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**REGULAR BOARD MEETING
CITY HALL BOARD ROOM**

March 21, 2023

5:00 P.M.

BE IT REMEMBERED THAT THE MAYOR AND BOARD OF ALDERMEN/ALDERWOMEN MET IN THE ABERDEEN CITY HALL BOARD ROOM WITH THE FOLLOWING MEMBERS PRESENT:

MAYOR CHARLES SCOTT, ALDERMAN NICHOLAS HOLLIDAY, ALDERWOMAN LADY B. GARTH, ALDERMAN EDWARD HAYNES, ALDERWOMAN CAROLYN ODOM, MELISSA MOORE CITY CLERK, AND WALTER H. ZINN, JR., CITY ATTORNEY.

Invocation: Pastor Denvill Clark

Roll Call

A motion was made by Alderman Haynes, seconded by Alderwoman Odom to approve the proposed Minutes dated March 7, 2023 Board Meeting. On a roll call vote, Alderman Holliday, Alderwoman Garth voted “Nay”. Alderman Haynes and Alderwoman Odom voted “Aye”. Due to a tie vote of 2-2, Mayor Scott voted “Aye”.

A motion was made by Alderman Haynes, seconded by Alderwoman Odom to pay all bills submitted by proper vendors as recorded on the Docket of Claims dated March 21, 2023. On a roll call vote, Alderman Haynes and Alderwoman Odom voted “Aye”. Alderman Holliday and Alderwoman Garth voted “Nay”. Due to a tie vote of 2-2, Mayor Scott voted “Aye”.

A motion was made by Alderwoman Garth, seconded by Alderman Haynes to approve the rezoning permit Mr. Torrey Boykins needs to begin his work on PPIN: 34782 / Parcel ID: 109H-29-001-020.02. On a roll call vote, Alderman Holliday, Alderwoman Garth, and Alderman Haynes voted “Aye”. Alderwoman Odom voted “Nay”.

A motion was made by Alderman Haynes, seconded by Alderwoman Odom to approve and redeclare that Ward Five (5) Alderman Seat be vacated. On a roll call vote, Alderman Holliday, Alderman Haynes and Alderwoman Odom voted “Aye”. Alderwoman Garth voted “Nay”.

A motion was made by Alderwoman Odom, seconded by Alderman Haynes to approve the Resolution to Declare the Election and Public Notice of Special Election Date for Ward Five (5) Alderman Seat to be May 2, 2023. On a roll call vote, Alderman Holliday, Alderman Haynes and Alderwoman Odom voted “Aye”. Alderwoman Garth voted “Nay”.

A motion was made by Alderwoman Garth, seconded by Alderman Holliday to Rescind the Motion made at March 7, 2023 Board Meeting to appoint Ms. Linda Jagers and Ms. Geann Jones as Election Commissioners. On a roll call vote, all present voted “Aye”.

A motion was made by Alderwoman Garth, seconded by Alderman Holliday to approve and appoint Ms. Toni Price and Mrs. Carolyn Quinn-Hoskins to be the replacement of the two names removed for Election Commissioners. On a roll call vote, Alderman Holliday and Alderwoman Garth voted “Aye”. Alderman Haynes and Alderwoman Odom voted “Nay”. Due to a tie vote of 2-2, Mayor Scott voted “Nay”.

A motion was made by Alderwoman Odom, seconded by Alderman Haynes to approve and reappoint Mr. Lee Turnage and Mrs. Jennifer Rollison as Aberdeen Election Commissioners. On a roll call vote, Alderman Holliday and Alderwoman Garth voted “Nay”. Alderman Haynes and Alderwoman Odom voted “Aye”. Due to a tie vote of 2-2, Mayor Scott voted “Aye”.

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No motion or vote was made to Rescind the Appointment of Mr. Walter Zinn, Jr. as City Attorney for Aberdeen, MS.

A motion was made by Alderman Haynes, seconded by Alderwoman Odom to approve the pay rate for the Election Commissioners, Poll Workers and Poll Managers be accepted and itemized in the Minutes:

Aberdeen Elections Officials Compensation

Daily Compensation

Municipal Poll Manager: \$125.00
Municipal Poll Manager Carry Out: \$10.00
Municipal Poll Manager Box Carry In: \$10.00
TOTAL: \$145.00

Municipal Poll Worker: \$125.00
Municipal Election Commissioner: \$150.00
Plus \$100.00 every five (5) hours per day

Resolution Board: \$125.00

On a roll call vote, Alderman Holliday, Alderman Haynes and Alderwoman Odom voted "Aye". Alderwoman Garth voted "Nay".

A motion was made by Alderwoman Odom, seconded by Alderman Haynes to approve the closing of Westlake Construction Project Bank Account at First Bank, Aberdeen, MS and issue a refund in the amount of \$813.98 to Westlake. On a roll call vote, all present voted "Aye".

A motion was made by Alderman Holliday, seconded by Alderwoman Garth to Table the approval of Westlake Chemical & Vinyl, LLC (FKA Axiall, LLC), Aberdeen, MS Plant Application for Ad Valorem Tax Exemption in the amount of \$10,897,835.00 for ten (10) years.

A motion was made by Alderman Holliday, seconded by Alderwoman Garth to accept City Employee Derrick Hogan Resignation with an effective date: March 17, 2023. On a roll call vote, all present voted "Aye".

A motion was made by Alderwoman Garth, seconded by Alderman Holliday to approve Employment Enhancement according to state guidelines and pay all necessary charges for Roy Haynes to attend the 2023 Construction / Code Principles Class, Brandon, MS / April 14, 2023 Fee: \$125.00. On a roll call vote, all present voted "Aye".

A motion was made by Alderwoman Odom, seconded by Alderman Haynes to approve Employment Enhancement according to state guidelines and pay all necessary charges for Quinnell Shumpert to attend the MS Chief Conference, Biloxi, MS / June 20-22, 2023. Hotel fee per night: \$119.99. On a roll call vote, all present voted "Aye".

A motion was made by Alderwoman Odom, seconded by Alderman Haynes to approve the hiring of James Allen as a police officer for the Aberdeen Police Department at a rate of pay of \$14.00 per hour, and once Mr. Allen has been certified the pay will increase to \$15.00 per hour. On a roll call vote, Alderwoman Garth, Alderman Haynes, and Alderwoman Odom voted "Aye". Alderman Holliday voted "Recuse".

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A motion was made by Alderwoman Garth, seconded by Alderman Holliday to approve the hiring of Willie Sykes as a Laborer for the Aberdeen Public Works at a rate of pay of \$13.00 per hour. On a roll call vote, Alderman Holliday, Alderwoman Garth and Alderman Haynes voted "Aye". Alderwoman Odom voted "Nay".

A motion was made by Alderman Haynes, seconded by Alderman Holliday to set the Qualifying Dates for the Special Election to begin March 22, 2023 and end April 12, 2023. On a roll call vote, Alderman Holliday, Alderman Haynes and Alderwoman Odom voted "Aye". Alderwoman Garth voted "Nay".

A motion was made by Alderman Haynes, seconded by Alderwoman Odom to approve the Evaluation of the Poplar Street Sewer being done by William Sanford, Project Manager with Neel-Schaffer, Inc. On a roll call vote, all present voted "Aye".

A motion was made by Alderman Holliday, seconded by Alderwoman Garth to approve to Post and Advertise for a Certified Mechanic for Aberdeen Public Works Department. On a roll call vote, all present voted "Aye".

A motion was made by Alderwoman Garth, seconded by Alderman Haynes to terminate City Employee Jamarquez Johnson due to job abandonment. On a roll call vote, Alderman Holliday, Alderwoman Garth and Alderman Haynes voted "Aye". Alderwoman Odom voted "Nay".

A motion was made by Alderwoman Garth, seconded by Alderman Holliday to approve the hiring of Davonte Ray as a Laborer for Aberdeen Public Works Department at a rate of pay of \$12.00 an hour. On a roll call vote, Alderman Holliday, Alderwoman Garth and Alderman Haynes voted "Aye". Alderwoman Odom voted "Nay".

Mayor Report: Mayor Scott asked Ms. Tina Robbins to update the Board on the events taken place within the City of Aberdeen:

1. Travel History App
2. MML Magazine Publication
3. Paradise Alley / Street Scope
4. Easter Egg Hunt / Park & Recreation - April 8, 2023

Mayor Scott invited Ms. Evelyn Thompson and Pastor Denvill Clark from Hamilton, Ms to enlighten the Board about Monroe County Cross of Christ. The Cross of Christ will be lighted with concrete pad, benches and landscaping. The size of the Cross is 120' x 64'. The Cross will be located on Crane Drive, Aberdeen, MS off Highway 45 towards downtown Aberdeen. The donated amount is \$85,000.00. It will cost \$250,000.00 to complete the project of the Cross. Ms. Thompson is asking everyone that can and will, please donate in making this dream a reality.

Mayor Scott informed the Board on the Wellness Packet that was placed in their packet a few meetings ago regarding the park project that will be put in Newberger Park. Mayor Scott stated their will be another meeting with the organization to discuss this further. Mayor Scott asked Alderman Haynes to please review the packet to get a clear understanding on what the park project will detail.

Mayor Scott invited Mrs. Lydia Quarles to the meeting to inform the Board on the lawsuits involving City Attorney Walter Zinn, Jr, two alderpersons and a former alderman. Mrs. Quarles asked the Board if this matter should be discussed in Executive Session. Alderman Holliday said yes, Executive Session please.

Mayor Scott asked City Inspector Roy Haynes to share with the Board an update on the Zoning of property belonging to Mr. Torrey Boykins. Mr. Haynes stated that on January 23, 2023. He received a re-zoning application that was brought before the Board to get permission to begin the re-zoning process. Mr. Haynes stated that Mr. Boykins would like to proceed with the re-zoning project, and if there's land the City is would like to swap with him, he's open to the idea. Mr. Haynes stated that after the Board votes to re-zone the property, Mr. Boykins will bring his blueprints before the Planning and Zoning Board.

Mayor Scott shared with the Board the letter he typed for the Board of Aldermen and Alderwomen regarding "Conflicts of Interest." Mayor Scott asked that the letter be added to the Board Minutes.

Mayor Scott asked the Board to review the information on the Poplar Street Sewer issue provided by William Sanford, Project Manager with Neel-Schaffer, Inc., and approve for Mr. Sanford to do the Evaluation and report back to the Board with the cost. Alderwoman Garth wanted to know where the money will come from to pay for this project. Mayor Scott stated it would come from the Water Department. Alderwoman Garth asked Mayor Scott if it's more than what the Water Department has, "What are we going to do?" Mayor Scott stated that we'll use one of the other funds.

Mayor Scott congratulated Alderman Edward Haynes on his completion of the Basic CMO Classes and receiving his certification. The 2023 CMO Graduation is Sunday, June 25, 2023.

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Charles Scott, Mayor
Nicholas Holliday, Alderman Ward 1
Lady B. Garth, Alderwoman Ward 2
Edward Haynes, Jr., Alderman Ward 3
Carolyn Odum, Alderwoman Ward 4
John Allen, Alderman Ward 5



Melissa Moore, City Clerk
Karen Crump, City Comptroller
Roy Haynes, City Inspector
Quinnell Shumpert, Chief of Police
Fred Hodges, Fire Chief
Robert Faulks, City Attorney

CITY OF ABERDEEN

March 17, 2023

Letter to Alderman Board – Conflicts of Interest

As the Chief Executive for the City of Aberdeen, I have a fiduciary duty to ensure that the city and its citizens aren't put in harm's way. After reviewing several of the motions and actions taken at the March 7, 2023; board meeting. I can't in good conscience follow or implement those motions that are riddled with conflicts of interest and will put our city in jeopardy.

- 1. Duty of Care** describes the level of competence and business judgment expected of the board member. This is commonly expressed as the obligation to provide the level of care that an ordinarily prudent person would exercise in a similar position and under similar circumstances.
- 2. Duty of Loyalty** revolves primarily around board members' financial self-interest and the potential conflict this can create. When a board member is making decisions affecting the organization., the organization must have their undivided allegiance. This means not only in decision-making on behalf of the city, but also that board member may never use information obtained as a member for personal gain. Rather, they must act in the best interest of the organization.
- 3. Duty of Obedience** is about respecting the limits of the board's power, and using that power to help the city fulfill its mission – while also respecting and obeying the law. The flip side of this is that board members must not act inconsistently with the city's mission.

Therefore, I implore you to rescind these motions to eradicate the conflicts of interest and put our city back on a good pathway.

1. Rescind motion to appoint Walter Zinn as City Attorney – due to conflicts of interests and the entanglement of four (4) unsettled cases and one (1) settled case – between Mr. Walter Zinn, Mr. Nicholas Holliday – Ward 1, and Mrs. Lady B Garth Ward 2.
 - a) Monroe County Circuit Court Case #:48C11:21-cv-00113 **Walter H. Zinn Jr vs City of Aberdeen - Open b)** Monroe County Circuit Court Case #:48C11:23-cr-00001; **State of Mississippi vs Lady B. Garth – Open c)** Monroe County Circuit Court Case #: 48C11:22-cv-00140 **Lady B. Garth vs City of Aberdeen – Open d)** Monroe County Justice Court Book # 2200, page # 6825, page # 6827, page # 6828 and page # 6829 **State of Mississippi vs Nicholas Holliday – Open e)**

Letter to Alderman Board – conflicts of interest Page 1 | 2

Monroe County Circuit Court 20-cv-00201; 2021-EC-00486-SCT Robert Devaul
vs Nicholas Holliday - Closed

2. Rescind motion to appoint Linda Jaggars and Genann Jones as Election Commissioners – Neither lady wants this position appointment.
3. Reappoint Lee Turnage and Jennifer Rollinson as Election Commissioners along with Anniece Riddle – each person is trained and prepared to conduct the upcoming special election May 2, 2023.

As leaders for the beautiful City of Aberdeen, our first obligation is the health and welfare of the citizens that we serve. Aberdeen has received an enormous amount of unflattering publicity; this is not a true reflection of who we are. However, we cannot continue to present ourselves in such a negative manner. This display of flawed leadership is affecting the economic growth of Aberdeen; I will stand in the gap to prevent this destruction. The citizens of Aberdeen deserve the best – remember we work for them! I am always available to talk city business at 662-436-7074 or cscott@ci.aberdeen.ms.us

Aberdeen Vision 2030,



Charles Scott

City of Aberdeen – Mayor

Aldermen/Alderwomen Input:

Alderman Holliday: Alderman Holliday shared with Mayor Scott that he has some concerns from the citizens of Aberdeen about some things that needs to be checked on. Alderman Holliday stated that citizens have noticed that several grants have been passed within the City but none for the Armory Hall or the High Street Community Center on the South side. Citizens would like to see the bathrooms upgraded and a change in appearance on the venues. This would make the citizens feel more loveable in these places being that the citizens use them over 90% of the time. Alderman Holliday would like to set up a meeting with Mayor Scott and Men of Vision to help clean up Southview Apartments in Ward One. Mayor Scott shared with Alderman Holliday that President of the Board Mr. Patrick Lockett and several other citizens walked around picking up paper and trash this weekend. Mayor Scott stated that he had a conversation with Ms. Gibson about a list she'll be providing of issues the tenants are having at Southview Apartments. Alderman Holliday asked Mayor Scott if we're advertising any of the City land or anything the City has to offer for businesses to come to the City of Aberdeen because we need funds. Mayor Scott stated he have talked to several companies. Alderman Holliday asked what's the hold-up for the companies coming to Aberdeen. Mayor Scott stated the hold-up is to have your Infrastructure in place to receive these companies.

Alderwoman Garth: Alderwoman Garth stated the citizens are being charged \$17.00 for the trash cans; they write a check to Monroe County for \$12.00 per trash can, and with the \$5.00 going to Common City, Alderwoman Garth asked Ms. Crump what is the \$5.00 being used for. Ms. Crump stated the money is in a Common City Budget which operates the whole City. Ms. Crump stated the City still has operations of trash, Knuckleboom still being used and the trash, limbs, furniture items are still being picked up within the City. Alderwoman Garth asked who decision it was to overcharge the citizens by \$5.00 to go in Common City, and who decided on it because it wasn't voted on.

Alderman Haynes: Alderman Haynes wanted to know what day is the City picking up the extra stuff that Monroe County Solid Waste doesn't pick-up. Alderman Haynes stated that he's trying to get the citizens on a schedule. Public Works Director Mr. Richard Boone shared with Alderman Haynes the following information: Ward One – Friday, Ward Two – Thursday, Ward Three – Tuesday, and Ward Four – Wednesday. Alderman Haynes asked Mayor Scott about the name of the company handling our water samples. Mayor Scott said the company name is EnviroLabs. Alderman Haynes and the Haynes Foundation donated a bullet proof vest to Officer Jordan Gillespie. Mayor Scott praised Alderman Haynes for his good works.

Alderwoman Odom: Alderwoman Odom stated that Mrs. Latoya Fields on 1501 Nickles Street, Aberdeen, MS, right off of Meadowlane Drive is complaining about the standing water in her yard after the rain. Alderwoman Odom would like for someone to check the drainage, because they may cause a mosquito problem.

Citizen's Input:

Mr. Albert Barker came before the Board to present them with a packet of information to review and see if it's something that interest them in wanting to discuss further in helping with the short falls of the City.

Mr. Dale Daniel asked to go into Executive Session to discuss a personnel matter.

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Ms. Mary Ann Butler of 105 Walters Drive, Aberdeen, MS came before the Board complaining the holes in her front yard. Mrs. Butler stated the holes were filled with dirt, but the drainage issues are still a problem and would like for the drains to be looked at again. Mrs. Butler stated her main issue of concern is the City water. Mrs. Butler stated her dog became very sick from drinking Aberdeen water, and it cost her \$500.00 to get her dog treated at the Veterinarian. Mrs. Butler would like for the City of Aberdeen to reimburse her the \$500.00

A motion was made by Alderman Holliday to enter into a Closed Determination to determine whether to go into Executive Session.

A motion was made by Alderman Holliday, seconded by Alderwoman Garth to go into Executive Session to discuss a personnel issue regarding City Employee Terry Cunningham using a City vehicle to distribute flyers and Mrs. Lydia Quarles regarding lawsuits involving City Attorney Walter Zinn, Jr. On a roll call vote, all present voted "Aye".

The Mayor and Board announced to the public that the Board was entering into Executive Session to discuss a personnel issue regarding City employee Terry Cunningham using a City vehicle to distribute flyers and Mrs. Lydia Quarles regarding lawsuits involving City Attorney Walter Zinn, Jr. On a roll call vote, all present voted "Aye".

A motion was made by Alderwoman Garth, seconded by Alderman Holliday to come out of Executive Session. On a roll call vote, all present voted "Aye".

A motion was made by Alderwoman Garth, seconded by Alderman Holliday that Attorney Walter Zinn, Jr. lawsuit with the City of Aberdeen be settled with a zero balance and each party pay their own fees. On a roll call vote, Alderman Holliday, Alderwoman Garth, and Alderman Haynes voted "Aye". Alderwoman Odom voted "Nay".

A motion was made by Alderwoman Odom to enter into a Closed Determination to determine whether to go into Executive Session.

A motion was made by Alderman Holliday, seconded by Alderwoman Garth to go into Executive Session to discuss a personnel issue regarding City Employee Warren Myles for a pay increase. On a roll call vote, Alderman Holliday, Alderwoman Garth and Alderwoman Odom voted "Aye". Alderman Haynes voted "Nay".

The Mayor and Board announced to the public that the Board was entering into Executive Session to discuss a personnel issue regarding City employee Warren Myles for a pay increase. On a roll call vote, Alderman Holliday, Alderwoman Garth and Alderwoman Odom voted "Aye". Alderman Haynes voted "Nay".

A motion was made by Alderwoman Garth, seconded by Alderman Holliday to come out of Executive Session. On a roll call vote, Alderman Holliday, Alderwoman Garth and Alderwoman Odom voted "Aye". Alderman Haynes voted "Nay".

A motion was made by Alderman Holliday, seconded by Alderwoman Garth to approve City Employee Warren Myles to be Temporary Head Mechanic for Public Works and receive a 10% increase in his pay. On a roll call vote, all present voted "Aye".

Alderwoman Odom exited from the Board Meeting at 7:52 P.M.

A motion was made by Alderman Holliday to enter into a Closed Determination to determine whether to go into Executive Session.

A motion was made by Alderman Holliday, seconded by Alderman Haynes to go into Executive Session to discuss a personnel issue regarding City Employee Calvin Parker regarding an increase in his pay. On a roll call vote, all present voted "Aye".

The Mayor and Board announced to the public that the Board was entering into Executive Session to discuss a personnel issue regarding City Employee Calvin Parker regarding an increase in his pay. On a roll call vote, all present voted "Aye".

A motion was made by Alderman Haynes, seconded by Alderwoman Garth to come out of Executive Session. On a roll call vote, all present voted "Aye".

A motion was made by Alderman Holliday, seconded by Alderwoman Garth to approve City Employee Calvin Parker hourly pay to increase to \$18.00 per hour and the remaining Water Department Employees to receive a \$1.00 increase in their hourly pay. On a roll call vote, all present voted "Aye".

A motion was made by Alderman Holliday, seconded by Alderwoman Garth to approve for Deputy City Clerk Devonshae Young a \$2.00 raise per hour at next Board Meeting if it's in the City Clerk's Budget. On a roll call vote, all present voted "Aye".

A motion was made by Alderman Holliday, seconded by Alderwoman Garth to adjourn until the April 4, 2023 Board Meeting. On a roll call vote, Alderman Holliday and Alderwoman Garth voted "Aye". Alderman Haynes voted "Nay".

Attest:



Melissa Moore, City Clerk



Charles Scott, Mayor