

DRAFT REGULAR MEETING OF THE BOARD OF MAYOR AND SELECTMEN  
OF THE CITY OF WEST POINT, MISSISSIPPI  
JANUARY 11, 2011  
5:30 PM

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This is a Regular Meeting of the Board of Mayor and Selectmen of the City of West Point, Mississippi, held the 11<sup>th</sup> day of January, 2011 at 5:30 pm at City Hall, 204 Commerce Street, West Point, Mississippi.

Members present were Mayor H. Scott Ross, Selectman Rod Bobo, Selectman Homer Cannon, Selectman Charles Collins, Selectman Keith McBrayer, Selectman Jasper Pittman, and Attorney Orlando Richmond.

Mayor Ross called the meeting to order and called Selectman Homer Cannon to offer invocation and CAO Randy Jones to lead the Pledge of Allegiance.

Mayor Ross called for the approval of December 14, 2010, Regular Minutes.

Selectman Keith McBrayer made the motion to approve December 14, 2010, Regular Meeting.

The motion received a second from Selectman Rod Bobo.

Hearing no further discussion, Mayor Ross called for a vote and the results were as follows:

Selectman Rod Bobo voted: “Aye”

Selectman Homer Cannon voted: “Aye”

Selectman Charles Collins voted: “Aye”

Selectman Keith McBrayer voted: “Aye”

Selectman Jasper Pittman voted: “Aye”

Motion carried.

Mayor Ross called for the approval of December, 2010 Claims' Docket.

Selectman Keith McBrayer made the motion to approve the December, 2010 Claims' Docket.

The motion received a second from Selectman Rod Bobo.

Hearing no further discussion, Mayor Ross called for a vote and the results were as follows:

Selectman Rod Bobo voted: “Aye”

Selectman Homer Cannon voted: “Aye”

Selectman Charles Collins voted: “Aye”

Selectman Keith McBrayer voted: “Aye”

Selectman Jasper Pittman voted: “Aye”

Motion carried.

Mayor Ross stated that the Police Department has outstanding fines that are in need of collecting. Mayor Ross called for Ms. Deborah Sivira, of the America Municipal Service Collection to speak. Mr. Siavira, stated that her company has been in business for 16 years and that the home office is located in Texas, and her office is based in Jackson, Mississippi. Ms. Sivira, explained that her company, America Municipal Services, could turn the City's collection into about 35%-\$40% into cash and if for some reason that the agreement does not work, there is a 30 day opt out. No action was taken.

Mayor Ross stated that a Public Hearing on Water and Sewer rates increase was published in the Daily Time Leader by the MS Statue and that the Public Hearing was held at the October, 2010 Regular Meeting. Mayor Ross stated that the Public Hearing that was held at the January, 2011, Regular Meeting was out of courtesy to the public to answer questions of the public's concern. There were no comments from the public. Mayor Ross closed the Public Hearing. Mayor Ross call Mr. Dwight Prisock Interim Electric Superintendent to present the Resolution on the Water and Sewer rates increase. Mr. Prisock stated that the City's annexation of 1998 should have been in compliance five years after the annexation. Mr. Prisock stated that there were two water tanks that had to be painted, ordered by the Mississippi Department of Health, because Sewer has to be provided to customers that were annexed into the City in 1998.

Selectman Rod Bobo made the motion to approve the Resolution of the Water and Sewer rates increase.

The motion received a second from Selectman Charles Collins.

**RESOLUTION TO ADOPT THE FOLLOWING ORDINANCE OF THE BOARD OF MAYOR AND SELECTMEN OF THE CITY OF WEST POINT, MISSISSIPPI, AMENDING CHAPTER 23, SECTIONS 23-16 THROUGH 23-23 OF THE CODE OF ORDINANCES FOR THE CITY OF WEST POINT, MISSISSIPPI**

**BE IT ORDAINED** by the Board of Mayor and Selectmen of the City of West Point, Mississippi, the following to-wit: Section 1: Chapter 23, Article II, Sections 23-16 through 23-23 of the Code of Ordinances for the City of West Point, Mississippi are hereby amended to read as follows:

**Section 23-16 Water rates - Inside the City**

The following is hereby established as the rates to be charged for water furnished to each customer by the water system owned and operated by the City, for each calendar month, to-wit:

Residential First 2,000 gallons at \$23.00, which is the minimum charge;

All over 2,000 gallons at \$3.20 per thousand gallons

Commercial First 2,000 gallons at \$27.00, which is the minimum charge;

All over 2,000 gallons at \$3.40 per thousand gallons

The above rates shall apply to each customer (each meter) that is within the City Limits. (Ord. of 4/23/91, modified 7/1/98, modified 8/1/06, modified 6/21/07.)

**Section 23-17 Water Rates - Outside City**

The rates set forth in Section 23-16 shall apply to all customers (each meter) outside the City Limits, except that the minimum charge for the first 2,000 gallons shall be \$35.00 for Residential customers and all over 2,000 gallons at \$3.30 per thousand gallons. The minimum charge for Commercial customers shall be \$40.00 and all over 2,000 gallons at \$3.50 per thousand gallons (Ord. of 4/23/91, modified 7/1/98, modified 8/1/06, modified 6/21/07).

**Section 23-18 Sewer rates**

The following is hereby established as the rates to be charged to each connection thereto for use of the sewage system owned and operated by the City for each calendar month:

Residential First 2,000 gallons of water usage at \$17.00, which is the minimum charge;

All over 2,000 gallons of water usage at \$3.00 per thousand gallons.

Fixed rate customers will be billed at \$65 per month.

Commercial First 2,000 gallons of water usage at \$30.00, which is the minimum charge;

All over 2,000 gallons of water usage at \$3.10 per thousand gallons

BOD surcharge in excess of 200mg/l at \$0.35 per pound

Penalty for BOD in excess of permitted Monthly Average at \$0.30 per pound

Penalty for BOD in excess of permitted Daily Maximum at \$0.60 per pound

The above rates shall apply to each customer connected to the sewage system (each water meter) that is within the City Limits, except master meter installations.

The above rates shall apply to all master water meter installations within the City Limits, except that the minimum sewer charge for the first 2,000 gallons per connection on the customer side of the master water meter shall be \$17.00 per connection, which shall be the minimum bill.

The above rates shall apply to each customer connected to the sewage system (each water meter) that is outside the City Limits, except master water meter installations, except that the minimum charge for the first 2,000 gallons shall be \$24.00. (Ord. of 6/30/89; Ord. of 6/12/90, eff. 7/1/90; Ord. of 4/23/91, eff. 6/1/91, modified 7/1/98, modified 8/1/06, modified 6/21/07)

#### **Section 23-19 Connection charges**

The following charges shall be made for each connection (tap) made to the water system and/or sewerage system owned and operated by the City:

For each 3/4 inch tap to a water main made within the City Limits in an unpaved street or easement, a charge of four hundred fifty dollars (\$450.00), and in a paved street or road seven hundred (\$700.00). The charge for a road bore is \$250.00

For each 4 inch tap to a sewer main made within the City Limits in an unpaved street or easement, a charge of three hundred dollars (\$300.00), and in a paved street or road a charge of five hundred fifty (\$550.00). The charge for a road bore will be the actual cost thereof.

For each 1 inch tap to a water main made within the City Limits in an unpaved street, a charge of six hundred dollars (\$600.00), and in a paved street or road eight hundred fifty dollars (\$850.00). The charge for a road bore is \$250.00.

The charge for each 4 inch tap to a sewer main outside the City Limits, the charge shall be the actual cost thereof;

For each connection larger than 1 inch to a water main and each connection larger than a 4 inch tap to a sewer main, inside the City Limits, the charge shall be the actual cost thereof;

#### **Section 23-20 Billing and collection**

All bills for water and/or sewer services shall be due and payable on the date thereof and shall become delinquent ten (10) days after the date thereof. A penalty charge of ten percent (10%) of the total bill shall be added and collected to each delinquent bill.

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**Section 23-21 Cut off for delinquency; restoration of service**

When a monthly water and sewer bill shall remain delinquent ten (10) days, water service shall be cut off. When cut off, in order to have service restored, a customer shall pay the delinquent bill and a cut off fee of fifteen dollars (\$15.00), if the restoration is made during normal working hours of the maintenance crew of the City. If the restoration is made during hours other than the maintenance crew normal work hours, the charge shall be thirty dollars (30.00). (Ord. of 6/30/89, applicable 8/1/89 and 06/21/07)

**Section 23-22 Deposit**

A deposit of forty dollars (\$40.00) shall be made by each residential customer located inside or outside the city limits prior to furnishing water and sewer service to such customer. A deposit equal to the estimated monthly water and sewer charge shall be made by each commercial and industrial customer before furnishing water and sewer service to such customer. Upon the discontinuance of service to a customer and payment of all water and sewer service bills, the deposit shall be applied to the final billing and any excess deposit made by such customer shall be refunded.

**Section 23-23 Unauthorized connection or reconnection**

1. No authorized personnel shall willfully connect, reconnect, or tamper with any water or electric meter or meters of the West Point Water & Light Department for the purpose of obtaining or restoring electric or water service which has been disconnected by authorized personnel of the Water and Light Department.
2. The intentional use, without the consent of the City of West Point or the West Point Water and Light Department, of any electricity or water produced or distributed by the City of West Point, shall constitute a prima facie evidence of knowledge on the part of the person, firm, or corporation having custody of the room, building, or property being served by the electric add/or water service.
3. Any water or electric meter which is found to have been tampered with, connected, or reconnected without the consent of the City of West Point or the Water and Light Department shall be disconnected without notice to the customer and shall not be reconnected until all fees and charges have been paid in full, plus an additional reconnection charge of \$50.00. (Ord. of 4/9/91)

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**Sections 23-24 thru 23-33 Reserved**

Section 2: This ordinance shall become effective from and after its publication as required by law.

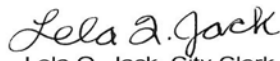
Section 3: All ordinances heretofore adopted by the City of West Point, Mississippi, which are in conflict with the provisions hereof are hereby repealed.

The above and foregoing Ordinance was previously reduced to writing, proposed and introduced for the consideration of the Board of Mayor and Selectmen of the City of West Point, Mississippi, and was voted upon section by section and upon the Ordinance as a whole, and was adopted on this the 11<sup>th</sup> day of January, 2011, by said Board of Mayor and Selectmen of the City of West Point, Mississippi in lawful session assembled.

(SEAL)



  
H. Scott Ross, Mayor

  
Lela Q. Jack, City Clerk

Hearing no further discussion, Mayor Ross called for a vote and the results were as follows:

Selectman Rod Bobo voted:	<u>"Aye"</u>
Selectman Homer Cannon voted:	<u>"Aye"</u>
Selectman Charles Collins voted:	<u>"Aye"</u>
Selectman Keith McBrayer voted:	<u>"Aye"</u>
Selectman Jasper Pittman voted:	<u>"Aye"</u>
Motion carried.	

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Mayor Ross called Selectman Cannon to expound on number five on the agenda, Police Man hour. Selectman Cannon concerns were the City needed more Police Protection. Selectman Cannon gave comparison of years 2009 and 2010 Police report; calls answered, arrest, traffic arrest and cases worked and solved in the City.

Selectman Cannon made the motion to hire three Police Officers.

The motion received a second from Selectman Charles Collins.

Hearing no further discussion, Mayor Ross called for a vote and the results were as follows:

Selectman Rod Bobo voted: "Aye"

Selectman Homer Cannon voted: "Aye"

Selectman Charles Collins voted: "Aye"

Selectman Keith McBrayer voted: "Nay"

Selectman Jasper Pittman voted: "Aye"

Motion carried.

Mayor Ross called for the department head reports. Those presenting written reports were Randy Jones, CAO; Mike St. Louis, Building Report; Dwight Prisock Interim Electric Superintendent; Wastewater Treatment Plant, Water and Sewer, and Electric; Chief Johnny Littlefield, Fire Department; Bobby Lane, Interim Police Chief; Joey Wright, Public Works; and James Crowley, Park and Recreation.

Mayor Ross called for questions or comments from the Department Heads and question or comments from the Board of Selectmen.

Fire Chief Littlefield, stated that the Mississippi Emergency Management Training of January 22, 2011 was important to all City and County elected official. Chief Littlefield stated that the City and County received a large amount of funding from the Federal and State Government and it is perceived from the Government the participation in the classes also hinged on how much funding these entities receive. Chief Lane's recommendation for the three new Police Officers; Dewayne Lester Young, Glen Shaw Barnette, and Anthony Donald.

Mayor Ross called for a motion to declare as a surplus and authorization to sell a 1998 Ford-F150 truck.

Selectman Keith McBrayer made the motion to declare the 1998 Ford-F150 a surplus and authorize to sell.

The motion received a second from Selectman Charles Collins.

Hearing no further discussion, Mayor Ross called for a vote and the results were as follows:

Selectman Rod Bobo voted: "Aye"

Selectman Homer Cannon voted: "Aye"

Selectman Charles Collins voted: "Aye"

Selectman Keith McBrayer voted: "Aye"

Selectman Jasper Pittman voted: "Aye"

Motion carried.

Mayor Ross started old business with Dr. Johnnie Rasberry's, Youth Program.

Dr. Rasberry, confirmed the answers to questions that the City Attorney had asked. Dr. Rasberry stated that he would inform the Board of the physical location of the program later.

Mayor Ross called Interim Electric Superintendent, Dwight Prisock, to present the Trencher Bid Tabs. Mr. Prisock's recommendation was the Astec Trencher-RT800.

Selectman Rod Bobo made the motion to accept Mr. Prisock's recommendation. The motion received a second from Selectman Keith McBrayer.

### TRENCHER EVALUATION AND PURCHASE RECOMMENDATION

The below are some key specifications and evaluation of the 3 vendors

Unit Model	Ditchwitch RT80	Vermeer RTX750	Thompson (Astec) RT800
Bid Amount	\$ 70,741.93	\$ 74,400.00	\$ 90,416.86
4-cylinder diesel engine	Y	Y	Y
cooling system of 12.5qts or more	?	N 8 QTS	Y
engine oil w/filter of 10 qts. Or more	Y	Y	Y
total hydraulic system of at least 20.0 gallons	Y	Y	Y
combination of cupped and rock/frost teeth on a chain with crumber and restraint bars to match	Y	Y	Y
The spoil removal augers shall be dual, double pitch augers.	Y	Y	Y
dig depths to 72"	Y	Y	Y
digging widths of 7" and 12" (either 2 chains or spreader type bars for add on to the 7" chain configuration)	Y	Y	Y
minimum chain-line speed of 600 ft./min			Y
<b>minimum chain tensile of: 165,000 lb</b>	<b>70,000</b>	<b>100,000</b>	<b>165,000</b>
reversible chain drive	Y	Y	Y
infinitely variable digging chain speed	Y	Y	Y

**Recommend purchasing the Astec RT800 Trencher for \$90,416.86 that meets or exceeds all specifications.**

The Ditchwitch and Vermeer units bid do not meet the tensile strength bid requirements for the digging chain. The tensile strength of the chain is important to minimize wear and tear damage while doing normal trenching.

Also, the Astec can be serviced at Columbus or Tupelo and the Ditchwitch and Vermeer are Memphis.

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Hearing no further discussion, Mayor Ross called for a vote and the results were as follows:

Selectman Rod Bobo voted: “Aye”  
Selectman Homer Cannon voted: “Aye”  
Selectman Charles Collins voted: “Aye”  
Selectman Keith McBrayer voted: “Aye”  
Selectman Jasper Pittman voted: “Aye”

Motion carried.

Mayor Ross called Selectman Charles Collins to discuss the Utility Rates.

Selectman Collins made the motion for the Electric Department to provide to the Board a monthly spread sheet of kilowatt hours, revenue, taxes, industrial customers, and industrial customers that are exempt by the State.

The motion received a second from Selectman Jasper Pittman.

Hearing no further discussion, Mayor Ross called for a vote and the results were as follows:

Selectman Rod Bobo voted: “Aye”  
Selectman Homer Cannon voted: “Aye”  
Selectman Charles Collins voted: “Aye”  
Selectman Keith McBrayer voted: “Aye”  
Selectman Jasper Pittman voted: “Aye”

Motion carried.

Mayor Ross called for an appointment to the C&G Rail Authority Board.

Selectman Charles Collins made the motion to appoint Mr. Harold Lathon.

The motion received a second from Selectman Rod Bobo.

Hearing no further discussion, Mayor Ross called for a vote and the results were as follows:

Selectman Rod Bobo voted: “Aye”  
Selectman Homer Cannon voted: “Aye”  
Selectman Charles Collins voted: “Aye”  
Selectman Keith McBrayer voted: Abstained  
Selectman Jasper Pittman voted: “Aye”

Motion carried.

Mayor Ross called for an appointment to the Golden Triangle Solid Waste Authority Board.

Selectman Rod Bobo made the motion to appoint Andrew Kenneth Oneal.

The motion received a second from Selectman Jasper Pittman

Hearing no further discussion, Mayor Ross called for a vote and the results were as follows:

Selectman Rod Bobo voted: “Aye”  
Selectman Homer Cannon voted: “Aye”  
Selectman Charles Collins voted: “Aye”  
Selectman Keith McBrayer voted: “Aye”  
Selectman Jasper Pittman voted: “Aye”

Motion carried.

Mayor Ross called for an appointment to the Housing Authority Board.

Selectman Keith McBrayer made the motion to re-appoint Mr. Ralph Nichols.

The motion received a second from Selectman Rod Bobo.

Hearing no further discussion, Mayor Ross called for a vote and the results were as follows:



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Selectman Rod Bobo voted: “Aye”  
Selectman Homer Cannon voted: “Aye”  
Selectman Charles Collins voted: “Aye”  
Selectman Keith McBrayer voted: “Aye”  
Selectman Jasper Pittman voted: “Aye”  
Motion carried.

Mayor Ross called item seven on the agenda, Fire Truck surplus. Mayor Ross suggested that the City sell the Fire Truck with the condition that the buyer would loan it for City's events or the City just keep it.

Selectman Keith McBrayer made the motion to sell the Fire Truck as a surplus with the condition that the buyer would loan it for City's events.

The motion received a second from Selectman Rod Bobo.

Hearing no further discussion, Mayor Ross called for a vote and the results were as follows:

Selectman Rod Bobo voted: “Aye”  
Selectman Homer Cannon voted: “Aye”  
Selectman Charles Collins voted: “Aye”  
Selectman Keith McBrayer voted: “Aye”  
Selectman Jasper Pittman voted: “Aye”  
Motion carried.

Mayor Ross called Selectman Charles Collins to address the last item on the agenda, Comp Time Policy. No action was taken.

Mayor H. Scott Ross, pursuant to his authority, vetoed the action of the Board appointment of Mr. Harold Lathon, to the C&G Railroad Authority Board, which occurred during the Regular Board Meeting on January 11, 2011. Mayor H. Scott Ross exercised said veto on January 14, 2011.

Mayor Ross stated that he was not aware of a need for an executive session.

Selectman Keith McBrayer made the motion to adjourn.

The motion received a second from Selectman Charles Collins.

Hearing no further discussion, Mayor Ross called for a vote and the results were as follows:

Selectman Rod Bobo voted: “Aye”  
Selectman Homer Cannon voted: “Aye”  
Selectman Charles Collins voted: “Aye”  
Selectman Keith McBrayer voted: “Aye”  
Selectman Jasper Pittman voted: “Aye”  
Motion carried.

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H. Scott Ross, Mayor

(SEAL)

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Lela Q. Jack, City Clerk