

REGULAR MEETING OF THE BOARD OF MAYOR AND SELECTMEN
OF THE CITY OF WEST POINT, MISSISSIPPI
JANUARY 8, 2013
5:30 P. M.

Board of Mayor and Selectmen of the City of West Point, Mississippi held the Regular Meeting the 8th day of January 2013, at 5:30 p.m. at City Hall, 204 Commerce Street, West Point, Mississippi. Present Mayor H. Scott Ross, Selectman Rod Bobo, Selectman Homer Cannon, Selectman Charles Collins, Selectman Keith McBrayer, Selectman Jasper Pittman, Attorney Orlando Rod Richmond, CAO Randy Jones and City Clerk Lela Q. Jack.

Mayor Ross called the meeting to order and called on Selectman Homer Cannon to offer invocation and CAO led the Pledge of Allegiance.

Mayor Ross started Old Business with the appointment to the Housing Authority Board for a term of 4 years.

Selectman Rod Bobo made the motion to appoint Mr. Steve Craft.

The motion received a second from Selectman Jasper Pittman.

Selectman Homer Cannon made a substitution motion to appoint Mrs. Gale Turner.

The motion received a second from Selectman Keith McBrayer.

Mayor Ross called a roll call vote on the substitution motion to appoint Mrs. Turner.

Selectman Homer Cannon stated that he felt that Mrs. Turner would be more suited for the appointment to Housing Authority Board.

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

Selectman Homer Cannon:	<u>“Aye”</u>
Selectman Keith McBrayer	<u>“Aye”</u>
Selectman Rod Bobo:	<u>“Nay”</u>
Selectman Jasper Pittman:	<u>“Nay”</u>
Selectman Charles Collins	<u>“Nay”</u>

Motion failed 2 to 3.

Mayor Ross called for a roll call vote on the original motion to appoint Mr. Steven Craft to the Housing Authority Board.

Selectman Collins stated that Mr. Bob Farra represented the Housing Authority at December's meeting and stated some criteria when the Housing Authority is applying for funds.

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

Selectman Rod Bobo voted: "Aye"

Selectman Jasper Pittman voted: "Aye"

Selectman Homer Cannon voted: "Nay"

Selectman Keith McBrayer voted: "Aye"

Selectman Charles Collins voted: "Nay"

Motion carried 3 to 2.

Mayor Ross called on CAO Randy Jones to elaborate on the resolution that Mr. Jones was requesting from the Board the authorization to give notice to Comcast the new agreement to negotiate pole attachments and the franchise agreement.

RESOLUTION

A RESOLUTION OF THE CITY BOARD OF MAYOR AND SELECTMEN OF WEST POINT MISSISSIPPI AUTHORIZING THE CHIEF ADMINISTRATIVE OFFICER TO NOTIFY COMCAST OF TUPELO, INC. TO REMOVE ATTACHMENTS FROM CITY OWNED UTILITYPOLES

RECITALS:

1. On or about August 14, 1962 the West Point Electric Department ("City") entered into a Pole Attachment Agreement with Frank Haley of Tupelo Mississippi.
2. Comcast of Tupelo, Inc. ("Comcast") currently attaches its wires and related equipment to the City's utility poles.
3. The Term of the Agreement has expired.
4. Since September 26, 2010 the City has attempted numerous times to have Comcast agree to have a new Pole Attachment Agreement in place to have the necessary authorization from the City for Comcast to attach its wires and facilities to the City's poles.

NOW, THEREFORE, the Board of Mayor and Selectmen for the City of West Point, Mississippi hereby resolves as follows:

1. The recitals set forth above are hereby incorporated in their entirety.
2. COMCAST has failed to enter into an Agreement with the City for the purpose of attaching its wires and facilities to the City's utility poles.
3. The Chief Administrative Officer (CAO) is hereby authorized to provide COMCAST with written notice of termination of any and all rights, which COMCAST may have to attach to the City's utility poles. The CAO is authorized to provide thirty (30) days advance written notice of such termination to allow COMCAST a reasonable opportunity to either resolve this issue or remove its attachments.
4. The City hereby reserves any and all rights it may have under applicable law to seek monetary damages, penalties and/or any other legal or equitable remedies against COMCAST.

This Resolution shall take effect and continue and remain in effect from and after the date of its passage, approval, and adoption.

A motion to approve the foregoing Resolution was made by Selectman Charles Collins and duly seconded by Selectman Red Bebo.

By unanimous vote, Mayor Ross declared the motion passed and adopted by the City of West Point, Mississippi, this the 8th day of January 2013.

H. Scott Ross
Mayor

ATTEST:

Lela Q. Jack
City Clerk

Selectman Charles Collins made the motion authorizing Mr. Jones' request.

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 he had a prior commitment and would excuse himself from the meeting shortly but wanted to address agenda items 7, 9 and 10 before he left because he would like to share some clarity on these items. Mayor Ross stated that items 3, consent agenda 4-6 and 8 would be addressed shortly.

Mayor Ross stated that item 7, the re-appointment to Board of Commission at Golden Triangle Regional Landfill expired December 2012, and the member was Mr. Philip Dimino. This is a 4 year term appointment.

Selectman Rod Bobo made the motion to appoint Mr. Philip Dimino to another 4 year term.

The motion received a second from 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"

Selectman Charles Collins voted: "Aye"

Selectman Keith McBrayer voted: "Aye"

Selectman Jasper Pittman voted: "Aye"

Motion carried.

Mayor Ross called for Electric Superintendent, Mr. Dwight Prisock to discuss item 9, write-off of bad debt that was non-collectable for the water and light department.

Mr. Prisoek explained that the debts for unpaid water and electric services for over two and a half years would not be written off; but he needed Board's approval to place the unpaid debts in a noncollectable account.

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

June 2012 -

996 Acct #	Customer name	Original acct #	Turn off date	Ctl 51 date	Amount
1298	ALHAZMI,CHRISTINA	007 0440	5/14/2012	6/5/2012	\$ 142.12
1329	BOOKER,ANDRE L	037 2480	5/18/2012	6/26/2012	\$ 178.09
1304	BOYD,IKE	026 0176	4/25/2012	6/8/2012	\$ 257.94
1365	BROWN,KIM B	012 0024	6/14/2012	8/22/2012	\$ 467.12
1369	BROWNL EE,TEKEISHA	014 7016	7/10/2012	8/22/2012	\$ 67.76
1309	BYNUM,MARTHA	021 0088	5/31/2012	6/20/2012	\$ 331.40
1383	CALHOUN,ROSMESSI RORSHEL	033 0227	8/7/2012	8/22/2012	\$ 559.86
1368	CASSATTA,ALLISON	013 1000	7/23/2012	8/22/2012	\$ 367.66
1392	COGGINS,MECOS	022 0490	7/12/2012	9/26/2012	\$ 315.77
1330	COLDWELL BANKER	038 1360	5/19/2011	6/26/2012	\$ 30.88
1384	CRAWFORD,YAVETTE	033 0483	7/10/2012	8/22/2012	\$ 567.28
1301	DAVIS,BARBARA	011 0441	5/23/2012	6/5/2012	\$ 49.51
1359	DAVIS,BEVERLY D TOMPKINS	005 0252	6/15/2012	8/22/2012	\$ 135.42
1378	EDWARDS,PHYLENCIA	029 0042	7/30/2012	8/22/2012	\$ 145.53
1379	ELKINS,CHRISTOPHER C	029 0616	8/6/2012	8/22/2012	\$ 264.56
1393	ELKINS,JENNIFER	023 1410	7/31/2012	9/26/2012	\$ 349.92
1382	FIELDS,ESTERLEAN	031 1511	7/18/2012	8/22/2012	\$ 403.44
1389	GOLDEN,TOYAR	029 0848	7/30/2012	8/23/2012	\$ 249.63
1377	GOLSON,MIGNON	027 0725	8/20/2012	8/22/2012	\$ 84.88
1307	GOSTON,PAMELA R	013 1060	4/30/2012	6/15/2012	\$ 251.22
1312	HAMILTON,KATINA L	022 0360	5/31/2012	6/20/2012	\$ 161.59
1373	HANNAH,TIFFANY	026 1224	8/6/2012	8/22/2012	\$ 33.37
1332	HARRELSON,MICHAEL	016 0190	7/6/2012	7/13/2012	\$ 140.00
1397	HARRIS,EDDIE H JR	035 5438	8/8/2012	9/26/2012	\$ 115.45
1362	HENLEY,TAMEIKA Q	007 0961	7/23/2012	8/22/2012	\$ 215.51
1374	HERRON,ELOISE	026 2316	8/8/2012	8/22/2012	\$ 191.45
1311	HILL,AMEY	021 0311	5/31/2012	6/20/2012	\$ 341.82
1310	JACKSON,CORINE	021 0160	6/6/2012	6/20/2012	\$ 65.42
1286	JEFFERSON,WALTER	003 0874	4/30/2012	6/8/2012	\$ 54.59
1314	LANGLEY,VICKI M COLLIER	023 0300	5/31/2012	6/20/2012	\$ 2,320.33
1364	LATHAM,MIKE	011 0806	7/9/2012	8/22/2012	\$ 215.62
1346	LEWIS,JESSICA HAZELWOOD	011 0468	6/14/2012	7/13/2012	\$ 192.18
1360	MERCHANT,BENJIE-CHRISTY	005 0610	7/24/2012	8/22/2012	\$ 298.86
1381	NICHOLS,KATIE	031 0569	7/18/2012	8/22/2012	1.27-
1303	ORR,LATONIA R	012 0047	5/23/2012	6/5/2012	\$ 211.51
1390	POWELL,JAMES E	022 0170	8/7/2012	9/26/2012	\$ 292.91
1371	PURNELL,LILLIAM	025 1650	8/20/2012	8/22/2012	\$ 273.12
1394	SHELTON,JAMES	024 3260	7/31/2012	9/26/2012	\$ 81.80
879	SMITH,ROOSEVELT	015 0320	7/31/2012	8/16/2012	\$ 545.56
1385	STRONG,RICHARD L	033 0720	8/20/2012	8/22/2012	\$ 446.20
1354	TALLIE,APRIL N	012 0936	6/22/2012	7/16/2012	\$ 93.94
1308	TURNER,CARNELL	017 5320	5/14/2012	6/15/2012	\$ 40.80
1396	TURNIPSEED,BRITTANY	034 4778	7/2/2012	9/26/2012	\$ 39.42
1395	WASHINGTON,GEORGE	034 3630	7/11/2012	9/26/2012	\$ 1.86
1348	WEST,TROY L	011 0535	6/22/2012	7/13/2012	\$ 1,739.96

1391 WREN,AMANDY D	022 0430	7/12/2012	9/26/2012	\$	298.42
1299 YOUNG,RAIYONNA	008 0006	4/30/2012	6/5/2012	\$	77.80
1302 TALLIE,NIKISHA	011 0980	4/4/2012	6/5/2012	\$	506.67
1315 HURST,DAMON	023 1135	5/8/2012	6/21/2012	\$	620.84
1323 BROWN,BERTHA L	031 1118	6/13/2012	6/22/2012	\$	307.70
1320 BROWN,JASANDRA MALONE	029 0430	6/13/2012	6/22/2012	\$	452.93
1317 CHANDLER,ALBERT	027 0649	5/18/2012	6/22/2012	\$	170.92
1318 MARNELL,DAVID J	027 0820	5/30/2012	6/22/2012	\$	615.69
1326 RAMBUS,KATHERN	035 5260	5/18/2012	6/22/2012	\$	302.84
1319 ROBINSON,WILLIE M	029 0013	6/11/2012	6/22/2012	\$	492.52
1316 STEWART,SHEVILLE	026 1202	6/13/2012	6/22/2012	\$	169.67
1325 WALKER,CHARLENE	035 3190	5/18/2012	6/22/2012	\$	105.08
1347 FOWLER,JENNIFER BROWN	011 0500	5/30/2012	7/13/2012	\$	19.96
1335 BARNES,BARBARA	019 1780	5/14/2012	7/13/2012	\$	110.56
1343 CONARD,WILLIAM	008 0755	6/22/2012	7/13/2012	\$	194.40
1345 EDWARDS,TRAVIS	008 0900	6/22/2012	7/13/2012	\$	195.95

Total \$ 17,975.21

FY 2010, 2011, 2012 257,685.53

275,660.74

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 item 10, Subdivision Platt for Old Waverly would be explained by the Electric Superintendent, Dwight Prisock. Mr. Prisock stated that Old Waverly wanted to subdivide a tract into individual condos with each having their own deeds.

Selectman Keith McBrayer made the motion to accept the request.

The motion received a second from Selectman Rod Bobo.

Selectman Cannon asked Attorney Richmond if he had reviewed the Old Waverly’s request and Attorney Richmond stated that he had not. Attorney Richmond asked Mr. Prisock, if there was a prepared report or the Planning Commission’s minutes ready for review? Mr. Prisock stated no, but he would email the report to Attorney Richmond. The motion was amended to state that the request from Old Waverly would be approved with the consent of City’s Attorney Orlando Richmond.

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 excused himself from the meeting at 6:15 p.m.

After Mayor Ross departure, Vice Mayor Charles Collins chaired the Regular Meeting . Vice Mayor Collins called for item 3, Public Appearances Mr. Mike Garnet’s concern was utilities fees for reconstruction of properties. Mr. Thomas Allen and Mr. Dunard Holder’s concerns were the surge that went though their home August, 2012 would be heard in the executive session.

Vice Mayor Charles Collins asked the Board were there any other items considered separately on the consent agenda that needed to be removed for discussion and if not he asked for a motion for the consent agenda to be approved.

Selectman Jasper Pittman made the motion to approve the consent agenda

The motion received a second from Selectman Rod Bobo.

Item 4, Approval of January 8, 2012 minutes.

Item 5, Approval of January 2012 claims dockets.

General City	<u>\$287,717.28</u>
West Point Electric	<u>\$155,579.60</u>
West Point Water & Sewer	<u>\$132,137.68</u>

Item 6, Declaration of Emergency.

Hearing no further discussion, Vice Mayor Charles 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 Keith McBrayer voted:	<u>“Aye”</u>
Selectman Jasper Pittman voted:	<u>“Aye”</u>

Motion carried.

Vice Mayor Charles Collins called for the Department Heads' Reports. Those presenting written reports were Randy Jones, CAO; Dwight Prisock, Electric Superintendent and Interim Builder Inspector, Wastewater Treatment Plant, Water and Sewer and Electric; Chief Johnnie Littlefield, Fire Department; Chief Tim Brinkley, Police Department; Joey Wright, Public Works; James Crowley, Park and recreation; and Teresa Moore, Office of Constituent.

Vice Mayor Charles Collins called for questions or comments from the Department Heads and questions or comments from the Board of Selectmen. Selectman Cannon referred to the building condition. Mr. Crowley agreed that the building was due for an upgrade. Recreation Director, James Crowley commented about the rental of the recreation department facility and stated that the building really was not being rented out but the community is given the use when there is a need .

Vice Mayor Collins stated that he was not aware of any other business to come before the Board.

Selectman Jasper Pittman made the motion to close the regular meeting to see if there was a need for an executive session.

The motion received a second from Selectman Rod Bobo.
Hearing no further discussion, Vice Mayor Collins 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 Keith McBrayer voted:	<u>“Aye”</u>
Selectman Jasper Pittman voted:	<u>“Aye”</u>

Motion carried.

The public left the regular meeting and waited to be informed whether the Board would announce a need for an executive session.

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

The motion was second by Selectman Rod Bobo.
Hearing no further discussion, Vice Mayor Charles Collins 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 Keith McBrayer voted:	<u>“Aye”</u>
Selectman Jasper Pittman voted:	<u>“Aye”</u>

Motion carried.

It was announced to the public that the Board was going to remain in executive session to discuss personnel and litigation.

Selectman Jasper Pittman made the motion to close the executive session meeting

The motion received a second from Selectman Rod Bobo.
Hearing no further discussion, Vice Mayor Charles Collins called for a vote and the results were as follows.

Selectman Rod Bobo voted:	<u>“Aye”</u>
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Selectman Homer Cannon voted: “Aye”

Selectman Keith McBrayer voted: “Aye”

Selectman Jasper Pittman voted: “Aye”

Motion carried.

The public was informed that executive session was closed.

Vice Mayor Charles Collins announced that no action was taken in executive session.

Selectman Keith McBrayer made the motion to adjourn.

The motion received a second from Selectman Rod Bobo.

Hearing no further discussion, Vice Mayor Charles Collins called for a vote and the results were as follows.

Selectman Rod Bobo voted: “Aye”

Selectman Homer Cannon voted: “Aye”

Selectman Keith McBrayer voted: “Aye”

Selectman Jasper Pittman voted: “Aye”

Motion carried.

H. Scott Ross Mayor

(SEAL)

Lela Q. Jack, City Clerk

