

REGULAR MEETING OF THE BOARD OF MAYOR AND SELECTMEN
OF THE CITY OF WEST POINT, MISSISSIPPI
SEPTEMBER 13, 2011
5:30 P.M.

This is a Regular Meeting of the Board of Mayor and Selectmen of the City of West Point, Mississippi held the 13th day of September 2011, at 5:30 p.m. at City Hall, 204 Commerce Street, West Point, Mississippi. Members present were Mayor H. Scott Ross, Selectman Rod Bobo, Selectman Charles Collins, Selectman Keith McBrayer, and Selectman Jasper Pittman.

Mayor H. Scott Ross called the meeting to order and called Pastor Steve Craft to offer invocation and CAO Randy Jones to lead the Pledge of Allegiance.

Mayor Ross called for the approval of August 9, 2011 Regular Minutes.

Selectman Keith McBrayer made the motion to approve August 9, 2011 Regular Minutes.

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 Charles Collins voted: “Aye”
Selectman Keith McBrayer voted: “Aye”
Selectman Jasper Pittman voted: “Aye”

Motion carried.

Selectman Homer Cannon entered the meeting at 5:35 p.m.

Mayor Ross called for the approval of August 2011 Claims Docket.

General City:	<u>\$791,549.14</u>
West Point Electric:	<u>\$135,488.60</u>
West Point Water / Sewer:	<u>\$678,655.80</u>

Selectman made the motion to approve the August 2011 Claims Docket.

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 announced the commencement of a public hearing, pursuant to MS Code Section 27-39-205 notice published in the Daily Times Leader, in regards to the increase in ad valorem taxes for the West Point School District. Mayor Ross explained that if any citizen who desired to address the Board concerning the increase had an opportunity at that time to do so. There was one person that asked which taxes were being increased. Mayor Ross stated that the West Point Municipal School District fiscal year 2011 would increase and not the General City. There being no further comments, the Mayor closed the public hearing.

Mayor Ross called for the resolutions fixing ad valorem tax levy for the General City and for the West Point School District for the year 2011. City Clerk Lela Jack, stated that the levy for the General City were, for general purposes and for general improvements 26.70 mills; levy for the library 1.00 mill; levy for debt services 9.11; and total for said municipal purposes 36.81.

Selectman Keith McBrayer made the motion to approve the levy for the General City.

The motion received a second from Selectman Rod Bobo.

**RESOLUTION FIXING AD VALOREM TAX LEVY ON
REAL AND PERSONAL PROPERTY FOR TAXES
FOR THE CITY OF WEST POINT FOR THE YEAR, 2011**

BE IT RESOLVED BY THE MAYOR AND BOARD OF SELECTMEN OF THE CITY OF WEST POINT.

SECTION: 1 For the fiscal year beginning July 1, 2011, there shall be and there is hereby levied on all taxable property, real and personal, within the corporate limits of the City of WEST POINT for ad valorem taxes for municipal purposes the following levy to be collected upon each dollar of assessed value as shown upon the real and personal ad valorem assessment rolls of said City of WEST POINT as to such property within the city limits, to-wit:

For general purposes and for general improvements: 26.70

For Library: 1.00

For Debt Service: 9.11

Total for said municipal purposes: 36.81

SECTION: 2 The clerk of this board be and she is hereby ordered to have this resolution printed and have a copy of this resolution published in its entirety in Daily Times Leader, a newspaper published in this municipality, within ten days after this date, and to certify a copy of this resolution to the Tax Collector of Clay County, to the State Tax Commission, and to the State Auditor, as required by Section 21-33-47, Mississippi State Code of 1972, Annotated.

SECTION: 3 This resolution shall be in full force and effect after its passage.

RESOLVED AND ADOPTED this the 13th day of September, 2011.

_____ Mayor

ATTEST

_____ City Clerk

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.

City Clerk Lela Jack stated that the levy for the West Point School District were, for district maintenance 52.00 mills; levy for debt service 3.00 mills and the total for West Point School District 55.00 mills.

Selectman Keith McBrayer made the motion to approve the levy for the West Point School District.

The motion received a second from Selectman Rod Bobo.

**RESOLUTION FIXING AD VALOREM TAX LEVY ON
REAL AND PERSONAL PROPERTY FOR TAXES
FOR THE WEST POINT SCHOOL DISTRICT FOR THE YEAR, 2011**

BE IT RESOLVED BY THE MAYOR AND BOARD OF SELECTMEN OF THE CITY OF WEST POINT.

SECTION: 1 FOR THE FISCAL YEAR BEGINNING July 1, 2011, there shall be and there is hereby levied on all taxable property, real and personal, within the corporate limits and outside the corporate limits of the WEST POINT MISSISSIPP Municipal Separate School District, for ad valorem taxes for West Point Municipal Separate School District, purposes the following levy to be collected upon each dollar of assessed value as shown upon the real and personal ad valorem assessment rolls of said City of WEST POINT as to such property within and outside the City limits, to-wit:

For District Maintenance: 52.00

For Debt Service: 3.00

Total for said West Point School District: 55.00

SECTION: 2 The clerk of this board be and she is hereby ordered to have this resolution printed and have a copy of this resolution published in its entirety in Daily Times Leader, a newspaper published in this municipality, within ten days after this date, and to certify a copy of this resolution to the Tax Collector of Clay County, to the State Tax Commission, and to the State Auditor, as required by Section 21-33-47, Mississippi State Code of 1972, Annotated.

SECTION: 3 This resolution shall be in full force and effect after its passage.

RESOLVED AND ADOPTED this the 13th day of September, 2011.

ATTEST

_____ Mayor

_____ City Clerk

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: “Nay”

Motion carried.

Mayor Ross stated for the City Clerk to explain item 5, Homestead Charge Back. City Clerk Lela Jack explained that a parcel owned by Mr. James LaRose was sold in 2007 to Ms Ashley McGee. A homestead charge back was issued against the property. The Homestead Charge Back was sold to Pine Hill Company in the 2009 City Tax Sale. Mrs. Jack requested of the Board to void the sale and refund Pine Hill Company their investment of \$669.28

Selectman Jasper Pittman made the motion to void the sale and refund Pine Hill Company \$669.28. The motion received a second from Selectman Homer Cannon.

NO. _____

IN THE MATTER OF STRIKING A 2009 TAX SALE FOR A HOMESTEAD CHARGE
BACK ON PARCEL 83C114E0040000HS JAMES LAROSE

There came on this day for consideration the matter of striking a 2009 tax sale for a homestead charge back on parcel 83c114E0040000HS James LaRose.

It appears to this Board that the applicant James LaRose conveyed his house and property to Ashley McGee May 24, 2007 and thereafter a homestead charge back was issued against James LaRose because of his homestead in another county, and

It appears that said parcel was struck to the state at the 2009 tax sale, and

It appears that according to statute Section 27-33-37(L)(ii) the applicant, Mr. LaRose is responsible for such assessment but there being no way to collect the homestead since Mr. LaRose no longer owns property in Clay County.

After motion by Mr. McKee and second by Mr. Horton this Board doth vote unanimously to void the sale of parcel 83C114E0040000HS which was struck to the state.

So ordered this the 6th day of June, 2011.



President

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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 for the department head's 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; Chief Tim Brinkley, Police Department; Joey Wright, Public Works; and James Crowley, Parks and Recreation.

Mayor Ross called for question or comments from the Department Heads and question or comments from the Board of Selectmen. There were no questions or comments from the Board of Selectmen or the department heads.

Mayor Ross started old business with the Interlocal Jail Agreement.

Selectman Charles Collins made the motion to table the Interlocal Jail Agreement.

The motion received a second from Selectman Jasper Pittman.

This issue was tabled to allow Attorney Richmond to prepare a counter-proposal Interlocal Jail Agreement.

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 explained that the contract between The Golden Triangle Planning and Development District and the City of West Point Board of Selectmen June of 2010 was not executed at the time of their agreement.

CONTRACT FOR PROFESSIONAL GIS SERVICES

between

The Golden Triangle Planning and Development District,

The City of West Point Board of Selectmen,

and

The Clay County Board of Supervisors

THIS CONTRACT, entered into this day 24th of August, 2011, by and between the Board of Supervisors, Clay County, Mississippi, hereinafter referred to as the "County," The Board of Selectmen, City of West Point, hereinafter referred to as the "City," and the Golden Triangle Planning and Development District, Inc. (a non-profit corporation organized and existing under the laws of the State of Mississippi), Starkville, Mississippi, hereinafter referred to as the "District."

IT IS HEREBY AGREED that the District, utilizing its facilities and resources, in conjunction with any necessary purchase of expendable supplies/services, will provide professional services in preparing an automated E-911 addressing system for the benefit of County and City.

I. SCOPE OF SERVICES

The District shall develop an addressing system for the COUNTY, Which includes the incorporated municipality of west point (City), to locate each structure to its true location for use in emergency response situations. Every structure in the county and the city will be mapped using state-of-the-art GIS (geographical information system), GPS (global positioning system), and remote sensing (high resolution color aerial ortho-photography) technologies and following the national standards for addressing. The addressing system shall include:

- a) Location of each structure in digital format with its true coordinates;
- b) Details of each structure in database format, linked to map features;
- c) A digital picture of each structure, linked to database and map; and
- d) Assignment of voting and political boundary designations to each structure, etc.

All the parties (the County, the City, and the District) recognize the need for keeping the County addressing system updated as new structures/buildings are added. The District will help the County and the City in drafting an ordinance for adoption to make sure that i) the address changes are reported and documented, and ii) every structure being built obtains an address, before any utility is turned on. After completion of this contract, the District will propose a contract to the

County and the City to provide future services for assigning new addresses. This will help keep the E-911 map and the associated database updated on a regular basis to insure quality service for the County residents.

II. TYPE OF CONTRACT

This is a fixed cost professional services contract, and does not include any costs for legal services. Any preparation for litigation, and any costs to the District for providing testimony shall be reimbursed to the District by the County and the City.

III. DATA, INFORMATION, PERSONNEL ASSISTANCE AND PROFESSIONAL SERVICES FURNISHED BY THE COUNTY BOARD OF SUPERVISORS AND THE BOARD OF SELECTMEN TO THE DISTRICT

It is expected that the County and the City will extend its assistance and cooperation in

- a) Providing updated tax maps, database, recent photography and/or other required information, and
- b) Obtaining data from external sources (utility companies and other agencies).

IV. TIME OF PERFORMANCE

The project will commence October 1, 2010 and will continue until all activities are completed (to coincide with Clay County's contract with the Appalachian Regional Commission). Delays caused by utility companies, county divisions, city divisions, or other unforeseen circumstances are beyond the control of the GTPDD. The District will immediately inform the County and the City of such situations, if necessary. Appropriate steps will be taken to extend the project deadline.

V. COMPENSATION

In consideration of the performance of this contract, the District shall be paid a fixed fee amount of \$250,000, \$200,000 of which will be paid by Clay County via ARC (Appalachian Regional Commission) contract number MS-16788-10. County funds will pay half of 20% of the fixed fee in the amount of \$25,000. City funds will also pay half of 20% of the fixed fee in the amount of \$25,000. County and City payments are required by referenced grant.


VI. METHOD OF PAYMENT

The County and the City will be charged on a monthly basis of a eighteen (18) month period in the sum of \$1388.89 for each party. Payment shall be made to

the District not less frequently than monthly after receipt by the County and the City of an invoice from the District. Documentation of expenses shown on such invoices will be maintained in the files of the District.

IN WITNESS HEREOF, the Board of Supervisors, Clay County, Mississippi, the Board of Selectmen, West Point, Mississippi, and the Golden Triangle Planning and Development District, Inc., have executed this Contract by and through their duly authorized officers, signature and official seal, on the date herein first written.


THE BOARD OF SUPERVISORS,
CLAY COUNTY

By: 
Floyd McKee, President of the
Board of Supervisors Clay County

Attest: 
Harmon A. Robinson, Chancery Clerk

(SEAL)

THE BOARD OF SELECTMEN,
THE CITY OF WEST POINT

By: 
H. Scott Ross, Mayor of the
City of West Point

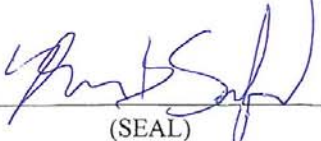
Attest: 
Lela Jack, City Clerk

(SEAL)



GOLDEN TRIANGLE PLANNING AND
DEVELOPMENT DISTRICT, INC.

By: 
Rupert L. "Rud" Johnson
Executive Director

Attest: 
(SEAL)

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Item 9, of old business, Payday Loan Moratorium was tabled.

The advertisement for the Electric Superintendent was agreed by majority of the Selectmen to run the ad for 2 weeks in the Clarion Ledger, Daily Times Leader the local paper and Columbus Dispatch in the help wanted section.

Mayor Ross stated that the Emergency Declaration was still a need to allow the City of West Point to work on private property in a time of disasters.

Selectman Rod Bobo made the motion to continue the Emergency Declaration.

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.

Selectman Jasper Pittman made the motion to close the meeting to determine a need for an executive session.

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

Selectman Jasper Pittman made the motion to remain in executive session to discuss personnel.

The motion received a second from Selectman Homer Cannon.

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 announced to the public that there was a need to remain in executive session to discuss personnel matters.

Chief Tim Brinkley presented an accident report to the Board on Officer Cedric Sykes. His concern was the liability in his department.

Selectman Jasper Pittman made the motion to remove him from his current position and place him in another department in the City that doesn't requires him to drive.

The motion was second by Selectman Keith McBrayer.

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"

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Selectman Charles Collins voted: “Aye”
Selectman Keith McBrayer voted: “Aye”
Selectman Jasper Pittman voted: “Aye”
Motion carried

Selectman Cannon excused himself from the meeting at 7:20 p.m.

Selectman Charles Collins made the motion to close the executive session.

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 Charles Collins voted: “Aye”
Selectman Keith McBrayer voted: “Aye”
Selectman Jasper Pittman voted: “Aye”
Motion carried

Mayor Ross announced to the public that the action taken in the executive session was to remove Officer Cedric Sykes from his current position at the Police Department and place him in another position in the City. However he will not have any authority to operate any City vehicle.

Selectman Jasper Pittman made the motion to adjourn.

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 Charles Collins voted: “Aye”
Selectman Keith McBrayer voted: “Aye”
Selectman Jasper Pittman voted: “Aye”
Motion carried

H. Scott Ross, Mayor

(SEAL)

Lela Q. Jack, City Clerk