

**REGULAR BOARD MEETING
CITY HALL BOARD ROOM**

April 4, 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: Mayor Charles Scott

Roll Call

A motion was made by Alderman Haynes, seconded by Alderwoman Odom to approve the proposed Minutes dated March 21, 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 Alderwoman Odom, seconded by Alderman Haynes to pay all bills submitted by proper vendors as recorded on the Docket of Claims dated April 4, 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 Alderman Haynes, seconded by Alderwoman Odom to approve and pay West Central Insurance Company, Aberdeen, MS in the amount of \$62,024.00 for the City of Aberdeen Automobiles, Properties owned by the Water Department, and Inland Marine Equipment Insurance for the calendar year April 1, 2023 – April 1, 2024. 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 to reject the Bid for the Magnolia Project submitted by Cook Development, LLC in the amount of \$290,000.00, and re-advertise to match the scope of the \$150,000.00 grant. On a roll call vote, all present voted "Aye".

A motion was made by Alderman Haynes, seconded by Alderman Holliday to Table the discussion and approval of the \$15,000.00 Fitness Court System for Newberger Park, Aberdeen, MS. On a roll call vote, all present voted "Aye".

A motion was made by Alderwoman Odom, no seconded was given to approve Westlake Chemical & Vinyl LLC (FKA Axiall, LLC) – Aberdeen Plant Application for Ad Valorem Tax Exemption in the amount of \$10,897,835.00 for ten (10) years. The motion Failed for a lack of a second vote.

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

A motion was made by Alderwoman Garth, seconded by Alderman Holliday to approve Employment Enhancement and pay all necessary charges according to state guidelines for Chief Fred Hodges to attend the 86th Mississippi Firefighters and Fire Chiefs Conference, Natchez, MS / June 1-4, 2023 / Registration Fee: \$95.00. On a roll call vote, all present voted “Aye”.

A motion was made by Alderwoman Garth, seconded by Alderman Holliday to approve Employment Enhancement and pay all necessary charges according to state guidelines for Calvin Parker to attend the Water Operator Training, Tupelo, MS / April 13, 2023 / No Charge. On a roll call vote, all present voted “Aye”.

A motion was made by Alderwoman Garth, seconded by Alderman Holliday to approve the hiring of Willie JaNolan Jones as a CDL Driver and Laborer for Public Works at a rate of pay of \$13.00 per hour. On a roll call vote, Alderman Holliday, Alderwoman Garth and Alderwoman Odom voted “Aye”. Alderman Haynes voted Recuse.

A motion was made by Alderwoman Garth, seconded by Alderman Holliday to accept the resignation of Judge Brandon Davis as Judge Pro-Tem for the Municipal Court, Aberdeen, MS. On a roll call vote, Alderman Holliday, Alderwoman Garth, Alderman Haynes voted “Aye”. Alderwoman Odom voted “Nay”.

A motion was made by Alderwoman Garth, seconded by Alderman Haynes to approve for Affluent, Mrs. Michelle Thomas and Mr. Albert Barker and/or be added to the next Planning Session. On a roll call vote, all present voted “Aye”.

A motion was made by Alderman Holliday, seconded by Alderman Haynes to approve the purchase of the lowest bid on a Three Phase Pad Mount 1500 KVA for Aberdeen Public Utilities in the amount of \$60,195.00 from Sunbelt Solomon, Temple, Texas. On a roll call vote, all present voted “Aye”.

A motion was made by Alderwoman Odom, seconded by Alderman Haynes to approve the signing of the Quit Claim Deed giving access to S&J Transfer and Storage, LTD, Aberdeen, Ms granting the 75ft and 30ft strip and granting the Easement for access. On a roll call vote, all present voted “Aye”.

Mayor Report:

Charles Scott, *Mayor*
Robert DeVaul, *Alderman Ward 1*
Lady B. Garth, *Alderman Ward 2*
Edward Haynes, Jr., *Alderman Ward 3*
Carolyn Odom, *Alderman Ward 4*
John Allen, *Alderman Ward 5*



CITY OF ABERDEEN

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

Letter to Alderman Board – Conflicts Deepen

After reviewing attorney Jim Mozingo (**Aberdeen's Attorney for this case**) opinion on the case of **Zinn vs City of Aberdeen** - it's clear that Aberdeen will give value to Mr. Zinn if the city goes ahead to settle with Mr. Zinn on a baseless case. Mr. Zinn still have not produced the contract that Alderman Holliday spoke about on the affidavit of support that he filed March 6th on the behalf Mr. Zinn Case. After reviewing Alderwoman Garth affidavit of support, filed March 7th, 2023, and Mr. Holliday's affidavit it is clear they are in cahoots with Mr. Zinn to settle this case that will cause the city to give unlawful value.

On July 21, 2020, **Regular Board Meeting Minutes on page 2, paragraph 8, line 3**; Alderman Allen asked City Attorney Walter H. Zinn Jr. if he had provided the city with his legal service contract. Mr. Zinn stated no. Again, as leaders around this table your first obligation is to stand for the citizens of Aberdeen and spend its tax dollars wisely. A settlement without a Summary Judgment will place the city in harm's way and will subject all the principals around this table that vote to go ahead in the proposed manner, a visit from the State Auditor. Those funds will come out of your pocket.

For this board to detangle itself from this conflict that continues to deepen, you must do several things: **(1) Rescind the motion to settle with Mr Zinn and allow Summary judgement to go forward. (2) Rescind the motion Mr Zinn to reinstate/appointment as city Attorney. (3) Ask that Alderman Holliday and Alderwoman Garth follow protocol and recuse themselves from this case because they are to entrap. (4) At the board meeting Mr. Zinn tried to explain to me that there is no value on settling case as proposed – that was untrue.**

After reviewing **Regular Board Meet March 21, 2023**, several motions were made to give various salary raises without regard or any discussion with the Mayor. These are the type of decisions without Legislative and Executive communication that creates budget short falls and are not supported or sustained by revenue. The Mayor and Board has a fiduciary duty to be fiscally responsible and adhere to the budget – an exception would be extraordinary circumstances. Remind you that I am available to discuss budget and personal issues and or any of your concerns daily, and on the city scheduled planning meeting every 1st and 3rd Tuesday monthly.

It is concerning that Alderwoman Garth desired to **sanitize** the board minutes by removing the word **"adjourned"** from the **Regular Board Meeting Minutes February 21, 2023, Page 2**

- (Original) A motion was made by Alderwoman Garth, seconded by Alderman Holliday that Richard Boone be hired and brought back to the City of Aberdeen as Public Works Director, and receive the same rate of pay when he was dismissed. Mayor Scott announced that the Meeting is "adjourned". Mayor Scott, Alderwoman Odom, and Alderman Allen exited the Boardroom and the Meeting and did not return.
- (Rewrite/sanitize – per Alderman Garth @ March 7, 2023, Regular Board Meeting Minutes) (Regular Board Meeting Minutes February 21, 2023, now on - Page 3, Paragraph 1) A motion was made by Alderwoman Garth, seconded by Alderman Holliday that Richard Boone be hired and brought back to the City of Aberdeen as Public Works Director, and receive the same rate of pay when he was dismissed. On a roll call vote, Alderman Holliday, Alderwoman Garth and Alderman Haynes voted "Aye". Mayor Scott, Alderwoman Odom, and Alderman Allen exited the Boardroom and the Meeting and did not return.
- It is important to note; that I (Mayor Scott) did verbally announce and gaveled this meeting is "adjourned" before leaving the board meeting along with Alderwoman Odom and Alderman Allen. Leaving the board at that time without a quorum to vote or conduct city business. Alderwoman Garth wasn't authorized to sit in the Mayor's seat nor conduct city business after Alderman Allen, Alderwoman Odom, and the fact that I had adjourned the meeting.

The citizens of Aberdeen deserve the best – remember we work for them! 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

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Mayor Scott asked Ms. Tina Robbins to update the Board on the events taken place within the City of Aberdeen. Ms. Robbins stated the City of Aberdeen had a very successful Pilgrimage. Ms. Robbins updated the Board on Paradise Alley. Ms. Robbins stated there were twelve (12) states representing Aberdeen Pilgrimage.

Ms. Robbins shared with the Board an update on the Magnolia's Project. Mr. Dustin Dabbs with Dabbs Corporation is asking that the Bid submitted electronically by Cook Development, LLC in the amount of \$290,000.00 be rejected and re-advertise to match the scope of the \$150,000.00 grant.

Mayor Scott asked the Board to review information regarding the Fitness Center that will be put at Newberger Park. Alderman Haynes asked Mayor Scott to Table this until he can talk with another Municipality that has the Fitness Center, and see how well it's working for their City.

Mayor Scott shared with the Board that Blues singer Mr. Bobby Rush will be doing a Benefit Concert on Friday, April 7, 2023 at 6:00pm in Prairie, MS for the storm victims in Monroe County, MS. Also, Oktibbeha County NAACP will be given gift certificates for the storm victims. Mayor Scott is asking everyone to please come out and support these events.

Aldermen/Alderwomen Input:

Alderman Holliday: Alderman Holliday invited CEO and Chief Marketing Partner for Affluent Marketing and Consulting Mrs. Michelle Thomas to share information about their business and how it can be beneficial to the City of Aberdeen.

Alderwoman Garth: Alderwoman Garth asked Ms. Moore to please have an agenda with Mr. Allen and Mr. Faulks name removed from the City Letterhead for the next Board Meeting and Planning Session. Mrs. Garth would like for the budget to be amended because the \$3,000.00 taken from the Common City Budget for a family feast should've been approved by the Board before being listed on the budget. Mrs. Garth stated that she's quite offended by paying \$5.00 extra and Monroe County \$12.00.

Alderwoman Garth commended Aberdeen Police Officer Eric Potts for stopping an assisting with a car accident. Alderwoman Garth shared with Officer Potts that she is proud of him, and proud that he's an officer with the City of Aberdeen. Alderman Garth would like to discuss a concern regarding Attorney Zinn, Jr. in Executive Session.

Alderman Haynes: Alderman Haynes shared with the Board the help he has been providing to the storm victims on a daily basis, and how it has humble his spirit. Alderman Haynes commends Aberdeen Public Utilities, Aberdeen Fire and Water Department for lending a helping hand and doing what they do best when it comes to helping those in need. Alderman Haynes apologizes for missing the Aberdeen Pilgrimage this year, but his plans was re-directed by God in helping the individuals that were affected by the storm. Alderman Haynes will discuss other concerns in Closed Determination. Alderman Haynes shared with everyone that Pleasant Grove Missionary Baptist Church, Aberdeen, MS is a distribution center for those who lived outside the city limits and affected by the storm can come by and get water, food and supplies.

Alderwoman Odom: Alderwoman Odom stated she is thankful for the minimum amount of damage within the City of Aberdeen, and asked that everyone pray for the individuals affected by the storm.

Citizen's Input:

General Manager, Aberdeen Public Utilities LaMarcus Thompson is asking the Board to approve the purchase of a Three Phase Post Mount 1500 KVA because the 750 KVA 3Phase Pad Mount they approved at March 7, 2023 Board Meeting is too small. The three quotes given to the Board are:

1. Sunbelt Solomon, Temple, TX in the amount of \$60,195.00
2. TransArmour Inc., Brandon, MS in the amount of \$65,900.00
3. MSTN Transformers, Greenwood, MS in the amount of \$66,000.00

Attorney Steve Corr, Tupelo, MS was asked by Judge David Houston to come before the Board and explain why the Board need to sign a deed for S&J Transfer and Storage, LTD (FKA The Burris Plant) Aberdeen, MS. Attorney Corr stated there is a 75ft strip that was left out of the legal description when it was conveyed. According to the Monroe County Tax Assessor Office, the 75ft strip is being taxed to Mr. James Bell. Mr. Bell wants to sell the property. Attorney Corr is asking for the City of Aberdeen to sign a QuitClaim Deed to the S&J Transfer and Storage, LTD property (Southwest Quarter of Section 3, Township 15 South, Range 6 East, Monroe County, Mississippi).

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

A motion was made by Alderwoman Garth, seconded by Alderman Haynes to go into Executive Session to discuss personnel issues regarding City Employees Melissa Moore for being transparent with City business, lawsuits regarding Attorney Walter Zinn, Jr., Chief Fred Hodges on the discussion of MS WIN System for the Fire Department, LaMarcus Thompson on hiring for Aberdeen Public Utilities, Barry McMillian EEOC complaint, Richard Boone to discuss applicant's job application, and Aberdeen Police Officers needing to discuss an increase in their 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 personnel issues regarding City employees Melissa Moore for being transparent with City business, lawsuits regarding Attorney Walter Zinn, Jr., Chief Fred Hodges on the discussion of MS WIN System for the Fire Department, LaMarcus Thompson on hiring for Aberdeen Public Utilities, Barry McMillian EEOC complaint, Richard Boone to discuss applicant's job application, and Aberdeen Police Officers needing to discuss an increase in their pay. On a roll call vote, all present voted "Aye".

A motion was made by Alderman Holliday, seconded by Alderwoman Garth 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 Haynes, seconded by Alderman Holliday to approve Kelly Natural Gas Company he permission to store their work material, mini excavator, portal potty and trailer at Holley's for three months at \$300.00 per month. On a roll call vote, all present voted "Aye".

A motion was made by Alderman Holliday, seconded by Alderwoman Garth to approve the increase in pay for Deputy City Clerk Devonshae Young at \$17.00 per hour. On a roll call vote, Alderman Holliday, Alderwoman Garth, and Alderman Haynes voted "Aye". Alderwoman Odom voted "Nay".

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A motion was made by Alderman Holliday, seconded by Alderwoman Garth to approve Calvin Parker and Devonshae Young to re-take the Water Certification Re-Take Computer-Based Exam at \$104.00 each. On a roll call vote, all present voted "Aye".

A motion was made by Alderwoman Garth, seconded by Alderman Holliday to approve the rental refund deposit for the Park and Recreation Gym in the amount of \$200.00 for Willie Mae Blanchard. On a roll call vote, all present voted "Aye".

A motion was made by Alderman Holliday, seconded by Alderwoman Garth to approve the hiring of Charles Reed, Jr. as a Temporary Equipment Operator for Aberdeen Public Utilities at a rate of pay of \$17.00 per hour. On a roll call vote, all present voted "Aye".

A motion was made by Alderman Holliday, seconded by Alderman Haynes to terminate City Employee Devontae Ray due to job abandonment. On a roll call vote, all present voted "Aye".

A motion was made by Alderman Holliday, seconded by Alderwoman Garth to approve the donation for the Aberdeen - Monroe County Chapter of the NAACP Scholarship Fund in the amount of \$500.00 being paid from Office of the Mayor Account. On a roll call vote, all present voted "Aye".

A motion was made by Alderman Holliday, seconded by Alderwoman Garth to approve that Vice-Mayor Lady B. Garth name be added to all accounts belonging to the City of Aberdeen that the Vice-Mayor should be on during City business when the Mayor isn't present. 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 adjourn until the April 18, 2023 Board Meeting. On a roll call vote, Alderman Holliday and Alderwoman Garth voted "Aye". Alderman Haynes voted "Nay".


Charles Scott, Mayor

Attest:


Melissa Moore, City Clerk