REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, JANUARY 7, 1992 - 7 P.M.
A. E. WOOD MEMORIAL LIBRARY

The Mayor and Board of Aldermen of the City of Clinton, Mississippi, met in Regular Meeting on Tuesday, January 7, 1992, 7 P.M., at the A. E. Wood Memorial Library, 111 Clinton Boulevard.

WELCOME AND CALL TO ORDER - Mayor Billy Ray Smith

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

The Invocation was led by Alderman Johnson followed by the Pledge of Allegiance to the Flag led by Alderman Montgomery.

ROLL CALL - City Clerk Nelson Byrd

Present - Willard Ryan - Alderman-at-Large
O. C. George Ferrell - Alderman Ward 1
Edward Valente - Alderman Ward 2
_____ - Alderman Ward 3
Keith Montgomery - Alderman Ward 4
Jean Johnson - Alderman Ward 5
Sharbert Lott - Alderman Ward 6
Mayor Billy Ray Smith - Presiding

City Attorney William E. Spell
City Clerk Nelson Byrd

APPROVAL OF CONSENT AGENDA ITEMS A-Z:

A. Minutes of the Regular Meeting of the Mayor and Board of Aldermen of December 3, 1991 as printed and distributed.
B. Claims Docket - manual and computer claims numbered 1-545 for the month of December, 1991.
C. Approval of purchase of tickets to Chamber of Commerce Annual Meeting for volunteer Board Members at $15.00 each for 1-23-92 (Adm.)
D. $85.00 to MMA for each City Official attending MMA Midwinter Legislative and Educational Conference 1-22/23-92 (Adm.)
E. $56.00 each to Center for Gov't Technology, MSU, for Nelson Byrd and Brooxye Sessums to attend Clerk School on Feb. 20-21, 1992, in Jackson (Adm.)
F. Purchase of police vehicles - 3 Ford Crown Victorias @ $13,395; 2 Ford Tauruses @ $11,511; and 1 S-10 Chevy Blazer @ $13,193.35 State Contract Price totaling $76,400.35 (Police)
G. $615.31 to Cummins Mid-South for Emergency Generator Repairs (Adm. and Police)
H. $550.00 to Fortenberry's Transmission for repair to vehicle #4 (Pol.)
I. $65.00 appx. to MWPCOA for Oscar Banks to attend water supply short course in Jackson, Feb. 3-7, 1992 (PWD)
J. $11,440.00 to Usry Architects for services through December 1991 on Police Station (Police)
K. $4,607.50 to Delta Constructors and $590.57 to Anderson Engineers for December, 1991, estimate No. 9 on SW Lagoon Bond Issue
L. $2,538.00 to Shank Comm. Co. for walkie talkies at State Contract Price - budgeted item (Fire)
M. $595.00 to Discount Off. Furniture for low quote on legal filing cabinet - 4 drawer, fire-proof (PWD)
N. $2,501.89 to Apac-MS for asphalt for street repairs (PWD)
O. $3,160.00 to Capweld for chlorine for water treatment (PWD)
P. $1,599.61 to Central Pipe Supply for bronze meters & fittings (PWD)
Q. $1,291.95 to Custom Prod. Corp. for stop signs (PWD)
R. $637.58 to Empire Truck Sales for repairs to C-10 water truck (PWD)
S. $1,185.00 to Harcros Chemicals for fluoride for water

treatment (PWD)

T. $1,668.60 to Jackson Ready Mix for purchase of miss-lite (PWD)

U. $714.48 to Layne-Central for chlorinator repairs (PWD)

V. $583.61 to Novelty Mach. Wks. for repair of leaf-machine blower (PWD)

W. $709.04 to Sun Belt Diesel to repair generator at PW Office (PWD)

X. $26.49 reimbursement to Lynnice Tullos for purchase of on-duty woman's police purse (Police)

Y. $120.00 to MS Recreation and Park Association for 1991-1992 membership dues (P&R)

Z. $140.00 to National Registry of EMT's for 14 fire department EMT's bi-annual recertification (Fire)

The Board having found as fact that said advertisement or dues in Consent Agenda Item Y will serve to advertise favorably the opportunities, possibilities and resources of the City of Clinton, **MOTION** made by Alderman Johnson and **SECONDED** by Alderman Lott to approve Consent Agenda Items A-Z as listed above. **MOTION CARRIED UNANIMOUSLY**. Quotes on item M listed above may be found in the Office of the City Clerk.

BIDS RECEIVED FOR CITY DEPOSITORY FOR 1991-1993

As shown by proof of publication found on page 81 of this Minute Book V that bids would be received for the privilege of keeping City funds for fiscal years 1991-1992, and 1992-1993 said bids were received and opened from Deposit Guaranty National Bank, Magnolia Federal Bank, Sunburst Bank and Trustmark National Bank. **MOTION** made by Alderman Valente and **SECONDED** by Alderman Ryan to take said bids under advisement. **MOTION CARRIED UNANIMOUSLY**. Said bids are on file in the Office of the City Clerk.

RESIGNATION OF WARD 3 ALDERMAN RONNIE CHAPPELL ACCEPTED

Due to Mr. Ronnie Chappell's election as District Four Hinds County Supervisor, **MOTION** made by Alderman Lott and **SECONDED** by Alderman Montgomery to regretfully accept Alderman Chappell's letter of resignation as submitted effective December 31, 1991. **MOTION CARRIED UNANIMOUSLY**. Said letter of resignation has been made a part of these minutes and may be found on page 82 of this Minute Book V.

ORDER ADOPTED CALLING FOR ELECTION FOR WARD 3 VACANCY

In acknowledgement of the Ward 3 vacancy created by the resignation of Alderman Ronnie Chappell, **MOTION** made by Alderman Ferrell and **SECONDED** by Alderman Montgomery to adopt that order found on page 83 of this Minute Book V calling for a special election to be held on Tuesday, February 11, 1992, for the express purpose of filling said vacancy. **MOTION CARRIED UNANIMOUSLY**. Proof of Publication may be found on page 84 of this Minute Book V. Mayor Smith stated that should a run-off election be required, it will be held the following Tuesday, February 18, 1992; and City Clerk Byrd advised the Board that absentee ballots will be available at City Hall ten days prior to said election.

SPECIAL EXCEPTION REQUEST FOR RIDING ACADEMY AND STABLE AT 160 LEGGETTE ROAD DENIED

Upon the unanimous recommendation of the City of Clinton Planning and Zoning Board and after hearing comments from area property owners surrounding 160 Leggette Road and Attorneys Vernon Chadwick, representing Mr. and Mrs. Bullock who are in opposition of said special exception; and Mr. Lee Agnew, Jr., representing Mr. Leggette's interest in requesting said exception, **MOTION** made by Alderman Valente and **SECONDED** by Alderman Ferrell to adopt the recommendation of the Planning and Zoning Board and deny said special exception request. **MOTION CARRIED UNANIMOUSLY**. At the request of Mr. Chadwick, statement and petition of opposition are

incorporated in these minutes and may be found on pages 85-91 of this Minute Book V. Mr. Agnew requested a copy of the Planning and Zoning Board minutes reflecting said public hearing and denial recommendation be forwarded to him.

1992 BOARD APPOINTMENTS

Upon request of Mayor Smith, 1992 Library Board appointments, and Ward 5 Planning and Zoning Board appointment are postponed until January 21,1991.

MOTION made by Alderman Ryan and **SECONDED** by Alderman Valente to re-appoint Sara Albritton and Andy Vanlandingham to another term on the Parks & Recreation Commission. **MOTION CARRIED UNANIMOUSLY.**

MOTION made by Alderman Ferrell and **SECONDED** by Alderman Lott to re-appoint Farris Crisler to serve another term as Chairman of the Planning and Zoning Board. **MOTION CARRIED UNANIMOUSLY.**

MOTION made by Alderman Montgomery and **SECONDED** by Alderman Valente to re-appoint Phil Fisher as the Ward 4 representative on the Planning and Zoning Board for another term. **MOTION CARRIED UNANIMOUSLY.**

ALDERMEN ENDORSE LETTER TO SCHOOL BOARD PRESIDENT BOONE

MOTION made by Alderman Johnson and **SECONDED** by Alderman Ryan to wholeheartedly endorse the letter found on pages 92-93 of this Minute Book V addressed to School Board President Ken Boone trying again to settle the water well and lease agreement for 16th section lands issue without additional legal and court expense to the citizens of Clinton. **MOTION CARRIED UNANIMOUSLY.**

ACTION ON DEDICATION OF SHADY SPRINGS SEWAGE PUMP STATION DELAYED

Due to the fact that Public Works Director Alderman has not yet received the necessary documents from Homewood Manor Enterprises to dedicate the Shady Springs sewage pump station to the City of Clinton, said matter was postponed. **NO BOARD ACTION.**

FIRE PROTECTION MUTUAL-AID AGREEMENT WITH CITY OF JACKSON AUTHORIZED

Upon the recommendation of Clinton Fire Chief Landrum and Jackson Fire Chief Donovan, **MOTION** made by Alderman Montgomery and **SECONDED** by Alderman Valente to adopt that mutual-aid agreement between the City of Clinton and the City of Jackson for fire protection as found on pages 94-95 of this Minute Book V. **MOTION CARRIED UNANIMOUSLY.**

OTHER BUSINESS

COTTON ACRES DRIVE SEWER PROPOSAL TO BE PLACED ON NEXT BOARD AGENDA

Acting upon the request of Alderman Valente, City Clerk Byrd will place on the next agenda the request for City Engineer Anderson to prepare a proposal for sewer services to be extended to the balance of the Cotton Acres Drive residents not currently serviced by City sewer. Dr. Valente also turned in a petition from said residents requesting said proposal and presentation which will be incorporated in the minutes with the proposal from the City Engineer. **NO BOARD ACTION.**

MIDWINTER LEGISLATIVE AND EDUCATIONAL CONFERENCE

Mayor Smith requested Board members who wished to attend the Midwinter Legislative and Educational Conference on January 22-23, 1992, to let him know so proper registrations can be made. **NO BOARD ACTION.**

ADJOURNMENT - 7:50 P.M.

There being no further business to discuss, **MOTION** made by Alderman Johnson and **SECONDED** by Alderman Lott to Recess until January 21, 1992, 7 P.M. **MOTION CARRIED UNANIMOUSLY**.

Copy of Agenda may be found on Pages 96-97 of this Minute Book V.

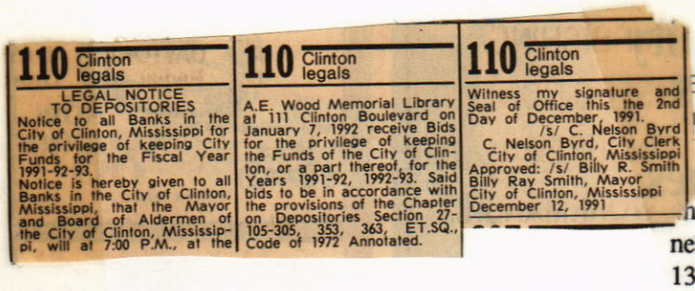
APPROVED: Billy R Smith — 1-9-92
Billy Ray Smith, Mayor — Date

ATTEST: Nelson Byrd — 1-9-92
Nelson Byrd, City Clerk — Date

SEAL

6

PASTE AD HERE



110 Clinton legals

LEGAL NOTICE
TO DEPOSITORIES

Notice to all Banks in the City of Clinton, Mississippi for the privilege of keeping City Funds for the Fiscal Year 1991-92-93.

Notice is hereby given to all Banks in the City of Clinton, Mississippi, that the Mayor and Board of Aldermen of the City of Clinton, Mississippi, will at 7:00 P.M., at the

110 Clinton legals

A.E. Wood Memorial Library at 111 Clinton Boulevard on January 7, 1992 receive Bids for the privilege of keeping the Funds of the City of Clinton, or a part thereof, for the Years 1991-92, 1992-93. Said bids to be in accordance with the provisions of the Chapter on Depositories Section 27-105-305, 353, 363, ET.SQ., Code of 1972 Annotated.

110 Clinton legals

Witness my signature and Seal of Office this the 2nd Day of December, 1991.
/s/ C. Nelson Byrd
C. Nelson Byrd, City Clerk
City of Clinton, Mississippi
Approved: /s/ Billy R. Smith
Billy Ray Smith, Mayor
City of Clinton, Mississippi
December 12, 1991

PROOF OF PUBLICATION
THE STATE OF MISSISSIPPI
HINDS COUNTY

ERSONALLY appeared before me, the undersigned notary blic for Hinds County, Mississippi,

Kim Hemphill,

n authorized clerk of THE CLINTON NEWS, a weekly newspaper as defined and prescribed in Sections 13-3-31 and 13-3-32, of 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:

Date December 12, 19 91

Date _____, 19 ____

Date _____, 19 ____

Date _____, 19 ____

Date _____, 19 ____

Number of Lines 35

Published 1 Times

Total $ 12.20

Signed Kim Hemphill
Authorized Clerk
of The Clinton News

Sworn to and subscribed before me the 12th day of December 19 91.

Janet Boatner
Notary Public

My Commission Expires:
My Commission Expires Nov. 17, 1992

(Seal)

ALDERMEN
O. C. George Ferrell
Ward One
Edward J. Valente
Ward Two
Ronnie Chappell
Ward Three
Keith N. Montgomery
Ward Four

City of Clinton
Mississippi

ALDERMEN
Jean W. Johnson
Ward Five
Sharbert K. Lott
Ward Six
Willard A. Ryan
Alderman-At-Large
Julia M. Todd
City Clerk

Billy Ray Smith, Mayor

December 16, 1991

Billy Ray Smith, Mayor
Clinton Board of Alderman
City of Clinton
P. O. Box 156
Clinton, Mississippi 39060

Dear Mayor Smith and Board of Alderman:

Please accept this letter as my official resignation as Ward Three Alderman as of 11:59 P.M., December 31, 1991.

I feel privileged to have had the opportunity to serve as Ward Three Alderman for the City of Clinton. It has been a pleasure to serve on such a fine board as this one has proven to be. I will always remember and cherish the time that we shared.

I look forward to working closely with you as Supervisor of Hinds County District 4.

If I can be of assistance to you during my tenure as supervisor, please feel free to call on me.

Sincerely yours,

Ronnie Chappell

Ronnie Chappell

P. O. Box 156 / 300 Jefferson Street / Clinton, Mississippi 39060 / (601) 924-5462

ORDER DIRECTING CITY OF CLINTON ELECTION COMMISSIONERS TO HOLD A SPECIAL ELECTION FOR THE PURPOSE OF FILLING THE WARD 3 ALDERMAN VACANCY CREATED BY THE RESIGNATION OF ALDERMAN RONNIE CHAPPELL

BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, that the duly appointed Election Commissioners of the City are hereby ordered and directed to call and hold a special election on Tuesday, February 11, 1992, for the purpose of electing an alderman to fill the unexpired term of office created by the December 31, 1991, resignation of Ward 3 Alderman Ronnie Chappell.

Said Commissioners will give notice of election as soon as possible to the qualified electors of Clinton, Mississippi, as required by law and in holding said election will be governed by and fully comply with all the laws of the State of Mississippi concerning elections of this nature as provided by MS Code Section 23-15-857.

Motion made by Alderman Ferrell and Seconded by Alderman Montgomery to adopt the foregoing order with the following vote: Motion Carried Unanimously.

Said Order approved this the 7TH day of January, 1992.

Billy R Smith
Billy Ray Smith, Mayor

ATTEST: Nelson Byrd
Nelson Byrd, City Clerk

SEAL

Proof of Pub - Ald. Election - Ward 3

REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, JANUARY 7, 1992 - 7:00 O'CLOCK P.M.

STATEMENT

We, the undersigned, after being duly sworn, state under oath the following:

Our names are Robert M. Bullock and Louise H. Bullock. We are voting citizens of Clinton and reside at 114 Leggette Drive, Clinton, Mississippi. We have lived at our present address for ten years.

Mr. James R. Leggette, Sr. of 160 Leggette Road, Clinton, Mississippi has applied to the City of Clinton for special exception to build a stable and riding academy on his property.

We believe that this stable and riding academy is not needed in this community, and we are opposed to Mr. Leggette building the same for the following reasons:

(1) There will be a substantial increase of insects in the area such as ticks, mosquitos, and flies;

(2) There will be a substantial increase of noise in the area;

(3) There will be distracting lights;

(4) There will be obnoxious odors emitting from the area;

(5) There will be increased automobile and truck and trailer traffic and congestion in the area, increasing substantially dust and fumes;

(6) The sanitary conditions of the area from toilets and animal waste will cause a health hazard; and

(7) The property values in the area will decrease.

Mr. Leggette has stated that he has 49 acres; however, we have been informed that the tax rolls indicate that Mr. Leggette only owns 42 acres and only a portion of that 42 acres can be designated for this exception. A copy of the county tax map is attached hereto.

We further believe that should Mr. Leggette be allowed this exception, it will cause problems for the community and the City of Clinton in that the City will have a greater burden to monitor sanitary facilities, disturbances, and other like problems.

We also believe that should the exception be allowed, that it will create violations of other ordinances in the areas of animal control and public health.

For the reasons set forth above, we believe the proposed exception for Mr. Leggette, if granted, will create a public nuisance affecting the neighborhood and entire community.

We personally will be affected if the exception is granted in that the facilities will be built directly in front of our house.

Even though the property of Mr. Leggette is zoned agricultural, the neighborhood is primarily residential and should remain so.

We have been informed that the Planning & Zoning Board unanimously denied Mr. Leggette's request for this special exception, and we feel that the Mayor and Board of Aldermen should follow the Planning & Zoning Board's action and do the same.

It is our desire that this statement be placed in the record of the meeting of the Mayor and Board of Aldermen along with copies of the four pages of other residents in the community who have signed in opposition and which are attached hereto.

WITNESS OUR SIGNATURES, this the 7th day of January, 1992.

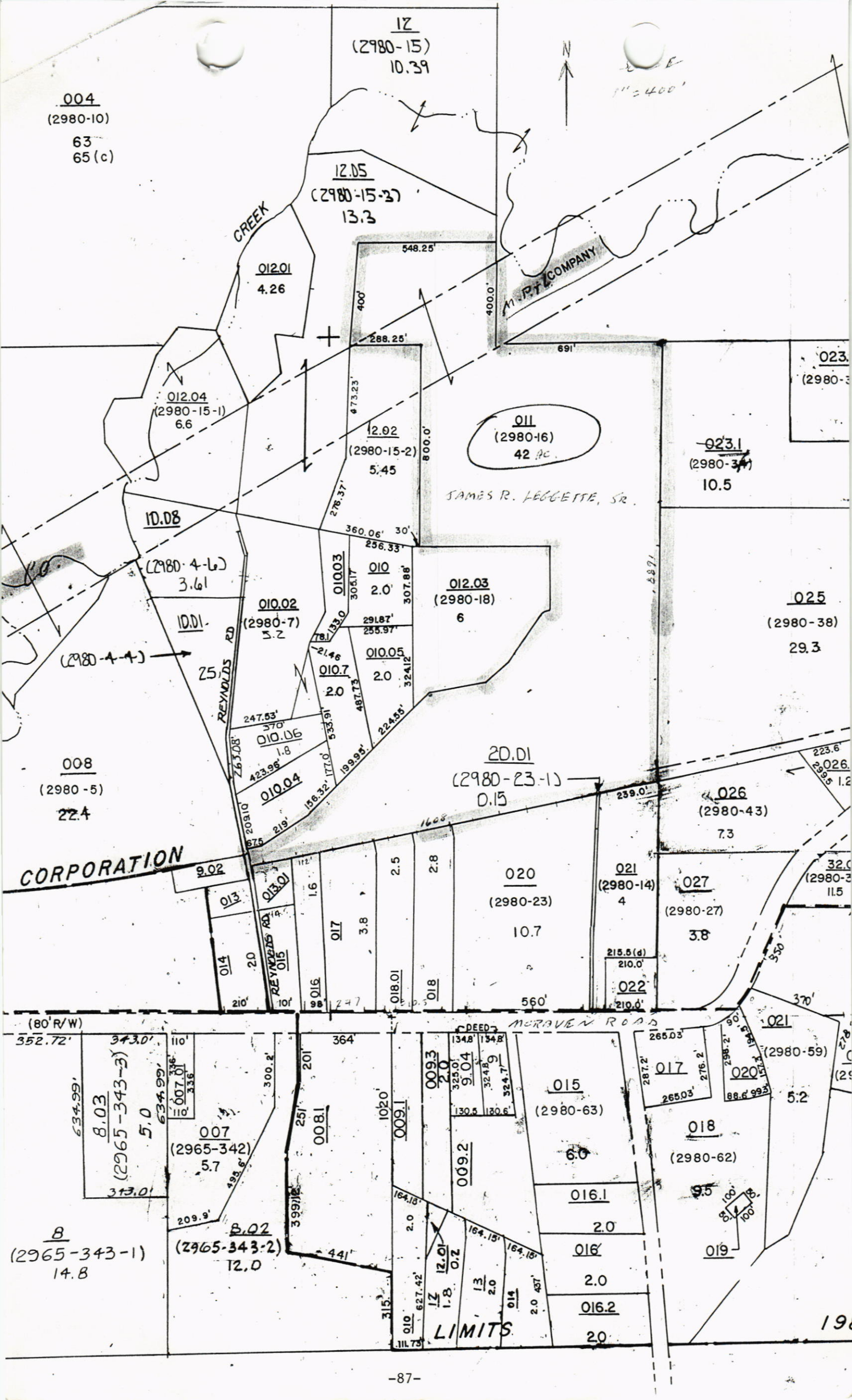
Robert M Bullock
ROBERT M. BULLOCK

Louise H Bullock
LOUISE H. BULLOCK

SWORN TO AND SUBSCRIBED BEFORE ME, this the 7th day of January, 1992.

NOTARY PUBLIC

My Commission Expires:
2/6/92



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JAMES R. LEGGETTE, SR.
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LIMITS

Petition 12-3-91 6A File Page 1 of 4

CITY OF CLINTON, MISSISSIPPI

To:Mayor and Board of Aldermen November, 1991

"We the undersigned residents and property owners of Clinton, Mississippi, oppose granting a 'special exception' for the placement of riding academy/rodeo facility on property served by Leggett Rd. (private). We testify that the Reynolds Rd. area, which serves Leggett Rd., is an area of single family residential uses, has been and is developing in this manner. We agree with the unanimous decision of the Clinton Planning & Zoning Commission in denying to recommend this 'special exception'. Establishment of a commercial-type outdoor riding academy is incompatible with the uses of property in the surrounding area, will invite heavy traffic over narrow roads serving a residential area, and is objectionable on the basis of noise, odor, dust and congestion. Proposed exterior lighting will also be incompatible with adjacent residential uses because of glare."

Name	Address
A.M. Gill	130 Gill Dr
Lou M. Gill	130 Gill Dr.
Myrtis G Ewing	110 Gill Dr.
Dewanne Clack	109 Gill Drive
Kimberly Clack	109 Gill Drive
Juanita Canterbury	113 Gill Drive
Susan Womack	1159 McRaven Rd.
Lee Ewing	110 Gill DR.
B. G. Womack	1159 McRaven Rd.
Larry Clack	109 Gill Dr.
[illegible]	105 Oak Grove Ct
Newton Gill - Proxy Lou Gill	
Mack Gill III Proxy Lou Gill	
Vicky H. Gill	105 Oak Grove Court

CITY OF CLINTON, MISSISSIPPI Page 2 of 4

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Name	Address
David Simpson	304 Reynolds Rd Clinton, MS.
Tracy Goff	1790 McRaven Rd. Clinton MS.
E. L. Goff	1790 McRAVEN RD CLINTON MS.
Loretta Goff	1790 Mc Raven Rd. Clinton, Ms.
Frances Melton	1612 McRaven Rd. Clinton Miss
B. K. Melton	1612 McRaven Rd. Clinton MS 39056
Louise H Bullock	114 Leggette Clinton Ms.
Norine Simpson	2038 McRaven Rd Clinton, MS
Tracy Simpson	304 Reynolds Clinton Ms.
Vonda Simpson	2036 McRaven Rd. Clinton MS. 39056
Nelson McCarty	12170 McRAVEN Rd. Clinton MS. 39056
Lovene McCarty	12170 McRAVEN Rd. Clinton, MS 39056
Robert E Castle	2034 McRaven Rd, Clinton MS 39056
Lucy Castle	2034 McRaven Rd. Clinton, MS 39056
R. M. Bullock	114 Leggette Clinton MS
Kathleen Walters	2040 Mc Raven Rd. Clinton Ms.

CITY OF CLINTON, MISSISSIPPI

Page 3 of 4

To:Mayor and Board of Aldermen November, 1991

"We the undersigned residents and property owners of Clinton, Mississippi, oppose granting a 'special exception' for the placement of riding academy/rodeo facility on property served by Leggett Rd. (private). We testify that the Reynolds Rd. area, which serves Leggett Rd., is an area of single family residential uses, has been and is developing in this manner. We agree with the unanimous decision of the Clinton Planning & Zoning Commission in denying to recommend this 'special exception'. Establishment of a commercial-type outdoor riding academy is incompatible with the uses of property in the surrounding area, will invite heavy traffic over narrow roads serving a residential area, and is objectionable on the basis of noise, odor, dust and congestion. Proposed exterior lighting will also be incompatible with adjacent residential uses because of glare."

Name	Address
Elsie T. Drane	2040 McRaven Road. Clinton, Ms
Joseph C. [illegible]	1961 McRaven Rd Clinton Ms
[illegible]	1961 McRaven Rd Clinton Ms
Gary & Leah B. Sandidge	1860 R. McRaven Rd.
J. L. Allen	154 Skyline Dr.

CITY OF CLINTON, MISSISSIPPI

To:Mayor and Board of Aldermen November, 1991

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Name	Address
Sid Smallen	2006 McRaven Rd
[illegible]	2006 McRaven Rd

10

ALDERMEN
O. C. George Ferrell
Ward One
Edward J. Valente
Ward Two
Ronnie Chappell
Ward Three
Keith N. Montgomery
Ward Four

City of Clinton
Mississippi

ALDERMEN
Jean W. Johnson
Ward Five
Sharbert K. Lott
Ward Six
Willard A. Ryan
Alderman-At-Large
Julia M. Todd
City Clerk

January 2, 1992

Billy Ray Smith, Mayor

HAND DELIVERY

Mr. Kenneth C. Boone, President
Clinton Public School Board
Clinton, MS 39056

Dear Ken:

It is now apparent that, if the lawsuit which has been filed by the School Board seeks to obtain payment for water produced from Sixteenth Section lands leased by the City continues in litigation, it will require both the School Board and the City to incur substantial legal expense. In addition, as long as the lawsuit is pending, the development of much-needed City park and recreational facilities will have to be postponed with the result that our citizens, including the students of the public schools, who use these facilities will suffer.

The City takes the position that it has not violated the terms of either of the two leases on which water wells have been drilled. In support of that contention, the City relies upon the provision of State law that provides that water is a basic resource and belongs to all the people, and the City also relies upon two opinions of the Attorney General, both of which are consistent with that theory. One opinion was provided to the Honorable John H. Fox, III in his capacity as City Attorney on June 6, 1978, by then-Attorney General A. F. Summer. In that opinion, the Attorney General specifically addressed the water well to be drilled on the leased land which is the subject of this litigation and is classified as "recreational". Responding to the specific question as to whether drilling a water well on the subject lease would constitute a use compatible with the purpose for which the land was leased, the Attorney General advised that "the fact that a water well will be drilled to be used in the development of the recreational area, as well as circulated with the remaining City water system, would not operate to prohibit the recreational classification of the property". A copy of that opinion is enclosed with this letter.

The other opinion of the Attorney General is Official Opinion No. 87-8, a copy of which you have, which states that the School Board may, at the time of the execution of the lease, place a reasonable rental value on the property at a fixed rate, but not on the amount of water produced as a variable rate.

It appears that the State law and the two opinions of the Mississippi Attorney General make it clear that the School Board is not entitled to receive a payment for water produced from Sixteenth Section lands and that the recreational use restriction, which is the basis of the present annual rental fee, has not been violated or breached.

P. O. Box 156 / 300 Jefferson Street / Clinton, Mississippi 39060 / (601) 924-5462

While the City is firmly convinced that the drilling of water wells on the leased school trust lands does not violate the terms of either of the leases, the City, nevertheless, would like very much to avoid the costly litigation that is inevitable unless this matter is resolved between the School Board and the City before the legal process goes further.

Accordingly, the City is willing to renegotiate both the leases on which water wells are now located, so that the land included in each of the leases now used to support the water well operation may be established in a separate lease for which the City would pay the School Board a rental fee based upon a commercial classification. The remaining portion of both leases is now being used exclusively for recreational purposes and would remain so under the new lease at the current rate.

Under this proposal to renegotiate, the City would expect to enter into four new leases. Two of the new leases would be for recreational purposes, with the new leases for recreational purposes to include that portion of the property now leased, less that used for water well operations, at the present rate and for the time remaining on the present leases. Two of the leases, consisting of approximately one-half acre each, would be negotiated at a commercial rate for a period equal to that remaining on the present leases and would be for that portion of the leased premises now being used to support water well operations.

While the City remains convinced that it has not violated the terms of these leases, it is obvious that pursuing the pending litigation will impose such a financial burden upon the City that common sense and prudent financial management dictate that this controversy be concluded before the taxpayers are burdened with any further expense. This offer will remain open for fourteen days, or until the School Board next meets, whichever is later.

In the event the School Board declines to settle this matter on the terms set forth above, the City will have no choice except to defend vigorously the Complaint filed against the City by the School Board and to seek such sanctions, including costs and attorney's fees, as the City is permitted to recover under the law and the rules of the Court.

Please provide your response at your earliest convenience.

Sincerely,

Billy Ray Smith
Mayor

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AGREEMENT FOR MUTUAL AID IN FIRE PROTECTION

This agreement is entered into by the cities of Clinton, MS and Jackson, MS for the purpose of securing for each the benefits of mutual aid in fire suppression and in the protection of life and property from fire.

1. It is agreed that:

   a. On request by the City of Clinton, fire equipment and personnel of the Jackson Fire Department will be dispatched to any designated point with the firefighting jurisdiction of the Clinton Fire Department to assist in fire fighting actions.

   b. On request by the City of Jackson, fire equipment and personnel of the Clinton Fire Department will be dispatched to any designated point within the fire fighting jurisdiction of the Jackson Fire Department to assist in fire fighting actions.

   c. An area one-half mile on each side of the boundary line between the cities of Clinton and Jackson will be an area of Automatic Aid with each Fire Department responding upon notification of a fire. Fire equipment responding will be as determined in Joint Operating Procedures.

2. Any dispatch of equipment and personnel pursuant to this agreement is subject to the following conditions:

   a. Any request for aid here under shall be accomplished and fulfilled according to the Joint Operating Procedures agreed upon by the Fire Chief of each city.

   b. The amount and type of equipment and personnel to be furnished shall be determined by the organization providing aid at the time of request, considering fire safety needs of their jurisdiction.

   c. The organization providing aid shall report to the officer in charge for the jurisdiction to which the equipment responds and shall be subject to the orders of that official.

   d. The organization providing aid shall be released by the requesting organization when their services are no longer needed or when the aiding organization is needed within the area for which it normally provides protection.

3. All equipment used in carrying out this agreement will be owned by the responding organization and all personnel responding for the organization providing aid will be an employee or volunteer member of that organization.

4. Each party waives all claims against every other party for compensation for any loss, damage, personal injury, or death occurring as a consequence of the performance of this agreement.

5. To ensure safe and efficient operations, the Fire Chief of each department will coordinate Joint Operating Procedures to be used during mutual aid actions. These procedures will include training, communications, firefighting, and safety procedures. They will be reviewed and updated as needed.

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Mayor
Clinton, Mississippi

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Mayor Kane Ditto
Jackson, Mississippi