



**REGULAR MONTHLY MEETING OF THE MAYOR AND BOARD OF  
ALDERMEN  
OF THE CITY OF GLUCKSTADT, MISSISSIPPI**

**Tuesday, February 14, 2023 at 6:00 PM**

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**Agenda**

This notice and agenda of the Regular Monthly Meeting of the Mayor and Board of Aldermen is hereby given by the undersigned. Said meeting shall be held on Tuesday, February 14, 2023, at 6:00 PM in the Board Room at City Hall, located at 343 Distribution Drive, Gluckstadt, MS 39110.

The business to be brought before the meeting shall be limited to the following:

- 1. Call Meeting to Order and Roll Call**
- 2. Opening Prayer and Pledge of Allegiance**
- 3. Presented Items**
  - A) Introduction of Michael Bailey, Candidate for Madison County Constable (District 3)
  - B) Consideration of Resolution Declaring February 20th - 24th, 2023 as Firefighter Appreciation Week (Alderman Powell)
  - C) Oath of Office, Dustin Perry (Fire Marshal), Enforcement of Gluckstadt Fire Codes
- 4. Approval of Consent Agenda Items**
  - A) Approval of January 11, 2023 Special Called Meeting Minutes
  - B) Approval of Claims Docket
  - C) Purchase of New Street Department Equipment
  - D) Request for Proposals for Debris Pickup Services
  - E) Authorization to Advertise for Two Street Department Employees
  - F) Laptop Computer Purchase
  - G) Asphalt Quotes
  - H) Request for Approval of Franchise Agreement, CenterPoint Energy  
*February 14, 2023, Regular Monthly Meeting of the Mayor and Board of Aldermen*

- [I\)](#) Request to Attend Middle Mississippi Building Officials Association 2023 Class on Construction and Code Principles
- [J\)](#) Request for Approval to Join Mississippi Municipal Court Clerk's Association and Pay Annual Dues (Court Clerk and Deputy Court Clerk)
- [K\)](#) Request to Attend Municipal Clerks and Collectors Association Spring Conference, April 26-28th, Cleveland (Approval of Associated Registration Fees & Travel Reimbursement, City Clerk and Deputy Clerk)
- [L\)](#) Request to Attend Miss. Municipal Service Company's Workshop on Workers Compensation, 3/9 in Pearl (City Clerk and Deputy City Clerk), No Cost
- [M\)](#) Request to Register Board Members, City Clerk and Deputy City Clerk for 2023 MML Conference, Biloxi
- [N\)](#) Request for Approval to Attend Street Cop Training (7/27/23, Brandon) & Payment of Registration Fee, Officer Jones
- [O\)](#) Request for Approval of Quote for Promotional Attire for City Staff and Board (Tshirts, Hats, Polos)

**5. Amendment to Budget & Monthly Budget Report**

- [A\)](#) Discussion and Request for Approval: Mid-Fiscal Year Budget Amendment
- [B\)](#) Monthly Budget Report(s)

**6. New Business**

- [A\)](#) Discussion and Approval of Draft Ordinance, Eliminating Smoking in All Workplaces and Public Places (Mayor Morrison)
- [B\)](#) Consideration of adoption of the Floodplain Management and Illicit Discharge Ordinances
- [C\)](#) Discussion and Consideration of Ordinance, International Fire Code & Appendices
- [D\)](#) Compilation and AUP Report, City of Gluckstadt (Fiscal Year 2021); Request to Publish
- [E\)](#) Consideration of Increasing Purchasing Limit Subject to Prior Board Approval, City's Purchasing Policy
- [F\)](#) Discussion of Cash Management Guidelines (Alderman Slay)
- [G\)](#) Discussion, Request for Proposals, Selected Public Fund Depositories for the City (Investment of Funds)

**7. Old Business**

[A\)](#) Discussion of Mayor vs. Alderman Responsibilities, City Hall (Related to Day to Day Operations and Supervising of City Staff)

[B\)](#) Approval of MDAH Ordinance, \$1.00 Records Retention Fee

**8. City Clerk, City Administration Matters (Lindsay Kellum)**

[A\)](#) General Update, City Clerk's Office

[B\)](#) Monthly Privilege License Report (Refer to Memo)

**9. Building Official, Planning and Zoning Matters (Mike McCollum and William Hall)**

[A\)](#) General Zoning Update

[B\)](#) Report, Permitting

[C\)](#) Planning and Zoning Commission Agenda

[D\)](#) Consideration of Granting or Denying Conditional Use Permit for Stucky Mine

**10. Police Chief, Police Department Matters (Chief Wendell Watts)**

[A\)](#) General Update, Police Department Matters

[B\)](#) Request to seek upcoming grants for the police department

[C\)](#) Request for Approval of MOU with Madison County Sheriff's Department

**11. Court Clerk, Municipal Court Department (Stephanie Gerlach)**

[A\)](#) General Update, Municipal Court Department

**12. Public Comment**

[A\)](#) Lake Arrington HOA Issue

**13. Closed Session to Determine Need for Executive Session**

**14. Adjourn**

WALTER C. MORRISON, IV  
MAYOR

We the undersigned Aldermen acknowledge that we were given notice of said meeting at least three (3) hours in advance thereof by a copy of this notice.

Alderwoman Bates \_\_\_\_\_

Alderman Powell \_\_\_\_\_

Alderman Slay \_\_\_\_\_

Alderman Taylor \_\_\_\_\_

Alderwoman Williams \_\_\_\_\_

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

\_\_\_\_\_

LINDSAY D. KELLUM  
CITY CLERK

[Seal]



## CITY OF GLUCKSTADT

MISSISSIPPI  
OFFICE OF THE CITY CLERK

### MEMORANDUM

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**TO:** Mayor & Board of Alderman

**FROM:** Lindsay Kellum, City Clerk

**DATE:** 2/14/23

**SUBJECT:** Michael Bailey, Candidate for Madison County Constable (District 3)

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Mr. Bailey would like to introduce himself and briefly address the board and public. He is running for Madison County Constable District 3.

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF GLUCKSTADT, MISSISSIPPI DECLARING FEBRUARY 20-24, 2023, AS FIREFIGHTER APPRECIATION WEEK**

WHEREAS, Firefighters are vital to the public safety of our community; and

WHEREAS, Firefighters are likely to be the first people to arrive at and assist at the scene of an emergency, whether it is a vehicle crash, structure fire, or a natural disaster; and

WHEREAS, At a moment's notice, firefighters are quick to respond to uncertain situations to mitigate danger and combat the threat of destructive fire in order to protect individuals, families, and the economic being of our community; and

WHEREAS, 24/7, 365 days a year, whether it is Thanksgiving, Christmas, or someone's birthday, there are men, women and teenagers who are trained, equipped and have the passion to put others' safety before their own to help those that are in distress; and

WHEREAS, The demands of firefighting are accompanied by both personal and physical tolls that all firefighters knowingly accept while risking their lives to protect the lives of others;

WHEREFORE, be it hereby resolved by the Mayor and Board of Aldermen of the City of Gluckstadt, Mississippi, as follows:

1. The City of Gluckstadt declares February 20-24, 2023, as Firefighter Appreciation Week and encourages all citizens to show support and appreciation to our City, State, and Federal firefighters who protect our lives and property throughout the year, and to remember past firefighters who dedicated their lives to preserve the safety of the community.
2. The Mayor and Board of Aldermen wish to express their gratitude and appreciation to the South Madison County Fire Protection District for selflessly serving the citizens and community of the City of Gluckstadt.

SO RESOLVED this the 14<sup>th</sup> day of February 2023. Motion was made by Alderman \_\_\_\_\_, and seconded by Alderman \_\_\_\_\_, for the adoption of the above and foregoing Order.

Upon roll call vote, the result was as follows:

Alderman Miya Warfield Bates voted:	Aye/Nay
Alderman Jayce Powell voted:	Aye/Nay
Alderman Richard Wesley Slay voted:	Aye/Nay

Alderman John Taylor voted:  
Alderman Lisa H. Williams voted:

Aye/Nay  
Aye/Nay

The Mayor thereupon declared the motion carried and the Resolution adopted this the 14<sup>th</sup> day of February 2023.

ATTEST:

\_\_\_\_\_  
Walter C. Morrison, IV,  
MAYOR

\_\_\_\_\_  
Lindsay Kellum,  
CITY CLERK

**OATH OF OFFICE**

“I, Dustin Perry, do solemnly swear that I will faithfully support the Constitution of the United States and the Constitution of the State of Mississippi, and obey the laws thereof; that I am not disqualified from holding the office of Fire Marshal of the City of Gluckstadt, Mississippi; that I will faithfully discharge the duties of the office upon which I am about to enter. So help me God.”

\_\_\_\_\_  
Dustin Perry  
Fire Marshal, City of Gluckstadt

Oath administered by:

\_\_\_\_\_  
Hon. Walter C. Morrison, IV  
Mayor, City of Gluckstadt





**SPECIAL CALLED MEETING OF THE MAYOR AND BOARD OF ALDERMEN  
(RESCHEDULED FROM 1/10/22)  
OF THE CITY OF GLUCKSTADT, MISSISSIPPI**

**Wednesday, January 11, 2023 at 6:00 PM**

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**Minutes**

**1. Call Meeting to Order and Roll Call**

The Mayor called the January 11, 2023 Special Called Meeting of the Mayor and Board of Aldermen to order.

Board Members Present: Mayor Walter Morrison, Alderman John Taylor, Alderman Jayce Powell, Alderwoman Miya Bates, Alderman Wesley Slay, Alderwoman Lisa Williams (via telephone).

City Employees and Legal Staff Present: Zachary Giddy, City Attorney; Lindsay Kellum, City Clerk; Scott Maugh, Deputy City Clerk; Janet Brooks, Executive Assistant; Mike McCollum, Planning and Zoning Administrator; William Hall, Building Official; Bridgette Smith, Executive Assistant. John Scanlon, City Attorney, was absent.

**2. Opening Prayer and Pledge of Allegiance**

*Janet Brooks opened the meeting with prayer.*

*Alderman Powell led the pledge of allegiance.*

No action taken.

**3. Presented Items**

**A) Resolution Recognizing Christmas Parade Committee for Execution of Gluckstadt's First Annual Christmas Parade (Alderwoman Williams)**

*Alderwoman Williams presented a formal resolution for board consideration, recognizing members of the Gluckstadt Christmas Parade Committee for execution of the city's first annual Christmas parade.*

Members recognized: Jeanie Robinson, Chair; Elizabeth Tyler, Jessie Campbell and Kristen Lambert, Co-Chairs.

City Staff: Lindsay Kellum, Janet Brooks, Scott Maugh, William Hall, Bridgette Smith, Mike McCollum, Wendell Watts, Barry Hale, Gluckstadt Police Department and Gluckstadt Fire Department.

The Mayor requested a motion to adopt the resolution. Motion made by Alderwoman Williams, Seconded by Alderwoman Bates.

Voting Yea: Alderman Powell, Alderman Taylor, Alderwoman Williams, Alderwoman Bates, Alderman Slay

The mayor declared the motion carried.

**B) Presentation of the City of Gluckstadt GIS Mapping System, Central Mississippi Planning and Development District**

*Representatives from Central Mississippi Planning and Development District presented the newly-designed Gluckstadt GIS Mapping System Tool to the board and public.*

CMPDD Representatives Present: Chuck Carr, Jonathan Simon and Thomas Brewer.

No action taken.

**4. Approval of Consent Agenda Items**

**A) Approval of December 13, 2022 Meeting Minutes**

**B) Approval of Claims Docket**

**C) Request to Attend Spring Certified Municipal Clerk Training, MSU-Extension Service (City Clerk and Deputy Clerk)**

**D) Mississippi Association of Chiefs of Police: Request to Attend Educational Conference and Renewal of Membership (2023), Chief of Police & Assistant Chief of Police**

**E) Request for Public Information Officer Training & Travel Reimbursement, Assistant Chief Barry Hale**

**F) Approval to Register Board and Staff for MML Summer Conference and Room Block (Registration Opens 1/17/23)**

**G) Request to Accept \$149,383.12 Reimbursement of FY2022 Road and Bridge Tax Funds (Madison County)**

**H) Taking Over Traffic Signals from County (Entergy Payments), 8 Signals & 2 Street Lights**

**I) ICC B2 Commercial Building Inspector Exam Reimbursement Request, William Hall**

**J) 2023 Lobbying Contract Renewal, Cascio Sanford Governmental Law Group**

*January 11, 2023, Special Called Meeting of the Mayor and Board of Aldermen (Rescheduled from 1/10/22)*

The Mayor requested a motion to adopt the consent agenda. Motion made by Alderman Slay, Seconded by Alderman Powell.

Voting Yea: Alderman Powell, Alderman Taylor, Alderwoman Williams, Alderwoman Bates, Alderman Slay.

The Mayor declared the motion carried.

## **5) Amendment to Budget & Monthly Budget Report**

### **A) Discussion: Need for Mid-FY Budget Amendment**

The board discussed the need to amend the FY23 budget at the next regular meeting in February. The City Clerk explained her budget amendment request to hire an accounts payable clerk in the summer and to keep the financial planning consultant, Tim Youngblood, on retainer until the new financial software system has been fully implemented, training completed, and configuration tested over the next three months. The Police Chief discussed his requested budget amendments related to personnel, overtime, animal control, training and outfitting of officers, including part time and reserves. The Planning and Zoning Administrator/Public Works Director discussed his request for a budget amendment to hire two full time public works staff members and purchase additional equipment, take on additional street projects now that the road and bridge MOU with Madison County has been dissolved.

No action taken.

### **B) Monthly Budget Report(s)**

*The Mayor presented the monthly budget report(s).*

No action taken.

## **6. New Business**

### **A) Request to Accept Recent Resignation of Commissioner Boackle and Approve Nomination for Planning and Zoning Commission Replacement (Alderman Powell)**

*Alderman Powell presented his nominee, Kayce Saik, for the Planning and Zoning Commission (replacing Commissioner Boackle, resigned in January).*

*The mayor thanked Commissioner Boackle for his service on the Planning and Zoning Commission since inception.*

The Mayor requested a motion to approve the nomination of Kayce Saik to the Gluckstadt Planning and Zoning Commission, replacing Commissioner Boackle. Additionally, he noted Ms. Saik will receive a \$120.00 per diem monthly for attendance at meetings. Motion made by Alderman Powell, Seconded by Alderman Slay.

Voting Yea: Alderman Powell, Alderman Taylor, Alderwoman Williams, Alderwoman Bates, Alderman Slay

**B) Request to Change Independent Contractors (Off Duty Firemen, Public Works) to Part-Time Employees of the City (Refer to Attached)**

*This item was skipped, as the issue was resolved in a departmental meeting with the off-duty firemen assisting with public works projects.*

No action taken.

**C) Resolution Establishing National Incident Management System (NIMS); Grant Allocation from Homeland Security**

*The Chief of Police addressed the board concerning the need to establish the National Incident Management System (NIMS) and preparedness training with city staff, volunteers and citizens.*

The Mayor requested a motion to adopt the National Incident Management System (NIMS) Resolution. Motion made by Alderman Powell, Seconded by Alderwoman Bates.

Voting Yea: Alderman Powell, Alderman Taylor, Alderwoman Williams, Alderwoman Bates, Alderman Slay

*Additionally, the Chief of Police and Kerry Minninger notified the Board of the recent award of Homeland Security Grant funds to the City of Gluckstadt; Chief Watts requested the Board formally accept the grant funds in the amount of \$4498.36, (awarded January 2023) and spread upon the minutes.*

The Mayor requested a motion to accept the Homeland Security Grant Funds in the amount of \$4498.36, (awarded January 2023) and spread upon the minutes. Motion made by Alderman Slay, Seconded by Alderman Powell.

The Mayor declared the motion carried.

**D) Proposal from Origin Bank, Investment of Funds**

*Representatives from Origin Bank, Mr. Radcliff and Mr. Farmer presented an investment proposal to the Board for consideration.*

The Mayor directed the City Clerk to provide notice and opportunity to the City's two additional and active depositories (Cadence and Bank Plus) in order to be fair and competitive. He requested all proposals be submitted for consideration at the February meeting.

No action taken.

**7. Old Business**

**A) Discussion and Approval of Draft Ordinance, Residential Rental Inspection Code (Alderwoman Williams)**

*Alderwoman Williams presented a draft Residential Rental Inspection Code Ordinance to the Board for consideration.*

The Mayor raised concerns about the timeframe to implement the ordinance, and lack of resources, staffing and legal authority related to code enforcement, as there are currently one hundred (100) estimated rental homes within the city. The city staff raised similar concerns about staffing, resources and money budgeted in FY23 for hires or additional vehicle considerations, as well as concerns about taking away funding from a planned public works department (priority in FY23-FY24). Alderman Slay shared the same concerns and asked about the ability for the Homeowners Associations to take on enforcement through adopted covenants, as he felt the city may be over-reaching; after discussion, Alderman Slay stated he intended to abstain from the vote.

Addressed the Board in opposition to the ordinance: Paul Hopper (local business owner; several residential rentals).

The Mayor asked for a motion to adopt the Rental Inspection Ordinance presented by Alderwoman Williams. Motion made by Alderwoman Williams, Seconded by Alderwoman Bates.

Voting Yea: Alderwoman Williams, Alderwoman Bates

Voting Nay: Alderman Powell, Alderman Taylor

Voting Abstaining: Alderman Slay

The motion failed 2-2, for lack of a majority vote.

## **8. City Clerk, City Administration Matters (Lindsay Kellum)**

### **A) General Update, City Clerk's Office**

*The City Clerk provided an update to the board concerning the City Administration.*

No action taken.

### **B) Privilege License Report**

*The City Clerk provided an update to the board on privilege license collections.*

No action taken.

### **C) Discussion and Consideration of Adoption of \$1.00 Filing Fee, Government Records Management (Request from MDAH)**

The Mayor requested a motion to adopt the \$1.00 Administrative Records Fee for Government Records Management (Request from MDAH). Motion made by Alderman Taylor, Seconded by Alderman Powell.

Voting Yea: Alderman Powell, Alderman Taylor, Alderwoman Williams, Alderwoman Bates, Alderman Slay

The Mayor declared the motion carried.

### **D) Consideration of Amending Internal Agenda Deadline in Open Meetings Policy (Due One Week Prior to Final Agenda Dissemination)**

*The City Clerk requested the internal agenda deadline for departmental staff be amended to provide additional time for the City Clerk's office to compile the agenda and disseminate to the Board. She requested the deadline be moved from Wednesday before dissemination deadline at noon to the Friday prior to the Wednesday found within the policy, at 5:00 pm (allotting the clerk's office a week to compile). Alderwoman Williams requested the agenda dissemination deadline also be moved up a day, to be provided on the Thursday before the Board meeting (allotting the board members five days to review).*

The Mayor requested a motion to approve amendment to the open meetings policy, internal agenda deadline section as requested by the City Clerk. Motion made by Alderman Taylor, Seconded by Alderwoman Bates.

Voting Yea: Alderman Powell, Alderman Taylor, Alderwoman Williams, Alderwoman Warfield Bates, Alderman Slay

The Mayor declared the motion carried.

## **9) Building Official, Planning and Zoning Matters (Mike McCollum and William Hall)**

### **A) General Update, Planning and Zoning Actions**

*The Planning and Zoning Administrator and the Building Official provided an update to the board related to matters in their departments.*

No action taken.

### **B) Report, Permitting**

*The Building Official provided an update on permit collections.*

No action taken.

### **C) Planning and Zoning Commission Agenda, December 27, 2022**

*The Planning and Zoning Administrator and Building Official provided an update on the most recent meeting agenda of the Planning and Zoning Commission.*

No action taken.

### **D) December 27, 2022 Draft Meeting Minutes of the Planning and Zoning Commission**

*The Planning and Zoning Administrator and Building Official provided the draft minutes from the December 27th meeting of the Planning and Zoning Commission.*

No action taken.

### **E) Preliminary Plat for Kayo Place**

The Mayor requested a motion to approve the Preliminary Plat for Kayo Place. Motion made by Alderman Taylor, Seconded by Alderman Powell.

Voting Yea: Alderman Powell, Alderman Taylor, Alderwoman Williams, Alderwoman Bates, Alderman Slay

The Mayor declared the motion carried.

## **10. Police Chief, Police Department Matters (Chief Wendell Watts)**

### **A) General Update, Police Department - Chief Watts**

*The Chief of Police provided an update on law enforcement matters.*

No action taken.

## **11. Public Comment**

The following citizens addressed the board with concerns:

*Marshall Jackson; Construction and noise nuisance, residential.*

Mayor directed Mr. McCollum to reach out to the developer to see about resolving Mr. Jackson's complaint.

*Bob Anderson; Candidate for new House District 58; introduced himself to the Board and citizens and talked about his campaign platform.*

*Paul Hopper; Residential Rental Ordinance.*

*Andy Clark; Preliminary Plat, Kayo Place.*

No action taken.

## **12. Closed Session to Determine Need for Executive Session**

The Board considered entering into closed session to determine whether to go into Executive Session. The Mayor requested a motion to enter closed determination.

Motion made by Alderman Powell, Seconded by Alderman Slay.

Voting Yea: Alderman Powell, Alderman Taylor, Alderwoman Williams, Alderwoman Bates, Alderman Slay.

The Mayor declared the motion carried.

It was determined the proposed topic from the Police Chief would not qualify for executive session and the Mayor requested a vote to re-enter open session. Motion made by Alderman Slay, Seconded by Alderman Taylor.

Voting Yea: Alderman Powell, Alderman Taylor, Alderwoman Williams, Alderwoman Bates, Alderman Slay.

The City Attorney made an announcement that the board re-entered open session; the doors to the board room were opened back up to the public.

The Police Chief requested \$1000.00 petty cash on behalf of a Sergeant, to be used for the purpose of criminal investigations; The Police Chief stated the Sergeant would be responsible for all accounting and security of the petty cash drawer; The City Clerk requested a monthly accounting and reconciliation report be turned into her office on the first day of the month for the previous month.

Additionally, the Police Chief stated there may be a need for additional funds in the future as this allocation gets low and he and the Sergeant would return back to the Board with additional requests.

The Mayor requested a motion to allow the Police Department to create a petty cash drawer for criminal investigations (beginning with \$1000.00 budgeted and allocated) that is reconciled and accounted for monthly by appropriate Sergeants. Motion made by Alderman Taylor, Seconded by Alderman Powell.

Voting Yea: Alderman Powell, Alderman Taylor, Alderwoman Williams, Alderwoman Bates, Alderman Slay

The Mayor declared the motion carried.

We the undersigned Aldermen acknowledge that we were given notice of said meeting at least three (3) hours in advance thereof by a copy of this notice.

**13. Adjourn**

There being no further business before the Board of Aldermen, the Mayor requested a motion to adjourn. Motion made by Alderman Powell, Seconded by Alderwoman Bates.

Voting Yea: Alderman Powell, Alderman Taylor, Alderwoman Williams, Alderwoman Bates, Alderman Slay

The Mayor declared the motion carried.

\_\_\_\_\_  
WALTER C. MORRISON, IV  
MAYOR

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

\_\_\_\_\_  
LINDSAY D. KELLUM  
CITY CLERK

[Seal]





Gluckstadt, MS

Section 4, (B)

# Docket of Claims Register

APPKT00145 - Claims Register - Feb. 2023

By Docket/Claim Number

Vendor #	Vendor Name Payable Number	Docket/Claim # Payable Description	Payable Type	Payable Date	Item Description	Account Number	Payment Amount Distribution Amount
00086	Barry Hale 022023Hale	2023142 Travel Reimbursement - Knoxville	Invoice	02/15/2023	Travel Reimbursement - Knoxville	001-200-61000	1,175.47 1,175.47
00006	Bear Creek Water Association 012022	2023143 Monthly Water Bill	Invoice	02/15/2023	Monthly Water Bill	001-195-63003	36.69 36.69
00108	Big 10 Tire Pros 5092963	2023144 Tahoe Brake Paid/Front Brake Rotor Rep	Invoice	02/15/2023	Tahoe Brake Paid/Front Brake Rotor Rep	001-200-57000	499.99 499.99
00008	Bridge & Watson, Inc. 022023Comp 022023Financial	2023145 PnZ Comp Plan Billing Feb. 2022 Financial Planning	Invoice Invoice	02/15/2023 02/15/2023	PnZ Comp Plan Billing Feb. 2022 Financial Planning	001-190-60101 001-195-60101	27,040.26 6,740.00 20,300.26
00190	Bridgers, Goodman, Baird & Clarke 012023	2023146 2021 Audit	Invoice	02/15/2023	2021 Audit	001-140-60001	5,000.00 5,000.00
00191	Calderon and Williams, PLLC 00102	2023147 Public Defender Fee - Re - Turner	Invoice	02/15/2023	Public Defender Fee - Re - Turner	001-110-60202	200.00 200.00
00010	Cascio Sanford Government Law G 9759	2023148 Lobbying Fees and Expenses - Feb. 2023	Invoice	02/15/2023	Expenses - Feb. 2023 Lobbying Fees - Feb. 2023	001-195-60102 001-195-60102	3,566.85 1,066.85 2,500.00
00068	Chad Wallace 022023Wallace	2023149 Website Domain Hosting Annual Renewal	Invoice	02/07/2023	Website Domain Hosting Annual Renewal	001-195-68800	128.27 128.27
00115	Core & Main S194516	2023150 Fastpatch DPR Repair Kit 5 Gallon Kit	Invoice	02/15/2023	Fastpatch DPR Repair Kit 5 Gallon Kit	001-301-55904	180.00 180.00
00119	Crystal Clean 46920 46983	2023151 Street Sweeping Services - Dec 2022 Street Sweeping Services - Jan 2022	Invoice Invoice	02/15/2023 02/15/2023	Street Sweeping Services - Dec 2022 Street Sweeping Services - Jan 2022	001-301-68600 001-301-68600	5,700.00 2,850.00 2,850.00
00020	Entergy 130005890501 195006989891 195006989892 210005347157 210005347158 210005347159 315005324297 380003780660	2023152 Street Lighting - Clarksdale Ext. & Yandel Traffic Signal - 1127 Gluckstadt Calhoun Traffic Signal - Gluckstadt Rd. at Dist. Dr. Traffic Signal - 1210 Gluckstadt Road Traffic Signal - Church Rd. & Calhoun Sta Signal - Denim Way & Parkway E. Cnrr of Germantown & Church Rd. Signal - Gluckstadt Rd.	Invoice Invoice Invoice Invoice Invoice Invoice Invoice Invoice	02/15/2023 02/15/2023 02/15/2023 02/15/2023 02/15/2023 02/15/2023 02/15/2023 02/15/2023	Street Lighting - Clarksdale Ext. & Yandel Traffic Signal - 1127 Gluckstadt Calhoun Traffic Signal - Gluckstadt Rd. at Dist. Dr. Traffic Signal - Gluckstadt Road Traffic Signal - Church Rd. & Calhoun Sta Signal - Denim Way & Parkway E. Cnrr of Germantown & Church Rd. Signal - Gluckstadt Rd.	001-301-63102 001-301-63103 001-301-63103 001-301-63103 001-301-63103 001-301-63103 001-301-63102 001-301-63103	435.48 26.49 59.90 57.54 51.36 106.72 51.36 31.75 50.36

Docket of Claims Register

APPKT00145 - Claims

Section 4, 1B)

3

Vendor #	Vendor Name	Docket/Claim #	Payable Type	Payable Date	Item Description	Account Number	Payment Amount
Vendor #	Payable Number	Payable Description					Distribution Amount
00021	Executive Landscape	2023153					570.00
	012023	Jan. 2023 Maintenance Services	Invoice	02/15/2023	Jan. 2023 Maintenance Services	001-195-68600	285.00
	122022	Dec. 2022 Landscaping Services	Invoice	02/15/2023	Dec. 2022 Maintenance	001-195-68600	285.00
00023	Fuelman	2023154					5,097.94
	NP63805946	Gas & Oil - PD	Invoice	02/15/2023	Gas & Oil - PD	001-200-52500	5,097.94
00102	Hartley Equipment Company, Inc.	2023155					65.48
	197821	PW Equipment	Invoice	02/15/2023	#2 Square Point Hollow-Back Shovel	001-301-91600	41.98
					Edger Blade 8in Economy Green Machin	001-301-91600	23.50
00103	Henry Davis	2023156					616.43
	012023Davis	PW Labor and Mileage Reimbursement	Invoice	02/15/2023	PW Labor and Mileage Reimbursement	001-301-60101	616.43
00026	International Code Council	2023157					343.00
	1001607840	National Electrical Code Handbook	Invoice	02/15/2023	2018 Turbo Tabs Complete Collection (Lc	001-280-55903	108.00
					National Electrical Code Handbook	001-280-55903	235.00
00145	Jackson Paper Company	2023158					274.20
	1324138	Paper (20# 8.5x11 10m White)	Invoice	02/15/2023	Paper (20# 8.5x11 10m White	001-140-50000	68.55
						001-190-50000	68.55
						001-200-50000	68.55
						001-280-50000	68.55
00067	Lindsay Kellum	2023159					119.79
	022023Kellum	Reimbursement for 1099 Forms	Invoice	02/15/2023	Reimbursement for 1099 Forms	001-140-50000	119.79
00035	Madison County Board of Supervis	2023160					976.00
	012023Debris	Debris and Limb Removal	Invoice	02/15/2023	Debris and Limb Removal	001-301-68000	976.00
00178	Madison County Sheriff's Office	2023161					1,248.23
	GP-1222	Inmate Housing - Dec 2022	Invoice	02/15/2023	Inmate Housing - Dec 2022	001-200-68301	1,239.00
	GP-M1222	Inmate Medical - Dec 2022	Invoice	02/15/2023	Inmate Medical - Dec 2022	001-200-68301	9.23
00038	MAGCOR (formerly MPIC, INC)	2023162					4,095.00
	126546	Fixed Asset Stickers	Invoice	02/15/2023	Fixed Asset Stickers	001-110-62000	240.56
						001-140-62000	240.56
						001-190-62000	240.56
						001-195-62000	721.65
						001-200-62000	1,180.55
						001-280-62000	240.56
						001-301-62000	1,180.56
	126839	Business Cards - McCollum	Invoice	02/15/2023	Business Cards - McCollum	001-190-62000	50.00
00172	Magnolia Shredding LLC	2023163					100.00
	2069	Monthly Shredding Services - Jan 2022	Invoice	02/15/2023	Monthly Shredding Services - Jan 2022	001-195-69900	100.00

Docket of Claims Register

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Vendor #	Vendor Name	Docket/Claim #	Payable Type	Payable Date	Item Description	Account Number	Payment Amount
Vendor #	Payable Number	Payable Description					Distribution Amount
00041	Matrix Solutions, Inc	2023164					4,533.98
	11042	Monthly Fees - Licenses/Server/Devices	Invoice	02/15/2023	Monthly Fees - Licenses/Server/Devices	001-195-68800	4,226.00
	11221	Email Hosting/Network/Printer Ink	Invoice	02/15/2023	Network Supplies (Adapter/Switches/etc	001-195-90400	72.00
					Renew Email Domain	001-195-68800	30.00
					Toner for Check Printer	001-140-50000	205.98
00165	Michael K. Ozborn	2023165					870.00
	21923	Labor for Antenna Install and Motorola I	Invoice	02/15/2023	Labor for Antenna Install and Motorola I	001-200-63700	870.00
00079	Mid South Uniforms and Supply, In	2023166					256.77
	635868	Outfitting of Officer - Williams	Invoice	02/15/2023	2521 DETECTIVE 21" EPAND BATON-BLK	001-200-53500	83.97
					5491-1 AUTOLOCK 22" HLDOLDER PL BL	001-200-53500	27.55
					716-B296 RECESSED BADGE BACKER	001-200-53500	19.36
					94-38-2 BELT-SAM BROWNE-VELCRO-PL	001-200-53500	82.59
					99-2-2 BELT-VELCRO-PL-BLK-MED	001-200-53500	43.30
00044	Middle Mississippi Building Official	2023167					125.00
	022023	Hall Class on Construction & Code Princij	Invoice	02/15/2023	Hall Class on Construction & Code Princij	001-280-61000	125.00
00192	Mike's Auto Parts	2023168					59.99
	692963	2 GA Booster Cable	Invoice	02/15/2023	2 GA Booster Cable	001-301-50500	59.99
00045	Mills, Scanlon, Dye & Pittman, Attc	2023169					17,752.24
	012023Court	Court Legal Services - Jan 2023	Invoice	02/15/2023	Court Legal Services - Jan 2023	001-110-60301	1,204.25
	012023General	General Legal Services & Retainer	Invoice	02/15/2023	General Legal Services & Retainer	001-195-60301	14,855.74
	012023PnZ	PnZ Legal Services - Jan 2023	Invoice	02/15/2023	PnZ Legal Services - Jan 2023	001-190-60301	1,692.25
00050	Mississippi Municipal Clerks and Cr	2023170					40.00
	2023Gluckstadt	Mun. Clerk and One Deputy Clerk	Invoice	02/15/2023	Mun. Clerk and One Deputy Clerk	001-140-62200	40.00
00197	Mississippi Municipal Court Clerk's	2023171					125.00
	022023	Court Clerk & Deputy Annual Dues	Invoice	02/15/2023	Court Clerk & Deputy Annual Dues	001-110-62200	125.00
00048	Mississippi Municipal League	2023172					25.00
	34117	Night Class - Williams	Invoice	02/15/2023	Night Class - Williams	001-100-61000	25.00
00199	Motorola Solutions, Inc.	2023173					68,974.10
	1187092649	Handheld Radios for PD (first set)	Invoice	02/15/2023	Handheld Radios for PD (first set)	001-200-91200	68,974.10
00104	Nicholas Rushton	2023174					562.50
	012023	PW Labor Reimbursement	Invoice	02/15/2023	PW Work Reimbursement	001-301-60101	562.50
00116	Nick Clark Printing and Signs	2023175					227.00
	12129	Certificate of Initial Appearances	Invoice	02/15/2023	Certificate of Initial Appearances	001-110-62000	227.00

Docket of Claims Register

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Vendor #	Vendor Name	Docket/Claim #	Payable Type	Payable Date	Item Description	Account Number	Payment Amount
Vendor #	Payable Number	Payable Description					Distribution Amount
00152	OP Plus	2023176					1,024.50
	1006295/1006295-1/1006295-2	OFFICE SUPPLIES - CITY HALL	Invoice	02/15/2023	CLEANER, SFTSOAP, HAND, GL	001-140-50000	27.74
					COFFEE, FG, 25.9OZ, CLS RST	001-140-50000	32.16
					DRIVE, USB3.0, 32GB, 3PK	001-200-50000	75.88
					ENVELOPE, CAT, 10X13,BN,28#	001-190-50000	13.95
						001-280-50000	13.95
						001-301-50000	13.98
					FILE, PORTBLE, OXFORD, GRT	001-110-50000	36.99
					FOLDER, HANG, 1/5CUT, LTR, 25	001-110-50000	44.65
					FOLDER, HANG, LGL, 25/BX, AST	001-140-50000	86.37
					FRAME, LGL H/FLDR 2PK, GY	001-140-50000	145.26
					GUIDE, SELF TAB, A-Z, LGL	001-190-50000	23.46
						001-280-50000	23.46
						001-301-50000	23.52
					LABEL, 3-2/5X2/3, 300RL, WH	001-140-50000	52.92
					LABEL, INKJT, 1X2-5/8, 30/SH	001-140-50000	48.56
					LINER, 8-10 GAL., 4MIL, WH	001-140-50000	78.40
					PEN, SHARPIE, PLSTC PT, BK	001-110-50000	20.50
					POCKET, FILE, LTR, STR, 5.25"	001-190-50000	23.34
						001-280-50000	23.27
						001-301-50000	23.27
					REFILL, MOTRIN, 2/PK	001-140-50000	18.43
					TISSUE, COMFROT, WH, 4PK/CT	001-140-50000	86.60
					TOWEL, ROLL, 2PLY, 30/85, WH	001-140-50000	87.84
00121	Parkway Quicklube & Tires	2023177					391.10
	5388	Coolant Replacement/Repair	Invoice	02/15/2023	Coolant Replacement/Repair	001-200-57000	391.10
00053	Pennington & Trim Alarm Services,	2023178					66.00
	780103	Wireless Monitoring and Access Control	Invoice	02/15/2023	Wireless Monitoring and Access Control	001-195-63200	66.00
00055	Printables and More (G&W Market	2023179					150.00
	29536	24x36 Single Sided Zone Maps	Invoice	02/15/2023	24x36 Single Sided Zone Maps	001-190-62000	150.00
00125	Puckett Rents	2023180					49,636.94
	942392	Mini Excavator	Invoice	02/15/2023	Mini Excavator	001-301-90400	49,636.94
00057	Robert J Young Company	2023181					973.46
	INV6143913	Copier - Monthly & Overages - Jan 2022	Invoice	02/15/2023	Copier - Monthly & Overages - Jan 2022	001-195-64000	432.60
	INV6154435	Board Room Monthly Payment	Invoice	02/15/2023	Board Room Monthly Payment	001-195-64000	540.86
00058	Scott Insurance Services LLC	2023182					547.00
	45849	Business Auto - 2022 Ford F350	Invoice	02/15/2023	Business Auto - 2022 Ford F350	001-301-62500	547.00
00154	Southern Benefits Administrators	2023183					100.00
	23012402300000	Cafeteria Plan Billing - Feb. 2022	Invoice	02/15/2023	Cafeteria Plan Billing - Feb. 2022	001-195-60003	100.00

Docket of Claims Register

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Vendor #	Vendor Name	Docket/Claim #	Payable Type	Payable Date	Item Description	Account Number	Payment Amount
Vendor #	Payable Number	Payable Description	Payable Type	Payable Date	Item Description	Account Number	Distribution Amount
00060	Southern Connection Police Suppli	2023184					849.00
	24108	Battery Replacement	Invoice	02/15/2023	Interstate Battery	001-200-57000	249.00
					Labor	001-200-57000	100.00
	24314	Radar Install on 5 Vehicles	Invoice	02/15/2023	Radar Install on 5 Vehicles	001-200-63500	500.00
00118	Storage Max	2023185					924.00
	59292	Storage Rentals - Feb. 2022	Invoice	02/15/2023	Storage Rentals - Feb. 2022	001-301-68201	924.00
00193	Tchiakousky's Animal & Critter Con	2023186					275.00
	INV078	Animal Control Invoice	Invoice	02/15/2023	Animal Control Invoice	001-200-69900	275.00
00181	Thomson Reuters - West Payment	2023187					650.00
	847812696	Monthly Billing	Invoice	02/15/2023	Monthly Billing	001-200-68800	650.00
00064	Tyler Technologies, Inc.	2023188					2,668.58
	025-410123	AR Configuration and Training	Invoice	02/15/2023	AR Configuration and Training	001-195-68800	2,336.25
	130-134177	Property Room	Invoice	02/15/2023	Property Room	001-200-91900	332.33
00198	University of Mississippi	2023189					350.00
	022023KellumMaugh	Kellum & Maugh MMCA Spring Conf. Rej	Invoice	02/15/2023	Kellum & Maugh MMCA Spring Conf. Rej	001-140-61000	350.00
00194	Utility Constructors, Inc.	2023190					20,571.00
	91022	Sidewalk Repair (138 Bearcreek Circle)	Invoice	02/15/2023	Sidewalk Repair (138 Bearcreek Circle)	001-301-91200	9,280.00
	91122	Sink Hole Repair (123 Bradfield)	Invoice	02/15/2023	Sink Hole Repair (123 Bradfield)	001-301-91200	11,291.00
00071	Warner, Inc.	2023191					450.00
	0094373	Monthly Janitorial Services	Invoice	02/15/2023	Monthly Janitorial Services	001-195-69900	450.00
00175	William Hall	2023192					230.00
	022023Hall	Reimbursement for ICC B2 Exam	Invoice	02/15/2023	Reimbursement for ICC B2 Exam	001-280-61000	230.00
<b>Total Claims: 51</b>						<b>Total Payment Amount:</b>	<b>230,877.24</b>

<b>City of Gluckstadt</b>				
<b>February 14, 2023 Claims Docket (2023-05), OTHER PAYEMENTS (RECURRING) FINAL</b>				
CLAIM NO.	DATE RECEIVED	VENDOR / EMPLOYEE NAME	PAYABLE DESCRIPTION	ACCOUNT NUMBER
OTHER	1/20/2023	CITY EMPLOYEE PAYROLL	1/5/2023 - 1/18/2023; 1/20/2023 PAY DATE *PAID 1/20/2023*	001-110-410;001-140-410; 001-190-410; 001-200-410; 001-280-410
OTHER	2/1/2023	KELLY DABBS COMMERCIAL, LLC	JANUARY RENT (LEASE PAYMENT ) *PAID, 2/1/2023*	001-195-683
OTHER	2/1/2023	CENTERPOINT ENTERGY	EFT PAYMENT (MONTHLY BILL:DUE 1/5/23) *PAID 2/1/2023*	001-195-630
OTHER	2/1/2023	ENTERGY	EFT PAYMENT : POWER & ENERGY SERVICE, CITY HALL JAN 2023 METER READING (MONTHLY BILL DUE 2/15/23) *PAID 2/1/2023*	001-195-630
OTHER	2/1/2023	CSPIRE BUSINESS (1)	EFT PAYMENT: CITY HALL TELEPHONES (MONTHLY) *PAID 2/1/2023*	001-195-605
OTHER	2/1/2023	CSPIRE BUSINESS (2)	EFT PAYMENT: IPADS AND MOBILE HOTSPOTS (MONTHLY)*PAID 2/1/2023*	001-100-606; 001-120-606; 001-200-606
OTHER	2/1/2023	BOARD OF ALDERMEN PAYROLL	FEBRUARY BOARD OF ALDERMEN PAY (\$500 PER MONTH) (SPLIT BETWEEN 2/3/2023 & 2/17/2023 PAYROLLS)	001-100-410
OTHER	2/1/2023	PUBLIC EMPLOYEES RETIREMENT SYSTEM	EFT: RETIREMENT CONTRIBUTIONS (JANUARY 2022) *PAID 2/6/23*	001-110-460; 001-140-460; 001-190-460; 001-200-460; 001-280-460
OTHER	2/1/2023	BLUE CROSS BLUE SHIELD OF MISS.	EFT PAYMENT: EMPLOYEE INSURANCE, MONTHLY PREMIUM (JANUARY 2023) *PAID, 2/1/23*	001-110-480; 001-140-480; 001-190-480; 001-200-480; 001-280-480
OTHER	2/1/2023	AFLAC	EFT PAYMENT: EMPLOYEE SUPPLEMENTAL INSURANCE, MONTHLY PREMIUM (JANUARY 2023) *PAID 2/1/2023*	001-110-483; 001-140-483; 001-190-483; 001-200-480; 001-283-483
OTHER	2/1/2023	MORGAN WHITE	EFT PAYMENT: EMPLOYEE SUPPLEMENTAL BENEFITS (VISION AND DENTAL), MONTHLY PREMIUM (JANUARY 2023)*PAID 2/1/2023*	001-110-481/482; 001-140-481/482; 001-190-481/482; 001-200-481/482; 001-280-481/482
OTHER	2/1/2023	EMPOWER MISSISSIPPI	EFT PAYMENT: DEFERRED COMPENSATION BENEFITS (DEFERRED COMP), JANUARY PAYROLL COLLECTIONS (MONTHLY PREMIUM); *PAID 2/1/2023*	001-110-461; 001-140-461; 001-190-461; 001-200-461
OTHER	2/6/2023	IRS	EFT: EMPLOYEE WITHHOLDINGS, PAYROLL TAXES: FEDERAL (JANUARY 2023) *PAID 2/6/2023*	001-110-440/470/471; 001-140-440/470/471; 001-190-440/470/471; 001-200-440/470/471; 001-280-440/470/471

OTHER	2/3/2023	CITY EMPLOYEE PAYROLL	1/19/2023 - 2/01/2023; 2/3/2023 PAY DATE *PAID 2/3/23*	001-110-410;001-140-410; 001-190-410; 001-200-410; 001-280-410
OTHER	2/6/2023	MDOR	EFT, EMPLOYEE WITHHOLDINGS, PAYROLL TAXES: STATE (JANUARY 2023) *PAID 2/6/2023*	001-110-450; 001-140-450; 001-190-450; 001-200-450; 001-280-450
OTHER	2/10/2023	PLANNING AND ZONING COMMISSION MEMBERS PAYROLL	JANUARY PLANNING AND ZONING COMMISSION MEMBERS PAYROLL (\$120 PER MEETING); DUGGAR ABSENT; *PAID 2/10/2023*	001-190-601
OTHER	2/10/2023	JUDGE TRAE SIMS	MONTHLY PAYMENT, LEGAL SERVICES - MUNICIPAL COURT (FEBRUARY COURT SERVICES)*PAID 2/10/2023*	001-110-60101
OTHER	2/10/2023	PUBLIC DEFENDER DEVIN WHITT	MONTHLY PAYMENT, LEGAL SERVICES - MUNICIPAL COURT (FEBRUARY COURT SERVICES) *PAID 2/10/2023*	001-110-60201
OTHER	2/10/2023	JUDGE MARSHA WEEMS STACEY	APPEARANCE PAYMENT; DECEMBER 16 CASE (CARLOS BROOKS)	001-110-60102
OTHER	2/6/2023	DEPARTMENT OF FINANCE & ADMINISTRATION	COURT PORTION(S) SUBMITTED TO DFA FOR DISPERSAL (JANUARY REPORTING) *PAID 2/6/2023*	001-000-33000
OTHER	2/6/2023	DEPARTMENT OF PUBLIC SAFETY	COURT PORTION(S) SUBMITTED TO DFA FOR DISPERSAL (JANUARY REPORTING)*PAID 2/6/2023*	001-000-33000
OTHER	2/6/2023	DEPARTMENT OF PUBLIC SAFETY	COURT PORTION(S) SUBMITTED TO DFA FOR DISPERSAL (JANUARY REPORTING)*PAID 2/6/2023*	001-000-33000
OTHER	2/6/2023	BEAR CREEK	DECEMBER WATER BILL, MISSED ON CLAIMS FOR JANUARY	001-195-63003
OTHER	2/6/2023	FBI-LEEDA	TRAINING FOR BARRY HALE, PUBLIC RELATIONS OFFICER - KNOXVILLE (TIMING OF TRAINING PRESENTED ISSUE WITH WAITING TO CUT CHECK UNTIL 2/14/32)	001-200-61000

PAYMENT AMOUNT	TOTAL PAYMENT
\$31,593.92	\$31,593.92
\$8,292.00	\$8,292.00
\$225.93	\$225.93
\$562.01	\$562.01
\$785.59	\$785.59
\$617.94	\$617.94
\$2,131.10	\$2,131.10
\$24,456.10	\$24,456.10
\$14,002.55	\$14,002.55
\$890.92	\$890.92
\$642.94	\$642.94
\$180.00	\$180.00
\$18,390.09	\$18,390.09



\$29,940.69	\$29,940.69
\$2,477.00	\$2,477.00
\$840.00	\$840.00
\$1,200.00	\$1,200.00
\$1,200.00	\$1,200.00
\$200.00	\$200.00
\$8,641.00	\$8,641.00
\$156.00	\$156.00
\$156.00	\$156.00
\$34.36	\$34.36
\$795.00	\$795.00



RENTAL & SUPPLY



**WOODS  
TORO  
REDMAX**

P.O. Box 1872 • Madison, MS 39130 • Office: (601) 859-0020 • Fax: (601) 407-1988

**EQUIPMENT PROPOSAL**

**TO:** City Of Gluckstadt **DATE:** 1/17/2023  
**SALESMAN:** Matt Smith  
**CUSTOMER APPROVAL:** \_\_\_\_\_  
**PHONE:** \_\_\_\_\_ **CUSTOMER PURCHASE ORDER#:** \_\_\_\_\_  
**EMAIL:** \_\_\_\_\_

QTY.	DESCRIPTION OF MATERIAL	STOCK #	PRICE
All Prices Listed Include Current Incentives for In-Stock Items			
1	3rd Function Valve for front of Kubota MX6000		\$1,400.00
1	Titan ERG72 Root Grapple		\$3,200.00
<b>SUB-TOTAL</b>			
<b>TRADE-IN:MODEL/SERIAL#</b>		(-)	
<b>SALES TAX</b>		(+)	
<b>TOTAL TO BE PAID OR FINANCED</b>		\$	

V 04

WARRANTY: Standard manufacturers warranty applies. No warranty on used equipment unless stated.  
 Prices are firm for 30- days from the date of this proposal.

Applicable sales tax will be in addition to prices quoted. This quotation is subject to the terms and conditions on the order unless otherwise stated. All quoted prices are subject to change without notice, and those in effect on dates of shipment shall prevail.

DELIVERY: Can be made within \_\_\_\_\_ days of receipt of written purchase order, subject to strikes, acts of God, actions of the government or other causes beyond our control.

4200 I-55 South  
Jackson MS, 39212

Date: 01/19/2023  
Quote Number: S-JF1753  
Expiration Date: 02/19/2023

**Customer**

City Of Gluckstadt (Acct: 1314520)  
343 Distribution Dr  
Madison, MS 39110-8744

Cust. Contact: Nick Rushton

Sales Representative: John Fagan

Cell: 601-213-7346

Model	Description	Price
<b>2023 BOMAG - BP25/50</b>	<b>PLATE COMPACTOR</b>	<b>\$3,580.49</b>
	Engine Type - GAS	
	Horse Power - 4.8	
<b>Total:</b>		<b>\$3,580.49</b>

Model	Description	Price
<b>2023 MULTIQUIP - MVC82VHW</b>	<b>PLATE COMPACTOR</b>	<b>\$2,843.06</b>
	Engine Type - GAS	
	Horse Power - 4	
<b>Total:</b>		<b>\$2,843.06</b>

**Notes**

Prices do not include sales tax if applicable. Lead time is between 45-60 days from date of order.

This quotation reflects present prices, but is subject to adjustment based on manufacturer's price increases and availability. Whether or not specifically set forth, this quotation is subject to any applicable federal, state, and local taxes and freight charges. This quotation is subject to any and all manufacturer's warranties respectively applicable to new equipment and is subject to the limitations and conditions of those warranties. No other warranties are implied or offered by H&E Equipment Services, Inc. unless specifically outlined on the face of this quotation. This quotation is subject to change without notice. This quotation is an invitation to offer and not binding until acceptance by H&E Equipment Services, Inc.'s Branch Manager. Unless otherwise stated, quotation expires on the Expiration Date listed on this quote and may be modified or withdrawn by H&E prior to acceptance.

For sale of rental fleet, Buyer is hereby notified that H&E has assigned its rights (but not its obligations) in this agreement to sell the equipment described herein to H&E Equipment Exchange LLC, a qualified intermediary, as part of a Section 1031 exchange.

All quoted interest rates and payment are subject to availability and credit approval. Payment Amounts do not include applicable taxes or fees.

H&E Branch Manager Acceptance:

Customer Acceptance of this proposal:

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

Signed: \_\_\_\_\_  
Date: \_\_\_\_\_  
Purchase Order: \_\_\_\_\_



## CITY OF GLUCKSTADT

MISSISSIPPI  
PLANNING AND ZONING ADMINISTRATOR

### MEMORANDUM

---

**TO:** Mayor & Board of Alderman

**FROM:** John M. McCollum, Planning and Zoning Administrator

**DATE:** 01/23/2023

**SUBJECT:** Purchase of New Street Department Equipment

---

We request that the Mayor and Board of Alderman approve the purchase of the following equipment:

1. Asphalt compacting machine. \$2,843.06
2. Grapple and valve \$4,600.00
3. Lifting Forks \$1,350.00

We have left over funds in our capital equipment line item to pay for this equipment however our purchasing policy requires Mayor and Board approval for any purchase over \$1,000.00 that is not specifically noted on the adopted budget. I have attached copies of the quotes for your information.

Thank you for your consideration of our request and please let me know if you have any questions.



RENTAL & SUPPLY



Kubota

Section 4, IC)

**WOODS  
TORO  
REDMAX**

P.O. Box 1872 • Madison, MS 39130 • Office: (601) 859-0020 • Fax: (601) 407-1988

## EQUIPMENT PROPOSAL

TO: City of Gluckstadt

DATE: 1/11/2023

\_\_\_\_\_

SALESMAN: Matt Smith

\_\_\_\_\_

CUSTOMER APPROVAL: \_\_\_\_\_

\_\_\_\_\_

PHONE: \_\_\_\_\_

EMAIL: \_\_\_\_\_

QTY.	DESCRIPTION OF MATERIAL	STOCK #	PRICE
<b>All Prices Listed Include Current Incentives for In-Stock Items</b>			
1	Pallet Forks PFS4448S		\$1,350.00
	<b>SUB-TOTAL</b>		
	TRADE-IN:MODEL/SERIAL#	(-)	
	SALES TAX	(+)	
	<b>TOTAL TO BE PAID OR FINANCED</b>	\$	

V 04

WARRANTY: Standard manufacturers warranty applies. No warranty on used equipment unless stated.  
Prices are firm for 30- days from the date of this proposal.

Applicable sales tax will be in addition to prices quoted. This quotation is subject to the terms and conditions on the order unless otherwise stated. All quoted prices are subject to change without notice, and those in effect on dates of shipment shall prevail.

DELIVERY: Can be made within \_\_\_\_\_ days of receipt of written purchase order, subject to strikes, acts of God, actions of the government or other causes beyond our control.



## CITY OF GLUCKSTADT

MISSISSIPPI  
PLANNING AND ZONING ADMINISTRATOR

### MEMORANDUM

---

**TO:** Mayor & Board of Alderman

**FROM:** John M. McCollum Planning and Zoning Administrator

**DATE:** 01/24/2023

**SUBJECT:** Request for Proposals for Debris Pickup Services

---

I request authorization to advertise for proposals for debris pickup services starting on October 1, 2023. Our current agreement with Madison County expires on September 30, 2023. Therefore it is time to start the process of procuring these services through a private contractor if we want to continue this activity uninterrupted.

Thanks you for your consideration on this request and please contact me if you have any questions.



## CITY OF GLUCKSTADT

MISSISSIPPI  
PLANNING AND ZONING ADMINISTRATOR

### MEMORANDUM

---

**TO:** Mayor & Board of Alderman

**FROM:** John M. McCollum, Planning and Zoning Administrator

**DATE:** 01/24/2023

**SUBJECT:** Authorization to Advertise for Two Street Department Employees

---

We request authorization to advertise for the hiring of two Street Department employees (Crew Leader and Maintenance Worker) as described in the attached job descriptions. We have not been able to secure the part help from the Fire Department that we require for our maintenance obligations.

My plan is to hire these two workers, retain two part-time firemen and augment with 3 prison laborers. My goal is to get this implemented by March 1, 2023, to meet our maintenance needs.

Thank you for your consideration of my request. Please let me know if you have any questions.



## CITY OF GLUCKSTADT

MISSISSIPPI  
PLANNING AND ZONING ADMINISTRATOR

### MEMORANDUM

---

**TO:** Mayor & Board of Alderman

**FROM:** John M. McCollum, Planning and Zoning Administrator

**DATE:** 01/24/2023

**SUBJECT:** Authorization to Advertise for Two Street Department Employees

---

We request authorization to advertise for the hiring of two Street Department employees (Crew Leader and Maintenance Worker) as described in the attached job descriptions. We have not been able to secure the part help from the Fire Department that we require for our maintenance obligations.

My plan is to hire these two workers, retain two part-time firemen and augment with 3 prison laborers. My goal is to get this implemented by March 1, 2023, to meet our maintenance needs.

Thank you for your consideration of my request. Please let me know if you have any questions.



## City of Gluckstadt, Mississippi Job Description

**Job Title:** Crew Leader  
**Department:**  
**Reports To:**  
**FLSA Status:** Non-Exempt  
**Pay Grade:**  
**Approved By:**  
**Approved Date:**

**SUMMARY:** This is supervisory work in the direction of a work crew engaged in field operations of limited scope or complexity.

Work involves responsibility for supervising the work of a crew engaged in construction or maintenance operations of a more routine or limited nature. Employees of this class are responsible for on site supervision and for obtaining effective and efficient performance from subordinates in carrying out assigned tasks. Size of crew supervised varies according to area of work assignment. Incumbents may also operate automotive or construction equipment associated with work activities and lead or participate in other manual labor. Assignments are received from a superior who makes frequent on site inspections to evaluate work progress, conformance to established standards, and adequacy and to provide specific directions where required.

### ESSENTIAL FUNCTIONS

**THE ESSENTIAL FUNCTIONS INCLUDE, BUT ARE NOT LIMITED TO, THE FOLLOWING DUTIES. ADDITIONAL ESSENTIAL FUNCTIONS MAY BE IDENTIFIED BY THE CITY AND LISTED AS SUCH IN THE INCUMBENT'S PERFORMANCE APPRAISAL ELEMENTS. VARIOUS TASKS MAY BE ASSIGNED UNDER EACH ESSENTIAL FUNCTION. THOSE THAT ARE LISTED UNDER THE EXAMPLES OF WORK ARE NOT ALL INCLUSIVE; THEY ARE EXAMPLES ONLY AND MAY BE AMENDED OR ADDED TO AS NEEDED BY THE CITY OF RIDGELAND.**

1. Supervision

### EXAMPLES OF WORK

**Examples of work performed in this classification include, but are not limited to, the following tasks. These tasks may be amended or other tasks may be assigned as necessary.**

Supervises a crew in performing various maintenance and repair operations on concrete and asphalt streets, such as crack sealing, pothole patching, slurring and sealing, and repairing utility cuts.

Supervises a crew in cleaning and repairing sewers; supervises an emergency sewer repair crew; supervises a crew in operating sewer rodding and bucket machines.

Supervises a crew in the construction and repair of curb inlets, and head walls; supervises a crew in cleaning out open trenches, gutters, inlets, and manholes.

Supervises a pavement marking crew in painting crosswalks, lane lines, and similar markings; supervises a crew in installing and maintaining traffic control signs and signals.

Supervises a crew in mowing grass, planting and caring for flowers and shrubs, and other grounds work; supervises a crew in performing rough carpentry work in the construction and repair of bleachers, dugouts, fences, and similar facilities.

Supervises a crew in the periodic maintenance of public buildings and facilities.

**SUPERVISORY RESPONSIBILITIES**

Supervision of subordinates is required.

**INCUMBENT PERFORMS OTHER JOB-RELATED TASKS AS ASSIGNED AND REQUIRED; ANY DUTIES/TASKS INCLUDED IN THE EMPLOYEE'S PERFORMANCE EVALUATION ELEMENTS ARE ESSENTIAL TO THAT EMPLOYEE'S POSITION WITHIN THE JOB CLASSIFICATION.**

**MINIMUM QUALIFICATIONS**

The following minimum qualifications have been identified by subject matter experts (SME'S) who have supervised this position or functioned in the position; they are based upon job analysis information supplied by these SME'S. However, if a candidate believes he/she is qualified for the job although he/she does not have the minimum qualifications set forth below, he/she may request special consideration through substitution of related education and experience, demonstrating the ability to perform the essential functions of the position. Any request to substitute related education or experience for minimum qualifications must be addressed to the Human Resource Manager in writing, identifying the related education and experience which demonstrates the candidate's ability to perform all essential functions of the position. If a candidate believes he/she needs a reasonable accommodation to meet these minimum qualifications or, if called for an interview, to attend such an interview, the candidate must notify the Human Resource Manager in writing of the need for the accommodation and identify the specific accommodation requested.

**EDUCATION and/or EXPERIENCE:**

**Education:**

Graduation from an accredited high school or acceptable equivalent, or vocational school.

**AND**

**Experience:**

Two (2) years experience in area of work assignment or related operations, including one (1) year experience at the Laborer II level.

**CERTIFICATES, LICENSES, REGISTRATIONS:**

Must have and maintain a valid, renewable Mississippi vehicle operator's license.

**KNOWLEDGES, SKILLS, ABILITIES AND OTHER CHARACTERISTICS**

Thorough knowledge of the methods, materials, tools, and equipment utilized in area of work assignment.

Considerable knowledge of the occupational hazards involved in the work and proper safety precautions for the safe performance of the job.

Ability to assign, supervise, and inspect the work of a group of workers and instruct them in proper work methods.

Ability to understand and follow oral and written instructions.

Ability to express ideas effectively, orally and in writing.

Ability to prepare routine work reports of activities undertaken.

Ability to establish and maintain effective working relations as necessitated by work assignments.

Physical strength and agility sufficient to perform heavy manual labor for extended periods, at times under unfavorable weather conditions.

**PHYSICAL REQUIREMENTS:**

These physical requirements are not exhaustive and additional job-related physical demands may be added to these by the City if the need arises. Corrective devices may be used to meet these physical requirements.

Ability to be physically able, on a daily basis, to bend, walk, occasionally lift and carry up to 100 lbs. Operate vehicles, equipment and tools in a safe and efficient manner.

**WORK ENVIRONMENT:**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job.

Exposure to extremes of temperature and contact with fuel/chemicals on a frequent basis. Noise level is loud.



## CITY OF GLUCKSTADT

MISSISSIPPI  
PLANNING AND ZONING ADMINISTRATOR

### MEMORANDUM

---

**TO:** Mayor & Board of Alderman

**FROM:** John M. McCollum, Planning and Zoning Administrator

**DATE:** 01/24/2023

**SUBJECT:** Laptop Computer Purchase

---

We request that the Mayor and Board approve the purchase of a laptop computer in the amount of \$1,050.00. This purchase was not originally in the budget however we can take it out of 001-190-919 (office equipment) in the P&Z budget.

Thanks for your consideration of our request. Please contact me if you have any questions.

ALDER

**MAYOR**

Walter C. Morrison, IV

**CITY CLERK**

Lindsay D. Kellum

**POLICE CHIEF**

Wendell Watts

# CITY OF GLUCKSTADT

MISSISSIPPI



Miya Bates

Jayne Powell

Wesley Slay

John Taylor

Lisa Williams

## PLANNING AND ZONING ADMINISTRATOR

**343 DISTRIBUTION DRIVE**

**GLUCKSTADT, MS 39110**

### Quote Request

To: Adcamp Incorporated

From: Mike McCollum, Planning and Zoning Administrator

We are requesting a quote for asphalt picked up at the plant for the City of Gluckstadt that is good until September 30<sup>th</sup>, 2023. We will be picking up asphalt (SC 2) in quantities of 1 to 5 tons for road repairs. I estimate 10 to 20 tons per month. You may fill this out below and email it back to me at [mike.mccollum@gluckstadt.net](mailto:mike.mccollum@gluckstadt.net) please let me know if you have any questions. My phone number is 601-953-2828.

Asphalt SC-2 Cost per Ton pickup at the plant

\$95.00

Signed.



Materials Quotation

<b>Seller</b>		<b>Customer</b>		
APAC Mississippi, Inc.		City of Gluckstadt MS		
<b>Project No.</b>		<b>Project Location</b>	<b>Project Name</b>	
N/A		Gluckstadt MS	Hot Mix Asphalt FOB Quote	
<b>Quote Date</b>	<b>Pay Terms</b>	<b>F.O.B.</b>		
1/12/2023	NET 30	Yes		
<b>Item</b>	<b>Quantity</b>	<b>Description</b>		<b>Unit</b>
1		SC-1 Type 8 Canton MS Plant	\$98.50 per ton	TON
2		SC-1 Type 8 Jackson MS Plant	\$98.00 per ton	TON
<b>Notes:</b>				
*Prices do not include tax or bond. *Prices do not include haul. *No testing included. *Prices are FOB our Canton and Jackson MS plants. *Prices are good only if SC-1 Type 8 is being produced at whichever plant is selected. *Payment to be made to APAC based on the tonnage per the load ticket from APAC plant scales *Prices good till 9/30/23.				

APAC Mississippi, Inc.

By: Chris Newton

Date: 1/12/2023



## CITY OF GLUCKSTADT

MISSISSIPPI  
PLANNING AND ZONING ADMINISTRATOR

### MEMORANDUM

---

**TO:** Mayor & Board of Alderman

**FROM:** John M. McCollum Planning and Zoning Administrator

**DATE:** 02/01/2023

**SUBJECT:** Asphalt Quotes

---

I am requesting that the Mayor and Board approve APAC as the lowest and best term bid for hot mix asphalt picked up at the plant. We received two bid as follows:

1. APAC-\$98.00 per ton
2. ADCAMP-\$95.00 per ton

As you can see, I am not recommending ADCAMP even though the price per ton is \$4.00 less. I am recommending APAC since they have a plant located in Canton. It is important to reduce the travel time on hot asphalt to prevent it from hardening before you get to the job. The closest ADCAMP plant is in Flowood, MS.

Thank you for your consideration of my request. Please let me know if you have any questions.

## Procedure

A detailed procedure for completing this form is located at [www.mycenterpointenergy.com/accountspayable/procedures/](http://www.mycenterpointenergy.com/accountspayable/procedures/) under AP General Tips.

## Required information for vendor creation

Before you complete a vendor creation request, you must acquire the following information from the vendor:

- The vendor's W-9  
**Substitute:** You may complete the W-9 on page 4 in lieu of the vendor providing one.
- The vendor's legal name (from W-9)
- The vendor's tax identification number (from W-9)
- The vendor's physical address
- The vendor's telephone number
- The vendor's fax or email address for receiving payment notifications
- The name and telephone of the vendor's financial contact (e.g., treasurer, A/R manager)
- The vendor's banking information:
  - Bank name
  - Country
  - Routing number
  - Account number
  - Account holder

## D&B DUNS number

Page 2 of this form requests a Dun and Bradstreet (D&B) DUNS number to expedite the vendor validation process. The Vendor Master Administrator verifies that each company has a DUNS number prior to creating the vendor. Providing the DUNS number up front decreases the turnaround time for maintenance.

## Banking information

- All new vendors must provide banking information to allow for electronic payment. If a vendor requires payment by check, contact the Vendor Master hotline at (713) 207-7870 prior to requesting vendor creation.
- ACH is the preferred payment method. To have a vendor paid by wire, you must provide a specific business need in the Additional Notes at the bottom of page 2.

## Vendor signature

When requesting vendor creation, a signature from the vendor and the other information at the bottom of the W-9 on page 4 are required when:

- The vendor is completing the form
- The vendor is subject to backup withholding (see Certification Instructions on page 4)

## Before you begin

Before you complete this form, you must have:

- For changes to a vendor:
  - The SAP vendor number
  - The SAP vendor name
- For creation of a new vendor:
  - Identified that the vendor does not already exist in SAP  
**Reference:** See **Searching for a Vendor** at [www.mycenterpointenergy.com/accountspayable/procedures/](http://www.mycenterpointenergy.com/accountspayable/procedures/) under AP General Tips.
  - An electronic copy of the vendor's W-9 for attaching to the request, or the W-9 information to complete on page 4.

## Reactivating a vendor

To request the reactivation of a vendor flagged for deletion or blocked from posting, you must complete the form and provide W-9 documentation as if you were requesting vendor creation.



CenterPoint Energy  
**UPDATE VENDOR MASTER**

Section 4, IH)

CREATE                       CHANGE                       DELETE

To acquire a New Vendor Request for the headquarters location, complete an additional form for each branch. Email completed form to [Vendor\\_Master3@CenterPointEnergy.com](mailto:Vendor_Master3@CenterPointEnergy.com). For questions, contact the Vendor Master hotline at (713) 207-7870.

**\*BOLD\*** denotes a required field for a new vendor request. **Bold** denotes a field required for any non-PO vendor maintenance.

THIS TOP SECTION FOR CENTERPOINT ENERGY USE ONLY			
IF CHANGE/DELETE/REACTIVATE, CURRENT VENDOR NUMBER	<b>*VENDOR NAME*</b> (from W-9)	OLD VENDOR NAME (for name change)	
<b>*REQUESTED BY*</b>	VENDOR DBA	CONFLICT OF INTEREST AGREEMENT (please check) <input type="checkbox"/> I understand that any potential conflict of interest as set forth by the CenterPoint <i>Standards of Conduct/Business Ethics Policy</i> has been approved by my management and reviewed by the Chief Ethics and Compliance Officer.	
REQUESTOR PHONE	DATE	MANAGER'S NAME (for non-PO vendors)	
MANAGER'S SIGNATURE (or copy manager when emailing request to Vendor Master)			
<b>*COMPANY CODE*</b>	PURCHASING ORGANIZATION	<b>*INVOICE/APPR IN WORKFLOW?*</b> <input type="checkbox"/> NO <input type="checkbox"/> YES, PROVIDE SAP DOCUMENT NUMBER (17xxxxxxx)	
Company: Creating a new vendor in one of the following extends the vendor to the others: 0002, 0003, 0016, 0062, 0072, 0082, 0510, 0515, 0550, 0559			
PHYSICAL ADDRESS DATA			
<b>*PHYSICAL STREET ADDRESS*</b>			<b>*CITY*</b>
<b>*REGION (State)*</b>	<b>*POSTAL CODE*</b>	<b>*COUNTRY*</b>	

CONTROL DATA	
<b>*TAX IDENTIFICATION NUMBER (attach W-9 or complete page 4)*</b>	DUNS NUMBER (See <i>D&amp;B DUNS</i> number on page 1 for more information)

VENDOR CONTACT INFORMATION			
<b>*TELEPHONE NUMBER (1)*</b>	EXT	<b>*TELEPHONE NUMBER (2)</b>	EXT
<b>*FINANCIAL CONTACT PERSON (e.g., Treasurer, A/R Manager)*</b>		<b>*FAX OR EMAIL FOR PAYMENT NOTIFICATION*</b>	
<b>*FINANCIAL CONTACT PHONE*</b>	EXT	FINANCIAL CONTACT EMAIL (for notifying vendor of data changes)	

*PAYMENT METHOD*
See <i>Banking information</i> on page 1 for more information.
<input type="checkbox"/> ELECTRONIC ACH (preferable) <input type="checkbox"/> WIRE

BANKING INFORMATION			
<b>*BANK COUNTRY*</b>	<b>*ROUTING NUMBER*</b>	<b>*ACCOUNT NUMBER*</b>	<b>*ACCOUNT HOLDER NAME*</b>
<b>*BANK NAME*</b>		<b>*BANK CONTACT NAME*</b>	<b>*BANK CONTACT PHONE*</b>

ADDITIONAL COMMENTS

**PURCHASING INFORMATION**

Complete this page only if you are a CenterPoint Energy Purchasing employee.

Section 4, IH)

ACCOUNT GROUP			
<input type="checkbox"/> ZPUR (Domestic)	<input type="checkbox"/> ZHRS (HR/Payroll)	<input type="checkbox"/> MNFR (Manufacturer)	<input type="checkbox"/> ZFOR (Foreign)

ORDERING ADDRESS (OA)		
STREET ADDRESS OR P.O. BOX		CITY
REGION (State)	POSTAL CODE	COUNTRY

REMIT-TO-ADDRESS (PI)		
STREET ADDRESS OR P.O. BOX		CITY
REGION (State)	POSTAL CODE	COUNTRY

MINORITY STATUS	
MINORITY INDICATOR	MINORITY CERTIFICATION DATE

PURCHASING DATA		
ORDER CURRENCY	TERMS OF PAYMENT	INCOTERMS
SALESPERSON	TELEPHONE	EMAIL

<input type="checkbox"/> GR-BASED INVOICE VERIFICATION	<input type="checkbox"/> AUTOMATIC EVALUATED OR SETTLEMENT DEL.
<input type="checkbox"/> AUTOMATIC EVALUATED GR SETTLEMENT RET.	<input type="checkbox"/> ACKNOWLEDGEMENT REQUIRED

Attach Automated Invoice Submittal Agreement as applicable.

If you are requesting a new vendor, complete this W-9 or attach a W-9 to your request. Detailed instructions are available at [www.irs.gov](http://www.irs.gov).

Substitute for IRS form <b style="font-size: 24pt;">W-9</b>	<b style="font-size: 18pt;">CenterPoint Energy</b> <b style="font-size: 18pt;">Request for Taxpayer</b> <b style="font-size: 18pt;">Identification Number and Certification</b>		<b style="font-size: 12pt;">Give form to the requester. Do not send to the IRS.</b>												
Name (as shown on your income tax return)															
Business name, if different from above															
Check the appropriate box:  <input type="checkbox"/> Individual/Sole proprietor <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Exempt payee  <input type="checkbox"/> Limited liability company. Enter the tax classification (D=disregarded entity, C=corporation, P=partnership) _____  <input type="checkbox"/> Other (see instructions)															
Address (number, street, and apt. or suite no.)			Requester's name and address (optional)												
City, state, and ZIP code															
List account number(s) here (optional)															
<b>Taxpayer Identification Number (TIN)</b>															
Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part L instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see How to get a TIN on page 3. <b>Note.</b> If the account is in more than one name, see the chart on page 4 for guidelines on whose <b>Employer identification number</b> to enter.			<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td colspan="3" style="text-align: center; padding: 2px;">Social security number</td> </tr> <tr> <td style="width:33%; height: 20px;"></td> <td style="width:33%;"></td> <td style="width:33%;"></td> </tr> </table> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td colspan="3" style="text-align: center; padding: 2px;">Employer identification number</td> </tr> <tr> <td style="width:33%; height: 20px;"></td> <td style="width:33%;"></td> <td style="width:33%;"></td> </tr> </table>	Social security number						Employer identification number					
Social security number															
Employer identification number															
<b>CERTIFICATION INSTRUCTIONS</b> - You must cross out item 2 below if you have been notified by the IRS that you are currently subject to backup withholding because of underreporting of interest or dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, the acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement account (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN.															
<b>SECTION II - CERTIFICATION</b> Under penalties of perjury, I certify that: <ol style="list-style-type: none"> <li>1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and</li> <li>2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the IRS that I am subject to backup withholding as a result of failure to report all interest and dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and</li> <li>3. I am a U.S. person (including a U.S. resident alien).</li> </ol> <b>The Internal Revenue Service does not require your consent to any provision of this document other than the certifications required to avoid backup withholding.</b>															
Signature of U.S. person			Date												
Name	Title	Telephone number	Fax number												

**From:** [Janet Brooks](#)  
**To:** [Lindsay Kellum](#)  
**Cc:** [Scott Maugh](#)  
**Subject:** FW: CenterPoint Energy Franchise Payments  
**Date:** Monday, January 30, 2023 2:09:35 PM  
**Attachments:** [image001.png](#)  
[CNP-474.pdf](#)

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A reminder

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**From:** Janet Brooks  
**Sent:** Monday, January 23, 2023 3:53 PM  
**To:** Lindsay Kellum <[lindsay.kellum@gluckstadt.net](mailto:lindsay.kellum@gluckstadt.net)>  
**Cc:** Scott Maugh <[scott.maugh@gluckstadt.net](mailto:scott.maugh@gluckstadt.net)>  
**Subject:** FW: CenterPoint Energy Franchise Payments

---

**From:** Reber, Jay B <[jay.reber@centerpointenergy.com](mailto:jay.reber@centerpointenergy.com)>  
**Sent:** Monday, January 23, 2023 3:38 PM  
**To:** Janet Brooks <[janet.brooks@gluckstadt.net](mailto:janet.brooks@gluckstadt.net)>  
**Subject:** CenterPoint Energy Franchise Payments

M. Brooks,

Thank you for taking my call earlier today. As promised, I have attached the forms necessary for the City of Gluckstadt to be set up as a vendor. This will allow you to receive automated payments annually from CenterPoint Energy.

Please return the completed forms to me. Please let me know if you have any questions.

Best Regards,



Jay Reber  
District Director | Mississippi  
601.709.2446 w. | 501.231.7423 c.  
[jay.reber@centerpointenergy.com](mailto:jay.reber@centerpointenergy.com)

## Procedure

A detailed procedure for completing this form is located at [www.mycenterpointenergy.com/accountspayable/procedures/](http://www.mycenterpointenergy.com/accountspayable/procedures/) under AP General Tips.

## Required information for vendor creation

Before you complete a vendor creation request, you must acquire the following information from the vendor:

- The vendor's W-9  
**Substitute:** You may complete the W-9 on page 4 in lieu of the vendor providing one.
- The vendor's legal name (from W-9)
- The vendor's tax identification number (from W-9)
- The vendor's physical address
- The vendor's telephone number
- The vendor's fax or email address for receiving payment notifications
- The name and telephone of the vendor's financial contact (e.g., treasurer, A/R manager)
- The vendor's banking information:
  - Bank name
  - Country
  - Routing number
  - Account number
  - Account holder

## D&B DUNS number

Page 2 of this form requests a Dun and Bradstreet (D&B) DUNS number to expedite the vendor validation process. The Vendor Master Administrator verifies that each company has a DUNS number prior to creating the vendor. Providing the DUNS number up front decreases the turnaround time for maintenance.

## Banking information

- All new vendors must provide banking information to allow for electronic payment. If a vendor requires payment by check, contact the Vendor Master hotline at (713) 207-7870 prior to requesting vendor creation.
- ACH is the preferred payment method. To have a vendor paid by wire, you must provide a specific business need in the Additional Notes at the bottom of page 2.

## Vendor signature

When requesting vendor creation, a signature from the vendor and the other information at the bottom of the W-9 on page 4 are required when:

- The vendor is completing the form
- The vendor is subject to backup withholding (see Certification Instructions on page 4)

## Before you begin

Before you complete this form, you must have:

- For changes to a vendor:
  - The SAP vendor number
  - The SAP vendor name
- For creation of a new vendor:
  - Identified that the vendor does not already exist in SAP  
**Reference:** See **Searching for a Vendor** at [www.mycenterpointenergy.com/accountspayable/procedures/](http://www.mycenterpointenergy.com/accountspayable/procedures/) under AP General Tips.
  - An electronic copy of the vendor's W-9 for attaching to the request, or the W-9 information to complete on page 4.

## Reactivating a vendor

To request the reactivation of a vendor flagged for deletion or blocked from posting, you must complete the form and provide W-9 documentation as if you were requesting vendor creation.

## CenterPoint Energy UPDATE VENDOR MASTER

Section 4, IH)

CREATE                       CHANGE                       DELETE

To acquire a New Vendor Request for the headquarters location, complete an additional form for each branch. Email completed form to [Vendor\\_Master3@CenterPointEnergy.com](mailto:Vendor_Master3@CenterPointEnergy.com). For questions, contact the Vendor Master hotline at (713) 207-7870.

**\*BOLD\*** denotes a required field for a new vendor request. **Bold** denotes a field required for any non-PO vendor maintenance.

THIS TOP SECTION FOR CENTERPOINT ENERGY USE ONLY			
IF CHANGE/DELETE/REACTIVATE, CURRENT VENDOR NUMBER	<b>*VENDOR NAME*</b> (from W-9)	OLD VENDOR NAME (for name change)	
<b>*REQUESTED BY*</b>	VENDOR DBA	CONFLICT OF INTEREST AGREEMENT (please check) <input type="checkbox"/> I understand that any potential conflict of interest as set forth by the CenterPoint <i>Standards of Conduct/Business Ethics Policy</i> has been approved by my management and reviewed by the Chief Ethics and Compliance Officer.	
REQUESTOR PHONE	DATE	MANAGER'S NAME (for non-PO vendors)	
MANAGER'S SIGNATURE (or copy manager when emailing request to Vendor Master)			
<b>*COMPANY CODE*</b>	PURCHASING ORGANIZATION	<b>*INVOICE/APPR IN WORKFLOW?*</b> <input type="checkbox"/> NO <input type="checkbox"/> YES, PROVIDE SAP DOCUMENT NUMBER (17xxxxxxx)	
Company: Creating a new vendor in one of the following extends the vendor to the others: 0002, 0003, 0016, 0062, 0072, 0082, 0510, 0515, 0550, 0559			
PHYSICAL ADDRESS DATA			
<b>*PHYSICAL STREET ADDRESS*</b>			<b>*CITY*</b>
<b>*REGION (State)*</b>	<b>*POSTAL CODE*</b>	<b>*COUNTRY*</b>	

CONTROL DATA	
<b>*TAX IDENTIFICATION NUMBER (attach W-9 or complete page 4)*</b>	DUNS NUMBER (See <i>D&amp;B DUNS</i> number on page 1 for more information)

VENDOR CONTACT INFORMATION			
<b>*TELEPHONE NUMBER (1)*</b>	EXT	<b>*TELEPHONE NUMBER (2)</b>	EXT
<b>*FINANCIAL CONTACT PERSON (e.g., Treasurer, A/R Manager)*</b>		<b>*FAX OR EMAIL FOR PAYMENT NOTIFICATION*</b>	
<b>*FINANCIAL CONTACT PHONE*</b>	EXT	FINANCIAL CONTACT EMAIL (for notifying vendor of data changes)	

*PAYMENT METHOD*
See <i>Banking information</i> on page 1 for more information. <input type="checkbox"/> ELECTRONIC ACH (preferable) <input type="checkbox"/> WIRE

BANKING INFORMATION			
<b>*BANK COUNTRY*</b>	<b>*ROUTING NUMBER*</b>	<b>*ACCOUNT NUMBER*</b>	<b>*ACCOUNT HOLDER NAME*</b>
<b>*BANK NAME*</b>		<b>*BANK CONTACT NAME*</b>	<b>*BANK CONTACT PHONE*</b>

ADDITIONAL COMMENTS

**PURCHASING INFORMATION**

Complete this page only if you are a CenterPoint Energy Purchasing employee.

Section 4, IH)

**ACCOUNT GROUP**

ZPUR (Domestic)   
  ZHRS (HR/Payroll)   
  MNFR (Manufacturer)   
  ZFOR (Foreign)

**ORDERING ADDRESS (OA)**

STREET ADDRESS OR P.O. BOX		CITY
REGION (State)	POSTAL CODE	COUNTRY

**REMIT-TO-ADDRESS (PI)**

STREET ADDRESS OR P.O. BOX		CITY
REGION (State)	POSTAL CODE	COUNTRY

**MINORITY STATUS**

MINORITY INDICATOR	MINORITY CERTIFICATION DATE
--------------------	-----------------------------

**PURCHASING DATA**

ORDER CURRENCY	TERMS OF PAYMENT	INCOTERMS
SALESPERSON	TELEPHONE	EMAIL

GR-BASED INVOICE VERIFICATION                     
  AUTOMATIC EVALUATED OR SETTLEMENT DEL.  
 AUTOMATIC EVALUATED GR SETTLEMENT RET.                     
  ACKNOWLEDGEMENT REQUIRED

Attach Automated Invoice Submittal Agreement as applicable.

If you are requesting a new vendor, complete this W-9 or attach a W-9 to your request. Detailed instructions are available at [www.irs.gov](http://www.irs.gov).

Substitute for IRS form <b style="font-size: 2em;">W-9</b>	<b style="font-size: 1.2em;">CenterPoint Energy</b> <b style="font-size: 1.2em;">Request for Taxpayer</b> <b style="font-size: 1.2em;">Identification Number and Certification</b>	<b>Give form to the requester. Do not send to the IRS.</b>												
Name (as shown on your income tax return)														
Business name, if different from above														
Check the appropriate box:  <input type="checkbox"/> Individual/Sole proprietor <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Exempt payee  <input type="checkbox"/> Limited liability company. Enter the tax classification (D=disregarded entity, C=corporation, P=partnership) _____  <input type="checkbox"/> Other (see instructions)														
Address (number, street, and apt. or suite no.)		Requester's name and address (optional)												
City, state, and ZIP code														
List account number(s) here (optional)														
<b>Taxpayer Identification Number (TIN)</b>														
Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part L instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see How to get a TIN on page 3. <b>Note.</b> If the account is in more than one name, see the chart on page 4 for guidelines on whose <b>Employer identification number</b> to enter.		<table border="1" style="width: 100%; height: 30px;"> <tr> <td colspan="3" style="text-align: center; padding: 2px;">Social security number</td> </tr> <tr> <td style="width: 33%;"></td> <td style="width: 33%;"></td> <td style="width: 33%;"></td> </tr> </table> <table border="1" style="width: 100%; height: 30px;"> <tr> <td colspan="3" style="text-align: center; padding: 2px;">Employer identification number</td> </tr> <tr> <td style="width: 33%;"></td> <td style="width: 33%;"></td> <td style="width: 33%;"></td> </tr> </table>	Social security number						Employer identification number					
Social security number														
Employer identification number														
<b>CERTIFICATION INSTRUCTIONS</b> - You must cross out item 2 below if you have been notified by the IRS that you are currently subject to backup withholding because of underreporting of interest or dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, the acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement account (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN.														
<b>SECTION II - CERTIFICATION</b> Under penalties of perjury, I certify that: <ol style="list-style-type: none"> <li>1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and</li> <li>2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the IRS that I am subject to backup withholding as a result of failure to report all interest and dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and</li> <li>3. I am a U.S. person (including a U.S. resident alien).</li> </ol> <b>The Internal Revenue Service does not require your consent to any provision of this document other than the certifications required to avoid backup withholding.</b>														
Signature of U.S. person		Date												
Name	Title	Telephone number												
		Fax number												



The Middle Mississippi  
Building Officials Association

MMBOA President  
Anthony Guy

**THE MIDDLE MISSISSIPPI BUILDING OFFICIALS ASSOCIATION**

2023 Class on Construction and Code Principles

Location: 1000 Municipal Dr, Brandon, MS 39042

Date: April 14, 2023

Time: 9 AM until 5 PM

Speaker: Bill Rogers, AIBD, CBCO  
Building Designer-Code Consultant  
RodCo, LLC  
601-467-3457  
[BuildingDesigner@icloud.com](mailto:BuildingDesigner@icloud.com)

Topic: Understanding the Codes and Code Terminology, Local Code Adoptions, Elements of Building Safety, Permitting and Plan Review Process, Approach to Inspection, Wood Frame Construction, Foundation, Floor, Wall, Ceiling, and Roof Framing, Cutting and Notching in Framing Members, Introduction to Commercial Building Inspection/Plans Review, Special Inspection, Becoming Certified and Getting Involved Learning how to take ICC Test

Certificate and CEU's will be given out after class.

Fee: \$125.00

Name William Hall

343 Distribution Drive  
Address

Madison MS 39110  
City State Zip

City Of Gluckstadt  
Employer

Building Official  
Title

769-567-2308 769-567-2305 WilliamHall@  
Telephone Number Fax Number E-Mail Address: Gluckstadt.net

  
Signature

Please make checks payable to **The Middle Mississippi Building Officials Association**. Mail checks to MMBOA, PO Box 2453, Ridgeland, MS 39158. If you have any questions, Please contact Anthony Guy, President of MMBOA 769-220-2212



## CITY OF GLUCKSTADT

MISSISSIPPI  
BUILDING DEPARTMENT

### MEMORANDUM

---

**TO:** Mayor & Board of Alderman

**FROM:** William Hall, Building Official

**DATE:** 01/31/2023

**SUBJECT:** Request to Attend Middle Mississippi Building Officials Association 2023 Class on Construction and Code Principles

---

I would like to attend this training seminar on April 14, 2023, to further my education in multiple areas of building inspection. This class series will cover Code Terminology, Permitting and Plan Review Process, Elements of Building Safety, Commercial Plan Review and Inspection, Special Inspections, and ICC Testing Elements. These are ICC Certified Courses being taught by an ICC Code Consultant, Bill Rogers. ICC CEUs will be awarded at the end of the course, which I may apply towards my ICC certification renewals. The cost of the one-day course is \$125.

MISSISSIPPI MUNICIPAL COURT CLERK'S ASSOCIATION  
500 SOUTH MAIN STREET  
RIPLEY, MS 38663

2022-2023 YEARLY DUES

\_\_\_\_\_  
CITY OF:

\_\_\_\_\_  
ADDRESS:

\_\_\_\_\_  
CITY STATE ZIP

\_\_\_\_\_  
TELEPHONE

\_\_\_\_\_  
E-MAIL

INVOICE DATE: September 21, 2022

Municipal Court Clerk \$100.00

Deputy Municipal Court Clerk \_\_\_\_\_ X \$25.00


TOTAL DUE: \$\_\_\_\_\_

DUE DATE: October 31, 2022

PLEASE REMIT TO: MS Municipal Court Clerk's Association  
Attn: Kathi Watson, Treasurer  
500 South Main Street  
Ripley, MS 38663

**From:** [Tribute Reservations](#)  
**To:** [Lindsay Kellum](#)  
**Subject:** Reservation Confirmation #82269725 for Cotton House, Cleveland, a Tribute Portfolio Hotel  
**Date:** Monday, January 23, 2023 9:46:11 AM

[SUMMARY OF CHARGES](#) | [CONTACT US](#)



**Cotton House, Cleveland, a Tribute Portfolio Hotel**

215 Cotton Row Cleveland Mississippi 38732 USA +1-662-843-7733

Thank you for booking with us, Mrs. Lindsay Kellum.

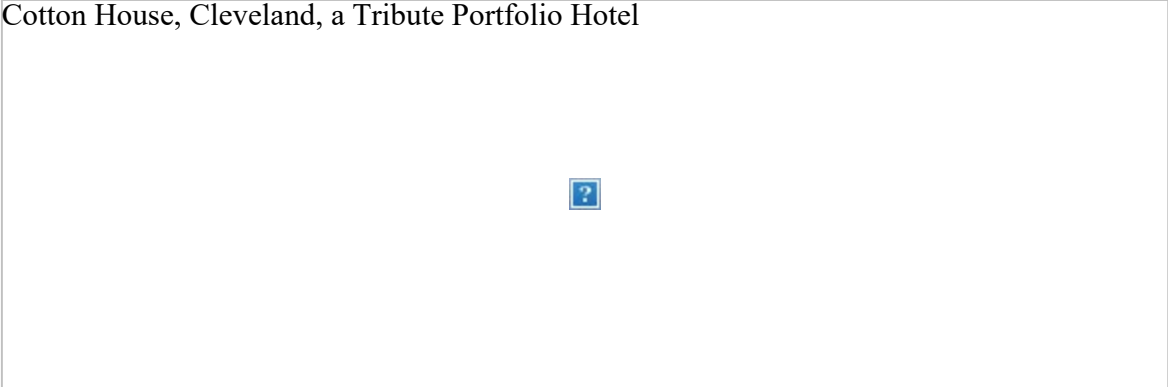
## Seek the unconventional

Wed, Apr 26, 2023 – Fri, Apr 28, 2023

Confirmation Number: 82269725



Cotton House, Cleveland, a Tribute Portfolio Hotel



Check-In: Wednesday, April 26, 2023 04:00 PM

Check-Out: Friday, April 28, 2023 11:00 AM

Number of rooms	1 Room
Guests per room	1 Adult
Guarantee Method	Credit Card Guarantee, Visa

---

Total for Stay (all rooms) 346.62 USD

Room 1

---

Room Type  2 Queen Beds, Guest Room

Guaranteed Requests:

None

**ALL REQUESTS**

**Modify or Cancel Reservation**

## Important Information About Your Stay

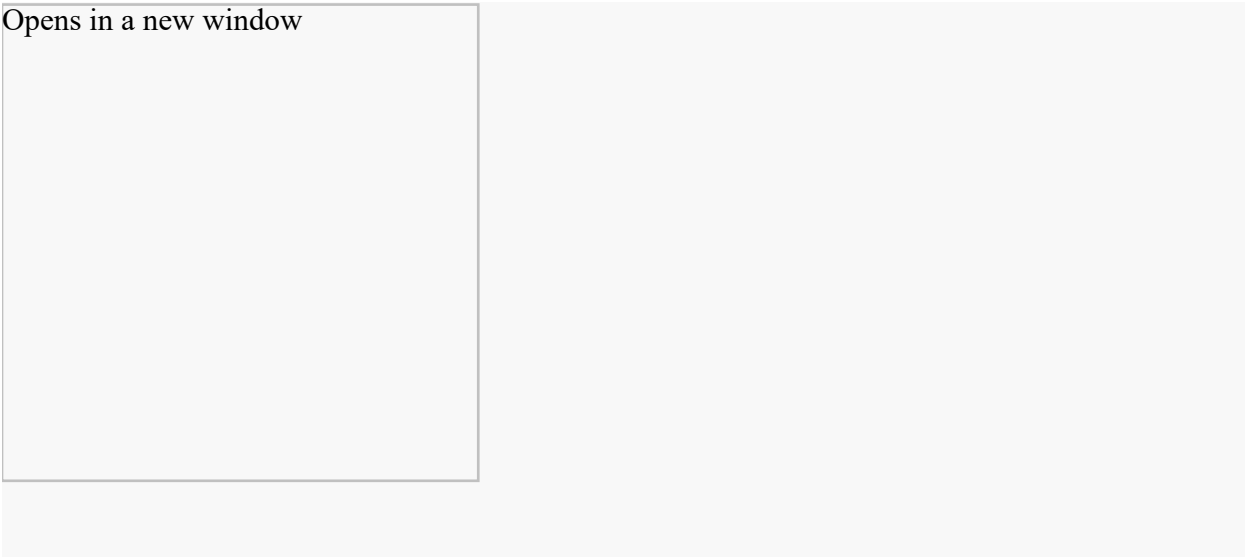
- In order to prepare for your upcoming stay, **learn more** about available services, opening hours, and COVID-19 policies.

Less Contact, More Convenience with the Marriott Bonvoy™ App

Breeze through check in, know when your room is ready and so much more.

**Go Now**

Opens in a new window



# My Account

Lindsay Kellum

Your Stay: 2 Nights

[View Account](#)

---

XXXXX0036	14,983	Member
Account	Points	Status

---

Tribute

## Stay with character

Personality defines us. Character unites us.

Tribute Portfolio is a family of indie-spirited hotels bound by our passion for captivating design, vibrant social scenes and sincere service.

## Summary Of Charges

Wednesday, April 26, 2023 – Friday, April 28, 2023

2 Nights at 159.00 USD per night per room

## MUNICIPAL CLERKS

## Taxes &amp; Fees (per night per room)

Estimated Government Taxes & Fees	14.31 USD
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## Totals

Total for Stay (all rooms)	346.62 USD
----------------------------	------------

## Other Charges

Complimentary off-site parking

Complimentary on-site parking

## Rate Details & Cancellation Policy

- A cancellation policy does apply. For more information, view the 'Cancellation Policy' link in your reservation on the Marriott website, contact the hotel or call Marriott Reservations.

### Rate Guarantee Limitation(s)

- Changes in taxes or fees implemented after booking will affect the total room price.

### Additional Information

- Upon check-in an authorization request will be placed on your credit or debit card (where accepted) in an amount equal to the cost of the room, tax and incidental charges for the length of your stay (up to seven nights). If your stay exceeds seven nights, an additional authorization may be requested for the entire amount of your stay (room, tax and incidentals). Upon check-out, your payment card will be charged for the actual amount incurred during your stay.



Enjoy instant benefits because you booked directly with  
US



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Free Wi-Fi



Mobile Check-In

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# Contact Us

## Phone Numbers

Call 1-844-487-4288 in the US and Canada

[For everywhere else, call our Worldwide Telephone Numbers](#)

[FREQUENTLY ASKED QUESTIONS](#) □



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Confirmation Authenticity

We're sending you this confirmation notice electronically for your convenience. Marriott keeps an official record of all electronic reservations. We honor our official record only and will disregard any alterations to this confirmation that may have been made after we sent it to you.

Email Unsubscribe

You may opt out of promotional emails at any time [here](#). Each email also includes a link to unsubscribe. Please note: should you unsubscribe, you will continue to receive emails such as reservation confirmations, hotel stay receipts and changes to program terms and conditions.

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MARRIOTT PROPRIETARY INFORMATION

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THE UNIVERSITY of  
**MISSISSIPPI**

## Professional Development

January 13, 2023

Greetings Municipal Clerks and Collectors:

We are looking forward to working with the Mississippi Municipal Clerks and Collectors Association another year to help in the hosting of a great planned Spring Conference.

The conference will be held in Cleveland, MS at the Cotton House, a Tribute Portfolio Hotel located at 215 Cotton Row, Cleveland, Mississippi. **It is imperative that you make your reservations before February 28, 2023.** If the Cotton House sells out of rooms, there are other hotels nearby. On Wednesday, April 26, 2023, we will have early registration opened from 3:30 - 5:00 p.m.

The MMCCA Planning Committee has provided a framework for six hours of substantive training in addition to an interactive motivational presentation as the closing session. For your convenience, our online secured portal is open to allow you to register and also make your payment using a credit card. In addition to registering online, you may select to have us invoice your city using the details that you provide. As always, you are able to still register using the attached form and sending it back to the address as noted.

Whether you choose to register online or use the printable form, please register as soon as possible. It is also pertinent that you contact the hotel to reserve your overnight room on or before the March 24, 2023 deadline. Any issues or concerns regarding payment or technology can be directed to me at 662-915-7847 or to Callie Everett at 662-915-7158, [pdlljac@olemiss.edu](mailto:pdlljac@olemiss.edu).

We look forward to seeing you in Cleveland.

With warm regards,

Mary W. Leach, M.A., CPP  
Director, Office of Professional Development  
Division of Outreach, University of Mississippi

52nd Annual Spring Conference  
Mississippi Municipal Clerks and Collectors Association  
April 26 - 28, 2023

Host Site: The Cotton House, a Tribute Portfolio Hotel

**NEW: You can now register online by clicking here.**

**Registration Form**

Printed Name: \_\_\_\_\_ Municipality: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_

Daytime Phone (include area code) \_\_\_\_\_ Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_  Work  Personal

Dietary Restrictions: \_\_\_\_\_

**Conference Fees**

Early Registration \$175  
*\*Postmarked on or before March 24th*

Late Registration \$195  
*\*Postmarked after March 24th*

**Please make your reservation for this event on or before March 24, 2023.**

Yes, I plan to attend the Welcome Reception  
*\*Cost included in registration fee*

I need \_\_\_ guest tickets at \$25 per person.

TOTAL FEES: \$ \_\_\_\_\_

Please return this completed form to:  
The University of Mississippi  
Office of Professional Development  
Attn: Callie Everett/Mary Leach  
Post Office Box 1848  
Jackson Avenue Center, Suite L  
University, MS 38677  
(662) 915-7158 Fax: (662) 915-5138  
or Email to: [pdlljac@olemiss.edu](mailto:pdlljac@olemiss.edu)

**How can I pay?**

- Enclosed is a check in the amt. of \$\_\_\_\_\_ payable to the University of Mississippi.
- Credit Card (Visa or MasterCard) [Click here](#) to be directed to our UM secured payment portal. Only use this portal if you are sending in this registration form.
- Purchase Order # \_\_\_\_\_
- Please send an invoice to my city:

Attention: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

or email it to:  
\_\_\_\_\_

**All payments must be received prior to attending the conference unless other arrangements are made.**

**No refunds after March 24, 2023**

## Conference Hotel Information

*The Cotton House, a Tribute Portfolio Hotel  
215 Cotton Row | Cleveland, MS 38732  
662-843-7733*

**It is important that you make your reservations before February 28, 2023.**

**Overnight room rate (per night):** \$159 plus taxes & fees  
*A select number of rooms are blocked beginning April 26th and ending on April 28th.*

Light continental breakfast will be provided during the conference.

**Booking Procedure (use either method below):**

1. Call the hotel directly at 662-843-7733 to be transferred to the national reservations line and use booking code MCF or MCFA
2. Book online by [clicking here](#)

**Check-In Time: 4:00 p.m.**  
**Check-Out Time: 11:00 a.m.**



**52nd Annual Spring Conference**  
**Mississippi Municipal Clerks and Collectors Association**  
**April 26-28, 2023**

---

Host Site: The Cotton Hotel, Cleveland, MS

**Wednesday, April 26, 2023**

3:30 - 5:00 p.m.                      **Early Registration**

5:30 - 7:00 p.m.                      **Welcome Reception**

**Thursday, April 27, 2023**

8:00 - 8:30 a.m.                      **Registration Check-In**

8:30 - 8:45 a.m.                      **Welcome from the MMCCA President**

8:45 - 9:45 a.m.                      **Topic: TBD**

9:45 - 10:00 a.m.                      **BREAK**

10:00 a.m. - 12:00 p.m.              **Budgets, Purchasing and Updates**  
*Tom Chain, Mississippi Office of the State Auditor*

12:00 - 1:30 p.m.                      **Networking Luncheon** *(included in registration fee)*

1:45 - 3:45 p.m.                      **Understanding and Handling Blighted Properties**  
*Troy Johnston, Attorney at Law*  
*Butler Snow, Jackson Office*

**Friday, April 28, 2023**

8:00 - 8:30 a.m.	<b>Beverage and Coffee Station Continental Breakfast</b>
8:30 - 10:00 a.m.	<b>Guest Keynote Speaker</b> <i>TBD</i>
10:00 - 10:30 a.m.	<b>BREAK &amp; HOTEL CHECKOUT</b>
10:30 - 11:30 a.m.	<b>MMCCA Business Meeting*</b>
11:30 a.m.	<b>Adjournment</b>

*\*Must attend to receive your certificate of attendance. Also, please remember to turn in your evaluation form when you pick up your certificate of attendance at the end of the conference.*



MISSISSIPPI MUNICIPAL  
SERVICE COMPANY

# Spring 2023 Educational Program

## BASIC AND ADVANCED MUNICIPAL LIABILITY & WORKERS' COMPENSATION WORKSHOPS

### Basic Workshop Agenda

“Understanding Workers’ Compensation and Municipal Liability”

### Advanced Workshop Agenda

**Liability:** “Protecting Your City From Litigation: A Discussion of Hot Topics in the Areas of Social-Media and Personnel Decisions.”

**Workers’ Compensation:** “Workers’ Compensation Litigation: An Employer’s Perspective.”

**Risk Control:** “Conducting Safety Meetings in your Municipality”

Thursday	<b>BASIC</b>	February 23, 2023	10AM - 2PM	Hattiesburg, MS
Thursday	<b>BASIC</b>	March 2, 2023	10AM - 2PM	Starkville, MS
Thursday	<b>BASIC</b>	March 9, 2023	10AM - 2PM	Pearl, MS
Tuesday	<b>ADV</b>	March 28, 2023	10AM - 2PM	Starkville, MS
Wednesday	<b>ADV</b>	April 12, 2023	10AM - 2PM	Pearl, MS
Thursday	<b>ADV</b>	April 20, 2023	10AM - 2PM	Hattiesburg, MS

- Mayor & Board Members Earn (2) Certified Municipal Officer Credits
- City Clerks Earn (2) Master Municipal Clerk Points

### WHO SHOULD ATTEND?

City Clerks, Deputy Clerks, Department Heads, Elected Officials Claim Handlers, Safety Coordinators, HR Personnel (especially those **new** to your entity)

**Register Early! (Seating Capacity Limited) \*Registration Forms Online at [www.msmsc.com/workshops](http://www.msmsc.com/workshops) or use the attached Form**

**Classes are FREE to Members and Lunch is Provided**

Credits Approved By:







MISSISSIPPI MUNICIPAL  
SERVICE COMPANY

# REGISTRATION FORM

- February 23, 2023 10AM - 2PM Jackie Dole Sherrill Comm Center, 220 W. Front St., Hattiesburg, MS
- March 2, 2023 10AM - 2PM MSU Bost Conference Center, 190 Bost Dr., MS State, MS (Starkville)
- March 9, 2023 10AM - 2PM Pearl Community Center, 2420 Old Brandon Rd, Pearl, MS
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- April 12, 2023 10AM - 2PM Pearl Community Center, 2420 Old Brandon Rd, Pearl, MS
- April 20, 2023 10AM - 2PM Jackie Dole Sherrill Comm Center, 220 W. Front St., Hattiesburg, MS

Please Print

<b>CITY/ORGANIZATION NAME:</b>	
<b>ATTENDEE NAME:</b>	
<b>TITLE:</b>	
<b>DEPARTMENT:</b>	
<b>MAILING ADDRESS:</b>	
<b>WORK PHONE:</b>	
<b>CELL PHONE:</b>	
<b>FAX:</b>	
<b>EMAIL:</b>	
<b>CERTIFIED MUNICIPAL OFFICER CREDITS (CMO's)</b>	<input type="checkbox"/> YES – Requesting 2 CMO's (MAYORS & BOARD MEMBERS ONLY)
<b>CERTIFIED MASTER MUNICIPAL POINTS (MMP's)</b>	<input type="checkbox"/> YES – Requesting 2 MMP's (CLERKS IN MASTER'S PROGRAM ONLY)

Additional Registration Forms at [www.msmsc.com/workshops](http://www.msmsc.com/workshops)

**Forms Available Online, Email, Fax, or Mail Registration Form To:**  
Lenita Knight — Member Services Coordinator ([lknight@msmsc.com](mailto:lknight@msmsc.com)) ; fax 601-355-8584

**From:** [Lenita Knight](#)  
**To:** [Lindsay Kellum](#)  
**Subject:** MMSC Education Workshops 2023  
**Date:** Wednesday, February 1, 2023 9:16:17 AM  
**Attachments:** [Workshop Brochure - 2023 Registration form all sessions.pub.pdf](#)

---

Lindsay,

I hope that this email finds you well.

I wanted to reach out to make you aware of our current 2023 MMSC Education Workshops. I have attached a flyer for your review. These sessions might prove to be extremely useful to City Clerks, Deputy Clerks, Department Heads, elected officials and claims administrators. We have Basic and Advanced classes coming up in Starkville, Pearl, and Hattiesburg. Please consider registering and attending and sharing this information. You can register for both a Basic Session and an Advanced Session.

Let me know if you have any questions!

Thanks,

Lenita



**Lenita Knight** | Member Services Coordinator  
*MS Municipal Service Company*

---

600 EAST AMITE ST. SUITE 200  
JACKSON, MS 39201  
P:601-355-8581 • [www.msmsc.com](http://www.msmsc.com)  
P:800-898-1032  
F:601-355-8584



MISSISSIPPI MUNICIPAL  
SERVICE COMPANY

# Spring 2023 Educational Program

## BASIC AND ADVANCED MUNICIPAL LIABILITY & WORKERS' COMPENSATION WORKSHOPS

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Thursday	<b>ADV</b>	April 20, 2023	10AM - 2PM	Hattiesburg, MS

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Credits Approved By:





MISSISSIPPI MUNICIPAL  
SERVICE COMPANY

# REGISTRATION FORM

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Please Print

<b>CITY/ORGANIZATION NAME:</b>	
<b>ATTENDEE NAME:</b>	
<b>TITLE:</b>	
<b>DEPARTMENT:</b>	
<b>MAILING ADDRESS:</b>	
<b>WORK PHONE:</b>	
<b>CELL PHONE:</b>	
<b>FAX:</b>	
<b>EMAIL:</b>	
<b>CERTIFIED MUNICIPAL OFFICER CREDITS (CMO's)</b>	<input type="checkbox"/> YES – Requesting 2 CMO's (MAYORS & BOARD MEMBERS ONLY)
<b>CERTIFIED MASTER MUNICIPAL POINTS (MMP's)</b>	<input type="checkbox"/> YES – Requesting 2 MMP's (CLERKS IN MASTER'S PROGRAM ONLY)

Additional Registration Forms at [www.msmsc.com/workshops](http://www.msmsc.com/workshops)

**Forms Available Online, Email, Fax, or Mail Registration Form To:**  
Lenita Knight — Member Services Coordinator ([lknight@msmsc.com](mailto:lknight@msmsc.com)) ; fax 601-355-8584

**From:** [Mississippi Municipal Service Company](#)  
**To:** [Lindsay Kellum](#)  
**Subject:** 2023 Spring Education Workshops - BASIC Sessions - Hattiesburg, Starkville, Pearl Registration Complete  
**Date:** Wednesday, February 8, 2023 11:46:44 AM

---

**2023 Spring Education Workshops - BASIC Sessions - Hattiesburg, Starkville, Pearl  
Details:**

---

**First Name:** Scott  
**Last Name:** Maugh  
**Organization:** City of Gluckstadt, MS  
**Title:** Deputy City Clerk  
**Department:** City Administration  
**Address:** 343 Distribution Drive  
**City:** Madison  
**State:** MS  
**Zip:** 39110  
**Phone:** 6019467019  
**Email:** [lindsay.kellum@gluckstadt.net](mailto:lindsay.kellum@gluckstadt.net)  
**Registrants:** 1  
**Amount:** \$0.00

**Basic Sessions Repeated - Select 1:** March 9, 2023 - 10:00AM - 2:00PM - Pearl  
**Credits Requested - Select 1:** MMC

-Mississippi Municipal Service Company

**From:** [Mississippi Municipal Service Company](#)  
**To:** [Lindsay Kellum](#)  
**Subject:** 2023 Spring Education Workshops - BASIC Sessions - Hattiesburg, Starkville, Pearl Registration Complete  
**Date:** Wednesday, February 8, 2023 11:46:18 AM

---

**2023 Spring Education Workshops - BASIC Sessions - Hattiesburg, Starkville, Pearl  
Details:**

---

**First Name:** Lindsay  
**Last Name:** Kellum  
**Organization:** City of Gluckstadt, MS  
**Title:**  
**Department:**  
**Address:** 343 Distribution Drive  
**City:** Madison  
**State:** MS  
**Zip:** 39110  
**Phone:** 6019467019  
**Email:** [lindsay.kellum@gluckstadt.net](mailto:lindsay.kellum@gluckstadt.net)  
**Registrants:** 1  
**Amount:** \$0.00

**Basic Sessions Repeated - Select 1:** March 9, 2023 - 10:00AM - 2:00PM - Pearl  
**Credits Requested - Select 1:** MMC

-Mississippi Municipal Service Company

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## 2023 Annual Conference

[Conferences](#) | [2023 Annual Conference](#)

# 2023 Annual Conference

**Date(s):** 06/09/2023 10:20new AM - 10:20 AM

**Location:**

**Registration:** \$350

**Early Registration:** \$325

**Registration Opens:** 01/17/2023

**Early Registration Closes:** 05/19/2023

**Registration Closes:** 06/09/2023

### Available Add-Ons

Spouse/Guest: \$200

[Register Now!](#)

Advertisement

CITY OF GLUCKSTADT  
MISSISSIPPI  
343 DISTRIBUTION DRIVE  
GLUCKSTADT, MS 39110  
OFFICE OF THE POLICE DEPARTMENT

MEMORANDUM

TO: CHIEF WATTS, ASSISTANT CHIEF HALE

FROM: OFC. KELLY JONES *KJ*

DATE: 01/19/23

RE: TRAINING CLASS

I, OFFICER JONES AM REQUESTING TO ATTEND THE STREET COP TRAINING ON JULY 27, 2023, FROM 9 AM - 4 PM. THE TRAINING WILL BE HELD AT THE WORSHIP CENTER AT HOME CHURCH 101 PARKWAY ROAD BRANDON, MS 39047. THE TRAINING COST WILL BE \$225.00. I WILL NOT NEED LODGING OR MEALS.





Leo Training: Street Cop Training

Date: July 27, 2023

Time: 9:00 am – 4:00 pm

Location: Worship Center at Home Church  
101 Parkway Rd.  
Brandon, MS 39047

Cost: \$225

Description of class: The field of law enforcement is ever-changing and so are the dynamics needed to support a well-rounded agency. Navigating a career is never easy. This course will discuss specific issues with work-life balance, personal and professional relationship development, proactive policing tactics, victim-based policing, servant leadership, mindset, and self-growth. We can only control so much, but we often give up control on how we approach situations and react to outside influences because of what we believe others' perceptions are. The collateral damage results in the sacrifice of our mental, emotional, and physical well-being. Regardless of your gender, rank, assignment, or level of experience, this course will provide you with the necessary tools in order to level up and excel at this profession as a police officer.

**CITY OF GLUCKSTADT**  
MISSISSIPPI  
343 DISTRIBUTION DRIVE  
MADISON, MS 39110  
OFFICE OF THE POLICE DEPARTMENT

## Memorandum

**To:** Chief Watts, Assistant Chief Hale

**From:** Ofc. Kelly Jones KS

**Date:** 01/10/2023

**RE:** Training Classes

I, Ofc. Kelly Jones am requesting to attend the Basic Criminal Investigations course on May 9-11, 2023 held at the Southern Regional Public Safety Institute in Hattiesburg, MS. The tuition for the class is \$530 and includes lodging and meals.





# SOUTHERN REGIONAL PUBLIC SAFETY INSTITUTE

PRESENTS

**Basic Criminal Investigations Course**  
**Instructor: Inv (ret) George Chaix**

## STUDENT REGISTRATION FORM

---

Name \_\_\_\_\_ Rank \_\_\_\_\_

Agency \_\_\_\_\_ Email \_\_\_\_\_

Address \_\_\_\_\_

Telephone # \_\_\_\_\_ Fax # \_\_\_\_\_

May 9-10-11, 2023

Tuition- \$530/per officer - Lodging & Meals Included Check or PO enclosed \_\_\_\_\_

Make Checks or PO to: Southern Regional Public Safety Institute  
118 College Drive, Box 5107  
Hattiesburg, MS 39406

Please email registration form to [police.academy@usm.edu](mailto:police.academy@usm.edu).

**Registration form AND payment/PO must be received before start date of the class.**

### **About the Class:**

This course is designed for Officers transitioning from a patrol assignment to an assignment in investigations. It will demonstrate the importance of basic investigative techniques and reinforce the importance of such techniques. It will give the student an understanding of the role the 5<sup>th</sup> Amendment plays in interviews and interrogations, providing the student the ability to navigate and obtain a court admissible statement.

The students will be able to apply sound investigative techniques in documenting a crime scene and learn to provide a voice to the physical evidence recovered during the investigation. The students will learn to apply the requirements set forth in the 4<sup>th</sup> Amendment in the recovery of evidence during the crime scene investigation.

Students will review case studies and are encouraged to interact with the instructor regarding investigative techniques.

**From:** [Janet Brooks](#)  
**To:** [Lindsay Kellum](#)  
**Subject:** FW: Estimate 2355 from Classic Creations, Inc  
**Date:** Monday, January 23, 2023 3:53:54 PM  
**Attachments:** [Est 2355 from Classic Creations Inc 17128.pdf](#)

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**From:** Joy Ellenburg <joy@classiccreationsinc.com>  
**Sent:** Monday, January 23, 2023 3:42 PM  
**To:** Janet Brooks <janet.brooks@gluckstadt.net>  
**Subject:** Estimate 2355 from Classic Creations, Inc

HI JANET! I ADDED 1 JACKET TO THE LADIES AND 1 JACKET TO THE MEN'S AND ADDED A LINE WITH ADDING THE TITLES UNDERNEATH (CITY CLERK AND DEPUTY CITY CLERK).

THANK YOU SO MUCH!

JOY

Please review the attached estimate- 2355. Feel free to contact us if you have any questions.

We look forward to working with you.

Sincerely,  
Classic Creations, Inc

601-605-9600

Classic Creations, Inc.  
 606 Stribling Road  
 Madison, MS 39110

# Quote

Date	Quote #
1/19/2023	2355

Name / Address
CITY OF GLUCKSTADT

Terms	Rep

Description	Qty	Price	Total
ITEM # ST657, WHITE LONG SLEEVE POLO, UNISEX SIZES, EMBROIDERED CITY LOGO, SIZES: 4 MEDIUM, 5 LARGE, 2 XL	11	28.08	308.88T
SIZE: XXL	1	29.62	29.62T
ITEM # ST657, BLUE LONG SLEEVE POLO, UNISEX SIZES, EMBROIDERED CITY LOGO, SIZES: 1 MEDIUM, 1 XL	2	28.08	56.16T
ITEM # J717, GRAY MEN'S JACKET, EMBROIDERED CITY LOGO, SIZES: 2 MEDIUM, 3 LARGE, 2 XL	7	38.45	269.15T
SIZE: XXL	1	39.99	39.99T
ITEM # L717, GRAY LADIES' JACKET, EMBROIDERED CITY LOGO, SIZES: 3 MEDIUM, 3 LARGE, 1 XL	7	38.45	269.15T
ADDING CITY CLERK ON 1 LADY'S JACKET AND DEPUTY CITY CLERK ON 1 MAN'S JACKET	2	8.00	16.00T
ITEM # ST650, WHITE MEN'S SHORT SLEEVE POLO, EMBROIDERED CITY LOGO, 1 MEDIUM, 3 LARGE, 2 XL	6	24.94	149.64T
ITEM # ST650, BLUE MEN'S SHORT SLEEVE POLO, EMBROIDERED CITY LOGO, SIZE: XXL	1	26.48	26.48T

<b>Total</b>
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Classic Creations, Inc.  
 606 Stribling Road  
 Madison, MS 39110

# Quote

Date	Quote #
1/19/2023	2355

Name / Address
CITY OF GLUCKSTADT

Terms	Rep

Description	Qty	Price	Total
ITEM # LST650, BLUE LADIES SHORT SLEEVE POLO, EMBROIDERED CITY LOGO, SIZES: 2 MEDIUM, 1 LARGE, 1 XL	4	24.94	99.76T
ITEM # C838, CAPS, EMBROIDERED "CITY OF GLUCKSTADT", 7 STONE, 7 NAVY	14	16.83	235.62T
ITEM # ST657, BLUE UNISEX LONG SLEEVE POLO, EMBROIDERED MUNICIPAL COURT LOGO, SIZE: LARGE	2	30.00	60.00T
ITEM # LST650, WHITE LADIES SHORT SLEEVE POLO, EMBROIDERED MUNICIPAL COURT LOGO, SIZE: LARGE	2	26.86	53.72T
ITEM # L717, GRAY LADIES JACKET, EMBROIDERED MUNICIPAL COURT LOGO, SIZE: LARGE	2	40.37	80.74T
SET UP CHARGE FOR CITY OF GLUCKSTADT LOGO	1	30.00	30.00T
SEWOUT FOR APPROVAL	1	15.00	15.00T
SET UP CHARGE FOR MUNICIPAL COURT LOGO	1	30.00	30.00T
SEWOUT FOR APPROVAL	1	15.00	15.00T

<b>Total</b>
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Classic Creations, Inc.  
 606 Stribling Road  
 Madison, MS 39110

# Quote

Date	Quote #
1/19/2023	2355

Name / Address
CITY OF GLUCKSTADT

Terms	Rep

Description	Qty	Price	Total
<p>THERE IS NO SHIPPING FROM THE FACTORY IF I ORDER THIS AT THE SAME TIME. IF I ORDER A FEW SHIRTS OR JACKETS AT A TIME, I WILL HAVE TO ADD SHIPPING. ALSO, THE PRICE PER PIECE IS FOR ORDERING ALL OF THIS AT ONCE. WE RECEIVED A QUANTITY BREAK FROM THE EMBROIDERER.</p> <p>THANK YOU!            Sales Tax</p>		7.00%	124.94

<b>Total</b>	\$1,909.85
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**RESOLUTION AMENDING THE FISCAL  
YEAR ENDING 2023 MUNICIPAL BUDGET**

**WHEREAS**, the City of Gluckstadt adopted its municipal operating budget in September 2022 and set forth therein the anticipated revenues to be collected and expenditures to be expended throughout the ensuing fiscal year; and,

**WHEREAS**, the City of Gluckstadt now finds that it is necessary and desirable to make certain budget amendments to reflect the evolving nature of municipal operations and the reality of revenues and necessary expenses.

**NOW THEREFORE BE IT RESOLVED**, that the fiscal year ending 2023 municipal general fund operating budget be and is hereby amended in accordance with the details set forth as follows:

- 1) That county shared revenues be amended by increasing the amount by \$329,383.12 to reflect receipt of road & bridge tax revenue for FYE 2022 and for the anticipated receipt of road & bridge tax revenue for FYE 2023.
- 2) That county shared revenues be amended by increasing the amount by \$121,406.83 to reflect receipt of E911 funds from Madison County.
- 3) That the budget category of supplies in the Judicial/Municipal Court department be amended by increasing the amount by \$6,000.00 to provide for the purchase of additional office supplies.
- 4) That the budget category of contractual services in the Judicial/Municipal Court department be amended by increasing the amount by \$1,500.00 to provide funds for judge pro tem expense when needed or required.
- 5) That the budget category of capital outlay in the Judicial/Municipal Court department be amended by increasing the amount by \$2,500.00 to provide for the purchase of computer equipment.
- 6) That the budget category of personnel services in the Administration-Financial/City Clerk department be amended by increasing the amount by \$32,000.00 to provide funds for a pay increase and to fund the addition of an accounts payable clerk.



- 7) That the budget category of contractual services in the Administration-General department be amended by increasing the amount by \$100,000.00 to provide funds for ongoing financial planning and management services.
- 8) That the budget category of personnel services in the Police Department be amended by increasing the amount by \$82,500.00 to provide funds for part-time officers and for additional overtime expenses.
- 9) That the budget category of supplies in the Police Department be amended by increasing the amount by \$10,500.00 to provide funds for uniforms for part-time and reserve police officers and to provide for payment of supplies purchased during the prior fiscal year.
- 10) That the budget category of contractual services in the Police Department be amended by increasing the amount by \$34,500.00 to provide funds for medical/psychological testing, additional crime lab fees, a subscription to an online investigations database, and for animal control expenses.
- 11) That the budget category of capital outlay in the Police Department be amended by increasing the amount by \$165,906.83 to provide for the purchase of equipment for officers, equipment for patrol cars, radios and to provide for payment of capital outlay items purchased during the prior fiscal year.
- 12) That the budget category of personnel services in the Building Inspection department be amended by increasing the amount by \$99,000.00 to provide funds for the payroll expenses associated with the hiring of an employee in the department.
- 13) That the budget category of contractual services in the Building Inspection department be amended by decreasing the amount by \$38,720.00 as a result of hiring in-house personnel and terminating the city's contract with an independent contractor.
- 14) That the budget category of personnel services in the Street Department be amended by increasing the amount by \$72,000.00 to provide funds for the payroll expenses associated with the hiring of two employees in the department. The funds for this increase will come from the categories of contractual services (\$50,000.00) and capital outlay (\$22,000.00) in the Street Department.
- 15) That the budget category of supplies in the Street Department be amended by increasing the amount by \$56,900.00 to provide funds for replacement of street signs, street repair supplies (asphalt), and uniforms for new employees. A portion of this increase, \$5,000.00, will come from the category of capital outlay in the Street Department.
- 16) That the budget category of contractual services in the Street Department be amended by decreasing anticipated expenditures by \$50,000.00 as a result of hiring in-house, city personnel thus reducing the need for contract labor.

17) That the budget category of capital outlay in the Street Department be amended by increasing the amount by \$38,851.00 to provide funds for street repair and equipment purchases.

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the fiscal year ending 2023 police station capital project fund budget be and is hereby amended in accordance with the details set forth as follows:

18) That the budget category of contractual services be amended by increasing the amount by \$292,500.00 to provide funding for architectural fees and services associated with design and construction of the Gluckstadt police station.

19) That the budget category of capital outlay be amended by transferring \$292,500.00 out of said category and placing said funds in the contractual services category for the purpose of provide funding for architectural fees and services associated with design and construction of the Gluckstadt police station.

**BE IT FURTHER RESOLVED** that pursuant to the foregoing the fiscal year ending September 30, 2023 budget as restated is as follows:

<b>General Fund</b>	Final Budget as Adopted	Proposed Amendments	Budget Including Adopted Amendments
<b>RECEIPTS</b>			
Licenses & Permits:			
Privilege Licenses	\$ 24,000.00	\$ -	\$ 24,000.00
Building Permits	48,000.00	-	48,000.00
Zoning Permits	1,000.00	-	1,000.00
Franchise Fees/Taxes:			
Franchise Taxes (Public Utilities)	120,000.00	-	120,000.00
Intergovernmental Revenues:			
State Shared Revenues	2,692,410.00	-	2,692,410.00
County Shared Revenues	-	450,789.95	450,789.95
Fines and Forfeits	115,000.00	-	115,000.00
Interest	250.00	-	250.00

Miscellaneous:			
Donations	-	-	-
Other Revenue	-	-	-
Fee for Tax Collections	<u>(37,881.00)</u>	-	<u>(37,881.00)</u>
 Total from All Sources, Other Than Taxation	<u>\$2,962,779.00</u>	<u>\$ 450,789.95</u>	<u>\$ 3,413,568.95</u>
Beginning Cash and Investment Balance	<u>2,932,667.00</u>	-	<u>2,932,667.00</u>
Total Receipts Other Than Ad Valorem Tax	<u>\$5,895,446.00</u>	<u>\$ 450,789.95</u>	<u>\$ 6,346,235.95</u>
Amount to be Raised by Ad Valorem Tax	<u>1,263,340.00</u>	-	<u>1,263,340.00</u>
<b>TOTAL FROM ALL SOURCES</b>	<u><b>\$7,158,786.00</b></u>	<u><b>\$ 450,789.95</b></u>	<u><b>\$ 7,609,575.95</b></u>

<b>General Fund</b>	Final Budget as Adopted	Proposed Amendments	Budget Including Adopted Amendments
<b>DISBURSEMENTS</b>			
Legislative - Board:			
Personnel Services	<u>\$ 36,355.00</u>	-	<u>\$ 36,355.00</u>
Supplies	<u>500.00</u>	-	<u>500.00</u>
Contractual Services	<u>13,000.00</u>	-	<u>13,000.00</u>
Capital Outlay	<u>500.00</u>	-	<u>500.00</u>
Total	<u><u>\$ 50,355.00</u></u>	<u><u>\$ -</u></u>	<u><u>\$ 50,355.00</u></u>
Judicial - Municipal Court:			
Personnel Services	<u>\$ 143,399.00</u>	-	<u>\$ 143,399.00</u>
Supplies	<u>2,000.00</u>	<u>6,000.00</u>	<u>8,000.00</u>
Contractual Services	<u>75,300.00</u>	<u>1,500.00</u>	<u>76,800.00</u>
Capital Outlay	<u>7,800.00</u>	<u>2,500.00</u>	<u>10,300.00</u>
Total	<u><u>\$ 228,499.00</u></u>	<u><u>\$ 10,000.00</u></u>	<u><u>\$ 238,499.00</u></u>
Executive - Mayor:			
Personnel Services	<u>\$ -</u>	-	<u>\$ -</u>
Supplies	<u>500.00</u>	-	<u>500.00</u>
Contractual Services	<u>6,640.00</u>	-	<u>6,640.00</u>
Capital Outlay	<u>500.00</u>	-	<u>500.00</u>
Total	<u><u>\$ 7,640.00</u></u>	<u><u>\$ -</u></u>	<u><u>\$ 7,640.00</u></u>
Administration - Financial:			
Personnel Services	<u>\$ 238,446.00</u>	<u>\$ 32,000.00</u>	<u>\$ 270,446.00</u>
Supplies	<u>6,000.00</u>	-	<u>6,000.00</u>
Contractual Services	<u>33,350.00</u>	-	<u>33,350.00</u>
Capital Outlay	<u>9,500.00</u>	-	<u>9,500.00</u>
Total	<u><u>\$ 287,296.00</u></u>	<u><u>\$ 32,000.00</u></u>	<u><u>\$ 319,296.00</u></u>

<b>General Fund</b>	<b>Final Budget as Adopted</b>	<b>Proposed Amendments</b>	<b>Budget Including Adopted Amendments</b>
<b>DISBURSEMENTS</b>			
Planning & Zoning:			
Personnel Services	\$ 57,658.00	\$ -	\$ 57,658.00
Supplies	5,000.00	-	5,000.00
Contractual Services	360,582.00	-	360,582.00
Capital Outlay	18,000.00	-	18,000.00
Total	<u>\$ 441,240.00</u>	<u>\$ -</u>	<u>\$ 441,240.00</u>
Administration - General:			
Supplies	\$ 600.00	\$ -	\$ 600.00
Contractual Services	685,125.00	100,000.00	785,125.00
Capital Outlay	20,250.00	-	20,250.00
Total	<u>\$ 705,975.00</u>	<u>\$ 100,000.00</u>	<u>\$ 805,975.00</u>
Police Department:			
Personnel Services	\$ 982,573.00	\$ 82,500.00	\$ 1,065,073.00
Supplies	141,500.00	10,500.00	152,000.00
Contractual Services	95,940.00	34,500.00	130,440.00
Capital Outlay	76,100.00	165,906.83	242,006.83
Total	<u>\$1,296,113.00</u>	<u>\$ 293,406.83</u>	<u>\$ 1,589,519.83</u>
Fire Department:			
Contractual Services	\$ 27,321.00	\$ -	\$ 27,321.00
Total	<u>\$ 27,321.00</u>	<u>\$ -</u>	<u>\$ 27,321.00</u>
Building Inspection:			
Personnel Services	\$ 27,774.00	\$ 99,000.00	\$ 126,774.00
Supplies	5,000.00	-	5,000.00
Contractual Services	64,522.00	(38,720.00)	25,802.00
Capital Outlay	31,000.00	-	31,000.00
Total	<u>\$ 128,296.00</u>	<u>\$ 60,280.00</u>	<u>\$ 188,576.00</u>
Street Department:			
Personnel Services	\$ 57,658.00	\$ 72,000.00	\$ 129,658.00
Supplies	32,900.00	56,900.00	89,800.00
Contractual Services	442,202.00	(50,000.00)	392,202.00
Capital Outlay	221,800.00	38,851.00	260,651.00
Total	<u>\$ 754,560.00</u>	<u>\$ 117,751.00</u>	<u>\$ 872,311.00</u>
Transfers:			
Transfers out	\$ 120.00	\$ -	\$ 120.00
Total	<u>\$ 120.00</u>	<u>\$ -</u>	<u>\$ 120.00</u>
Total Disbursements	<u>\$3,927,415.00</u>	<u>\$ 613,437.83</u>	<u>\$ 4,540,852.83</u>
Ending Cash and Investment Balance	<u>3,231,371.00</u>	<u>(162,647.88)</u>	<u>3,068,723.12</u>
<b>TOTAL DISBURSMENTS AND ENDING BALANCE</b>	<u>\$7,158,786.00</u>	<u>\$ 450,789.95</u>	<u>\$ 7,609,575.95</u>

**Police Station Capital Project Fund**

	Final Budget as Adopted	Proposed Amendments	Budget Including Adopted Amendments
<b>RECEIPTS</b>			
Intergovernmental Revenue			
State Grant (HB 1353)	\$ -	\$ -	\$ -
Transfers In:			
From General Fund	120	-	120
Total from All Sources, Other Than Taxation	\$ 120	\$ -	\$ 120
Beginning Cash and Investment Balance	1,000,100	-	1,000,100
Total Receipts Other Than Ad Valorem Tax	\$ 1,000,220	\$ -	\$ 1,000,220
Amount to be Raised by Ad Valorem Tax	-	-	-
<b>TOTAL FROM ALL SOURCES</b>	<b>\$ 1,000,220</b>	<b>\$ -</b>	<b>\$ 1,000,220</b>
<b>DISBURSEMENTS</b>			
Public Safety:			
Contractual Services	\$ 120	\$ 292,500	\$ 292,620
Capital Outlay	1,000,000	(292,500)	707,500
Total	<b>\$ 1,000,120</b>	<b>\$ -</b>	<b>\$ 1,000,120</b>
Total Disbursements	\$ 1,000,120	\$ -	\$ 1,000,120
Ending Cash and Investment Balance	100	-	100
<b>TOTAL DISBURSMENTS AND ENDING BALANCE</b>	<b>\$ 1,000,220</b>	<b>\$ -</b>	<b>\$ 1,000,220</b>

**BE IT FURTHER RESOLVED** that pursuant to Miss Code Ann. §21-35-25 the City Clerk is hereby authorized and directed to publish the foregoing amendments to the municipal budget within two (2) weeks of the adoption of this resolution.

The foregoing resolution having been first reduced to writing was moved for adoption by Alderman \_\_\_\_\_, and seconded by Alderman \_\_\_\_\_, with the vote thereon being as follows:

- |                                     |     |    |
|-------------------------------------|-----|----|
| Alderman Miya Warfield Bates voted: | yes | no |
| Alderman Jayce Powell voted:        | yes | no |
| Alderman Richard Wesley Slay voted: | yes | no |

Alderman John Taylor voted:	yes	no
Alderman Lisa Williams voted:	yes	no

SO RESOLVED this the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Walter Morrison, Mayor

ATTEST:

\_\_\_\_\_  
Lindsay Kellum, City Clerk

Seal



Chris Watson, AICP  
cwatson@planning-consultants.com

**Municipal Annexation Analysis**  
**Comprehensive Planning**  
**Subdivision Regulations**  
**Expert Testimony**  
**Redistricting**  
**Mapping**  
**Zoning**  
**GIS**

**In Memoriam:**  
**Michael L. Bridge (1938-2022)**

**MEMORANDUM**

DATE: January 6, 2023; Revised January 9, 2023

TO: Mayor and Board of Aldermen

FROM: Chris Watson *CW*

CC: Lindsay Kellum, City Clerk

SUBJECT: Amendments to the FYE 2023 Budget

This revised memorandum provides both a correction and additional information regarding the E911 funds provided by the County. This change only impacts item 2 and 9 below.

As the city progresses through the fiscal year, various financial needs and conditions are emerging that impact the city’s budget. I am providing this memo so that you may consider the budget requests and perhaps take action in February.

We have met with each of the City’s department directors in order to gain their input regarding budgetary needs or modifications. Many of the budget items below reflect the recommendations and/or desires of your departments. The narrative below steps through the various components of the currently adopted budget and proposed amendments.

The primary motivation for amending the budget at this time is to account for a number of needs that have arisen as the city moves away from Madison County with regard to public works duties, as well as, the need to increase the police department’s budget to account for additional overtime, personnel, and capital expenditures. The hiring of a full-time building official, which was not budgeted, also requires an amendment to the budget. We are also taking the opportunity to increase budgeted revenue to account for road and bridge tax revenue that Madison County will begin dispersing to the city, and the receipt of E911 funds.

Within the budget, the following amendments are proposed:

**General Fund REVENUES**

- 1) County Shared Revenue: Road & Bridge Taxes –  
Initial budget: \$ 0.00  
Proposed budget: \$329,383.12

Comment: In return for the city taking over street maintenance, Madison County will begin dispersing the city’s portion of county levied road and bridge taxes for FYE 2023 (\$180,000.00). In addition, after deducting expenses incurred by the county, the remainder of the city’s portion of county levied road and bridge taxes for FYE 2022 is (\$149,383.12). Thus, an increase in revenues is expected to be \$329,383.12

- 2) County Shared Revenue: E911 Funds –  
Initial budget: \$ 0.00  
Proposed budget: \$ 121,406.83

Comment: The County 911 commission provides funding to support emergency response services in the city. In June 2022, Madison County provided Gluckstadt \$68,974.10 for the purchase of police radios. In the current fiscal year, Madison County has provided Gluckstadt \$52,432.73 for the purchase of additional radios. This revenue was previously not budgeted, and this amendment simply includes it in the budget. Item 9 below discusses the expenditure of these funds.

**General Fund EXPENDITURES**

- 1) Judicial/Municipal Court (Supplies) –  
Initial budget: \$ 2,000.00  
Proposed budget: \$ 8,000.00

Comment: State requirements regarding record keeping are such that a significant increase in office supplies is needed in the court department. More than one-half of the initial office supplies budget has been expended (or encumbered) through 3 months of the fiscal year. A budget increase for Supplies is requested in the amount of \$6,000.00.

- 2) Judicial/Municipal Court (Contractual Services) –  
Initial budget: \$ 18,000.00  
Proposed budget: \$ 19,500.00

Comment: On occasion, the municipal judge may have a conflict regarding a case, and another judge will be needed to hear the case in conflict. The initial budget did not include funds for such a contingency. A budget increase for Professional Fees - Court is requested in the amount of \$1,500.00.

- 3) Judicial/Municipal Court (Capital Outlay) –  
Initial budget: \$ 2,300.00  
Proposed budget: \$ 4,800.00



Comment: It has become apparent that the deputy court clerk needs a laptop computer in the courtroom. This expenditure was not considered in the initial budget. A budget increase for Capital Outlay – Office Equipment is requested in the amount of \$2,500.00.

- 4) Administration - Financial/City Clerk (Personnel Services) –  
Initial budget: \$238,446.00  
Proposed budget: \$270,446.00

Comment: A raise in pay for the deputy city clerk was previously approved by the board. This raise was not contemplated when the initial budget was prepared. Also, the city clerk’s office would like to add an accounts payable clerk in June. A budget increase for Personnel Services is requested in the amount of \$32,000.00 for the pay raise (\$10,000), and the salary and related benefits for the accounts payable clerk (\$22,000 for the remainder of this fiscal year).

- 5) Administration - General (Contractual Services) –  
Initial budget: \$ 82,500.00  
Proposed budget: \$182,500.00

Comment: When the initial budget was prepared, we anticipated that our role in tracking the city’s finances would continue for 3 to 4 months into FYE 2023 and that the city would become more independent as the Tyler Technologies software became fully implemented. Thus far, it appears as though our role will continue for an unknown period of time. For budgeting purposes, we assume a worst case scenario in that our role will continue throughout the entire fiscal year. Thus, the budget for Professional Fees - Consulting will need to increase by \$100,000.00.

- 6) Police Department (Personnel Services) –  
Initial budget: \$ 982,573.00  
Proposed budget: \$1,065,073.00

Comment: The initial budget included 13 full-time positions (chief, assistant chief, 10 officers, and 1 dispatcher). After more than 3 months of providing 24/7 policing, a pattern of overtime expenses indicates additional funds will be needed before the end of the year. The current budget contains \$45,000 for gross overtime wages, but the trend in overtime compensation, if it continues, will well exceed this amount. Chief Watts expects increased overtime to be the norm. Thus, an additional \$53,500.00 is needed to fully budget for this additional overtime expense (salaries and associated payroll expenses).

The police department has hired one part-time officer (unbudgeted) with the desire of hiring 3 additional part-time officers at an anticipated cost of \$73,000 for all four part-time officers (salaries, taxes, and benefits). We are told these part-time officers should mitigate the increased police overtime; however, we have included both expenses in the budget as a worst case scenario.

The initial budget included a dispatcher. Chief Watts anticipates dispatch beginning in FYE 2024; thus approximately \$44,000.00 in the current budget will remain unspent and can be redirected toward these new expenses.

The net effect of the items discussed above is that an additional \$82,500.00 is needed to provide for the above requests.

- 7) Police Department (Supplies) –
  - Initial budget: \$141,500.00
  - Proposed budget: \$163,500.00

Comment: In order to add uniforms for 4 part time officers and 4 reserve officers the cost for Police Department Supplies will need to increase by approximately \$16,000.00.

Additionally, for reasons unknown to us, there are a number of invoices for police supplies that date back to August and September of last year but are only now making their way to the claims docket. These expenditures were contemplated in last year's budget but were obviously not spent. Thus, to account for these expenditures the Supplies budget needs to increase by \$6,000 to cover these invoices.

- 8) Police Department (Contractual Services) –
  - Initial budget: \$ 95,940.00
  - Proposed budget: \$130,440.00

Comment: Additional costs for medical & psychological testing totaling approximately \$7,000.00 will be incurred as a result of adding 4 part time officers and 4 reserve officers. Crime lab fees are expected to be significantly more than the \$3,000.00 estimate in the initial budget. Chief Watts estimates that an additional \$9,000.00 should be budgeted. Also, Chief Watts anticipates contracting with Madison and/or Canton for assistance with animal control at a cost of approximately \$12,000.00 for the remainder of FYE 2023. Finally, the police department subscribed to an online investigations database that will cost \$6,500 for the remainder of this fiscal year. This cost was not contemplated in the budget. Thus, a budget increase for Contractual Services is requested in the amount of \$34,500.00.

- 9) Police Department (Capital Outlay) –
  - Initial budget: \$ 76,100.00
  - Proposed budget: \$242,006.83

Comment: Additional costs for officers' equipment and for outfitting reserve police vehicles totaling approximately \$27,900.00 will be incurred as a result of adding 4 part time officers and 4 reserve officers. Also, the city has received in this fiscal year a total of \$52,432.73 from Madison County (E-911 funds) that is earmarked for the purchase of radios. Last year, the city received \$68,974.10 for police radios, but the funds remain unspent because all the radio units

have not been received. In anticipation of receiving the radios, these funds are added to the capital outlay budget.

Additionally, for reasons unknown to us, there are a number of invoices for police capital outlay that date back to August and September of last year but are only now making their way to the claims docket. These expenditures were contemplated in last year's budget but were obviously not spent. Thus, to account for these expenditures the Capital Outlay budget needs to increase by \$16,600 to cover these invoices.

Thus, a total budget increase for Capital Outlay budget is requested in the amount of \$165,906.83

10) Building Inspection (Personnel Services) –

Initial budget: \$ 27,774.00  
Proposed budget: \$126,774.00

Comment: The city hired William Hall on October 24, 2022. This hire was not budgeted; therefore, the budget must be amended to include the associated personnel costs. The budget for salaries needs to increase by approximately \$71,500.00 and the associated costs (taxes match, PERS, health insurance, etc.) to be paid by the city must increase by approximately \$27,500.00. Thus, the Personnel Services budget needs to increase by \$99,000.00.

11) Building Inspection (Contractual Services) –

Initial budget: \$ 64,522.00  
Proposed budget: \$ 25,802.00

Comment: Because the city has hired William Hall and no longer requires the services of an independent contractor, the remaining budget of \$38,720.00 in “Professional Fees - Consulting - Independent Contractor” can be eliminated, effectively offsetting a portion of the increase for “Building Inspection (Personnel Services)”.

12) Street Department (Supplies) –

Initial budget: \$ 32,900.00  
Proposed budget: \$ 84,800.00

Comment: As a result of a recently completed street sign survey, the desire is to begin a program of repairing and replacing street signs throughout the city. An additional \$21,900.00 is estimated to be needed to complete one-half of the repair/replace project during FYE 2023.

Also, a need for additional asphalt has also been identified and therefore an increase of \$30,000.00 is needed for street repair supplies (asphalt). Thus, a budget increase for Supplies is requested in the amount of \$51,900.00.

13) Street Department (Personnel Services) –

Initial budget: \$ 57,658.00  
Proposed budget: \$ 107,658.00

Comment: Gluckstadt has utilized the services of members of the fire department (as contract labor) to achieve various public works/street department related tasks. The firemen have requested that the city withhold taxes for their work with the city, and the nature of their work indicates they are more in the nature of an employee rather than a contractor. Thus, in order to convert them to part time employees, an additional \$50,000.00 is needed under Personnel Services to account for this change. This will be offset by a reduction in contractual services below.

14) Street Department (Contractual Services) –  
Initial budget: \$ 442,202.00  
Proposed budget: \$ 392,202.00

Comment: A reduction in Contractual Services is proposed as a result of converting the services of members of the fire department (as contract labor) to part time employees. Thus, a budget reduction in Contractual Services is requested in the amount of \$50,000.

**Potential forthcoming budget amendments**

Mike McCollum has received a quote of \$97,300.00 for the purchase and installation of backup batteries for all (7) traffic signals in the city. This backup system will ensure the continued operation of traffic signals in the event of a power outage. A project of this nature will require bids, and at the time the Mayor and Board of Aldermen determine to move forward, the budget will need to be amended accordingly.

We understand Madison County will provide street repair funding to Gluckstadt for the repair of certain streets. We understand Gluckstadt will first have to bear the expense of the repair and then seek reimbursement from Madison County. At such time as more detail is known, a budget amendment will be required to reflect the anticipated expenditures and offsetting revenue.

Also, the Fire District has approached the city about making a financial contribution toward the purchase of a new fire truck. As more details are known about the contribution and the timing, a budget amendment will likely be needed.

**City of Gluckstadt**  
**General Fund Monthly Budget Report for Month Ending January 31, 2023**

	ADOPTED BUDGET FY2022-23	MTD ACTIVITY	YTD ACTIVITY	YTD ACTIVITY + ENCUMBRANCES	BUDGET REMAINING
<b>Revenues</b>					
AD VAL - REAL PROPERTY TAXES	\$813,442.00	\$278,115.72	\$293,071.76	\$293,071.76	\$520,370.24
AD VAL - AUTO TAXES	\$50,000.00	\$11,884.42	\$37,460.15	\$37,460.15	\$12,539.85
AD VAL - PERS. PROP. / MH TAXES	\$394,269.00	\$26,022.11	\$27,088.62	\$27,088.62	\$367,180.38
AD VAL - PRIOR YEAR TAXES - AUTO	\$0.00	(\$377.43)	\$595.99	\$595.99	(\$595.99)
AD VAL - PUBLIC UTILITIES TAXES	\$4,979.00	\$0.00	\$0.00	\$0.00	\$4,979.00
AD VAL - PENALTIES & INTEREST	\$650.00	\$53.57	\$632.50	\$632.50	\$17.50
PRIVILEGE LICENSES	\$24,000.00	\$557.00	\$7,555.50	\$7,555.50	\$16,444.50
FRANCHISE TAXES (PUBLIC UTILITIES)	\$120,000.00	\$8,807.06	\$59,456.58	\$63,152.06	\$56,847.94
PERMITS - BUILDING	\$48,000.00	\$4,093.00	\$29,587.60	\$29,587.60	\$18,412.40
PERMITS - ZONING	\$1,000.00	\$0.00	\$600.00	\$600.00	\$400.00
MUNICIPAL REVOLVING FUND	\$1,200.00	\$0.00	\$1,231.09	\$1,231.09	(\$31.09)
HOMESTEAD EXEMPT REIMB	\$6,000.00	\$0.00	\$0.00	\$0.00	\$6,000.00
ABC PERMITS	\$4,000.00	\$450.00	\$1,800.00	\$1,800.00	\$2,200.00
MUNICIPAL GAS AID TAX	\$1,800.00	\$1,930.16	\$1,930.16	\$1,930.16	(\$130.16)
RAILROAD TAX	\$1,000.00	\$0.00	\$0.00	\$0.00	\$1,000.00
SALES TAX	\$2,640,000.00	\$246,266.65	\$1,012,523.83	\$1,012,523.83	\$1,627,476.17
COUNTY ROAD & BRIDGE TAXES	\$0.00	\$196,212.38	\$196,212.38	\$196,212.38	(\$196,212.38)
E-911 FUNDS	\$0.00	\$0.00	\$52,432.73	\$52,432.73	(\$52,432.73)
GRAND GULF	\$34,310.00	\$0.00	\$0.00	\$0.00	\$34,310.00
POLICE TRAINING REIMBURSEMENT	\$4,100.00	\$0.00	\$4,000.00	\$4,000.00	\$100.00
STATE ASSESSMENTS (DFA & DPS)	\$65,000.00	(\$11,746.50)	(\$13,402.50)	(\$22,199.50)	\$87,199.50
TRAFFIC & COURT FINES (CITY)	\$50,000.00	\$31,642.75	\$52,940.50	\$52,940.50	(\$2,940.50)
ADMIN COURT FEES (INCL JAIL FEES)	\$0.00	\$475.00	\$1,075.00	\$1,075.00	(\$1,075.00)
INTEREST	\$250.00	\$6,719.73	\$17,262.44	\$17,262.44	(\$17,012.44)
DONATIONS	\$0.00	\$0.00	\$2,585.00	\$2,585.00	(\$2,585.00)
PUBLIC RECORDS REQUESTS	\$0.00	\$27.60	\$27.60	\$27.60	(\$27.60)
BEGINNING CASH	\$2,932,667.00	\$0.00	\$0.00	\$0.00	\$2,932,667.00
<b>Total Revenues</b>	<b>\$7,196,667.00</b>	<b>\$801,133.22</b>	<b>\$1,786,666.93</b>	<b>\$1,781,565.41</b>	<b>\$5,415,101.59</b>
<b>Expenditures</b>					
<b>LEGISLATIVE - BOARD</b>					
PERSONNEL SERVICES	\$36,355.00	\$2,747.12	\$10,357.04	\$12,040.69	\$24,314.31
SUPPLIES	\$500.00	\$0.00	\$0.00	\$0.00	\$500.00
CONTRACTUAL SERVICES	\$13,000.00	\$329.97	\$737.14	\$933.79	\$12,066.21
CAPITAL OUTLAY	\$500.00	\$0.00	\$0.00	\$0.00	\$500.00
<b>SUB-TOTAL</b>	<b>\$50,355.00</b>	<b>\$3,077.09</b>	<b>\$11,094.18</b>	<b>\$12,974.48</b>	<b>\$37,380.52</b>
<b>JUDICIAL/MUNICIPAL COURT</b>					
PERSONNEL SERVICES	\$143,399.00	\$11,779.67	\$35,764.92	\$45,985.51	\$97,413.49
SUPPLIES	\$2,000.00	\$181.65	\$1,854.71	\$1,956.85	\$43.15
CONTRACTUAL SERVICES	\$75,300.00	\$3,620.95	\$13,810.95	\$18,282.76	\$57,017.24
CAPITAL OUTLAY	\$7,800.00	\$0.00	\$1,800.80	\$1,800.80	\$5,999.20
<b>SUB-TOTAL</b>	<b>\$228,499.00</b>	<b>\$15,582.27</b>	<b>\$53,231.38</b>	<b>\$68,025.92</b>	<b>\$160,473.08</b>
<b>EXECUTIVE - MAYOR</b>					
PERSONNEL SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
SUPPLIES	\$500.00	\$50.00	\$50.00	\$50.00	\$450.00
CONTRACTUAL SERVICES	\$6,640.00	\$66.00	\$134.66	\$168.99	\$6,471.01
CAPITAL OUTLAY	\$500.00	\$0.00	\$0.00	\$0.00	\$500.00
<b>SUB-TOTAL</b>	<b>\$7,640.00</b>	<b>\$116.00</b>	<b>\$184.66</b>	<b>\$218.99</b>	<b>\$7,421.01</b>
<b>ADMINISTRATION - FINANCIAL</b>					
PERSONNEL SERVICES	\$238,446.00	\$22,103.57	\$65,672.02	\$85,780.15	\$152,665.85
SUPPLIES	\$6,000.00	(\$18.50)	\$231.75	\$1,290.35	\$4,709.65
CONTRACTUAL SERVICES	\$33,350.00	\$400.00	\$725.00	\$6,480.56	\$26,869.44
CAPITAL OUTLAY	\$9,500.00	\$0.00	\$1,620.00	\$1,620.00	\$7,880.00
<b>SUB-TOTAL</b>	<b>\$287,296.00</b>	<b>\$22,485.07</b>	<b>\$68,248.77</b>	<b>\$95,171.06</b>	<b>\$192,124.94</b>

**City of Gluckstadt**  
**General Fund Monthly Budget Report for Month Ending January 31, 2023**

	ADOPTED BUDGET FY2022-23	MTD ACTIVITY	YTD ACTIVITY	YTD ACTIVITY + ENCUMBRANCES	BUDGET REMAINING
<b>PLANNING &amp; ZONING</b>					
PERSONNEL SERVICES	\$57,658.00	\$11,662.58	\$38,835.74	\$48,795.96	\$8,862.04
SUPPLIES	\$5,000.00	\$0.00	\$425.89	\$555.19	\$4,444.81
CONTRACTUAL SERVICES	\$360,582.00	\$1,709.59	\$7,760.20	\$17,473.01	\$343,108.99
CAPITAL OUTLAY	\$18,000.00	\$0.00	\$16,000.00	\$16,000.00	\$2,000.00
<b>SUB-TOTAL</b>	<b>\$441,240.00</b>	<b>\$13,372.17</b>	<b>\$63,021.83</b>	<b>\$82,824.16</b>	<b>\$358,415.84</b>
<b>ADMINISTRATION - GENERAL</b>					
SUPPLIES	\$600.00	\$265.00	\$597.20	\$597.20	\$2.80
CONTRACTUAL SERVICES	\$723,006.00	\$72,175.87	\$253,953.69	\$312,280.40	\$410,725.60
CAPITAL OUTLAY	\$20,250.00	\$50.00	\$9,950.80	\$10,022.80	\$10,227.20
<b>SUB-TOTAL</b>	<b>\$743,856.00</b>	<b>\$72,490.87</b>	<b>\$264,501.69</b>	<b>\$322,900.40</b>	<b>\$420,955.60</b>
<b>POLICE</b>					
PERSONNEL SERVICES	\$982,573.00	\$96,231.62	\$272,891.41	\$353,782.26	\$628,790.74
SUPPLIES	\$141,500.00	\$14,500.53	\$27,094.69	\$33,833.92	\$107,666.08
CONTRACTUAL SERVICES	\$95,940.00	\$6,476.98	\$14,260.70	\$20,571.91	\$75,368.09
CAPITAL OUTLAY	\$76,100.00	\$15,737.17	\$25,940.78	\$95,247.21	(\$19,147.21)
<b>SUB-TOTAL</b>	<b>\$1,296,113.00</b>	<b>\$132,946.30</b>	<b>\$340,187.58</b>	<b>\$503,435.30</b>	<b>\$792,677.70</b>
<b>FIRE</b>					
CONTRACTUAL SERVICES	\$27,321.00	\$0.00	\$0.00	\$0.00	\$27,321.00
<b>SUB-TOTAL</b>	<b>\$27,321.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$27,321.00</b>
<b>BUILDING INSPECTION &amp; CODE</b>					
PERSONNEL SERVICES	\$27,774.00	\$10,180.91	\$23,267.79	\$31,737.84	(\$3,963.84)
SUPPLIES	\$5,000.00	\$74.37	\$732.40	\$1,204.63	\$3,795.37
CONTRACTUAL SERVICES	\$64,522.00	\$108.85	\$2,710.22	\$3,305.78	\$61,216.22
CAPITAL OUTLAY	\$31,000.00	\$0.00	\$16,434.99	\$16,434.99	\$14,565.01
<b>SUB-TOTAL</b>	<b>\$128,296.00</b>	<b>\$10,364.13</b>	<b>\$43,145.40</b>	<b>\$52,683.24</b>	<b>\$75,612.76</b>
<b>STREETS</b>					
PERSONNEL SERVICES	\$57,658.00	\$361.88	\$915.05	\$915.05	\$56,742.95
SUPPLIES	\$32,900.00	\$0.00	\$2,096.49	\$2,397.25	\$30,502.75
CONTRACTUAL SERVICES	\$442,202.00	\$6,789.76	\$29,353.86	\$40,295.82	\$401,906.18
CAPITAL OUTLAY	\$221,800.00	\$0.00	\$7,010.00	\$77,283.42	\$144,516.58
<b>SUB-TOTAL</b>	<b>\$754,560.00</b>	<b>\$7,151.64</b>	<b>\$39,375.40</b>	<b>\$120,891.54</b>	<b>\$633,668.46</b>
<b>TRANSFERS</b>					
TRANSFERS OUT	\$120.00	\$0.00	\$0.00	\$0.00	\$120.00
<b>SUB-TOTAL</b>	<b>\$120.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$120.00</b>
<b>Total Expenditures</b>	<b>\$3,965,296.00</b>	<b>\$277,585.54</b>	<b>\$882,990.89</b>	<b>\$1,259,125.09</b>	<b>\$2,706,170.91</b>
<b>Net (Revenues less Expenditures)</b>	<b>\$3,231,371.00</b>	<b>\$523,547.68</b>	<b>\$903,676.04</b>	<b>\$522,440.32</b>	<b>\$2,708,930.68</b>

Note: The shortfall amounts in Police Department/Capital Outlay and Building Inspection & Code/Personnel Services will be resolved with the adoption of the 02/14/2023 budget amendment resolution.

**City of Gluckstadt**  
**Police Station Capital Project Fund Monthly Budget Report for Month Ending January 31, 2023**

	ADOPTED BUDGET FY2022-23	MTD ACTIVITY	YTD ACTIVITY	YTD ACTIVITY + ENCUMBRANCES	BUDGET REMAINING
<b>Revenues</b>					
GRANT - HB 1353 (2022)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
INTEREST	\$0.00	\$0.00	(\$13.70)	(\$13.70)	\$13.70
TRANSFERS IN - FROM GENERAL FUND	\$120.00	\$0.00	\$0.00	\$0.00	\$120.00
BEGINNING CASH	\$1,000,100.00	\$0.00	\$0.00	\$0.00	\$1,000,100.00
<b>Total Revenues</b>	<b>\$1,000,220.00</b>	<b>\$0.00</b>	<b>(\$13.70)</b>	<b>(\$13.70)</b>	<b>\$1,000,233.70</b>
<b>Expenditures</b>					
OTHER SERVICES & CHARGES	\$120.00	\$0.00	\$0.00	\$0.00	\$120.00
CONTRACTUAL - ARCHITECTURAL/ENGINEERING	\$0.00	\$0.00	\$0.00	\$43,875.00	(\$43,875.00)
<b>CONTRACTUAL SERVICES</b>	<b>\$120.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$43,875.00</b>	<b>(\$43,755.00)</b>
CAPITAL OUTLAY - LAND	\$1,000,000.00	\$0.00	\$315,810.00	\$315,810.00	\$684,190.00
CAPITAL OUTLAY - BUILDING	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
CAPITAL OUTLAY - _____	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>CAPITAL OUTLAY</b>	<b>\$1,000,000.00</b>	<b>\$0.00</b>	<b>\$315,810.00</b>	<b>\$315,810.00</b>	<b>\$684,190.00</b>
TRANSFERS OUT - TO GENERAL FUND	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TRANSFERS OUT - TO OTHER	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>TRANSFERS</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>Total Expenditures</b>	<b>\$1,000,120.00</b>	<b>\$0.00</b>	<b>\$315,810.00</b>	<b>\$359,685.00</b>	<b>\$640,435.00</b>
<b>Net (Revenues less Expenditures)</b>	<b>\$100.00</b>	<b>\$0.00</b>	<b>(\$315,823.70)</b>	<b>(\$359,698.70)</b>	<b>\$359,798.70</b>

Note: The shortfall amount in Contractual - Architectural/Engineering will be resolved with the adoption of the 02/14/2023 budget amendment resolution.

**AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF GLUCKSTADT, MISSISSIPPI ELIMINATING SMOKING IN ALL WORKPLACES AND PUBLIC PLACES**

WHEREAS, scientific studies have found that tobacco smoke is a major contributor to indoor air pollution; and,

WHEREAS, scientific studies, including studies conducted by the Surgeon General of the United States, have concluded that (1) secondhand smoke exposure causes disease and premature death in children and adults who do not smoke; (2) children exposed to secondhand smoke are at an increased risk for sudden infant death syndrome (SIDS), acute respiratory symptoms and slow lung growth in their children; (3) exposure of adults to secondhand smoke has immediate adverse effects on the cardiovascular system and causes coronary heart disease and lung cancer; (4) there is no risk-free level of exposure to secondhand smoke; (5) establishing smoke-free workplaces is the only effective way to ensure that secondhand smoke exposure does not occur in the workplace, because ventilation and other air cleaning technologies cannot completely control exposure of nonsmokers to secondhand smoke; and (6) evidence from peer-reviewed studies shows that smoke-free policies and laws do not have an adverse economic impact on the hospitality industry. (U.S. Department of Health and Human Services. *The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General*. U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2006.); and

WHEREAS, the Mayor and Board of Aldermen find and declare that the purposes of this ordinance are to protect the public health and welfare of its citizens by prohibiting smoking in public places and places of employment;

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF GLUCKSTADT, MISSISSIPPI as follows, to-wit:

1.

**Title**

This Ordinance shall be known as the City of Gluckstadt, Mississippi Smoking Ban Ordinance.

2.

**Intent**

The Mayor and Board of Aldermen find and declare that the purposes of this ordinance are (1) to protect the public health and welfare by prohibiting smoking in public places and places of employment; (2) to guarantee the right of nonsmokers to



breathe smokefree air; and (3) to recognize that the need to breathe smoke free air shall have priority over the desire to smoke.

### 3.

#### **Definitions**

The following words and phrases, whenever used in this Ordinance, shall be construed as defined in this Section:

- A. "Bar" means an establishment that is devoted to the serving of alcoholic beverages for consumption by guests on the premises and in which the serving of food is only incidental to the consumption of those beverages, including but not limited to, taverns, nightclubs, cocktail lounges, and cabarets.
- B. "Business" means a sole proprietorship, partnership, joint venture, corporation, or other business entity, either for-profit or not-for-profit, including retail establishments where goods or services are sold; professional corporations and other entities where legal, medical, dental, engineering, architectural, or other professional services are delivered; and private clubs.
- C. "Electronic Smoking Device" means any product containing or delivering nicotine or any other substance intended for human consumption that can be used by a person in any manner for the purpose of inhaling vapor or aerosol from the product. The term includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.
- D. "Employee" means a person who is employed by an employer in consideration for direct or indirect monetary wages or profit, and a person who volunteers his or her services for a non-profit entity.
- E. "Employer" means a person, business, partnership, association, corporation, including a municipal corporation, trust, or non-profit entity that employs the services of one or more individual persons.
- F. "Enclosed Area" means all space between a floor and ceiling that is enclosed on all sides by solid walls or windows (exclusive of doorways), which extend from the floor to the ceiling.
- G. "Health Care Facility" means an office or institution providing care or treatment of diseases, whether physical, mental, or emotional, or other medical, physiological, or psychological conditions, including but not limited to, hospitals, rehabilitation hospitals or other clinics, including weight control clinics, nursing homes, long-term care facilities, homes for the aging or chronically ill, laboratories, and offices of surgeons, chiropractors, physical

therapists, physicians, psychiatrists, dentists, and all specialists within these professions. This definition shall include all waiting rooms, hallways, private rooms, semiprivate rooms, and wards within health care facilities.

- H. "Hookah" means a water pipe and any associated products and devices which are used to produce fumes, smoke, and/or vapor from the burning of material including, but not limited to tobacco, shisha, or other plant matter.
- I. "Place of Employment" means an area under the control of a public or private employer that employees normally frequent during the course of employment, including, but not limited to, work areas, private offices, employee lounges, restrooms, conference rooms, meeting rooms, classrooms, employee cafeterias, hallways, and vehicles. A private residence is not a "place of employment" unless it is used as a childcare, adult day care, or health care facility.
- J. "Playground" means any park or recreational area designed in part to be used by children that has play or sports equipment installed or that has been designated or landscaped for play or sports activities, or any similar facility located on public or private school grounds or on City of Gluckstadt grounds.
- K. "Private Club" means an organization, whether incorporated or not, which is the owner, lessee, or occupant of a building or portion thereof used exclusively for club purposes at all times, which is operated solely for a recreational, fraternal, social, patriotic, political, benevolent, or athletic purpose, but not for pecuniary gain, and which only sells alcoholic beverages incidental to its operation. The affairs and management of the organization are conducted by a board of directors, executive committee, or similar body chosen by the members at an annual meeting. The organization has established bylaws and/or a constitution to govern its activities. The organization has been granted an exemption from the payment of federal income tax as a club under 26 U.S.C. Section 501.
- L. "Public Event" means an event which is open to and may be attended by the general public, including but not limited to, such events as concerts, fairs, farmer's markets, festivals, parades, performances, and other exhibitions, regardless of any fee or age requirement.
- M. "Public Place" means an enclosed area to which the public is invited or in which the public is permitted, including but not limited to, banks, bars, educational facilities, gaming facilities, health care facilities, hotels and motels, laundromats, public transportation facilities, reception areas, restaurants, retail food production and marketing establishments, retail service establishments, retail stores, shopping malls, sports arenas, theaters, and waiting rooms. A private club is a "public place" when being used for a function to which the general public is invited. A private residence is not a

"public place" unless it is used as a childcare, adult day care, or health care facility.

- N. "Recreational Area" means any public or private area open to the public for recreational purposes, whether or not any fee for admission is charged, including but not limited to, amusement parks, athletic fields, beaches, fairgrounds, gardens, golf courses, parks, plazas, skate parks, swimming pools, trails, and zoos.
- O. "Restaurant" means an eating establishment, including but not limited to, coffee shops, cafeterias, sandwich stands, and private and public school cafeterias, which gives or offers for sale food to the public, guests, or employees, as well as kitchens and catering facilities in which food is prepared on the premises for serving elsewhere. The term "restaurant" shall include a bar area within the restaurant.
- P. "Service Line" means an indoor line in which one (1) or more persons are waiting for or receiving service of any kind, whether or not the service involves the exchange of money.
- Q. "Shopping Mall" means an enclosed public walkway or hall area that serves to connect retail or professional establishments.
- R. "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs and marijuana, whether natural or synthetic, in any manner or in any form. "Smoking" also includes the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this Article.
- S. "Sports Arena" means sports pavilions, stadiums, gymnasiums, health spas, boxing arenas, swimming pools, roller and ice rinks, bowling alleys, and other similar places where members of the general public assemble to engage in physical exercise, participate in athletic competition, or witness sports or other events.

#### 4.

#### **Application to City-Owned Facilities**

All enclosed facilities, including buildings and vehicles owned, leased, or operated by the City of Gluckstadt, as well as all outdoor property adjacent to such buildings and under the control of the City, shall be subject to the provisions of this Article.

## 5.

**Prohibition of Smoking in Enclosed Public Places**

Smoking shall be prohibited in all enclosed public places within the City of Gluckstadt, including but not limited to, the following places:

- A. Aquariums, galleries, libraries, and museums.
- B. Areas available to and customarily used by the general public in businesses and non-profit entities patronized by the public, including but not limited to, banks, laundromats, professional offices, and retail service establishments.
- C. Bars.
- D. Bingo facilities.
- E. Childcare and adult day care facilities.
- F. Convention facilities.
- G. Educational facilities, both public and private.
- H. Elevators.
- I. Gaming facilities.
- J. Health care facilities, including nursing homes.
- K. Hotels and motels, including at least eighty percent (80%) of rooms that are rented to guests.
- L. Lobbies, hallways, and other common areas in apartment buildings, condominiums, trailer parks, retirement facilities, nursing homes, and other multiple-unit residential facilities.
- M. Parking structures.
- N. Polling places.
- O. Private clubs when being used for a function to which the general public is invited.

- P. Public transportation facilities, including buses and taxicabs, under the authority of the City, and ticket, boarding, and waiting areas of public transit depots.
- Q. Restaurants.
- R. Restrooms, lobbies, reception areas, hallways, and other common-use areas.
- S. Retail stores.
- T. Rooms, chambers, places of meeting or public assembly, including school buildings, under the control of an agency, board, commission, committee or council of the City or a political subdivision of the State, to the extent the place is subject to the jurisdiction of the City.
- U. Service lines.
- V. Shopping malls.
- W. Sports arenas, including enclosed places in outdoor arenas.
- X. Theaters and other facilities primarily used for exhibiting motion pictures, stage dramas, lectures, musical recitals, or other similar performances.

6.

**Prohibition of Smoking in Places of Employment**

- A. Smoking shall be prohibited in all enclosed facilities within places of employment without exception. This includes common work areas, auditoriums, classrooms, conference and meeting rooms, private offices, elevators, hallways, medical facilities, cafeterias, employee lounges, stairs, restrooms, vehicles, and all other enclosed facilities.
- B. This prohibition on smoking shall be communicated to all existing employees by the effective date of this Article and to all prospective employees upon their application for employment.

7.

**Prohibition of Smoking in Outdoor Areas**

Smoking shall be prohibited in the following outdoor places:

- A. Within a distance of twenty (20) feet outside of entrances, operable windows, and ventilation systems of enclosed areas where smoking is prohibited, so as to insure that tobacco smoke does not enter those areas.
- B. In, and within twenty (20) feet of, outdoor seating or serving areas of restaurants and bars.
- C. In outdoor shopping malls, including parking structures.
- D. In all outdoor arenas, stadiums, and amphitheaters, except in designated smoking areas, which may be established only in perimeter areas at least twenty (20) feet from any seating areas or concession stands. Smoking shall also be prohibited in, and within twenty (20) feet of, bleachers and grandstands for use by spectators at sporting and other public events.
- E. In all public transit stations, platforms, and shelters under the authority of the City.
- F. In outdoor recreational areas, including parking lots.
- G. In, and within twenty (20) feet of, all outdoor playgrounds.
- H. In, and within twenty (20) feet of, all outdoor public events.
- I. In all outdoor service lines, including lines in which service is obtained by persons in vehicles, such as service that is provided by bank tellers, parking lot attendants, and toll takers. In lines in which service is obtained by persons in vehicles, smoking is prohibited by both pedestrians and persons in vehicles, but only within twenty (20) feet of the point of service.
- J. In outdoor common areas of apartment buildings, condominiums, trailer parks, retirement facilities, nursing homes, and other multiple-unit residential facilities, except in designated smoking areas, not to exceed twenty-five percent (25%) of the total outdoor common areas, which must be located at least twenty (20) feet outside entrances, operable windows, and ventilation systems of enclosed areas where smoking is prohibited.

## 8.

### **Where Smoking Not Regulated**

Notwithstanding any other provision of this Article to the contrary, the following areas shall be exempt from the provisions of Sections 5 and 6:

- A. Private residences, except when used as a childcare, adult day care, or health care facility.
- B. Not more than twenty percent (20%) of hotel and motel rooms rented to guests and designated as smoking rooms. All smoking rooms on the same floor must be contiguous and smoke from these rooms must not infiltrate into areas where smoking is prohibited under the provisions of this Article. The status of rooms as smoking or nonsmoking may not be changed, except to add additional nonsmoking rooms.
- C. Private clubs that have no employees, except when being used for a function to which the general public is invited; provided that smoke from such clubs does not infiltrate into areas where smoking is prohibited under the provisions of this Article. This exemption shall not apply to any organization that is established for the purpose of avoiding compliance with this Article.
- D. Outdoor areas of places of employment except those covered by the provisions of Section 7.

## 9.

### **Declaration of Establishment as Nonsmoking**

Notwithstanding any other provision of this Article, an owner, operator, manager, or other person in control of an establishment, facility, or outdoor area may declare that an entire establishment, facility, or outdoor area as a nonsmoking place. Smoking shall be prohibited in any place in which a sign conforming to the requirements of Section 10(A) is posted.

## 10.

### **Posting of Signs**

- A. "No Smoking" signs or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall be clearly and conspicuously posted in every public place and place of employment where smoking is prohibited by this Article, by the owner, operator, manager, or other person in control of that place.
- B. Every public place and place of employment where smoking is prohibited by this Article shall have posted at every entrance a conspicuous sign clearly stating that smoking is prohibited. Every vehicle that constitutes a place of employment under this Article shall have at least one conspicuous sign clearly stating that smoking is prohibited.

- C. All ashtrays shall be removed from any area where smoking is prohibited by this Article by the owner, operator, manager, or other person having control of the area.

## 11.

### **Nonretaliation; Nonwaiver of Rights**

- A. No person or employer shall discharge, refuse to hire, or in any manner retaliate against an employee, applicant for employment, or customer because that employee, applicant, or customer exercises any rights afforded by this Article or reports or attempts to prosecute a violation of this Article. Notwithstanding Section 13, violation of this Subsection shall be a misdemeanor, punishable by a fine not to exceed \$1000 for each violation.
- B. An employee who works in a setting where an employer allows smoking does not waive or otherwise surrender any legal rights the employee may have against the employer or any other party.

## 12.

### **Enforcement**

- A. This Article shall be enforced by the Chief of Police or an authorized designee.
- B. Notice of the provisions of this Article shall be given to all applicants for a business license in the City of Gluckstadt.
- C. Any citizen who desires to register a complaint under this Article may initiate enforcement with the Police Department.
- D. The Public Works Department, Fire Department, or their designees shall, while an establishment is undergoing otherwise mandated inspections, inspect for compliance with this Article.
- E. An owner, manager, operator, or employee of an establishment regulated by this Article shall inform persons violating this Article of the appropriate provisions thereof.
- F. Notwithstanding any other provision of this Article, an employee or private citizen may bring legal action to enforce this Article.



G. In addition to the remedies provided by the provisions of this Section, the Police Chief or any person aggrieved by the failure of the owner, operator, manager, or other person in control of a public place or a place of employment to comply with the provisions of this Article may apply for injunctive relief to enforce those provisions in any court of competent jurisdiction.

13.

**Violations and Penalties**

A. A person who smokes in an area where smoking is prohibited by the provisions of this Article shall be guilty of an infraction, punishable by a fine not exceeding fifty dollars (\$50).

B. Except as otherwise provided in Section 11(A), a person who owns, manages, operates, or otherwise controls a public place or place of employment and who fails to comply with the provisions of this Article shall be guilty of an infraction, punishable by:

- 1. A fine not exceeding one hundred dollars (\$100) for a first violation.
- 2. A fine not exceeding two hundred dollars (\$200) for a second violation within one (1) year.
- 3. A fine not exceeding five hundred dollars (\$500) for each additional violation within one (1) year.

A good faith effort to prevent smoking will be a complete defense to this offense.

C. In addition to the fines established by this Section, violation of this Article by a person who owns, manages, operates, or otherwise controls a public place or place of employment may result in the suspension or revocation of any permit or license issued to the person for the premises on which the violation occurred.

D. Violation of this Article is hereby declared to be a public nuisance, which may be abated by the Police Department by restraining order, preliminary and permanent injunction, or other means provided for by law, and the City may take action to recover the costs of the nuisance abatement.

E. Each day on which a violation of this Article occurs shall be considered a separate and distinct violation.

14.

**Public Education**

The Mayor shall engage in a continuing program to explain and clarify the purposes and requirements of this Article to citizens affected by it, and to guide owners, operators, and managers in their compliance with it. The program may include publication of a brochure for affected businesses and individuals explaining the provisions of this ordinance.

15.

**Governmental Agency Cooperation**

The Mayor shall annually request other governmental and educational agencies having facilities within the City to establish local operating procedures in cooperation and compliance with this Article. This includes urging all Federal, State, County and School District agencies to update their existing smoking control regulations to be consistent with the current health findings regarding secondhand smoke.

16.

**Other Applicable Laws**

This Article shall not be interpreted or construed to permit smoking where it is otherwise restricted by other applicable laws.

17.

**Liberal Construction**

This Article shall be liberally construed so as to further its purposes.

18.

**Severability**

If any provision, clause, sentence, or paragraph of this Article or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this Article which can be given effect without the invalid provision or application, and to this end the provisions of this Article are declared to be severable.

19.

**Effective Date**

This Article shall be effective thirty (30) days from and after the date of its adoption.

ORDAINED, ADOPTED AND APPROVED by the Mayor and Board of Aldermen of the City of Gluckstadt, Madison County, Mississippi at its regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2023.

A MOTION for adoption was made by Alderman \_\_\_\_\_ and SECONDED by Alderman \_\_\_\_\_ and the foregoing Ordinance having been first reduced to writing, and no request being made by the Mayor or any member of the Board of Aldermen that the Ordinance be read by the City Clerk, before any vote was taken, it was submitted to the Board of Aldermen for the passage or rejection on roll call vote upon the vote being as follows, to-wit:

- Alderman Miya Warfield Bates voted:      Aye/Nay
- Alderman Jayce Powell voted:              Aye/Nay
- Alderman Richard Wesley Slay voted:      Aye/Nay
- Alderman John Taylor voted:                Aye/Nay
- Alderman Lisa H. Williams voted:          Aye/Nay

Whereupon, the Mayor declared the motion carried and Ordinance adopted.

The foregoing Ordinance is approved this the \_\_\_\_ day of \_\_\_\_\_, 2023.

CITY OF GLUCKSTADT, MISSISSIPPI

By: \_\_\_\_\_  
Walter C. Morrison, IV, Mayor of  
the City of Gluckstadt, Mississippi

ATTEST:

\_\_\_\_\_  
Lindsay Kellum, City Clerk  
[SEAL]

# 100% Smoke-free COMMUNITIES in Mississippi

UPDATED | AUGUST 2022

There Are **178** Smoke-Free MUNICIPALITIES

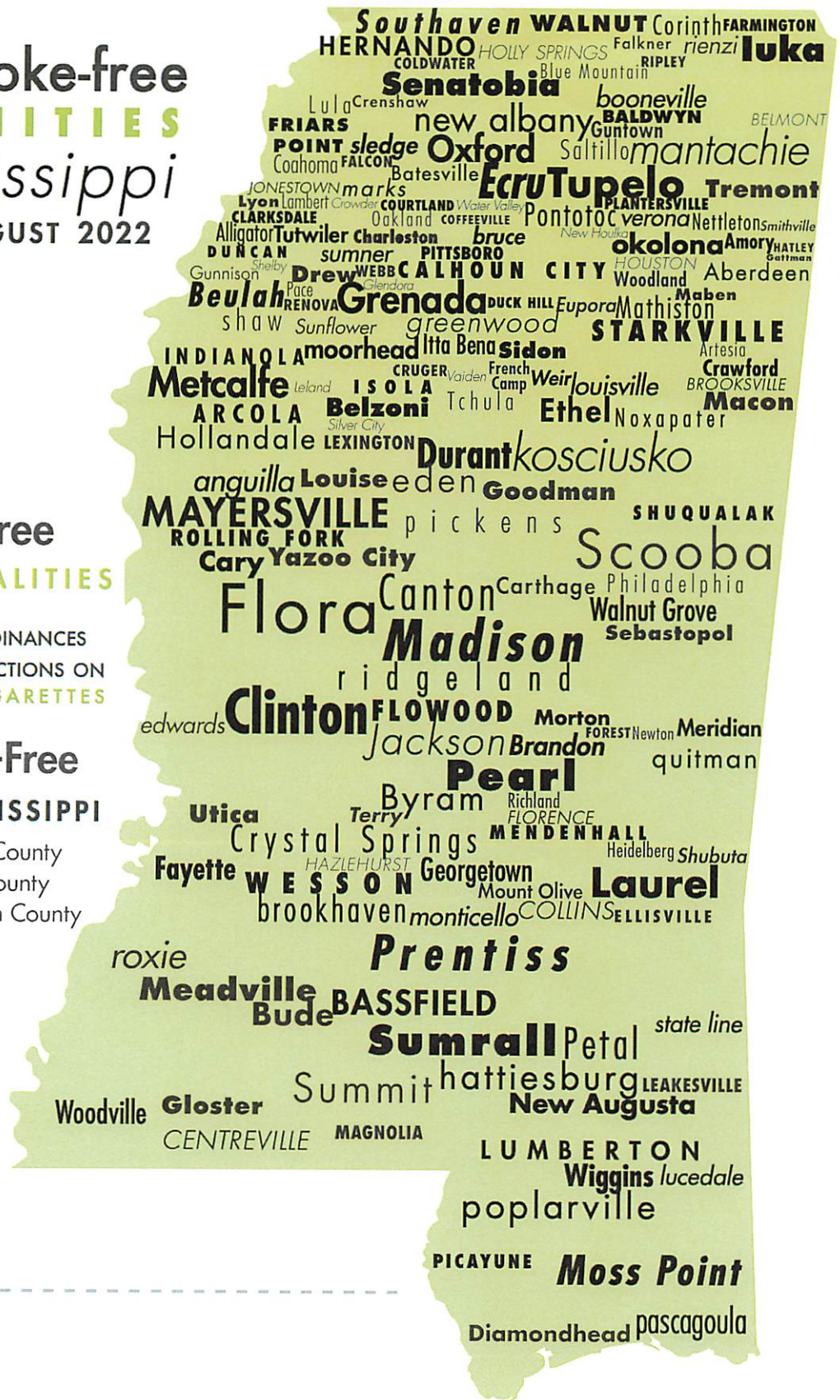
\*147 OF WHICH HAVE ORDINANCES THAT INCLUDE RESTRICTIONS ON ELECTRONIC CIGARETTES

and (7) Smoke-Free Counties IN MISSISSIPPI

- Coahoma County
- Issaquena County
- Yalobusha County
- Quitman County
- Madison County
- Washington County
- Sharkey County

**36%**

of Mississippi's Population is Protected



# REDUCING THE HEALTH AND ECONOMIC BURDEN OF TOBACCO

## {SMOKE-FREE LAWS}

### Economic Effects of Smoke-Free Ordinances in Mississippi Communities:

AN EXAMINATION OF TOURISM & ECONOMIC DEVELOPMENT TAX REVENUES

NOVEMBER 2016

LOCATION	DATE OF ORDINANCE*	% CHANGE IN SMOKE-FREE COMMUNITIES	AVERAGE % CHANGE (DURING THE SAME PERIOD) IN THE AGGREGATED NO-ORDINANCE COMPARISON COMMUNITIES	DIFFERENCE
ABERDEEN	3/22/2007	6.66%	-2.45%	9.12%
BALDWYN	7/5/2013	-3.68%	0.67%	-4.35%
BATESVILLE	3/4/2010	9.27%	3.77%	5.50%
BRANDON	6/3/2015	8.19%	-3.75%	11.95%
CANTON	1/19/2012	15.91%	3.45%	12.46%
CLINTON	8/14/2008	32.04%	-4.81%	36.84%
CORINTH	11/6/2007	-2.93%	1.54%	-4.47%
FLORENCE	8/19/2012	3.18%	1.14%	2.04%
FLOWOOD	5/4/2011	5.95%	-2.34%	8.29%
GREENWOOD	8/16/2007	4.16%	5.42%	-1.25%
GRENADA	4/8/2009	3.29%	-5.95%	9.24%
HATTIESBURG	1/1/2007	-3.31%	-0.71%	-2.60%
HOLLY SPRINGS	10/1/2015	5.00%	-5.42%	10.42%
INDIANOLA	11/7/2012	-6.35%	0.95%	-7.30%
JACKSON	7/1/2010	-2.96%	4.42%	-7.38%
KOSCIUSKO	11/1/2007	-16.86%	1.54%	-18.40%
LAUREL	12/4/2008	5.60%	-4.84%	10.44%
MAGEE	11/19/2013	12.66%	-3.58%	16.25%
MOSS POINT	6/14/2012	2.49%	2.16%	0.33%
NEW ALBANY	12/1/2011	3.95%	-0.11%	4.06%
OXFORD	11/16/2006	-0.44%	-5.80%	5.37%
PASCAGOULA	7/18/2013	-16.38%	5.34%	-21.72%
PEARL	9/1/2010	4.81%	2.14%	2.68%
PICAYUNE	7/17/2014	6.51%	-3.64%	10.15%
PONTOTOC	5/1/2008	32.64%	-4.44%	37.08%
RIDGELAND	7/19/2007	8.30%	2.89%	5.40%
STARKVILLE	5/20/2006	5.14%	-4.72%	9.86%
TUPELO	10/5/2006	5.58%	-5.91%	11.49%
<b>TOTAL</b>		<b>4.94%</b>	<b>-0.89%</b>	<b>5.83%</b>

\*STUDY PERIOD: 12 MONTHS BEFORE THE ORDINANCE AND 12 MONTHS AFTER THE ORDINANCE

This table presents the inflation-adjusted pre- and post-ban data for the Mississippi communities that have comprehensive smoke-free ordinances, collect a TED tax, and have at least 12 months of post-ban data<sup>1</sup>. The percentage change in revenue for these towns ranges from -17% to 33%. As other researchers have noted, this wide range reflects the volatile nature of the restaurant and hospitality industries, due to seasonality and turnover in businesses. Also, the largest percentage changes occurred in the smaller communities.

**For the communities with smoke-free ordinances as a whole, inflation-adjusted TED tax revenue was 4.94% greater in the 12 months following the enactment of a smoke-free ordinance.** Conversely, there was no meaningful change in TED tax revenue in the aggregated control communities (-0.06%).

Source: November 2016 Economic Effects of Smoke-Free Ordinances in Mississippi Communities Factsheet | Mississippi Tobacco Data

**From:** [Walter Morrison](#)  
**To:** [jayce1271@yahoo.com](mailto:jayce1271@yahoo.com); [laylandfarms@gmail.com](mailto:laylandfarms@gmail.com); [lisa.williams99@gmail.com](mailto:lisa.williams99@gmail.com); [Miya Warfield \(mwarfield@mclcpa.net\)](#); [b2rws1@gmail.com](mailto:b2rws1@gmail.com)  
**Cc:** [Lindsay Kellum](#)  
**Subject:** FW: Linda Jordan-Jefferson  
**Date:** Wednesday, January 18, 2023 1:50:28 PM  
**Attachments:** [image001.png](#)  
[MS Tobacco Data.pdf](#)  
[Americans for Nonsmoker"s Rights.pdf](#)  
[Linda Jordan-Jefferson Business Card.pdf](#)

Everyone:

I hope you are having a great day and enjoying the warm weather. Today, I met with Linda Jordan-Jefferson. Her business card is attached. She is affiliated with the MS Tobacco Free project. She noted our recent adoption of the Kratom ordinance and wanted to discuss tobacco-related issues with me.

Gluckstadt is the only city in Madison County to currently allow smoking inside public buildings such as bars, restaurants and businesses. Madison the City, Ridgeland, Canton and Madison County (for areas outside of a city) have all adopted ordinances prohibiting indoor smoking. A form of the ordinance passed by these entities is attached.

I think this is something we should strongly consider. I have attached data that suggests that businesses prosper, rather than suffer, after passage of such ordinance. I am going to work further on this project and put forth for your consideration an ordinance like those adopted by Madison, Ridgeland, and the county.



**Walter C. Morrison IV**  
 wmorrison@gainsben.com

**Gainsburgh Benjamin**  
 David, Meunier & Warshauer L.L.C.

Offices in  
 Jackson & New Orleans

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 T: 504.522.2304 (Nola) | www.gainsben.com

**From:** Emily Rounsaville <erounsaville@gainsben.com>  
**Sent:** Wednesday, January 18, 2023 1:39 PM  
**To:** Walter Morrison <WMorrison@gainsben.com>  
**Subject:** Linda Jordan-Jefferson



Gainsburgh Benjamin  
David, Meunier & Warshauer L.L.C.

Emily Rounsaville  
Legal Assistant

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MISSISSIPPI  
tobacco  
FREE

COALITION OF  
MADISON, YAZOO  
AND HOLMES  
COUNTIES

*Section 6, IA)*

**Linda Jordan-Jefferson**

Project Director, MTFC

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C: 601-494-0181

[Linda.jordan-jefferson@healthy-miss.org](mailto:Linda.jordan-jefferson@healthy-miss.org)

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## Model Ordinance Prohibiting Smoking in All Workplaces and Public Places (100% Smokefree)

### Sec. 1000. Title

This Article shall be known as the \_\_\_\_\_ [name of City or County] Smokefree Air Ordinance of \_\_\_\_\_ [year].

### Sec. 1001. Findings and Intent

The \_\_\_\_\_ [City or County Governing Body] does hereby find that:

The 2006 U.S. Surgeon General's Report, *The Health Consequences of Involuntary Exposure to Tobacco Smoke*, has concluded that (1) secondhand smoke exposure causes disease and premature death in children and adults who do not smoke; (2) children exposed to secondhand smoke are at an increased risk for sudden infant death syndrome (SIDS), acute respiratory problems, ear infections, and asthma attacks, and that smoking by parents causes respiratory symptoms and slows lung growth in their children; (3) exposure of adults to secondhand smoke has immediate adverse effects on the cardiovascular system and causes coronary heart disease and lung cancer; (4) there is no risk-free level of exposure to secondhand smoke; (5) establishing smokefree workplaces is the only effective way to ensure that secondhand smoke exposure does not occur in the workplace, because ventilation and other air cleaning technologies cannot completely control for exposure of nonsmokers to secondhand smoke; and (6) evidence from peer-reviewed studies shows that smokefree policies and laws do not have an adverse economic impact on the hospitality industry.<sup>1</sup> According to the 2010 U.S. Surgeon General's Report, *How Tobacco Smoke Causes Disease*, even occasional exposure to secondhand smoke is harmful and low levels of exposure to secondhand tobacco smoke lead to a rapid and sharp increase in dysfunction and inflammation of the lining of the blood vessels, which are implicated in heart attacks and stroke.<sup>2</sup> According to the 2014 U.S. Surgeon General's Report, *The Health Consequences of Smoking—50 Years of Progress*, secondhand smoke exposure causes stroke in nonsmokers. The report also found that since the 1964 Surgeon General's Report on Smoking and Health, 2.5 million nonsmokers have died from diseases caused by tobacco smoke.<sup>3</sup>

Numerous studies have found that tobacco smoke is a major contributor to indoor air pollution, and that breathing secondhand smoke (also known as environmental tobacco smoke) is a cause of disease in healthy nonsmokers, including heart disease, stroke, respiratory disease, and lung cancer. The National Cancer Institute determined in 1999 that secondhand smoke is responsible for the early deaths of approximately 53,000 Americans annually.<sup>4</sup>

The Public Health Service's National Toxicology Program (NTP) has listed secondhand smoke as a known carcinogen.<sup>5</sup>

Based on a finding by the California Environmental Protection Agency in 2005, the California Air Resources Board has determined that secondhand smoke is a toxic air contaminant, finding that exposure to secondhand smoke has serious health effects, including low birth-weight babies;

sudden infant death syndrome (SIDS); increased respiratory infections in children; asthma in children and adults; lung cancer, sinus cancer, and breast cancer in younger, premenopausal women; heart disease; and death.<sup>6</sup>

There is indisputable evidence that implementing 100% smoke-free environments is the only effective way to protect the population from the harmful effects of exposure to secondhand smoke.<sup>7</sup>

In reviewing 11 studies concluding that communities see an immediate reduction in heart attack admissions after the implementation of comprehensive smokefree laws, the Institute of Medicine of the National Academies concluded that data consistently demonstrate that secondhand smoke exposure increases the risk of coronary heart disease and heart attacks and that smokefree laws reduce heart attacks.<sup>8</sup>

A significant amount of secondhand smoke exposure occurs in the workplace. Employees who work in smoke-filled businesses suffer a 25-50% higher risk of heart attack and higher rates of death from cardiovascular disease and cancer, as well as increased acute respiratory disease and measurable decrease in lung function.<sup>9</sup>

Studies measuring cotinine (metabolized nicotine) and NNAL (metabolized nitrosamine NNK, a tobacco-specific carcinogen linked to lung cancer) in hospitality workers find dramatic reductions in the levels of these biomarkers after a smokefree law takes effect. Average cotinine levels of New York City restaurant and bar workers decreased by 85% after the city's smokefree law went into effect.<sup>10</sup> After the implementation of Ontario, Canada's Smokefree Indoor Air Law, levels of NNAL were reduced by 52% in nonsmoking casino employees and cotinine levels fell by 98%.<sup>11</sup>

Smokefree indoor air laws result in a significant reduction in fine particulate matter and improved air quality. A Grand Rapids, Michigan study that monitored six restaurants before and after implementation of the state's smokefree air law found that PM2.5 fine particulate matter was reduced by 92 percent after the law went into effect, indicating that the vast majority of indoor air pollution in all six venues was due to secondhand smoke. The results in Grand Rapids were consistent with results in Wilmington, Delaware; Boston, Massachusetts; and Western New York.<sup>12</sup>

Following a Health Hazard Evaluation of Las Vegas casino employees' secondhand smoke exposure in the workplace, which included indoor air quality tests and biomarker assessments, the National Institute of Occupational Safety & Health (NIOSH) concluded that the casino employees are exposed to dangerous levels of secondhand smoke at work and that their bodies absorb high levels of tobacco-specific chemicals NNK and cotinine during work shifts. NIOSH also concluded that the "best means of eliminating workplace exposure to [secondhand smoke] is to ban all smoking in the casinos."<sup>13</sup> A subsequent study in Nevada, whose Clean Indoor Air Act permits smoking in designated areas of casinos, bars, and taverns, indicates that strong 100% smokefree laws are the only effective way to protect indoor air quality. The study sampled the air quality in 15 casino gaming areas and corresponding nonsmoking areas, and the results indicated that the Clean Indoor Air Act failed to protect air quality in the nonsmoking areas, including children-friendly areas.<sup>14</sup>

Secondhand smoke is particularly hazardous to elderly people, individuals with cardiovascular disease, and individuals with impaired respiratory function, including asthmatics and those with obstructive airway disease.<sup>15</sup> The Americans With Disabilities Act, which requires that disabled

persons have access to public places and workplaces, deems impaired respiratory function to be a disability.<sup>16</sup>

The U.S. Centers for Disease Control and Prevention has determined that the risk of acute myocardial infarction and coronary heart disease associated with exposure to tobacco smoke is non-linear at low doses, increasing rapidly with relatively small doses such as those received from secondhand smoke or actively smoking one or two cigarettes a day, and has warned that all patients at increased risk of coronary heart disease or with known coronary artery disease should avoid all indoor environments that permit smoking.<sup>17</sup>

Given the fact that there is no safe level of exposure to secondhand smoke, the American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) bases its ventilation standards on totally smokefree environments. ASHRAE has determined that there is currently no air filtration or other ventilation technology that can completely eliminate all the carcinogenic components in secondhand smoke and the health risks caused by secondhand smoke exposure, and recommends that indoor environments be smokefree in their entirety. In 2015, ASHRAE amended its ventilation Standard for Acceptable Indoor Air Quality (62.1) to include an environment that is completely free from marijuana smoke and emissions from electronic smoking devices.<sup>18</sup>

During periods of active smoking, peak and average outdoor tobacco smoke (OTS) levels measured in outdoor cafes and restaurant and bar patios near smokers rival indoor tobacco smoke concentrations.<sup>19</sup> Nonsmokers who spend six-hour periods in outdoor smoking sections of bars and restaurants experience a significant increase in levels of cotinine when compared to the cotinine levels in a smokefree outdoor area.<sup>20</sup>

Residual tobacco contamination, or “thirdhand smoke,” from cigarettes, cigars, and other tobacco products is left behind after smoking occurs and builds up on surfaces and furnishings. This residue can linger in spaces long after smoking has ceased, continuing to expose people to tobacco toxins, which represent an unappreciated health hazard through dermal exposure, dust inhalation, and ingestion.<sup>21</sup> Sticky, highly toxic particulate matter, including nicotine, can cling to walls and ceilings, and gases can be absorbed into carpets, draperies, and other upholsteries, which can then be reemitted (off-gassed) back into the air and form harmful compounds.<sup>22</sup> Tobacco residue is noticeably present in dust throughout places where smoking has occurred.<sup>23</sup> The dangers of residual tobacco contamination are present in spaces that are not 100% smokefree, such as in nonsmoking rooms of hotels that allow smoking in some guest rooms. Partial smoking restrictions in hotels do not protect non-smoking guests from exposure to tobacco smoke and tobacco-specific carcinogens.<sup>24</sup>

Electronic smoking devices, commonly referred to as electronic cigarettes, or “e-cigarettes,” closely resemble and purposefully mimic the act of smoking by having users inhale vaporized liquid that typically contains nicotine, heated through an electronic ignition system. ESD emissions are made up of a high concentration of ultrafine particles, and the particle concentration is higher than in conventional tobacco cigarette smoke.<sup>25</sup> The January 2018 National Academies of Sciences, Engineering, and Medicine publication states that there is conclusive evidence that in addition to nicotine, most ESDs contain and emit numerous potentially toxic substances and increase airborne concentrations of particulate matter and nicotine in indoor environments. Studies show that people exposed to ESD aerosol absorb nicotine (measured as cotinine) at levels comparable to passive smokers. Many of the elements identified in the aerosol are known to cause respiratory distress and disease. ESD exposure damages lung tissues. Human lung cells that are exposed to ESD aerosol and flavorings — especially cinnamon — show increased oxidative stress and inflammatory responses.<sup>26</sup> Their use in workplaces and public places where smoking of traditional tobacco products is prohibited

creates concern and confusion and leads to difficulties in enforcing the smoking prohibitions. The World Health Organization (WHO), the National Institute for Occupational Safety and Health (NIOSH), and the American Industrial Hygiene Association (AIHA) recommend that ESDs not be used in smokefree environments, in order to minimize the risk to bystanders of breathing in the aerosol emitted by the devices and to avoid undermining the enforcement of smokefree laws.<sup>27</sup>

Secondhand smoke from combusted marijuana contains fine particulate matter that can be breathed deeply into the lungs, which can cause lung irritation and asthma attacks, thus making respiratory infections more likely. Exposure to fine particulate matter can exacerbate health problems especially for people with respiratory conditions like asthma, bronchitis, or COPD.<sup>28, 29</sup> Secondhand smoke from marijuana also has many of the same chemicals as smoke from tobacco, including those linked to lung cancer.<sup>30, 31</sup> More research is needed, but the current body of science shows that both tobacco and marijuana smoke may have similar harmful cardiovascular effects.<sup>32, 33</sup> Thus, In the interest of public health, the use of combustible or aerosolized marijuana should be prohibited wherever tobacco smoking is prohibited.

The Society of Actuaries has determined that secondhand smoke costs the U.S. economy roughly \$10 billion a year: \$5 billion in estimated medical costs associated with secondhand smoke exposure and \$4.6 billion in lost productivity.<sup>34</sup>

Numerous economic analyses examining restaurant and hotel receipts and controlling for economic variables have shown either no difference or a positive economic impact after enactment of laws requiring workplaces to be smokefree. Creation of smokefree workplaces is sound economic policy and provides the maximum level of employee health and safety.<sup>35</sup>

There is no legal or constitutional "right to smoke."<sup>36</sup> Business owners have no legal or constitutional right to expose their employees and customers to the toxic chemicals in secondhand smoke. On the contrary, employers have a common law duty to provide their workers with a workplace that is not unreasonably dangerous.<sup>37</sup>

Smoking is a potential cause of fires; cigarette and cigar burns and ash stains on merchandise and fixtures causes economic damage to businesses.<sup>38</sup>

The smoking of tobacco, hookahs, or marijuana and the use of ESDs are forms of air pollution and constitute both a danger to health and a material public nuisance.

Accordingly, the \_\_\_\_\_ [City or County Governing Body] finds and declares that the purposes of this ordinance are (1) to protect the public health and welfare by prohibiting smoking in public places and places of employment; and (2) to guarantee the right of nonsmokers to breathe smokefree air, and to recognize that the need to breathe smokefree air shall have priority over the desire to smoke.

**Sec. 1002. Definitions**

The following words and phrases, whenever used in this Article, shall be construed as defined in this Section:

- A. "Bar" means an establishment that is devoted to the serving of alcoholic beverages for consumption by guests on the premises and in which the serving of food is only incidental to the consumption of those beverages, including but not limited to, taverns, nightclubs, cocktail lounges, and cabarets.
- B. "Business" means a sole proprietorship, partnership, joint venture, corporation, or other business entity, either for-profit or not-for-profit, including retail establishments where goods or services are sold; professional corporations and other entities where legal, medical, dental, engineering, architectural, or other professional services are delivered; and private clubs.
- C. "Electronic Smoking Device" means any product containing or delivering nicotine or any other substance intended for human consumption that can be used by a person in any manner for the purpose of inhaling vapor or aerosol from the product. The term includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.
- D. "Employee" means a person who is employed by an employer in consideration for direct or indirect monetary wages or profit, or a person who volunteers his or her services for a non-profit entity.
- E. "Employer" means a person, business, partnership, association, corporation, including a municipal corporation, trust, or non-profit entity that employs the services of one or more individual persons.
- F. "Enclosed Area" means all space between a floor and a ceiling that is bounded on at least two sides by walls, doorways, or windows, whether open or closed. A wall includes any retractable divider, garage door, or other physical barrier, whether temporary or permanent and whether or not containing openings of any kind.
- G. "Health Care Facility" means an office or institution providing care or treatment of diseases, whether physical, mental, or emotional, or other medical, physiological, or psychological conditions, including but not limited to, hospitals, rehabilitation hospitals or other clinics, including weight control clinics, nursing homes, long-term care facilities, homes for the aging or chronically ill, laboratories, and offices of surgeons, chiropractors, physical therapists, physicians, psychiatrists, dentists, and all specialists within these professions. This definition shall include all waiting rooms, hallways, private rooms, semiprivate rooms, and wards within health care facilities.
- H. "Hookah" means a water pipe and any associated products and devices which are used to produce fumes, smoke, and/or vapor from the burning of material including, but not limited to, tobacco, shisha, or other plant matter.
- I. "Place of Employment" means an area under the control of a public or private employer, including, but not limited to, work areas, private offices, employee lounges, restrooms, conference rooms, meeting rooms, classrooms, employee cafeterias, hallways, construction sites, temporary offices, and vehicles. A private residence is not a "place of employment" unless it is used as a child care, adult day care, or health care facility.

- J. "Playground" means any park or recreational area designed in part to be used by children that has play or sports equipment installed or that has been designated or landscaped for play or sports activities, or any similar facility located on public or private school grounds or on [City or County] grounds.
- K. "Private Club" means an organization, whether incorporated or not, which is the owner, lessee, or occupant of a building or portion thereof used exclusively for club purposes at all times, which is operated solely for a recreational, fraternal, social, patriotic, political, benevolent, or athletic purpose, but not for pecuniary gain, and which only sells alcoholic beverages incidental to its operation. The affairs and management of the organization are conducted by a board of directors, executive committee, or similar body chosen by the members at an annual meeting. The organization has established bylaws and/or a constitution to govern its activities. The organization has been granted an exemption from the payment of federal income tax as a club under 26 U.S.C. Section 501.
- L. "Public Event" means an event which is open to and may be attended by the general public, including but not limited to, such events as concerts, fairs, farmers' markets, festivals, parades, performances, and other exhibitions, regardless of any fee or age requirement.
- M. "Public Place" means an area to which the public is invited or in which the public is permitted, including but not limited to, banks, bars, educational facilities, gambling facilities, health care facilities, hotels and motels, laundromats, parking structures, public transportation vehicles and facilities, reception areas, restaurants, retail food production and marketing establishments, retail service establishments, retail stores, shopping malls, sports arenas, theaters, and waiting rooms. A private residence is not a "public place" unless it is used as a child care, adult day care, or health care facility.
- N. "Recreational Area" means any public or private area open to the public for recreational purposes, whether or not any fee for admission is charged, including but not limited to, amusement parks, athletic fields, beaches, fairgrounds, gardens, golf courses, parks, plazas, skate parks, swimming pools, trails, and zoos.
- O. "Restaurant" means an eating establishment, including but not limited to, coffee shops, cafeterias, sandwich stands, and private and public school cafeterias, which gives or offers for sale food to the public, guests, or employees, as well as kitchens and catering facilities in which food is prepared on the premises for serving elsewhere. The term "restaurant" shall include a bar area within the restaurant.
- P. "Service Line" means an indoor or outdoor line in which one (1) or more persons are waiting for or receiving service of any kind, whether or not the service involves the exchange of money, including but not limited to, ATM lines, concert lines, food vendor lines, movie ticket lines, and sporting event lines.
- Q. "Shopping Mall" means an enclosed or unenclosed public walkway or hall area that serves to connect retail or professional establishments.

- R. "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, hookah, or any other lighted or heated tobacco or plant product intended for inhalation, including marijuana, whether natural or synthetic, in any manner or in any form. "Smoking" includes the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this Article.
- S. "Sports Arena" means a place where people assemble to engage in physical exercise, participate in athletic competition, or witness sports or other events, including sports pavilions, stadiums, gymnasiums, health spas, boxing arenas, swimming pools, roller and ice rinks, and bowling alleys.

### **Sec. 1003. Application of Article to [City-Owned or County-Owned] Facilities and Property**

All enclosed areas, including buildings and vehicles owned, leased, or operated by the \_\_\_\_\_ [City or County] of \_\_\_\_\_, as well as all outdoor property adjacent to such buildings and under the control of the \_\_\_\_\_ [City or County], shall be subject to the provisions of this Article.

### **Sec. 1004. Prohibition of Smoking in Enclosed Public Places**

Smoking shall be prohibited in all enclosed public places within the \_\_\_\_\_ [City or County] of \_\_\_\_\_, including but not limited to, the following places:

- A. Aquariums, galleries, libraries, and museums.
- B. Areas available to the general public in businesses and non-profit entities patronized by the public, including but not limited to, banks, laundromats, professional offices, and retail service establishments.
- C. Bars.
- D. Bingo facilities.
- E. Child care and adult day care facilities.
- F. Convention facilities.
- G. Educational facilities, both public and private.
- H. Elevators.
- I. Gambling facilities.
- J. Health care facilities.
- K. Hotels and motels.

- L. Lobbies, hallways, and other common areas in apartment buildings, condominiums, trailer parks, retirement facilities, nursing homes, and other multiple-unit residential facilities.
- M. Parking structures.
- N. Polling places.
- O. Public transportation vehicles, including buses and taxicabs, under the authority of the \_\_\_\_\_ [City or County], and public transportation facilities, including bus, train, and airport facilities.
- P. Restaurants.
- Q. Restrooms, lobbies, reception areas, hallways, and other common-use areas.
- R. Retail stores.
- S. Rooms, chambers, places of meeting or public assembly, including school buildings, under the control of an agency, board, commission, committee or council of the \_\_\_\_\_ [City or County] or a political subdivision of the State, to the extent the place is subject to the jurisdiction of the \_\_\_\_\_ [City or County].
- T. Service lines.
- U. Shopping malls.
- V. Sports arenas, including enclosed places in outdoor arenas.
- W. Theaters and other facilities primarily used for exhibiting motion pictures, stage dramas, lectures, musical recitals, or other similar performances.

#### **Sec. 1005. Prohibition of Smoking in Enclosed Places of Employment**

- A. Smoking shall be prohibited in all enclosed areas of places of employment without exception. This includes, without limitation, common work areas, auditoriums, classrooms, conference and meeting rooms, private offices, elevators, hallways, medical facilities, cafeterias, employee lounges, stairs, restrooms, vehicles, and all other enclosed facilities.
- B. This prohibition on smoking shall be communicated to all existing employees by the effective date of this Article and to all prospective employees upon their application for employment.

#### **Sec. 1006. Prohibition of Smoking in Private Clubs**

Smoking shall be prohibited in all private clubs.



### **Sec. 1007. Prohibition of Smoking in Enclosed Residential Facilities**

Smoking shall be prohibited in the following enclosed residential facilities:

- A. All private and semi-private rooms in nursing homes.
- B. All hotel and motel guest rooms.

### **Sec. 1008. Prohibition of Smoking in Outdoor Public Places**

Smoking shall be prohibited in the following outdoor places:

- A. Within a reasonable distance of \_\_\_\_\_ [*recommended 15-25*] feet outside entrances, operable windows, and ventilation systems of enclosed areas where smoking is prohibited, so as to prevent tobacco smoke from entering those areas.
- B. On all outdoor property that is adjacent to buildings owned, leased, or operated by the \_\_\_\_\_ [City or County] of \_\_\_\_\_ and that is under the control of the \_\_\_\_\_ [City or County].
- C. In, and within \_\_\_\_\_ [*recommended 15-25*] feet of, outdoor seating or serving areas of restaurants, bars, and gambling facilities.
- D. In outdoor shopping malls, including parking structures.
- E. In all outdoor arenas, stadiums, and amphitheaters. Smoking shall also be prohibited in, and within \_\_\_\_\_ [*recommended 15-25*] feet of, bleachers and grandstands for use by spectators at sporting and other public events.
- F. In outdoor recreational areas, including parking lots.
- G. In, and within \_\_\_\_\_ [*recommended 15-25*] feet of, all outdoor playgrounds.
- H. In, and within \_\_\_\_\_ [*recommended 15-25*] feet of, all outdoor public events.
- I. In, and within \_\_\_\_\_ [*recommended 15-25*] feet of, all outdoor public transportation stations, platforms, and shelters under the authority of the \_\_\_\_\_ [City or County].
- J. In all outdoor service lines, including lines in which service is obtained by persons in vehicles, such as service that is provided by bank tellers, parking lot attendants, and toll takers. In lines in which service is obtained by persons in vehicles, smoking is prohibited by both pedestrians and persons in vehicles, but only within \_\_\_\_\_ [*recommended 15-25*] feet of the point of service.
- K. In outdoor common areas of apartment buildings, condominiums, trailer parks, retirement facilities, nursing homes, and other multiple-unit residential facilities, except in designated smoking areas, not to exceed twenty-five percent (25%) of the total outdoor common area, which must be located at least \_\_\_\_\_ [*recommended 15-25*] feet outside entrances, operable windows, and ventilation systems of enclosed areas where smoking is prohibited.

### **Sec. 1009. Prohibition of Smoking in Outdoor Places of Employment**

- A. Smoking shall be prohibited in all outdoor places of employment where two or more employees are required to be in the course of their employment. This includes, without limitation, work areas, construction sites, and temporary offices such as trailers, restroom facilities, and vehicles.
- B. This prohibition on smoking shall be communicated to all existing employees by the effective date of this Article and to all prospective employees upon their application for employment.

### **Sec. 1010. Where Smoking Not Regulated**

Notwithstanding any other provision of this Article to the contrary, smoking shall not be prohibited in private residences, unless used as a childcare, adult day care, or health care facility.

### **Sec. 1011. Declaration of Establishment or Outdoor Area as Nonsmoking**

Notwithstanding any other provision of this Article, an owner, operator, manager, or other person in control of an establishment, facility, or outdoor area may declare that entire establishment, facility, or outdoor area as a nonsmoking place. Smoking shall be prohibited in any place in which a sign conforming to the requirements of Section 1012(A) is posted.

### **Sec. 1012. Posting of Signs and Removal of Ashtrays**

The owner, operator, manager, or other person in control of a place of employment, public place, private club, or residential facility where smoking is prohibited by this Article shall:

- A. Clearly and conspicuously post "No Smoking" signs or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) in that place.
- B. Clearly and conspicuously post at every entrance to that place a sign stating that smoking is prohibited or, in the case of outdoor places, clearly and conspicuously post "No Smoking" signs in appropriate locations as determined by the \_\_\_\_\_ [Department of Health or City Manager or County Administrator] or an authorized designee.
- C. Clearly and conspicuously post on every vehicle that constitutes a place of employment under this Article at least one sign, visible from the exterior of the vehicle, stating that smoking is prohibited.
- D. Remove all ashtrays from any area where smoking is prohibited by this Article, except for ashtrays displayed for sale and not for use on the premises.

### **Sec. 1013. Nonretaliation; Nonwaiver of Rights**

- A. No person or employer shall discharge, refuse to hire, or in any manner retaliate against an employee, applicant for employment, customer, or resident of a multiple-unit residential facility because that employee, applicant, customer, or resident exercises any rights afforded by this Article or reports or attempts to prosecute a violation of this Article. Notwithstanding Section 1015, violation of this Subsection shall be a misdemeanor, punishable by a fine not to exceed \$1000 for each violation.
- B. An employee who works in a setting where an employer allows smoking does not waive or otherwise surrender any legal rights the employee may have against the employer or any other party.

### **Sec. 1014. Enforcement**

- A. This Article shall be enforced by the \_\_\_\_\_ [Department of Health or City Manager or County Administrator] or an authorized designee.
- B. Notice of the provisions of this Article shall be given to all applicants for a business license in the \_\_\_\_\_ [City or County] of \_\_\_\_\_.
- C. Any citizen who desires to register a complaint under this Article may initiate enforcement with the \_\_\_\_\_ [Department of Health or City Manager or County Administrator].
- D. The Health Department, Fire Department, or their designees shall, while an establishment is undergoing otherwise mandated inspections, inspect for compliance with this Article.
- E. An owner, manager, operator, or employee of an area regulated by this Article shall direct a person who is smoking in violation of this Article to extinguish or turn off the product being smoked. If the person does not stop smoking, the owner, manager, operator, or employee shall refuse service and shall immediately ask the person to leave the premises. If the person in violation refuses to leave the premises, the owner, manager, operator, or employee shall contact a law enforcement agency.
- F. Notwithstanding any other provision of this Article, an employee or private citizen may bring legal action to enforce this Article.
- G. In addition to the remedies provided by the provisions of this Section, the \_\_\_\_\_ [Department of Health or City Manager or County Administrator] or any person aggrieved by the failure of the owner, operator, manager, or other person in control of a public place or a place of employment to comply with the provisions of this Article may apply for injunctive relief to enforce those provisions in any court of competent jurisdiction.

### **Sec. 1015. Violations and Penalties**

- A. A person who smokes in an area where smoking is prohibited by the provisions of this Article shall be guilty of an infraction, punishable by a fine not exceeding fifty dollars (\$50).

- B. Except as otherwise provided in Section 1013(A), a person who owns, manages, operates, or otherwise controls a public place or place of employment and who fails to comply with the provisions of this Article shall be guilty of an infraction, punishable by:
  - 1. A fine not exceeding one hundred dollars (\$100) for a first violation.
  - 2. A fine not exceeding two hundred dollars (\$200) for a second violation within one (1) year.
  - 3. A fine not exceeding five hundred dollars (\$500) for each additional violation within one (1) year.
- C. In addition to the fines established by this Section, violation of this Article by a person who owns, manages, operates, or otherwise controls a public place or place of employment may result in the suspension or revocation of any permit or license issued to the person for the premises on which the violation occurred.
- D. Violation of this Article is hereby declared to be a public nuisance, which may be abated by the \_\_\_\_\_ [Department of Health or City Manager or County Administrator] by restraining order, preliminary and permanent injunction, or other means provided for by law, and the \_\_\_\_\_ [City or County] may take action to recover the costs of the nuisance abatement.
- E. Each day on which a violation of this Article occurs shall be considered a separate and distinct violation.

**Sec. 1016. Public Education**

The \_\_\_\_\_ [Department of Health or City Manager or County Administrator] shall engage in a continuing program to explain and clarify the purposes and requirements of this Article to citizens affected by it, and to guide owners, operators, and managers in their compliance with it. The program may include publication of a brochure for affected businesses and individuals explaining the provisions of this ordinance.

**Sec. 1017. Governmental Agency Cooperation**

The \_\_\_\_\_ [City Manager or County Administrator] shall annually request other governmental and educational agencies having facilities within the \_\_\_\_\_ [City or County] to establish local operating procedures in cooperation and compliance with this Article. This includes urging all Federal, State, \_\_\_\_\_ [County or City], and School District agencies to update their existing smoking control regulations to be consistent with the current health findings regarding secondhand smoke.

**Sec. 1018. Other Applicable Laws**

This Article shall not be interpreted or construed to permit smoking where it is otherwise restricted by other applicable laws.

### **Sec. 1019. Liberal Construction**

This Article shall be liberally construed so as to further its purposes.

### **Sec. 1020. Severability**

If any provision, clause, sentence, or paragraph of this Article or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this Article which can be given effect without the invalid provision or application, and to this end the provisions of this Article are declared to be severable.

### **Sec. 1021. Effective Date**

This Article shall be effective thirty (30) days from and after the date of its adoption.

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1909 [MO-04]

**CITY OF GLUCKSTADT  
FLOOD PREVENTION  
ORDINANCE**





# FLOOD DAMAGE PREVENTION ORDINANCE

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**City of Gluckstadt**

**FLOOD DAMAGE PREVENTION ORDINANCE**

**ARTICLE 1. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE, AND OBJECTIVES.**

**SECTION A. STATUTORY AUTHORIZATION.**

The Legislature of the state of Mississippi has in Title 17, Chapter 1, Mississippi Code of 1972 Annotated delegated the responsibility to local government units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the *Mayor and Board of Alderman of the City of Gluckstadt* does hereby adopt the following floodplain management regulations.

**SECTION B. FINDINGS OF FACT.**

- (1) *The City of Gluckstadt* is subject to periodic inundation, which results in loss of life and property, health, and safety hazards. disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- (2) These flood losses are caused by the cumulative effect of obstructions, both inside and outside the identified Special Flood Hazard Areas, causing increases in flood heights and velocities and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, floodproofed, or otherwise unprotected from flood damages.

**SECTION C. STATEMENT OF PURPOSE.**

It is the purpose of this ordinance to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, which result in damaging increases in erosion or in flood heights or velocities.
- (2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.
- (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters.
- (4) Control filling, grading, dredging, and other development which may increase erosion or flood damage, and.
- (5) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters, or which may increase flood hazards to other lands.

**SECTION D. OBJECTIVES.**

The objectives of this ordinance are:

- (1) To protect human life and health.
- (2) To minimize expenditure of public money for costly flood control projects.
- (3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the public.
- (4) To minimize prolonged business interruptions.
- (5) To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains.
- (6) To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas, and.
- (7) To ensure that potential homebuyers are notified that property is in a flood prone area.

**SECTION E. METHODS OF REDUCING FLOOD LOSSES.**

To accomplish its purposes, this ordinance includes methods and provisions for:

- (1) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities.
- (2) Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.
- (3) Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters.
- (4) Controlling filling, grading, dredging, and other development which may increase flood damage, and.
- (5) Preventing or regulating the construction of flood barriers that will unnaturally divert floodwaters or may increase flood hazards in other areas.

**ARTICLE 2. DEFINITIONS.**

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted to give them the meaning they have in common usage and to give this ordinance it's most reasonable application.

**A Zone** is the Area of Special Flood Hazard without base flood elevations determined.

**A1 - A30 and AE zone** is the Area of Special Flood Hazard with base flood elevations determined.

**Accessory structure** (Appurtenant structure) means a structure, which is located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Accessory structures should constitute a minimal initial investment, may not be used for human habitation, and be designed to have minimal flood damage potential. Examples of accessory structures are detached garages, carports, storage sheds, pole barns, and hay sheds.

**Addition** (to an existing building) means any walled and roofed expansion to the perimeter or height of a building.

Any addition shall be considered new construction. If the addition is more than 50% of the market value of the structure, then the addition and the existing structure are now new construction.

**AH zone** is an area of one percent chance of shallow flooding where depths are between one to three feet (usually shallow ponding), with base flood elevations shown.

**AO zone** is an area of one percent chance of shallow flooding where depths are between one to three feet (usually sheet flow on sloping terrain), with depth numbers shown.

**Appeal** means a request for a review of the Floodplain Administrator's interpretation of any provision of this ordinance or a request for a variance.

**AR/AI -A30, AR/AE, AR/AH, AR/AO, and AR/A zones** are SFHAs that result from the decertification of a previously accredited flood protection system or levee that is in the process of being restored to provide a one percent chance or greater level of flood protection. After restoration is complete, these areas will still experience residual flooding from other flooding sources.

**A99 zone** is that part of the SFHA inundated by the one percent chance flood to be protected from the one percent chance flood by a federal flood protection system or levee under construction, no base flood elevations are determined.

**Area of shallow flooding** means a designated AO or AH Zone on the community's Flood Insurance Rate Map (FIRM) with flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

**Area of special flood hazard** is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. This area is also referred to as the Special Flood Hazard Area (SFHA).

**B and X zones (shaded)** are areas of 0.2 percent chance flood that are outside of the SFHA subject to the one percent chance flood with average depths of less than one foot, or with contributing drainage area less than one square mile, and areas protected by certified levees from the base flood.

**Base flood** means the flood having a one percent chance of being equaled or exceeded in any given year (also called the "one percent chance flood").

**Base Flood Elevation (BFE)** is the elevation shown in the Flood Insurance Study (FIS) for Zones AE, AH, AI-30, AR, AR/A, AR/AE, AR/AI-A30, AR/AH, AR/AO, VI-V30, and VE that indicates the water surface elevation resulting from a flood that has a one percent or greater chance of being equaled or exceeded in any given year.

**Basement** means any portion of a building having its floor sub-grade (below ground level) on all sides.

**Building** see **Structure**.

**C and X zones (unshaded)** are areas determined to be outside the 0.2 percent chance floodplain.

**Community** is a political entity and/or its authorized agents or representatives that have the authority to adopt and enforce floodplain ordinances for the area under its jurisdiction.

**Community Floodplain Management Map** means any map produced by the community utilizing best available base flood elevation and floodway data that is from a federal, state, or other accepted technical source.

**Community Rating System (CRS)** is a program developed by the Federal Insurance Administration to provide incentives for those communities in the Regular Program that have gone beyond the minimum floodplain management requirements to develop extra measures to provide protection from flooding.

**Community Flood Hazard Area (CFHA)** is an area that has been determined by the Floodplain Administrator (or other delegated, designated, or qualified community official) from available technical studies, historical information, and other available and reliable sources, which may be subject to periodic inundation by floodwaters that can adversely affect the public health, safety, and general welfare. This includes areas downstream from dams.

**Critical facility** (also called critical action) means facilities for which the effects of even a slight chance of flooding would be too great. The minimum floodplain of concern for critical facilities is the 0.2 percent chance flood level. Critical facilities include, but are not limited to facilities critical to the health and safety of the public such as: emergency operations centers, designated public shelters, schools, nursing homes, hospitals, police, fire and emergency response installations, vital data storage centers, power generation and water and other utilities (including related infrastructure such as principal points of utility systems) and installations which produce, use or store hazardous materials or hazardous waste (as defined under the Clean Water Act and other Federal statutes and regulations). Such facilities and access to such facilities will be constructed outside the one percent chance Special Flood Hazard Area or elevated/protected to or above the 0.2 percent chance flood level.

**D zone** is an area in which the flood hazard is undetermined.

**Dam** is any artificial barrier, including appurtenant works, constructed to impound or divert water, waste water, liquid borne materials, or solids that may flow if saturated. All structures necessary to maintain the water level in an impoundment or to divert a stream from its course will be considered a dam.

**Development** means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or storage of materials or equipment.

**Elevated building** means for insurance purposes, a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, pilings, columns, or piers.

**Elevation Certificate** is a FEMA form used as a certified statement that verifies a building's elevation information.

**Emergency Program** means the first phase under which a community participates in the NFIP. It is intended to provide a first layer amount of insurance coverage for all insurable buildings in that community before the effective date of the initial FIRM.

**Enclosure below the Lowest Floor** see "Lowest Floor."

**Encroachment** means the advance or infringement of uses, plant growth, fill, excavation, buildings, structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

**Executive Order 11988 (Floodplain Management)** this order requires that no federally assisted activities be conducted in or have the potential to affect identified Special Flood Hazard Areas unless there is no practicable alternative.

**Existing Construction** means structures for which the "start of construction" commenced before the date of the FIRM or before January 1, 1975, for FIRMs effective before that date. Existing construction may also be referred to as existing structures.

**Existing manufactured home park or subdivision** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

**Expansion to an existing manufactured home park or subdivision** includes the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

**Fill** means a deposit of earthen materials placed by artificial means.

**Five-Hundred Year Flood** means the flood that has a 0.2 percent chance of being equaled or exceeded in any year. Areas subject to the 0.2 percent chance flood have a moderate risk of flooding.

**Flood or flooding** means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- a.) The overflow of inland or tidal waters.
- b.) The unusual and rapid accumulation or runoff of surface waters from any source.
- c.) Mudslides which are proximately caused by flooding and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
- d.) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding.

**Flood** (insurance definition) means a general and temporary condition of partial or complete inundation of two or more acres of normally dry land areas or of two or more properties (e.g. a building and a public street) from (1) overflow of inland or tidal waters (2) unusual and rapid accumulation or runoff of surface waters (3) mudflows caused by flooding.

**Flood Boundary and Floodway Map (FBFM)** means the official map on which the Federal Emergency Management Agency (FEMA) or Federal Insurance Administration (FIA) has delineated the areas of flood hazards and regulatory floodway.

**Flood Hazard Boundary Map (FHBM)** means an official map of a community, issued by FEMA, where the boundaries of the areas of special flood hazard have been identified as Zone A.

**Flood Insurance Rate Map (FIRM)** means an official map of a community, on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

**Flood Insurance Study (FIS)** is the document which provides an examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation, and determination of mudslide and/or flood-related erosion hazards.

**Floodplain** means any land area susceptible to being inundated by flood waters from any source.

**Floodplain management** means the operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

**Floodplain Administrator** is the individual appointed to administer and enforce the floodplain management regulations.

**Floodplain management regulations** means this ordinance and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances, and other applications of police power which control development in flood-prone areas. This term describes federal, state, or local regulations in any combination thereof, which provide standards for preventing and reducing flood loss and damage.

**Floodproofing** means any combination of structural and nonstructural additions, changes, or adjustments to structures, which prevent or eliminate flood damages to real estate or improved real estate property, water, and sanitary facilities, structures, and their contents. A Flood Emergency Operation Plan and an Inspection and Maintenance Plan must be provided by the design professional for the building. Only non-residential buildings in A Zones can be floodproofed. Structures shall be floodproofed with a minimum of one foot of freeboard in relation to the base flood elevation.

**Floodproofing Certificate** is an official FEMA form used to certify compliance for non-residential structures in A Zones as an alternative to elevating buildings to or above the base flood elevation.

**Floodway** See *Regulatory Floodway*.

**Floodway fringe** means that area of the special flood hazard area on either side of the regulatory flood way.

**Flood Protection Elevation** is the base flood elevation plus *18 inches* of freeboard. In areas where no base flood elevations exist from any authoritative source, the flood protection elevation can be historical flood elevations or base flood elevations determined and/or approved by the floodplain administrator.

**Freeboard** means a factor of safety, usually expressed in feet above the BFE, which is applied for the purposes of floodplain management. Communities are encouraged to adopt at least a one-foot freeboard to account for the one-foot rise built into the concept of designating a floodway, where floodways have not been designated.

**Functionally dependent use** means a use which cannot perform its intended purpose unless it is located or carried out near water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, ship building and ship repair facilities and seafood offloading facilities. The term does not include long-term storage, manufacture, processing functions, sales, administrative functions, or service facilities.

**Hardship** (as related to variances of this ordinance) means the exceptional difficulty that would result from a failure to grant the requested variance. The Mayor and Board of Alderman requires that the variance is exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is NOT exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

**Hazard potential** means the possible adverse incremental consequences that result from the release of water or stored contents due to failure of a dam or mis-operation of a dam or appurtenances. The hazard potential classification of a dam does not reflect in any way on the current condition of a dam and its appurtenant structures (e.g., safety, structural integrity, and flood routing capacity).

**High hazard dam** means a class of dam in which failure may cause loss of life, serious damage to residential, industrial, or commercial buildings; or damage to, or disruption of, important public utilities or transportation facilities such as major highways or railroads. Dams which meet the statutory thresholds for regulation that are proposed for construction in established or proposed residential, commercial, or industrial areas will be assigned this classification, unless the applicant provides convincing evidence to the contrary. A development permit is required for a structure and any associated fill downstream from a dam at any location where flooding can be reasonably anticipated from principal or emergency spillway discharges, or from overtopping and failure of the dam.

**Highest adjacent grade** means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a building.

**Historic Structure** means any structure that is:



- a.) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register.
- b.) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic or a district preliminarily determined by the Secretary to qualify as a registered historic district.
- c.) Individually listed on the State of Mississippi inventory of historic structures, or.
- d.) Individually listed on a local inventory historic places in communities with historic preservation programs that have been certified by an approved state program as determined by the Secretary of the Interior.

**Hydrologic and hydraulic engineering analyses** means the analyses performed by a professional engineer, registered in the state of Mississippi, in accordance with standard engineering practices as accepted by FEMA, used to determine flood elevations and /or floodway boundaries.

**Increased Cost of Compliance (ICC)** coverage means under the standard flood insurance policy the cost to repair a substantially flood damaged building that exceeds the minimal repair cost and that is required to bring a substantially damaged building into compliance with the local flood damage prevention ordinance. Acceptable mitigation measures are floodproofing (nonresidential), relocation, elevation, demolition, or any combination thereof. All renewal and new policies with effective dates on or after June 1, 1997, include ICC coverage.

**Letter of Map Change (LOMC)** is an official FEMA determination, by letter, to amend or revise effective Flood Insurance Rate Maps, Flood Boundary and Flood way Maps, and Flood Insurance Studies. LOMCs are broken down into the following categories:

Letter of Map Amendment (LOMA)

An amendment based on technical data showing that a property was incorrectly included in a designated SFHA, was not elevated by fill (only by a natural grade elevation) and will not be inundated by the one percent chance flood. A LOMA amends the current effective FIRM and establishes that a specific property is not located in a SFHA.

Letter of Map Revision (LOMR)

A revision based on technical data that, usually due to manmade changes, shows changes to flood zones, flood elevations, floodplain, and floodway delineations, and planimetric features. One common type of LOMR, a LOMR-F, is a determination concerning whether a structure or parcel has been elevated by fill above the BFE and is, therefore, excluded from the SFHA.

Conditional Letter of Map Revision (CLOMR)

A formal review and comment by FEMA as to whether a proposed project complies with the minimum NFIP floodplain management criteria. A CLOMR does not revise effective Flood Insurance Rate Maps, Flood Boundary and Floodway Maps, or Flood Insurance Studies.

**Levee** means a man-made structure; usually an earthen embankment designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water to provide protection from temporary flooding.

**Levee system** means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices. For a levee system to be recognized, the following criteria must be met. All closure devices or mechanical systems for internal drainage, whether manual or automatic, must be operated in accordance with an officially adopted operation manual (a copy of which must be provided to FEMA by the operator when levee or drainage system recognition is being sought or revised). All operations must be under the jurisdiction of a Federal or State agency, an agency created by Federal or State law, or an agency of a community participating in the NFIP.

**Low hazard dam** means a class of dam in which failure would at the most result in damage to agricultural land, farm buildings (excluding residences), or minor roads.

**Lowest adjacent grade** means the elevation of the sidewalk, patio, deck support, or basement entryway immediately next to the structure and after the completion of construction. It does not include earth that is placed for aesthetic or landscape reasons around a foundation wall. It does include natural ground or properly compacted fill that comprises a component of a building's foundation system.

**Lowest floor** means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, used solely for parking of vehicles, building access, or storage, in an area other than a basement, is not considered a building's lowest floor, *provided* that such enclosure is not built to render the structure in violation of the no elevation provisions of this code.

**Manufactured home** means a structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when attached to the required utilities. The term manufactured home does not include a "recreational vehicle."

**Manufactured home park or subdivision** means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**Map Amendment** means a change to an effective NFIP map that results in the exclusion from the SFHA or an individual structure or a legally described parcel of land that has been inadvertently included in the SFHA (i.e., no alterations of topography have occurred since the date of the first NFIP map that showed the structure or parcel to be within the SFHA).

**Map Panel Number** means the four-digit number followed by a letter suffix assigned by FEMA on a FHBM, FBFM, or FIRM. The first four digits represent the map panel, and the letter suffix represents the number of times the map panel has been revised.

**Market value** means the property value (as agreed between a willing buyer and seller), excluding the value of land as established by what the local real estate market will bear. Market value can be established by independent certified appraisal; replacement cost depreciated by age of building (Actual Cash Value); or adjusted assessed values.

**Mean Sea Level** means, for the purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map (FIRM) are referenced.

**National Flood Insurance Program (NFIP)** is the federal program that makes flood insurance available to owners of property in participating communities nationwide through the cooperative efforts of the Federal Government and the private insurance industry.

**National Geodetic Vertical Datum (NGVD)** means a vertical control, corrected in 1929, used as a reference for establishing varying elevations within the floodplain.

**New Construction** means a structure or an addition to an existing structure for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and any subsequent improvements to such structure or the addition.

**New manufactured home park or subdivision** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain regulations adopted by a community.

**Non-Residential** means, but is not limited to; small business concerns, churches, schools, farm buildings (including grain bins and silos), pool houses, clubhouses, recreational buildings, mercantile structures, agricultural and industrial structures, warehouses, and hotels and motels with normal room rentals for less than 6 months duration.

**North American Vertical Datum (NAVD) of 1988** means a vertical control, corrected in 1988, used as a reference for establishing varying elevations within the floodplain.

**Obstruction** means, but is not limited to, any dam, wall, wharf, embankment, levee, dike, pile, abutment, protection, excavation, channel construction, bridge, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation or other material in, along, across or projecting into any watercourse which may alter, impede, retard or change the direction and/or velocity of the flow of water, or due to its location, its propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

**One Percent Flood** (aka 100-Year Flood) is the flood that has a one percent chance of being equaled or exceeded in any given year. Any flood zone that begins with the letter A or V is subject to inundation by the one percent chance flood. Over the life of a 30-year loan, there is a 26-percent chance of experiencing such a flood within the SFHA.

**Participating Community** is any community that voluntarily elects to participate in the NFIP by adopting and enforcing floodplain management regulations that are consistent with the standards of the NFIP.

**Post-FIRM Construction** means new construction and substantial improvements for which start of construction occurred after December 31, 1974, or on or after the effective date of the initial FIRM of the community, whichever is later.

**Pre-FIRM Construction** means new construction and substantial improvements for which start of construction occurred on or before December 31, 1974, or before the effective date of the initial FIRM of the community, whichever is later.

**Probation** is a means of FEMA formally notifying participating communities of the first of the two NFIP sanctions due to their failure to correct violations and deficiencies in the administration and enforcement of the local floodplain management regulations.

**Public safety and nuisance** means anything which is injurious to the safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

**Recreational vehicle means a vehicle that is:**

- a.) Licensed and titled as an RV or park model (not a permanent residence);
- b.) Built on a single chassis.
- c.) 400 square feet or less when measured at the largest horizontal projection.
- d.) Has no attached deck, porch, or shed.
- e.) Has quick-disconnect sewage, water, and electrical connectors.
- f.) Designed to be self-propelled or permanently towable by a light duty truck, and.
- g.) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

**Regular Program** means the second phase of the community's participation in the NFIP in which second layer coverage is available based upon risk premium rates only after FEMA has completed a risk study for the community.

**Regulatory floodway** means the channel of a river or other watercourse and the adjacent land areas that must be reserved to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

**Repair** means the reconstruction or renewal of any part of an existing building for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and all such regulations effective at the time of permitting must be met.

**Repetitive Loss** means flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

**Repetitive Loss Property** is any insurable building for which two or more claims of more than \$1,000 were paid by the National Flood Insurance Program (NFIP) within any rolling 10-year period since 1978. At least two of the claims must be more than ten days apart but, within ten years of each other. A RL property may or may not be currently insured by the NFIP.

**Section 1316** means that section of the National Flood Insurance Act of 1968, as amended, which states that no new flood insurance coverage shall be provided for any property that FEMA finds has been declared by a duly constituted state or local zoning authority or other authorized public body to be in violation of state or local laws, regulations, or ordinances that are intended to discourage or otherwise restrict land development or occupancy in flood-prone areas.

**Severe Repetitive Loss Structure** means any insured property that has met at least one of the following paid flood loss criteria since 1978, regardless of ownership:

- I. Four or more separate claim payments of more than \$5,000 each (including building and contents payments); or
2. Two or more separate claim payments (building payments only) where the total of the payments exceeds the current market value of the property.

In either case, two of the claim payments must have occurred within ten years of each other. Multiple losses at the same location within ten days of each other are counted as one loss, with the payment amounts added together.

**Significant hazard dam** means a dam assigned the significant hazard potential classification where failure may cause damage to main roads, minor railroads, or cause interruption of use, or service of relatively important public utilities.

**Special flood hazard area (SFHA)** means that portion of the floodplain subject to inundation by the base flood and/or flood-related erosion hazards as shown on a FHBM or FIRM as Zone A, AE, A I - A30, AH, AO, AR, AR/AI-A30, AR/AE, AR/AO, AR/AH, AR/A, A99, V, VE, or VI-V30.

**Start of construction** (for other than new construction or substantial improvements under the Coastal Barrier Resources Act P. L. 97-348), includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main building. For substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether that alteration affects the external dimensions of the building.

**Structure**, for floodplain management purposes, means a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

**Structure**, for insurance purposes, means a building with two or more outside rigid walls and a fully secured roof, that is affixed to a permanent site; a manufactured home built on a permanent chassis, transported to it site in one or more sections, and affixed to a permanent foundation; or a travel trailer without wheels, built on a chassis and affixed to a permanent foundation, that is regulated under the community's floodplain management and building ordinances or laws. The term does not include recreational vehicle or a park trailer or other similar vehicle, except as described in the last part of this definition, or a gas, or a liquid storage tank.

**Subrogation** means an action brought by FEMA when flood damages have occurred, a flood insurance claim has been paid, and all or part of the damage can be attributed to acts or omissions by a community or other third party.

**Substantial Damage** means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. "Substantial damage" also means flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

**Substantial Improvement** means any combination of reconstruction, rehabilitation, or other improvement of a structure taking place during a 10-year period, in which the cumulative percentage of improvement equals or exceeds 50 percent of the current market value of the structure before the "start of construction" of the improvement. The costs for determining substantial improvement include the costs of additions. This term includes structures which have incurred repetitive loss or substantial damage, regardless of the actual repair work performed.

The term does not apply to:

- a.) Any project for improvement of a building required to comply with existing health, sanitary, or safety code specifications which have been identified by the Code Enforcement Official and which are solely necessary to assure safe living conditions, provided that said code deficiencies were not caused by neglect or lack of **maintenance on the part of the current or previous owners or;**
- b.) Any alteration of a "historic structure" provided that the alteration will not preclude the structure's **continued designation as a "historic structure."**

**Substantially improved existing manufactured home parks or subdivisions** means manufactured home parks or subdivisions where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

**Suspension** means the removal, with or without probation, of a participating community from the NFIP because the community failed to adopt and enforce the compliant floodplain management regulations required for participation in the NFIP.

**Variance** is a grant of relief from the requirements of this ordinance.

**Violation** means the failure of a structure or other development to be fully compliant with this ordinance. A **structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.**

**Watercourse** means any flowing body of water including a river, creek, stream, or a branch.

**Water surface elevation** means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

**X zone** means the area where the flood hazard is less than that in the SFHA. Shaded X shown on recent FIRMs (B on older FIRMs) designate areas subject to inundation by the flood with a 0.2-percent annual probability of being equaled or exceeded (aka 500-year flood). Unshaded X (Con older FIRMs) designates areas where the annual exceedance probability of flooding is less than 0.2 percent.

**Zone** means a geographical area shown on a Flood Hazard Boundary Map or a Flood Insurance Rate Map that reflects the severity or type of flooding in the area.

**ARTICLE 3. GENERAL PROVISIONS.**

**SECTION A. LANDS TO WHICH THIS ORDINANCE APPLIES.**

This ordinance shall apply to all special flood hazard (SFHA) areas within the jurisdiction of the *City of Gluckstadt*.

**SECTION B. BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD.**

The areas of special flood hazard identified by the Federal Emergency Management Agency in the Flood Insurance Rate Map Madison County FIRM Maps (28089CINDOA) and the FIS for Madison County whose effective date is March 17, 2010, and other supporting data are adopted by reference and declared to be a part of this ordinance. The Flood Insurance Study and maps are on file at: Gluckstadt City Hall, 343 Distribution Drive Madison, MS 39110.

**SECTION C. USE OF PRELIMINARY FLOOD HAZARD DATA.**

When Flood Insurance Studies and Preliminary Flood Insurance Rate Maps have been provided by FEMA:

- (1) Prior to the issuance of a Letter of Final Determination (LFD) by FEMA, the use of the preliminary flood hazard data shall only be required where no base flood elevations and/or floodway areas exist or where the preliminary base flood elevations or floodway area exceed the base flood elevations and/or floodway widths in the effective flood hazard data provided by FEMA. Such preliminary data may be subject to revision through valid appeals.
- (2) Upon the issuance of a Letter of Final Determination (LFD) by FEMA, the revised flood hazard data shall be used and replace all previously effective flood hazard data provided by FEMA for the purposes of administering these regulations.

Where adopted regulatory standards conflict, the more stringent base flood elevation shall prevail. Preliminary FIS data may be subject to change by a valid appeal.

**SECTION D. ESTABLISHMENT OF FLOODPLAIN DEVELOPMENT PERMIT.**

A development permit shall be required in conformance with the provision of this ordinance prior to the commencement of any development activities in identified areas of special flood hazard within the community.

**SECTION E. COMPLIANCE.**

No structure or land shall hereafter be located, extended, converted, or structurally altered without full compliance with the terms of this ordinance and other applicable regulations.

**SECTION F. ABROGATION AND GREATER RESTRICTIONS.**

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

**SECTION G. INTERPRETATION.**

In the interpretation and application of this ordinance all provisions shall be:

- (I) Considered as minimum requirements.

- (2) Liberally construed in favor of the governing body, and;
- (3) Deemed neither to limit nor repeal any other powers granted under state statutes.

#### **SECTION H. STANDARDS FOR B, C, AND X ZONES (SHADED/UNSHADED).**

These areas are low to moderate risk flood zones and are located outside the community's delineated special flood hazard area and include the following:

- (1) Areas outside the one percent chance flood zone, but within the 0.2 percent chance flood zone, as determined by a detailed study;
- (2) Areas outside the 0.2 percent chance flood zone as determined by a detailed study, and;
- (3) Areas that have not yet been studied.

The community reserves the right to require further studies for any development within its jurisdiction, if there is evidence that a potential flood hazard exists. Studies can be used to designate community flood hazard areas. Such evidence may include but shall not be limited to:

- (I) Eyewitness reports of historic flooding or other reports of historic flooding deemed credible by the community.
- (2) Geologic features observed that resemble floodplains (such as flat areas along streams);
- (3) Proximity to manmade or natural constrictions such as road crossings that can cause backwater effects, and.
- (4) Drainage basin characteristics such as drainage area, slope, percent impervious cover, land use, etc.

#### **SECTION I. REPETITIVE LOSS STRUCTURES.**

The community may declare any existing structure as a repetitive loss structure as required to qualify the structure for increased cost of compliance (ICC) benefits allowed by a National Flood Insurance Program flood policy claim. To be declared a repetitive loss structure, the following conditions must be met:

- (1) The structure must have a flood insurance policy that includes the increased cost of compliance coverage;
- (2) The structure must have been flooded twice during a ten-year period with each flood event causing damage for which the repair cost equaled or exceeded 25% of the market value of the structure, and;
- (3) The owner, or representative, shall request the declaration in writing and provide supporting documentation to show that the above requirements have been met.

#### **SECTIONJ. WARNING AND DISCLAIMER OF LIABILITY.**

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the Mayor and Board of Alderman of the City of Gluckstadt or by any officer or employee thereof for any flood damages that result from reliance on this ordinance, or any administrative decision lawfully made hereunder.

**SECTION K. ENFORCMENT, PENALTIES, AND VIOLATIONS.**

Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than **\$1000.00** or imprisoned for not more than **90** days, or both, and in addition, shall pay all costs and expenses involved in the case. Each act of violation and each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the Floodplain Administrator from taking such other lawful actions as are necessary to prevent or remedy any violation.

**ARTICLE 4. ADMINISTRATION.**

**SECTION A. DESIGNATION OF FLOOD DAMAGE PREVENTION ORDINANCE ADMINISTRATOR.**

The Mayor and Board of Alderman of the City of Gluckstadt hereby appoints the Building Official to administer and implement the provisions of this ordinance and is herein referred to as the Floodplain Administrator and/or the administration'.

**SECTION B. PERMIT PROCEDURES.**

Application for a Development Permit shall be made to the Floodplain Administrator on forms furnished by him or her prior to any development activities, and may include, but not be limited to, the following plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill, storage of materials or equipment, drainage facilities, and the location of the foregoing. Specifically, the following information is required:

(2) Application Stage.

- a.) Elevation in relation to mean sea level of the proposed lowest floor (including basement) of all buildings, which will be submitted on a FEMA Form 81-31 (Elevation Certificate) by a state of Mississippi registered engineer or surveyor.
- b.) Elevation in relation to sea level to which any non-residential building in an A Zone will be floodproofed.
- c.) Certificate from a state of Mississippi registered professional engineer or architect that the non-residential flood-proofed building will meet the floodproofing criteria in Article 4, Section B (2), and Article 5, Section B (2);
- d.) No floodplain development permit can be issued to any mobile, modular, or permanently constructed residence, building or facility unless the owner, lessee, or developer obtains a Notice of Intent from the Mississippi State Health Department, pursuant to the MS Individual On-Site Wastewater Disposal System Law (2009), for a recommendation of a sewage system or Proof of Compliance from the proper Sewer and Water District.
- e.) Description of the extent to which any watercourse will be altered or relocated as result of proposed development.

(2) Construction Stage:

Upon establishment/placement of the lowest floor, before framing continues, to include any approved floodproofing method by whatever construction means, it shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the NAVD or NGVD elevation of the lowest floor or



floodproofed elevation, as built, in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer, who is authorized by the state of Mississippi to certify such information and certified by same. When floodproofing is utilized for a particular building said certification shall be prepared by or under the direct supervision of a professional engineer or architect, who is authorized by the state of Mississippi to certify such information and certified by same. Floodproofing shall be required to be at least one foot above the base flood elevation.

Any work undertaken prior to submission of the certification shall be at the permit holder's risk. The Floodplain Administrator shall review the lowest floor & floodproofing elevation survey data submitted. The permit holder immediately and prior to further progressive work being permitted to proceed shall correct deficiencies detected by such review. Failure to submit the survey or failure to make said corrections required hereby shall be caused to issue a stop-work order for the project.

(3) Finished Construction.

Upon completion of construction, a FEMA Elevation Certificate Form which depicts all finished construction elevations is required to be submitted to the Floodplain Administrator. If the project includes a floodproofing measure, a FEMA floodproofing certificate is required to be submitted by the permit holder to the Floodplain Administrator.

**SECTION C. POWERS, DUTIES, AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR.**

The Floodplain Administrator and his or her designated staff is hereby authorized and directed to enforce the provisions of this ordinance. The Administrator is further authorized to render interpretations of this ordinance, which are consistent with its spirit and purpose.

The duties of the administrator shall include, but not be limited to:

- (1) Review all development permits to ensure that the permit requirements of this ordinance have been satisfied.
- (2) Require permittee to obtain and submit copies of any required federal or state permits and maintain them on file with the development permit.
- (3) Notify adjacent communities, the NFIP State Coordinator, and other federal and/or state agencies with statutory or regulatory authority prior to any alteration or relocation of a watercourse.
- (4) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is maintained.
- (5) Verify and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new construction and substantially improved buildings, in accordance with Article 4, Section B (2).
- (6) Verify and record the actual elevation (in relation to mean sea level) to which the new construction and substantially improved buildings have been floodproofed, in accordance with Article 4, Section B (2).
- (7) Review certified plans and specifications for compliance.
- (8) Make the necessary interpretation where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Article.

- (9) Obtain, review, and reasonably utilize any base flood elevation and flood way data available from a federal, state or other source when base flood elevation data or floodway data have not been provided in accordance with Article 3, Section B, in order to administer the provisions of Article 5.

Section 6, 1B)

- (10) Provide information, testimony, or other evidence, as needed during variance request hearings.
- (11) Conduct the following actions when damage occurs to a building or buildings:

- a.) Determine whether damaged structures are located within the Special Flood Hazard Area.
- b.) Conduct damage assessments for those damaged structures located in the SFHA, and.
- c.) Make a reasonable attempt to notify owner(s) of damaged structure(s) of the requirement to obtain a building permit/ floodplain development permit prior to repair, rehabilitation, or reconstruction.

## **ARTICLE 5. PROVISIONS FOR FLOOD HAZARD REDUCTION.**

### **SECTION A. GENERAL STANDARDS.**

In all areas of special flood hazard the following provisions are required:

- (1) New construction and substantial improvements shall be anchored to prevent flotation, collapse and lateral movement of the structure.
- (2) Manufactured homes shall be anchored to prevent flotation, collapse, and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces.
- (3) New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- (4) New construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.
- (5) Electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities shall be designed and/or located to prevent water from entering or accumulating within the components during conditions of flooding, such facilities shall be located a minimum of 18 inches above the Base Flood Elevation.
- (6) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood water into the system.
- (7) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
- (8) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- (9) Any alteration, repair, reconstruction, or improvements to a building that follows the provisions of this ordinance shall meet the requirements of "new construction" as contained in this ordinance; and,
- (10) Any alteration, repair, reconstruction, or improvements to a building that is not in compliance with the provisions of this ordinance, shall be undertaken only if said non-conformity is not furthered, extended, or replaced.
- (11) All gas and liquid storage tanks that are principally above ground shall be anchored to prevent flotation and lateral movement.
- (12) When new construction and substantial improvements are in multiple flood zones or in a flood zone with multiple base flood elevations, they shall meet the requirement for the more stringent flood zone and the highest base flood elevation.

## SECTION B. SPECIFIC STANDARDS.

In all areas of special flood hazard designated on the community's FIRM, where base flood elevation data have been provided, as set forth in Article 3, Section B, the following provisions, in addition to the standards of Article 5, Section A, are required:

- (1) **Residential Construction.** New construction and substantial improvement of any residential building (including manufactured home) shall have the lowest floor, including basement, elevated to no lower than 18 inches above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, flood openings sufficient to automatically equalize hydrostatic flood forces on exterior walls of enclosures that are subject to flooding, shall be provided in accordance with standards of Article 5, Section B (4).
- (2) **Non-Residential Construction.** New construction and substantial improvement of any commercial, industrial, or non-residential building (including manufactured home) shall have the lowest floor, including basement, elevated to no lower than 18 inches above the base flood elevation. Buildings located in all **A-** Zones may, together with attendant utility and sanitary facilities, be floodproofed in lieu of being elevated provided that all areas of the building below the base flood elevation (plus a minimum of 18 inches of freeboard) are watertight with walls substantially impermeable to the passage of water and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification, together with an operation and maintenance plan, shall be provided to the Floodplain Administrator.
- (3) **In special flood hazard areas** with base flood elevations (Zones AE and AI-30) but without floodways, no encroachments, including fill material or structures, shall be permitted unless certification by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community. The engineering certification must be supported by technical data that conforms to standard hydraulic engineering principles.
- (4) **Enclosures.** New construction and substantial improvements that include fully enclosed areas formed by foundation and other exterior walls below the lowest floor shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls. Enclosed areas, including crawl spaces, shall be used solely for parking of vehicles, building access, and storage.
  - a.) Designs for complying with this requirement must either be certified by a professional engineer or architect or meet or exceed the following criteria:
    - (i) Provide a minimum of two openings, on different sides of each enclosed area; if a structure has more than one enclosed area below the base flood elevation, each shall have openings on exterior walls.
    - (ii) The total net area of all openings shall be at least one square inch for each square foot of enclosed area, or the openings shall be designed, and the construction documents shall include a statement that the design and installation will provide for equalization of hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwaters.
    - (iii) The bottom of all openings shall be no higher than one foot above interior grade (which must be equal to in elevation or higher than the exterior grade);
    - (iv) Openings shall allow the passage of an object at least three inches in diameter.

- (v) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwater in both directions.
  - (vi) Limited in use to storage, parking of vehicles, and building access.
- b.) Access to the enclosed area shall be minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator); and,
  - c.) The interior portion of such enclosed area shall not be finished or partitioned into separate rooms.
  - d.) Property owners shall be required to execute a flood openings/venting affidavit acknowledging that all openings will be maintained as flood vents, and that the elimination or alteration of the openings in any way will violate the requirements of Article 5, Section B.
- (5) Detached storage buildings, sheds, or other like accessory improvements, excluding detached garages, carports, and boat houses, shall solely be used for parking of vehicles and storage. Such storage space shall not be used for human habitation and shall be limited to storage of items that can withstand exposure to the elements and have low flood damage potential. The storage space shall be constructed of flood resistant or breakaway materials, and equipment and service utilities, such as electrical outlets, shall be limited to essential lighting and other incidental uses, and must be elevated or floodproofed. Flood openings in accordance with the standards of Article 5 Section B (4) shall also be required. These accessory structures shall be constructed and placed on the building site to offer minimum resistance to the flow of floodwater.
  - (6) Accessory improvements and other appurtenant structures shall be firmly anchored to prevent flotation that may result in damage to other structures.
  - (7) Property owners shall be required to execute and record with the structure's deed a non-conversion agreement declaring that the area below the lowest floor or the detached accessory building shall not be improved, finished, or otherwise converted; the City will have the right to inspect the enclosed area.
  - (8) Standards for Manufactured Homes and Recreational Vehicles.

All manufactured homes placed, or substantially improved, on individual lots or parcels, in existing manufactured home parks or subdivisions, in expansions to existing manufactured home parks or subdivisions, in new manufactured home parks or subdivisions or in substantially improved manufactured home parks or subdivisions, must meet all the requirements for new construction, including elevation and anchoring and the flood openings requirements of Article 5, Section B (4). Manufactured homes must be:

- (i) Elevated on a permanent foundation to have its lowest floor elevated to no lower than 18 inches above the base flood elevation, and.
  - (ii) Securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
- b.) All manufactured homes placed or substantially improved, excepting manufactured homes that have incurred substantial damage because of a flood, in an existing manufactured home park or subdivision must be elevated so that:
    - (i) The lowest floor of the manufactured home is elevated to no lower than 18 inches above the base flood elevation and be securely anchored to an adequately anchored foundation support system to resist floatation, collapse, and lateral movement, or

- (ii) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least an equivalent strength, of no less than 36 inches in height above the highest adjacent grade and adequately anchored foundation support system to resist floatation, collapse, and lateral movement.
- c.) All recreational vehicles placed on sites must either:
- (i) Be on site for fewer than 180 consecutive days and shall leave the site for at least seven consecutive days and obtain a new permit before returning to the same site,
  - (ii) Be fully licensed and ready for highway use, or
  - (iii) Must meet all the requirements for new construction, including anchoring and elevation requirements of this Article 5, Section B (8) (a) or Article 5, Section B (8) (b) (i) above.

A recreational vehicle is ready for highway use if it is licensed and insured in accordance with the state of Mississippi motor vehicle regulations, is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.

- (8) **Flood ways.** Located within the areas of special flood hazard adopted by reference in Article 3, Section B, are areas designated as flood ways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and has erosion potential, the following provisions shall apply:
- a.) Encroachments, including fill, new construction, substantial improvements, and other development, are prohibited.
  - b.) The placement of manufactured homes (mobile homes) is prohibited.
  - c.) Permissible uses within the floodway may include general farming, pasture, outdoor plant nurseries, horticulture, forestry, wildlife sanctuary, game farm, and other similar agricultural, wildlife, and related uses. Also, lawns, gardens, athletic fields, play areas, picnic grounds, and hiking and horseback riding trails are acceptable uses, if they do not employ structures or fill. These permissible uses may require certification (with supporting technical data) by a registered professional engineer demonstrating that encroachments shall not result in any increase in flood levels during occurrence of the base flood discharge. The uses in this subsection are permissible only if and to the extent that they do not cause any increase in flood levels during the base flood discharge.

### **SECTION C. STANDARDS FOR STREAMS WITHOUT BASE FLOOD ELEVATIONS AND FLOODWAYS.**

The following provisions in addition to the standards of Article 5 Section A, apply to those areas located within the areas of the special flood hazard established in Article 3, Section A and Section B, where no base flood data and floodway data have been provided.

- (1) Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or five acres, whichever is lesser, include within such proposals base flood elevation data.
- (2) The Floodplain Administrator shall obtain, review, and reasonably utilize any base flood elevation and flood way data available from a federal, state, or other source, to administer the provisions of

Article 5. When such data is available, standards of Article 5, Section B, shall apply. If data is not available from Article 5 Section C (I) or outside sources, then the following provisions shall apply.

- a.) No encroachments, including fill material or other development, shall be located within a distance of the stream bank equal to five times the width of the stream at the top of the bank or twenty feet each side from the top of the bank, whichever is greater, unless certification by a registered professional engineer is provided demonstrating that such encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge. The enclosure standards of Article 5, Section B (4) shall apply.
- b.) The Floodplain Administrator shall require that the applicant develop the base flood elevation for the development site, utilizing accepted engineering practices and procedures. Upon review of the submitted data, the Administrator may accept or reject the proposed base flood elevation. When such data is accepted, standards of Article 5, Section B, shall apply.
- c.) When base flood elevation data and floodway data are not available in accordance with Article 3, Section A, in Special Flood Hazard Areas without base flood elevation data, new construction and substantial improvements shall be elevated or floodproofed to elevations established by the community. The enclosure standards of Article 5, Section B (4) shall apply.
- d.) Notify, in riverine situations, adjacent communities and the State Coordinating Office prior to any alteration or relocation of a watercourse and submit copies of such notifications to FEMA. Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.
- e.) Require that all manufactured homes be placed or installed using methods and practices which minimize flood damage. Manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement.

**SECTION D. STANDARDS FOR SUBDIVISION PROPOSALS AND OTHER PROPOSED DEVELOPMENT.**

- (I) a.) All subdivision proposals shall be consistent with the need to minimize flood damage.
  - b.) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.
  - c.) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards, and,
  - d.) Base flood elevation data shall be provided for all new subdivision proposals and other proposed developments (including manufactured home parks and subdivisions), which is greater than fifty lots or five acres, whichever is lesser.
- (2) Where only a small portion of the subdivision lot or lots is in an 'A' Zone Special Flood Hazard Area inundated by JOO-year flood with no base flood elevations determined and there is sufficient ground slope on the site to avoid possible flooding of structures in Zone X areas determined to be outside 500-year floodplain, the Floodplain Administrator may waive the requirement for a study to determine the base flood elevations.
  - (3) For the Floodplain Administrator to consider waiving the requirement of Section D (I) d.) the applicant must provide an accurate topographic data and map for the lot or lots in question certified by a licensed land surveyor and/or professional civil engineer indicating sufficient detail to allow a thorough review by the Floodplain Administrator.

(4) Each proposed parcel must have a designated buildable pad or site above the one percent chance floodplain. The distance of the buildable pad or site above the one percent chance floodplain shall depend on the slope of the ground and in accordance with the following table:

Distance in feet from Zone A [one percent chance floodplain]	Minimum Slope from Zone A - one percent flood plain to ground level at road
20	5%
30	3.33%
40	2.50%
50	2.0%
60	1.67%
70	1.43%
80	1.25%
90	1.11%
100	1.0%

Residential and non-residential structures lowest floor elevation also must be elevated 1.5 feet above the ground level on the buildable pad or site.

**SECTION E. CRITICAL FACILITIES.**

Construction of new and substantially improved critical facilities shall be located outside the limits of the special flood hazard area (one percent chance floodplain). Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated three feet above the base flood elevation at the site (or to the 0.2 percent chance flood elevation whichever is greater). Floodproofing and sealing measures must be implemented to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the base flood elevation shall be provided to all critical facilities to the maximum extent possible. Critical facilities must not only be protected to the 0.2 percent chance flood, but must remain operable during such an event.

**ARTICLE 6. VARIANCE PROCEDURES.**

**SECTION A. DESIGNATION OF VARIANCE AND APPEALS BOARD.**

The Mayor and Board of Alderman as established by the City of Gluckstadt shall hear and decide appeals and requests for variances from requirements of this ordinance.

**SECTION B. DUTIES OF VARIANCE AND APPEALS BOARD.**

The board shall hear and decide appeals when it is alleged an error in any requirement, decision, or determination is made by the Floodplain Administrator in the enforcement or administration of this ordinance. Any person aggrieved by the decision of the board may appeal such decision to the Circuit Court, as provided in the Mississippi Code of 1972 Annotated.

**SECTION C. VARIANCE PROCEDURES.**

- (I) In passing upon such applications, the Mayor and Board of Alderman shall consider all technical evaluations, relevant factors, and standards specified in other sections of this ordinance, and:
  - a.) The evaluation must be based on the characteristics unique to that property and not be shared by adjacent parcels. The characteristics must pertain to the land itself, not to the structure, its inhabitants, or its owners.
  - b.) Variances should never be granted for multiple lots, phases of subdivisions, or entire subdivisions.
  - c.) The danger that materials may be swept onto other lands to the injury of others.



- d.) The danger of life and property due to flooding or erosion damage.
  - e.) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner and the community.
  - f.) The importance of the services provided by the proposed facility to the community.
  - g.) The necessity of the facility to be at a waterfront location, where applicable.
  - h.) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage.
  - i.) The compatibility of the proposed use with existing and anticipated development.
  - j.) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area.
  - k.) The safety of access to the property in times of flood for ordinary and emergency vehicles.
  - l.) The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site, and.
  - m.) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges and culverts.
- (2) Upon consideration of factors listed above, and the purpose of this ordinance, the Mayor and Board of Alderman may attach such conditions to the granting of variances as **it** deems necessary to further the purposes of this ordinance.
- (3) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (4) Variances shall not be issued "after the fact."

**SECTIOND.      CONDITIONS FOR VARIANCES.**

- (1) Variances shall only be issued when there is:
- a.) A showing of good and sufficient cause.
  - b.) A determination that failure to grant the variance would result in exceptional hardship, and.
  - c.) A determination that the granting of a variance will not result in increased flood heights, additional threats to public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- (2) The provisions of this ordinance are minimum standards for flood loss reduction; therefore, any deviation from the standards must be weighed carefully. Variances shall only be issued upon a determination that the variance is the minimum necessary deviation from the requirements of this ordinance, considering the flood hazard, to afford relief. In the instance of a historic structure, a determination that the variance is the minimum necessary so as not to destroy the historic character and design of the building. (See Article 6, Section F.)
- (3) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the lowest floor is to be built and stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

- (4) The Floodplain Administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency and Mississippi Emergency Management Agency upon request. (See Article 6 Section E.)

#### **SECTION E. VARIANCE NOTIFICATION.**

Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:

- (1) The issuance of a variance to construct a structure below the base flood elevation will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and.
- (2) Such construction below the base flood level increases risks to life and property. A copy of the notice shall be recorded by the Floodplain Administrator in the Office of the City of Gluckstadt City Clerk and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.

The Floodplain Administrator will maintain a record of all variance actions, including justification for their issuance, and report such variances issued in the community's biennial report submission to the Federal Emergency Management Agency.

#### **SECTION F. HISTORIC STRUCTURES.**

Variances may be issued for the repair or rehabilitation of "historic structures" only upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a "historic structure" and the variance is the minimum to preserve the historic character and design of the structure.

#### **SECTION G. FLOODWAY.**

Variances shall not be issued within any designated regulatory flood way if any increase in flood levels during the base flood discharge would result.

**ARTICLE 7. SEVERABILITY.**

If any section, clause, sentence, or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Ordinance.

**ARTICLE 8. EFFECTIVE DATE.**

This ordinance shall be effective from and after \_\_\_\_\_ . The ordinance, having been first reduced to writing, was offered for adoption by Alderman \_\_\_\_\_ and seconded by Alderman \_\_\_\_\_ and submitted to the Board of Alderman for passing or rejection on roll call vote with the following results:

- Alderwoman Bates \_\_\_\_\_
- Alderman Powell \_\_\_\_\_
- Alderman Slay \_\_\_\_\_
- Alderman Taylor \_\_\_\_\_
- Alderman Williams \_\_\_\_\_

WHEREUPON, the Mayor declared the Motion had carried. The foregoing Ordinance is approved, the day of.

\_\_\_\_\_  
William Morrison, Mayor  
of the City of Gluckstadt,  
Mississippi

ATTEST:

\_\_\_\_\_  
Lindsay Kellum  
City Clerk

[SEAL]

**MAYOR**

Walter C. Morrison, IV

**CITY CLERK**

Lindsay D. Kellum

**POLICE CHIEF**

Wendell Watts

**CITY OF GLUCKSTADT**

MISSISSIPPI



**ALDERMAN**

Section 6, 1B)

Miya Bates

Jayce Powell

Wesley Slay

John Taylor

Lisa Williams

**PLANNING AND ZONING ADMINISTRATOR**

**343 DISTRIBUTION DRIVE**

**GLUCKSTADT, MS 39110**

Memorandum

January 19, 2023

To: The Mayor and Board of Alderman

From: Mike McCollum, Planning and Zoning Administrator

RE: Flood Plain Management and Illicit Discharge Ordinances (See Attachment)

I recommend that the Mayor and Board of Alderman approve the above referenced ordinance for the Federal Emergency Management Administration (FEMA) to approve the City's enrollment the National Flood Insurance Protection Program (NFIP). Once FEMA receives these approved ordinances, they will start the process of developing the flood maps for Gluckstadt and provide those to us.

FEMA and our legal counsel have reviewed the drafts of the referenced ordinances and recommend their approval.

Thank you for your consideration in this matter. I have included a copy of the agreement for your consideration.

**CITY ORDINANCE FOR THE CITY  
OF GLUCKSTADT  
STORMWATER RUNOFF, ILLICIT DISCHARGES, AND ILLEGAL  
CONNECTIONS**



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**ARTICLE 1.0 INTRODUCTION**

It is the intention of the City of Gluckstadt Mayor and Board of Aldermen to protect the health and safety of the citizens and visitors of the community and to prevent damage to private property and public facilities through the proper design and construction of both on-site and regional stormwater management and/or detention facilities that prevent or adequately reduce increases in peak flow rates of runoff that may otherwise increase the risk of flooding and the associated risk of public endangerment, property damage and erosion. To accomplish this goal, the City Mayor and Board of Alderman find it is necessary to provide stormwater management practices for drainage and control of flood and surface waters within the City. This is to ensure that storm and surface waters may be properly drained and controlled, pollution may be reduced, and the environment enhanced, and that the health, property, safety and welfare of the City and its inhabitants may be safeguarded and protected.

Contaminated stormwater runoff is a major contributor to degradation and pollution of receiving waters. Discharges into a stormwater runoff system may occur because of stormwater runoff, spills, dumping, and/or improper connections to the stormwater system from developments, residential, industrial, commercial, or institutional establishments. Such discharges not only impact waterways individually, but geographically dispersed, small volume discharges can have a cumulative impact on receiving waters, which can adversely affect public health and safety, drinking water supplies, recreation, fish and other aquatic life, property values and other uses of lands and waters. The Mayor and Board of Aldermen of the City endorse promulgation of this Ordinance to address the impacts of stormwater runoff, spills, improper dumping, and/or illegal connections to the City runoff program. This Ordinance applies to all lands within the corporate limits of the City.

**SECTION A PURPOSE**

- A. The purpose of this Ordinance is to protect the environment, public health, safety, property, and general welfare of the citizens of Gluckstadt, Mississippi, through the regulation of stormwater runoff and illicit discharges into the City's storm drainage or any separate storm sewer system, to the maximum extent practicable as required by federal and state law. This Ordinance establishes methods for controlling the introduction of pollutants into the City's drainage system to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process.
  
- B. This Ordinance is not intended to modify or repeal any other Ordinance, rule, regulation, or other provision of law. The requirements of this Ordinance are in addition to the requirements of any other Ordinance, rule, regulation, or other provision of law, and where any provision of this Ordinance imposes restrictions different from those imposed by any other Ordinance, rule, regulations, or other provision of law. Whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

## SECTION B OBJECTIVES

A. The objectives of this Ordinance are:

- (1) To regulate or restrict the introduction of pollutants that may potentially enter the City's drainage system.
- (2) To prohibit illegal connections and discharges to any separate storm sewer system.
- (3) To identify, define, and regulate erosion, sediment and detention controls related to stormwater runoff.
- (4) To prevent discharges that may occur because of spills, inappropriate dumping, or disposal, and/or improper connections to the City's drainage system, whether from residential, industrial, commercial or institutional establishments.
- (5) To provide the City with the authority to effectively manage stormwater runoff non-conformance and illicit discharges, and to establish enforcement actions for those persons or entities found to be in noncompliance or that refuse to allow access to their facilities.
- (6) To establish legal authority to carry out all inspection, surveillance, monitoring, and enforcement procedures necessary to ensure compliance with this Ordinance.

## ARTICLE 2.0 DEFINITIONS

Accidental Discharge. A discharge prohibited by this Ordinance, which occurs by chance, and without planning or thought prior to occurrence.

Authorized Enforcement Agency. Employees or designees of the agency designated to enforce this Ordinance including the City, the Mississippi Department of Environmental Quality (MDEQ), the Mississippi Department of Health and the U.S. Environmental Protection Agency (EPA).

Best Management Practices (BMPs): schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices designed to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

Best Management Practices (BMPs) - Non-Structural: A policy, practice or preventative action that involves operational planning and source controls designed to provide a proactive approach to stormwater management.

Best Management Practices (BMPs) - Structural: A physical device designed and constructed or manufactured to trap or filter pollutants from runoff, to reduce runoff velocities, or to minimize or prevent the impacts and effects of soil erosion caused by stormwater runoff.

Clean Water Act: The federal Water Pollution Control Act (33 U.S.C., 1251 et seq.), and any subsequent amendments thereto.



**Construction Activity:** Activities subject to NPDES Construction Permits. These include construction projects resulting in land disturbances. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition. Construction activities with respect to this Ordinance shall be categorized and identified as the following:

- **Small Construction** - Construction activities involving land disturbance activities one acre or greater to less than 5 acres, (less than one acre if part of a larger common plan of development or sale). Small construction activities require a stormwater permit from the City.
- **Large Construction** - Construction activities involving land disturbance activities greater than five acres. Large construction activities require permit coverage from the Mississippi Department of Environmental Quality.

**City-** Means the City of Gluckstadt.

**City Drainage System (CDS):** Any City maintained, or designated roadways, ditches, culverts, channels, or conduits intended to direct water flows.

**Facility:** A structure, installation, or system that is designed to serve a particular purpose, service, or function.

**Hazardous Materials:** Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

**Illegal Connections:** An illegal connection is defined as any of the following: Any pipe, open channel, drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the drainage system including but not limited to any conveyances which allow any non-stormwater discharge including sewage, process wastewater, wash water, or any other such discharge, to enter the storm drain system and any connections to the storm drain system from any source, regardless of whether such pipe, open channel, drain, connection, or source had been previously allowed, permitted, or approved by an authorized enforcement agency.

**Illicit Discharge:** Any direct or indirect discharge into a stormwater drainage system that is not composed entirely of stormwater.

**Industrial Activity:** Activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26 (b)(14).

**National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit:** A permit issued by EPA (or by a State under authority delegated pursuant to 33 USC, 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

**Non-Stormwater Discharge:** Any discharge to the storm drain system that is not composed entirely of stormwater.

**Person:** Any individual, association, organization, partnership, firm, trust, estate, commission, board, public or private institution, utility, cooperative, city, county, or other political subdivision of the State,

any interstate body or other legal entity, joint venture, public or private corporation, or other entity recognized by law and acting as either the owner or as the owner's agent.

**Pollutant:** Any substance, which causes or contributes to pollution. Pollutants may include, but are not limited to paints, varnishes, solvents, petroleum hydrocarbons, automotive fluids, cooking grease, detergents (biodegradable or otherwise), degreasers, cleaning chemicals, non-hazardous liquid and solid wastes, yard wastes, refuse, rubbish, garbage, litter, discarded or abandoned objects, munitions, accumulations that may cause or contribute to pollution, any floatable, pesticides, herbicides, fertilizers, hazardous substances and wastes, sewage, fecal coliform and pathogens, dissolved and particulate metals, animal wastes, wastes and residues that result from constructing a building or structure including concrete/cement (this includes water from washing out concrete trucks) and noxious or offensive matter of any kind or any other substance which has been or may be determined to be a pollutant.

**Pollution:** The contamination or other alteration of any water's physical, chemical or biological properties by the addition of any substance or condition including but not limited to, a change in temperature, taste, color, turbidity, or odor of such waters, or waters as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety, welfare, or environment, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.

**Post Construction:** A project, development, and/or construction activity will be in the post-construction phase upon one or both of the following occurrences: 1) Issuance of an official Certificate of Occupancy by the City's Building Permits Department; 2) Completion of installation of final cover and stabilization of all on-site soils disturbed through activities associated with a project, development, or construction activity.

**Premises:** Any parcel or portion of land whether improved or unimproved.

**Separate storm sewer system:** Any facility designed or used for collecting and/or conveying stormwater, including but not limited to streets or roads with drainage systems, gutters, inlets, catch basins, piped storm drains, pumping facilities, structural stormwater controls, ditches, swales, natural and man-made or altered drainage channels, reservoirs, and other drainage structures, and which are owned or maintained by the City

**State Waters:** All rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, well, and other bodies of surface and subsurface water, natural or artificial, lying within or forming a part of the boundaries of the State, which are not entirely confined and retained completely upon the property of a single person.

**Storm Drainage System:** Any one (1) or more of various devices used in the collection, treatment or disposition of storm, flood or surface drainage waters, including but not limited to any roads with drainage systems, natural and human-made or altered drainage channels, reservoirs, manmade structures and natural watercourses and/or floodplains for the conveyance of runoff, such as detention or retention areas, berms, swales, improved gutters, pumping stations, pipes, ditches, siphons, catch

basins, inlets, and other equipment and appurtenances and all extensions, improvements, remodeling, additions, and alterations thereof; and all rights or interests in such stormwater facilities.

Stormwater/Stormwater Runoff: Any surface flow, runoff, and/or drainage consisting entirely of water from any form of natural precipitation, which is not absorbed, transpired, evaporated, or left in surface depressions, and which then flows controlled or uncontrolled into a watercourse or body of water.

Stormwater Pollution Prevention Plan (SWPPP): A document which describes the Best Management Practice (BMPs) and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to stormwater, stormwater conveyance systems, and/or receiving waters to the maximum extent practicable.

Structural Stormwater Control: A structural stormwater management facility or device that controls stormwater runoff and changes the characteristics of that runoff, including but not limited to, the quantity and quality, the period of release or the velocity of flow.

Wastewater: means any water or other liquid, other than uncontaminated stormwater, discharged from a facility.

Watercourse: Any stream, river, drainage easement, that transverses property in the City.

### **ARTICLE 3.0            APPLICABILITY**

This Ordinance shall apply to all water entering a storm drainage system generated on any developed or undeveloped lands throughout all the corporate limits of the City unless explicitly exempted by an authorized enforcement agency. The standards set forth herein and promulgated pursuant to this Ordinance are minimum standards; therefore, this Ordinance does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, or unauthorized discharge of pollutants.

### **ARTICLE 4.0            RESPONSIBILITY FOR ADMINISTRATION**

The City's Building Official shall administer, implement, and enforce the provisions of this Ordinance. Any powers granted or duties imposed upon the authorized enforcement agency may be delegated in writing by the Director of the authorized enforcement agency to persons or entities acting in the beneficial interest of or in the employ of the agency.

### **ARTICLE 5.0            SEVERABILITY**

The provisions of this Ordinance are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Ordinance.

## ARTICLE 6.0 POLICY

No owner of any parcel of land or property, whether with or without a structure thereupon, shall permit the erosion or escape of soil, sand, gravel, or similar material from said parcel onto any adjoining property, public street or into any drainage channel that receives rainwater runoff from said parcel in such quantities as to harm said adjoining property, public street, drainage channel, or stormwater drainage system. In the development or use of any site, the owner or their agents shall not construct or conduct any activity to cause the discharge of rainwater runoff in such a manner as to cause erosion or to increase blockage of such channel or storm drainage system. This includes both pre- construction and post-construction.

### SECTION A PERMITTING

Stormwater permits and Stormwater Pollution Prevention Plans (SWPPP) are required as follows:

- 0-.99 Acre of land disturbed: Stormwater runoff resulting from construction must be controlled using BMPs or in accordance with the site stormwater pollution prevention plan if part of a larger common plan of development or sale.
- Small Construction - 1-5 Acres of land disturbed: Permit required from City (See Appendix). A Notice of Intent (NOI) and SWPPP must be submitted to the Building Official (See Appendix Band C for examples).
- Large Construction - Above 5 Acres: Permit required to be obtained from the MDEQ. A Notice of Intent (NOI) and SWPPP shall be submitted to the MDEQ to obtain permit coverage under the large construction provision.

Any development, project, or construction activity involving the legal subdivision of land shall be subject to permit provisions requiring execution of a Registration Form for Residential Lot Coverage to ensure that development of subdivided lots maintain stormwater controls in accordance with issued permits during construction and/or land disturbance activities. Registration forms may be found at <http://www.deg.state.ms.us>.

Prior to the issuance of permits for construction and/or land disturbance activity, the responsible party shall demonstrate application of, or receipt of, permitting authorization from:

- MDEQ Stormwater Large Construction Permit if the planned land disturbance activities are greater than five acres.
- Permit coverage or authorization from the U.S. Army Corps of Engineers if the planned project involves filling, routing, or damming of waters of the U.S.

## ARTICLE 7.0 CONSTRUCTION AND/OR INDUSTRIAL ACTIVITY

Any person subject to an industrial or construction activity National Pollution Discharge Elimination System (NPDES) stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the Mayor and Board of Alderman prior to the allowing of discharges to the City drainage system. The dumping of excess concrete and the washing out of concrete trucks are both included in this article.

**SECTION A STANDARDS AND REQUIREMENTS FOR EROSION/SEDIMENT CONTROLS**

- A) Prior to the final approval of the plat of any subdivision, or prior to commencement of construction upon any lot or parcel of land for which a drainage report and construction plan for the installation of stormwater facilities has not been prepared and approved, the owners of the property being subdivided or upon which construction is being commenced shall, at such owner's cost, prepare a detailed drainage report and construction plans for the installation of all stormwater facilities required for such subdivision or lot, including any off-site facilities required to convey stormwater to existing drains, channels, streams, detention ponds or to other points, all in conformity with the SWPPP on file. Plans, reports, graphics, and other submittals shall be subject to a site plan review and revision process to ensure that proposed BMPs are adequate to maintain erosion and sediment control on the site throughout the construction process.
- B) No final subdivision plat, subdivision construction plan, site plan or building permit shall be approved by the City unless the plans for the proposed development include temporary and permanent erosion and sedimentation control measures such that siltation of downstream drainage ways are minimized.
- C) The above requirement shall be accomplished through a combination of the following practices:
1. Installation of structural BMPs before and during construction to reduce on-site soil erosion and provide temporary capture of sediment.
  2. Temporary and/or permanent revegetation of bare ground to stabilize disturbed soil at the earliest practicable date.
  3. Construction of on-site stormwater detention facilities by the landowner or developer in a manner such that detention ponds function as temporary sedimentation basins until permanent revegetation of the subject tract is accomplished.
  4. On-site provisions to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that have the potential to cause adverse impacts to water quality.
  5. Other measures which may be necessary to control erosion and sedimentation on a site-by-site basis.

**SECTION B STANDARDS AND REQUIREMENTS FOR STORMWATER DETENTION**

- A) It is prohibited to place fill material or construct impervious cover or construct or place any other structure on such person's property or perform any excavation or grading in a manner, which alters the flow of surface water across said property in a manner which damages any adjacent property.
1. No final subdivision plat, subdivision construction plan, site plan or building permit shall be approved by the City unless it can be demonstrated by the owner or developer of such property that the proposed development will not result in damage to any adjacent or downstream property. This will be certified by a professional engineer's submittal of sufficient data and calculations.
- B) The above requirement shall be accomplished through one of the following means:

1. Design and construction of an on-site stormwater detention facility, or facilities, by the landowner or developer. The stormwater detention facility or facilities must not allow peak flood flow from the proposed development to exceed the existing (undeveloped) 100-year peak flood flow from the subject tract.
2. Construction of, or participation in the construction of, off-site drainage improvements, such as storm inlets, storm sewers, culverts, channel modifications, land filling, and/or other drainage facilities such that the 100-year peak flood flows for fully developed watershed conditions from the watershed area in which the proposed development is located will be sufficiently and safely passed without flooding of adjacent and downstream property and roadways.
3. Design and construction of the development by certified engineering data and calculations utilizing limited impervious cover, infiltration of runoff from impervious cover via flow through pervious areas, and/or grass-lined swales or channels such that these measures result in a minimal increase in peak flood flows from the development.
4. All on-site stormwater detention facilities shall be designed to pass the 2-year, 10-year, 25-year, and 100-year, 24-hour duration storms, including flood flows and runoff adequately and safely from upstream and adjacent properties that have natural and/or existing overland flows toward and onto the subject tract. The on-site stormwater detention facilities shall not impound stormwater onto or cause backwater to inundate any upstream or adjacent properties more than existing conditions.

#### **SECTION C ILLICIT DISCHARGES**

- A) Illicit discharges may occur because of spills, dumping and improper connections to the city separate storm system from residential, industrial, commercial, or institutional establishments. Non-stormwater discharges not only impact waterways individually, but geographically dispersed, small volume non-stormwater discharges can have cumulative impacts on receiving waters. The impacts of these discharges adversely affect public health and safety, drinking water supplies, recreation, fish and other aquatic life, property values and other uses of lands and waters. These impacts can be minimized through the regulation of spills, dumping and discharges into the city separate storm sewer system. Therefore, it is determined that the regulation of spills, improper dumping and discharges to the city storm system is in the public interest and will prevent threats to public health and safety, and the environment.
- B) It shall be unlawful for any person to allow discharges to the City stormwater runoff system that are not composed entirely of stormwater runoff, or to contribute to increased nonpoint source pollution and degradation of receiving waters.
- C) It shall be unlawful for any person to throw, deposit, empty, drain, discharge, or to permit to be thrown, deposited, emptied, drained or discharged into any creek, or upon its margins, slopes, banks, or stormwater drainage system within the city any garbage, rubbish, refuse, hair, ashes, cinders, fruit, vegetables, paper, rags, any animal carcass or waste, sewerage, excrement, urine, liquid, or semi-liquid waste from any industry, or any noxious substance or liquid. No person shall, or allow others under its control, to throw, drain, or otherwise discharge or cause to be discharged into a storm drainage system or watercourses any

materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than stormwater. The commencement, conduct or continuance of any illegal discharge to the storm drainage system is prohibited except as follows:

1. Discharges specified in writing by the, as being necessary to protect public health and safety.
2. Water line flushing performed by a government agency.
3. Landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, non-commercial washing of vehicles, natural riparian habitat or wet-land flows, swimming pools (if de-chlorinated - typically less than one PPM chlorine), firefighting activities, and any other water source not containing Pollutants.
4. Dye testing is an allowable discharge but requires a verbal notification to the authorized enforcement agency prior to the time of the test.
5. Non-stormwater discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drain system.

#### **SECTION D ILLEGAL CONNECTIONS**

The construction, connection, use, maintenance or continued existence of any illegal connection to the City storm drainage system is prohibited. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection. The construction, use, maintenance, or continued existence of illicit connections to the storm drainage system is prohibited.

- A) A person is in violation of this Ordinance if the person connects a line conveying sewage to a storm drainage system or allows such a connection to continue.
- B) Improper connections in violation of this Ordinance must be disconnected and redirected, if necessary, to an approved onsite wastewater management system or the sanitary sewer system upon approval of the appropriate department or agency.
- C) Any drain or conveyance that has not been documented in plans, maps or equivalent, and which may be connected to a storm drainage system, shall be located by the owner or occupant of that property upon receipt of written notice of violation from the requiring that such locating be completed. Such notice will specify a reasonable time within which the location of the drain or conveyance is to be completed, that the drain or conveyance be identified as storm sewer, sanitary sewer or other, and that the outfall location or point of connection to the storm drainage system, sanitary sewer system or other discharge point be identified. Results of these investigations are to be documented and provided to the local enforcement authority.

**ARTICLE 8.0            MONITORING OF DISCHARGES/ACCESS AND INSPECTING  
PROPERTIES AND FACILITIES**

A. Applicability

This section applies to all properties that create stormwater discharges associated with the use of the property.

1. Access to Properties and Facilities

- (a) The City shall be permitted to enter and inspect properties and facilities subject to regulation under this Ordinance at reasonable times and as often as may be necessary to determine compliance with this Ordinance. If a discharger has security measures in force, which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to representatives of the authorized enforcement agency.
- (b) Property owners and facility operators shall allow the City access to all parts of the premises for the purposes of inspection, sampling, photographing, videotaping, examination and copying of records that must be kept under the conditions of an NPDES permit to discharge stormwater, and the performance of any additional duties as defined by state and federal law.
- (c) The City shall have the right to set up on any permitted property such devices as are necessary in the opinion of the Building Official to conduct monitoring and/or sampling of the facility's stormwater discharge.
- (d) The City may require a discharger to install monitoring equipment as necessary, and perform monitoring and make the monitoring data available to the City Mayor and Board of Aldermen. The sampling and monitoring equipment shall be always maintained in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.
- (e) Any temporary or permanent obstruction that does not allow safe and easy access to the property to be inspected and/or sampled shall be promptly removed by the owner at the written or oral request of the City or and shall not be replaced. The costs of clearing such access shall be borne by the owner.
- (f) Unreasonable delays in allowing the access to a permitted property is a violation of a stormwater discharge permit and of this Ordinance. A person who is the owner of property with a NPDES permit to discharge stormwater associated with industrial activity commits an offense if the person denies the reasonable access to the permitted property for the purpose of conducting any activity authorized or required by this Ordinance.

- 2. If the City has been refused access to any part of the premises from which stormwater is discharged, and the City is able to demonstrate probable cause to believe that there may be a violation of this Ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this Ordinance or any order issued hereunder, or to protect the overall public health, safety, environment, and welfare of the community, then they may seek issuance of a search warrant from any court of competent jurisdiction.



**ARTICLE 9.0            REQUIREMENT TO PREVENT, CONTROL, AND REDUCE STORM  
WATER POLLUTION BY THE USE OF BEST MANAGEMENT  
PRACTICES (BMPs)**

The City will adopt requirements identifying Best Management Practices for any activity, operation, or facility which may cause or contribute to pollution or contamination of stormwater, the storm drainage system, or waters of the U.S. The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the municipal storm drainage system or watercourses using these structural and non-structural BMPs. Further, any person responsible for a property or premise, which is, or may be, the source of an illicit discharge, may be required to implement, at said person's expense, additional structural and non-structural BMPs to prevent the further discharge of pollutants to the municipal separate storm sewer system. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of stormwater associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section. These BMPs shall be part of a Stormwater Pollution Prevention Plan (SWPPP) as necessary for compliance with requirements of the NPDES permit.

**ARTICLE 10.0           WATERCOURSE OR EASEMENT PROTECTION**

Any person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the properly free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

**ARTICLE 11.0           NOTIFICATION OF SPILLS**

In the event of a release of hazardous materials, emergency response agencies and/or other appropriate agencies shall be immediately notified. Notwithstanding other requirements of law, as soon as any person responsible for a facility, activity, or operation, or responsible for emergency response for a facility, activity, or operation has information of any known or suspected release of pollutants or non-stormwater materials from that facility or operations which are resulting or may result in illicit discharges or pollutants discharging into stormwater, the City storm drainage system, State waters, or Waters of the U.S., said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release so as to minimize the effects of a discharge .

In the event of recognition of such a release of hazardous materials said person shall immediately notify the authorized enforcement or emergency response agencies of the occurrence, either in person, by phone, or facsimile, of the nature, quantity, and time of the occurrence. In the event of a release of non-hazardous materials, said person shall notify the authorized enforcement agency in person or by phone or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the City or within three business days of the phone notice.

If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years. Said person shall also take immediate steps to ensure no recurrence of the discharge or spill. Failure to provide notification of a release as provided above is a violation of this Ordinance.

## **ARTICLE 12.0 VIOLATIONS**

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Ordinance. Anyone who has violated or continues to violate the provision of this Ordinance, may be subject to enforcement actions outlined in this section or may be restrained by injunction or otherwise restricted in a manner provided by law. Whenever the Mayor and Board of Alderman find a violation of this Ordinance has occurred, the Mayor and Board of Alderman may order compliance by written notice of violation.

### **A. The notice shall contain:**

- (1) The name and address of the alleged violator.
- (2) The address when available or a description of the building, structure or land upon which the violation is occurring, or has occurred.
- (3) A statement specifying the nature of the violation.
- (4) A description of the remedial measures necessary to restore compliance with this Ordinance and time schedule for the completion of such remedial action.
- (5) A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed; and,
- (6) A statement that the determination of violation may be appealed to the Board by filing a written notice of appeal within thirty (30) days of service of notice of violation.

### **B. Such notice may require:**

- (1) The performance of monitoring, analyses, and reporting.
- (2) The elimination of illicit connections or discharges.
- (3) That violating discharges, practices, or operations shall cease and desist. Depending on severity of the violations, offending person(s) may be given as little as 24 hours to clean up sediments, pollutants, etc., and an additional 24 hours to put stormwater controls in place. Otherwise, a stop work order may be issued.
- (4) The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property; and
- (5) Payment of a fine or costs to cover administrative, remediation, and/or abatement costs; and
- (6) The implementation of source control, pollution prevention practices, or treatment BMPs.

If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by a designated governmental agency, or a contractor and the expense thereof shall be charged to the violator.

**SECTION A VIOLATIONS ENFORCEMENT**

In the event a violation constitutes an immediate danger to public health or public safety, the City Mayor and Board of Alderman is authorized to enter upon the subject private property, without giving prior notice, to take all measures necessary to abate the violation and/or restore the property. After abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. The City Mayor and Board of Alderman is authorized to seek costs of the abatement as outlined in this section. The property owner may file an appeal within 30 days. If the amount due is not paid by the expiration of the time in which to file an appeal, the City , after notice and a hearing, may declare the charges an assessment against the property which shall constitute a lien on the property for the amount of the assessment.

**ARTICLE 13.0 PENALTIES AND PROSECUTION****A. CIVIL**

The alleged violator shall complete the remedial measures as set forth in the notice of violation or otherwise cure the violations described therein within ten days, or such greater period as deems appropriate. Should the alleged violator fail to complete the remedial measures within the determined deadline, they may seek a legal or equitable remedy including but not limited to the recovery of all attorneys' fees, court costs, sampling and monitoring expenses and other expenses associated with enforcement of this Ordinance.

**B. CRIMINAL**

Violations of this Ordinance shall be deemed a misdemeanor. The Building Official may issue a citation to the alleged violator requiring such person to appear before the appropriate court to answer charges for such violation. Upon conviction, such person shall be punished by a fine not to exceed \$1,000.00 or imprisonment in the County jail for 60 days, or both. Each violation and each day upon which any violation shall continue, will constitute a separate offense.

**C. INJUNCTION**

If a person has violated or continues to violate the provisions of this Ordinance, they may petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

**D. ALTERNATIVE ACTION**

In addition to any other remedy, the authorized enforcement agency may impose upon a violator alternative compensatory action, such as storm drain stenciling, attendance at compliance workshops, creek cleanup, or any other requirement which supports the purpose of this Ordinance.

**SECTION A REMEDIES NOT EXCLUSIVE**

The remedies listed in this Ordinance are not exclusive of any other remedies available under any applicable federal, state, or local law and it is within the discretion of the authorized enforcement agency to seek cumulative remedies. They may recover attorney's fees, court costs, and other expenses associated with enforcement of this Ordinance, including sampling and monitoring expenses.

**SECTION B VIOLATIONS DEEMED A PUBLIC NUISANCE**

In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this Ordinance is a threat to public health, safety, and welfare, and environment, is declared and deemed a nuisance, and may be summarily abated by injunctive or other equitable relief as provided by law, or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

**SECTION C SUSPENSION OF ACCESS TO STORM DRAINAGE SYSTEM(S)****A. Suspension due to Illicit Discharges in Emergency Situations**

The City Mayor and Board of Alderman may, without prior notice, suspend discharge access to a person when such suspension is necessary to stop an actual or threatened discharge, which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or Waters of the United States. If the violator fails to comply with a suspension order issued in an emergency, the Building Official may take such steps as deemed necessary to prevent or minimize damage to the Waters of the United States, or to minimize danger to persons.

**B. Suspension due to the Detection of Illicit Discharge**

1. Any person discharging to the City drainage system in violation of this Ordinance may have their access terminated if such termination would abate or reduce an illicit discharge. The Building Official will notify a violator of the proposed termination of its city drainage system access. The violator may petition the Building Official for a reconsideration and hearing.
2. A person commits an offense if the person reinstates access to premises terminated pursuant to this Section, without the prior approval of the Building Official .

**ARTICLE 14.0 APPEALS**

Any person receiving a Notice of Violation may appeal the determination of the Building Official. The notice of appeal must be filed with the City Mayor and Board of Alderman. A Hearing on the appeal before the Mayor and Board of Aldermen shall be set by the Mayor and Board with at least ten (10) days' notice to the violator. If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, in the event of an unsuccessful appeal, or in the case of an emergency, then representatives of the City may enter upon the subject private property and are authorized to take all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any owner, agent, or person in possession of any premises to refuse to allow the government agency or designated contractor to enter upon the premises for the purposes set forth above.

**ARTICLE 15.0      ADOPTION OF ORDINANCE**

This Ordinance shall be in full force and effect 30 days after its final passage and adoption. All prior Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, by the following vote:

APPENDIX A PLACEHOLDER FOR CITY PERMIT APPLICATION

APPENDIXB NOTICE OF INTENT (NOi) FORM

City  
Small Construction Notice of Intent (SCNOI)  
General NPDES Permit MSMS4012

Prior to the commencement of small construction activities, the owner or operator of a small construction project must complete this form and develop a Stormwater Pollution Prevention Plan (SWPPP) as required by Part II of Mississippi's Small Construction General Permit and the City's Ordinance for Stormwater Runoff, Illicit Discharges, and Illegal Connections. This SCNOI and SWPPP shall be submitted to the City Code Building Official prior to obtaining a general construction permit. The SCNOI and SWPPP must be maintained at the permitted site or locally available in case inspector review is necessary. Attachments with this SCNOI must include: A USGS quad map or copy showing the site location and a Stormwater Pollution Prevention Plan (SWPPP). All questions must be answered - answer "NA" if the question is not applicable.

PROJECT INFORMATION

OWNER CONTACT PERSON:  
\_\_\_\_\_  
OWNER COMPANY NAME:  
\_\_\_\_\_  
OWNER STREET (P.O. BOX):  
\_\_\_\_\_  
OWNER CITY:  
\_\_\_\_\_  
STATE: \_\_\_\_\_, ZIP: \_\_\_\_\_  
OWNER PHONE# (INCLUDE AREA CODE): \_\_\_\_\_

OPERATOR (if different from owner) CONTACT PERSON  
\_\_\_\_\_  
OPERATOR COMPANY:  
\_\_\_\_\_  
OPERATOR STREET (P.O. BOX)  
\_\_\_\_\_  
OPERATOR CITY:  
\_\_\_\_\_  
STATE: \_\_\_\_\_, ZIP: \_\_\_\_\_  
OPERATOR PHONE# (INCLUDE AREA CODE): \_\_\_\_\_

PROJECT NAME: \_\_\_\_\_  
DESCRIPTION OF CONSTRUCTION ACTIVITY: \_\_\_\_\_  
\_\_\_\_\_  
ACREAGE DISTURBED (to be covered by this permit must be less than five (5) acres): \_\_\_\_\_  
PHYSICAL SITE ADDRESS (IF NOT AVAILABLE INDICATE THE NEAREST NAMED ROAD):  
STREET: \_\_\_\_\_  
CITY: \_\_\_\_\_ COUNTY: \_\_\_\_\_ ZIP: \_\_\_\_\_  
NEAREST NAMED RECEIVING STREAM: \_\_\_\_\_

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title



## APPENDIX C SWPPP DETAILS AND REQUIREMENTS

**A. SWPPP Development.** A SWPPP shall be developed and implemented by the owner or operator of a small construction project. The SWPPP must include a description of appropriate control measures (i.e., BMPs) that will be implemented as part of the construction activity to control pollutants in storm water discharges.

1. The SWPPP shall be retained at the permitted site or locally available. A copy of the SWPPP must be made available to the MDEQ inspectors for review at the time of an on-site inspection.
2. BMPs shall be in place upon commencement of construction.
3. The Building Official of MDEQ may notify the owner or operator at any time that the SWPPP does not meet the minimum requirements of this permit. After notification, the owner or operator shall amend the SWPPP, implement the changes and certify in writing to the Building Official that the requested changes have been made. Unless otherwise provided by the Building Official, the requested changes shall be made within 15 days.
4. The owner or operator shall amend the SWPPP and implement the changes before there is a change in construction, operation, or maintenance, which may potentially affect the discharge of pollutants to State waters.
5. The owner or operator shall amend the SWPPP and implement the changes if the SWPPP proves to be ineffective in controlling storm water pollutants including, but not limited to, significant sediment leaving the site and non-functioning BMPs.

**B. Compliance with Local Storm Water Ordinances.**

1. In addition to the requirements of this permit, the SWPPP shall follow all local storm water Ordinances and shall provide a brief description of applicable local erosion and sediment controls and post-construction BMPs.
2. When storm water discharges into a municipal storm sewer system, the owner or operator must make the SWPPP available to the municipal authority upon request.

**C. SWPPP Details.**

1. **Owner or Operator.** The SWPPP shall identify the "owner or operator" as defined in Part VII. of this permit. The operator's name, complete mailing address and telephone number(s) shall be identified on the plan.
2. **Erosion and Sediment Controls.** The owner or operator shall list and describe controls appropriate for the construction activities and the procedures for implementing such controls. Controls shall be designed to retain sediment onsite and should:
  - Divert upslope water around disturbed areas
  - Limit exposure of disturbed areas to the shortest time possible
  - Disturb the smallest area possible
  - Preserve existing vegetation where possible, especially trees
  - Preserve vegetated buffer zones around any creek, drain, lake, pond, or wetland
  - Slow rainfall runoff velocities to prevent erosive flows
  - Avoid disturbing sensitive areas such as:
    - Steep and/or unstable slopes
    - Land upslope of surface waters
    - Areas with erodible soils
    - Existing drainage channels

- Transport runoff down steep slopes through lined channels or piping
- Minimize the amount of cut and fill
- Re-vegetate disturbed areas as soon as possible
- Implement best management practices to mitigate adverse impacts from storm water runoff; and
- Remove sediment from storm water before it leaves the site by allowing runoff to pond in controlled areas to drop out sediment
- Filter runoff by using natural vegetation, brush barriers, silt fences, hay bales, etc.

**At a minimum, the controls must be in accordance with the standards set forth in " Planning and Design Manual for the Control of Erosion, Sediment & Stormwater," or other recognized Manual of design as appropriate for Mississippi.** The planning and design manual can be obtained by calling 601/961-5171 or may be found electronically at Mississippi State's educational web site at <http://abe.msstate.edu/csd/p-dm/>. In addition, Mississippi's "Storm Water Pollution Prevention Plan (SWPPP) Guidance Manual for Construction Activities" is available by calling 601/961-5171 or on the MDEQ website at [www.deq.state.ms.us](http://www.deq.state.ms.us). The erosion and sediment controls shall address the following minimum components.

- B. **Vegetative practices** shall be designed to preserve existing vegetation where possible and revegetate disturbed areas as soon as practicable after grading or construction. Such practices may include surface roughening, temporary seeding, permanent seeding, mulching, sod stabilization, vegetative buffer strips, and protection of trees.
  - C. **Structural practices** shall divert flows from exposed soils, store flows or otherwise limit runoff from exposed areas. Such practices may include construction entrance/exit, straw bale dikes, silt fences, earth dikes, brush barriers, drainage swales, check dams, subsurface drains, pipe slope drains, level spreaders, drain inlet protection, outlet protection, detention/retention basins, sediment traps, temporary sediment basins or equivalent sediment controls.
  - D. **Post construction control measures** shall be installed to control pollutants in storm water after construction is complete. These controls include, but are not limited to on-site infiltration of runoff, flow attenuation using open vegetated swales, exfiltration trenches and natural depressions, constructed wetlands and retention/detention structures. Where needed, velocity dissipation devices shall be placed at detention or retention pond outfalls and along the outfall channel to provide a non-erosive flow.
3. **Non-Storm Water Discharges.** Except for flows from firefighting activities, sources of non-storm water listed in Part I. E. of this permit that are combined with storm water discharges associated with construction activity must be identified in the SWPPP. The SWPPP must identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge.
  4. **Housekeeping Practices.** The owner or operator shall describe and list practices appropriate to prevent pollutants from entering storm water from construction sites due to poor housekeeping. The owner or operator shall:
    - designate areas for equipment maintenance and repair and concrete chute wash off.
    - provide waste receptacles at convenient locations.

- provide regular collection of waste.
- provide protected storage areas for chemicals, paints, solvents, fertilizers, and other potentially toxic materials.
- provide adequately maintained sanitary facilities; and
- provide secondary containment around on-site fuel tanks.

Releases into the environment of hazardous substances, oil, and pollutants or contaminants, which pose a threat to applicable water quality standards or causes a film, sheen, or discoloration of State waters, shall be reported to the:

- Mississippi Emergency Management Agency (601) 352-9100
- National Response Center 1-800-424-8802

5. **Prepare Scaled Site Map.** The owner or operator shall prepare a scaled site map showing total area of the site, original and proposed contours (if practicable), direction of flow of storm water runoff, adjacent receiving water bodies, north arrow, all erosion & sediment controls (vegetative and structural), post construction control measures as described in Part III. C. 2. of this permit, and an estimate of the pre and post construction runoff coefficients of the site (see runoff coefficients in Part VII.) and the increase in impervious area.

6. **Implementation Sequence.** The owner or operator shall prepare an orderly listing which coordinates the timing of all major land-disturbing activities together with the necessary erosion and sedimentation control measures planned for the project.

ORDAINED, ADOPTED AND APPROVED by the Mayor and Board of Aldermen of the City of Gluckstadt, Madison County, Mississippi at its regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_

MOTION made to adopt the foregoing Ordinance was made by \_\_\_\_\_ and SECONDED by \_\_\_\_\_ and the foregoing, having first been reduced to writing, was submitted to a roll call vote, the result was as follows:

Alderwoman Bates

Alderman Powell

Alderman Slay

Alderman Taylor

Alderwoman Williams

Whereupon the Mayor declared the motion carried and Ordinance adopted.

The foregoing Ordinance is approved this the \_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
WALTER C. MORRISON, IV  
MAYOR

ATTEST.

\_\_\_\_\_  
LINDSEY D. KELLUM  
CITY CLERK

[SEAL]

Ordinance No. 2022-\_\_\_\_\_

**A MUNICIPAL ORDINANCE ADOPTING THE  
2018 INTERNATIONAL FIRE CODE AND APPENDICES**

WHEREAS, the City of Gluckstadt, Mississippi, is a new municipality, incorporated as a Code Charter municipality in 2021;

WHEREAS, it is the desire of the Gluckstadt Mayor and Board of Aldermen to adopt the 2018 International Fire Code, as authorized by Miss. Code Ann. Section 45-11-101, et seq.; and,

WHEREAS, the Gluckstadt Mayor and Board of Aldermen are empowered by the general law of Mississippi, Miss. Code Ann. §§ 17-1-3, 21-17-5, 21-19-21, and 21-19-25, to pass resolutions, adopt codes, and make regulations to secure the general health of those residing in the district and in the interest of providing fire protection services to the public; and,

WHEREAS, is the desire of the City of Gluckstadt that any standard such as standards from the NFPA should be automatically adopted by the City of Gluckstadt in the proposed fire code when referenced in the International Fire Code; and,

WHEREAS, the adoption of the 2018 International Fire Code is done to facilitate proper inspection activities by the City of Gluckstadt, within its corporate boundaries and relating to public safety, health and general welfare; and,

WHEREAS, as the entire City of Gluckstadt is located within the boundaries of the South Madison County Fire Protection District, the City of Gluckstadt is desirous to partner with the South Madison County Fire Protection District (“SMCFPD”) for the provision of enforcement of the Fire Code, safety inspections, and the provision of fire protection services:

NOW, THEREFORE, Be It Ordained by the Mayor and Board of Aldermen of the City of Gluckstadt, Mississippi, that the following code published in cooperation with the INTERNATIONAL CODE COUNCIL and NATIONAL FIRE PREVENTION ASSOCIATION is hereby adopted by reference as though it were copied herein fully:

**Section 1.  
2018 International Fire Code and Amendments**

The following additions, deletions and/or modifications shall be incorporated with the adoption of the 2018 International Fire Code:

- A. Section 101.1, Amended to read: These regulations shall be known as the Fire Code of The City of Gluckstadt, Mississippi, hereinafter referred to as “this code.”
- B. Section 102.5, Deleted in its entirety

- C. Section 103.1, Amended to read: The department of fire prevention is established within the City of Gluckstadt, Mississippi, under the direction of the fire code official, which shall be the Fire Marshal of the South Madison County Fire Protection District or his designee. The function of the department shall be implementation, administration and enforcement of the provisions of this code.
- D. Section 104.11.2, Amended to read: Persons shall not obstruct the operations of the fire department in connection with extinguishment or control of any fire, or actions relative to other emergencies, or disobey any lawful command of the SMCFPD Fire Marshal and the fire chief or officer of the department in charge of the emergency, or his/their designee, or any part thereof, or any lawful order of a police officer assisting the fire department.
- E. Section 105, Permits, All permits will be obtained accordingly by contacting the City of Gluckstadt building department and the SMCFPD will work together with the City's Building Official, or his designee, in collaboration with obtaining the proper permits.
- F. Section 105.1 through 105.7.25, Deleted in its entirety.
- G. Section 106, Deleted in its entirety.
- H. Section 109 The Board of Aldermen to serve as the board of appeals for the City of Gluckstadt.
- I. Section 109.1 Amended to read: In order In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, the following appeals process shall be adhered to:  
 An application for appeal shall be based on a claim that the intent of this code or the rules adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method or protection or safety is proposed. This application will be turned in to the fire code official. The fire code official will have ten (10) business days to review the application for appeal and shall issue a final decision in writing, sustaining, modifying, or withdrawing the initial decision.  
 If the board of appeals cannot be the Board of Aldermen, then the board of appeals will be formed and appointed after adoption of this code and this resolution is signed.
- J. Section 109.2. Deleted in its entirety.
- K. Section 109.3. Deleted in its entirety.
- L. Section 110.4. Amended to read: Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall

erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than 1,000 dollars. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

- M. Section 112.4. Amended to read: Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than 100.00 dollars or more than 1,000.00 dollars.
- N. Section 507.2.1. Deleted in its entirety.
- O. Section 903.4.2. Amended to read: All buildings that are required to have a fire sprinkler system shall provide, in each tenant space, visible/audible warning devices that actuation of the sprinkler system or fire alarm system will cause to be activated.
- P. The following Appendices in the 2018 International Fire Code shall be incorporated with the adoption of the International Fire Code: Appendices B, C, D, E, F, G, I

## Section 2. Violations, Notices and Orders, and Means of Appeal

The following language shall be incorporated into the adopted International Fire Code:

### SECTION 117: VIOLATIONS

**117.1 Unlawful acts.** It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

**117.2 Notice of Violation.** The Code Official shall serve a notice of violation or order in accordance with Section 118.

**117.3 Prosecution of violation.** Any person failing to comply with a notice of violation or order served in accordance with Section 118 shall be deemed guilty of a misdemeanor or civil infraction as determined by the Gluckstadt Municipal Court, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

**117.4 Violation penalties.** Any person, individual, corporation, company, partnership, association or any other entity failing to comply with this code or any of the requirements thereof or otherwise violating this code or any of its provisions shall, after notice and a reasonable time to correct said violation(s), pay a fine not exceeding One Thousand Dollars (\$1,000) or imprisonment not exceeding 90 days, or both, and each day thereafter that said violation(s) remain uncorrected shall constitute a separate offense punishable by a separate fine not exceeding One Thousand Dollars (\$1,000) or imprisonment not exceeding 90 days, or both, pursuant to Sections 21-13-1 and 21-17-5, Mississippi Code of 1972, or other applicable statutes. The City shall impose for said violation(s) all other penalties and have access to any other remedies available under the law to correct the conditions giving rise to the violation(s) of this code. Any appeals from decisions of the Gluckstadt Municipal Court will be made according pursuant to Rule 29 of the Mississippi Rules of Criminal Procedure.

**117.5 Abatement of violation.** The imposition of the penalties herein prescribed shall not preclude the building official of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.

## **SECTION 118: NOTICES AND ORDERS**

**118.1 Notice to person responsible.** Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 115.2 and 115.3 to the person responsible for the violation as specified in this code. The notice shall be in the form prescribed in Section 118.2.

**118.2 Form.** Such notice prescribed in Section 118.1 shall be in accordance with all of the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or correction order.
4. Inform the property owner of the right to appeal.

**118.3 Method of service.** Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally;
2. Sent by certified or first-class mail addressed to the last known address; or
3. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

**118.4 Penalties.** Penalties for noncompliance with orders and notices shall be as set forth in Section 117.4.

**118.5 Transfer of ownership.** It shall be unlawful for the owner of any dwelling unit or structure



who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

## **SECTION 119 - MEANS OF APPEAL**

**119.1 Application for appeal.** Any person directly affected by a decision of the code official or a notice or order issued under the code shall have the right to appeal to the Board of Aldermen, provided that a written application for appeal is filed within 10 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of the code or the rules legally adopted there under have been incorrectly interpreted, the provisions of the code do not fully apply, or the requirements of the code are adequately satisfied by other means.

**119.2. Appeals.** All appeals shall be heard by the Board of Aldermen ("board").

**119.3 Open hearing.** All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

**119.3.1 Procedure.** The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

**119.4 Board decision.** The board shall modify or reverse the decision of the code official only by a concurring vote of a majority of the total number of appointed board members.

**119.4.1 Records and copies.** The decision of the board shall be recorded. Copies shall be furnished to the appellant and to the code official.

**119.4.2 Administration.** The code official shall take immediate action in accordance with the decision of the board.

**119.5 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for review under Miss. Code Ann. § 11-51-75. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the City Clerk.

**119.6 Stays of enforcement.** Appeals of notice and orders (other than Imminent Danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the appeals board.

**Section 3.  
Full Text Copy**

A full copy of the text of the 2018 International Fire Code will be maintained by the South Madison County Fire Protection District at the Fire Marshal’s office located at 639 Yandell Road, Madison, Mississippi, as well as at City Hall, for public records and viewing upon public request.

**Section 4.  
Responsible Official**

Within said International Fire Code, when reference is made to the duties *of a certain official named* therein, the designated official of the South Madison County Fire Protection District, who has duties corresponding to those of the named of in said code shall be deemed to be the responsible official insofar as enforcing the provisions of said code are concerned.

**Section 5.  
Effective Date**

This Ordinance shall be effective, in operation, and in force one month after its passage and after publication of same as required in § 19-5-9 Mississippi Code of 1972.

SO ORDAINED, ADOPTED, AND APPROVED, this the \_\_\_\_ day of December 2022. Motion was made by Alderman \_\_\_\_\_, and seconded by Alderman \_\_\_\_\_, for the adoption of the above and foregoing Resolution.

Upon roll call vote, the result was as follows:

- Alderman Miya Warfield Bates voted: Aye/Nay
- Alderman Jayce Powell voted: Aye/Nay
- Alderman Richard Wesley Slay voted: Aye/Nay
- Alderman John Taylor voted: Aye/Nay
- Alderman Lisa H. Williams voted: Aye/Nay

The Mayor thereupon declared the motion carried and the Ordinance adopted this the \_\_\_\_ day of December, 2022.

City of Gluckstadt, Mississippi

\_\_\_\_\_  
Walter C. Morrison, IV, MAYOR

ATTEST:

\_\_\_\_\_  
Lindsay Kellum,  
CITY CLERK  
[SEAL]

THIS IS TO CERTIFY that the aforementioned Ordinance was adopted at the regular meeting of the Mayor and Board of Aldermen of the City of Gluckstadt, Mississippi, held on \_\_\_\_\_, and duly recorded in Minute Book \_\_\_\_\_ Page \_\_\_\_\_ thereof.

\_\_\_\_\_  
CITY CLERK

DAVID I. BRIDGERS, JR., CPA  
L. KARL GOODMAN, CPA, MBA  
WILLIAM F. BAIRD, CPA  
EUGENE S. CLARKE, IV, CPA  
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MISSISSIPPI SOCIETY OF CPAs  
AMERICAN INSTITUTE OF CPAs  
GOVERNMENT AUDIT QUALITY CENTER

January 24, 2023

City of Gluckstadt, Mississippi  
Lindsay Kellum, City Clerk  
P.O. Box 2210  
Madison, Mississippi 39130

Ms. Kellum:

Enclosed is the Compilation Report for the fiscal year ended **September 30, 2021**.

See the attached OSA Transmittal Letter for guidance on what should be mailed to the Office of the State Auditor.

Also, on the following page is the legal requirement regarding the publication of the Compilation Report.

Please call with any questions (601) 636-1416.

Sincerely,

*Bridgers, Goodman, Baird & Clarke, PLLC*

Bridgers, Goodman, Baird & Clarke, PLLC

EXAMPLE 1 - For cities issuing a compiled (unaudited) financial report. Should be placed in three public places within 30 days of acceptance of the report.

## **PUBLIC NOTICE**

**The City of Gluckstadt, Mississippi, hereby gives notice that its annual financial report for the year ended September 30, 2021 has been completed. Copies are available to the public at the City Hall located at 343 Distribution Drive Madison, Mississippi 39130.**

**From:** [Simpson Goodman](#)  
**To:** [Lindsay Kellum](#); [Scott Maugh](#)  
**Cc:** [David I. Bridgers, Jr.](#); [L. Karl Goodman](#)  
**Subject:** City of Gluckstadt FY 2021 Compilation & AUP Report  
**Date:** Tuesday, January 24, 2023 9:09:58 AM  
**Attachments:** [BGB&C Transmittal Letter GLUCK FY 2021.pdf](#)  
[Compilation and AUP Report City of Gluckstadt FY 2021.pdf](#)  
[Management's Rep Letter GLUCK 2021.pdf](#)  
[OSA Transmittal Letter GLUCK 2021.pdf](#)

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Good Morning,

I am pleased to announce that the City's FY 2021 Report has been approved for issuance. Attached to this email please find the following items:

1. **BGB&C Transmittal Letter**
  - a. This is our cover letter to you. It has a couple of instructions regarding submission to the OSA and the required public notice
2. **City of Gluckstadt Compilation and AUP Report for FY 2021 (PDF Version)**
  - a. Bound hardcopy reports will be printed and delivered soon
3. **Management's Representation Letter**
  - a. This letter needs to be printed on City letterhead, signed by the mayor, and returned to me
4. **OSA Transmittal Letter**
  - a. This letter needs to be printed on City letterhead and included with report copies for submission to the OSA

We thank you for the opportunity to be of service to the City of Gluckstadt, and we look forward to the opportunity to work with you again.

Sincerely,

**Simpson Goodman**



Certified Public Accountants

**Bridgers, Goodman, Baird & Clarke, PLLC** | *Certified Public Accountants*

3528 Manor Drive | Vicksburg, MS 39180

Office: (601) 636-1416 | Fax: (601) 636-1417 | Cell: (662) 820-9887

Email: [simpson.goodman@bridgerscpas.com](mailto:simpson.goodman@bridgerscpas.com) | [www.bridgerscpas.com](http://www.bridgerscpas.com)

**\*\* ANY TAX ADVICE INCLUDED IN THIS WRITTEN OR ELECTRONIC COMMUNICATION, (INCLUDING ATTACHMENTS) WAS NOT INTENDED OR WRITTEN TO BE USED, AND IT CANNOT BE USED BY THE TAXPAYER, FOR THE PURPOSE OF AVOIDING ANY PENALTIES THAT MAY BE IMPOSED ON THE TAXPAYER BY ANY GOVERNMENTAL TAXING AUTHORITY OR AGENCY. \*\***

\*\*\*\*\*

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\*\*\*\*\*

**CITY OF GLUCKSTADT, MISSISSIPPI**

**INDEPENDENT ACCOUNTANT'S REPORT ON  
AGREED-UPON PROCEDURES FOR SMALL MUNICIPALITIES**

**INDEPENDENT ACCOUNTANT'S REPORT ON THE  
STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS  
GOVERNMENTAL ACTIVITIES**

**INDEPENDENT ACCOUNTANT'S REPORT ON  
COMPLIANCE WITH STATE LAWS AND REGULATIONS**

**FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2021**





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**INDEPENDENT ACCOUNTANT’S REPORT ON AGREED-UPON PROCEDURES  
FOR SMALL MUNICIPALITIES**

Honorable Mayor and Alderpersons  
City of Gluckstadt, Mississippi

We have performed the procedures enumerated below on the accounting records of the City of Gluckstadt, Mississippi, (the Municipality) as of September 30, 2021. The City of Gluckstadt, Mississippi’s management is responsible for the accounting records. The sufficiency of these procedures is solely the responsibility of the specified parties. Consequently, we make no representation regarding the sufficiency of the procedures enumerated below either for the purpose for which this report has been requested or for any other purpose.

The City of Gluckstadt, Mississippi has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of complying with the requirements of the Office of the State Auditor of Mississippi, under the provisions of Section 21-35-31, Mississippi Code Ann. (1972). This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes.

The procedures and associated findings are as follows.

1. We reconciled cash on deposit with the following banks to balances in the respective general ledger accounts and obtained confirmation of the related balances from the banks.

<u>Financial Institution</u>	<u>Fund</u>	<u>Balance per General Ledger</u>
BankPlus	General Fund	\$ 285,743
	Total	<u>\$ 285,743</u>

**City of Gluckstadt, Mississippi**  
**Independent Accountant’s Report on Agreed-Upon Procedures for Small Municipalities (Continue**  
**September 30, 2021**

Section 6, ID)

2. We obtained a statement of payments made by the Department of Finance and Administration to the Municipality. Payments indicated were traced to deposits in the respective bank accounts and recorded in the general ledger in the appropriate accounts.

Payment Purpose	Receiving Fund	General Ledger Amount
Sales Tax Allocation	General	\$ 397,548
	Total	\$ 397,548

3. We have read the Municipal Compliance Questionnaire completed by the Municipality. The following response to the questionnaire indicates noncompliance with state requirements.

Part II - Question 17. The Municipality has not properly tagged and accounted for fixed assets.

In connection with the procedures referred to above, no matters came to our attention that caused us to believe the items specified in paragraphs 1, 2, and 3 should be adjusted.

We were engaged by the City of Gluckstadt, Mississippi to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an audit or review engagement, the objective of which would be the expression of an opinion or conclusion, respectively, on the accounting records. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the City of Gluckstadt, Mississippi and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

This report is intended solely for the information and use of the governing body of the City of Gluckstadt, Mississippi and the Office of the State Auditor and is not intended to be and should not be used by anyone other than those specified parties. This report should not be associated with the financial statements of the City of Gluckstadt, Mississippi, for the year ended September 30, 2021.

*Bridgers, Goodman, Baird & Clarke, PLLC*

Bridgers, Goodman, Baird & Clarke, PLLC  
 Certified Public Accountants  
 Vicksburg, Mississippi  
 January 23, 2023

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## INDEPENDENT ACCOUNTANT'S REPORT ON THE STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS GOVERNMENTAL ACTIVITIES

Honorable Mayor and Alderpersons  
City of Gluckstadt, Mississippi

Management is responsible for the accompanying statement of cash receipts and disbursements of the City of Gluckstadt, Mississippi for the year ended September 30, 2021, and the related notes to the financial statement in accordance with the cash basis of accounting, and for determining that the cash basis of accounting is an acceptable financial reporting framework.

We have performed a compilation engagement in accordance with *Statements on Standards for Accounting and Review Services* promulgated by the Accounting and Review Services Committee of the AICPA. We did not audit or review the statement of cash receipts and disbursements, nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by management. We do not express an opinion, a conclusion, nor provide any assurance on the statement of cash receipts and disbursements.

We draw attention to Note 1 of the financial statement, which describes the basis of accounting. The statement of cash receipts and disbursements is prepared in accordance with the cash basis of accounting, which is a basis of accounting other than accounting principles generally accepted in the United States of America.

Management has elected to omit substantially all of the disclosures ordinarily included in the financial statements and the statement of cash flows required by generally accepted accounting principles. If the omitted disclosures and the statement of cash flows were included in the financial statements, they might influence the user's conclusions about the Municipality's financial position, results of operations, and cash flows. Accordingly, these financial statements are not designed for those who are not informed about such matters.

Management has omitted the Management's Discussion and Analysis that is required to be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context.

The supplementary information contained in the Schedule of Surety Bonds for Municipal Officials is presented for purposes of additional analysis and is not a required part of the statement of cash receipts and disbursements. Such information is the responsibility of management. The supplementary information was subject to our compilation engagement. We have not audited or reviewed the supplementary information and do not express an opinion, a conclusion, nor provide any assurance on such information.

This report is intended solely for informational use of the governing body and management of the City of Gluckstadt, Mississippi, and filing with the Office of the State Auditor of Mississippi. This restriction is not intended to limit the distribution of this report which is a matter of public record.

*Bridgers, Goodman, Baird & Clarke, PLLC*

Bridgers, Goodman, Baird & Clarke, PLLC  
Certified Public Accountants  
Vicksburg, Mississippi  
January 23, 2023

**CITY OF GLUCKSTADT, MISSISSIPPI**  
**Statement of Cash Receipts and Disbursements**  
**Governmental Activities**  
**For the fiscal year ended September 30, 2021**

	<b>Major Fund</b>
	<b>General</b>
	<b>Fund</b>
<b>Receipts:</b>	
State Shared Revenues:	
Sales Tax	\$ 397,548
Other Receipts:	
Interest	5
Miscellaneous	500
<b>Total Receipts</b>	<b>398,053</b>
<b>Disbursements:</b>	
General Government	
Legislative	949
Executive	807
Financial	57
Other	110,497
<b>Total Disbursements</b>	<b>112,310</b>
<b>Excess (Deficiency) of Receipts over disbursements</b>	<b>285,743</b>
Cash Basis Fund Balance: Beginning	-
Cash Basis Fund Balance: Ending	<b>\$ 285,743</b>

See Independent Accountant's Compilation Report

**NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

**General Information:**

The City of Gluckstadt (the Municipality) operates under the Mayor and Alderpersons form of government and provides services as required by law. The Municipality was incorporated June 6, 2021.

**Reporting Entity:**

The Municipality utilizes fund accounting, with each fund being considered a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenues, and expenditures.

The Municipality reports the following major Governmental Funds:

General Fund - This fund is used to account for and report all financial resources not accounted for and reported in another fund.

**Basis of Accounting:**

The financial statement of the Municipality has been prepared using the cash receipts and disbursements basis of accounting, as prescribed by the Office of the State Auditor. Consequently, revenues are recognized when received rather than when earned, and certain expenses when paid rather than when the obligation is incurred. Accordingly, the statement of cash receipts and disbursements is not intended to present results of operations in conformity with generally accepted accounting principles.

**NOTE 2. Report Classifications**

Receipts and disbursements were classified according to requirements for small towns in the State of Mississippi as prescribed by the Office of the State Auditor.

**NOTE 3. Budget**

Budgets are adopted as prescribed by the State of Mississippi. Annual appropriated budgets are adopted for all funds. The Mississippi Code Ann. (1972) prescribes cash basis reporting of revenues for budgeting of expenditures to be disbursed within thirty days after year end (with exception for construction in progress).

**NOTE 4. Deposits**

The carrying amount of the Municipality's total deposits with financial institutions at September 30, 2021 was \$285,743, and the bank balance was \$335,556. The collateral for public entities' deposits in financial institutions is held in the name of the State Treasurer under a program established by the Mississippi State Legislature and is governed by

**CITY OF GLUCKSTADT, MISSISSIPPI**  
**NOTES TO FINANCIAL STATEMENTS**  
**SEPTEMBER 30, 2021**

Section 6, ID)

Section 27-105-5, *Mississippi Code of 1972 Annotated*. Under this program, the entity's funds are protected through a collateral pool administered by the State Treasurer. Financial institutions holding deposits of public funds must pledge securities as collateral against those deposits. In the event of failure of a financial institution, securities pledged by that institution would be liquidated by the State Treasurer to replace the public deposits not covered by the Federal Deposit Insurance Corporation (FDIC).

Custodial Credit Risk - Deposits. Custodial credit risk is the risk that in the event of the failure of a financial institution, the Municipality will not be able to recover deposits or collateral securities that are in the possession of an outside party. The Municipality does not have a formal policy for custodial credit risk. In the event of failure of a financial institution, securities pledged by that institution would be liquidated by the State Treasurer to replace the public deposits not covered by the Federal Deposit Insurance Corporation (FDIC). Deposits above FDIC coverage are collateralized by the pledging financial institution's trust department or agent in the name of the Mississippi State Treasurer on behalf of the Municipality.

**NOTE 5. Property Tax**

The Board of Alderpersons, each year at a meeting in September, levies property taxes for the ensuing fiscal year which begins on October 1. Real property taxes become a lien on January 1 of the current year, and personal property taxes become a lien on March 1 of the current year. Taxes on both real and personal property, however, are due on or before February 1 of the next succeeding year. Taxes on motor vehicle and mobile homes become a lien and are due in the month that coincides with the month of the original purchase. The Municipality entered into an agreement with the Madison County Tax Collector to bill and collect real and personal property taxes. Personal auto taxes and mobile home taxes continue to be collected and remitted to the Municipality by the county tax collector. The General Fund millage rate for the City of Gluckstadt is 12 mills for the ensuing fiscal year.



**CITY OF GLUCKSTADT**  
**SCHEDULE OF SURETY BONDS FOR MUNICIPAL OFFICIALS**  
**SEPTEMBER 30, 2021**

Section 6, ID)

<u>Name of Company</u>	<u>Policy Period Ending</u>	<u>Person Covered</u>	<u>Amount</u>
Travelers	7/1/2022	Mayor	\$ 50,000
Travelers	7/1/2022	Alderspersons (each)	\$ 50,000
Hired subsequent to Year End		City Clerk	
Hired subsequent to Year End		Police Chief	

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## INDEPENDENT ACCOUNTANT'S REPORT ON COMPLIANCE WITH STATE LAWS AND REGULATIONS

Honorable Mayor and Alderpersons  
City of Gluckstadt, Mississippi

We have compiled the accompanying Statement of Cash Receipts and Disbursements - Governmental Activities and the Schedule of Surety Bonds for Municipal Officials for the year ended September 30, 2021, in accordance with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants. The financial statement has been prepared on the cash basis of accounting, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America.

We have performed procedures to test compliance with certain state laws and regulations as described by the Municipal Compliance Questionnaire that is prescribed by the Office of the State Auditor of Mississippi. Our procedures were substantially less in scope than an audit, the objective of which is the expression of an opinion on the Municipality's compliance with these requirements. Accordingly, we do not express such an opinion.

With respect to items tested, the results of those procedures, our compilation of the accompanying Statement of Cash Receipts and Disbursements - Governmental Activities, and the Schedule of Surety Bonds for Municipal Officials, of the City of Gluckstadt, Mississippi, for the year ended September 30, 2021, disclosed no material instances of noncompliance with state laws and regulations.

This report is intended solely for the information of the Municipality's management, Alderpersons, and the Office of the State Auditor of Mississippi and is not intended to be and should not be used by anyone other than these specified parties. However, this report is a matter of public record, and its distribution is not limited.

*Bridgers, Goodman, Baird & Clarke, PLLC*

Bridgers, Goodman, Baird & Clarke, PLLC  
Certified Public Accountants  
Vicksburg, Mississippi  
January 23, 2023

**MAYOR**

Walter C. Morrison, IV

**CITY CLERK**

Lindsay Kellum

**POLICE CHIEF**

Wendell Watts

**MUNICIPAL COURT  
CLERK**

Stephanie Gerlach

**PLANNING & ZONING  
ADMIN.**

Mike McCollum

**BUILDING OFFICIAL**

William Hall

**CITY OF GLUCKSTADT**  
MISSISSIPPI



**343 DISTRIBUTION DRIVE  
GLUCKSTADT, MS 39110**

**ALDERMEN**

Miya Bates

Jayne Powell

Wesley Slay

John Taylor

Lisa Williams

January 31, 2023

Bridgers, Goodman, Baird & Clarke, PLLC  
3528 Manor Drive  
Vicksburg, Mississippi 39180

In connection with your engagement to apply agreed-upon procedures to the accounting records of the City of Gluckstadt as of September 30, 2021, we confirm, to the best of our knowledge and belief, the following representations made to you during your engagement.

- 1) We are responsible for the accounting records of the City of Gluckstadt.
- 2) As of September 30, 2021, the accounting records are presented in accordance with the guidelines as prescribed by the Office of the State Auditor of Mississippi.
- 3) We are responsible for selecting the criteria and for determining that such criteria are appropriate for our purposes.
- 4) We have disclosed to you all known matters contradicting the accounting records of the City of Gluckstadt.

- 5) We have disclosed to you any communications from regulatory agencies, internal auditors, other independent practitioners or consultants, and others affecting the accounting records, including communications received between September 30, 2021 and January 23, 2023.
- 6) We have provided you with access to all records that we believe are relevant to the accounting records and the agreed-upon procedures.
- 7) We have responded fully to all inquiries made to us by you during the engagement.
- 8) No events have occurred subsequent to September 30, 2021, that would require adjustment to or modification of the accounting records of the City of Gluckstadt.

Sincerely,

---

WALTER C. MORRISON, IV.  
MAYOR, CITY OF GLUCKSTADT

**MAYOR**

Walter C. Morrison, IV

**CITY CLERK**

Lindsay Kellum

**POLICE CHIEF**

Wendell Watts

**MUNICIPAL COURT  
CLERK**

Stephanie Gerlach

**PLANNING & ZONING  
ADMIN.**

Mike McCollum

**BUILDING OFFICIAL**

William Hall

**CITY OF GLUCKSTADT**  
MISSISSIPPI



**343 DISTRIBUTION DRIVE  
GLUCKSTADT, MS 39110**

**ALDERMEN**

Miya Bates

Jayce Powell

Wesley Slay

John Taylor

Lisa Williams

January 31, 2023

Office of the State Auditor  
P.O. Box 956  
Jackson, Mississippi 39205

RE: Annual Municipal Compilation and Agreed Upon Procedures

Accompanying this letter are two copies of the annual compilation and municipal compliance questionnaire for the City of Gluckstadt, Mississippi, for the fiscal year ended **September 30, 2021**. A separate management letter was not written to the City in connection with this compilation.

Sincerely,

---

WALTER C. MORRISON, IV.  
MAYOR, CITY OF GLUCKSTADT



## CITY OF GLUCKSTADT

MISSISSIPPI  
OFFICE OF THE CITY CLERK

### MEMORANDUM

---

**TO:** Mayor & Board of Alderman

**FROM:** Lindsay Kellum, City Clerk

**DATE:** 2/14/2023

**SUBJECT:** Request for Increase in Board Approval Limit, Purchasing Policy

---

I am requesting the Board revise our internal purchasing policy (item #3) to increase the amount required for formal Board Approval for purchases of \$1000.01 and higher.

Instead of a minimum requirement of \$1000.01, I am requesting the minimum be increased to \$3000.00 or \$5,000.00 (where 2 quotes are required by OSA) to go before the board. We have ran into issues with delays in procurement in some instances and would request we are able to issue a purchase order in a more timely fashion, avoiding delays in project start due to having to wait on board approval monthly.

The board will still be able to review any purchases prior to payment through our claims process.

## CITY OF GLUCKSTADT PURCHASING POLICY

### Mission Statement

The purpose of this Purchasing Policy is to ensure that sound business judgment is utilized in all purchase transactions and that supplies, equipment, construction, and services are obtained efficiently and economically and in compliance with applicable executive orders and state law and to ensure that all purchasing transactions will be conducted in a manner that provides full and open competition. Upon all things being equal, purchases are to be made within the City of Gluckstadt. It is the desire of the City of Gluckstadt to secure the best commodity and/or service at the best price for the tax dollar.

### Methods of Purchasing

Purchase procedures are relatively simple that are sound and appropriate for the procurement of services, supplies, or other property:

1. **Purchase Request** - A purchase request under the amount of \$500.00 to be approved and signed by the Department Head.
2. **Purchase Order** – A purchase order over \$500.01 to \$1,000.00 is to be approved by the Department Head and the Purchasing Clerk.
3. **Board Approval** – A purchase over \$1,000.01, membership fees, travel, subscription, or contract must be signed off on by the Department Head, submitted to the Purchasing Clerk, put on the agenda for approval by the Board.
4. **Exceptions** – Any item specifically listed on the Budget only requires a Purchase Order approved by the Department Head and Purchasing Clerk.

A Purchase Order is a legal and binding agreement between the vendor and the City. If the Purchase Order does not agree with vendor records, it is the responsibility of the vendor to contact the City to have the order rescinded before delivery is attempted.

### Bid Process

**For purchases less than \$5,000** excluding freight or shipping charges, may be made without advertising or otherwise requesting competitive bids. “Comparative” buying practices should always be followed when goods and services are sought to be purchased.

**For purchases \$5,000 to \$74,999.99** excluding freight and shipping charges may be made from the lowest and best bidder without publishing or posting advertisement for bid, provided at least two (2) competitive written bids have been obtained. The Department Head will have the authorization to accept the lowest and best competitive written bid as long as the item has been budgeted for, then a Purchase Order would be completed with the attached bids and submitted to the Purchasing Clerk before the actual purchase. If the item has not been budgeted for the Purchasing Clerk will then have

the Purchase Order and documentation placed on the agenda for approval by the Board and recorded in the official minutes. The term “competitive written bid” shall mean a bid submitted to the buying agency or governing authority and signed by authorized personnel representing the vendor, “Competitive” shall mean that the bids are developed based upon comparable identification of the needs and are developed independently and without knowledge of other bids or prospective bids. Bids may be submitted by facsimile, electronic mail, hand delivered or regular mail.

**For purchases over \$75,000** excluding freight and shipping charges, all official bid notices will appear in the Madison County Journal, the City's current legal publication vendor. Items placed for bid are listed in the classified section of the newspaper. The bid notice shall appear at least once each week for two (2) consecutive weeks with the bid opening not less than seven (7) working days from the last publication. For construction projects the bids shall not be opened in less than fifteen (15) working days after the last notice is published. The invitation to bid will state where the bid should be turned in and the bid opening time, date and place. Once the lowest and best bid has been decided upon the documentation will be placed on the agenda for approval by the Board and recorded in the official minutes

### **SPECIAL CIRCUMSTANCES**

#### **Emergency Purchase Procedure** Reference Sec. 31-7-1 (f)

If the governing Board or the executive head of the City shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interest of the City, then the provisions herein for competitive bidding shall not apply and the Department Head shall be authorized to make the purchase or repair. Total purchases so made shall only be for the purpose of meeting needs created by the emergency situation. In the event the Department Head is responsible to the Board, at the meeting next following the emergency purchase, documentation by way of a Special Circumstances Approval Form to be presented to the Board and shall be placed on the minutes of the Board of the City.

#### **Sole Source** Reference Sec. 31-7-13(m)(viii)

Noncompetitive items available from one (1) source only. In the connection with the purchase of noncompetitive items only available from one (1) source, the Department Head is responsible to submit a Special Circumstances Approval Form to the Board for approval and shall be placed on the minutes of the Board of the City.

#### **Optional Use Authority Without Bidding** Reference Sec. 31-7-13(m)(i)

The purchase of commodities approved by the Department of Finance and Administration from the state contract vendor, or from any source offering the identical commodity, at a price not exceeding the state contract price established for such commodity, can be made without obtaining or advertising for competitive bids. A Special Circumstances Approval Form is to be presented to the Board for approval and shall be placed on the minutes of the Board of the City.



**Purchase Law Violation**

No contract or purchase as herein authorized shall be made for the purpose of circumventing the provisions of Miss. Code Ann. Sec. 31-7-13. It shall not be lawful for any person or concern to submit individual invoices for the amounts within those authorized for a contract or purchase where the actual value of the contract of commodity purchased exceeds the authorized amount.

Purchasing Practices not listed in the Purchasing Policy will be in accordance with Miss. Code Ann. Section 31-7-13.

# Gluckstadt

## Cash Management Guidelines

### 1. Rainy Day Fund

- a. Option 1 – Maintain minimum cash position of \$500,000-\$1,000,000. Negotiate best return and segregate as separate account or maintain in normal checking account.
- b. Option 2 – Establish a lower minimum cash position (i.e. \$100,000-\$200,00) and have a standby revolving line of credit (RLOC) in place with depository bank to use in case of emergency. Negotiate interest rate and terms for RLOC and request a three-year commitment.

### 2. Checking Accounts

- a. Determine number and type of accounts needed for maximum efficiency and accounting.
- b. Negotiate best terms for checking accounts and commit for 1-2 years.

### 3. Cash Flow Projections

- a. Consider one time/non re-occurring income and expenses i.e. police department building, state grant funds, etc. Determine cash position and need to negotiate term loan.



## CITY OF GLUCKSTADT

MISSISSIPPI  
OFFICE OF THE CITY CLERK

### MEMORANDUM

---

**TO:** Mayor & Board of Alderman

**FROM:** Lindsay Kellum, City Clerk

**DATE:** 2/14/23

**SUBJECT:** Rainy Day Fund Investment Proposals (City Bank Depositories)

---

We received sealed proposals from the following banks:

**Origin Bank**

**Cadence Bank**

The Mayor will open the sealed proposals at the meeting and read them aloud for board consideration.

**User Name:** John Scanlon

**Date and Time:** Thursday, June 30, 2022 6:57:00 PM EDT

**Job Number:** 174384936

## Document (1)

1. [2008 Miss. AG LEXIS 80](#)

**Client/Matter:** Gluckstadt

**Search Terms:** 2008-00068

**Search Type:** Natural Language

**Narrowed by:**

**Content Type**

US Administrative Materials

**Narrowed by**

Sources: MS Attorney General Opinions; Content Type: US Administrative Materials

## 2008 Miss. AG LEXIS 80

Office of the Attorney General of the State of Mississippi

### **MS Attorney General Opinions**

#### **Reporter**

2008 Miss. AG LEXIS 80 \*

### **Opinion No. 2008-00068**

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February 29, 2008

### **Core Terms**

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police chief, municipality, board of aldermen, has, governing authority, police department, overtime, municipal court

### **Syllabus**

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[\*1]

Re: Authority of Board of Aldermen

**Request By:** Mr. Ronald K. Parker

Chief of Police, Town of Sandersville

Post Office Box 692

Sandersville, Mississippi 39477

**Opinion By:** JIM HOOD, ATTORNEY GENERAL; Leigh Triche Janous, Special Assistant Attorney General

### **Opinion**

---

Attorney General Jim Hood has received your request for an opinion and has assigned it to me for research and response.

#### **Issues Presented**

You inquire as to the authority of the board of aldermen with respect its authority to direct the employees of the police department, to fire the police chief and to direct the activities of the municipal court. Additionally, you inquire as to the ability of the police chief to receive overtime. Specifically, you ask the following:

Question # 1. Can the board of aldermen tell the chief of police when and how to post and assign his officers for duty on the schedule?

Question # 2. Is the chief of police a patrolman or administrator? And when the chief of police works as a patrolman does he get overtime?

Question # 3. Can the board tell the chief of police to stop writing tickets and give warnings only?

Question # 4. When the chief of police is doing his job and keeping the city safe 24 hrs. a day 7 days a week [\*2] and doing nothing wrong can the board fire him for doing his job just because they do not agree on tickets being written or how the schedule is posted as long as the shift is covered 24 hrs. a day 7 days a week?

Question # 5. Can the board tell the court when to hold court day or night?

## Response

In response to Question One (1) and Three (3), a board of aldermen may not dictate the daily activities of the police department, including the assignment of work shifts and duties of police officers and the issuance or non-issuance of tickets and warnings. In response to Question Two (2), a police chief has control and supervision of the police department and may also serve as a patrolman in order to satisfy his job responsibilities as the police chief. In response to Question Four (4), a police chief, pursuant to [Mississippi Code Annotated Section 21-3-3](#), serves at the will and pleasure of the governing authority; thus, the police chief may be discharged, at any time, with or without cause, provided that he is not afforded coverage under a municipal civil service commission or enjoys any other protection afforded by municipally adopted disciplinary [\*3] policies or procedures. In response to Question Five (5), while this inquiry does not involve the office of the chief of police, the authority to determine when court will be held is within the jurisdiction of the municipal judge and not the board of aldermen.

## Applicable Law and Discussion

We have consistently opined that a police chief has the ultimate control and supervision of the police department and a board of aldermen has no authority to interfere in the daily operations of the police department. MS AG Op., Brown (February 1, 2002); MS AG Op., Reynolds (September 23, 2005). A board of aldermen, when it begins to "micro-manage" the police department, risks running afoul of the separation of powers doctrine set forth in Article 1, Sections 1 and 2 of the Mississippi Constitution. MS AG Op., Scott (June 7, 1996).

With respect to the role of the police chief, pursuant to Section 21-21-1, he is "...the chief law enforcement officer of the municipality and shall have control and supervision of all police officers employed by said municipality." While the police chief certainly is the "administrator" of the police department, he may also serve in the role as a patrolman to ensure [\*4] sufficient police protection in the fulfillment of his job duties. We have previously opined that a municipality may pay its employees for overtime; provided that the municipality has a policy authorizing such payment and the work has, in fact, been performed. We have noted that, while the Fair Labor Standards Act applies to municipalities and requires overtime pay in some instances, we do not interpret federal law by official opinion. MS AG Op., Ward (September 10, 1999). Whether a police chief is entitled to overtime pay when acting in the capacity of a patrolman is a determination to be made by the governing authority.

Pursuant to Section 21-3-3, the police chief holds "office at the pleasure of the governing authorities and may be discharged by such governing authorities at any time, either with or without cause..." Clearly, the termination of an appointed police chief is at the discretion of the governing authority, with or without cause. However, it should be noted that, if the police chief enjoys coverage under a municipal civil service commission or the governing authority has adopted a formal personnel manual which addresses dismissal procedures which apply to the position [\*5] of police chief, the governing authority may be required to take additional steps in terminating the police chief than those provided in Section 21-3-3. MS AG Op., Donald (July 25, 1997).

With respect to your inquiry regarding the authority of a board of aldermen to direct when municipal court will be held, this office is not authorized, pursuant to Section 7-5-25, to issue official opinions on questions of law relating to the authority of other officials rather than that of the requestor. However, for your information, Section 21-23-7 provides that it is the responsibility of the municipal judge to "...hold court in a public building designated by the governing authorities of the municipality and may hold court every day except Sundays and legal holidays if the business of the municipality so requires..." The only authority of the board of aldermen is simply to designate the

public building that the municipal judge will hold municipal court. The authority to determine when municipal court will be held rests with the municipal judge.

### Conclusion

Accordingly, we remain of the opinion that a board of aldermen may not become involved in the daily operations of the police department, [\*6] as the police chief has control and supervision of the police department. Whether a police chief is entitled to overtime pay is a factual determination to be made by the governing authority. A board of aldermen may fire the police chief at its discretion, with or without cause, provided that the police chief does not enjoy civil service protection or any other protection under a municipally adopted procedure regarding disciplinary action/termination. A board of alderman has no authority to determine when municipal court will be held. A copy of the above referenced opinions have been provided for your review.

If our office may be of further assistance, please advise.

**Load Date:** 2014-07-12

MS Attorney General Opinions

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End of Document

**User Name:** John Scanlon

**Date and Time:** Thursday, June 30, 2022 6:42:00 PM EDT

**Job Number:** 174384237

## Document (1)

1. [2008 Miss. AG LEXIS 143](#)

**Client/Matter:** Gluckstadt

**Search Terms:** 2008 Miss. AG LEXIS 143, \*1

**Search Type:** Natural Language



## 2008 Miss. AG LEXIS 143

Office of the Attorney General of the State of Mississippi

### ***MS Attorney General Opinions***

#### **Reporter**

2008 Miss. AG LEXIS 143 \*

### **Opinion No. 2008-00145**

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April 18, 2008

### **Core Terms**

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municipal, board of aldermen, ordinance, mayor's, elect, was, member of the board, section

### **Syllabus**

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[\*1]

Re: Conduct of members of the board of aldermen

**Request By:** Jessie J. Edwards, Ph.D., Mayor

Town of Coldwater

P. O. Box 352

Coldwater, MS 38618

**Opinion By:** JIM HOOD, ATTORNEY GENERAL; Chuck Rubisoff, Special Assistant Attorney General

### **Opinion**

---

Attorney General Jim Hood received your request and assigned it to me for research and response.

#### **Issues Presented**

1. What are the requirements for removing from office a member of the board of aldermen?
2. What powers does a mayor possess with regard to an action voted on by the board of aldermen?
3. What action can be taken when a member of the board of aldermen attempts to influence an action of the municipal judge?

#### **Response**

1. Removal from office is permitted following conviction of certain crimes under [Section 25-5-1 of the Mississippi Code](#), a judicial finding of unsound mind under that same section, or upon removal from the district in which the alderman was elected.
2. A mayor may expressly approve an action of the board of alderman, veto the action within the statutory period, or permit the action to become effective without the mayor's express approval.
3. An alderman may not interfere with the performance of duties by [\*2] the municipal judge. If there is a question as to whether the conduct is criminal in nature, or if the conduct may involve a use of the alderman's office in violation of the State's conflict of interest laws, you should contact the Attorney General's Public Integrity Division or the Mississippi Ethics Commission.

### Background

In your letter of request you describe various actions by members of the board of aldermen and you ask what measures can be taken in response to those actions. Although stated in different terms, we have enumerated above the issues raised in your request.

### Applicable Law and Discussion

1.

[Section 25-5-1 of the Mississippi Code](#) addresses the removal of public officers, including members of the board of aldermen and reads as follows:

If any public officer, state, district, county or municipal, shall be convicted in any court of this state or any other state or in any federal court of any felony other than manslaughter or any violation of the United States Internal Revenue Code, of corruption in office or peculation therein, or of gambling or dealing in futures with money coming to his hands by virtue of his office, [\*3] any court of this state, in addition to such other punishment as may be prescribed, shall adjudge the defendant removed from office; and the office of the defendant shall thereby become vacant. If any such officer be found by inquest to be of unsound mind during the term for which he was elected or appointed, or shall be removed from office by the judgment of a court of competent jurisdiction or otherwise lawfully, his office shall thereby be vacated; and in any such case the vacancy shall be filled as provided by law.

When any such officer is found guilty of a crime which is a felony under the laws of this state or which is punishable by imprisonment for one (1) year or more, other than manslaughter or any violation of the United States Internal Revenue Code, in a federal court or a court of competent jurisdiction of any other state, the Attorney General of the State of Mississippi shall promptly enter a motion for removal from office in the circuit court of Hinds County in the case of a state officer, and in the circuit court of the county of residence in the case of a district, county or municipal officer. The court, or the judge in vacation, shall, upon notice and a proper hearing, [\*4] issue an order removing such person from office and the vacancy shall be filled as provided by law.

In addition, [Section 25-1-59 of the Mississippi Code](#) provides:

If any state, district, county, county district, or municipal officer during the term of his office shall remove out of the state, district, county, or municipality for which he was elected or appointed, such office shall thereby become vacant and the vacancy be supplied as by law directed. If any person who has been or shall be a collector or holder of public money is elected to either branch of the legislature or to any office of profit or trust, and shall not have accounted for and paid into the treasury all sums for which he may be accountable on or before the day' of the meeting of the legislature to which he shall be chosen or the time for the commencement of his term of office, the seat of such person in the legislature or the office to which he was elected shall be forthwith vacated thereby.

The above quoted Code sections provide methods of removing an alderman from office for (1) convictions of certain crimes or (2) a judicial finding of unsound mind or (3) moving [\*5] from the district in which the alderman was elected to office. While corruption in office, which is mentioned in Section 25-5-1, includes a broad range of prohibited behavior, a conviction in a court of competent jurisdiction is required under that Code section.

Actions by aldermen that appear to be ill-advised, self-serving, or shameful will not necessarily expose an alderman to removal unless the requirements quoted above are met.

2.

A mayor's response to an action by the board of aldermen is to expressly approve the action, veto the action within the statutory period provided, or permit the action to become effective without the mayor's express approval. [Section 21-3-15 of the Mississippi Code](#) provides:

(1) The mayor shall preside at all meetings of the board of aldermen, and in case there shall be an equal division, shall give the deciding vote. The mayor's authority is executive, and the mayor shall have the superintending control of all the officers and affairs of the municipality, and shall take care that the laws and ordinances are executed.

(2)(a) The authority of the board of aldermen is legislative and is executed by a vote within [\*6] a legally called meeting. No member of the board of aldermen shall give orders to any employee or subordinate of a municipality other than the alderman's personal staff.

(b) Ordinances adopted by the board of aldermen shall be submitted to the mayor. The mayor shall, within ten (10) days after receiving any ordinance, either approve the ordinance by affixing his signature thereto, or return it to the board of aldermen by delivering it to the municipal clerk together with a written statement setting forth his objections thereto or to any item or part thereof. No ordinance or any item or part thereof shall take effect without the mayor's approval, unless the mayor fails to return an ordinance to the board of aldermen prior to the next meeting of the board, but no later than fifteen (15) days after it has been presented to him, or unless the board of aldermen, upon reconsideration thereof on or after the third day following its return by the mayor, shall, by a vote of two-thirds (2/3) of the members of the board, resolve to override the mayor's veto.

(3) The term "ordinance" as used in this section shall be deemed to include ordinances, resolutions and orders.

An alderman is not [\*7] permitted to supervise or to interfere with work performed by municipal employees. See MS AG Op., Parker (Feb. 29, 2008) enclosed. If there is some question as to whether the conduct is criminal in nature, or if the conduct may involve a use of the alderman's office in violation of the State's conflict of interest laws, you should contact the Attorney General's Public Integrity Division at 601-359-3680 or the Mississippi Ethics Commission at 601-359-1285.

## Conclusion

Removal from office is permitted following conviction of certain crimes under [Section 25-5-1 of the Mississippi Code](#), a judicial finding of unsound mind under that same section, or upon removal from the district in which the alderman was elected.

A mayor may expressly approve an action of the board of alderman, veto the action within the statutory period, or permit the action to become effective without the mayor's express approval.

An alderman may not interfere with the performance of duties by the municipal judge. If there is a question as to whether the conduct is criminal in nature, or if the conduct may involve a use of the alderman's office in violation of the State's conflict [\*8] of interest laws, you should contact the Attorney General's Public Integrity Division or the Mississippi Ethics Commission.

**Load Date:** 2014-07-12

MS Attorney General Opinions

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End of Document

**User Name:** John Scanlon

**Date and Time:** Thursday, June 30, 2022 7:02:00 PM EDT

**Job Number:** 174385187

## Document (1)

1. [2005 Miss. AG LEXIS 294](#)

**Client/Matter:** Gluckstadt

**Search Terms:** 2005 Miss. AG LEXIS 294

**Search Type:** Natural Language

**2005 Miss. AG LEXIS 294**

Office of the Attorney General of the State of Mississippi

***MS Attorney General Opinions*****Reporter**

2005 Miss. AG LEXIS 294 \*

**No. 2005-0480**

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September 23, 2005

**Core Terms**

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has, municipal, police officer, police chief, municipal department, police department, daily operation, municipal board, supervise, patrol, silver, opine

**Syllabus**

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[\*1]

Authority of Municipal Board of Aldermen and Police Chief

**Request By:** Chief Ray Reynolds

Magnolia Police Department

235 S. Cherry Street

Magnolia, Mississippi 39652

**Opinion By:** JIM HOOD, ATTORNEY GENERAL; Heather P. Wagner, Assistant Attorney General**Opinion**

---

Attorney General Jim Hood has received your request for an official opinion and has assigned it to me for research and response. Your letter reads as follows:

On September 6, 2005, the City of Magnolia Board of Aldermen passed a policy stating that a 2000 silver Crown Victoria and a 2003 silver Crown Victoria are to be placed on patrol for police officers.

1. Would the approval of the above-stated policy by the City of Magnolia Board of Aldermen exclude the police chief or any other specific police officers from using such vehicles to patrol the City of Magnolia?
2. Who has the authority to daily supervise and exercise control over all police officers?
3. Who has the authority to assign individual police officers their work shifts and duties?

\* \* \* \* \*

We first note that Attorney General Opinions operate prospectively only and are not issued for the purpose of validating or invalidating any past action. Further, the Attorney General's office is [\*2] statutorily mandated to provide official opinions on matters of state law. Orders and ordinances enacted by municipal governing authorities are not matters upon which this office may render an official opinion. With those caveats in minds, we will attempt to respond to your questions.

This office has, on numerous occasions, opined with regard to the responsibility for the day-to-day functions of municipal departments in the mayor-alderman form of municipal government. We have consistently opined that this is an area strictly within the duties of the executive branch of government. Specifically, with regard to the authority for decisions with regard to the daily operations and control of a municipal police department, we have stated that this authority rests with the police chief. MS AG Op. Lee (January 3, 2003); MS AG Op., Coleman (September 27, 2002); MS AG Op., Nickles (March 8, 2002); MS AG Op., Scott (June 7, 1996). As provided by [Miss. Code Ann. Section 21-21-1](#), "the marshal or chief of police shall be the chief law enforcement officer of the municipality and shall have control and supervision of all police officers employed by said municipality." [\*3] A municipal board of aldermen has no authority to interfere in the day-do-day operations of a municipal department, including the police department. The responsibility to assign individual work duties and shifts within the police department lies with the police chief. MS AG Op., Lee (January 3, 2003), citing MS AG Op., Scott (June 7, 1996).

A municipal board of aldermen has the power to enact policies governing the use of municipally-owned vehicles to ensure that those vehicles are being used for proper municipal purposes, but those policies should be flexible and broad enough to allow the municipal department heads to exercise their supervisory functions. Any such policies should not interfere with the daily operations of the department. MS AG Op., Coleman (September 27, 2002).

If our office may be of further assistance, please advise.

**Load Date:** 2014-07-12

MS Attorney General Opinions

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End of Document

In the Matter of Establishing and Maintaining an Active and Continuing Program for Management of Municipal Records

WHEREAS, the Mayor & Board of Aldermen for the City of Gluckstadt agree to participate with §25-60-1 et. seq. and the Mississippi Department of Archives and History by forming a program for the disposition of records based on administrative, legal, fiscal or historical value;

WHEREAS, the Mayor & Board of Aldermen does further desire to assess a fee to be charged by any municipal official who accepts documents for filing as public records in the amount of \$1.00 for each document so filed and to direct that any official or employee collecting this fee shall follow the requirements of §25-60-5 Mississippi Code Annotated (1972) in the disposition of said funds.

Following additional discussion of this matter, Alderman \_\_\_\_\_ moved and Alderman \_\_\_\_\_ seconded a motion to implement a records management program as guided by §25-60-1 et. seq., implement a schedule for the disposition of records based on administrative, legal, fiscal or historical value in conjunction with the Mississippi Department of Archives and History, and to further assess a fee of \$1.00 for each document filed with any municipal official or employee who accepts documents for filing as public records as provided for by §25-60-5 Mississippi Code Annotated (1972).

Upon roll call vote, the result was as follows:

- Alderman Miya Warfield Bates voted: Aye/Nay
- Alderman Jayce Powell voted: Aye/Nay
- Alderman Richard Wesley Slay voted: Aye/Nay
- Alderman John Taylor voted: Aye/Nay
- Alderman Lisa H. Williams voted: Aye/Nay

The Mayor thereupon declared the motion carried and the Resolution adopted this the 14<sup>th</sup> day of February 2023.

\_\_\_\_\_  
Walter C. Morrison, IV.  
MAYOR

ATTEST:

\_\_\_\_\_  
Lindsay Kellum  
CITY CLERK





## CITY OF GLUCKSTADT

MISSISSIPPI  
OFFICE OF THE CITY CLERK

### MEMORANDUM

---

**TO:** Mayor & Board of Alderman

**FROM:** Lindsay Kellum, City Clerk

**DATE:** 2/14/2023

**SUBJECT:** General Update, City Administration

---

The City Clerk will provide a brief update on the below city administration matters.

Items:

- Finance & Budget
- Accounts Payable
- Fixed Assets
- Software Implementation
- Training & Education
- Human Resources and Payroll
- Communications and Website
- Public Records Requests
- Events & Chamber of Commerce
- Mayor's Youth Council



## CITY OF GLUCKSTADT

MISSISSIPPI  
OFFICE OF THE CITY CLERK

### MEMORANDUM

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**TO:** Mayor & Board of Alderman

**FROM:** Scott Maugh, Deputy City Clerk

**DATE:** 02/08/2023

**SUBJECT:** Privilege & Transient Vendor License Report (Monthly Update)

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From January 1, 2023 to January 31, 2023, the City of Gluckstadt processed fifteen (15) Regular Privilege Licenses.

The amount of fees collected in 2023 to date is as follows:

Privilege: \$557.00

ID	ISSUED TO	DATE	PACKET	TYPE	===== DISTRIBUTION =====				TOTAL
					FEE	PENALTY	TAX	INTEREST	
0000139	ACE OF GRACE, LLC	1/05/2023	00001	Payment	25.00-	.00	.00	.00	25.00-
0000140	SOUTHEASTERN SIGN C	1/05/2023	00001	Payment	20.00-	.00	.00	.00	20.00-
0000141	INDUSTRIAL AUTOMATI	1/05/2023	00001	Payment	92.50-	.00	.00	.00	92.50-
0000142	ALPHA FINANCIAL & T	1/05/2023	00001	Payment	20.00-	.00	.00	.00	20.00-
0000143	UNIQUE RENOVATIONS,	1/05/2023	00001	Payment	30.00-	.00	.00	.00	30.00-
0000144	GLUCKSTADT SECURITY	1/09/2023	00002	Payment	20.00-	.00	.00	.00	20.00-
0000145	TELPRO COMMUNICATIO	1/09/2023	00002	Payment	30.00-	.00	.00	.00	30.00-
0000146	GULF ATLANTIC FLOOR	1/12/2023	00003	Payment	52.00-	.00	.00	.00	52.00-
0000147	CRY ENTERPRISES, LL	1/17/2023	00004	Payment	35.00-	.00	.00	.00	35.00-
0000148	LAGNIAPPE GIFTS	1/17/2023	00004	Payment	92.50-	.00	.00	.00	92.50-
0000149	HYDRONIC TECHNOLOGY	1/17/2023	00004	Payment	20.00-	.00	.00	.00	20.00-
0000150	COCKTAILZ GROUP, LL	1/17/2023	00004	Payment	50.00-	.00	.00	.00	50.00-
0000151	WHITNEY WILKINS EST	1/19/2023	00005	Payment	20.00-	.00	.00	.00	20.00-
0000152	GULF EQUIPMENT CORP	1/25/2023	00006	Payment	20.00-	.00	.00	.00	20.00-
0000153	CLASSIC RESTORATION	1/26/2023	00007	Payment	30.00-	.00	.00	.00	30.00-

Section 8, 1B)

Section 8, (B)

===== F E E C O D E T O T A L S B Y T Y P E =====

FEE CODE	TYPE	COUNT	===== DISTRIBUTION =====				TOTAL
			FEE	PENALTY	TAX	INTEREST	
BEER FLAT	Payment	1	15.00CR	0.00	0.00	0.00	15.00CR
POSTAGE	Payment	1	2.00CR	0.00	0.00	0.00	2.00CR
Schdl-A	Payment	6	300.00CR	0.00	0.00	0.00	300.00CR
Schdl-B	Payment	9	220.00CR	0.00	0.00	0.00	220.00CR
VEHICLES	Payment	1	20.00CR	0.00	0.00	0.00	20.00CR
GRAND TOTAL FOR PERIOD							557.00CR

===== T O T A L S B Y T R A N S A C T I O N T Y P E =====

TYPE	COUNT	===== DISTRIBUTION =====				TOTAL
		FEE	PENALTY	TAX	INTEREST	
Payment	15	557.00CR	0.00	0.00	0.00	557.00CR
TOTAL FOR PERIOD	15					557.00CR

SELECTION CRITERIA

Section 8, 1B)

-----  
REPORT OPTIONS:

LICENSE RANGE: THRU ZZZZZZZZZZ  
PACKET RANGE: 0 THRU 99999  
TRANSACTION RANGE: 1/01/2023 THRU 1/31/2023  
LICENSE STATUS: All  
LICENSE CODE: All  
FEE CODE: All  
-----

PRINT OPTIONS:

PRINT TOTALS ONLY: NO  
-----

TRANSACTION TYPE OPTIONS:

ALL: YES  
PAYMENT: YES  
REFUND CHECK: YES  
REVERSE PAYMENT: YES  
REVERSE REFUND: YES  
-----

ADJUSTMENT OPTIONS:

ADJUSTMENT CODE: ALL  
-----

\*\*\* END OF REPORT \*\*\*



## CITY OF GLUCKSTADT

MISSISSIPPI  
PLANNING AND ZONING ADMINISTRATOR

### MEMORANDUM

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**TO:** Mayor & Board of Alderman

**FROM:** John M. McCollum, Planning and Zoning Administrator

**DATE:** 01/24/2023

**SUBJECT:** General Zoning Update

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The Planning and Zoning Commission met on January 24<sup>th</sup>, 2023. Stucky Mine presented their petition for conditional use to conduct dirt mining operations. The location of the mine is Highway 51 in Gluckstadt. Their petition was in order and proper notice was placed on the site and in the local paper.

The Planning and Zoning Commission voted unanimously to recommend approve the petition. Please let me know if you have any questions regarding the actions of the commission.

Permit	Type	Street Number	Street Name	Applicant	Contractor	Applied Date	Square Feet	Fees	Balance	Valuation
2022003	New Building Commercial	154	CALHOUN STATION PKWY	ANTHONY MORRISON	JLS CONSTRUCTION	12/13/2022	\$15,000.00	\$0.00	\$0.00	\$1,000,000.00
2022004	Sign	2125	HIGHWAY 51	W L BURLE ENGINEERS P A		12/12/2022	\$0.00	\$0.00	\$0.00	\$0.00
2022005	Sign	102	DEES DR	4 SEASON NAILS		12/2/2022	\$0.00	\$0.00	\$0.00	\$3,000.00
2022006	Sign	1085	GLUCKSTADT PLACE	GLUCKSTADT PLACE		12/14/2022	\$35.00	\$60.00	\$0.00	\$0.00
2022007	Electical Commercial	195	INDUSTRIAL BLVD	COVINGTON ELECTRIC	COVINGTON ELECTRIC	12/15/2022	\$0.00	\$261.00	\$0.00	\$18,750.00
2022008	Mechanical Commercial	166	CALHOUN STATION PKWY	PRO SERVICE LLC	PRO SERVICE LLC	12/19/2022	\$0.00	\$96.00	\$0.00	\$3,500.00
2022009	Accessory Commercial	238	WEISENBERGER RD	4 SEASONS	JOHN WOOD	12/21/2022	\$0.00	\$24.00	\$0.00	\$350.00
2022010	Accessory Commercial	103	DEES DR	4 SEASONS	JOHN WOOD	12/21/2022	\$0.00	\$24.00	\$0.00	\$350.00
2022011	Accessory Commercial	154	CHURCH RD	4 SEASONS	JOHN WOOD	12/21/2022	\$0.00	\$24.00	\$0.00	\$0.00
2022012	New Building Commercial	130B	AMERICAN WAY	GREEN STEEL COATINGS	VENTURE SOUTH CONSTRUCTION	12/21/2022	\$0.00	\$0.00	\$0.00	\$0.00
2022013	New Building Commercial	125	KIMBALL DR	CPS POOLS AND SPAS INC	AUGUSTA CONSTRUCTION INC	12/22/2022	\$4,700.00	\$2,602.00	\$0.00	\$0.00
2022014	New Building Commercial	125	KIMBALL DR	CPS POOLS AND SPAS INC	AUGUSTA CONSTRUCTION INC	12/22/2022	\$5,000.00	\$2,602.00	\$0.00	\$375,000.00
2022015	Sign	120	YANDELL RD	OUTLETS OF MISSISSIPPI		12/28/2022	\$0.00	\$44.00	\$0.00	\$1,000.00
2022016	Sign	137	YANDELL RD	BAMBOO EXPRESS		12/28/2022	\$0.00	\$180.00	\$0.00	\$0.00
2022017	Sign	555	INDUSTRIAL DR S	V2X	SIGN CRAFTERS	12/28/2022	\$0.00	\$125.00	\$0.00	\$0.00
2022018	Sign	102	DEES DR BLG 300	SOPHIE'S MILKSHAKES & SUNDAES	BUDGET SIGNS	12/28/2022	\$0.00	\$90.00	\$0.00	\$0.00
2022019	Sign	102	DEES DR	GERMANTOWN DENTAL	BUDGET SIGNS	12/28/2022	\$0.00	\$190.00	\$0.00	\$0.00
2022020	Sign	114	DEES DR	GLUCKSTADT FITNESS	MCINTOSH CONSTRUCTION INC	12/28/2022	\$0.00	\$95.00	\$0.00	\$0.00
2022021	New Building Commercial	1091	GLUCKSTADT RD	ALTHLETICO PHYSICAL THERAPY	VOGTS CONSTRUCTION CO	12/29/2022	\$0.00	\$50.00	\$50.00	\$0.00
2022023	New Building Commercial	166	CALHOUN STATION PKWY	TWISTED TURNIP	VENTURE SOUTH CONSTRUCTION	12/29/2022	\$5,888.00	\$0.00	\$0.00	\$2,462,000.00
2022024	New Building Commercial	138	SOWELL RD	MCINTOSH CONSTRUCTION INC	MCINTOSH CONSTRUCTION INC	1/3/2023	\$0.00	\$0.00	\$0.00	\$1,100,000.00
2022025	Sign	100	FIRST CHOICE DR	DEPENDABLE PEST SERVICE INC		1/3/2023	\$0.00	\$95.00	\$0.00	\$95.00
2022026	Sign	1706	HIGHWAY 51	ALPHA FINANCIAL & TAX SERVICES		1/5/2023	\$0.00	\$60.00	\$0.00	\$60.00
2022027	Sign	184	AMERICAN WAY	AFTERZONE, LLC		1/5/2023	\$0.00	\$60.00	\$0.00	\$60.00
2022028	New Building Commercial	316	OLD JACKSON RD	VICTORY ATHLETICS	JLS CONSTRUCTION	8/31/2022	\$0.00	\$0.00	\$0.00	\$200,000.00
2022029	Sign	331	DISTRIBUTION DR	GULF EQUIPMENT CORPORATION		1/9/2023	\$20.00	\$60.00	\$0.00	\$60.00
2022030	Sign	168	AMERICAN WAY	BOH INC		1/9/2023	\$0.00	\$60.00	\$0.00	\$60.00
2022031	Sign	102	LEXINGTON DR	DOGWOOD OFFICE CENTER		1/10/2023	\$0.00	\$0.00	\$0.00	\$0.00
2022032	Sign	155	AMERICAN WY	DIXIE EQUINE		1/10/2023	\$74.80	\$140.00	\$0.00	\$0.00
2022033	Sign	115	LONE WOLF DR	ETAIROS VHAC		1/10/2023	\$0.00	\$60.00	\$0.00	\$60.00
2022034	Sign	243	INDUSTRIAL DR	BEN NELSON GOLF & OUTDOOR		1/10/2023	\$0.00	\$0.00	\$0.00	\$0.00
2022035	New Building Commercial	1	BLDG C CALHOUN STATI	AOK PROPERTIES LLC	BRIAN WHITE	1/11/2023	\$10,000.00	\$0.00	\$0.00	\$450,000.00
2022036	Sign	111	DEES WAY	GO SHINE EXPRESS CARWASH		1/12/2023	\$0.00	\$0.00	\$0.00	\$0.00
2022037	Sign	109	AULENBROCK DR	HARTLEY EQUIPMENT		1/12/2023	\$0.00	\$0.00	\$0.00	\$0.00
2022038	Sign	124	ENTERPRISE DR	SOUTHERNEASTERN AUTOMATIC SPR		1/13/2023	\$0.00	\$60.00	\$0.00	\$0.00
2022039	Sign	105	LEXINGTON DR	MAGNOLIA CONCESSIONS LLC		1/13/2023	\$0.00	\$60.00	\$0.00	\$0.00
2022040	Sign	272	CALHOUN STATION PKWY	JOHNNY'S PIZZA		1/17/2023	\$0.00	\$0.00	\$0.00	\$0.00
2022041	Addition Residential	152	MINNINGER BLVD	TYLER FANNING		1/17/2023	\$1,000.00	\$0.00	\$0.00	\$80,000.00
2022042	Sign	112	LEXINGTON DR	THE OFFICE		1/19/2023	\$0.00	\$90.00	\$0.00	\$90.00
2022043	Sign	105	LEXINGTON DR	BUDGET BLINDS		1/19/2023	\$0.00	\$0.00	\$0.00	\$0.00
2023046	Addition Commercial	128	WEISENBERGER RD	BMC GENERAL CONTRACTORS LLC	BRUCE MASSEY	1/24/2023	\$3,250.00	\$1,477.00	\$0.00	\$0.00
2023047	Sign	104	CHURCH RD	PRIORITY ONE BANK		1/25/2023	\$0.00	\$450.00	\$0.00	\$450.00
2023048	Sign	333	DISTRIBUTION DR	GLUCKSTADT BODY SHOP		1/25/2023	\$0.00	\$60.00	\$0.00	\$60.00
2023049	Addition Commercial	102	DEES DR	SOUTHERN MAGNOLIA HEMP COMPA	MARK HUNT	1/26/2023	\$0.00	\$921.00	\$921.00	\$65,000.00
2023050	Sign	1715	HIGHWAY 51	BOO'S SMOKEHOUSE BBQ LLC		1/26/2023	\$0.00	\$90.00	\$0.00	\$0.00

2023051	Electical Commercial	200	CALHOUN STATION PKWY	GERMANTOWN HIGH SCHOOL	RUSTY BAIN	1/26/2023	\$0.00	\$50.00	\$0.00	\$0.00
2023052	Sign	238	WEISENBERGER RD	SEASONS		1/30/2023	\$0.00	\$10.00	\$10.00	\$10.00
								<b>\$10,270.00</b>		





## PLANNING & ZONING COMMISSION MEETING

Tuesday, January 24, 2023 at 6:00 PM

---

### Agenda

1. **Call to Order**
2. **Approval of Minutes**
  - A) Planning and Zoning Minutes December 27, 2022
3. **Request for Conditional Use**
  - A) Stuckey Mine
4. **New Business**
5. **Next Meeting**

February 28, 2023
6. **Adjourn**



## PLANNING & ZONING COMMISSION MEETING

Tuesday, January 24, 2023 at 6:00 PM

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### Agenda

1. **Call to Order**
2. **Approval of Minutes**
  - A) [Planning and Zoning Minutes December 27, 2022](#)
3. **Request for Conditional Use**
  - A) [Stuckey Mine](#)
4. **New Business**
5. **Next Meeting**

February 28, 2023
6. **Adjourn**

**MINUTES OF THE REGULAR MEETING  
OF THE PLANNING AND ZONING COMMISSION  
OF THE CITY OF GLUCKSTADT, MISSISSIPPI**

A regular meeting of the Planning and Zoning Commission of the City of Gluckstadt, Mississippi (“the Board”) was duly called, held, and conducted on Tuesday, December 27, 2022, at 6:00 p.m. at Gluckstadt City Hall, 343 Distribution Drive, Gluckstadt, Madison County, Mississippi.

The following members were present, to-wit:

Melanie Greer  
Phillips King  
Sam McGaugh  
Katrina Myricks

Present via phone conference:

Tim Slattery

Absent:

Andrew Duggar

Also present:

Zachary L. Giddy, Attorney  
Mike McCollum and William Hall, City of Gluckstadt

Chair Melanie Greer called the meeting to order. Roll was called and it was announced that a majority of the voting members of the Board were present, and that said number constituted a quorum.

The Board considered the Minutes of the November 22, 2022, meeting. Commissioner Sam McGaugh moved to approve the minutes as written. The motion was seconded by Commissioner Katrina Myrick and approved unanimously.

**NEW BUSINESS**

**Preliminary Plat – Kayo Place  
“Located off Calhoun Station Pkwy”**

The Board considered the Preliminary Plat Site Plan Kayo Drive, which is located off Calhoun Station Parkway. Mike and Sam Peters appeared on behalf of Kayo Place. This is 12 acres of land sold with 3 parcels with a 400-foot cul de sac on the back parcel. The front parcel will have access to current water and sewer lines. The road design will be built according to city requirements. The property is currently zoned C2. Commissioner McGaugh recommended an additional 50-foot buffer from the

southwest property line on the two sides adjacent to the commercially zoned property that is currently being used as residential.

On motion by Commissioner Sam McGaugh and seconded by Commissioner Katrina Myricks, the Board voted unanimously to approve the preliminary plat subject to an additional 50-foot buffer along the southwest portion of Lot 3 that borders the commercially zoned property that is currently being used as residential identified by Tax Parcel No. 082E-21-002. Motion carried.

There was discussion regarding the Sign Ordinance update and the notice to adopt the FEMA and MEMA guidelines. No action was taken.

There was no further business to be presented.

**ADJOURN**

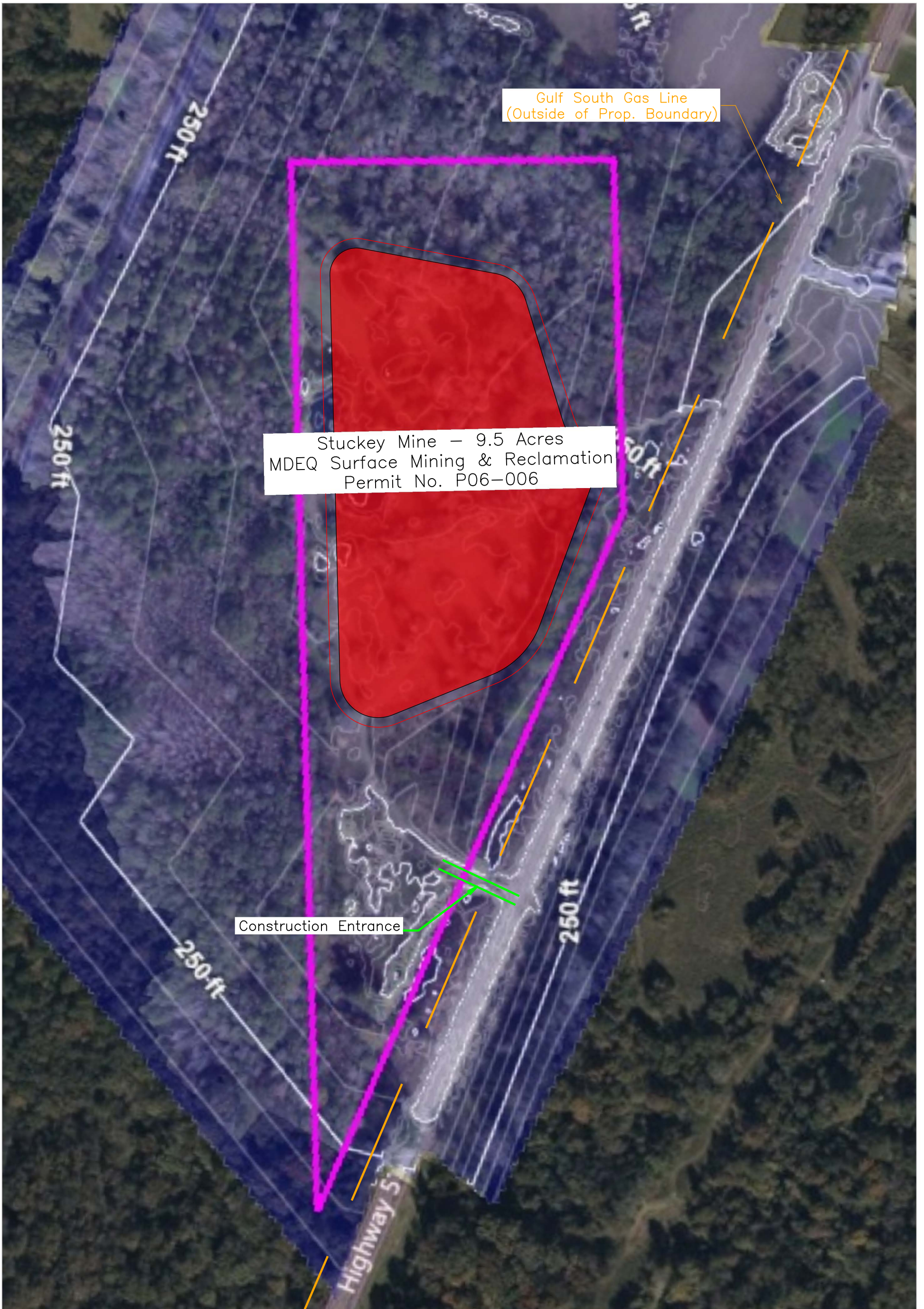
Commissioner Melanie Greer moved that the meeting be adjourned. The motion was seconded by Commissioner Sam McGaugh and approved unanimously. The Chairman declared the Motion carried.

WITNESS OUR hands, this the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
MELANIE GREER, Chairman

\_\_\_\_\_  
Sam McGaugh, Vice Chariman/Secretary





Stuckey Mine - 9.5 Acres  
MDEQ Surface Mining & Reclamation  
Permit No. P06-006

Gulf South Gas Line  
(Outside of Prop. Boundary)

Construction Entrance

Proposed Stuckey Mine  
Site Plan

*Key, LLC*

ENGINEERS - CONSTRUCTORS  
Post Office Box 590 - 219 Key Drive (39110)  
MADISON, MS 39130-0590  
601-898-9892 Fax 601-898-9896

Hz Scale: 1 : XXXX	Vt Scale: X
Drawn By:	Chkd By:
Revision History	
Revision	Initials
1	ea/m/rvr
Revision	
Revision	

BOOK 2666 PAGE 907 DOC 01 TY W  
INST # 646529 MADISON COUNTY MS.  
This instrument was filed for  
record 5/17/11 at 9:08:03 AM  
ARTHUR JOHNSTON, C.C. BY: HRM D.C.

Prepared by and after recording return to: Grantor's Name and Address: Grantee's Name and Address:

Taggart, Rimes & Usry, PLLC  
Attention: Jamie Martin MSB #1892  
1022 Highland Colony Parkway, Suite 101  
Ridgeland, MS 39157  
Telephone: 601.898.8400

Key Constructors, Inc.  
P.O. Box 3140  
Ridgeland, MS 39158  
Telephone: 601 421 7869

Key Crete, LLC  
219 Key Drive  
Madison, MS 39110  
Telephone: 601.898.9892

12.00  
505  
TAGGART, RIMES & USRY, PLLC  
POST OFFICE BOX 3025  
MADISON, MS 39130  
P. 601.898.8400  
F. 601.898.8420

Indexing Instructions: The real property described herein is situated in the E½, E½, SW¼, Section 22, T  
8N, Range 2E, Madison County, MS

GENERAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars (\$10.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency of all of which are hereby acknowledged, **KEY CONSTRUCTORS, INC.**, a Mississippi corporation (the "Grantor"), does hereby sell, convey and warrant generally unto **KEY CRETE, LLC**, a Mississippi limited liability company (the "Grantee"), the property lying and being situated in Madison County, Mississippi, and being more particularly described on Exhibit A attached hereto, together with all oil, gas, mineral or other leases, rights or reservations belonging to the Grantor, and improvements situated thereon and all appurtenances hereunto belonging.

WITNESS THE SIGNATURE OF THE GRANTOR, effective as of the 5<sup>th</sup> day of May, 2011, although actually executed on the date set forth in the acknowledgment.

GRANTOR

**KEY CONSTRUCTORS, INC.**,  
a Mississippi corporation

By: Jamie Martin

Title: President & Treas

**EXHIBIT A**

**PROPERTY DESCRIPTION**

The following described tract of land lying within the E ½, E ½, SW ¼, Section 22, T8N, R2E, Madison County, Mississippi and more particularly described as follows:

Commence at a 2" iron pin marking the SW corner of Section 22, T8N, R2E, Madison County, Mississippi; thence North 89 degrees 36 minutes 49 seconds East along the South line of Section 22 for 2010.44 feet; thence North 01 degrees 25 minutes 00 seconds West for 469.67 feet to the POINT OF BEGINNING; THENCE North 01 degrees 25 minutes 00 seconds West for 2170.33 feet to an iron pin; thence North 89 degrees 36 minutes 49 seconds East for 670.15 feet to an iron pin; thence South 01 degrees 25 minutes 00 seconds East for 732.51 feet to an iron pin at the West R.O.W. of US Hwy. 51; thence South 23 degrees 45 minutes 16 seconds West along the West R.O.W. line of US Hwy. 51 for 1575.37 feet to the POINT OF BEGINNING and containing 22.33 acres more or less.

**KEY CONSTRUCTORS, INC.,**  
a Mississippi corporation

By: *Joe D. Jones*

Title: *President + Treas*



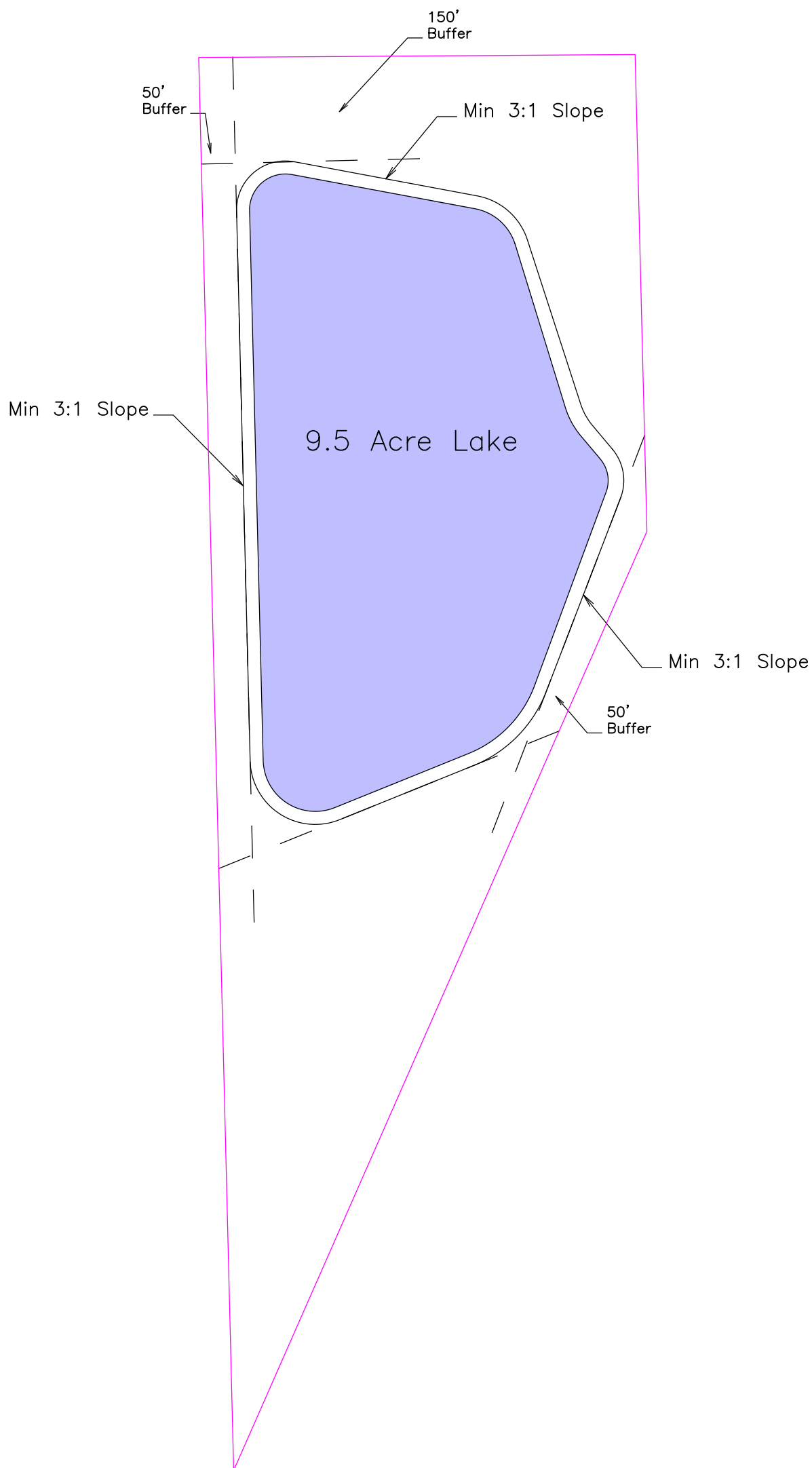
STATE OF MISSISSIPPI  
COUNTY OF Madison

Personally appeared before me, the undersigned authority in and for the said county and state, on this 5<sup>th</sup> day of May 2011, within my jurisdiction, the within named Joe D. Jones, who acknowledged to me he is President of KEY CONSTRUCTORS, INC., a Mississippi corporation, and that for and on behalf of said corporation, and as its act and deed, he executed and delivered the above and foregoing instrument after first having been duly authorized by said corporation so to do.

Lisa M. Ustry  
Notary Public

My Commission Expires:  
9/9/11





Proposed Stuckey Mine  
Reclamation Plan

*Key, LLC*

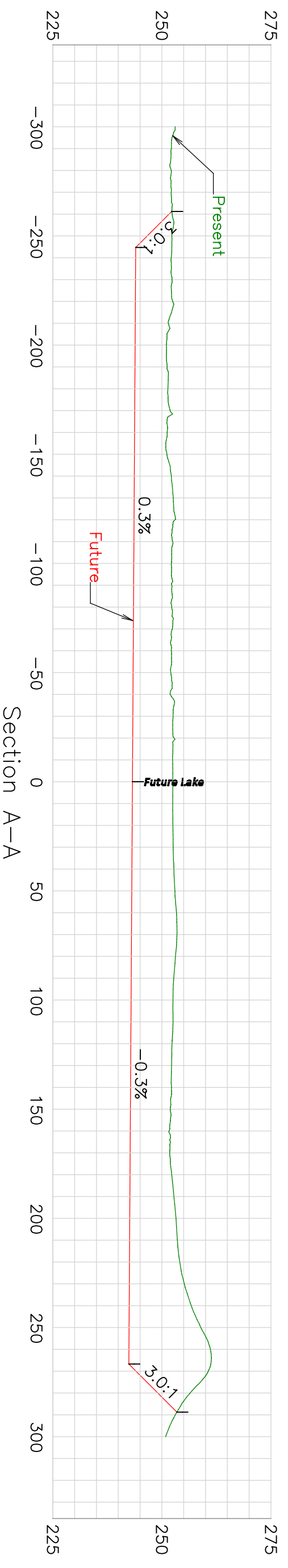
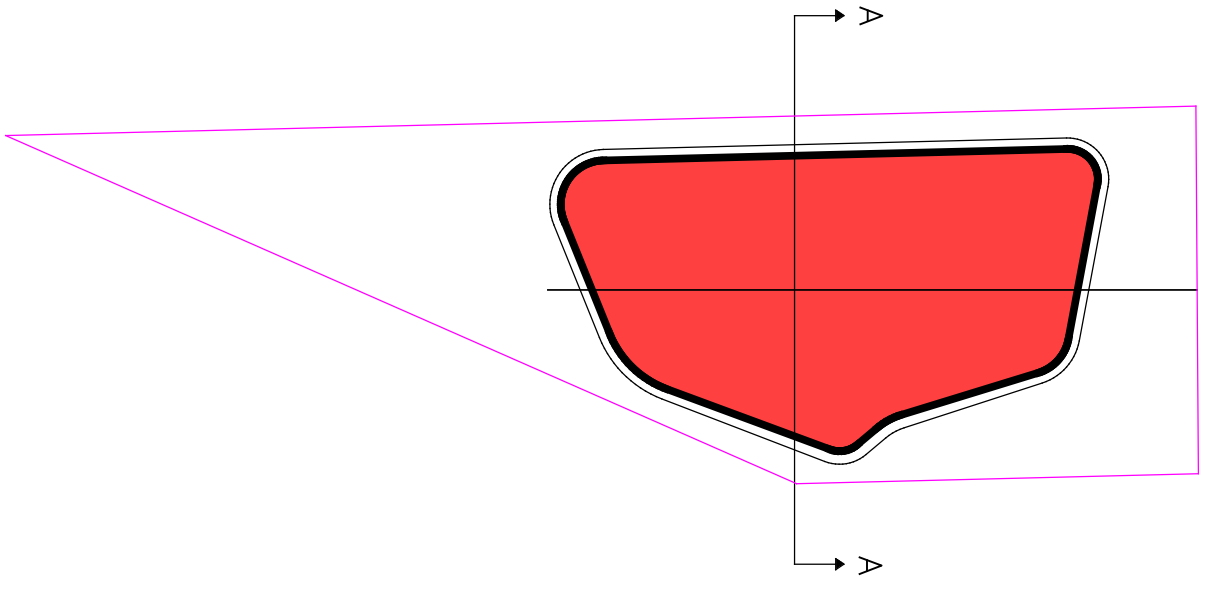
ENGINEERS - CONSTRUCTORS  
Post Office Box 590 - 219 Key Drive (39110)  
MADISON, MS 39130-0590  
601-898-9892 Fax 601-898-9896

Hz Scale: 1 : XXXX Vt Scale: X

Drawn By: Chkd By:

Revision History

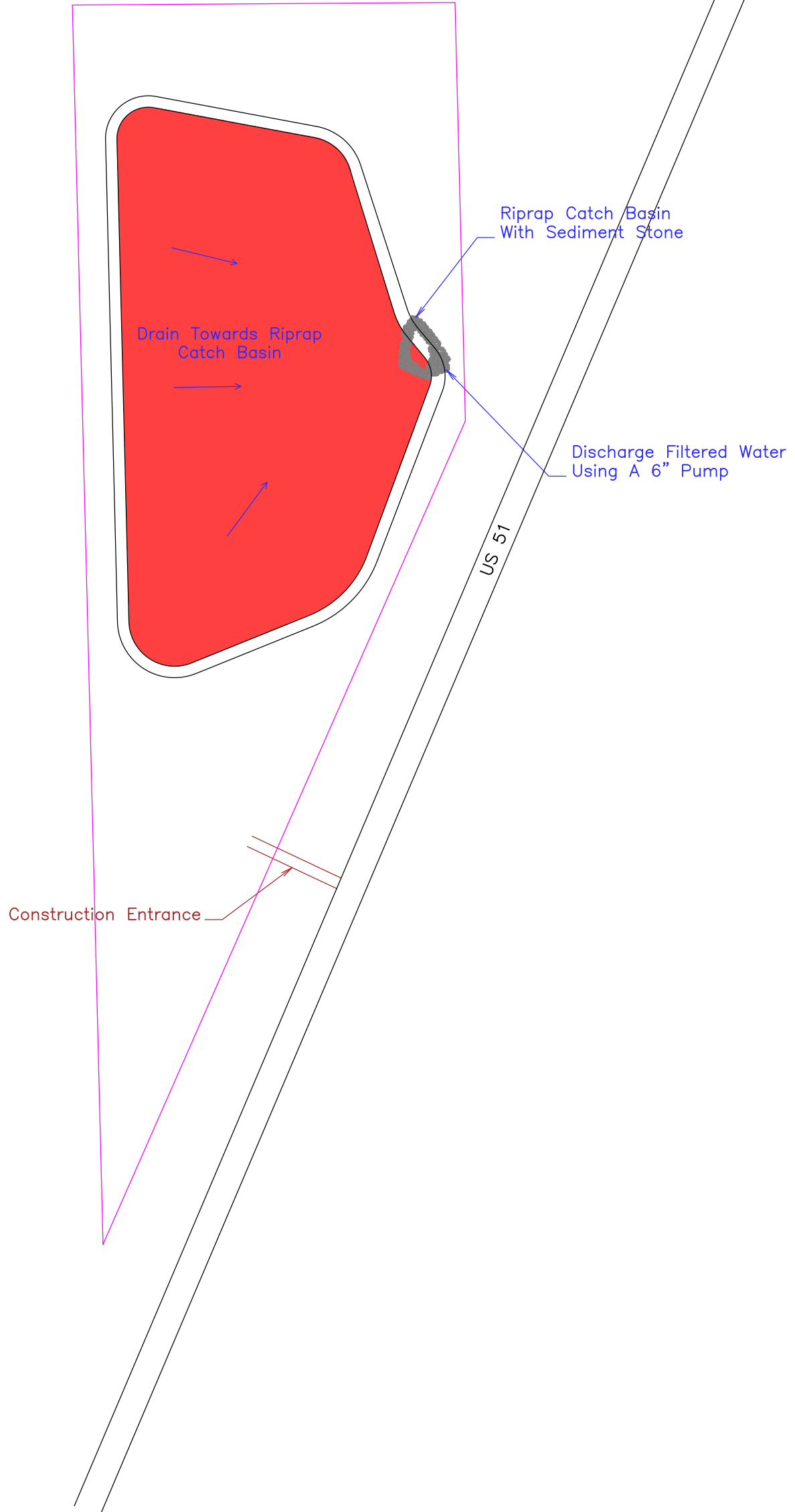
Revision	1	ed/m/rvr	Initials
Revision			
Revision			
Revision			



**Key, LLC**  
 ENGINEERS - CONSTRUCTORS  
 Post Office Box 590 - 219 Key Drive (39110)  
 MADISON, MS 39130-0590  
 601-898-9892 Fax 601-898-9896

## Stuckey Mine Proposed Future Cross Section Reclamation Plan

Hz Scale: 1 : XXXX	Vt Scale: X		
Drawn By:	Chkd By:		
Revision History			
Revision	1	DD/MM/yyyy	Initials
Revision			
Revision			



Proposed Stuckey Mine  
SWPPP

*Key, LLC*

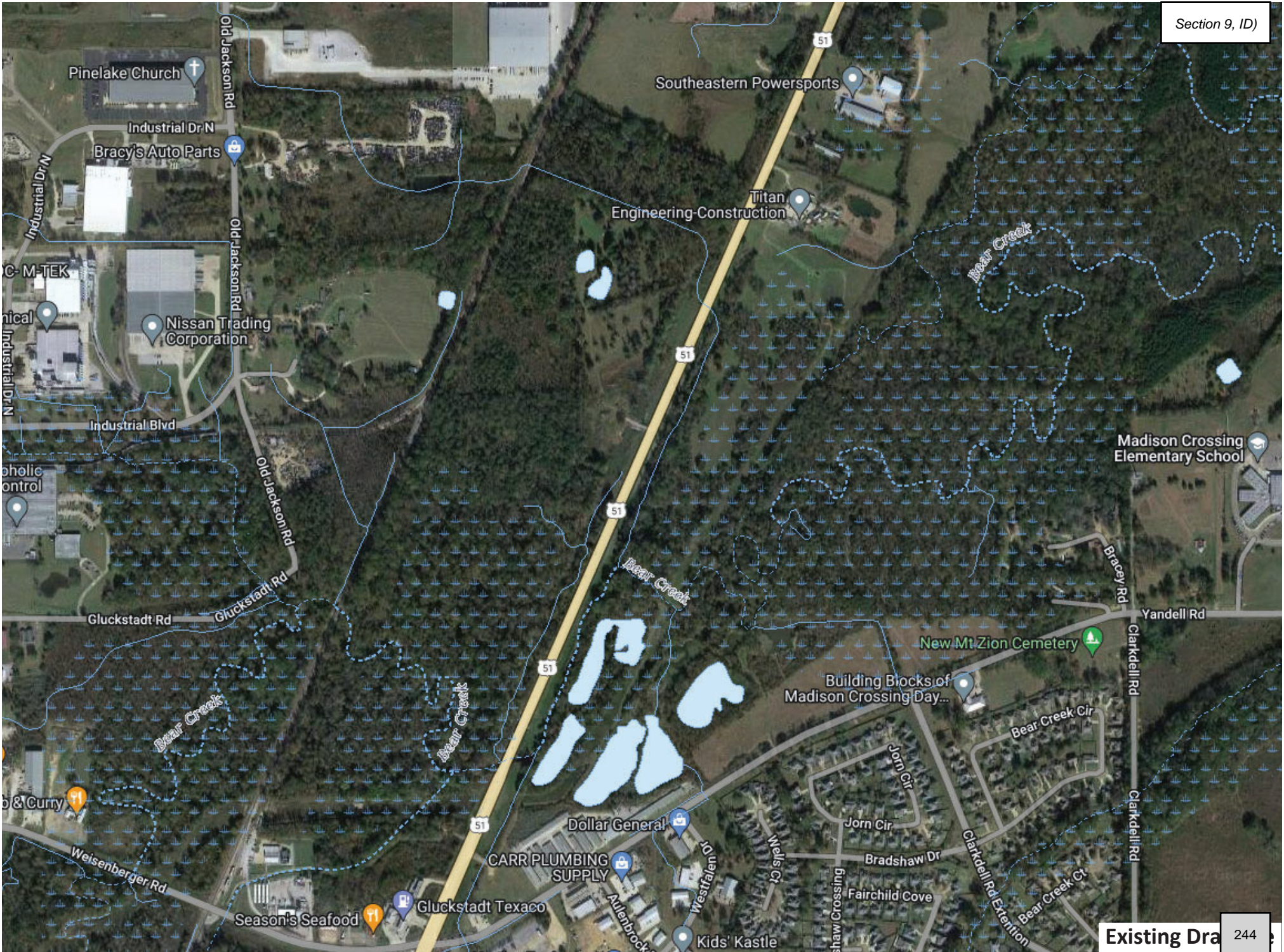
ENGINEERS - CONSTRUCTORS  
 Post Office Box 590 - 219 Key Drive (39110)  
 MADISON, MS 39130-0590  
 601-898-9892 Fax 601-898-9896

Hz Scale: 1 : XXXX Vt Scale: X

Drawn By: Chkd By:

Revision History

Revision	1	sq/m/rvr	Initials
Revision			
Revision			
Revision			



## City of Gluckstadt

### Application for Conditional Use

Subject Property Address: 1909 US-51, Gluckstadt, MS 39110

Parcel #: 082E-22-012/00.00

Owner: Key Crete, LLC

Applicant: Key, LLC

Address: 219 Key Drive  
Madison, MS 39110

Address: 219 Key Drive  
Madison, MS 39110

Phone #: (601) 898-9892

Phone #: (601) 898-9892 cell- (601) 441-7097

E-Mail: rwebster@keyllc.com

E-Mail: dporter@keyllc.com

Current Zoning District: R-1 (one small strip of C-1 on property but that areas will not be used)

Acreage of Property (If applicable): 22.33

Use sought of Property: Surface Mining of Borrow Excavation to use  
at Madison Cnty Proj. No. STP-6900-00(003)LPA/106992-701000 - Reunion Pkwy Phase III

#### Requirements of Applicant:

1. Letter demonstrating how the proposed use will comply with or otherwise satisfy the requirements for granting a Conditional Use pursuant to Section 804.01 of the Zoning Ordinance.
2. Copy of written legal description.
3. Additional items may be requested depending on the nature and status of the proposed development or property.
4. \$ 250.00 fee required for processing
5. Sie Plan as required in Section 807-810

#### Requirements for Granting Conditional Use: (Section 805.01, Zoning Ordinance)


A Conditional Use shall not be granted unless satisfactory provisions and arrangements have been made concerning all the following:

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

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

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

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

  
\_\_\_\_\_  
General Counsel of Key, LLC  
Applicant Signature

12 / 1 / 2022  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Manager/Owner of Key Crete, LLC  
Property Owner Signature

12/1/2022  
\_\_\_\_\_  
Date

**City of Gluckstadt**

**Application for Site Plan Review**

**Subject Property Address:** 1909 US-51, Gluckstadt, MS 39110

**Parcel #:** 082E-22 -012/00.00

**Owner:** Key Crete, LLC

**Applicant:** Key, LLC

**Address:** 219 Key Drive  
Madison, MS 39110

**Address:** 219 Key Drive  
Madison, MS 39110

**Phone #:** (601) 898-9892

**Phone #:** (601) 898-9892

**E-Mail:** dporter@keyllc.com

**E-Mail:** dporter@keyllc.com

**Current Zoning District:** R-1 (one small strip of C-1 but that area will not be used)

**Acreage of Property (If applicable):** 22.33

**Use sought of Property:** Surface Mining of Borrow Excavation to  
use at Madison Cnty Proj. No. STP-6988-00(003)LPA/106992-701000 - Reunion Pkwy Phase III

**Requirements of Applicant:**

1. Copy of written legal description.
2. Site Plan as required in Sections 807-810 of City of Gluckstadt Zoning Ordinance
3. Color Rendering & Elevations at time of submittal

**Requirements for Site Plan Submittal** (Refer to Section 807, Gluckstadt Zoning Ordinance)

Nine (9) copies of the site plan shall be prepared and submitted to the Zoning Administrator. Digital copies are acceptable. Three (3) hard copies are required.

**Site Plan Specifications (Section 809, Zoning Ordinance)**

- A. Lot Lines (property lines)
- B. Zoning of the adjacent lots
- C. The names of owners of adjacent lots
- D. Rights of way existing and proposed streets, including streets shown on the adopted Throughfares plan
- E. Access ways, curb cuts, driveways, and parking, including number of parking spaces to be provided
- F. All existing and proposed easements
- G. All existing and proposed water and sewer lines. Also, the location of all existing and proposed fire hydrants.
- H. Drainage plan showing existing and proposed storm drainage facilities. The drainage plan shall indicate adjacent off site drainage courses and projected storm water flow rates from off-site and on-site sources.



- I. Contours at vertical intervals of five (5) feet or less.
- J. Floodplain designation, according to FEMA Maps.
- K. Landscaped areas and planting screens.
- L. Building lines and the locations of all structures, existing and proposed
- M. Proposed uses of the land and buildings, if known
- N. Open space and recreation areas, where required.
- O. Area in square feet, and/or square acres of parcel
- P. Proposed gross lot coverage in square feet
- Q. Number and type of dwelling units where proposed
- R. Location of sign structures and drawings. (Section 701)
- S. Location of garbage dumpster and enclosure. (Section 406.06)
- T. Any other data necessary to allow for a through evaluation of the proposed use, including a traffic study.

**Applicant shall be present at the monthly meeting of the Planning and Zoning Commission when site plan is on the agenda for consideration; additionally, applicant shall be present at the Mayor and Board of Alderman meeting when the site plan is on the agenda for final approval.**

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

**Site Plans shall be submitted by the 5:00 pm on the 5<sup>th</sup> day of the month, immediately preceding the next regular meeting of the Planning and Zoning Commission. No Exceptions.**

**Once submitted to the Planning & Zoning Administrator for approval to add to the Planning and Zoning Commission’s agenda, no amendments or changes shall be made to the site plan. If you wish to submit changes, you will be required to resubmit by the 5<sup>th</sup> of the following month for the next monthly meeting of the Planning and Zoning Commission.**

**Attestation: By signing this application, the applicant agrees to all the terms and conditions laid out in this document. Approval of site plan is subject to Board approval.**

  
 Applicant Signature

12/1/2022  
 Date

**CITY OF GLUCKSTADT BUILDING DEPARTMENT**  
**OFFICE USE ONLY**

**Date Received:** \_\_\_\_\_

**Application Complete & Approved to Submit to P&Z Board (please check):**

Yes \_\_\_\_\_ No \_\_\_\_\_

**Signature:** \_\_\_\_\_  
 Planning & Zoning Administrator (or Authorized Representative)

---

ENGINEERS – CONSTRUCTORS  
Post Office Box 590 - 219 Key Drive (39110)  
MADISON, MS 39130-0590  
601-898-9892 Fax 601-898-9896

December 1, 2022

**Via Hand-Delivery**

CITY OF GLUCKSTADT, MS  
Planning and Zoning Commission  
343 Distribution Drive  
Madison, MS 39110

**RE: Application for Conditional Use; Stuckey Mine – MDEQ Surface Mining General and Reclamation Permit No. P06-006; Madison County Proj. No. STP-6900-00(003)LPA/106992-701000**

Dear Commission:

Pursuant to the City of Gluckstadt's Ordinance No. 2021-4, Sec. 805.01, enclosed please find Key, LLC's Application for Conditional Use to operate a surface mining pit to support the construction of the proposed Madison County Proj. No. STP-6900-00(003)LPA/106992-701000 – Reunion Parkway Phase III. In support of its Application, Key would respectfully show the following:

1. The "Property" subject to this Application is a 22.33-acre tract located at 1909 US-51. The Property is owned by Key Crete, LLC, a subsidiary of Key, LLC.
2. The Property contains a 15-acre borrow excavation pit known as the "Stuckey Mine." The Stuckey Mine has been granted permission to conduct mining operations by the Mississippi Dept. of Environmental Quality under Surface Mining and Reclamation Permit No. P06-006.
3. The Property is primarily zoned as Residential Estate District (R-1), with the exception of a small strip of General Commercial District (C-1) in the southerly portion of the tract. The Stuckey Mine area of the Property that is proposed to be used is approx. 9 acres and is entirely zoned R-1.
4. Under Ordinance 2021-4, Art. X, Sec. 1002, the City expressly provides that

mining operations are a Conditional Use in R-1 districts:

[A Conditional Use of R-1 includes] [e]xtract[ing] of minerals, . . . sand and gravel, provided that when "open-pit" operations are proposed, a Reclamation Plan shall be approved by the Mayor and Board of Aldermen prior to the initiation of such open pit mining operations. The operator must obtain the required permits and approvals, which shall not be transferrable, from other governmental entities and provide the Mayor and Board of Aldermen with written proof of same.

5. In accordance with Ordinance 2021-4, Art. X, Sec. 1002, a proposed Reclamation Plan for the Stuckey Mine is included with this submission. Further, Key, LLC, as the applicant and proposed operator of the Stuckey Mine, is the holder of MDEQ Surface Mining and Reclamation Permit No. P06-006, which authorizes Key, LLC to conduct surface mining operations at the Stuckey Mine.

To satisfy any remaining Application requirements of Ordinance 2021-4, Sec. 805.01, including subsections (A) - (I), Key has enclosed a \$250.00 check for the application processing fee, and also submits nine (9) copies of the following Exhibits:

- Exhibit A:** Copy of Warranty Deed with Legal Description
- Exhibit B:** Copy of MDEQ Surface Mining and Reclamation Permit No. P06-006 covering the Stuckey Mine
- Exhibit C:** Application for Site Plan Review and Supporting Documents
- Exhibit C-1:** Site Map with Color Rendering and Current Elevations, all existing utility lines and the entrance to the Property
- Exhibit C-2:** Lot Lines and Names of Adjacent Landowners
- Exhibit C-3:** Zoning of the Property and Adjacent Lots

Key would show that the lots surrounding the Property are undeveloped R-1 tracts, Highway Commercial (C-2) tracts, or Heavy Industrial (I-2) tracts. Therefore, there is a much lower likelihood that the mining activities would adversely impact

nearby properties.

Further, the mining activity timeline contemplated under the Project would be from March 1, 2023 through March 1, 2025. Key would request to operate the Stucky Mine Monday through Sunday, 7am to 6pm, during that timeline.

**Exhibit C-4:** Map showing Existing Contours of Property

**Exhibit C-5:** Maps showing Stormwater and Draining Plan

**Exhibit C-6:** FEMA Flood Map

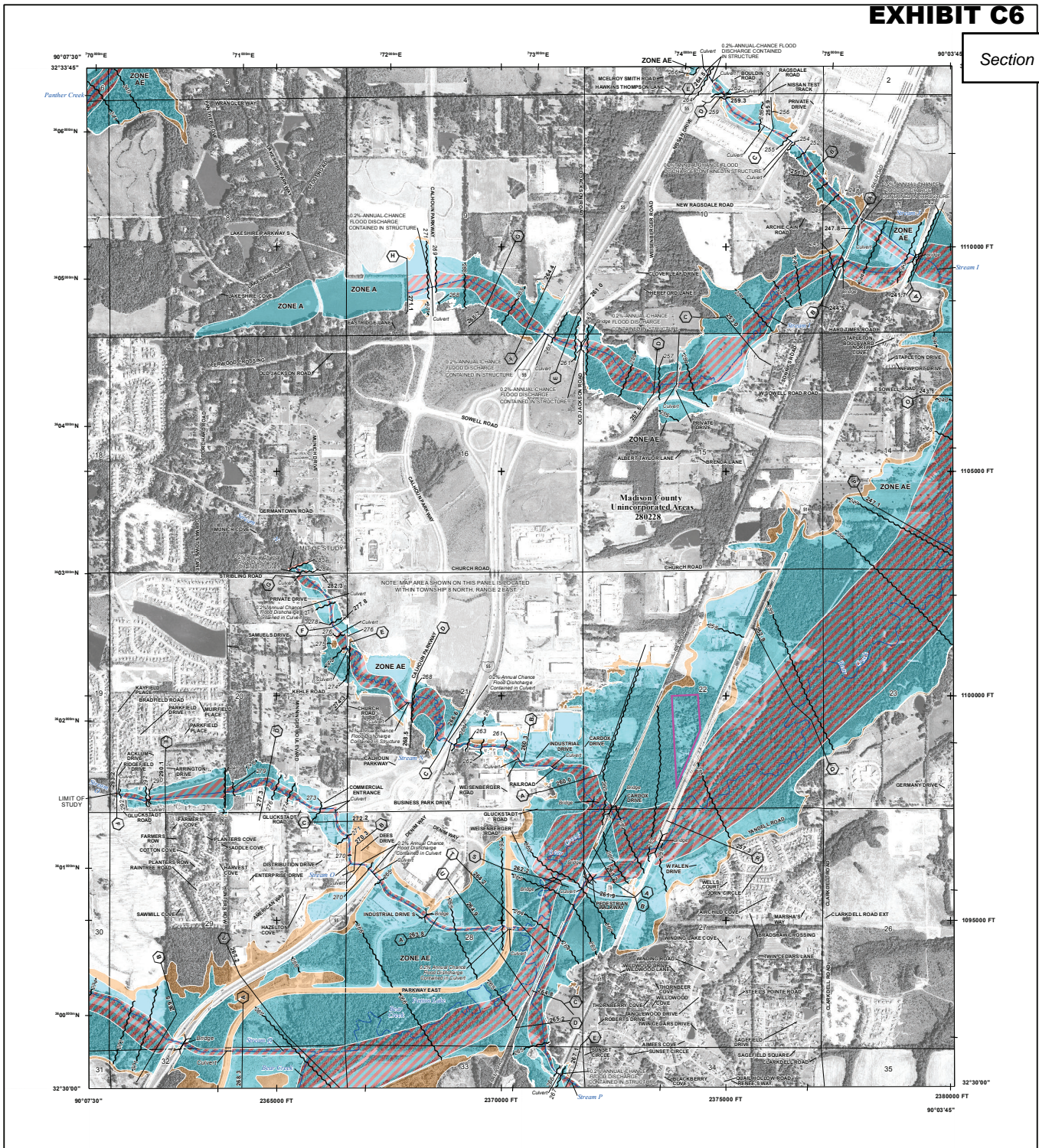
**Exhibit C-7:** Maps showing reclamation plan for Property

Therefore, for these reasons and those to be presented at a Public Hearing on this matter, Key respectfully requests that the City approve Key's Application for a Conditional Use to operate the Stuckey Mine to support the construction of the proposed Madison County Proj. No. STP-6900-00(003)LPA/106992-701000 – Reunion Parkway Phase III.

Sincerely,

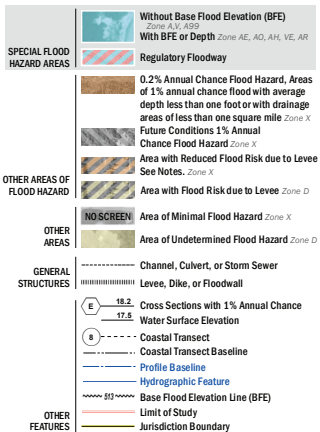


Dave Porter  
*General Counsel*



**FLOOD HAZARD INFORMATION**

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT  
 THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING  
 DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT  
[HTTP://MSC.FEMA.GOV](http://MSC.FEMA.GOV)



**NOTES TO USERS**

For information and questions about this Flood Insurance Rate Map (FIRM), available products associated with the FIRM, including historic versions, the current map date for each FIRM panel, how to order products, or the National Flood Insurance Program (NFIP) in general, please call the FEMA Map Information Exchange at 1-877-FEMA-MAP (1-877-336-6277) or visit the FEMA Flood Map Service Center website at <http://msc.fema.gov>. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of the map. Many of these products can be ordered at a distance directly from the website.

Communities desiring to use adjacent FIRM panels must obtain a current copy of the adjacent panel as well as the current FIRM Index. These may be ordered directly from the Map Service Center at the number listed above.

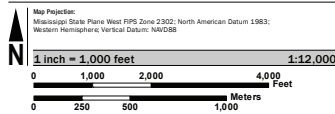
For community and countywide map sales refer to the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

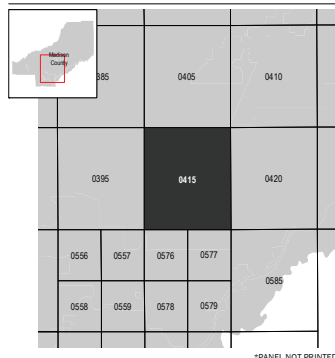
Base map information shown on this FIRM was derived from digital orthophotography collected by the U.S. Department of Agriculture Farm Service Agency. This imagery was flown in 2014 and was produced with a 1 meter ground sample distance.



**SCALE**



**PANEL LOCATOR**



**FEMA**  
 National Flood Insurance Program

**NATIONAL FLOOD INSURANCE PROGRAM**  
 FLOOD INSURANCE RATE MAP  
**MADISON COUNTY, MISSISSIPPI**  
 and Incorporated Areas  
 PANEL 415 of 625

Panel Contains:  
 COMMUNITY: 280228  
 MADISON COUNTY: 0415  
 NUMBER: 280228  
 PANEL: 0415  
 SUFFIX: G

**PRELIMINARY**  
 2/9/2018

VERSION NUMBER: 2.3.3  
 MAP NUMBER: 28089C0415G  
 MAP REVISED

252



**State of Mississippi**  
**TATE REEVES**  
Governor

**MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY**  
CHRIS WELLS, EXECUTIVE DIRECTOR

February 03, 2021

Key, LLC  
Mr. Paul McPhail  
P. O. Box 590 - 219 Key Drive  
Madison, MS 39130-0590

Dear Mr. McPhail:

Your Surface Mining Permit No. P06-006 for 15 acres in Madison County, Mississippi, has been renewed. The new expiration date is 03/21/26.

Sincerely,

David Dockery, RPG  
State Geologist and Director  
MDEQ Office of Geology

**State of Mississippi  
Surface Mining and Reclamation  
PERMIT**

TO CONDUCT SURFACE MINING OPERATIONS  
IN ACCORDANCE WITH THE  
MISSISSIPPI SURFACE MINING AND RECLAMATION LAW  
MISS. CODE ANN. § 53-7-1 ET SEQ.

**THIS CERTIFIES THAT**

**Key, LLC**

has been granted permission to  
conduct surface mining operations in accordance with the requirements and conditions  
set forth herein in the operation of the

**Stuckey Mine  
Madison County, Mississippi.**

This permit is issued in accordance with the provisions of the Mississippi Surface Mining and  
Reclamation Law, Miss. Code Ann. § 53-7-1 et seq., and the regulations and standards adopted  
and promulgated thereunder.

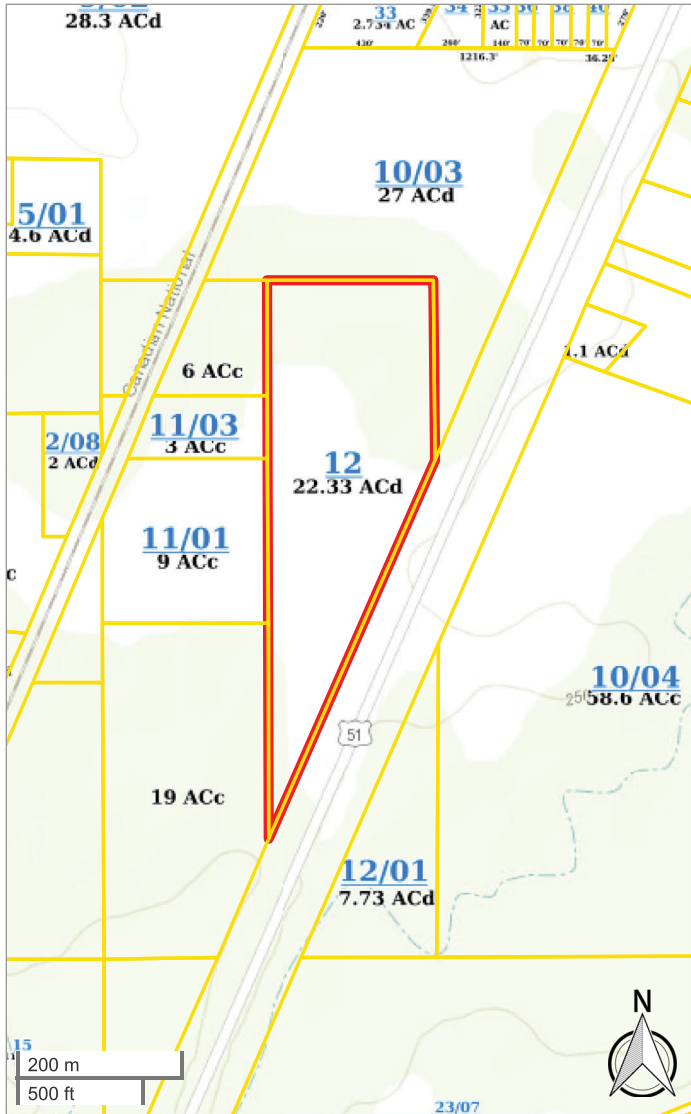
**MISSISSIPPI ENVIRONMENTAL QUALITY PERMIT BOARD**

  
\_\_\_\_\_  
**AUTHORIZED SIGNATURE**

**MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY**

Issued: March 21, 2006  
Expires: Five years from date of issuance

Permit No. P06-006  
Application No. A1575



### Madison County, MS

Madison County online map access is provided as a public service, as is, as available and without warranties, expressed or implied. Content published on this website is for informational purposes only, and is not intended to constitute a legal record nor should it be substituted for the advice or services of a licensed professional. Parcel map information is prepared for the inventory of real property found within County jurisdiction and is compiled from recorded deeds, plats, and other public documents in accordance with Land Records Technical Specifications for Base, Cadastral and Digital Mapping Systems. Users are hereby notified that the aforementioned public record sources should be consulted for verification of information. With limited exception, data available on this website originates from Madison County Land Records GIS and is maintained for the internal use of the County. The County of Madison and the Website Provider disclaim all responsibility and legal liability for the content published on this website. The user agrees that Madison County and its Assigns shall be held harmless from all actions, claims, damages or judgments arising out of the use of County data.

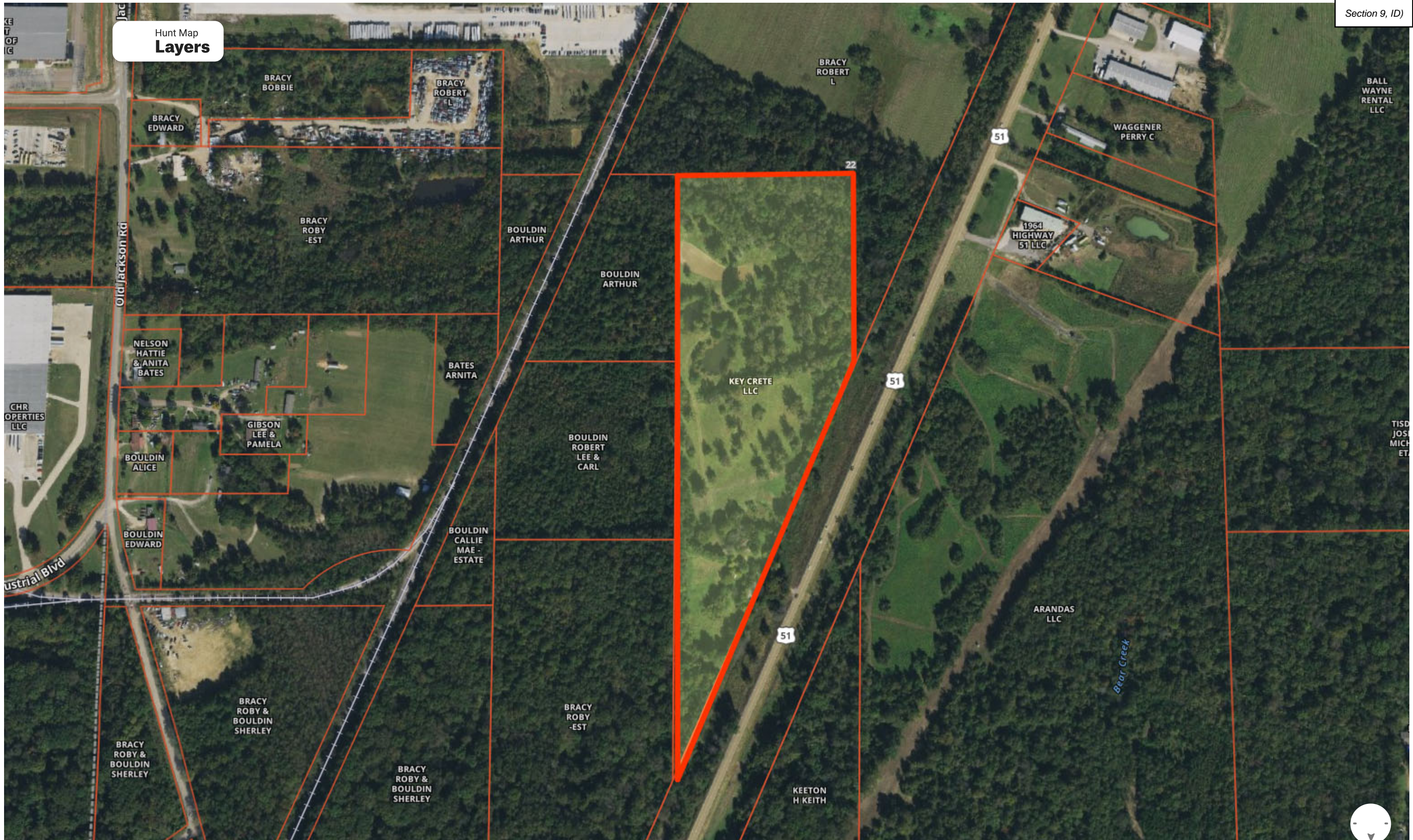
PPIN:	23095
PARCEL_ID:	082E-22-012/00.00
OWNERNAME:	KEY CRETE LLC
ADDRESS1:	219 KEY DR
ADDRESS2:	
CITY:	MADISON
STATE:	MS
ZIP:	39110
TOTAL_AC:	22.33
STREET_NUM:	1909
STREET:	HWY 51
SECTION:	22
TOWNSHIP:	08N
RANGE:	02E
LEGAL1:	22.33 AC IN E 1/2 E 1/2 SW 1/4 W OF HWY
TAX_DIST:	4GM
LAND_VAL:	226940
IMP_VAL1:	0
IMP_VAL2:	0
TOTALVALUE:	226940
DEED_BOOK:	2666
DEED_PAGE:	907

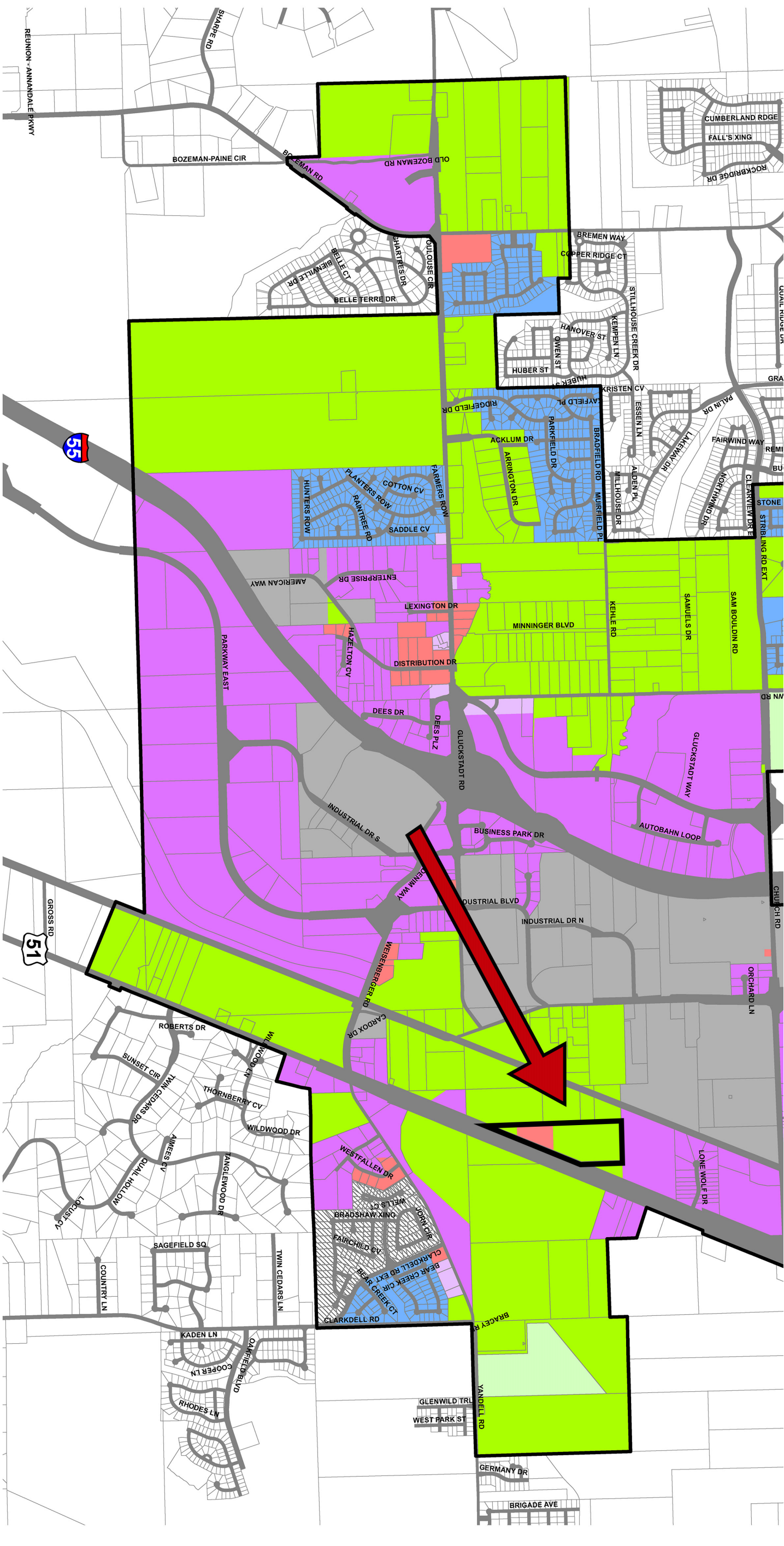


Madison County Tax Assessor  
Norman A. Cannady Jr

Canton Location  
125 W North St  
(601) 879-9537  
Court House Annex  
PO Box 292  
Canton, MS 39046

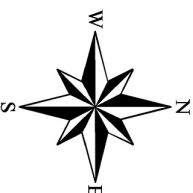






**BRIDGE & WATSON, INC.**  
 URBAN PLANNERS • CONSULTANTS • ADVISORS  
 TEL: 662.234.0958 | FAX: 662.234.0997  
 CWATSON@PLANNING-CONSULTANTS.COM  
 507 HERITAGE DR. STE. 201 | PO BOX 1482 | OXFORD, MS 38655

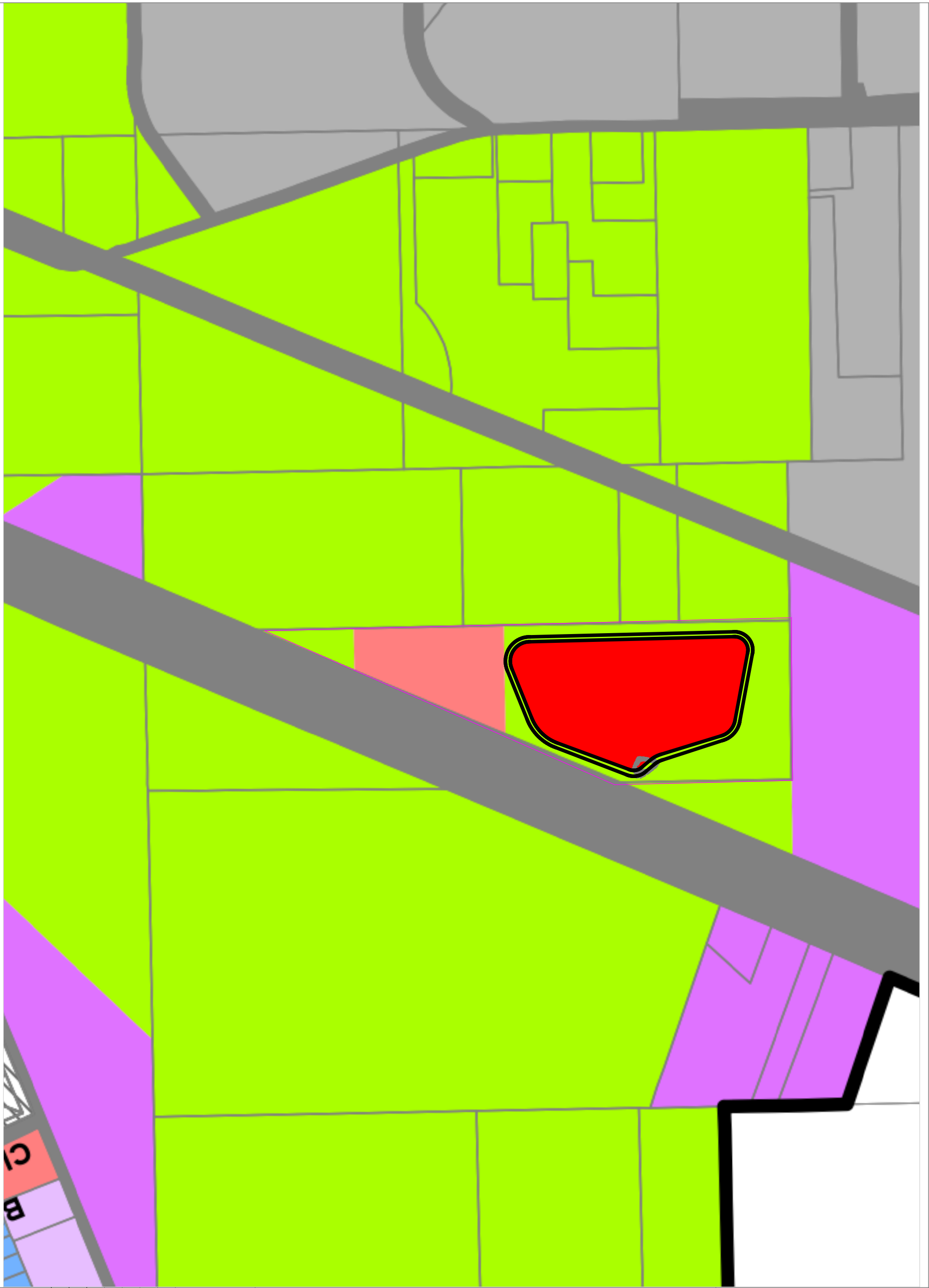
**Official Zoning Map**  
**City of Gluckstadt, Mississippi**  
 Adopted December 16, 2021



This map is accurate for planning purposes only.

Data Sources:  
 Madison County web viewer (08/2021);  
 Bridge & Watson, Inc.

November 2, 2021



Revision			
Revision			
Revision			
Revision	1	ep/wmv/rv	
Revision History			Initials
Drawn By:		Chkd By:	
Hz Scale: 1 : XXXX		Vt Scale: X	

Proposed Stuckey Mine  
City of Gluckstadt Zoning Map

*Key, LLC*

**ENGINEERS - CONSTRUCTORS**  
 Post Office Box 590 - 219 Key Drive (39110)  
 MADISON, MS 39130-0590  
 601-898-9892 Fax 601-898-9896

**ORDER APPROVING AND GRANTING A CONDITIONAL USE PERMIT  
ALLOWING SURFACE MINING ON PROPERTY LOCATED AT 1909 US-51,  
IDENTIFIED BY TAX PARCEL NO. 082E-22-012/00.00,  
IN THE CITY OF GLUCKSTADT, MADISON COUNTY, MISSISSIPPI**

THERE CAME ON for consideration by Applicant, Key, LLC, the issue of whether a Conditional Use allowing surface mining in a district zoned R-1 in the City of Gluckstadt, Mississippi, should be permitted. The Mayor and Board of Aldermen hereby find as follows:

WHEREAS, Applicant now requests the governing authorities of City of Gluckstadt, Mississippi, to grant a Conditional Use as permitted by Section 1002(D) for the property described herein, which property is located in a R-1 Residential Estate District, under the City of Gluckstadt's Official Zoning Ordinance of December 16, 2021, to Applicant, allowing surface mining in a district zoned R-1, specifically Tax Parcel No. 082E-22-012/00.00, located at 1909 US-51 in the City of Gluckstadt; and

WHEREAS, the Applicant advises the City the real property is owned by Key Crete, LLC, and Applicant is planning to use subject property for surface mining; and

WHEREAS, the City of Gluckstadt scheduled a public hearing on said Application for Jan. 24, 2023, at 6:00 o'clock p.m. before the City's Planning and Zoning Commission. After review of the Application by the Planning and Zoning Commission of the City of Gluckstadt – the Board was advised that the Planning and Zoning Commission at its Jan. 24, 2023, meeting, recommended approval of the requested conditional use allowing surface mining by the Applicant as required by the Zoning Ordinance; and

WHEREAS, all notice requirements of the Zoning Ordinance of the City of Gluckstadt were accomplished – the City Clerk did cause notice of the Jan. 24, 2023, hearing to be published

in the Madison County Journal, a newspaper of general circulation in the City of Gluckstadt, Madison County, Mississippi, in the manner and for the time required by law, and did post notice of same upon the affected property in the manner and for the time required by Section 811.02 of the Zoning Ordinance of the City of Gluckstadt and by law; and

WHEREAS, at the time, date and place specified in the City’s public notice, the Planning and Zoning Commission of the City of Gluckstadt, Mississippi, did conduct a full and complete public hearing on the Application on Jan. 24, 2023, and received comments and heard evidence presented by the Applicant and by all others desiring to be heard, whether in support of or in opposition to the Application; and,

WHEREAS, the Planning and Zoning Commission upon conclusion of its Jan. 24, 2023, meeting recommended in writing that the Board of Aldermen grant the request for a Conditional Use allowing surface mining as requested by the Applicant on the subject property; and

WHEREAS, the Mayor and Board of Aldermen are fully familiar with the request and the property and existing land uses within the City of Gluckstadt and in the area of the City where the property is located, and in acting on this Order, have duly considered the matters and facts within their personal knowledge as same affect the land uses required in the Application;

BE IT HEREBY ORDERED by the Mayor and Board of Aldermen of the City of Gluckstadt, Mississippi, that the request of Applicant to grant a Conditional Use for Tax Parcel No. 082E-22-012/00.00, located at 1909 US-51 in the City of Gluckstadt, Madison County, Mississippi allowing surface mining on the subject property is hereby granted; such action is taken pursuant to the findings of fact set out as follows:

1. The Mayor and Board of Aldermen of the City of Gluckstadt, Mississippi, have the final authority with regard to all matters involving the Zoning Ordinance.
2. The written recommendation of the Planning and Zoning Commission is advisory in nature.
3. The Mayor and Board of Aldermen have knowledge of the area involved and are aware of the need for the Conditional Use.
4. The requested designation meets the definitions of a Conditional Use of the Zoning Ordinance.
5. The subject property described herein, below, is within a zoning district zoned R-1:  
Tax Parcel No. 082E-22-012/00.00, located at 1909 US-51 in the City of Gluckstadt, Madison County, Mississippi
6. The Conditional Use will promote the general welfare of the City of Gluckstadt and will not adversely affect the public interest or adjacent property. Future projects within the designation area will remain subject to the Zoning Ordinance and approval of site plans or other matter will allow the City to continue to monitor the area.
7. The establishment of this Conditional Use is not detrimental to the public health, safety, or general welfare, and this Conditional Use is compatible with the existing and intended character of the surrounding zoning district.
8. The Mayor and Board of Aldermen find that all portions of Section 805.01 (A) - (I) of the Zoning Ordinance have also been complied with and that all requirements of Section 805.01 (A) - (I) of the Zoning Ordinance are satisfied based upon the presentation of the Applicant and all documents presented to the Planning and Zoning Commission and to the Mayor and Board of Aldermen.

9. The granting of this Conditional Use does not relieve the requested use from compliance with any applicable law, court order, covenants, or contracts.

10. The Conditional Use is granted with the following additional conditions: no additional conditions.

ORDERED, ADOPTED AND APPROVED by the Mayor and Board of Aldermen of the City of Gluckstadt, Madison County, Mississippi, at a regular meeting thereof held on the \_\_\_\_ day of \_\_\_\_\_, 2023.

The foregoing Order, having been reduced to writing, Alderman \_\_\_\_\_ moved that said Order be adopted. Alderman \_\_\_\_\_ seconded. The vote was as follows:

- Alderman Miya Warfield-Bates voted: \_\_\_\_\_
- Alderman Jayce Powell voted: \_\_\_\_\_
- Alderman Richard Wesley Slay voted: \_\_\_\_\_
- Alderman John Taylor voted: \_\_\_\_\_
- Alderman Lisa Williams voted: \_\_\_\_\_

Whereupon, the Mayor declared the Motion carried and the Order approved and adopted.

SO ORDERED, this the \_\_\_\_ day of \_\_\_\_\_, 2023.

CITY OF GLUCKSTADT, MISSISSIPPI

BY: \_\_\_\_\_  
WALTER C. MORRISON, IV, MAYOR

ATTEST:

BY: \_\_\_\_\_  
LINDSAY KELLUM, CITY CLERK

[SEAL]

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN  
OF THE CITY OF GLUCKSTADT, MADISON COUNTY, MISSISSIPPI  
DENYING A CONDITIONAL USE PERMIT FOR PROPERTY  
LOCATED 1909 US-51, IDENTIFIED BY TAX PARCEL NO. 082E-22-012/00.00,  
CITY OF GLUCKSTADT, MADISON COUNTY, MISSISSIPPI**

WHEREAS, Key, LLC (the "Applicant"), did file an Application for a Conditional Use Permit on property described herein, which property is located in a R-1 Residential Estate District Classification under the City of Gluckstadt Zoning Ordinance of December 16, 2021 (the "Application"); and,

WHEREAS, the Mayor and Board of Aldermen referred the Application to the Planning and Zoning Commission of the City of Gluckstadt, which Planning and Zoning Commission scheduled a hearing on said Application for Jan. 24, 2023, at 6:00 o'clock p.m.; and,

WHEREAS, the Mayor and Board of Aldermen are familiar with the property and existing land uses within the City of Gluckstadt and in the area of the City where the property is located, and in acting on this Resolution, have duly considered the matters and facts within their personal knowledge as same affects the land uses requested in the Application filed herein; and,

WHEREAS, at the conclusion of the discussion of the Planning and Zoning Commission's recommendation, the Mayor asked whether the Board of Aldermen desired to take any action regarding the Application and the recommendation of the Planning and Zoning Commission and after discussion thereof, Alderman \_\_\_\_\_ offered the following Resolution and moved that it be adopted, to-wit:

IT IS, THEREFORE, RESOLVED by the Mayor and Board of Aldermen of the City of Gluckstadt, Madison County, Mississippi, as follows, to-wit;



SECTION 1. That the matters and facts stated in the preamble hereof are found, determined, and adjudicated to be true and correct.

SECTION 2. That it is hereby found and determined that the conditions precedent to the granting of a Conditional Use Permit as required by Section 805 of the City of Gluckstadt Zoning Ordinance of December 16, 2021, do not exist, and have not been satisfied by the Applicant regarding the granting of a Conditional Use Permit allowing surface mining in a district zoned R-1.

SECTION 3. That the Application to grant a Conditional Use Permit pursuant to Section 805 of the City of Gluckstadt Zoning Ordinance of December 16, 2021, on the following described property, be and same is hereby denied. The property referenced in the Application (the "property") is described as follows:

Tax Parcel No. 082E-22-012/00.00, located at 1909 US-51 in the City of Gluckstadt, Madison County, Mississippi

SO RESOLVED by the Mayor and Board of Aldermen of the City of Gluckstadt, Madison County, Mississippi, at a regular meeting held on \_\_\_\_ day of \_\_\_\_\_, 2023.

The motion for adoption was seconded by Alderman \_\_\_\_\_, and the foregoing Resolution having been first reduced to writing, was submitted to the Board of Aldermen for passage or rejection on roll call vote with the following results:

- Alderman Miya Warfield-Bates voted: \_\_\_\_\_
- Alderman Jayce Powell voted: \_\_\_\_\_
- Alderman Richard Wesley Slay voted: \_\_\_\_\_
- Alderman John Taylor voted: \_\_\_\_\_
- Alderman Lisa Williams voted: \_\_\_\_\_

Whereupon, the Mayor declared the motion carried and the Resolution adopted.

The foregoing Resolution is approved, this the \_\_\_\_ day of \_\_\_\_\_, 2023.

CITY OF GLUCKSTADT, MISSISSIPPI

BY: \_\_\_\_\_  
WALTER C. MORRISON, IV, MAYOR

ATTEST:

BY: \_\_\_\_\_  
LINDSAY KELLUM, CITY CLERK

[SEAL]



## PLANNING & ZONING COMMISSION MEETING

Tuesday, January 24, 2023 at 6:00 PM

---

### Minutes

#### I. Call to Order and Roll Call

Chairwoman Greer called the January 24, 2023 regular meeting of the Gluckstadt Planning & Zoning Commission to order.

Members present: Andrew Duggar, Katrina Myricks, Melanie Greer, Phillips King, Sam McGaugh, Tim Slattery and Kayce Saik

Also present: Mike McCollum, Planning & Zoning Administrator, William Hall, Building Official, Bridgette Smith, Planning & Zoning Executive Assistant, and Zachary Giddy, City Attorney

#### II. Approval of Minutes

Chairwoman Greer requested a motion to approve the minutes of the December 27, 2022 Planning and Zoning Commission Regular Meeting.

Motion made by Commissioner Myricks, Seconded by Commissioner McGaugh.

Voting Yea: Commissioner Duggar, Commissioner Myricks, Commissioner Greer, Commissioner King, Commissioner McGaugh, Commissioner Slattery, Commissioner Saik

Chairwoman Greer declared the motion carried.

#### III. Public Hearing to Consider Request for Conditional Use by Key, LLC for Stuckey Mine

Chairwoman Greer opened the public hearing on the Application for Conditional Use Permit by Key, LLC for property located at 1909 US-51 in the City of Gluckstadt identified by Tax Parcel No. 082-22-012/0000. Mike McCollum addressed the Board and advised that notice was published in the Madison County Journal and a sign was posted on the subject property. Jason Henry appeared and spoke on behalf of the application. Commissioners had questions regarding the access road to travel for concerns of the traffic flow. Possible recommendations for the business hours, limiting

the hours of operation. Recommendations for the minutes for the permit from March 2023 to March 2025. The levy will stay which is currently 12 feet tall. Possible talks of future development for a park at this location. Dave Porter, general counsel for applicant addressed the Board regarding the previous approval by the County for the hours of operation of 7:00 to 6:00.

No opposition.

Chairwoman Greer closed the public hearing.

Commissioner McGaugh made a motion to recommend approval to the Mayor and Board of Aldermen of the conditional use for surface mining on the subject property located within the R-1 District as requested by the applicant. The motion was seconded by Commissioner Myricks, and a vote was taken as follows: Yea: Commissioner Duggar, Commissioner Myricks, Commissioner Greer, Commissioner King, Commissioner McGaugh, Commissioner Slattery, Commissioner Saik

Chairwoman Greer declared the motion carried.

#### **IV. New Business**

Commissioner Greer introduced a new member of the Planning and Zoning Commission, Commissioner Kayce Saik.

No action taken.

#### **V. Next Meeting**

The next meeting of the Planning and Zoning Commission is set for February 28, 2023.

No action taken.

#### **VI. Adjourn**

There was no further business to be presented.

Motion was made by Commissioner Duggar, Seconded by Commissioner McGaugh. Voting Yea: Commissioner Duggar, Commissioner Myricks, Commissioner Greer, Commissioner King, Commissioner McGaugh, Commissioner Slattery, Commissioner Saik

Chairwoman Greer declared the motion carried.

## Edward Byrne Memorial Justice Assistance Program

- The leading federal source of criminal justice funding to state and local jurisdictions. The program provides agencies with assistance in the following categories: drug treatment and enforcement, prevention and education, planning and technology improvement, crime victim and witness initiatives, and mental health programs.

## Homeland Security Grant Program (HSGP)

- The HSGP grant is provided to local police, fire departments and emergency operations agencies for protection against terrorism attacks. Funds can be used for equipment, training/exercises, and supplies for awarded programs.

## Patrick Leahy Bulletproof Vest Partnership (BVP)

- The Patrick Leahy Bulletproof Vest Partnership (BVP), created by the Bulletproof Vest Partnership Grant Act of 1998 is a unique U.S. Department of Justice initiative designed to provide a critical resource to state and local law enforcement.

## COPS Hiring Program (CHP)

- COPS Hiring is a competitive grant program designed to provide funding directly to law enforcement agencies to hire and/or rehire additional career law enforcement officers in an effort to increase their community policing capacity and crime prevention efforts. Anticipated outcomes of the CHP program awards include engagement in planned community partnerships, implementation of projects to analyze and assess problems, implementation of changes to personnel and agency management in support of community policing, and increased capacity of agency to engage in community policing activities.

## Small Rural Tribal Body Worn Camera Program

- The Bureau of Justice Assistance (BJA) and Justice & Security Strategies (JSS) specifically designed this body-worn camera program to fund small, rural, and tribal law enforcement agencies in the United States and its territories with body worn cameras to ensure that the public and law enforcement are better protected.

The Gluckstadt Police Department is requesting permission to apply for the following state and federal grant assistance programs in an effort to help further grow the department's resources and capabilities to better serve and protect the public.

**A MEMORANDUM OF UNDERSTANDING**

**FOR TACTICAL AND OTHER LAW ENFORCEMENT SERVICES BY AND BETWEEN**

**MADISON COUNTY SHERIFF'S OFFICE "MCSO" AND GLUCKSTADT POLICE DEPARTMENT "GPD"**

WHEREAS, it is in the best interest of the citizens of Madison County for the **Madison County Sheriff's Office "MCSO"** and **Gluckstadt Police Department "GPD"** to enter into a multi-jurisdictional response agreement to provide for tactical and other emergency law enforcement services upon request; and

WHEREAS, the two (2) Jurisdictions may obtain more effective and efficient law enforcement services when Madison County Law Enforcement Officers cooperate with and assist each other in providing said services:

NOW, THEREFORE, in consideration of the mutual promises contained in this Agreement, the **MCSO** and **GPD** agree as follows:

**A. DEFINITIONS**

The following terms are defined for use in this Agreement:

1. "Agency" means the Police Department of **Gluckstadt** and the Sheriff Department of **Madison County**.
2. "Requesting Agency" means an Agency requesting emergency police services or assistance pursuant to this Agreement or any law enforcement agency or municipality within the State of Mississippi or surrounding states.
3. "Responding Agency" means an Agency providing emergency police services or assistance pursuant to this Agreement, or an Agency that may be called upon to provide emergency services or assistance pursuant to this Agreement.
4. "Emergency police services and assistance" means personnel and equipment necessary for providing emergency police protection and services in police matters involving a life-threatening situation, a situation in which there is grave danger of bodily harm, or a situation requiring tactical response.
5. "Jurisdiction" of the Agency shall be as follows:
  - a. City of Gluckstadt means the corporate limits of said City.
  - b. Madison County means within the incorporated and u-incorporated limits of said County.
6. "Policies and procedures" means the policies and procedures adopted by the Agencies which set forth, among other things:
  - a. The persons in each Agency who are authorized to request emergency police services or assistance from another Agency and the matter in which such requests are to be processed and approved.
  - b. The persons in each Agency who are authorized to approve requests for their police officers to provide emergency police services or assistance in another Agency, and who are thus responsible for determining whether or not their Agency will respond, and if so, the number of personnel and the amount and type of equipment which will be provided.

## **B. POLICE SERVICES AND ASSISTANCE**

The Sheriff of Madison County and the Chief of Police of the City of Gluckstadt, or designee(s), shall be responsible for receiving requests for emergency police services and assistance in accordance with the policies and procedures adopted by the Agencies. The manner in which Agencies shall request emergency police services and assistance from other Agencies, and themselves respond to such requests, shall be as follows:

1. Any Agency, through its authorized personnel, may request emergency police services or assistance from other Agencies
2. The requesting Agency shall specify the type of emergency police service or assistance, which is needed, and state the number of personnel and the amount and type of equipment, which are being requested.
3. The responding Agency shall make a reasonable effort to provide the emergency police services or assistance requested pursuant to this Agreement, subject to its workload and availability of police officers at the time of the request, the nature and urgency of the requests, and other such similar limiting factors. If it agrees to provide emergency police services or assistance, the responding Agency shall, as its sole discretions, determine the number of personnel and the amount and type of equipment that will be provided.

## **C. POLICE AUTHORITY**

Police Officers and other personnel who are providing emergency police services and assistance within the jurisdiction of another Agency shall have the following police authority and power, and be subject to the following working procedures and measures:

The heads of the Agencies shall establish working procedures and measures as they deem necessary for the control and direction of police officers, personnel, and equipment that are acting within the jurisdiction of a requesting Agency pursuant to this Agreement: provided, however, that until such working procedures and measures are established, the police officers, personnel, and equipment of a responding Agency shall be subject to the direction and control of the requesting Agency's head or designee

## **D. LIABILITY**

The statutes and case law of the State of Mississippi shall be used to establish the liability of the parties to this Agreement or for injuries caused to third parties. In the event of any injury to the person or property of the police officers or other personnel of a responding Agency, when acting pursuant to this Agreement within the jurisdiction of a requesting Agency, the governmental entity of the responding Agency shall be responsible for any damages from any liabilities arising out of such injury.

## **E. SEVERABILITY**

If any provision of this Agreement is invalid for any reason, such as invalidation shall not render invalid other provisions of this Agreement that can be given effect without the invalid provision.



**F. EFFECTIVE DATE**

This Agreement shall be effective when duly executed by the authorized representatives of the City of Gluckstadt and Madison County.

**G. AMENDMENT**

This Agreement may be modified or amended by unanimous agreement of the **MCSO** and **GPD**.

**H. GOVERNING LAW**

This Agreement shall be construed in accordance with the laws and Constitution of the State of Mississippi.

IN WITNESS WHEREOF, the Madison County Board of Supervisors and the City of Gluckstadt Mayor and Board of Alderman have authorized their representatives to execute this Agreement: and said representatives have caused this Agreement to be executed, and have attached herewith a copy of the ordinance, resolution, or other documents adopted by their respective governing body authorizing them to execute this Agreement.

  
\_\_\_\_\_  
President Gerald Steen, Madison County Board of Supervisors 2/6/23

  
\_\_\_\_\_  
Sheriff Randall Tucker, Madison County Sheriff's Office

\_\_\_\_\_  
Mayor Walter Morrison, City of Gluckstadt

\_\_\_\_\_  
Chief Wendell Watts, Gluckstadt Police Department



## CITY OF GLUCKSTADT

MISSISSIPPI  
MUNICIPAL COURT

### MEMORANDUM

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**TO:** Mayor & Board of Alderman

**FROM:** Stephanie Gerlach, Municipal Court Clerk

**DATE:** 02/14/2023

**SUBJECT:** General Update, Municipal Court Department

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#### January Stats:

January 2023 total amount for state assessments paid to DPS is \$156.00

January 2023 total amount for state assessments paid to DFA is \$8641.00

January 2023 PEER report was also submitted for October 2022 through December 2022

January 2023, we adjudicated 85 traffic citations and 2 Possession of Marijuana charges.

#### February Outlook

February 2023 we currently have 51 trials set for court and 246 cases set on the docket for review by the Judge.