

**Minutes of
Clay County Board of Supervisors
Regular Meeting
Tuesday, April 13, 2021 at 9:00 a.m.**

BE IT REMEMBERED a regular meeting of the Clay County Board of Supervisors was held at the Clay County Courthouse, West Point, Mississippi, on Tuesday, April 13, 2021 at 9:00 a.m.

PRESENT:

Lynn Horton, Supervisor, District 1
Luke Lummus, Supervisor, District 2
R. B. Davis, Supervisor, District 3
Shelton Deanes, Supervisor, District 4, Presiding
Joe Chandler, Supervisor, District 5

Eddie Scott, Clay County Sheriff
Amy G. Berry, Clay County Chancery Clerk
Angela Turner Ford, Board Attorney

County Residents

The following proceedings were had:

CALL TO ORDER/INVOCATION

The meeting was called to order by Clay County Sheriff Eddie Scott. The welcome was given by Supervisor Deanes with invocation given by Supervisor Luke Lummus.

ADOPTION OF AGENDA

Supervisor Horton moved to adopt the agenda as presented.

The motion was seconded by Supervisor Lummus.

(Exhibit "A")

AMENDMENT OF AGENDA

Supervisor Lummus moved to amend the agenda as presented.

The motion was seconded by Supervisor Horton.

THE FOLLOWING ITEMS WERE REQUESTED TO BE AMENDED AND ADDED TO THE AGENDA FOR FURTHER DISCUSSION AND CONSIDERATION BY THE BOARD:

- Sheriff Eddie Scott requesting authority to apply for PSN Grant
- Chancery Clerk Amy Berry clarifying term of Bonds

AUTHORIZE AND APPROVE SECOND QUARTER SUPPLY AND MATERIAL BIDS FOR YEAR 2021

Supervisor Lummus moved to authorize and approve the second quarter supply and material bids as tabulated and presented by the Nikki Cude, *Clay County Purchase Clerk*.

The motion was seconded by Supervisor Horton.

(Exhibit "B")

AUTHORIZE AND APPROVE RANDY JONES, FLOOD PLAIN COORDINATOR, TO TRAVEL TO NATCHEZ, MS FOR CONTINUING EDUCATION

Supervisor Horton moved to authorize and approve Randy Jones, Flood Plain Coordinator, to travel to Natchez, MS for continuing education.

The motion was seconded by Supervisor Lummus.

(Exhibit "C")

AUTHORIZE AND APPROVE TO PASS THE ROADHOUSE ORDINANCE PENDING ONE MODIFICATION IN ARTICLE I, APPLICABILITY, INTENT, AND INTERPERETATION, TO REFLECT THE ORDINANCE TO APPLY TO ALL INCORPORATED PLACES OF ASSEMBLAGE LOCATED IN THE COUNTY

Supervisor Lummus moved to pass the Roadhouse Ordinance pending one modification in Article I, Applicability, Intent, and Interpretation, to reflect the ordinance to apply to all incorporated places of assemblage located in the County.

The motion was seconded by Supervisor Horton.

(Exhibit "D")

AUTHORIZE AND APPROVE THE SHERIFF TO APPLY FOR PSN GRANT FOR YEAR 2020

Supervisor Lummus moved to authorize and approve the Sheriff to apply for PSN Grant for year 2020 to purchase gym equipment to put in the back of the Court Complex.

The motion was seconded by Supervisor Horton,

(Exhibit "E")

AUTHORIZE AND APPROVE TO ISSUE DISTRICT 2 ROAD AND BRIDGE BONDS FOR YEAR 2021 FOR 12 YEARS

Supervisor Lummus moved to authorize and approve to issue District 2 Road and Bridge Bonds for year 2021 for 12 years.

The motion was seconded by Supervisor Horton.

(Exhibit "F")

AUTHORIZE AND APPROVE TO CONTRACT WITH TAGGERT BROTHERS AUCTION & REAL ESTATE TO CONDUCT THE AUCTION OR SALE OF MACK TRUCK FOR DISTRICT ONE

Supervisor Lummus moved to authorize and approve to contract with Taggert Brothers Auction & Real Estate to conduct the auction or sale of Mack Truck for District one.

The motion was seconded by Supervisor Horton.

(Exhibit "G")

RECESSING

Supervisor Lummus moved to adjourn until Thursday, April 22, 2021 at 9:00 a.m. at the Clay County Courthouse.

The motion was seconded by Supervisor Horton.

ALL MOTIONS CARRIED UNANIMOUSLY UNLESS OTHERWISE INDICATED

SO ORDERED, this the 13th day of April, 2021


SHELTON L. DEANES, PRESIDENT

ATTEST:


AMY G. BERRY, CHANCERY CLERK

7

7

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EXHIBIT A



***Clay County Board of Supervisors
Agenda for Meeting
Tuesday, April 13, 2021, at 9:00 a.m.***

- Call to Order
- Welcome and Prayer
- Adopt and Amend the Agenda
- Nikki Cude, *Purchase Clerk*
 - Authorize and approve to award and accept Supply and Material Bids for 2nd quarter 2021
- Authorize Travel for Randy Jones May 3-5, 2021 at Natchez, MS
- Authorize and approve to pass Ordinance of Assemblage
- Recess until *Thursday, April 22nd, 2021*, at 9:00 a.m., at the Clay County Courthouse

Amendments:

EXHIBIT B

Affidavit of Publication

STATE OF MISSISSIPPI } SS
COUNTY OF CLAY }

NOTICE TO BIDDERS
IN RE: CLAY COUNTY SUPPLY AND MATERIAL BIDS
FOR SECOND QUARTER FOR YEAR 2021

Wil Bane, being duly sworn, says:

That he is Classified Clerk of the Daily Times Leader, a daily newspaper of general circulation, printed and published in West Point, Clay County, Mississippi; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:


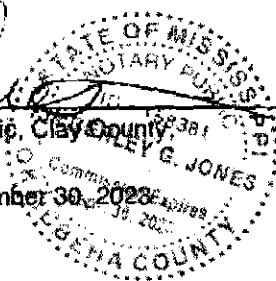
March 27, 2021, April 03, 2021

That said newspaper was regularly issued and circulated on those dates.

SIGNED:


Classified Clerk

Subscribed to and sworn to me this 3rd day of April 2021.


Kimberly G. Jones, Notary Public, Clay County, Mississippi
My commission expires: September 30, 2023


00008607 00092735

Amy Berry
Clay County Chancery Clerk
P. O. Box 815
West Point, MS 39773

WHEREAS, the Clay County Board of Supervisors having met in regular session on the 25th day of March, 2021 did find as follows:

WHEREAS, a motion was made and duly seconded authorizing the Clerk to advertise for bids for supplies, materials, equipment, etc. for and on behalf of Clay County, MS for the quarterly term period beginning Tuesday, April 13, 2021 and ending June 30, 2021. It appears to the Board that bids will be accepted Monday, April 12, 2021 on or before 9:00 A. M. in the Chancery Clerk's office located in the Clay County Courthouse at 365 Court Street, West Point, MS 39773 to be opened, tabulated by the Purchase Clerk, and presented to the Board of Supervisors.

IT IS THEREFORE ORDERED that Amy G. Berry, Clerk of the Board of Supervisors, be and is hereby directed to give notice by publication that the Board will receive sealed bids for supplies, materials, and equipment for the quarterly term period beginning April 13, 2021 and ending June 30, 2021, with the following:

- Grader Blades, Grader Blade Bolts, specify squared ended or beveled ended with or without bolts
- Cost per mile on setting up roads and shooting DBST and Reseal with 4/10 asphalt per lift, to bid two ways:
 - With County Furnishing Materials
 - Without County Furnishing Materials
- Cost per ton on asphalt (hot mix and cold mix)
- Crushed limestone, all sizes F. O. B. Quarry
- Cost per ton for Gravel - washed, pea, dirt, sand base, dirt and other road building material
- Cost per yard for Clay Gravel
- Cost per gallon for liquid asphalt
- Cost per gallon on spraying liquid asphalt
- Rental Rate of Equipment quoted with or without operator - Bulldozer, Motor Graders, Tractors, Trucks, Pans, Front End Loaders, Drag Lines, Asphalt Spreaders, Rollers, and other road building equipment
- Riveted and Spiral Metal Culvert pipes and bends on a per linear foot basis with delivery to be made in any quantity to any district shop or job site within 48 hours from time of order, freight to be prepaid on all deliveries. No Foreign material will be accepted
- Dual wall, smooth interior polyethylene pipes, all sizes, all grades

All bids must be filed with the Clerk of the Board of Supervisors of Clay County at 365 Court Street, West Point, MS 39773 or may be mailed to: P. O. Box 815, West Point, MS 39773 on or before 9:00 A.M. Monday, April 12, 2021. Mailed bids should be clearly marked "Quarterly Bids - Do Not Open Until 04/12/2021".

The Clay County Board of Supervisors reserves the right to reject any and all bids and to waive any and all formalities with the acceptance and rejection of the bids. After motion by Lynn Horton and second by R. B. Davis this Board doth vote unanimously in favor of the motion.

SO ORDERED this the 25th day of March, 2021.

Shelton Deanes, President
Board of Supervisor

ATTEST:
Amy G. Berry, Chancery Clerk
Clerk of the Board

Publication:
03/27/2021
04/03/2021

EXHIBIT C

Amy G Berry

From: Randy Jones <rjones@wpnet.org>
Sent: Thursday, April 8, 2021 8:01 AM
To: Amy Berry <aberry@claycounty.ms.gov> (aberry@claycounty.ms.gov)
Subject: FW: Association of Floodplain Managers of Mississippi Meeting Announcement
Importance: High

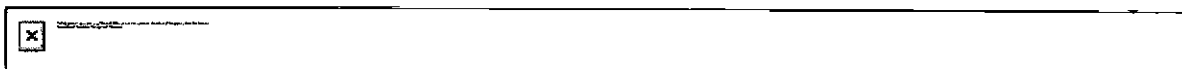
Good Morning Amy,
See below, hope it is not too late to get registration, travel, and lodging approval for the annual conference below on the board's agenda today..
Thanks!

Randolph (Randy) W. Jones
Chief Administrative Officer
City of West Point
PO Box 1117 | 580 Commerce Street
West Point, MS 39773-1117
Office: 662.494.2573
Mobile: 662.524.0039
Fax: 662.495.2007
rjones@wpnet.org



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From: AFMM [mailto:info@msafmm.org]
Sent: Monday, March 08, 2021 8:36 AM
To: Randy Jones
Subject: Association of Floodplain Managers of Mississippi Meeting Announcement



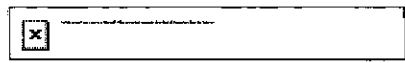
2021 ANNUAL CONFERENCE

WHEN

CONFERENCE INFORMATION

May 03, 2021 12:00 PM CDT
to May 05, 2021 12:00 PM
CDT

Add to Calendar



TICKETS

\$195.00 Member Registration

\$295.00 Non-Member
Registration

\$75.00 Student Registration

\$75.00 One-Day (Tues) –
luncheon & social events not
included

\$775.00 Platinum
Sponsor/Exhibitor

\$625.00 Gold
Sponsor/Exhibitor

\$475.00 Silver
Sponsor/Exhibitor

\$325.00 Bronze
Sponsor/Exhibitor

\$775.00 Platinum
Sponsor/Exhibitor

Location: The conference will be held at the Natchez
Convention Center, 211 Main St, Natchez, MS, 39120.

Lodging: A special conference rate of \$114 plus tax,
single or double, per night, has been established at
the Natchez Grand. Reserve your room by calling
Natchez Grand at 866-488-0898 or 601-446-9994 and
tell them you are with the Association of Floodplain
Managers of Mississippi. The following is included
with your room reservation: Hot breakfast buffet,
Unlimited wired and wireless internet, Unlimited
local and long-distance phone calls, On-site parking,
Fitness Center, Business Center, and Laundry facility
usage.

Exhibitors: Companies and organizations will exhibit
their products, services, and activities half a day on
Monday and all day Tuesday.

Sponsors: We invite you to be a sponsor for the
Spring Conference or donate a door prize. All
sponsors will be identified in the conference
program, at workshops, and during all social events.

Bronze

\$325.00
Notation in the conference packets & 1 conference
registration

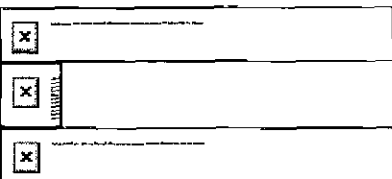
Silver

\$30.00 Guest/One Day
Participants only - A La Carte
Pricing Evening Event -shirt
required (Tues)

\$15.00 Guest/One Day
Participants only - A La Carte
Pricing Luncheon (Tues)

\$15.00 Guest/One Day
Participants only - A La Carte
Pricing Reception (Mon)

\$195.00 Member Registration



DIRECTIONS

Natchez Convention Center
211 Main Street
Natchez , MS 39120



\$475.00
Notation in the conference packets, 2 conference
registrations, & an information booth.

Gold

\$625.00
Notation in the conference packets, 3 conference
registrations, promotional material (if provided)
placed in conference packets, & an information
booth.

Platinum

\$775.00
The ability to have a part of the conference named on
behalf i.e. social, luncheon, etc., notation in the
conference packets, 4 conference registrations,
promotional material (if provided) placed in
conference packets, & an information booth.

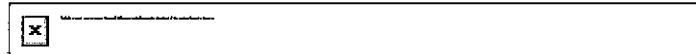
Included with registration:

- Continental Breakfast (Tues & Wed) @
Natchez Grand Only
- Luncheon (Tues)
- Reception (Mon)
- Evening Event (Tues)

AFMM 2019 Annual Conference will be held May 3-5,
2021 at the Natchez Convention Center in Natchez,
MS. The conference provides a forum for
professionals involved in floodplain management

throughout the state to meet and share their knowledge and experience. We invite you to be a conference sponsor/exhibitor for 2021. All sponsors/exhibitors will be recognized in the conference program and at workshops and all social events.

Door Prize Information: Our traditional door prizes are awarded during the general membership meeting and we will also present door prizes at the luncheon. We welcome door prize contributions in support of the conference. Door prizes may be specific items or monetary contributions for door prizes. You may make arrangements to deliver the door prizes to an AFMM officer in your area or bring them to the conference.



This email was sent to rjones@wpnet.org by AFMM
Association of Floodplain Managers of Mississippi
P.O. Box 309 Purvis, MS 39475

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EXHIBIT D

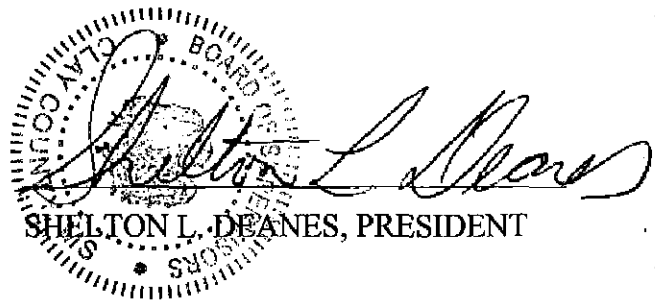
NOTICE OF PUBLIC HEARING OF THE CLAY COUNTY BOARD OF SUPERVISOR'S INTENT TO REGULATE PLACES OF PUBLIC ASSEMBLAGE, INCLUDING, ROADHOUSES, AND LIKE ESTABLISHMENTS AND TO PROVIDE PENALITES FOR VIOLATIONS

The Clay County Board of Supervisor's will hold a public hearing on *Thursday, April 8, 2021, at 9:00 a.m.* at the Clay County Courthouse as located on 365 Court Street, West Point, MS 39773, of their intent to pass an ordinance to regulate places of public assemblage, including, roadhouses and like establishments, which would include to provide penalties for violations of said regulation.

A copy of the proposed ordinance may be picked up Monday through Friday from 8:00 a.m. to 5:00 p.m. from Amy G. Berry, Chancery Clerk, at 365 Court Street, West Point, MS 39773 or via email at aberry@claycounty.ms.gov .

Any citizen of Clay County, Mississippi is invited to attend this public hearing of the proposed intent to pass an ordinance to regulate places of public assemblage, including, roadhouses and like establishments, which would include to provide penalties for violations.

SO ORDERED this the 4rth day of March, 2021.



SHELTON L. DEANES, PRESIDENT

Publish:

3/20/2021

3/27/2021

STATE OF MISSISSIPPI
COUNTY OF CLAY

ORDINANCE REGULATING PLACES OF PUBLIC ASSEMBLAGE,
INCLUDING ROADSHOUSES AND LIKE ESTABLISHMENTS,
AND PROVIDING FOR PENALTIES FOR VIOLATIONS

WHEREAS, Article Six, Section 170 of the Mississippi Constitution and Section 19-3-41 of the Mississippi Code of 1972, as amended and annotated, grant jurisdiction over roads and all matters of County Police to Boards of Supervisors; and

WHEREAS, Chapter 5, Title 19 of the Mississippi Code of 1972, as amended and annotated, authorizes counties to protect the general health, safety and welfare of its citizens where the Legislature has not made provision; and

WHEREAS, Section 19-3-40 of the Mississippi Code of 1972, as amended and annotated, the "home rule" statute, grants counties the power to adopt ordinances respecting county affairs for which no specific provision has been made by the Legislature and which is not inconsistent with the Mississippi Constitution; and

WHEREAS, Clay County is in the process of creating a long-term comprehensive development plan for the benefit of its citizens and the adoption of an ordinance regulating public assemblage will enhance such plan; and

WHEREAS, the Clay County Board of Supervisors has received significant accounts of places of public assemblage, including roadhouses, nightclubs, dance halls and the like, within and without of the County which contribute to littering, public intoxication, controlled substance violations, noise, disorderly conduct, assaults, overcrowding and traffic congestion limiting emergency responders in the performance of their duties, and, additionally, some of these assemblages have permeated conspiracies of silence, allowing violators to escape the administration of justice, and which are managed without adequate attention to these problems; and

WHEREAS, on numerous occasions, the impact of these business operations has been more significant when the establishment is hosted by an entertainment promoter for a special event or performance, or the like when the establishment fails to alert law enforcement of criminal conduct occurring during operations; and

WHEREAS, some of those operations are located in buildings which are not in compliance with current building and/or National Fire Protection Association standards, causing a safety hazard for the occupants, customers and patrons of said buildings.

NOW THEREFORE, BE IT ORDAINED by the Board of Supervisors of Clay County, Mississippi:

Article I.
Applicability, Intent & Interpretation

This ordinance shall apply to all ^{unincorporated} places of public assemblage ^{in clay county} as defined in Article II, including all existing establishments, as well as any that make application subsequent to the adoption of this ordinance. This ordinance shall not apply to functions hosted or sponsored by a governmental entity or its agents acting on behalf of said entity or any charitable organization which has exempt status as established by the Internal Revenue Service.

The intent of this ordinance is to promote public safety and welfare by regulating premises security, alcohol policies, loitering, littering, noise, overcrowding, parking and other nuisances which affect public safety and welfare.

If any portion of this ordinance is claimed to be ambiguous, the appropriate regulating authority as identified in Article III shall render interpretations of this ordinance based on the intent. Any party in disagreement with the interpretation of the regulating authority may file a written appeal to the Regulations Committee as described in Article V. Upon receipt of a written appeal, the Regulations Committee shall schedule a meeting with the appellant within thirty (30) calendar days to hear testimony from both sides and to render a decision as outlined in Article III. The interpretation of the authority shall stand during any appeal process.

Article II.
Definitions

This ordinance shall apply to all places of public assemblage, including but not limited to, roadhouses, nightclubs, dance halls, lounges, taverns, cabarets, bars, pool halls, community centers, recreation centers, convention centers and restaurants, whether allowing alcoholic beverages or not, and

regardless of whether entertainment is provided or allowed during any portion of its regular operation and which provides entertainment activities through any of the following: amplified music, whether live or programmed, dancing, table games and/or video games. This definition also includes open air assemblages as well as restaurant/bar establishments which provide entertainment as described above during any portion of its operation. Any other establishment which only occasionally hosts the above described activities shall be subject to the provisions of this ordinance while engaging in such activities. This definition is applicable to the owner of the real estate, any lessee, operator, host, entertainment promoter and any borrower of the premises conducting events on the property.

Bring Your Own Bottle/BYOB: Any establishment that allows hard liquor to be brought inside for consumption shall not allow it to be poured into any other container of more than twelve (12) ounces in size.

Consume or Consumption: Consume or consumption is the ingestion of alcoholic beverages or the possession of any alcoholic beverages in its original container or bottle, can or other container, which has been opened. Consumers are restricted to the inside of the place of public assemblage while consuming or consumption of alcoholic beverages, with the exception of open air functions (ex. blues festivals and outdoor concerts, etc.), but not include the parking lot area.

Entertainment Promoter: Any individual, partnership, corporation, or other entity or agent promoting any venue, performing artists, advertising services, or similar activities, by contracting with a person, partnership or corporation not owned and operated by the promoter.

For Profit Event: Any event other than a non-profit event.

Non-Profit Event: Any event designed and intended to produce profits for the benefit of and/or subsequent disbursement by organizations which are tax exempt under federal tax laws and Internal Revenue Service regulations.

Overcrowding. A condition that exists when either there are more people in a building, structure or portion thereof than has been authorized or posed by the fire official or when the fire official determines that a threat exists to the safety of the occupants, due to the persons sitting and/or standing in locations which may obstruct or impede the use of aisles, passages, corridors, stairways, exits, or other components of means of egress as required by the Mississippi Legislature and/or adopted by the Clay County Board of Supervisors.

Public Safety Concerns. One or more acts of violence resulting in physical injury or observed illegal drug activity, or the unlawful possession of beer or light wine, occurring inside of the establishment or in the premises parking area or an open-air activity owned, leased or operated by the establishment.

Regulating Authority. The official, officer or entity charged with regulating the provisions of this ordinance, including but not limited to, the Sheriff and/or his designee, fire coordinator, State Fire Marshal, or the Alcohol Beverage Control division of the State Department of Revenue.

Regulations Committee. The committee designated by the Clay County of Supervisors to administer certain sections of this ordinance as provided in Article V.

Safe Operation. A period of least ninety (90) days during which Clay County E911 office has recorded no calls for service reporting criminal activity or public safety concerns other than those reported by the establishment.

Article III Permit

Permit Required. (A) As a condition precedent to having an event or opening any establishment as defined in Article II, the owner, lessee, operator, host, promoter or borrower of the premises, as the case may be, whether on a regular basis or one (1) time event, shall obtain a permit prior to allowing customers or patrons into the place of public assemblage.

- 1) A building, part of a building, or outdoor location may be occupied and used as a place of public assemblage by a person, entity or organization other than the owner or full-time lessee, only when the operator, promoter or any borrower has been issued a permit which is in effect under the provisions of this article;
- 2) Compliance with physical requirements of the facilities shall be the responsibility of the owner. Compliance with operating requirements shall be the responsibility of the owner unless a valid permit has been obtained by a lessee, operator, promoter, host or borrower, and in which case, the owner shall be jointly responsible for compliance; and
- 3) If a place of public assembly, as defined in Article II deviates from the primary operation of business, a separate permit will be required. If a business' primary scope of business is rental, a permit will be required for each separate rental.

(B) Permit Application and Issuance: Permit applications may be obtained from the Clay County Sheriff and/or his designee. Upon submission of a completed application and an annual permit fee of Fifty Dollars (\$50.00), the Sheriff and/or his designee shall review the application, as well as any incidents occurring at the place of public assemblage within the preceding twelve (12) month time period, past compliance with Article IV of this ordinance, and the historical record, if any. The Sheriff and/or his designee shall then submit his recommendations to the Regulations Committee.

The Regulations Committee shall issue permits recommended by the Clay County Sheriff's Office (CCSO), subject to the facility meeting all occupancy requirements of the State or County's adopted building and life safety codes.

(C) Permit Validity. The permit shall be valid for a period of one (1) year, excluding rentals, unless suspended or revoked for failure to comply with the provisions of Article IV. If the permit is revoked, the permit holder forfeits the annual permit fee for that year.

(D) Permit Renewal.

- 1) A permit renewal application may be granted after a review of the past year's performance. Consideration by the Sheriff and/or his designee shall include but not be limited to: safe operation, past permit revocations and/or suspensions, violations of other applicable law, and any prior permittees affiliated or associated with the applicant, evidence of illegal drug activity, beer or light wine violations, evidence of fighting, disorderly conduct and other dangerous activities on or about the permitted premises.
- 2) Violations of this ordinance on the premises' events conducted by persons, entities, or organizations other than the owner, whether permitted under this ordinance or not, may be grounds for non-renewal of the permit.
- 3) Should the Regulations Committee find that the applicant has not submitted a complete application or appropriate fee, or if the Sheriff and/or his designee find that the applicant has failed to comply with this Article, the Regulations Committee shall decline to issue the permit. The annual permit fee shall be returned to the applicant along with a letter stating the reasons for the denial.

(E) Permit Suspension and/or Revocation. The Regulations Committee may temporarily suspend a permit for a violation of one or more of the provisions of this ordinance.

- 1) If a permit is suspended or revoked, no entertainment activities, including amplified music, whether live or programmed, dancing, table games or video games may be conducted on the premises. If any entertainment activities occur during a period of suspension or revocation, the privilege license and certificate of occupancy shall be revoked. Such suspension or revocation does not otherwise affect the sale or purchase of the realty or personalty during the suspension or revocation.
- 2) The Regulations Committee may permanently revoke a permit for two or more violations within the provisions of this ordinance in a twelve (12) month period or for more than three violations of the provisions of this ordinance. Such permanent revocations shall also result in the revocation of the privilege license and certificate of occupancy.
- 3) Such suspension shall be held in abeyance for a period of three (3) business days to permit the owner, lessee, manager, host, agent, etc. to appeal the suspension or revocation. Notice of the suspension or revocation shall be by certified mail, hand delivery, or by leaving notification at the door of the permittee's location.
- 4) A permit shall not be suspended or revoked for a violation of Article IV which is not a public safety concern unless the violation is found to have continued or recurred after the permittee had received notice of the violation and an opportunity to remedy or prevent the violation's occurrence.

(F) Emergency Temporary Suspension by Sheriff: The Sheriff's on-duty field Supervisor/Commander may temporarily suspend the establishment's permit if he/she determines that an immediate suspension is necessary to restore order for failure to comply with Article IV security requirements or events endanger the life, health and safety of customers/patrons or neighbors of the establishment or any call for service at the location as follows:

- 1) The facility shall be vacated and closed, effective immediately, upon verbal notification to the owner, lessee, manager, host, agent or representative and shall be effective for up to 24 hours or as needed to restore order or to ensure compliance with security requirements.
- 2) The establishment may re-open thereafter, provided that the situation giving rise to the emergency temporary suspension of the permit has been adequately addressed as determined by the Sheriff and/or his designee. The Field Supervisor shall submit a report outlining the basis for his/her decision to suspend the permit(s) to the Sheriff and/or his designee. The Sheriff and/or his designee shall, within five (5) business days, submit a finding to the Regulations Committee, either

recommending the continuation of the permit, temporary suspension for a designated period or revocation. The Regulations Committee shall notify the permittee as provided herein.

- 3) Within three (3) business days of receiving notice of denial, suspension or revocation of the permit, the permittee or applicant may appeal the action by filing a written notice of appeal with the Regulations Committee at the Office of the County Administrator.
- 4) The Regulation Committee will conduct a hearing as promptly as possible, and within five (5) business days of receiving the written notice of appeal, to determine whether to: (a) reinstate or issue the permit; (b) temporarily suspend the permit; or (c) permanently revoke the permit.
- 5) The permittee or applicant for a permit shall be entitled to appear, testify and present evidence at a hearing. However, formal rules of evidence shall not apply and reasonable limitations may be placed upon total hearing time. Upon request, the hearing shall be recorded.
- 6) A temporary suspension may not extend beyond the date on which the permit expires. Any such suspension or revocation does not otherwise affect the owner's sale of the premises or personalty. The Regulations Committee shall prepare written findings and conclusions concerning the appeal decision within five (5) business days of the hearing.

(G) Appeal Procedure Concerning Imposition of Supplemental Security Requirement (Article IV, Item H):

- 1) Within ten (10) business days of receiving notice that the business has become subject to the supplemental security requirement, the permittee may appeal the action by filing a written notice of appeal with the Regulations Committee. The Regulations Committee will conduct a hearing as promptly as possible, and within five (5) business days of receiving the written notice of appeal, to determine whether to: (a) continue imposition of the security requirement; (b) continue imposition of the security requirement, but shorten the requirements; or (c) remove the security requirement.
- 2) The permittee or permit applicant shall be entitled to appear, testify and present evidence at the hearing. However, formal rules of evidence shall not apply and reasonable limitations may be placed upon total hearing time. Upon request, the hearing shall be recorded. The Regulations Committee shall prepare its findings and conclusions

concerning the appeal decision within five (5) business days of the hearing.

Article IV
Operating Requirement

(A) *Applicability*. All policies set forth herein must adhere to the posted occupancy allowed. The occupancy is 100 or more if there has been more than one call for service to the establishment within any six month period. The supplemental security requirement shall not apply to establishments with a safe operation record, or an establishment of less than 100 occupancy, except when such establishment has had more than one call for service within a six month period.

(B) *Entertainment Promoter Use*. The owner or lessee of the establishment shall not allow any entertainment promoter to use, sub-lease or rent the premises (including any outdoor and/or parking areas) without verifying that the promoter has a valid entertainment promoter permit and has complied with the security staffing requirements.

(C) *Hours of Operation*. Operating hours for establishments shall be from noon until 1:00 a.m. the following morning. At 1:30 a.m., all customers shall be out of the building and off the premises. The owner, management, band and security will be allowed inside the building after 1:30 a.m. to clean the premises and remove equipment. The owner, management, band and security must be off the premises by 2:00 a.m.

(D) *Age Restrictions*. Anyone entering the establishment must be at least eighteen (18) years of age or accompanied by a parent or legal guardian. All persons aged twenty-one (21) years or older shall be wearing a non-removable, easily identifiable armband. The permittee shall be responsible for verifying the age of all occupants.

(E) *Weapons and Other Dangerous Items*. The permittee shall post a sign on the entrance door declaring that no weapons are allowed inside. The permittee shall also be responsible to ensure that no guns, knives, brass knuckles, or other paraphernalia which may be used as weapons are brought into the building except by security guards duly licensed and authorized to carry said weapons.

Aside from a location listed in Subsection (1)(f) of this section or Section 45-9-101(13) indicating that the possession of a firearm is prohibited on the premises, as long as the sign also indicates that it does not apply to a person who is properly licensed under Section 45-9-101 or Section 91-31-1(2) to carry concealed firearm or to a person lawfully carrying a firearm that is not concealed.

Hand wand metal detectors shall be utilized on all persons entering the establishment.

Pyrotechnics are prohibited and the permittee is responsible to ensure that no fire or other hazardous materials are used inside the premises.

(F) Occupancy Capacity. The number of people in an assembly area, in concentrated use without fixed seating, shall be seven square feet per person. If fixed seating is present, the occupancy will be the number of seats with adequate aisles and clearances.

The assembly area is to be measured in a continuous area. This area requirement may be modified for a bandstand, speaker's stand or for displays.

(G) Egress. There shall be a minimum of two means of egress from the assembly area. The paths to these exits must not be obstructed and no lock or exit hardware shall present free escape from the premises. Each exit shall be clearly marked with any exit having a minimum opening of 36 inches and be hinged in the outward direction of egress travel. Egress capacities shall be consistent with assembly capacity. An egress shall terminate in a safe, free and unobstructed area.

(H) Emergency Lighting. Emergency lighting shall be installed to illuminate the assembly area and paths of egress in the case of a power failure.

(I) Signage. Signage shall be provided at all exits or paths of egress to an exit. Signs stating "NO EXIT" shall be provided for all dead-end corridors, closet doors, openings to kitchen or utility rooms.

(J) The Authority Having Jurisdiction (AHJ) shall have the ability to inspect any premises to ensure adherence to this ordinance, as well as to make recommendations for overall safety for every day and special event operations.

- 1) Overcrowded or admittance of any person beyond the approved capacity of a building or portion thereof shall not be allowed. Each person admitted beyond the safety capacity shall be considered a separate offense.
- 2) The fire official or law enforcement official, upon finding any overcrowding, obstructions of any passageways, aisles or other means of egress, or upon finding any condition which constitutes a life safety hazard shall be authorized to cause the event to be immediately ceased until such condition or obstruction is corrected.

- 3) Owners or any permittee shall be responsible for recording the number of people allowed in the facility and such numbers shall be produced upon request by fire or law enforcement officials. Failure to provide a documented tabulation of customers/patrons admitted shall constitute a misdemeanor.

(K) Nuisance Activity. The establishment/permittee, etc. shall provide all nuisances, including the following activities: (1) prohibiting loitering outside the establishment and/or nearby properties; (2) ensuring that patrons/customers do not create a nuisance to nearby property owners and/or residential areas by littering, loitering, vandalizing, making loud noises or disturbing nearby property residents. Property residents aggrieved by the activities of an establishment or its patrons may file a written complaint fully describing the nature of the nuisance with the Clay County Sheriff's Office; (3) the Sheriff's Department shall issue citations charging the alleged violators, citing this article as the violation, and require all parties involved to appear in Clay County Justice Court for a hearing on the alleged violation(s). If found guilty, the Court is authorized to fine and/or imprison or, as allowed by law for misdemeanor offenses, be subject to suspension or revocation of the permit as provided in Article III of this ordinance; (4) any continued violations of littering, loitering, vandalizing, loud noise, fighting, assaults, blocking roadways, and any other nuisance will be grounds for suspension or revocation of the permit.

(L) Security.

- 1) Unless otherwise excused, all establishments and their operators, as contained in this ordinance shall provide a minimum of two (2) bonded security guards per 100 people for each event, plus a minimum of one (1) bonded security guard in each parking lot. At least one of the bonded security guards shall remain on site for at least one hour after the establishment closes to ensure that no loitering, littering or other unlawful activity occurs. The bonded security guards must present their Mississippi Department of Public Safety guard permits to the Clay County Sheriff and/or his designee prior to providing security services at the establishment. Should the security guard fail to have a permit from the Department of Public Safety and/or been approved by the Sheriff and/or his designee prior to providing such service shall constitute a misdemeanor under this ordinance.
- 2) Bonded security guards shall utilize a hand wand metal detector on all persons entering the premises.
- 3) The owners or permittees shall install security cameras and record events in each of the several areas of the interior premises, as well as the parking lot, which will be subject to inspection at any time by the Clay County Sheriff's Department or fire officials.

- 4) Restaurant establishments may apply for an exemption under the following conditions: (a) submission of a seating plan for approval by the Regulations Committee; (b) if approved, the seating plan must be posted in the establishment along with the occupant capacity certification and the tables and chairs must be in place according to the plan during all hours of restaurant operation; and (c) the establishment may be exempt from the security guard requirement if approved by the Regulations Committee.

(M) Independent Contractors/Food Vendors.

- 1) Any independent contractor or food vendor inside or outside the premises must follow the Mississippi Department of Health Codes and have the required certifications to serve food.
- 2) Such contractor or vendor must all also follow the same time requirements as the bar, nightclub, roadhouse, etc., meaning that all sales must be final by 1:00 a.m. The contractors/vendors must be off the premises by 1:30 a.m.

Article V
Regulations Committee

(A) There is hereby established a Regulations Committee composed of the following members: (a) County Sheriff and/or his designee; (b) County Fire Coordinator and/or his designee; (c) a citizen of Clay County duly appointed by the Clay County Board of Supervisors; (d) the County Administrator and/or his designee; and (e) the County Attorney.

(B) The committee shall meet on an "as needed" basis. A three-fifths (3/5ths) majority present at a meeting shall constitute a quorum. The committee shall elect a president, vice president and secretary. The president shall preside at meetings. In the absence of the president, the vice president shall preside. In the absence of the president and vice president, the secretary shall preside. The presiding officer shall conduct the meeting in accordance with common law rules of parliamentary procedure. The committee shall have the following duties and authority:

- 1) To render interpretations of this ordinance when an interpretation of a regulating authority is challenged as outlined in Article I;
- 2) The authority to suspend or revoke the license by the procedure described in the paragraph below of any establishment found guilty of any two of the same or separate violations during a twelve (12) month period of any county, state or federal regulation, including but not

limited to, the regulations contained in this ordinance or a total of any three violations. This authority shall not affect the authority of any other officer or entity to exercise a legal right to close the operation;

- 3) To make rules for conducting the business of the committee;
- 4) Members of the committee shall report any violations to the secretary. The secretary shall keep an accounting of reported violations and report to the other members of the committee when a business accumulates three violations. For the purpose of this, a guilty verdict rendered by a local, state or federal court shall constitute a violation;
- 5) Any member of the committee may ask for a meeting of the committee to determine what, if any, action should be taken relative to a business which has been found guilty of any three violations;
- 6) The committee shall give written notice of a meeting to the subject business owner, lessee, operator, host, etc., at least ten (10) calendar days in advance of the meeting by registered mail to the address of the operation contained in the application and/or permit in order to afford them the right to appear and give testimony at said meeting;
- 7) Action by the committee shall be decided by a majority vote of the members present at such meeting. The committee shall give written notice of the decision to the affected party by sending same by registered mail to the address contained in the application/permit;
- 8) The owner, permittee, etc. may appeal the decision of the committee by filing a written appeal with the Clay County Board of Supervisors within ten (10) calendar days following the postmark date on the notice from the committee with the Chancery Clerk of Clay County;
- 9) Any decision by the Clay County Board of Supervisors may be appealed pursuant to the provisions of Section 11-51-75 of the Mississippi Code of 1972, as amended and annotated;
- 10) Members of the committee shall not be held personally liable, either individually or as a group, for any action taken by the committee while acting in good faith on behalf of Clay County.

Article VI
Violations and Penalties

(A) A violation of any provision of this ordinance shall be a misdemeanor. Unless provided for in this ordinance, each violation shall subject the

owner/permittee to a mandatory fine of not less than Five Hundred Dollars (\$500.00) and/or not more than ninety (90) days in jail, or both.

(B) Each day that a violation exists shall constitute a separate offense and will be subject to separate penalties for every day that the violation continues.

(C) If any court determines that any violation is a felony, such finding shall supersede the penalties provided in this ordinance.

Article VII
Ordinance Provisions

(A) The omission of any specific requirement or provision for this ordinance shall not be interpreted as permitting any variation from the general meaning and intent of the ordinance as commonly inferred or interpreted, and should the occasion arise as to such intent and meaning, the interpretation of the governing authorities shall hold.

(B) Should any section or provision of this ordinance be declared unconstitutional or invalid, such declaration shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so held to be unconstitutional or invalid.

(C) Whenever any requirements of this ordinance are in conflict with the provisions of any other legally adopted rules or regulations, the most restrictive law or requirement shall govern.

Article VIII
Effective Date

This ordinance will become effective thirty (30) days from the date of its passage by the Board of Supervisors of Clay County, Mississippi.

SO ORDAINED BY THE BOARD OF SUPERVISORS OF CLAY COUNTY, MISSISSIPPI, on this the _____ day of _____, 2021.

Eddie Scott, Sheriff of Clay County,
Mississippi

Shelton L. Deanes, President of the
Board of Supervisors of Clay County,
Mississippi

ATTEST:

Amy G. Berry, Clerk of the Board
of Supervisors of Clay County,
Mississippi and Chancery
Clerk of Clay County, Mississippi

EXHIBIT E

FY 2020 Project Safe Neighborhoods Solicitation
Northern District of Mississippi
2020-GP-BX-0033
CFDA 16.609

Background

The Division of Public Safety Planning has limited funds available from the U. S. Department of Justice (DOJ), Office of Justice Programs (OJP), to support the Violent Gang and Gun Crime Reduction Program, by providing support to state, local, and tribal efforts to reduce violent crime, including but not limited to, felonious firearm crimes and criminal gang violence. An application packet is attached. All applicants must complete and return the application no later than **Monday, May 3, 2021.**

All applications must be accompanied by an abstract that includes the following: (1) Summary of the proposed project in 400 words or fewer; (2) Identify the most important needs of the agency; (3) Written for a general public audience; (4) Submitted as a separate attachment with "Project Abstract" as part of the file name; and (5) Single-spaced, using a standard 12-point font with 1-inch margins. **Incomplete applications will not be considered for funding.**

Eligibility

Applicants must be from the Northern District of Mississippi. Preference will be given to applicants who operate in the PSN target areas or who work with targeted at-risk youth or offenders in the target areas. PSN Target areas for the Northern District of Mississippi include cities of Corinth, Greenville, Columbus, Tupelo, Starkville, and West Point. Counties of Lowndes, Alcorn, Lee, and Oktibbeha. Eligible applicants include law enforcement, probation and parole agencies, or non-profit organizations. State or local government entities must submit information regarding Communication with DHS and/or ICE.

Program Purpose Areas

The purpose of this funding is to reduce, prevent or deter gun and gang violence in targeted areas through enforcement and prevention, the prosecution and removal of chronic offenders who contribute to violent crime problems, and the disruption and dismantling of violent gangs that drive the drug crime and violent crime problem. Funds can be used for:

- Equipment and Personnel related costs directly associated with the project
- Gang related activity
- Training
- Prevention/reentry/deterrence efforts
- Publications or Advertising

Grants funds may not be used for renovations, construction, land acquisition, lobbying, fund-raising, or formation of corporations.

SPECIAL GRANT CONDITIONS

Availability of Funds and Application Deadline

Funds are available after completing the project abstract, attached application, and DHS/ICE letter, returning it to DPSP for further review. All applicants are expected to complete and return the application no later than Monday, May 3, 2021.

Grant Period

The grant award period is tentatively from July 1, 2021 to June 30, 2022. Any and all funds must be expended by the end of the contract period. All awards are subject to availability of appropriated funds. *Funding is not guaranteed.*

Special Grant Conditions

- Each applicant must provide information on letter regarding Communication with the Department of Homeland Security (DHS) and/or Immigration and Customs Enforcement (ICE). *Example will be provided.*
- This is a one-year grant award. Once funds are expended, the grant will expire.
- If you are receiving assistance from any other federal agency, there can be no duplicate purchases from such funds. In other words, funds cannot be used from separate agencies to make the same purchase.
- Expenditures incurred prior to the actual project start date will not be approved. Supporting documentation must have valid and verifiable dates.
- Handwritten applications or applications submitted by facsimile (FAX) will not be accepted.

Non-Supplant Requirement

Funds available under this program may not be used to supplant (replace) existing local funds. These funds must be used to supplement the level of funds from non-federal sources that would, in the absence of these funds, be made available for programs or activities funded under a similar program.

Monitoring

Each successful subgrantee will receive an on-site compliance monitoring visit or a desk review audit at least once during the grant period. Each successful subgrantee must retain records, receipts, invoices, and other documents for review during the monitoring visit. Guidelines and/or procedures listed in the original application must be adhered to and deviations from those guidelines must have prior approval by the Division of Public Safety Planning.

Budget

Approximately \$69,825.00 in grant funding is available to be awarded on a competitive basis to one or more sub-grantees in the Northern District of Mississippi. The total 12-month budget allotted for the subgrantee of this RFP will be based on number of applicants.

SAM.gov

Organizations are required to register with the System for Award Management (SAM) using their DUNS number. Please note that applicants formerly used the Central Contractor Registration (CCR) database for this purpose. SAM is a government-wide registry for vendors doing business with the federal government which requires annual renewal. The SAM centralizes information about grant recipients and also provides a central location for grant recipients to change organizational information.

Please note that organizations must update or renew their SAM registration at least once a year to maintain an active status. Please include a copy of your SAM registration verifying an active status along with your application. To complete the SAM registration process, access the website at www.sam.gov.

Technical Assistance

Technical assistance will be available through our office during the PSN application process. If assistance is needed, please contact the PSN Program Manager at 601-977-3756.

Application Submission Requirements

One (1) original and one (1) copy of the application should be submitted on the official application form of the Office of Justice Programs, Division of Public Safety Planning no later than **Monday, May 3, 2021**.

Submit Applications to: **Attn: Sharon Nguyen, PSN Program Manager**
 Division of Public Safety Planning
 Office of Justice Programs
 1025 NorthPark Drive
 Ridgeland, Mississippi 39157

***If you have questions, please contact Sharon Nguyen at (601) 977-3756.**

EXHIBIT F

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\$500,000

Clay County, MS Debt Issue, 2020 (12 Year)

August 1, 2020

Debt Service Schedule

Part 1 of 2

Date	Principal	Coupon	Interest	Total P+I
08/01/2020	-	-	-	-
02/01/2021	-	-	7,500.00	7,500.00
08/01/2021	35,000.00	3.000%	7,500.00	42,500.00
02/01/2022	-	-	6,975.00	6,975.00
08/01/2022	35,000.00	3.000%	6,975.00	41,975.00
02/01/2023	-	-	6,450.00	6,450.00
08/01/2023	40,000.00	3.000%	6,450.00	46,450.00
02/01/2024	-	-	5,850.00	5,850.00
08/01/2024	40,000.00	3.000%	5,850.00	45,850.00
02/01/2025	-	-	5,250.00	5,250.00
08/01/2025	40,000.00	3.000%	5,250.00	45,250.00
02/01/2026	-	-	4,650.00	4,650.00
08/01/2026	40,000.00	3.000%	4,650.00	44,650.00
02/01/2027	-	-	4,050.00	4,050.00
08/01/2027	40,000.00	3.000%	4,050.00	44,050.00
02/01/2028	-	-	3,450.00	3,450.00
08/01/2028	45,000.00	3.000%	3,450.00	48,450.00
02/01/2029	-	-	2,775.00	2,775.00
08/01/2029	45,000.00	3.000%	2,775.00	47,775.00
02/01/2030	-	-	2,100.00	2,100.00
08/01/2030	45,000.00	3.000%	2,100.00	47,100.00
02/01/2031	-	-	1,425.00	1,425.00
08/01/2031	45,000.00	3.000%	1,425.00	46,425.00
02/01/2032	-	-	750.00	750.00
08/01/2032	50,000.00	3.000%	750.00	50,750.00
Total	\$500,000.00	-	\$102,450.00	\$602,450.00

\$500,000

Clay County, MS Debt Issue, 2020 (12 Year)
August 1, 2020

Debt Service Schedule

Part 2 of 2

Yield Statistics

Bond Year Dollars	\$3,415.00
Average Life	6.830 Years
Average Coupon	3.0000000%
Net Interest Cost (NIC)	3.0000000%
True Interest Cost (TIC)	3.0000000%
Bond Yield for Arbitrage Purposes	3.0000000%
All Inclusive Cost (AIC)	3.0000000%

IRS Form 8038

Net Interest Cost	3.0000000%
Weighted Average Maturity	6.830 Years

EXHIBIT G

AUCTION SERVICE CONTRACT

THIS AGREEMENT, is made and entered into on the ____ day of May, 2021, by and between CLAY COUNTY, MISSISSIPPI, hereinafter referred to as "Clay County" or "Seller" and TAGGART BROTHERS AUCTION AND REAL ESTATE, hereinafter referred to as "Taggart Brothers" through its representative Stanley Taggart.

Taggart Brothers hereby agrees to conduct a public auction to be held on **Monday, May 10, 2021, at 9:00 o'clock a.m.** at the Clay County Courthouse located at 365 Court Street, West Point, Mississippi.

The property to be auctioned is a vehicle more specifically described as surplus equipment belonging to Clay County, Mississippi District(One) 1, to-wit:

D1128 MACK TRUCK 1996 TANDEM AXLE S/N 1M1AA1375TW062701

1. TAGGART BROTHERS AGREES, at its own expense:
 - (a) To provide experienced and qualified auction and/or clerical personnel, and the necessary equipment to handle the sale;
 - (b) To conduct the auction at the time and place specified with the objective of getting the highest price obtainable; and
 - (c) To comply with all provisions of law relating to the lawful conduct of this sale.

2. CLAY COUNTY AGREES, at its own expense:
 - (a) To prepare promptly and accurately a detailed description of the property to be sold;
 - (b) To be present at the sale, or have a representative present who shall be familiar with the property to be sold, and to make known any incorrect statement of auctioneer;
 - (c) To neither sell nor further encumber any of the described property after the date of execution of this agreement and before the auction date, without the express consent in writing of Taggart Brothers;

- (d) To execute all bills of sale, title papers or other instruments of conveyance to the highest and valid bidder at the sale; and
- (e) To indemnify and save harmless Taggart Brothers from any costs, loss or expense resulting from the seller's failure to do any of the foregoing. It is understood Taggart Brothers is serving as the seller's agent to conduct the sale of its property at the instance and for the benefit of the seller.

3. Taggart Brothers will receive a ten percent (10%) premium to be paid by the buyer in certified funds or cash.

4. Clay County understands and agrees the ten percent (10%) premium shall be paid to Taggart Brothers before or at the time title to the auctioned property is transferred to the buyer.

WITNESS OUR SIGNATURES, this the 5th day of May, 2021.

CLAY COUNTY, MISSISSIPPI

BY:

[Handwritten Signature]

SHELTON L. DEANES, PRESIDENT

TAGGART BROTHERS AUCTION AND REAL ESTATE

BY:

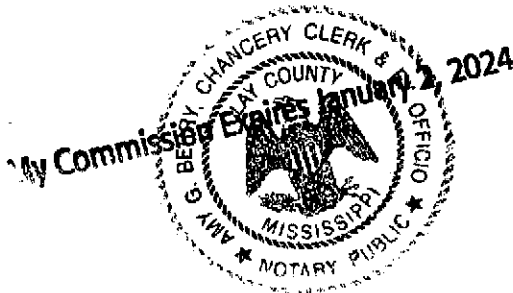
[Handwritten Signature]

STANLEY TAGGART

ATTEST:

[Handwritten Signature]
 Amy G. Berry, Chancery Clerk & Clerk for the Clay County Board of Supervisors

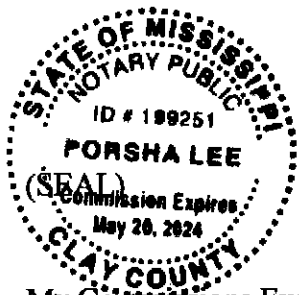
AMY G. BERRY, CHANCERY CLERK AND CLERK FOR THE CLAY COUNTY BOARD OF SUPERVISORS



STATE OF MISSISSIPPI

COUNTY OF CLAY

Personally appeared before me, the undersigned authority in and for the said county and state, on this 5th day of MAY, 2021, within my jurisdiction, the within named SHELTON L. DEANES and AMY G. BERRY duly identified before me, who acknowledged that they are the President and the Clerk of the Clay County Board of Supervisors and as its act and deed, they executed the above and foregoing instrument, after first having been duly authorized by said Board so to do.



Porsha Lee
NOTARY PUBLIC

My Commissions Expires: _____

STATE OF MISSISSIPPI

COUNTY OF Clay

Personally appeared before me, the undersigned authority in and for the said county and state, on this 5th day of May, 2021, within my jurisdiction, the within named STANLEY TAGGART, who acknowledged that he executed the above and foregoing instrument on the day and year stated therein on behalf of TAGGART BROTHERS AUCTION and REAL ESTATE.



AuBerry By: Shareen Douglas
NOTARY PUBLIC

My Commissions Expires: _____

My Commission Expires January 2, 2024