

The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, May 21, 2013 at 6:00 P.M. with Mayor Tem Sam Lauderdale presiding. Aldermen present were: Sonny Bryant, Andrew Miller, Gary Higdon, Marcus Manning, and Jeff Hobbs. Marcus Manning arrived late.

Also present for the meeting were: City Clerk Katie Harbin, City Attorney Kenny Stockton, City Engineer Joe Frank Lauderdale, Planning Director Jared Darby, Public Works Director Gary McElhannon, Police Chief Mike Riley, Bill Myers, Jennifer Southern, Henry Bailey, Annie McClellan, Karla Stockton, Michelle Couch, Cmaille Pilton, Don Loosier, Gene Hobbs, Doug Francis, Micah Robison, Fred Person, Penny Person, Todd Person, Kim Starkie, Hannah Person, Tom Jenkins, Jason Dyer, Jade M. Stockton, Erick Yarbrow, Jim Seay, and David Hackman.

INVOCATION

Alderman Higdon gave the invocation.

APPOINT TEMPORARY MAYOR PRO TEM FOR ITEM # 5

Motion was duly made by Alderman Tipton, and seconded by Alderman Hobbs to appoint Gary Higdon as temporary Mayor Pro Tem for item #5. A vote was taken with the following results:

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

Those voting "Nay": None.

Alderman Higdon abstained from voting.

ORDERED AND DONE this the 21st day of May 2013.

APPROVAL OF AGENDA

Agenda
City of Hernando
Mayor and Board of Alderman
Regular Meeting

May 21, 2013

6:00pm

- 1) Call the meeting to order
- 2) Invocation

- 3) Approve Agenda
- 4) Approve Docket of Claims No.'s 98664 – 98899 less 98673, 98674
- 5) Approve Docket of Claims No.'s (Lauderdale) 98674
- 6) Approve Docket of Claims No.'s (Miller) 98673
- 7) Approve Minutes from the Regular meeting on May 7, 2013
- 8) Approve Minutes from the Special meeting on May 13, 2013
- 9) Authorize Mayor Johnson to sign a Merchant Application and Agreement with Basys Processing
- 10) Planning Commission
 - A) Preliminary-Final Plat, Nesbit Industrial Park, Phase III, Don Loosier and Butch Davis
 - B) Preliminary-Final Plat, Charleston Row Subdivision, Section F, Charleston Group LLC
 - C) Preliminary-Final Plat, Gilbreath Subdivision, Gilbreath Estate
 - D) Zoning Amendment; Light Industrial, M-1 to Heavy Industrial, M-2; 2785 McCracken Road
 - E) Presentation, Memphis Street Neighborhood Area Plan, Will Stockton
- 11) Golf Team Proclamation
- 12) Final presentation of Conger Park Amphitheater by The Hernando Young Woman's Club
- 13) Desoto Shrine Club request for funding \$250
- 14) Adopt Resolution appointing MML voting delegates
- 15) Authorize Mayor Johnson to sign a contract with EarthCon for Annual Groundwater Sampling at the Gale Center
- 16) Authorize Mayor Johnson to sign a contract with EarthCon for Indoor Air Sampling at the Gale Center
- 17) Approve the North American Electric expansion property tax exemption on real property
- 18) Discuss approval of \$5,000 for fireworks show (added at Alderman Higdon's request)
- 19) Authorize appraisal of Sawyer and Bell property for sewer project
- 20) Adjourn

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 21st day of May 2013.

APPROVE DOCKET OF CLAIMS NO.'S 98664 - 98899 LESS 98673 AND 98674

The Board of Aldermen were presented with a docket of claims No. 98664 - 98899 less 98673 and 98674 in the amount of \$228,095.98 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, and Alderman Hobbs.

Those voting "Nay": None.

ORDERED AND DONE this the 21st day of May, 2013.

APPROVE DOCKET OF CLAIMS NO. 98674 (LAUDERDALE)

Mayor Pro Tem Sam Lauderdale recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No. 98674 in the amount of \$188,285.76 for approval.

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

Those voting "Nay": None.

ORDERED AND DONE this the 21st day of May, 2013

APPROVE DOCKET OF CLAIMS NO. 98673 (MILLER)

Alderman Miller recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No. 98673 in the amount of \$34,126.51 for approval.

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 21st day of May, 2013

APPROVE MINUTES FROM THE REGULAR BOARD MEETING ON MAY 7, 2013

Motion was duly made by Alderman Miller, and seconded by Alderman Higdon to approve the Minutes from the regular Board Meeting on May 7, 2013. A vote was taken with the following results:

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

Those voting "Nay": None.

Alderman Tipton abstained from voting.

ORDERED AND DONE this the 21st day of May, 2013.

APPROVE MINUTES FROM THE SPECIAL BOARD MEETING ON MAY 13, 2013

Motion was duly made by Alderman Bryant, and seconded by Alderman Higdon to approve the Minutes from the special Board Meeting on May 13, 2013. A vote was taken with the following results:

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

Those voting "Nay": None.

Alderman Hobbs and Alderman Tipton abstained from voting.

Mayor Pro Tem Sam Lauderdale voted due to a lack of a quorum

ORDERED AND DONE this the 21st day of May, 2013.

AUTHORIZE MAYOR JOHNSON TO SIGN A MERCHANT APPLICATION AND AGREEMENT WITH BASYS PROCESSING

Parks Director Dewayne Williams was present and informed the Board about the agreement.

Motion was duly made by Alderman Higdon, and seconded by Alderman Tipton to authorize the Mayor to sign a merchant application and agreement with Basys Processing. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 21st day of May, 2013

PLANNING COMMISSION

- A) Preliminary-Final Plat, Nesbit Industrial Park, Phase III, Don Loosier and Butch Davis
- B) Preliminary-Final Plat, Charleston Row Subdivision, Section F, Charleston Group LLC
- C) Preliminary-Final Plat, Gilbreath Subdivision, Gilbreath Estate
- D) Zoning Amendment; Light Industrial, M-1 to Heavy Industrial, M-2; 2785 McCracken Road
- E) Presentation, Memphis Street Neighborhood Area Plan, Will Stockton

PRELIMINARY-FINAL PLAT, NESBIT INDUSTRIAL PARK, PHASE III, DON LOOSIER AND BUTCH DAVIS

Don Loosier and Butch Davis were present and represented for this item.

Motion was duly made by Alderman Hobbs, and seconded by Alderman Tipton to approve the Preliminary- Final plat, Nesbit Industrial Park, Phase III, from Don Loosier and Butch Davis, following the recommendation of the Planning Commission. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 21st day of May, 2013.

PRELIMINARY-FINAL PLAT, CHARLESTON ROW SUBDIVISION, SECTION F, CHARLESTON GROUP LLC

Item was moved to the bottom due to representation not being present.

PRELIMINARY-FINAL PLAT, GILBREATH SUBDIVISION, GILBREATH ESTATE

Kenny Stockton represented for this item.

Motion was duly made by Alderman Tipton, and seconded by Alderman Higdon to approve the Preliminary-Final plat, Gilbreath subdivision, Gilbreath Estate, following the recommendation of the Planning Commission. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 21st day of May, 2013.

**ZONING AMENDMENT; LIGHT INDUSTRIAL, M-1 TO HEAVY INDUSTRIAL, M-2;
2785 MCCRACKEN ROAD**

Eric Yarbro was present and represented for this item.

Motion was duly made by Alderman Higdon, and seconded by Alderman Hobbs to approve the Zoning Amendment; Light Industrial, M-1 to Heavy Industrial, M-2; 2785 McCracken Rd, following the recommendation of the Planning Commission. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 21st day of May, 2013

Alderman Miller stepped out of the meeting.

**PRESENTATION, MEMPHIS STREET NEIGHBORHOOD AREA PLAN, WILL
STOCKTON**

Will Stockton presented the Memphis Street Neighborhood area plan. Will Stockton stated that this was an assignment from school.

Alderman Miller returned to the meeting.

GOLF TEAM PROCLAMATION

Alderman Pro Tem Sam Lauderdale and the Board of Aldermen presented Hannah Person with a Proclamation.

**FINAL PRESENTATION OF CONGER PARK AMPHITHEATER BY THE
HERNANDO YOUNG WOMEN'S CLUB**

Mrs. Couch represented the Hernando Young Women's Club in presented plans for the Conger Park Amphitheater. The amphitheater will be in the southern part of Conger Park.

Motion was duly made by Alderman Higdon, and seconded by Alderman Tipton to authorize the Hernando Young Women's Club to move forward in building an amphitheater at Conger Park, with funds that they have raised. 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 21st day of May, 2013

DESOTO SHRINE CLUB REQUEST FOR FUNDING \$250

Doug Francis was present and spoke about request. This request for funding of their BBQ cook off, which will be held on June 14th and 15th.

Motion was duly made by Alderman Hobbs, and seconded by Alderman Higdon to approve the request from Desoto Shrine Club for funding in the amount of \$250.00 to come from our Tourism fund, to help promote the City of Hernando. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 21st day of May, 2013

ADOPT RESOLUTION APPOINTING MML VOTING DELEGATES

**RESOLUTION APPOINTING MISSISSIPPI MUNICIPAL LEAGUE
2013 VOTING DELEGATES
FOR THE CITY OF HERNANDO**

WHEREAS, the Mississippi Municipal League amended the bylaws of the association to provide for a ballot election, to be conducted by the officers of the Mississippi Municipal Clerks and Collectors Association, to be held each year at the summer convention, to elect a second vice president and to vote on any proposed bylaw changes; but as a result of the 2013 municipal elections, we will no longer be electing a 2nd Vice President, however, we will now be electing a 1st Vice President from the Central District. We have called for candidate applications from member cities in the Central District; and

WHEREAS, the amended bylaws require the governing authority board (Alderman, City Council, City Commission) to designate in its minutes the voting delegate and two alternates to cast the vote for each member municipality.

NOW, THEREFORE, BE IT RESOLVED BY THE (Governing Authority Board) OF THE CITY OF HERNANDO

In accordance with the bylaws of the Mississippi Municipal League, the voting delegate(s) for the 2013 Mississippi Municipal League election to be held at the annual convention on July 15 - 17, 2013 are as follows:

| | |
|-------------------|----------------------------------|
| Voting Delegate: | Mayor Chip Johnson |
| First Alternate: | Alderman at Large Sam Lauderdale |
| Second Alternate: | Alderman Miller |

That public interest and necessity requiring same, this Resolution shall become effective upon passage.

The above and foregoing Resolution, after having been first reduced to writing, was introduced by Alderman Higdon, seconded by Alderman Bryant, and was adopted by the following vote, to-wit:

YEAS: Alderman Tipton, Alderman Hobbs, Alderman Bryant, Alderman Miller, and Alderman Higdon.

NAYS: None.

The above and foregoing Resolution having been submitted to and approved by the Mayor, this the 21st day of May 2013.

ATTEST:

APPROVED:

CITY CLERK

MAYOR

AUTHORIZE THE MAYOR TO SIGN A CONTRACT WITH EARTHCON FOR ANNUAL GROUNDWATER SAMPLING AT THE GALE CENTER

Motion was duly made by Alderman Miller, and seconded by Alderman Higdon authorize the Mayor to sign a contract with Earthcon for Annual Groundwater sampling at the Gale Center. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 21st day of May, 2013

**AUTHORIZE THE MAYOR TO SIGN A CONTRACT WITH EARTHCON FOR
INDOOR AIR SAMPLING AT THE GALE CENTER**

Motion was duly made by Alderman Higdon, and seconded by Alderman Bryant to authorize Mayor Johnson to sign a contract with Earthcon for indoor air sampling at the Gale Center. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 21st day of May, 2013

**APPROVE THE NORTH AMERICAN ELECTRIC EXPANSION PROPERTY TAX
EXEMPTION ON REAL PROPERTY**

GRANTING EXEMPTION FROM AD VALOREM TAXES

The Mayor and Board of Aldermen took up for consideration the matter of granting tax exemption from ad valorem taxes for NORTH AMERICAN ELECTRIC INC., the following Resolution having first been reduced to writing, was introduced:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN FOR THE CITY OF HERNANDO, MISSISSIPPI, GRANTING TAX EXEMPTION FROM AD VALOREM TAXES FOR A PERIOD OF TEN (10) YEARS FOR REAL PROPERTY TO NORTH AMERICAN ELECTRIC INC., AS AUTHORIZED BY SECTION 27-31-101 ET SEQ., OF THE MISSISSIPPI CODE OF 1972, AS AMENDED.

WHEREAS, NORTH AMERICAN ELECTRIC INC., filed in triplicate with this Board its Application for exemption from ad valorem taxation; and

WHEREAS, NORTH AMERICAN ELECTRIC INC., has produced written verification and documentation to this Board as to the authenticity and correctness of its Application in regard to the true value of the prayed for exemption and the completion date of said enterprise: and

WHEREAS, this Board finds as a fact that the property described in the aforesaid Application constitutes an industrial enterprise of public utility which was completed on the 30th day of September, 2012, and that said Company is entitled to the exemption sought for a period of ten (10) years for real property beginning on the 1st day of January, 2013, subject to approval and certification by the Mississippi State Tax Commission.

NOW, THEREFORE, BE IT RESOLVED BY The Mayor and Board of Aldermen of the City of Hernando, DeSoto County, Mississippi, as follows:

1. That the Application for ad valorem tax exemption by NORTH AMERICAN ELECTRIC INC., for ten (10) years for real property beginning January 1, 2013 on the property described in the Application filed by said Company for tax exemption, be and the same is hereby approved, ten (10) years for real property subject to approval and certification by the Mississippi State Tax Commission.

2. That NORTH AMERICAN ELECTRIC INC., is hereby granted tax exemption on ad valorem taxes, except Library Fund, Park Fund, G O Bond Fund, State, School District and Road and Bridge ad valorem taxation, for ten (10) years for real property, beginning January 1, 2013.

3. That the Clerk of this Board is hereby directed to spread a copy of this Order on the minutes of this Board; and that said Clerk shall forward the original and three (3) certified copies of the Application and a certified copy of the transcript of this Order approving said Application to the Mississippi State Tax Commission for its approval and certification: and said Clerk shall also forward one certified copy to the Tax Assessor of DeSoto County and obtain the Certificate of said Tax Assessor stating that the personal property as itemized in the Application has been placed on the appropriate tax roll as "Non-Taxable", except for Library Fund, Park Fund, G O Bond Fund, State, School District and Road and Bridge ad valorem taxes, for the duration of the exemption period only and the Position Statement of Tax Assessor.

Motion was duly made by Alderman Miller, seconded by Alderman Higdon to adopt the foregoing Resolution Granting Tax Exemption from Ad Valorem Taxes. A roll call vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 21st day of May, 2013.

CHIP JOHNSON, MAYOR
CITY OF HERNANDO

SEAL

ATTEST:

\KATIE HARBIN, CITY CLERK

DISCUSS APPROVAL OF \$5,000 FOR FIREWORKS SHOW

The fireworks show will be held on July 3, 2012 starting at 8:30pm, at the very back end of the ball field.

Motion was duly made by Alderman Higdon, and seconded by Alderman Hobbs to authorize to spend \$5,000 from the Tourism fund for a fireworks show, to help promote the City of Hernando. 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 21st day of May, 2013

AUTHORIZE APPRAISAL OF SAWYER AND BELL PROPERTY FOR SEWER PROJECT

Motion was duly made by Alderman Tipton, and seconded by Alderman Higdon to authorize the appraisal of Sawyer and Bell property for a sewer project. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 21st day of May, 2013

**PRELIMINARY-FINAL PLAT, CHARLESTON ROW SUBDIVISION, SECTION F,
CHARLESTON GROUP LLC**

Jim Seay was now present.

Motion was duly made by Alderman Higdon, and seconded by Alderman Bryant to approve the Preliminary-Final plat, Charleston Row subdivision, section F, Charleston Group, LLC, following the Planning Commission recommendation. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 21st day of May, 2013.

ADJOURN

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

Motion passed with a unanimous vote of "Aye".

MAYOR PRO TEM SAM LAUDERDALE

ATTEST:

KATIE HARBIN, CITY CLERK