

**CITY OF CLINTON  
REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN  
TUESDAY, OCTOBER 5, 2010 - 7:00 P.M.  
MUNICIPAL COURTROOM – 305 MONROE STREET**

**WELCOME AND CALL TO ORDER** Mayor Rosemary Aultman

**INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG**

The invocation was led by Alderman Hisaw followed by the pledge of allegiance to the flag led by Alderman Greer.

**ROLL CALL** City Clerk, Russell Wall

Present:       Jehu Brabham – Alderman-at-Large  
                  Tony Hisaw – Alderman Ward 1  
                  Tony Greer – Alderman Ward 2  
                  William O Barnett – Alderman Ward 3  
                  Kathy Peace – Alderwoman Ward 4  
                  Mike Morgan – Alderman Ward 5  
                  Mike Cashion – Alderman Ward 6

**RECOGNITION**

The Maids and Matrons Association was recognized by the Mayor for providing refreshments for the October 5<sup>th</sup> Board meeting. The Mayor also recognized the Parks and Recreation Department for winning three out of five awards given at the recent meeting of the Mississippi Parks and Recreation Association Annual meeting for various programs offered the Citizens of Clinton.

**APPROVAL OF CONSENT AGENDA ITEMS A - AA**

**MOTION** made by Alderman Greer and **SECONDED** by Alderman Cashion to approve the Consent Agenda Items A-AA. Items C, D and E will serve to advertise favorably the opportunities, possibilities, and resources of the City of Clinton. **MOTION CARRIED UNANIMOUSLY**

### **CONDITIONAL USE – 610 SPRINGRIDGE ROAD – NU SEASON MINISTRIES**

Upon presentation by Jerry Bounds, Director of Community Development, **MOTION** made by Alderman Hisaw and **SECONDED** by Alderman Greer the board approved the conditional use request by NU Season Ministries to operate a church to be located at 610 Springridge Road in the City of Clinton, Mississippi. The Planning and Zoning Commission recommended approval. **MOTION CARRIED UNANIMOUSLY**

### **NEW CONSTRUCTION – 305 E COLLEGE STREET – BRIAN HUDSON**

Upon presentation by Jerry Bounds, Director of Community Development, **MOTION** made by Alderman Greer and **SECONDED** by Alderman Morgan the board approved a request by Brian Hudson to remove trees, construct a new driveway, and to install a new pool to be located at 305 E College Street in the City of Clinton, Mississippi. The Planning and Zoning Commission and the Historical Preservation Committee recommended approval. **MOTION CARRIED UNANIMOUSLY**

### **NEW CONSTRUCTION – 1027 HIGHWAY 80 – DOLLAR TREE**

Upon presentation by Jerry Bounds, Director of Community Development, **MOTION** made by Alderman Cashion and **SECONDED** by Alderwoman Peace the board approved a request from Dollar Tree to construct a new store to be located at 1027 Highway 80 in the City of Clinton, Mississippi. The Planning and Zoning Commission recommended approval. **MOTION CARRIED UNANIMOUSLY**

### **NEW CONSTRUCTION – LOT 9 SPRINGHILL – TIM PREVOST**

Upon presentation by Jerry Bounds, Director of Community Development, **MOTION** made by Alderman Morgan and **SECONDED** by Alderman Cashion the board approved a request by Tim Prevost to construct a new house to be located at Lot 9 Springhill in the City of Clinton, Mississippi. The board also approved that the gable end elevation be constructed. The Planning and Zoning Commission recommended approval. **MOTION CARRIED UNANIMOUSLY**

Alderman Greer left the meeting at 7:30 pm and did not return.

**APPROVAL OF PROPERTY AND LIABILITY INSURANCE FOR THE FISCAL YEAR 2011**

Sam Bryson of Bryson & Company presented a proposal from Trident Insurance Company for fire, auto liability and worker's compensation insurance coverage for the fiscal year 2010-2011. **MOTION** made by Alderman Brabham and **SECONDED** by Alderwoman Peace the board approved the proposal of \$297,395.00 from Trident Insurance Company as the lowest and best bid, and furthermore approved the payment of the additional premium of \$1,995.00 for terrorism coverage and approved the \$2,500.00 agent fee included in the Worker's Compensation Insurance premium. Alderman Greer did not participate in the discussion nor vote on this item. **MOTION CARRIED UNANIMOUSLY**

**APPROVAL OF AN AGREEMENT BETWEEN THE CITY OF CLINTON, MISSISSIPPI AND THE COUNSELING CENTER TO PROVIDE EMPLOYEE ASSISTANCE PROGRAM SERVICES**

This item was removed from the agenda and no action was taken.

**APPROVAL OF THE MUNICIPAL COMPLIANCE QUESTIONNAIRE FOR THE YEAR ENDING SEPTEMBER 30, 2010**

Upon presentation by Russell Wall, City Clerk, **MOTION** made by Alderman Brabham and **SECONDED** by Alderwoman Peace the board the Municipal Compliance Questionnaire for the year ending September 30, 2010. The questionnaire is on file with the City Clerk. Alderman Greer did not participate in the discussion nor vote on this item **MOTION CARRIED UNANIMOUSLY**

**ADJOURN 7:45 P.M.**

**MOTION** made by Alderman Brabham and **SECONDED** by Alderman Cashion to adjourn until the next regular meeting of the Mayor and Board of Aldermen to be held on October 19, 2010 at 7:00 pm. **MOTION CARRIED UNANIMOUSLY**

APPROVED: \_\_\_\_\_

*Rosemary G. Aultman*  
Rosemary Aultman, Mayor

\_\_\_\_\_  
Date

*October 7, 2010*

ATTEST: \_\_\_\_\_

*Russell Wall*  
Russell L. Wall, City Clerk

\_\_\_\_\_  
Date

*October 12, 2010*



**RESOLUTION APPROVING A CONDITIONAL USE TO  
NU-SEASON MINISTRIES TO OPERATE A CHURCH AT 610 SPRINGRIDGE ROAD, CLINTON,  
MISSISSIPPI**

WHEREAS, NU-Season Ministries, did file a request for a conditional use and architectural approval for the property located on 610 Springridge Road to operate a church; and

WHEREAS, said property is more fully described in Exhibit A attached hereto; and

WHEREAS, all notice requirements of the Zoning Ordinance of the City of Clinton were accomplished and a public hearing was held on September 28 as required; and,

WHEREAS, the Planning and Zoning Commission upon conclusion of the public hearing on September 28, adopted a motion to approve the request of NU-Season Ministries for a conditional use of the property to operate a church that the motion be forwarded to the next meeting of the Mayor and Board of Aldermen for their consideration; and

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, have the final authority with regard to all matters involving the Zoning Ordinances; and

WHEREAS, the Mayor and Board of Aldermen are fully familiar with the request and the area involved in the request; and

BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Clinton, Mississippi that the request of NU-Season Ministries for the property on 610 Springridge Road to operate a church and hereby grant and such action is taken pursuant to the findings of fact set out as follows:

1. The Mayor and Board of Aldermen of the City of Clinton, Mississippi, have the final authority with regard to all matters involving the Zoning Ordinance.
2. The recommendation of the Planning and Zoning Commission is advisory in nature.
3. The Mayor and Board of Aldermen have knowledge of the area involved and are aware of the need for the conditional use.
4. The requested designation meets the definitions of a Conditional Use of the Zoning Ordinance.
5. The Conditional Use will promote the general welfare of the City of Clinton and will not adversely affect adjacent property.
6. The Mayor and Board of Aldermen find that Section 1502 of the City of Clinton Zoning Ordinances has been complied with and that the requirements of Section 2405 of the City of Clinton Zoning Ordinances are satisfied based upon the presentation of the applicants and the site plan presented to the Planning Commission and to the Mayor and Board of Aldermen.

7. The final site plan for this property shall provide that all dumpsters, air conditioning units and similar external facilities be shielded from view from all main streets and roads.
8. This conditional use is granted specifically to NU-Season Ministries for the operation of a church. If NU-Season Ministries ceases to use the property for a church, the conditional use will cease.

The foregoing Resolution, having been reduced to writing, Alderman Hisaw moved that said Resolution be adopted. Alderman Greer seconded. The vote was as follows:

Alderman Brabham voted: AYE  
Alderman Hisaw voted: AYE  
Alderman Greer voted: AYE  
Alderman Barnett voted: AYE  
Alderwoman Peace voted: AYE  
Alderman Morgan voted: AYE  
Alderman Cashion voted: AYE

Whereupon the Mayor declared the Motion carried and the resolution approved and adopted.

The foregoing ordinance was approved this the 5<sup>th</sup> day of OCTOBER 2010.

CITY OF CLINTON

BY: Rosemary J. Aultman  
Rosemary Aultman, Mayor

ATTEST:

Russell Wall  
Russell Wall, City Clerk

(SEAL)



City of Clinton  
Mississippi  
*Community Development*

August 11, 2010

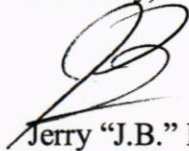
Mr. Gervis Kendrick  
6536 Springridge Rd.  
Raymond, MS 39154

Mr. Kendrick:

I have received your application for a conditional use to allow NU-Season Ministries to operate as a Holiness church at 610 Springridge Rd. At this time I have you scheduled to appear before the Planning and Zoning Commission on September 28, 2010 at 6:30 and the Mayor and Board of Alderman on October 5, 2010 at 7:00. Both meetings will be held in the Municipal Courtroom at the Police Department, 305 Monroe Street. I know these dates are different from the ones we had original discussed, but I have to place a notification in the news paper and time would not allow for the first dates to work properly. If you would make a note of these dates and time, you or your representative must be present at the Planning and Zoning and The Mayor and Board of Alderman meetings.

If you have any questions I can be reached at (601) 924-2256.

Sincerely,



Jerry "J.B." Bounds  
Director  
Community Development

**lpennington@clintonms.org**

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**From:** lpennington@clintonms.org  
**Sent:** Thursday, August 26, 2010 2:18 PM  
**To:** Clarion Ledger  
**Subject:** Notice of Zoning Hearing

Notice of Zoning Hearing

Notice is hereby given to those parties in interest that there will be a hearing on September 28, 2010 at 305 Monroe Street, at 6:30pm, in Clinton, Mississippi, for the purpose of determining whether or not a conditional use shall be allowed for NU-Season Ministries Church of Christ Holiness USA to operate as a church at the following described property located in the City of Clinton, Mississippi:

Lot C-9, Spanish Oaks of Trailwood, Part One, according to a plat on file in the office of the Chancery Clerk at Jackson, Hinds County, Mississippi, in Plat Book 28 at Page 31.

Publish Date: September 10, 2010

*Lauren Pennington, Assistant  
City of Clinton  
Community Development  
Main Street Clinton  
Economic Development  
P.O. Box 156  
Clinton, MS 39060  
601-924-2256*

Lot C-9, Spanish Oaks of Trailwood,  
Part One, according to a plat on file in  
the office of the Chancery Clerk at

Jackson, Hinds County, Mississippi, in  
Plat Book 28 at Page 31.

**PROOF OF PUBLICATION  
THE STATE OF MISSISSIPPI  
HINDS COUNTY**

**PASTE PROOF HERE**

C19341  
CITY OF CLINTON-LEGALS,  
0200320494  
NU Season Ministries Use Hearing

PERSONALLY appeared before me, the undersigned notary public in and for Hinds County, Mississippi,

GLORIA WEAKLEY

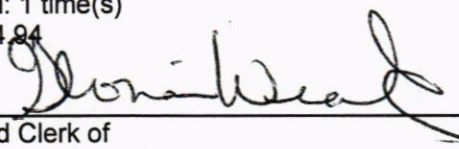
an authorized clerk of THE CLARION-LEDGER, a newspaper as defined and prescribed in Sections 13-3-31 and 13-3-32, of the Mississippi Code of 1972, as amended, who, being duly sworn, states that the notice, a true copy of which is hereto attached, appeared in the issues of said newspaper as follows:

9/10/2010

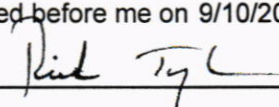
Size: 137 words / 2.00 col. x 19.00 lines

Published: 1 time(s)

Total: \$24.84

Signed   
Authorized Clerk of  
The Clarion-Ledger

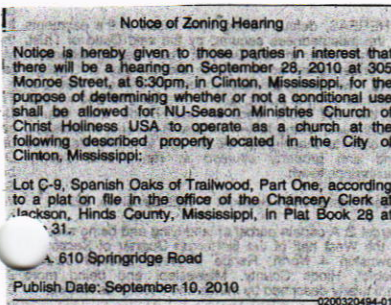
SWORN to and subscribed before me on 9/10/2010.

  
Notary Public

RICK TYLER

Notary Public State of Mississippi at Large. Bonded thru  
Notary Public Underwriters

(SEAL)



**REQUEST FOR CONDITIONAL USE**  
**APPLICATION**

Subject Property Address 610 Springridge Rd  
Owner NU-Season Ministries, Church of Christ (Holiness) USA  
Address 6536 Springridge Rd #  
Raymond, MS 39154  
Phone # 601 209 7440 / 601 372-7631  
Current Zoning District C-2 Gervis Hendrick

**Requirements of Applicant:**

1. Letter stating reason for requested conditional use.
2. Copy of the written legal description.
3. Site plan of property.
4. \$250.00 fee required for processing.

**Requirements for Granting Conditional Uses: (Section 2405.01 – Zoning Ordinance)**

A conditional use shall not be granted unless satisfactory provisions and arrangements have been met concerning all the following:

- (a). Ingress and egress to property and proposed structures.
- (b). Off-street parking and loading areas.
- (c). Refuse and service areas.
- (d). Utilities, with reference locations, availability and compatibility.
- (e). Screening and buffering with reference to type, dimensions and character.
- (f). Required yards and other open space.
- (g). General compatibility with adjacent properties and other property in the district.
- (h). Any other provisions deemed applicable by the Mayor/Board of Aldermen.

Applicant shall be present at the Planning and Zoning Commission meeting and Mayor/Board of Aldermen meeting. Documents shall be submitted thirty (30) days prior to the Planning and Zoning Commission meeting.

**Applicant is responsible for complying with all applicable requirements of the Zoning Ordinance.**

By signing this application, it is understood and agreed that permission is given to the Zoning Administrator to have a sign erected on subject property, giving notice to the public that said property is being considered for a conditional use.

Gervis D. Hendrick  
Signature

8/10/10  
Date

*NU-Season Ministries, Church of Christ (Holiness) U.S.A.*

610 Springridge Road  
Clinton, MS 39056  
Gervis D. Kendrick, Pastor  
(601) 209-7440

August 10, 2010

TO: Clinton, MS Planning and Zoning Commission; Mayor/Board of Alderman

FROM: NU-Season Ministries, COCHUSA

RE: Request for Conditional Use

Dear Sirs,

NU-Season Ministries is a new church plant with a current membership of thirty. We are a part of the South Central Diocese of the Church of Christ (Hol.) U.S.A. The Church of Christ (Hol.) U.S.A. is over one-hundred years old, and has churches throughout Hinds, Rankin and Madison counties.

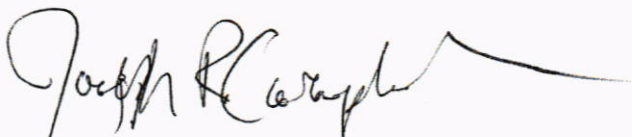
Currently we have no church within the Clinton area:

We are requesting your permission for this church assembly to use the property located at, 610 Springridge Road. This property will be used for the sole purpose of worship and worship activities that will serve as a spiritual haven to the Clinton community. NU-Season will abide and comply with all city ordinances and regulations.

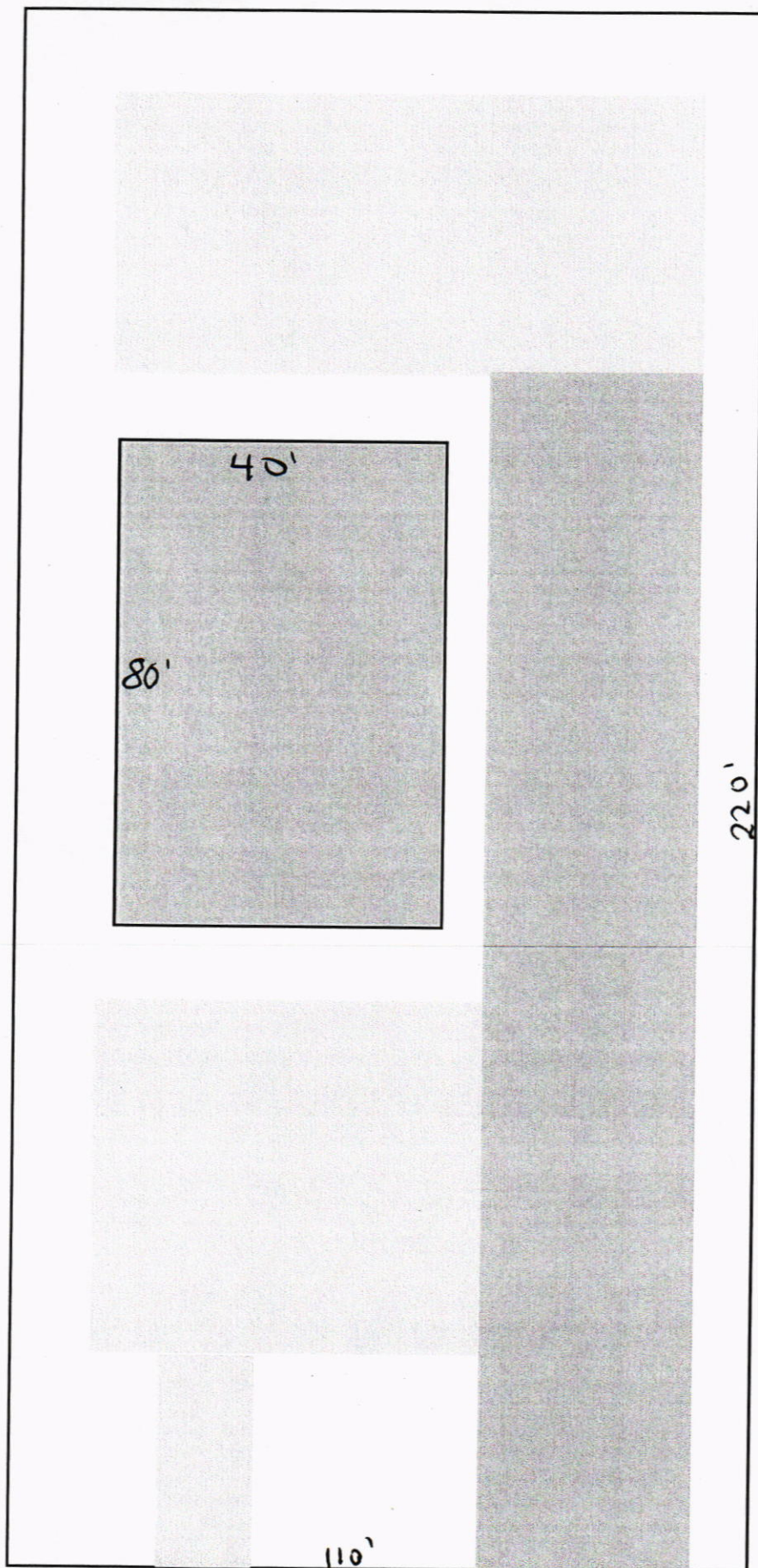
Thanks for your consideration and support in this effort.



Elder Gervis D. Kendrick, Pastor



Bishop Joseph R. Campbell, Jr.  
Presiding Bishop, South Central Diocese, COCHUSA



610  
Springridge rd

**PLANNING & ZONING COMMISSION**

**Clinton, Mississippi**

Tuesday, September 28, 2010

6:30 p.m.

Municipal Courtroom

305 Monroe Street

**Agenda**

**I. Call To Order**

II. Consideration and Approval of August 23, 2010 Minutes.

**III. New Considerations:**

A. Conditional Use: 610 Springridge Road, NU-Season Ministries. **Approved**

B. Construction: Install pool and remove trees, 305 E. College Street, Brian Hudson. **Approved**

C. New Construction: 1027 Hwy 80, Dollar Tree. **Approved**

D. New Construction: Lot 9 Springhill, 306 Lawson Street, Tim Prevost.  
**Approved**

**IV. Other Business**

**V. Next Meeting**

The next meeting will be held on Tuesday, October 25, 2010, beginning at 6:30 p.m.

**VI. Adjournment**

City of Clinton  
Mississippi  
*Community Development*

August 26, 2010

Mr. Brian Hudson  
305 E. College Street  
Clinton MS 39056

Mr. Hudson;

I have received your request to build a swimming pool and remove several trees that are to close to the proposed structure. This location being located in the Olde Towne District of Clinton will require review by the Historical Preservation Committee. I also have you scheduled to appear before the Planning and Zoning Commission on September 28, 2010 at 6:30 and the Mayor and Board of Alderman on October 5, 2010 at 7:00. Both meetings will be held in the Municipal Courtroom at the Police Department, 305 Monroe Street. If you would make a note of these dates and time, you or your representative must be present at the Planning and Zoning and The Mayor and Board of Alderman meetings.

If you have any questions I can be reached at (601) 924-2256.

Sincerely,



Jerry "J.B." Bounds  
Director  
Community Development

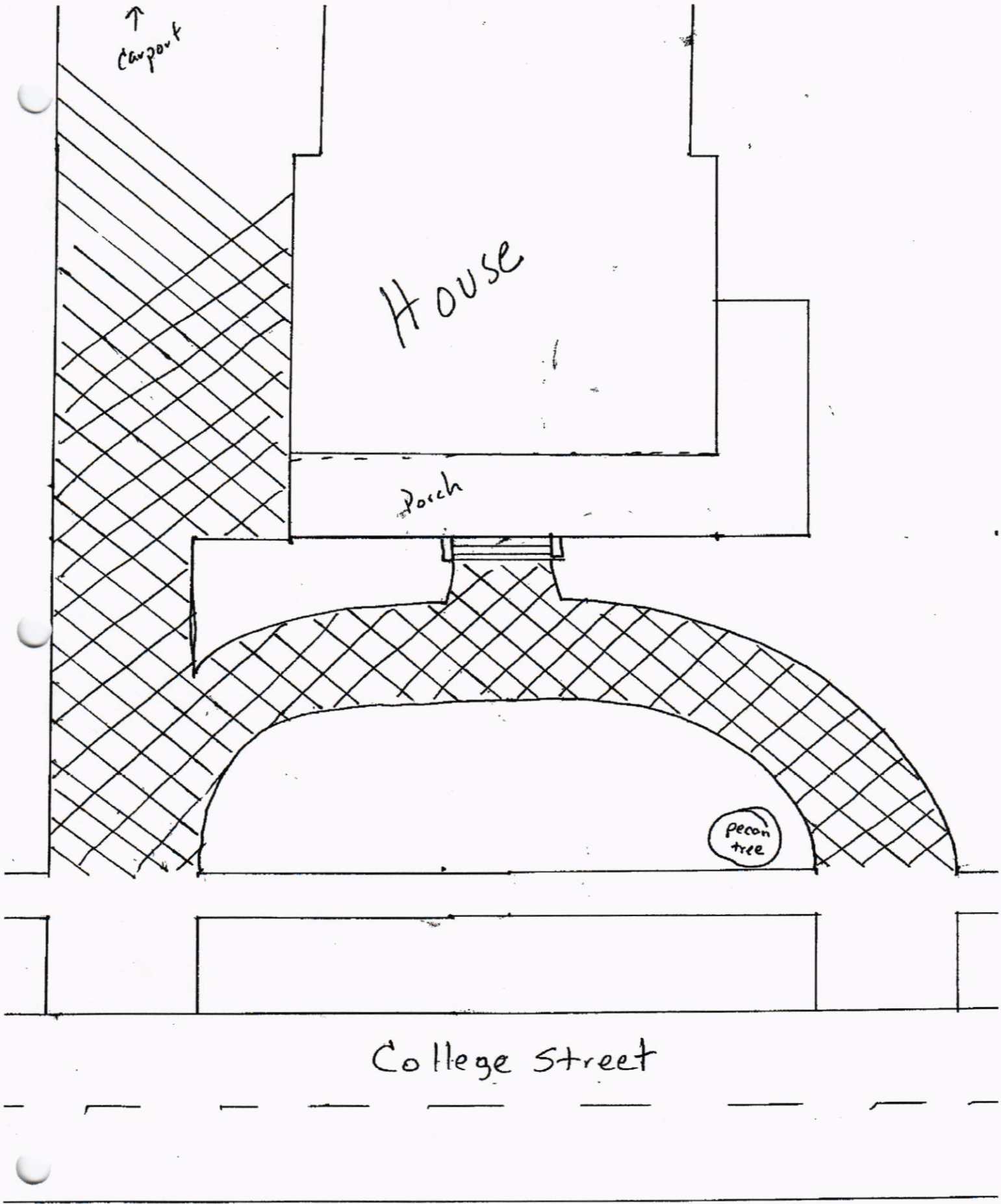
↑  
carport

House

Porch

pecan  
tree

College Street



City of Clinton  
Mississippi  
*Community Development*

September 7, 2010

Scott Bowman  
3901 Springhill Avenue  
Mobile, Al 36608

Mr. Bowman;

I have received the drawings for the new Dollar Tree on HWY 80. At your earliest convenience I need you to fax me a copy of the plat, floor plan and all exterior elevations on a 8 ½ X 11. I have you on schedule to appear before the Planning and Zoning Commission on September 28, 2010 at 6:30 and the Mayor and Board of Alderman on October 5, 2010 at 7:00. Both meetings will be held in the Municipal Courtroom at the Police Department, 305 Monroe Street. If you would make a note of these dates and time, you or your representative must be present at the Planning and Zoning and The Mayor and Board of Alderman meetings.

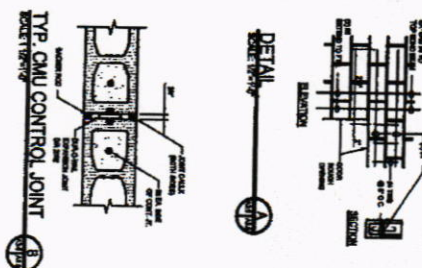
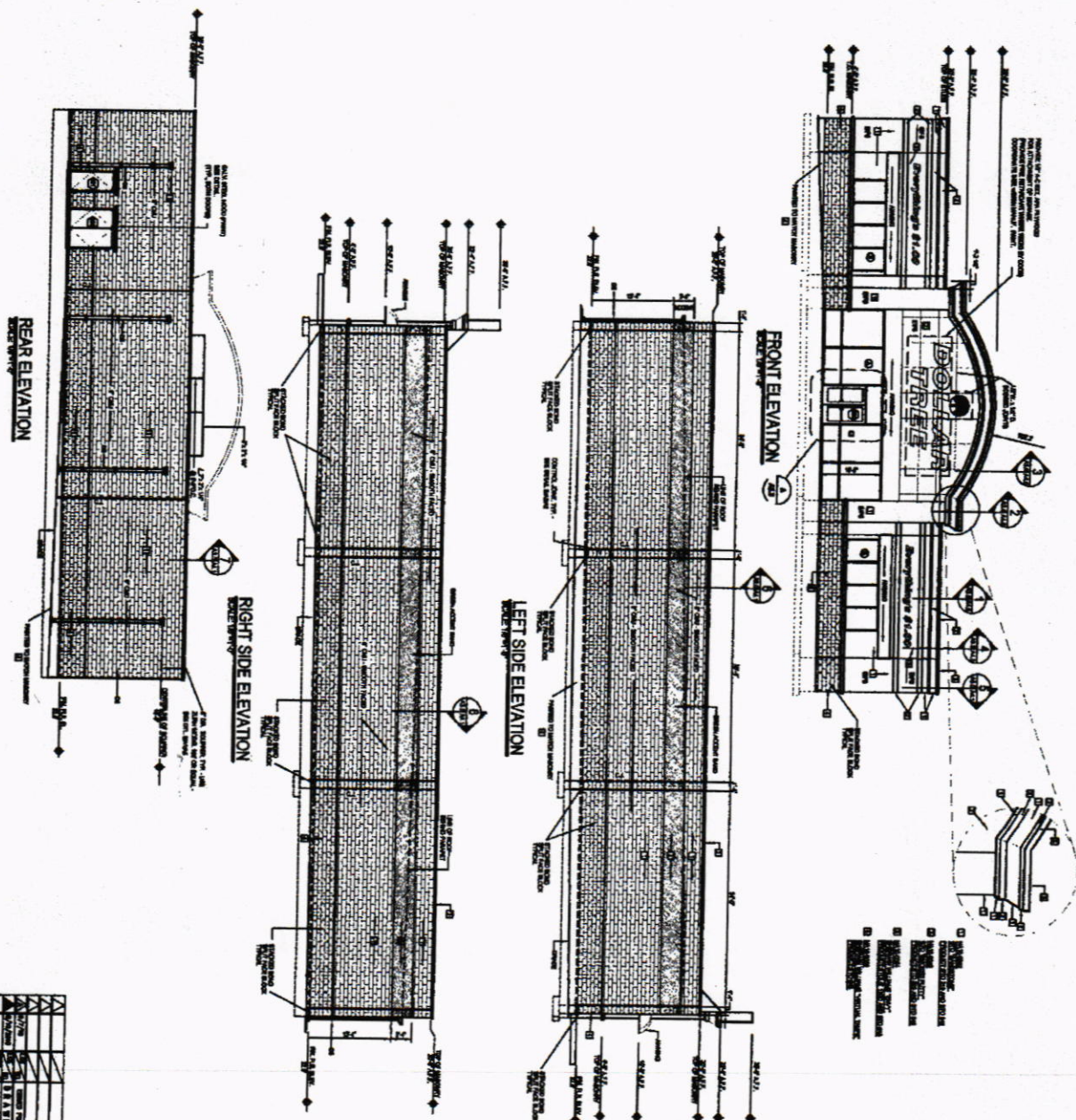
If you have any questions I can be reached at (601) 924-2256.

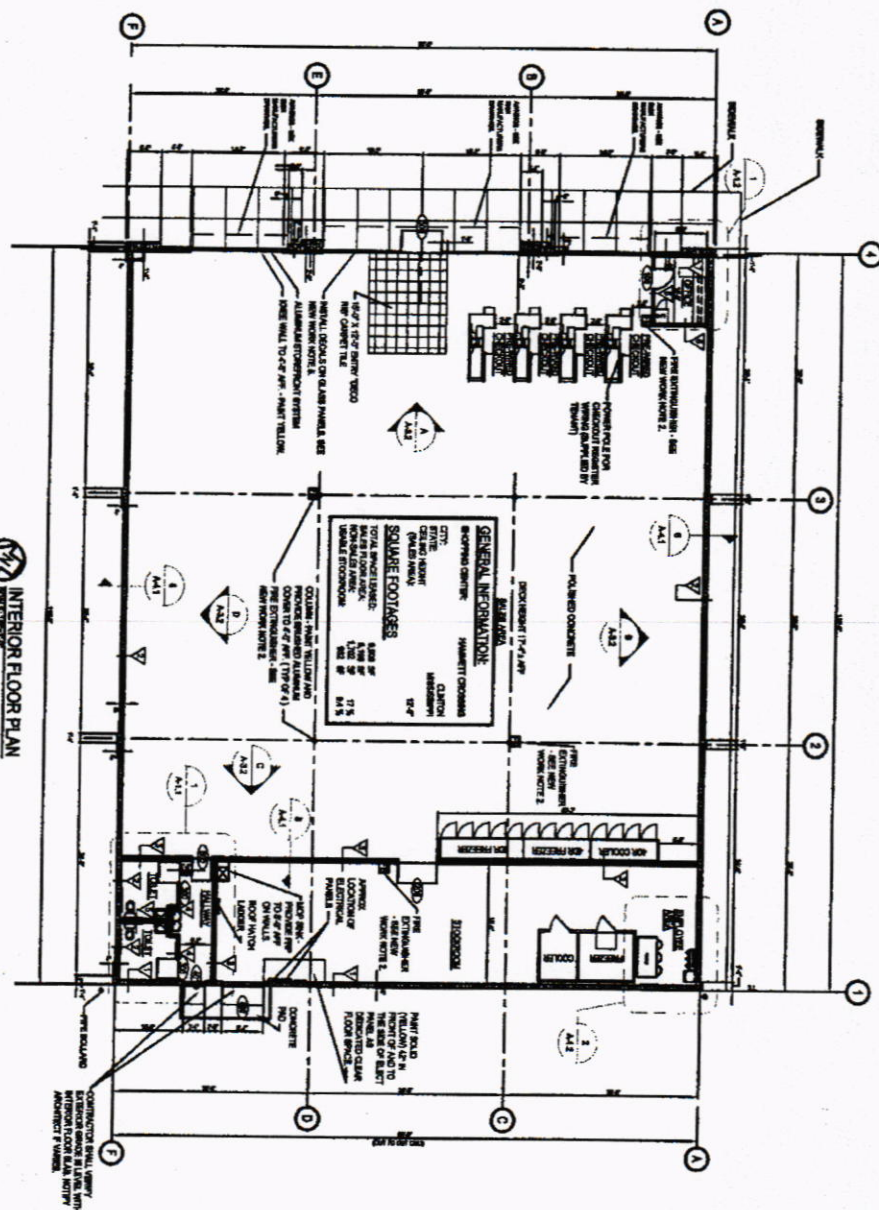
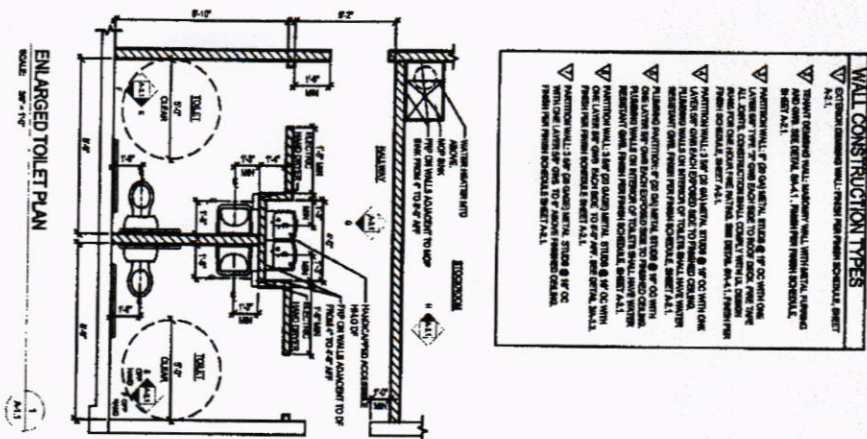
Sincerely,



Jerry "J.B." Bounds  
Director  
Community Development

SALVADORE  
for one CML presentation  
  
Points - territory  
Point - city or district for water or coal  
River - City of origin  
Gold - locality  
Salt - place  
Bathroom - flat  
to

[illegible][illegible]



| DOLLAR TREE                                                                         |  |  |  |  |  |
|-------------------------------------------------------------------------------------|--|--|--|--|--|
|  |  |  |  |  |  |
| CLINTON, MS.                                                                        |  |  |  |  |  |
| ORDER FROM THE BILL ORIGINATOR WITH A DETAILED INVOICE                              |  |  |  |  |  |
| Pay To: 10232-002 Orig No. A-1-1                                                    |  |  |  |  |  |

# DOLLAR TREE



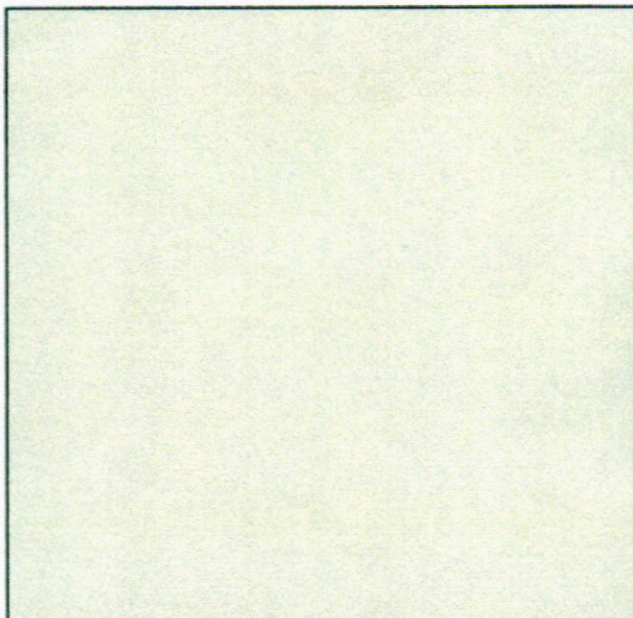
## Dollar Tree Exterior Architectural Finishes

### Please note

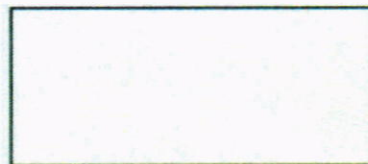
The colors presented on this chart are representations. Actual color of manufactured product may vary slightly from the chart. Color perception is affected by degree of gloss, texture, and lighting conditions. For best results, always request a product sample, select color under natural lighting conditions, and construct full scale job site mock ups for final color approval.

Minor shade variations may occur from batch to batch (refer to batch no. on pail). Avoid installing separate batches side-by-side and avoid application in direct sunlight. Avoid installing new finish adjacent to weathered or aged finish. Sto Corp. will not be responsible for shade or color variation from batch to batch, variation caused by applications or substrate deficiencies, or fading resulting from natural causes such as weather. See Tech Hotline Nos. 0694-C, 0893-EC and 1202-CF for helpful tips on prevention of color problems.

For Exterior Insulation and Finish Systems (EIFS) select colors with light reflectance value of 20 or greater.



**Color 1: NA10-0052** (Sto Sandstone)  
Product: Sto 310 and Sto 648



**Color 2: NA10-0053** (Sto Smoked Putty)  
Product: Sto 310 and Sto 648



**Color 3: NA10-0054** (SW Envy)  
Product: Stolit 130D and Sto 648

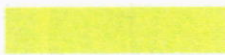


**Color 4: NA10-0055** (SW Virtual Taupe)  
Product: Sto 648

### Sto Corp.

Strategic Accounts Department  
3800 Camp Creek Parkway  
Building 1400, Suite 120  
Atlanta, GA 30331  
Tel: 404-346-3666  
Toll Free: 888-786-3437  
Fax: 815-356-7930  
[www.stocorp.com](http://www.stocorp.com)

05/2010

**sto** 

City of Clinton  
Mississippi  
*Community Development*

September 20, 2010

Mr. Tim Prevost  
200 Cedar Valley Rd  
Raymond MS 39154

Mr. Prevost:

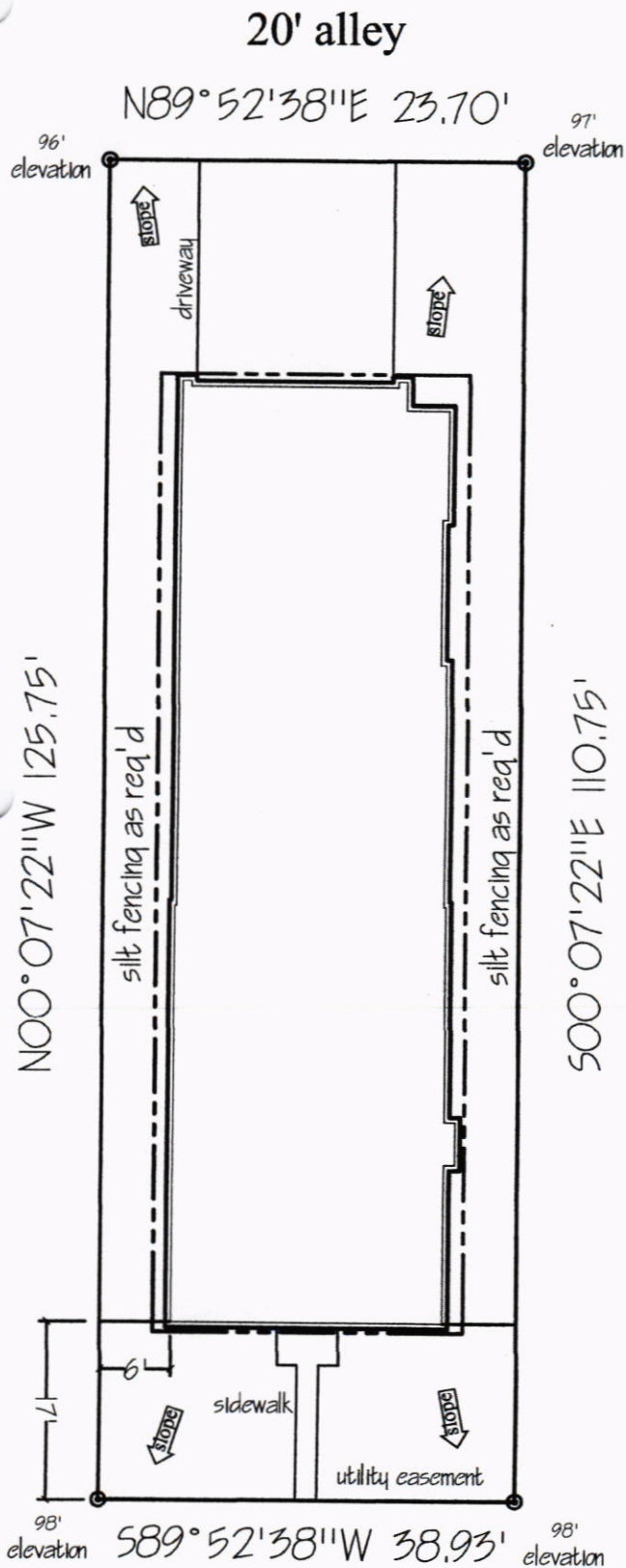
I have received your request to place a house on lot 9 in the Spring Hill Subdivision. This subdivision is located in the Olde Town District of Clinton which will require review by the Historical Preservation Committee. I also have you scheduled to appear before the Planning and Zoning Commission on September 28, 2010 at 6:30 and the Mayor and Board of Alderman on October 5, 2010 at 7:00. Both meetings will be held in the Municipal Courtroom at the Police Department, 305 Monroe Street. If you would make a note of these dates and time, you or your representative must be present at the Planning and Zoning and The Mayor and Board of Alderman meetings.

If you have any questions I can be reached at (601) 924-2256.

Sincerely,



Jerry "J.B." Bounds  
Director  
Community Development



## SPRING HILL

Lot #9



Property situated in  
section 30, township 6 north - range 1 west  
City of Clinton,  
Hinds County, Mississippi

### House Size

26'-4" wide  
88'-8" deep

### House Pad Size

36' wide  
98' deep

### House Elev.

100'-0"

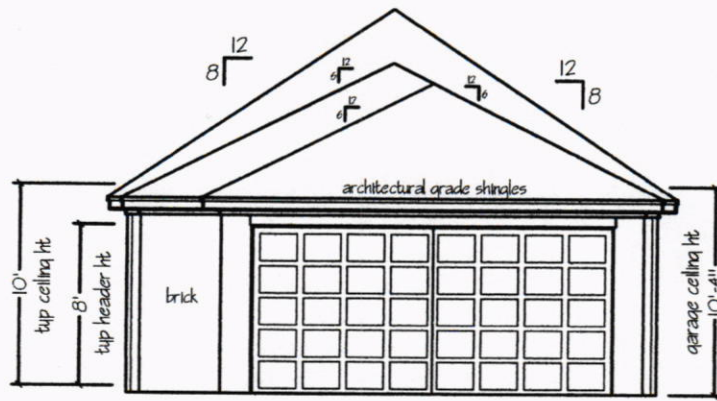
### Setbacks

|     |       |
|-----|-------|
| 16' | front |
| 20' | rear  |
| 5'  | sides |

### SITE PLAN

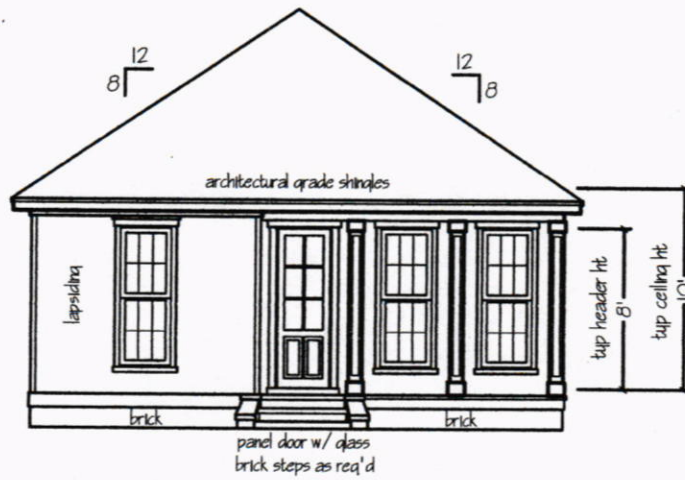
1" = 8'

Lawson Street



## REAR ELEVATION

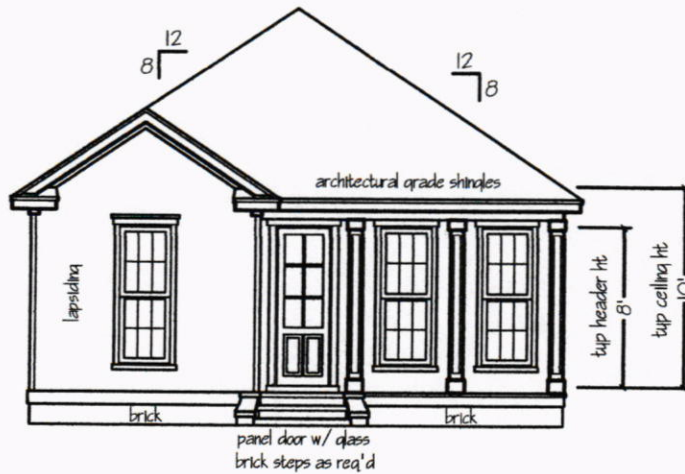
1/4" = 1'-0"



option #1

## FRONT ELEVATION

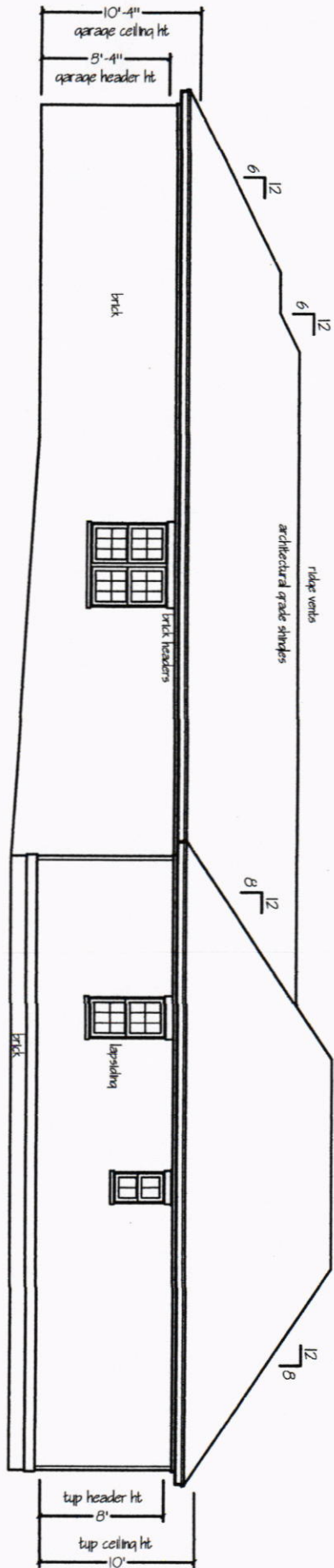
1/4" = 1'-0"



option #2

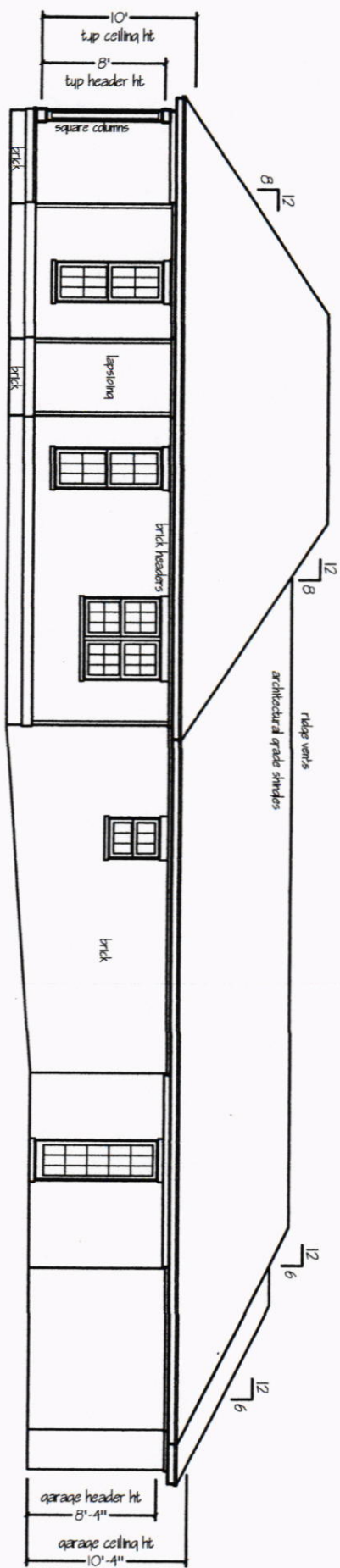
## OPTIONAL ELEVATION

1/4" = 1'-0"



**LEFT ELEVATION**

1/4" = 1'-0"



**RIGHT ELEVATION**

1/4" = 1'-0"

**Exterior colors and finishes - Lot 9 Spring Hill**

Brick - Georgetown Queens with buff mortar

Roof Shingles - Owens Corning Driftwood architectural

Paint colors

Trim - Ibis White SW7000

Siding - Hardiplank, Sherwin Williams Tea Light SW 7681

Front door stain - Minwax Early American



September 2, 2010

Ms. Robyn Cornelius  
City of Clinton  
305 Monroe Street  
Clinton, Mississippi 39056

Dear Ms. Cornelius:

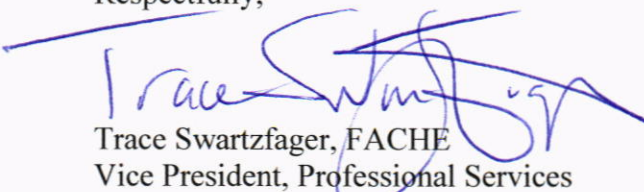
St. Dominic's has been in the process of evaluating and restructuring our behavioral health continuum of services in order to more efficiently align our provider resources with the core services needed in the community, which is primarily in the inpatient psychiatric setting. This focus on inpatient care will result in St. Dominic's no longer providing Employee Assistance Program services effective October 11, 2010. Please accept this letter as thirty-day notification of our intent to discontinue our contractual relationship.

St. Dominic's will continue to offer inpatient psychiatric care. In fact, we recently received approval from the Mississippi State Department of Health to construct a new inpatient psychiatric facility which will allow us to better serve the essential needs of the community.

We appreciate having been able to serve your employees for the past ten years, and we hope that you will continue to utilize Dr. Criss Lott and Teresa Nelson to provide these services. They are relocating their practices to their private offices in Ridgeland. Dr. Lott and Ms. Nelson will continue to provide employee assistance services for St. Dominic's employees, and they will continue to offer the same level of care at their location in Ridgeland.

If you have any questions or concerns, please do not hesitate to contact me.

Respectfully,

  
Trace Swartzfager, FACHE  
Vice President, Professional Services



## **The Counseling Center**

**665 Highway 51 North  
Ridgeland, MS 39157**

**Tel: 601-707-5023  
Fax: 601-707-5068**

September 9, 2010

City of Clinton  
305 Monroe Street  
Clinton, MS 39056

RE: EAP Services

Dear Ms. Cornelius:

As you are aware, St. Dominic will no longer be providing outpatient behavioral health services effective October 11. Teresa and I are moving The Counseling Center to our new offices in Ridgeland. We are located about a mile off the interstate on Highway 51. If you are familiar with Ridgeland, we are just across the street from Garden Works Nursery.

Teresa and I appreciate the opportunity we have had to work with your employees and their families, and we would like to continue providing the same services to your staff at our new location in Ridgeland. We are enclosing a contract for your review. If you have any questions, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to be 'W. Criss Lott', written over a horizontal line.

W. Criss Lott, Ph.D.

**Robyn Cornelius**

---

**From:** Dr. W. Criss Lott [drwclott@gmail.com]  
**Sent:** Friday, September 17, 2010 10:00 AM  
**To:** rcornelius@clintonms.org  
**Subject:** The Counseling Center EAP Proposal  
**Attachments:** City of Clinton.doc

Ms. Cornelius, attached is the EAP proposal. Thanks.....

--

W. Criss Lott, Ph.D.  
Clinical and Forensic Psychologist  
665 Highway 51 North  
Ridgeland, MS 39157  
Tel: 601-672-7489  
Fax: 601-707-7358

CONFIDENTIALITY NOTE: This email and any attachments may be confidential and protected by legal privilege. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the e-mail or any attachment is prohibited. If you have received this email in error, please notify us immediately by replying to the sender and deleting this copy and the reply from your system. Thank you for your cooperation.

## EMPLOYEE ASSISTANCE PROGRAM AGREEMENT

This Employee Assistance Program Agreement ("Agreement") is entered into this day the 1<sup>st</sup> day of October 2010, between The Counseling Center and the City of Clinton ("Clinton").

### RECITALS

- A. WHEREAS, the City of Clinton desires to engage The Counseling Center to establish an Employee Assistance Program (EAP) for the employees of the City of Clinton Police Department and the Clinton Fire Department and their immediate family members;
- B. WHEREAS, The Counseling Center desires to provide EAP services to and promote the behavioral health of the Clinton employees and their immediate family members;

Now, therefore, for and in consideration of the mutual covenants and agreements herein contained, The Counseling Center and Clinton agree as follows:

- 1. EAP SERVICES. The Counseling Center shall provide the following EAP services:
  - a. Service Areas, Assessments. Service areas addressed by The Counseling Center include, but are not limited to, crisis intervention, stress management, depression, anxiety, marital/family conflict, grief/bereavement, substance abuse/relapse prevention, and divorce issues.

Services also include comprehensive psychological testing for children and adults. Testing includes intellectual testing, emotional and behavioral assessments, testing for attention deficit/hyperactivity disorder and learning disorders, personality testing and neuropsychological testing. Testing does not include evaluations for legal purposes (e.g., child custody or personal injury).

The initial consultation between the employee and the therapist will determine the therapy required for the employee, and all services will be provided by a master's or Ph.D. level clinician.

The Counseling Center will assist the employee in obtaining services which are not provided under the terms of this agreement such as inpatient psychiatric or inpatient chemical dependency treatment.

The Counseling Center will assist the employee in identifying a provider within the employee's health/medical insurance plan.

- b. Timing of Services. Twenty-four hour crisis intervention services will be provided via phone consultation. Emergency services will be provided within 24 hours, unless inpatient treatment is indicated (and referral to an appropriate facility will be made). Appointments shall be available to employees and their immediate families within 7 to 10 working days.
  - b. Training/Orientation Sessions: The Counseling Center staff will conduct orientations annually and training sessions with the Clinton staff to assist them in developing skills to identify employees who exhibit job performance difficulties will be conducted when a specific need relevant to the employer is identified.
  - d. Educational Seminars. The Counseling Center will provide educational seminars covering various topics such as stress management, chemical dependency, depression and child/adolescent behavior that relate to employee assistance. For employees with family, emotional or addiction problems, seminars will help provide a means of awareness and early intervention.
  - e. Reports. The Counseling Center will provide Clinton with quarterly utilization reports which will include the number of employees receiving services and the type of services provided by the EAP staff. Clinton will also be notified of employee treatment compliance for mandatory referrals with a signed consent by the employee.
- 2. ELIGIBILITY. Clinton employees and their immediate family members shall be eligible for ten 50 minute sessions. In addition, up to four supervisory trainings or educational seminars will be offered annually.
- 3. COST. Clinton shall pay The Counseling Center Three Thousand Dollars annually, (\$3,000.00). Services will be billed quarterly.
- 4. INDEPENDENT CONTRACTOR. Both The Counseling Center and Clinton agree that The Counseling Center will act as an independent contractor in the performance of its duties under this agreement.
- 5. TERMINATION. The term of this Contract Agreement shall be one (1) year, and shall automatically renew annually on October 1. Either party may terminate this agreement without cause and without liability for termination upon thirty (30) days written notice to the other party.
- 6. MISCELLANEOUS.
  - a. If any provision of this Agreement is held invalid, illegal, or unenforceable under applicable law, the remainder of this agreement shall remain valid and enforceable. It is the intention of the parties that if any

provision is held to be illegal, invalid or unenforceable, there will be added, in lieu thereof, a legal, valid and enforceable provision as similar in terms to such provision as is possible.

- b. This Agreement contains the entire agreement between the parties hereto with respect to the subject matter herein and supersedes all previous written or oral negotiations, commitments and writings.
- c. If any party to this Agreement, or the successors or assigns of any party, finds it necessary to take any action to enforce any provision hereof or to collect damages of any kind for breach of this Agreement, the prevailing party will be entitled to recover from the losing party its reasonable court costs and expenses arising out of or incurred by reason of the action including, but not limited to reasonable attorney's fees.
- d. This Agreement may be executed in two or more counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument.
- e. This Agreement may be amended only in writing executed by the parties hereto.
- f. This Agreement will insure to the benefit of and bind the respective successors of the parties hereto. This agreement shall not be assigned in whole or in part by any party.
- g. This Agreement shall be construed and interpreted in accordance with the laws of the State of Mississippi.

**The Counseling Center**

**City of Clinton**

\_\_\_\_\_  
W. Criss Lott, Ph.D.

\_\_\_\_\_  
Rosemary Aultman, Mayor

Date: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Teresa Nelson, MSW, LCSW

\_\_\_\_\_  
Russell Wall, City Clerk

Date: \_\_\_\_\_

Date: \_\_\_\_\_

## Municipal Compliance Questionnaire

As part of the municipality's audit, the governing authorities of the municipality must make certain assertions with regard to legal compliance. The municipal compliance questionnaire was developed for this purpose.

The following questionnaire and related certification must be completed at the end of the municipality's fiscal year and entered into the official minutes of the governing authorities at their next regular meeting.

The governing authorities should take care to answer these questions accurately. Incorrect answers could reduce the auditor's reliance on the questionnaire responses, resulting in the need to perform additional audit procedures at added cost.

### Information

*Note: Due to the size of some municipalities, some of the questions may not be applicable. If so, mark N/A in answer blanks. Answers to other questions may require more than "yes" or "no" and, as a result, more information on this questionnaire may be required and/or separate work papers may be needed.*

1. Name and address of municipality:

City of Clinton, Mississippi  
300 Jefferson Street  
Clinton, Mississippi 39056

2. List the date and population of the latest official U.S. Census or most recent official census:

2003 – 23,000

3. Names, addresses and telephone numbers of officials (including elected officials, chief administrative officer, and attorney).

Rosemary G. Aultman, Mayor  
300 Jefferson Street  
Clinton, Mississippi 39056

Jehu Brabham, Alderman-at-Large  
106 Longwood Drive  
Clinton, Mississippi 39056

Office: 601-925-6103

Home: 601-924-0418

Tony Hisaw, Alderman Ward 1  
102 Autumn Way  
Clinton, Mississippi 39056

Home: 601-924-9475

Tony Greer, Alderman Ward 2  
310 Monterey Drive  
Clinton, Mississippi 39056

Home: 601-924-4201

William O Barnett, Alderman Ward 3  
1006 Briarwood Drive  
Clinton, Mississippi 39056

Home: 601-924-7249

Kathy Peace, Alderwoman Ward 4  
1512 Hawthorne Place  
Clinton, Mississippi 39056

Home: 601-924-6869

Mike Morgan, Alderman Ward 5  
102 Eva Lane  
Clinton, Mississippi 39056

Home: 601-925-5284

Mike Cashion, Alderman Ward 6  
202 Church Street  
Clinton, Mississippi 39056

Home: 601-924-8893

Kenneth R. Dreher, P.A., City Attorney  
Post Office Box 1121  
Clinton, Mississippi 39060

Office: 601-925-5316

4. Period of time covered by this questionnaire:

From: October 1, 2009 To: September 30, 2010

5. Expiration date of current elected officials' term:

July 2013

**MUNICIPAL COMPLIANCE QUESTIONNAIRE**  
**Year Ended September 30, 2010**

Answer All Questions: Y – YES, N – No, N/A – NOT APPLICABLE

**PART 1 – General**

- |                                                                                                                                    |   |
|------------------------------------------------------------------------------------------------------------------------------------|---|
| 1. Have all ordinances been entered into the ordinance book and included in the minutes? (Section 21-13-13)                        | Y |
| 2. Do all municipal vehicles have public license plates and proper markings? (Sections 25-1-87 and 27-19-27)                       | Y |
| 3. Are municipal records open to the public? (Section 25-61-5)                                                                     | Y |
| 4. Are meetings of the board open to the public? (Section 25-41-5)                                                                 | Y |
| 5. Are notices of special or recess meetings posted? (Section 25-41-13)                                                            | Y |
| 6. Are all required personnel covered by appropriate surety bonds?                                                                 |   |
| Board or council members (Sec. 21-17-5)                                                                                            | Y |
| Appointed officers and those handling money, see statutes governing the form of government (i.e., Section 21-3-5 for Code Charter) | Y |
| Municipal clerk (Section 21-15-38)                                                                                                 | Y |
| Deputy clerk (Section 21-15-23)                                                                                                    | Y |
| Chief of police (Section 21-21-1)                                                                                                  | Y |
| Deputy police (Section 45-5-9) (if hired under this law)                                                                           | Y |
| 7. Are minutes of board meetings prepared to properly reflect the actions of the board? (Sections 21-15-17 and 21-15-19)           | Y |
| 8. Are minutes of board meetings signed by the mayor or majority of the board within 30 days of the meeting? (Section 21-15-33)    | Y |
| 9. Has the municipality complied with the nepotism law in its employment practices? (Section 25-1-53)                              | Y |

- |                                                                                                                                                                                                                                               |   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| 10. Did all officers, employees of the municipality, or their relatives avoid any personal interest in any contracts with the municipality during their term or within one year after their terms of office or employment? (Section 25-4-105) | Y |
| 11. Does the municipality contract with a Certified Public Accountant or an auditor approved by the State Auditor for its annual audit within twelve months of the end of each fiscal year? (Section 21-35-31)                                | Y |
| 12. Has the municipality published a synopsis or notice of the annual audit within 30 days of acceptance?<br>(Section 21-35-31 or 21-17-19)                                                                                                   | Y |

**PART II – Cash and Related Records**

- |                                                                                                                                                                             |   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| 1. Where required, is a claim docket maintained?<br>(Section 21-39-7)                                                                                                       | Y |
| 2. Are all claims paid in the order of their entry in the claims docket? (Section 21-39-9)                                                                                  | Y |
| 3. Does the claim docket identify the claimant, claim number, amount and fund from which each warrant will be issued?<br>(Section 21-39-7)                                  | Y |
| 4. Are all warrants approved by the board, signed by the mayor or majority of the board, attested to by the clerk, and bearing the municipal seal? (Section 21-39-13)       | Y |
| 5. Are warrants for approved claims held until sufficient cash is available in the fund from which it is drawn?<br>(Section 21-39-13)                                       | Y |
| 6. Has the municipality adopted and entered on its minutes a budget in the format prescribed by the Office of the State Auditor? (Sections 21-35-5, 21-35-7 and 21-35-9)    | Y |
| 7. Does the municipality operate on a cash basis budget, except for expenditures paid within 30 days of fiscal year end or for construction in progress? (Section 21-35-23) | Y |
| 8. Has the municipality held a public hearing and published its adopted budget? (Sections 21-35-5, 27-39-203, & 27-39-205)                                                  | Y |

9. Has the municipality complied with legal publication requirements when budgetary changes of 10% or more are made to a department's budget? (Section 21-35-25) Y
10. If revenues are less than estimated and a deficit is anticipated, did the board revise the budget by its regular July meeting? (Section 21-35-25) Y
11. Have financial records been maintained in accordance with the chart of accounts prescribed by the State Auditor? (Section 21-35-11) Y
12. Does the municipal clerk submit to the board a monthly report of expenditures against each budget item for the preceding month and fiscal year to date and the unexpended balances of each budget item? (Section 21-35-13) Y
13. Does the board avoid approving claims and the city clerk not issue any warrants which would be in excess of budgeted amounts, except for court-ordered or emergency expenditures? (Section 21-35-17) Y
14. Has the municipality commissioned municipal depositories? (Sections 27-105-353 and 27-105-363) Y
15. Have investments of funds been restricted to those instruments authorized by law? (Section 21-33-323) Y
16. Are donations restricted to those specifically authorized by law? [Section 21-17-5 (Section 66, Miss. Constitution)--Sections 21-19-45 through 21-19-59, etc.] Y
17. Are fixed assets properly tagged and accounted for? (Section II-Municipal Audit and Accounting Guide) Y
18. Is all travel authorized in advance and reimbursements made in accordance with Section 25-3-41? Y
19. Are all travel advances made in accordance with the State Auditor's regulations? (Section 25-3-41) Y

### **PART III – Purchasing and Receiving**

1. Are bids solicited for purchases required by law (written bids and advertising)? [Section 31-7-13(b) and (c)] Y

- |                                                                                                                                   |   |
|-----------------------------------------------------------------------------------------------------------------------------------|---|
| 2. Are all lowest and best bid decisions properly documented?<br>[Section 31-7-13(d)]                                             | Y |
| 3. Are all one-source item and emergency purchases<br>documented on the board's minutes? [Section 31-7-13(m)<br>and (k)]          | Y |
| 4. Do all officers and employees understand and refrain from<br>accepting gifts or kickbacks from suppliers? (Section<br>31-7-23) | Y |

**PART IV – Bonds and Other Debt**

- |                                                                                                                                                                           |   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| 1. Has the municipality complied with the percentage of taxable<br>property limitation on bonds and other debt issued during the<br>year? (Section 21-33-303)             | Y |
| 2. Has the municipality levied and collected taxes, in a sufficient<br>amount for the retirement of general obligation debt principal<br>and interest? (Section 21-33-87) | Y |
| 3. Have the required trust funds been established for utility<br>revenue bonds? (Section 21-27-65)                                                                        | Y |
| 4. Have expenditures of bond proceeds been strictly limited to<br>the purposes for which the bonds were issued? (Section<br>21-33-317)                                    | Y |
| 5. Has the municipality refrained from borrowing, except where<br>it had specific authority? (Section 21-17-5)                                                            | Y |

**PART V – Taxes and Other Receipts**

- |                                                                                                                                                       |     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| 1. Has the municipality adopted the county ad valorem tax rolls?<br>(Section 27-35-167)                                                               | Y   |
| 2. Are interest and penalties being collected on delinquent<br>ad valorem taxes? (Section 21-33-53)                                                   | Y   |
| 3. Has the municipality conducted an annual land sale for<br>delinquent ad valorem taxes? (Section 21-33-63)                                          | N/A |
| 4. Have the various ad valorem tax collections been deposited<br>into the appropriate funds? (Separate Funds for Each Tax<br>Levy) (Section 21-33-53) | Y   |

- |                                                                                                                                                                                                                                                            |   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| 5. Has the increase in ad valorem taxes, if any, been limited to amounts allowed by law? (Sections 27-39-320 and 27-39-321)                                                                                                                                | Y |
| 6. Are local privilege taxes collected from all businesses located within the municipality, except those exempted? (Section 27-17-5)                                                                                                                       | Y |
| 7. Are transient vendor taxes collected from all transient vendors within the municipality, except those exempted? (Section 75-85-1)                                                                                                                       | Y |
| 8. Is money received from the state's "Municipal Fire Protection Fund" spent only to improve municipal fire departments? (Section 83-1-37)                                                                                                                 | Y |
| 9. Has the municipality levied or appropriated not less than ¼ mill for fire protection and certified to the county it provides its own fire protection or allowed the county to levy such tax? (Sections 83-1-37 and 83-1-39)                             | Y |
| 10. Are state-imposed court assessments collected and settled monthly? (Section 99-19-73, 83-39-31, etc.)                                                                                                                                                  | Y |
| 11. Are all fines and forfeitures collected when due and settled immediately to the municipal treasury? (Section 21-15-21)                                                                                                                                 | Y |
| 12. Are bids solicited by advertisement or, under special circumstances, three appraisals obtained when real property is sold? (Section 21-17-1)                                                                                                           | Y |
| 13. Has the municipality determined the full and complete cost for solid waste for the previous fiscal year? (Section 17-17-347)                                                                                                                           | Y |
| 14. Has the municipality published an itemized report of all revenues, costs and expenses incurred by the municipality during the immediately preceding fiscal year in operating the garbage or rubbish collection or disposal system? (Section 17-17-348) | Y |
| 15. Has the municipality conducted an annual inventory of its assets in accordance with guidelines established by the Office of the State Auditor? (MMAAG)                                                                                                 | Y |

**CITY OF CLINTON, MISSISSIPPI**

**Certification to Municipal Compliance Questionnaire**

**Year Ended September 30, 2010**

We have reviewed all questions and responses as contained in this Municipal Compliance Questionnaire for the Municipality of Clinton, and, to the best of our knowledge and belief, all responses are accurate.

*Russell L. Wall*

Russell L. Wall, City Clerk

*Rosemary G. Aultman*

Rosemary G. Aultman, Mayor

*October 12, 2010*

Date

*October 7, 2010*

Date

