT
WATER ASSOCIATION FOR WATER MAIN IMPROVEMENT ON HIGHWAY 51**

Joe Frank Lauderdale stated that this project goes back to Hall Road. We need a 12-inch line going down to Old Highway 51 for Fire Protection. They will pick the line up from there. They will be responsible for maintenance.

Alderman Hobbs asked if this was already budgeted for.

Joe Frank Lauderdale answered yes.

Motion was duly made by Alderwoman Brooks and seconded by Alderman McLendon to authorize Mayor Ferguson to sign an agreement with Nesbit Water Association for Water Main Improvement on Highway 51. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of November, 2018

**AUTHORIZE MAYOR FERGUSON TO SIGN THE MEMORANDUM OF
UNDERSTANDING WITH THE MS DEPARTMENT OF FINANCE AND
ADMINISTRATION FOR SENATE BILL 2002 FUNDING**

Motion was duly made by Alderman Hobbs and seconded by Alderwoman Brooks authorize Mayor Ferguson to sign the Memorandum of Understanding with the MS Department of Finance and Administration for Senate Bill 2002 Funding. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of November, 2018

DISCUSSION OF ANIMAL SHELTER LOCATION

Alderman Miller stated that he wants to make sure we are on the same page, we will make a decision tonight. We've reviewed the locations and I think the locations at the South Lagoon will be the best location for our new Animal Shelter. We can use the bed for the road until we have money to build an actual road.

Alderman McLendon asked if \$5,500 for just for the road.

Alderman Miller corrected Mr. McLendon, it is \$55,000 listed, but we are just going to use the bed of the road for right now, then we can build it up with asphalt. We can approve this property for the shelter now and build the road later.

Alderman Hobbs asked where did you get the \$76,000 figure.

Joe Frank Lauderdale answered that the water and sewer \$8,000, grading is \$6,000 and electrical is \$7,000, leaving the road at \$55,000.

Alderman McLendon asked if that will come out of the \$275,000 or the Police Department Budget.

Alderman Miller stated that tonight we need to approve the location, the Doug can come back to us with the numbers for the actual building.

Alderman McLendon asked if we could put a limit.

Alderman Miller stated there is already a limit, the \$275,000.

Philip McDonough stated that we have the money for the building, did we look at all of the pieces of dirt and compare prices.

Alderman Miller stated that he had previously stated that we looked at 5 locations and compared the prices of each.

Motion was duly made by Alderwoman Brooks and seconded by Alderman Miller to accept the City owned property, by the South Lagoon, to build the new Animal Shelter building. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of November, 2018

ADOPT RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF HERNANDO, MISSISSIPPI, URGING MISSISSIPPI'S CONGRESSIONAL DELEGATION TO OPPOSE THE FEDERAL COMMUNICATIONS COMMISSION'S PROPOSED RULES REGARDING CABLE FRANCHISE FEES AND MIXED-USE NETWORKS

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN CITY OF HERNANDO, MISSISSIPPI, URGING MISSISSIPPI'S CONGRESSIONAL DELEGATION TO OPPOSE THE FEDERAL COMMUNICATIONS COMMISSION'S PROPOSED RULES REGARDING CABLE FRANCHISE FEES AND MIXED-USE NETWORKS

WHEREAS, the Federal Communication Commission ("FCC") has recently released a Second Further Notice of Proposed Rulemaking ("FNPRM") proposing new rules that, if adopted, likely will have a significant impact on cable franchise fees, PEG channels and other common cable-related obligations in cable franchise agreements;

WHEREAS, the FNPRM would also preempt local regulations of non-cable services provided by certain incumbent cable operators, potentially creating disparities between cable operators and non-cable operators in the applicability of these regulations;

WHEREAS, the FNPRM proposes new rules that would allow all cable-related, in-kind contributions, other than PEG capital costs and build out requirements to be treated as "franchise fees" subject to the 5% franchise fee cap;

WHEREAS, the FNPRM also proposes new rules that would prohibit local franchising authorities ("LFAs") from regulating the non-cable services offered over cable systems, other than I-Nets, and prohibit LFAs from regulating the facilities and equipment used in the provision of these non-cable services; and

WHEREAS, as a result of the FNPRM and the impact to local governments in regulating cable franchise fees, the Mayor and Board of Aldermen of the City of Hernando, Mississippi urge Mississippi's congressional delegation to oppose the FCC's proposed rules on cable franchise fees and mixed-use networks.

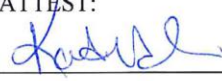
NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the City of Hernando that it strongly urges Mississippi's congressional delegation to oppose the FCC's proposed rules regarding cable franchise fees and mixed-use networks.

Motion was duly made by Alderman Miller seconded by Alderman Hobbs to forgo the reading and approve the Resolution of the Mayor and Board of Aldermen of the City of Hernando, Mississippi, urging Mississippi's Congressional Delegation to Oppose the Federal Communications Commission's Proposed Rules Regarding Cable Franchise Fees and Mixed-Use Networks.

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

Those voting "Nay": None.

APPROVED:  _____
Mayor Tom Ferguson

ATTEST:

Katie Harbin, City Clerk



[SEAL]

AUTHORIZE UTILITY ADJUSTMENT FOR KAYLA MOORE

Period	Code	Previous Reading	Present Reading	Consumption	Amount Due
10/31/2018	10	63	69	6	0.00
09/30/2018	10	61	63	2	48.93
08/31/2018	10	58	61	3	57.50
07/31/2018	10	55	58	3	57.50
06/30/2018	10	54	55	1	45.09
05/31/2018	10	51	54	3	57.50
04/30/2018	10	48	51	3	57.50
03/31/2018	10	46	48	2	48.93
02/28/2018	10	30	46	16	172.76
01/31/2018	10	12	30	18	190.60
12/31/2017	10	9	12	3	33.50
11/30/2017	10	7	9	2	43.63

RR # 400107901

$3 \times 3.50 = 10.50$
 $10.50 \div 2 = 5.25$
 $3 \times 3.84 = 11.52$
 $27.29 \div 2 = \$13.65$ Credit

Motion was duly made by Alderman McLendon and seconded by Alderman Hobbs to authorize to adjust the utility bill for Kayla Moore in the amount of \$13.65, finding that the customer 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 Hobbs, Alderman Harris, Alderman Bryant, Alderman Miller, Alderman McLendon, and Alderwoman Brooks.

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of November, 2018

AUTHORIZE UTILITY ADJUSTMENT FOR MARK DAVIS

WATER LEAK REPAIR VERIFICATION
 City of Hernando Water and Sewer Department
 475 West Commerce Street Hernando, MS 38632
 662-429-9092

Customer Information (please print)

Name as it appears on bill Mark T. Davis
 Service address 2125 Robertson Rd. Hernando, MS 38632
 Daytime phone number 805-440-5886 cell
 Do you rent the property at this service address? NO If yes, the property owner or manager must complete the remainder of this form.

REPAIR INFORMATION (please print)

Property owner or managers name Mark Davis Date of repair 10-22-18
 Daytime phone number 805-440-5886
 Type of repair and location of property Broken water pip, 12" on owners side of City water meter

Documentation and property owner's or manager's signature

Attach plumbing bill or receipts for repair parts. Sorry, no adjustments will be considered without this/these document(s)

By signing below, I certify that the information providing regarding this repair is correct. I understand that providing fraudulent information with the intent of lowering a utility bill may be punishable by applicable law.

I hereby grant permission to the City of Hernando Water and Sewer Department personnel to come onto my property to verify the repair of an outdoor leak.

I certify that I am the owner or rental property manager of the property located at this service address

Signature Mark Davis

For Office use only

Account Number 03.0134803 billing period's ending 10-31-18 and
 Prior (6) month average gallons = 3 (A)
 Total gallons for two consecutive highest bills = 17 (B)
 Gallons water and sewer adjustments = (B-A) divided by 2 = 7 (C)
 Outdoor leaks only: Water credit = (C) gal. Sewer credit = (B-A) gal.
\$63.63 Credit

B.B.

DIXIE PLUMBING
 of Northwest MS LLC.
 P.O. box 791
 Hernando, MS 38632

929229

CUSTOMER'S ORDER NO.		DEPARTMENT	DATE <u>10/22/18</u>	
NAME <u>MARK DAVIS</u>				
ADDRESS <u>2125 ROBINSON RD</u>				
CITY, STATE, ZIP <u>HERNANDO, MS 38632</u>				
SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT.
QUANTITY	DESCRIPTION	PRICE	AMOUNT	
1				
2				
3				
4	<u>LEAK AT METER</u>			
5	<u>ON CUSTOMER SIDE</u>			
6				
7				
8				
9				
10	<u>TOTAL</u>	<u>\$135.00</u>		
11				
12				
13				
14				
15				
16				
17				
18				

RECEIVED BY

KEEP THIS SLIP FOR REFERENCE

01-11

Period	Code	Previous Reading	Present Reading	Consumption	Amount Due
10/31/2018	10	2	19	17	0.00
09/30/2018	10		2	2	48.93
08/31/2018	10	774	778	4	66.07
07/31/2018	10	772	774	2	48.93
06/30/2018	10	769	772	3	57.50
05/31/2018	10	766	769	3	57.50
04/30/2018	10	763	766	3	57.50
03/31/2018	10	760	763	3	57.50
02/28/2018	10	758	760	2	48.93
01/31/2018	10	754	758	4	66.07
12/31/2017	10	750	754	4	62.07
11/30/2017	10	747	750	3	47.27
10/31/2017	10	744	747	3	47.27

$$\begin{array}{r} 17 \\ 3 \\ \hline 14 \end{array} \times 3.50 = 49.00$$

$$49.00 \div 2 = 24.50$$

$$14 \times 3.84 = 53.76$$

$$127.26 \div 2 = \$63.63 \text{ credit}$$

Motion was duly made by Alderwoman Brooks and seconded by Alderman Hobbs to authorize to adjust the utility bill for Mark T. Davis in the amount of \$63.63, finding that the customer 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 Harris, Alderman Bryant, Alderman Miller, Alderman McLendon, Alderwoman Brooks, and Alderman Hobbs.

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of November, 2018

AUTHORIZE UTILITY ADJUSTMENT FOR CAROL AMBURN

RR

WATER LEAK REPAIR VERIFICATION
City of Hernando Water and Sewer Department
475 West Commerce Street Hernando, MS 38632
662-429-9092

Customer Information (please print)

Name as it appears on bill CAROL AMBURN
Service address 790 FAIRWAY TRAIL
Daytime phone number 801 832-9695
Do you rent the property at this service address? If yes, the property owner or manager must complete the remainder of this form.

REPAIR INFORMATION (please print)

Property owner or managers name CURT & CAROL PETERSON Date of repair 10/1/18
Daytime phone number 801 832-9695
Type of repair and location of property TOILET LEAK AND COULD NOT FIND ANY OTHER LEAKS 790 FAIRWAY TRAIL, HERNANDO, MS. 38632

Documentation and property owner's or manager's signature

Attach plumbing bill or receipts for repair parts. Sorry, no adjustments will be considered without this/these document(s)

By signing below, I certify that the information providing regarding this repair is correct. I understand that providing fraudulent information with the intent of lowering a utility bill may be punishable by applicable law.

I hereby grant permission to the City of Hernando Water and Sewer Department personnel to come onto my property to verify the repair of an outdoor leak.

I certify that I am the owner or rental property manager of the property located at this service address

Signature [Signature]

For Office use only

Account Number 01-0025502 billing period's ending 9-30-18 and 10-31-18
Prior (6) month average gallons= 7 x2= 14 (A)
Total gallons for two consecutive highest bills= 59 (B)
Gallons water and sewer adjustments=(B-A) divided by 2= 22.5 (C)
Outdoor leaks only: Water credit=(C) gal. Sewer credit=(B-A)= gal.

Credit \$ 204.53

R W Heating, Air, Plumbing, Inc.

Electrical MS
160 Pleasant Hill Rd. South
Nesbit, MS 38651
901 497 7596
662 429 2550
662 429 0543 Fax
rwhvac@aol.com

CONTRACT

HVAC SERVICE ORDER INVOICE 64147

Form containing customer details, work order information, a table for materials and services, and payment summary. Includes sections for 'WE ALSO OFFER' and 'LIMITED WARRANTY'.

Period	Code	Previous Reading	Present Reading	Consumption	Amount Due
10/31/2018	10				0.00
09/30/2018	10	977	982	11	458.20
08/31/2018	10	919	923	4	66.07
07/31/2018	10	915	919	4	66.07
06/30/2018	10	898	915	17	181.68
05/31/2018	10	890	898	8	101.40
04/30/2018	10	885	890	5	74.64
03/31/2018	10	881	885	4	66.07
02/28/2018	10	878	881	3	57.50
01/31/2018	10	873	878	5	74.64
12/31/2017	10	869	873	4	66.07
11/30/2017	10	861	869	8	88.22

RR# 5820907

$$\begin{array}{r} 11 \\ 48 \\ \hline 59 \\ 14 \end{array}$$

$$45 \times 3.50 = 157.50$$

$$157.50 \div 2 = 78.75$$

$$45 \times 3.84 = 172.80$$

$$409.05 \div 2 = \$204.53 \text{ credit}$$

Motion was duly made by Alderman Hobbs and seconded by Alderman Harris to authorize to adjust the utility bill for Carol Amburn in the amount of \$204.53, finding that the customer 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 Hobbs, Alderman Harris, Alderman Bryant, and Alderman Miller.

Those voting "Nay": Alderman McLendon and Alderwoman Brooks.

ORDERED AND DONE this the 6th day of November, 2018

AUTHORIZE UTILITY ADJUSTMENT FOR NICK HARRIS

RR

WATER LEAK REPAIR VERIFICATION
City of Hernando Water and Sewer Department
475 West Commerce Street Hernando, MS 38632
662-429-9092

Customer Information (please print)

Name as it appears on bill NICK HARRIS
Service address 1245 HERITAGE LAKE DR
Daytime phone number 901 406-9167
Do you rent the property at this service address? NO If yes, the property owner or manager must complete the remainder of this form.

REPAIR INFORMATION (please print)

Property owner or managers name NICK HARRIS Date of repair OCT 4th
Daytime phone number 901 406-9167
Type of repair and location of property TOILET TANK REPLACEMENT - PARTS INSIDE

Documentation and property owner's or manager's signature

Attach plumbing bill or receipts for repair parts. Sorry, no adjustments will be considered without this/these document(s)

By signing below, I certify that the information providing regarding this repair is correct. I understand that providing fraudulent information with the intent of lowering a utility bill may be punishable by applicable law.

I hereby grant permission to the City of Hernando Water and Sewer Department personnel to come onto my property to verify the repair of an outdoor leak.

I certify that I am the owner or rental property manager of the property located at this service address

Signature [Signature]

For Office use only

Account Number 05-060601 billing period's ending 9-30-18 and 10-31-18

Prior (6) month average gallons = 10 x 2 = 20 (A)

Total gallons for two consecutive highest bills = 45 (B)

Gallons water and sewer adjustments = (B-A) divided by 2 = 12.5 (C)

Outdoor leaks only: Water credit = (C) _____ gal. Sewer credit = (B-A) = _____ gal.

\$ 113.63 credit



LOWE'S HOME CENTERS, LLC
173 GOODMAN ROAD WEST
SOUTHAVEN, MS 38671 (662) 536-3245

SALES#: FSTLANE3 13 TRANS#: 5607553 10-03-18
795248 FM PERFORMAX COMPLETE KI 19.99
35011 FLUSH LEVER METAL NUT BR 8.78

SUBTOTAL: 28.77
TAX: 2.01
INVOICE 5635 TOTAL: 30.78
VISA: 30.78
VISA:XXXXXXXXXXXX6528 AMOUNT:30.78 AUTHCD:01630B
CHIP REF ID:172105121432 10/03/18 18:00:16
APL: Visa Credit IVR: 8080008000
AID: A0000003031010 TSI: 7800

STORE: 1721 TERMINAL: 5 10/03/18 17:59:13
OF ITEMS PURCHASED: 2
EXCLUDES FEES, SERVICES AND SPECIAL ORDER ITEMS



THANK YOU FOR SHOPPING LOWE'S.
SEE REVERSE SIDE FOR RETURN POLICY.
STORE MANAGER: RYAN WRIGHT

LOWE'S PRICE MATCH GUARANTEE
FOR MORE DETAILS, VISIT LOWES.COM/PRICEHATCH

* YOUR OPINIONS COUNT! *
* REGISTER FOR A CHANCE TO BE *
* ONE OF FIVE US\$300 WINNERS DRAWN MONTHLY! *
* REGISTRESE EN EL SORTIDO MENSUAL *
* PARA SER UNO DE LOS CINCO GANADORES DE US\$300! *
* REGISTER BY COMPLETING A GUEST SATISFACTION SURVEY *
* WITHIN ONE WEEK AT: www.lowes.com/survey *
* V O U R I D #05695 1721 276 *
* NO PURCHASE NECESSARY TO ENTER OR WIN. *
* VOID WHERE PROHIBITED. MUST BE 18 OR OLDER TO ENTER. *
* OFFICIAL RULES & WINNERS AT: www.lowes.com/survey *

STORE: 1721 TERMINAL: 5 10/03/18 17:59:13

Period	Code	Previous Reading	Present Reading	Consumption	Amount Due
10/31/2018	10	455	467	12	0.00
09/30/2018	10	432	435	3	335.45
08/31/2018	10	418	422	4	88.68
07/31/2018	10	401	418	17	185.72
06/30/2018	10	384	401	17	185.72
05/31/2018	10	373	384	11	122.20
04/30/2018	10	367	373	6	87.60
03/31/2018	10	362	367	5	76.68
02/28/2018	10	357	362	5	76.68
01/31/2018	10	350	357	7	104.07
12/31/2017	10	344	350	6	83.50
11/30/2017	10	333	344	11	111.93

RR # 10610889

$$\begin{array}{r} 12 \\ 33 \\ \hline 45 \\ 20 \\ \hline 25 \end{array} \quad \begin{array}{r} 10 \\ 10 \\ \hline 20 \end{array}$$

$25 \times 3.51 = 87.50$

$87.50 \div 2 = 43.75$

$25 \times 3.84 = 96.00$

$227.25 \div 2 = \$113.63 \text{ Credit}$

Motion was duly made by Alderman Harris and seconded by Alderman Hobbs to authorize to adjust the utility bill for Nick Harris in the amount of \$113.63, finding that the customer 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 Hobbs, Alderman Harris, and Alderman Bryant.

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of November, 2018

GO INTO CLOSED SESSION TO DISCUSS GOING INTO EXECUTIVE SESSION FOR PARKS PERSONNEL, PLANNING PERSONNEL, AND POLICE NEGOTIATIONS

Motion was duly made by Alderman Miller and seconded by Alderwoman Brooks to go into closed session to discuss going into executive session for Parks Personnel, Planning Personnel, and Police Negotiations. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of November, 2018

GO INTO EXECUTIVE SESSION FOR PARKS PERSONNEL, PLANNING PERSONNEL, AND POLICE NEGOTIATIONS

Motion was duly made by Alderwoman Brooks and seconded by Alderman Hobbs to go into executive session for Parks Personnel, Planning Personnel, and Police Negotiations. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of November, 2018

COME OUT OF EXECUTIVE SESSION

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of November, 2018

POLICE NEGOTIATIONS

Motion was duly made by Alderman Miller and seconded by Alderman Harris to authorize Police Chief Worsham to sign a lease for Police Department Personnel. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of November, 2018

PARKS PERSONNEL

Motion was duly made by Alderman Miller and seconded by Alderman Bryant to table the Parks Personnel new hire and salary realignment item until the next meeting on November 20, 2018. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 6th day of November, 2018

PLANNING PERSONNEL

Motion was duly made by Alderman Miller and seconded by Alderman Hobbs to authorize to hire Joe Engel, Jr. as the Building Official at a rate of \$19.25 per hour, based on the Personnel Committee's recommendation following the recommendation of the Planning Director. A vote was taken with the following results:

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

Those voting "Nay": Alderman McLendon.

ORDERED AND DONE this the 6th day of November, 2018

ADJOURN

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

Motion passed with a unanimous vote of "Aye".

MAYOR TOM FERGUSON

ATTEST:

KATIE HARBIN, CITY CLERK