

The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, September 18, 2012 at 6:00 P.M. with Mayor Chip Johnson presiding. Aldermen present were: Sam Lauderdale, Sonny Bryant, Andrew Miller, Gary Higdon, Alderman Manning, and Jeff Hobbs. Alderman Tipton was absent.

Also present for the meeting were: City Clerk Katie Subia, City Attorney Kenny Stockton, Fire Chief Hubert Jones, Police Chief Mike Riley, City Engineer Joe Frank Lauderdale, Public Works Director Gary McElhannon, Henry Bailey,

INVOCATION

Alderman Higdon gave the invocation.

APPROVAL OF AGENDA

Motion was duly made by Alderman Higdon, and seconded by Alderman Lauderdale to approve the agenda as presented after adding item 19 'Authorize to accept the lowest and best bid for Montclair lift station gravel road project'. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of September 2012.

Agenda
City of Hernando
Mayor and Board of Alderman
Regular Meeting

September 18, 2012

6:00pm

- 1) Meeting called to order
- 2) Invocation
- 3) Approve Agenda
- 4) Approve Docket of Claims No.'s 95353 – 95518, less 95368, 95370, 95391, 95392, and 95468
- 5) Approve Docket of Claims No.'s (Lauderdale) 95368 and 95468
- 6) Approve Docket of Claims No.'s (Bryant) 95391 and 95392
- 7) Approve Docket of Claims No.'s (Miller) 95370
- 8) Approve Minutes from Regular meeting on September 4, 2012

- 9) Approve Minutes from Recessed meeting on September 11, 2012
- 10) Consent Agenda
 - A) Authorize Fire Deputy Chief Marshel Berry, Sam Witt, and Matt Massey and to attend the MFIA Fall Conference in Vicksburg, MS October 24 – 26, 2012 and authorize to pay for registration and travel expenses
 - B) Authorize Mayor Johnson to attend the Mississippi Recreation and Parks Association annual Dinner in Jackson, MS September 19, 2012, and authorize to pay for travel expenses
 - C) Authorize John Davenport to attend Basic Reinforcement class, in Pearl MS on September 24 to October 11, 2012, and authorize to pay registration and travel expenses. Expenses will be reimbursed by the State.
- 11) Authorize to hire temporary employee Shane Dyson to fill an open full time position as Program Coordinator, at a pay of \$10.00 an hour
- 12) Discuss Heritage Oaks/Della Street issue
- 13) Consideration of designating Della Street and Mason for “No Thru Trucks”
- 14) Consideration of request from the Hernando Main Street Chamber of Commerce to waive the rental fees at the Gale Center for Chamber functions.
- 15) Authorize Mayor Johnson to sign the ‘Clinical Affiliation Agreement Between Northwest Mississippi Community College and City of Hernando Emergency Medical Service’
- 16) Adopt Resolution authoring the City of Hernando to get a MasterCard
- 17) Authorize to accept the lowest and best bid for Fire Hydrants for the Nesbit Water System
- 18) Authorize to accept the lowest and best bid for Los Lamas Subdivision street
- 19) Authorize to accept the lowest and best bid for the Montclair lift station gravel road project
- 20) Adjourn

APPROVE DOCKET OF CLAIMS NO.'S 95353 – 95518, LESS 95368, 95370, 95391, 95392, AND 95468

The Board of Aldermen were presented with a docket of claims No. 95353 - 95518, less 95368, 95370, 95391, 95392, and 95468 in the amount of \$1,015,357.67 for approval.

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of September, 2012.

APPROVE DOCKET OF CLAIMS NO. 95368 AND 95468 (LAUDERDALE)

Alderman Lauderdale recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No. 95368 and 95468 in the amount of \$199,801.58 for approval.

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

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of September, 2012.

APPROVE DOCKET OF CLAIMS NO. 95391 AND 95392 (BRYANT)

Alderman Bryant recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No. 95391 and 95392 in the amount of \$474.00 for approval.

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of September, 2012

APPROVE DOCKET OF CLAIMS NO. 95370 (MILLER)

Alderman Miller recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No. 95370 in the amount of \$38,446.70 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 18th day of September, 2012.

APPROVE MINUTES FROM THE REGULAR BOARD MEETING ON SEPTEMBER 4, 2012

Motion was duly made by Alderman Hobbs and seconded by Alderman Higdon to approve the Minutes from the regular Board Meeting on September 4, 2012. A vote was taken with the following results:

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

Those voting "Nay":

Alderman Manning abstained from voting.

ORDERED AND DONE this the 18th day of September, 2012.

APPROVE MINUTES FROM THE RECESSED BOARD MEETING ON SEPTEMBER 11, 2012

Motion was duly made by Alderman Higdon and seconded by Alderman Miller to approve the Minutes from the recessed Board Meeting on September 11, 2012. A vote was taken with the following results:

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

Those voting "Nay":

ORDERED AND DONE this the 18th day of September, 2012.

CONSENT AGENDA

- A) Authorize Fire Deputy Chief Marshel Berry, Sam Witt, and Matt Massey and to attend the MFIA Fall Conference in Vicksburg, MS October 24 – 26, 2012 and authorize to pay for registration and travel expenses

- B) Authorize Mayor Johnson to attend the Mississippi Recreation and Parks Association annual Dinner in Jackson, MS September 19, 2012, and authorize to pay for travel expenses
- C) Authorize John Davenport to attend Basic Reinforcement class, in Pearl MS on September 24 to October 11, 2012, and authorize to pay registration and travel expenses. Expenses will be reimbursed by the State.

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of September, 2012.

**AUTHORIZE TO HIRE TEMPORARY EMPLOYEE SHANE DYSON TO FILL AN
OPEN FULL TIME POSITION AS PROGRAM COORDINATOR, AT A PAY OF \$10.00
AN HOUR**

Alderman Miller – The new raises go into effect when?

Mayor Johnson - The new raise goes into effect October 7.

Alderman Miller - Are we going to hire this person and then turn around and give them a raise? I think we need to hire them effective after the budget or hire them without them getting this raise. In 90 days they will be getting the other raise.

Alderman Higdon – I think we as the Personnel Committee should make a recommendation on that to the rest of the Board.

Alderman Miller – I think that this is something we have to think about.

Mayor Johnson – I think your point is valid, and would probably better than the 3% if we hire this person at the \$10, then at the ninety day time if the person performs well, we could consider that raise.

Alderman Higdon – I will make it my motion that he will not receive the 3% service raise.

Alderman Hobbs – Haven't we hired recent employees in the Police Department, doing the same thing.

Alderman Miller – They were already on duty, we are bringing someone on full time.

Alderman Hobbs – No, we hired some part time dispatchers.

Mayor Johnson – They were already current employees though.

Alderman Hobbs – No they weren't.

Mayor Johnson – You are right, we hired a dispatcher. This one is so close though I think I understand that.

Alderman Hobbs – It's two weeks difference. If we are going to do the Parks Department, we have to do the Police Department and whoever.

Alderman Miller – I was saying anyone that is this close to the beginning of a budget year.

Alderman Higdon – Why don't we just establish a time limit? I think anyone hired within a certain number of days of an annual raise should not be considered for the annual raise. We need to establish that number of days.

Mayor Johnson – We can make a recommendation on that.

Alderman Hobbs – What about the ones we have hired in the last two weeks.

Alderman Higdon – We are going to establish a policy. There are two.

Mike Riley – In the past, we only gave the ninety day raise when they are new at budget time.

Alderman Higdon – Those two will not get the 3%, they will only get the ninety day after they have been here that long.

Alderman Hobbs – So for in the future we will establish a policy?

Alderman Higdon – Yes.

Motion was duly made by Alderman Higdon, and seconded by Alderman Bryant to accept the Personnel Committee's recommendation to hire Shane Dyson to fill an open full time position as Program Coordinator, at a pay of \$10.00 an hour, following the Parks Director's recommendation, not being eligible for the 3% service raise this year. 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 18th day of September, 2012.

DISCUSS HERITAGE OAKS/DELLA STREET ISSUE

Kenny Stockton presented the Order regarding Heritage Oaks Phase II to the Board. This Order pertains to the final lift of asphalt in Heritage Oaks.

Mayor Johnson – Joe I think the Board had asked you to come up with the amount of the maintenance bond.

Joe Frank Lauderdale - \$20,000 for the maintenance bond.

Alderman Hobbs – It's \$20,000 per year?

Kenny Stockton – Per year.

Joe Frank Lauderdale – Regulations say now, 1 year,

Alderman Hobbs – If it's not going to be finished for eight or ten years.

Kenny Stockton – The new rule is that it has to be done within two years or when it is built out at 75%.

Alderman Hobbs – Mr. Bridgeforth wants to fix the road and put the final overlay on it, and be finished. But you couldn't have but a 1 year maintenance bond. It's built out how much?

Mr. Bridgeforth – I think I have 53 remaining.

Alderman Hobbs – So basically if they tear up between 8 and 10 years, say you do it today and next year they tear up, the City is responsible for them.

Mayor Johnson – At the end of that one year maintenance bond, the City would be responsible for them.

Mr. Bridgeforth – I can assure you nothing will happen to the road based on the traffic from the subdivision. Our whole problem is the tremendous amount of traffic that is from it being used as a cross thru.

Alderman Miller - They are what though, a Public street. People want to live on the street, but don't want traffic there. If we do that it would be a Private Street. I'm concerned that we won't have money to fix streets now that need to be fixed. I'm also concerned if the maintenance bond will be there long enough in case something happens from normal wear and tear of that street. I want to know if the money would be sufficient enough. So all we can get with the maintenance bond is one year?

Kenny Stockton – The new regulations say one year.

Mayor Johnson – I think what Kenny is saying is what we are doing is actually our new regulation; it would comply with the new regulation. Any new developer would fit it.

Alderman Miller – With forty something percent?

Kenny Stockton – The way it is now, if you were at 75% before 2 years you would put it down. The longest you can go is two years.

Mayor Johnson – I think we passed that because we didn't want people living in subdivisions for years without the final lift.

Alderman Miller – You have subdivisions that have 15 or 20 % of homes built on in them, and those streets are deteriorating without even having use on them.

Alderman Higdon – The only option would be to have him fix the bad spots and wait until he's 75% built out to put the total overlay on it.

Alderman Miller – The whole West side is done.

Mr. Bridgforth – When you only put 1 ½ inches of asphalt on a street, it's only supposed to be there a few years, and it's not meant to hold up to heavy thru traffic. I think the City should let the developer go ahead and put 3 inches on there from the beginning.

Alderman Higdon – That is what I wanted all along. You don't see roads built, or interstate highways built that way. It's built up to standards the first time around. If it's going to hold traffic then it will, if concrete trucks tear it up then our standards aren't right.

Joe Frank Lauderdale – I think that is why we put 2 years. We found out in this recession time that we can't let subdivisions go 5 or 6 years with just 1 ½ inches of asphalt. They start deteriorating too fast; also people living in subdivisions have to live on sub standard roads.

Alderman Hobbs – Bottom line is we have to make a decision; we have two to choose from.

Alderman Miller – The other option is not a viable one.

Motion was duly made by Alderman Miller, and seconded by Alderman Bryant to accept the Order of the Mayor and Board of Aldermen of the City of Hernando, Mississippi regarding Heritage Oaks Phase II. 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 18th day of September, 2012.

CONSIDERATION OF DESIGNATING DELLA STREET AND MASON FOR “NO THRU TRUCKS”

Motion was duly made by Alderman Manning, and seconded by Alderman Higdon to accept the Order of the Mayor and Board of Aldermen of the City of Hernando, Mississippi Closing of Della Street to Thru Truck Traffic, after adding Creekside and Mason streets to the order. A vote was taken with the following results:

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

Those voting “Nay”: None.

ORDERED AND DONE this the 18th day of September, 2012.

CONSIDERATION OF REQUEST FROM THE HERNANDO MAIN STREET CHAMBER OF COMMERCE TO WAIVE THE RENTAL FEES AT THE GALE CENTER FOR CHAMBER FUNCTIONS

Motion was duly made by Alderman Miller, and seconded by Alderman Higdon to waive the rental fees at the Gale Center for Chamber functions, eight times for the year, noting that this is an increase from last year. 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 18th day of September, 2012.

AUTHORIZE MAYOR JOHNSON TO SIGN THE ‘CLINICAL AFFILIATION AGREEMENT BETWEEN NORTHWEST MISSISSIPPI COMMUNITY COLLEGE AND CITY OF HERNANDO EMERGENCY MEDICAL SERVICE’

Motion was duly made by Alderman Manning, and seconded by Alderman Hobbs to authorize Mayor Johnson to sign the ‘Clinical Affiliation Agreement between Northwest Mississippi Community College and City of Hernando Emergency Medical Service’. 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 18th day of September, 2012.

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

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

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

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

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

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

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

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

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

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

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

Willis “Chip” Johnson	Mayor
Katie Subia	City Clerk
Julie Harris	Administrative Assistant
Dewayne Williams	Parks and Landscape Manager
Melissa Zizmann	Assistant Park Director

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

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

The motion, having received an affirmative vote, was carried and the resolution adopted, this the 18th day of September, 2012.

By: _____

Chip Johnson
Mayor, City of Hernando

{Seal}

By: _____

Katie Subia
City Clerk, City of Hernando

**AUTHORIZE TO ACCEPT THE LOWEST AND BEST BID FOR FIRE HYDRANTS
FOR THE NESBIT WATER SYSTEM**

Motion was duly made by Alderman Manning, and seconded by Alderman Higdon to authorize to accept the lowest and best bid from Consolidated Pipe & Supply Company in the amount of \$17,224.00, for Fire Hydrants, for the Nesbit Water system. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of September, 2012.

**AUTHORIZE TO ACCEPT THE LOWEST AND BEST BID FOR LOS LAMAS
SUBDIVISION STREET**

Motion was duly made by Alderman Miller, and seconded by Alderman Bryant to authorize to accept the lowest and best bid from TomCo LLC, in the amount of \$3500.00, for Los Lamas Subdivision Street, after Joe Frank Lauderdale gets clarification on item #2. 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 18th day of September, 2012.

**AUTHORIZE TO ACCEPT THE LOWEST AND BEST BID FOR THE MONTCLAIR
LIFT STATION GRAVEL ROAD PROJECT**

Motion was duly made by Alderman Higdon, and seconded by Alderman Bryant to authorize to accept the lowest and best bid from Cleveland Construction in the amount of \$9,000.00, for the Montclair Lift Station gravel road project. 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 18th day of September, 2012

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