

A RESOLUTION OF THE GOLDEN TRIANGLE REGIONAL SOLID WASTE
MANAGEMENT AUTHORITY :

Opposition to Senate Bill No. 2684, An Act to Amend Section 17-17-305

WHEREAS, the Mississippi Legislature created the Regional Solid Waste Management Act, Sections 17-17-301 through 17-17-349 of the Mississippi Code of 1972, to provide efficient municipal solid waste collection and disposal services for the citizens of this State. Under the Regional Solid Waste Management Act, any unit of local government or any combination of units may form a regional solid waste management authority (hereinafter "authority"). § 17-17-307. An authority may include multiple "members" which are units of local government participating in the authority. § 17-17-305(I). Authorities are charged with acquiring, constructing, operating, and maintaining municipal solid waste management facilities protect the health, safety, and welfare of the citizens of the State. § 17-17-303. By the Regional Solid Waste Management Act, the Legislature intended to "provide adequate incentives and processes for reducing operation and other costs in the management of municipal solid waste."

WHEREAS, the Board has determined that the amendment to the Regional Solid Waste Management Act as proposed in Senate Bill No. 2684 will modify the State's definition of "municipal solid waste" as it is presently defined under Mississippi Code Ann. § 17-17-305 in a manner detrimental to this authority and other authorities' abilities to manage municipal solid waste in a manner that ensures protection of human health, safety, and welfare and the environment;

WHEREAS, the Regional Solid Waste Management Act, along with regulations adopted pursuant to the Act, rely on the current definition of "municipal solid waste" that means "any nonhazardous solid waste, resulting from the operation of residential, commercial, institutional or institutional establishments except oil field exploration and production and sewage sludge." Miss. Code Ann. § 17-17-305(m); 11 Code Miss. R. Pt. 4, R. 1.1 (2018);

WHEREAS, Senate Bill No 2684 would modify the definition of "municipal solid waste" to mean "any nonhazardous solid waste resulting from the operation of residential, commercial, governmental, industrial, or institutional establishments, except oil field exploration and production wastes, wastes from food processing, but not wastes from industrial solid waste facilities that were in operation before July 1, 2019; and sewage sludge";

WHEREAS, the proposed definition of "municipal solid waste" would undermine the State's existing regulatory structure that allows the Commission on Environmental Quality to adopt rules and regulations governing disposal of "municipal solid waste," and in Section 17-

17-205 and in accordance with Section 17-17-231 of the Nonhazardous Solid Waste Planning Act of 1991, Section 17-17-201 through 17-17-235 of the Mississippi Code of 1972, as amended;

WHEREAS, the revised definition of "municipal solid waste," as proposed in Senate Bill No. 2684, would increase municipal solid waste disposal costs of the citizens of the State of Mississippi. To assure the viability of municipal solid waste management facilities, the Mississippi Regional Solid Waste Management Authority Act allows authorities to enact resolutions declaring that municipal solid waste generated within their designated geographic area must be disposed of at the permitted municipal solid waste management facility or facilities serving such area and to require that members of the authorities enact ordinances or resolutions that require the same. Miss. Code. Ann. § 17-17-319(2). These resolutions or ordinances are commonly referred to as "flow control ordinances." Flow control ordinances are an essential mechanism through which authorities fulfill their statutory obligation to provide environmentally sound and fiscally viable municipal solid waste disposal programs. *See E.g., Nat'l Solid Waste Mgmt. Ass'n v. Pine Belt Reg'l Solid Waste Mgmt. Auth.*, 389 F.3d 491, 502 (5th Cir. 2004) (flow control ordinances have a legitimate local purpose "to ensure the economic viability" of solid waste disposal facilities). Flow control ordinances allow authorities to guarantee volume of wastes expected to be disposed at a particular disposal facility and prevent revenue losses due to wastes being taken outside the geographic area. In this manner, flow control ordinances promote the development of facilities that can accommodate larger volumes of municipal solid wastes, providing benefits that have a positive impact on the financing of capital costs and day-to-day utilization of equipment and personnel required at permitted municipal solid waste disposal facilities. In addition, municipal solid waste disposal facilities incur certain fixed costs mandated by state and federal law that may be commensurately reduced by the economy of scale benefits;

WHEREAS, this amendment, as drafted, will detrimentally impair the ability of authorities and their members to enforce flow control ordinances. Numerous solid waste management authorities and their members have enacted flow control ordinances that define "municipal solid waste" using language identical to the current version of the Mississippi Regional Solid Waste Management Authority Act. The revised definition of "municipal solid waste" in Senate Bill No. 2684 would undermine the obligations in existing flow control ordinances that require that all municipal solid wastes be directed to the solid waste management authority's designated facility for disposal. In particular, this language would remove all wastes generated by for-profit entities (i.e., wastes from any commercial and industrial process) from the requirement in an applicable flow control ordinance to dispose of wastes at a designated facility. Moreover, this amendment would require the revision of all flow control ordinances in effect across the State at considerable expense to the authorities, their members, and the citizens that they serve;

WHEREAS, this amendment will hinder the ability of authorities to issue and repay bonds as authorized under Section 17-17-327 of the Mississippi Code of 1972 and to temporarily borrow funds in anticipation of the issuance of bonds under Section 17-17-331. Section 17-17-327 authorizes authorities to issue tax-exempt bonds for the acquisition, construction, improvement,

closure, and post-closure maintenance of their facilities and to repay bonds from the revenues generated from waste disposal facilities. Today, many authorities have issued bonds based on revenues expected from disposal facilities that receive municipal solid wastes as defined under the current definition. Authorities' revenues depend directly on the amount of solid wastes that it receives at its facilities. House Bill 2684 would reduce the tonnage of commercial wastes that must be directed to the facilities. Therefore, Senate Bill No. 2684 will decrease the security of outstanding municipal solid waste bonds issued by the solid waste management authorities to the detriment of their issuers, citizens, and bondholders and will impair the ability of authorities to secure financing for future activities through bond issuance, forcing authorities to finance projects and provide for construction, operation, and closure of their facilities using other mechanisms such as increased user fees;

WHEREAS, the Fifth Circuit found that flow control ordinances adopted by Mississippi counties were constitutional because they did not "disparately impact interstate commerce relative to intrastate commerce." *Natl' Solid Waste Mgmt. Ass'n v. Pine Belt Reg'l Solid Waste Mgmt. Auth.*, 389 F.3d 491, 503 (5th Cir. 2004). Subsequently, the United States Supreme Court has ruled that flow control ordinances are acceptable under the United States Constitution. The case of *United Haulers Association, Inc. v. Oneida-Herkimer Solid Waste Management Authority*, 550 U.S. 330, 345 (2007), held that a flow control ordinance requiring trash haulers to deliver solid waste to a processing plant owned by a public authority did not discriminate against interstate commerce because the ordinance "treat[ed] in-state private business interests exactly the same out-of-states ones." The Court in *United Haulers*, distinguished its decision, which involved a municipality owned, public benefit corporation, from a previous decision that struck down a flow control ordinance that required waste haulers to deliver waste to a particular private processing facility. *Id.* at 334 (citing *C & A Carbone, Inc. v. Clarkstown*, 511 U.S. 383 (1994)). Existing provisions of the Mississippi Regional Solid Waste Management Authority Act are fully consistent with the Court's ruling in *United Haulers Association*;

WHEREAS, Senate Bill No. 2684 would exclude wastes generated by for-profit entities from the definition of "municipal solid wastes." This exclusion has the presumably unintended consequence of removing the solid wastes generated by for-profit entities from the definition of "municipal solid waste," thereby removing wastes from for-profit entities from the requirements of the Regional Solid Waste Management Act, the Nonhazardous Solid Waste Planning Act of 1991, and regulations adopted pursuant to these laws. Thus, if enacted, this Bill would allow waste generated by for-profit entities to be disposed of without these regulatory protections of state law. The Bill also contains a limiting clause that excludes wastes "from regional solid waste management authorities that were incorporated before July 1, 2019" from wastes from for-profit entities. This exclusion is superfluous because wastes generated "from regional solid waste management authorities" are not, by definition, also generated by for-profit entities. In sum, the language of Senate Bill 2684 narrows the definition of "municipal solid waste" subject to state laws and regulations to exclude waste from for-profit entities. This change will

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undoubtedly lead to public health hazards, cause pollution of air and water resources, constitute a waste of natural resources, have an adverse effect on land values, and create public nuisances.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS: The Entity hereby opposes adoption of Senate Bill No. 2684. The proposed amendment to Section 17-17-305 would adversely and detrimentally affect the ability of the Entity and other solid waste management authorities to secure funding necessary to provide cost-efficient municipal solid waste disposal facilities for the citizens of the State of Mississippi;

BE IT FURTHER RESOLVED THAT that Senate Bill No. 2684 would impair the ability of authorities and their members to enforce flow control ordinances and will require the authorities and their members to modify or replace existing flow control ordinances;

BE IT FURTHER RESOLVED THAT the language of Senate Bill No. 2684 would exempt wastes from for-profit entities from the definition of "municipal solid wastes" and applicable state laws and regulations that govern disposal of municipal solid wastes, allowing wastes from for-profit entities to be disposed of in ways that could create dangers to public health and contaminate the State's natural resources;

BE IT FINALLY RESOLVED THAT for the issues described above, the Authority stands in opposition to Senate Bill No. 2684 and urges members of the Accountability, Efficiency, and Transparency Committee to revise this proposed amendment such that it preserves the ability of authorities to secure funding necessary to construct, operate, and close municipal solid waste disposal facilities that are protective of the environment and health and welfare of all Mississippians.

Upon motion duly made by Commissioner _____ and seconded by Commissioner _____, and following discussion, the foregoing Resolution is hereby duly adopted upon the following vote of the members of the Executive Committee of the Golden Triangle Regional Solid Waste Management Authority:

Commissioner H. W. Webb	voted: _____
Commissioner Robert Smith, Sr.	voted: _____
Commissioner Luke Lummus	voted: _____
Commissioner Phillip Dimino	voted: _____
Commissioner Pat Cummins	voted: _____
Commissioner Chris McIntire	voted: _____
Commissioner Marvell Howard	voted: _____
Commissioner Ralph McClain	voted: _____
Commissioner Robert E. Boykin	voted: _____

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The motion having received the affirmative and unanimous vote of the members present, the Chairman declared the motion carried and the resolution adopted on this the 30th day of January, 2019.

By: _____

H. W. Webb, Chairman

ATTEST:

Luke Lummus, Secretary - Treasurer

II. Discuss/Approve Derelict Property Docket.

NATASHA WILSON
502 – 23rd Street South
Case Number 0390 Structure, Property Maintenance Code Violation

The General Counsel called cause number 18-0390. No one appeared. Code Enforcement Officer Tomarris Jones remarked that the property owner requested a 30-day extension and he concurred with the request and stated the property was in such a state of uncleanliness as to be a menace to the public under Section 21-19-11 of the Mississippi Code and asked the Mayor and Council to give the property owner a 30-day extension to remediate the property. Council Member Taylor made a motion to give the property owner a 30-day extension to remediate the property. Council Member Jones seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

JOSEPH EDINBURG, JR.
715 – 5th Street South
Case Number 18-0347 Vegetation, Property Maintenance Code

The General Counsel called cause number 18-0347. No one appeared. Code Enforcement Officer Tomarris Jones stated the property was in such a state of uncleanliness as to be a menace to the public under Section 21-19-11 of the Mississippi Code and asked the Mayor and Council to adjudicate the property as such and that an Order be entered to such effect, requested immediate abatement and that an Order be issued for the property. Council Member Jones made a motion in accordance with Section 21-19-11 of the Mississippi Code, and for an Order stating the City may remove dilapidated buildings or dilapidated fences up to six (6) more times in the twelve (12) month period immediately following the Order and cutting grass and weeds and removing rubbish, personal property and other debris no more than twelve (12) times in a twenty-four (24) month period immediately following the Order, with further notice to the owner as required by law. Costs are to be assessed as allowed under Section 21-19-11 of the Mississippi Code. Council Member Gavin seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

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**MAJOR ANDREWS, Et al
2412 –11th Avenue North
Case Number 0321 Structure**

The General Counsel called cause number **18-0321**. Property Owner, Major Andrews appeared before the Mayor and Council and requested a **45-day extension**. Code Enforcement Officer Tomarris Jones concurred with the request and stated the property was in such a state of uncleanliness as to be a menace to the public under Section 21-19-11 of the Mississippi Code and asked the Mayor and Council to give the property owner a **45-day extension** to remediate the property. Council Member Jones made a motion to give the property owner a **45-day extension** to remediate the property. Council Member Gavin seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

**J. D. Jean Best
1002 Bennett Avenue
Case Number 18-0401 Rubbish**

The General Counsel called cause number **18-0401**. No one appeared. Code Enforcement Officer Tomarris Jones stated the property was in such a state of uncleanliness as to be a menace to the public under Section 21-19-11 of the Mississippi Code and asked the Mayor and Council to adjudicate the property as such and that an Order be entered to such effect, requested **immediate abatement** and that an Order be issued for the property. Council Member Jones made a motion in accordance with Section 21-19-11 of the Mississippi Code, and for an Order stating the City may remove dilapidated buildings or dilapidated fences up to six (6) more times in the twelve (12) month period immediately following the Order and cutting grass and weeds and removing rubbish, personal property and other debris no more than twelve (12) times in a twenty-four (24) month period immediately following the Order, with further notice to the owner as required by law. Costs are to be assessed as allowed under Section 21-19-11 of the Mississippi Code. Council Member Gavin seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

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- J. Consider/Approve an ordinance prohibiting the use, purchase, possession, distribution, sale or offering for sale of synthetic cannabinoids and other synthetic products.

THIS ITEM WAS APPROVED. SEE CITIZENS INPUT AGENDA.

- K. Discuss/Approve recommendations from the January 14, 2019 Planning Commission meeting.

Permitted Use Request PIU 19-01

On Behalf of Lauren Rhea
3910 Highway 45 North

The Planning Commission recommends approval of request for allow an after-School program.

Council Member Taylor moved that the facts and findings of the Planning Commission be adopted as the facts and findings of the Mayor and City Council, and that the recommendation of the Planning Commission to allow an after-school program be approved as a Permitted Use. Council Member Jones seconded the motion. The Mayor asked if anyone in the audience objected to the permitted use application. No one answered. There followed discussion, consideration, and review by the Council of the issues and facts presented by this request and the action taken by the City of Columbus Planning Commission.

All Council Members voted in favor of the motion.

The motion carried.

Permitted Use Request PIU 19-02

Ken Smith, Jr.
319 Plymouth Road

The Planning Commission recommends approval of request for allow a "stick-built" manager's residence, at an existing recreational vehicle park. The property is in a C-3 (Highway Commercial) District.

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Council Member Jones moved that the facts and findings of the Planning Commission be adopted as the facts and findings of the Mayor and City Council, and that the recommendation of the Planning Commission to allow a daycare be approved as a Permitted Use. Council Member Box seconded the motion. The Mayor asked if anyone in the audience objected to the permitted use application. No one answered. There followed discussion, consideration, and review by the Council of the issues and facts presented by this request and the action taken by the City of Columbus Planning Commission.

All Council Members voted in favor of the motion.

The motion carried.

L. Consider/Approve Resolution to Levy Tourism Tax.

Legal Counsel Turnage remarked that the Governor signed House Bill 325 and requested approval of Resolution of the Mayor and City Council of the City of Columbus, Mississippi Declaring its intention to Levy an Added 2% Tax on the Gross Receipts of Sales of Prepared Food, Beer and Alcoholic Beverages of Certain Businesses Operating within the City of Columbus, Mississippi.

Council Member Jones made a motion to approve the Resolution to Levy an Added 2% Tourism Tax on the Gross Receipts of Sales of Prepared Food, Beer and Alcoholic Beverages of Certain Businesses Operating within the City of Columbus, Mississippi and advertise three (3) consecutive weeks in a newspaper having a general circulation. Council Member Gavin seconded the motion. After a thorough discussion about the merits of the motion, the Mayor called for a vote and the votes were recorded as follows:

Council Member Gene Taylor	voted:	<u>YES</u>
Council Member Joseph Mickens	voted:	<u>YES</u>
Council Member Charlie Box	voted:	<u>YES</u>
Council Member Fredrick Jackson	voted:	<u>ABSENT</u>
Council Member Stephen Jones	voted:	<u>YES</u>
Council Member Bill Gavin	voted:	YES

The Mayor announced that the Resolution was passed and adopted upon a majority vote of the City Council on this the 5th day of February, 2019.

THE RESOLUTION FOLLOWS:

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**RESOLUTION OF THE MAYOR AND CITY COUNCIL
OF THE CITY OF COLUMBUS, MISSISSIPPI
DECLARING ITS INTENTION TO LEVY AN ADDED 2% TAX ON THE GROSS
RECEIPTS OF SALES OF PREPARED FOOD,
BEER AND ALCOHOLIC BEVERAGES OF CERTAIN BUSINESSES OPERATING
WITHIN THE CITY OF COLUMBUS, MISSISSIPPI**

WHEREAS, during the 2019 Regular Session of the Mississippi Legislature, the House and Senate passed House Bill 325 and thereafter, on January 31, 2019 the said Bill was signed and enrolled in the House and Senate and delivered to Honorable Phil Bryant, Governor of the State of Mississippi; and

WHEREAS, Governor Bryant, is scheduled to sign House Bill 325 on or before February 7, 2019, thereby authorizing the City to impose upon restaurants having annual sales in excess of One Hundred Thousand Dollars (\$100,000) and doing business within the municipal boundaries of the City a tax at the rate of two percent (2%) on the gross receipts derived from retail sales of prepared food, beer and alcoholic beverages and on the gross proceeds of sales of other businesses derived from retail sales of beer and alcoholic beverages, excluding sales of alcoholic beverages upon premises covered by a package retailer's permit and sales of beer not for consumption on the premises; and

WHEREAS, conditioned upon the signature of HB 325 by the Governor by February 7, 2019 the Mayor and City Council intend to levy the tax beginning on March 1, 2019. The imposition of this tax shall be also conditioned upon the City making publication in a newspaper published or having a general circulation in the City for three (3) consecutive weeks, with the publications being on February 8, 15 and 22, 2019, so long as, within the time of giving notice, twenty percent (20%) of the qualified electors of the City or two thousand (2,000), whichever is less have not filed a written petition against the levy of such tax; and

WHEREAS, if within the time of giving notice, twenty percent (20%) of the qualified electors of the City or two thousand (2,000), whichever is less have filed a written petition against the levy of such tax, then in that case, the tax shall not be levied unless first authorized by a majority of the qualified electors of such city voting at an election to be called and held for that purpose; and

WHEREAS, before the effective date of the tax levy approved as herein provided, the governing authority of the City shall furnish to the Department of Revenue a certified copy of this resolution evidencing such tax levy; and

WHEREAS, the tax, if implemented, shall be collected in the manner described in House Bill 325 and the proceeds paid and distributed as therein set forth;

NOW THEREFORE, BE IT RESOLVED, that:

1. The Mayor and City Council intend to levy the tax beginning on March 1, 2019 conditioned first upon the Governor signing HB 325 on or before February 7, 2019, and second

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upon the City making publication in a newspaper published or having a general circulation in the City for three (3) consecutive weeks, with the publications being on 8, 15 and 22, February, 2019, so long as, within the time of giving notice, twenty percent (20%) of the qualified electors of the City or two thousand (2,000), whichever is less have not filed a written petition against the levy of such tax; and

2. If, within the time of giving notice, twenty percent (20%) of the qualified electors of the City or two thousand (2,000), whichever is less have filed a written petition against the levy of such tax, then in that case, the tax shall not be levied unless authorized by a majority of the qualified electors of such city voting at an election to be called and held for that purpose; and

3. Before the effective date of the tax levy approved as herein provided, the governing authority of the City shall furnish to the Department of Revenue a certified copy of this resolution evidencing such tax levy; and

4. The tax, if implemented, shall be collected in the manner described in House Bill 325 and the proceeds paid and distributed as therein set forth.

Council Member _____ moved that the above and foregoing resolution be adopted as written. Council Member _____ seconded the motion. After a thorough discussion about the merits of the motion, the Mayor called for a vote and the votes were recorded as follows:

Council Member Taylor voted:	_____
Council Member Mickens voted:	_____
Council Member Box voted:	_____
Council Member Jackson voted:	_____
Council Member Jones voted:	_____
Council Member Gavin voted:	_____

The Mayor announced that the Resolution was passed and adopted upon a majority vote of the City Council on this the _____ day of February, 2019.

ROBERT E. SMITH, SR., MAYOR

ATTEST:

SECRETARY/TREASURER

THE FOLLOWING ITEMS WERE MOVED FROM THE CONSENT AGENDA FOR DISCUSSION.

- A. Ratify request for one (1) Fire and Rescue Firefighter to assist in search and rescue efforts in Lincoln County, MS, and approve payment for overtime and meal expenses.**

After discussing this request, Council Member Jones made a motion to ratify the request for Fire and Rescue Firefighter, Tyler Jones, to assist in search and rescue efforts in Lincoln County, MS, and approve payment for overtime and meal expenses. Council Member Taylor seconded the motion.

All Council Members voted in favor of the motion, with the exception of Council Member Gavin, who opposed.

The motion carried with a 4/1 vote. Council Member Jackson was absent.

- B. Approve request for two (2) Fire and Rescue Firefighters to attend the "2019 NNCDS Seminar and Certification" to be held in Huntsville, AL, and approve payment for registration, lodging, travel and meal expenses.**

Following discussion of this request, Council member Taylor made a motion to approve the request for Fire and Rescue personnel, Tyler Jones and Eric Minga to attend the "2019 NNCDS Seminar and Certification" to be held in Huntsville, AL, and approve payment of \$920.00 for registration, \$1,372.00 for lodging, \$100.00 for travel and reimbursement for meal expenses. Council Member Jones seconded the motion.

All Council Members voted in favor of the motion, with the exception of Council Member Gavin, who opposed.

The motion carried with a 4/1 vote. Council Member Jackson was absent.

- C. Approve request for two (2) Fire and Rescue Firefighters to attend the "NREMT Exam" to be held in Tuscaloosa, AL, and approve payment of registration, travel and meal expenses.**

Council Member Jones made a motion for Fire and Rescue Firefighters, Harrison Branch & Onterio Lowery, to take the "NREMT Exam, which is required for employment. Exam will be given in Tuscaloosa, AL, and approve payment of \$160.00 for registration, \$50.00 for travel and reimbursement for meal expenses. Council Member Taylor seconded the motion.

All Council Members present voted in favor of the motion.

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The motion carried.

- D. Approve request for one (1) Fire and Rescue Captain to attend the "Drone Flight Licensing Test" to be held in Jackson, MS, and approve payment for travel and meal expenses.

Council Member Jones made a motion for Fire and Rescue Captain, Wes Mims, to attend the "Drone Flight Licensing Test" to be held in Jackson, MS, and approve payment of \$150.00 for registration, \$50.00 for travel and reimbursement for meal expenses. Council Member Taylor seconded the motion.

All Council Members present voted in favor of the motion.

The motion carried.

- E. Approve request for three (3) Firefighters to attend the "EMT School" to be held in Starkville, MS, and approve payment for registration and meal expenses.

Council Member Jones made a motion to approve the request for Firefighters, Bob Dinsmore, Randy Cook and Josh Connors, to attend the "EMT School" to be held in Starkville, MS, and approve payment of \$850.00 for registration and \$150.00 for travel. Council Member Taylor seconded the motion.

All Council Members present voted in favor of the motion.

The motion carried.

- G. Approve request for the CPD Chief to attend the "International Conference of Police Chaplains Region SB Training Seminar" to be held in Morristown, TN, and approve payment for registration, lodging, travel and meal expenses.

Council Member Mickens made a motion to approve the request for the Police Chief to attend the "International Conference of Police Chaplains Region 88 Training Seminar" to be held in Morristown, TN, and approve payment of \$180.00 for registration and \$376.00 for lodging. Council Member Taylor seconded the motion.

Council Members Taylor, Mickens and Jones voted in favor of the motion. Council Members Box and Gavin opposed. Council Member Jackson was absent.

The motion carried with a 3/2 vote.

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- H. Approve request for one (1) CID Investigator to attend the "Criminal Investigative Certification Course" to be held in Tupelo, MS, and approve payment for registration fees.

Council Member Taylor made a motion to approve the request for CID Investigator Aaron Andrew to attend the "Criminal Investigative Certification Course" to be held in Tupelo, MS, and approve payment of \$900.00 for registration. Council Member Mickens seconded the motion.

All Council Members present voted in favor of the motion, with the exception of Council Member Gavin, who opposed.

The motion carried with a 4/1 vote.

- J. Approve request for one (1) CID Investigator to attend the "Interrogation Techniques for Child Sex Trafficking and Exploitation Investigations Training" to be held in Pearl, MS, at no cost to City.

Council Member Taylor made a motion to approve the request for CID Investigator, Reginald Adams, to attend the "Interrogation Techniques for Child Sex Trafficking and Exploitation Investigations Training" to be held in Pearl, MS, at no cost to the City. Council Member Box seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

- L. Approve request for the Mayor, Mayor's Youth Council Advisor and members to attend the "11th Annual Statewide Youth Leadership Summit" to be held at the University of MS in Oxford, MS, and approve payment for registration, lodging, travel and meal expenses.

Council Member Mickens made a motion to table this request until the next meeting, which will be February 19, 2019. Council Member Box seconded the motion.

All Council Members present voted in favor of the motion.

The motion carried.

- M. Approve request for the Mayor, Council, COO and CFO to attend the "MML SA Summer Conference" to be held in Biloxi, MS, and approve payment for registration, lodging, travel and meal expenses.

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Council Member Gavin made a motion to send Mayor Smith to the "MML 88th Summer Conference, to be held in Biloxi, MS, and approve payment for registration, lodging, travel and meal expenses. Council Member Box seconded the motion.

Council Members Box and Gavin voted in favor of the motion. Council Members Taylor, Mickens and Jones opposed the vote. Council Member Jackson was absent.

The motion failed with 3/2 vote opposing the motion.

Council Member Box made a motion not to attend the conference at all. Council Member Gavin seconded the motion.

Council Members Box and Gavin voted in favor of the motion. Council Members Taylor, Mickens and Jones opposed the vote. Council Member Jackson was absent.

The motion failed with 3/2 vote opposing the motion.

SUBSTITUTE MOTION:

Council Member Gavin made a motion for anyone who wished to attend the conference to pay his/her expenses. Council Member Box seconded the motion.

Council Members Box and Gavin voted in favor of the motion. Council Members Taylor, Mickens and Jones opposed the vote. Council Member Jackson was absent.

The motion failed with 3/2 vote opposing the motion.

Council Member Jones made a motion to table the matter until the next an estimate cost to attend is presented. Council Member Gavin seconded the motion.

All Council Members present voted in favor of the motion, with the exception of Council Member Gavin, who opposed.

The motion carried with a vote of 4/1.

IX. EXECUTIVE SESSION:

Personnel Matters (2)

ADJOURNMENT:

The Mayor then asked if there was any other business to come before the Mayor and City Council. There being none, Council Member Jones moved that the meeting be adjourned. Upon second by Council Member Gavin and unanimous vote, the Mayor announced that the meeting was ADJOURNED.

Approved by: _____
Robert E. Smith, Sr., Mayor

Milton E. Rawle, Jr.,
CFO/Secretary-Treasurer