

**TERM OF OFFICE TRANSITION: Tips for a Successful Transition for Municipal Officials (Code Charter)**

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**MRPC Rule 1.13(a)** – “A lawyer employed or retained by an organization represents the organization acting through its duly authorized constituents.”

A municipal lawyer’s client is the municipality. The municipality, of course, acts through its duly authorized officials. The make-up of the organization can change at least every four years (or more often, in the event of a vacancy in office, etc.) Included in the municipal lawyer’s duties to the organization is the facilitation of a successful transition from one term of office to the next.

**I. When Does the Transition Occur?**

- a) **Miss. Code Ann. Section 21-15-1** – the term of office begins on the first day of July that is not on a weekend. For this year, that date is **July 1, 2025**.
- b) **Oath of Office – Section 268 Miss. Const.** – “**before entering upon the discharge of the duties thereof . . . .**” Best practice to have the Mayor sworn-in prior to 12:00 am July 1, 2025.
- c) **Who can administer oaths? Miss. Code Ann. Section 11-1-1** includes mayors and city clerks in the list of officials who can administer oaths of office.
- d) **Aldermen** – sworn in at any time prior to the first regular meeting of the term being called to order. **21-3-15(2)(a)** – the legislative power of a municipality can only be exercised by a quorum of the Board “within a legally called meeting.”
- e) **First meeting date – Miss. Code Ann. Section 21-3-19(1)** – “The mayor and board shall hold regular meetings the first Tuesday of each month...” July 1, 2025.
- f) **Assuming no qualification issues or holdover issues, the transition calendar is as follows:**
  - **11:59 pm June 30, 2025 – term ends**
  - **12:00 am July 1, 2025 – term begins – Mayor sworn in prior to this date and time.**
  - **July 1, 2025 – First regular meeting of the Mayor and Board of Aldermen – Board members sworn in at some point prior to the meeting being called to order.**
- g) **Special issues:**
  - **Early resignations (PERS) (Miss. Code Ann. Section 23-15-857 – vacancies).**

- **Emergencies:** **Miss. Code Ann. Section 31-7-13(k)**  
**Miss. Code Ann. Section 33-15-17(d)**

**II. Before the Transition**

**a) End of Term Verifications:**

- Internal or external audit firm?
- Petty cash
- Bank reconciliations
- Fixed Asset inventory
- <https://www.osa.ms.gov/sites/default/files/Resources/Local%20Governments/maag22.pdf>
- **Ronald Robinson, CPA- 2008 Small Town Conference pages 11-21.**

**b) Ethics issues:**

- who are the candidates, where do they work, who are they related to, etc.?
- Statement of Economic Interest

**c) Spending limitation:**

- **Miss. Code Ann. Section 21-35-27** – in particular, service contracts and overtime wages.

**d) Document Retention/Minute Keeping**

- [https://mdah.ms.gov/sites/default/files/2024-10/Municipalities\\_2024-10-15\\_w-cover.pdf](https://mdah.ms.gov/sites/default/files/2024-10/Municipalities_2024-10-15_w-cover.pdf)
- Outgoing officials' email correspondence
- Clarify any official actions in minutes before the end of term.
- Final Special Meeting: 1) approve minutes of second regular June meeting; and 2) consideration of final budget amendment (**Miss. Code Ann. Section 21-35-25** limits the incoming Board to only one amendment of the budget they inherit).

**e) Training:**

- Orientation for newly elected officials in June
- **Miss. Code Ann. Section 21-17-5(4)** – outgoing Board may authorize and pay for training of incoming elected officials (July 2025 MML).

**III. After the Transition: First Meeting – July 1, 2025**

**a) Appointments: Statutory Officers**

- City Clerk **21-3-3**
- Police Chief **21-3-3**
- City Attorney **21-15-25** (Littleton v. McAdams, 60 So.3d 169 (Miss. 2011))
- Court Personnel **21-23-1** et seq. (Municipal Judge, Judge pro tempore, "Special Judge," Prosecutors, Defenders, Court Clerk)

Other Statutory Officers:

- Fire Marshal 21-25-1
- Deputy City Clerk 21-15-23
- Street Commissioner 21-3-5/21-3-23
- Deputy Clerks for purposes of handling funds 21-3-5

Not required by statute for appointment, examples:

- City Engineer
- Public Works Director
- Parks Director
- “Fire Chief”

There may be other reasons supporting additional specific appointments, such as assignment of responsibility for handling procurement or petty cash, but the appointment isn’t necessarily “statutorily required.”

Statutory officers remain “at-will employees” although they have a term of office that expires (unless “sooner discharged”) at the expiration of the term of the governing authority making the appointment (21-3-5). (Exception: municipal attorneys have an “annual term.” Littleton v. McAdams, 60 So.3d 169 (Miss. 2011) 21-15-25). All other positions, even high-ranking ones, are also “at-will employees.” Consider ratification of “headcount report” or other form of personnel roster at first meeting of term to eliminate any 21-15-41 holdover issue.

- b) Non-personnel appointments: standing committees, advisory boards, planning commission, board of adjustment, etc. These bodies must be appointed in open session, whereas the statutory officers may be discussed and voted upon in executive session as personnel matters.
- c) Bonds: “approved” by the governing authority and “filed and recorded” in the office of the municipal clerk (25-1-19(2))
  - Board, Clerk, Chief of Police, Officers and employees handling money
  - For larger municipalities the list of bonded officers and employees is much more extensive, often including all department heads, etc.
- d) Mayor Pro Tempore – 21-3-13
- e) Procedural Ordinance
- f) Purchasing Procedures:
  - designation of purchasing agent pursuant to **Miss. Code Ann. Section 31-7-13(b)**
  - designation of employees authorized to make emergency purchases pursuant to **Miss. Code Ann. Section 31-7-13(k)**
  - Petty Cash funds – designation of employees with care and control of specific funds.

- g) Delegation of Authority to approve Military Leave, Jury duty leave, Family Medical leave, etc.
- h) Travel and Training reimbursement policy
- i) Contract review – contracts are “voidable” at option of successor Board, but be careful of [reputational damage, equitable remedies available to the vendor/contractor, etc.]
- j) **THE AGENDA FOR THE FIRST MEETING OF THE TERM SETS THE TONE AND EXPECTATION FOR THE TERM:**

**GOOD AGENDAS LEAD TO GOOD MEETINGS**

**GOOD MEETINGS LEAD TO GOOD MINUTES**

**GOOD MINUTES, KEPT MEETING AFTER MEETING, MONTH AFTER MONTH, YEAR AFTER YEAR, TELL THE STORY OF A WELL-RUN MUNICIPALITY**

## V. TERM OF OFFICE TRANSITION

### 1. BUDGET ISSUES:

#### A. **LAST QUARTER OF TERM EXPENDITURE LIMIT: OUT GOING BOARD:**

Section 21-35-27 limits expenditures and obligations to one fourth of the budget during April, May and June during an election year. This law excludes purchases which are subject to the purchase solicitation law (Section 31-7-13) and [NEW LANGUAGE] purchases/expenditures which are seasonal in nature.

This means projects that will require a lot of service and salary money should be completed from October to March.

[Suggestion: Be prepared to provide reasons if less than one fourth of budget is left for the next board.]

#### B. **FIRST QUARTER BUDGET REVISION LIMIT: INCOMING BOARD:**

Section 21-35-25 limits a newly elected board's authority to revise the budget during its first three months in office. This is because the incoming board will inherit the former board's budget and projects. The incoming board is limited to only one revision of the budget. This one revision can only be made if a deficit is indicated; and no later than the first regular meeting in August.

This means (unless absolutely necessary) the incoming board should wait until the first meeting in August to make its revision. Being their only revision, they are locked into these budget numbers for the balance of the fiscal year; unless there is a budget emergency as defined in Section 21-35-19.

**2. ETHICS ISSUES:  
INCOMING BOARD:**

State ethics laws limit the authority of a municipality to contract with its officers, employees and their relatives. A review of municipal contracts and activities should be made to determine if incoming officers or employees relationships will require changes.

If a questionable situation is determined, the Miss. Ethics Commission should be contacted for direction on how to proceed. See Section 109 Ms. Constitution, Miss. Code 25-4-105 and <http://www.ethics.state.ms.us/ethics/ethics.nsf> legal reference.

**3. END OF TERM REVIEW –  
OUT GOING OFFICIALS:**

Municipal elected officials (mayor, board members, clerks, etc.) are elected or appointed for four year terms of office. The out going officials only have authority through June.

This means their actions are not binding upon the incoming officials. An "end of term review" of appointments, contracts and policies should be made to determine if any business is outstanding.

**A. STATUS OF CONTRACTS:**

Contracts do not have to expire on June 30. However, the incoming officials may cancel, change or acknowledge the existing agreements.

This means you should clean up documentation of your actions; and complete any business you don't want left to the next board's discretion.

**B. STATUS OF OFFICERS AND OTHER APPOINTMENTS:**

Section 25-1-7 and 25-1-1 authorize an officer to continue in office until a successor is appointed (or elected). Section 25-1-37 makes the acts of an officer in possession of an office valid, even if he/she does not legally hold the office. This means the current appointed officers and employees continue with their duties as currently assigned; until the new board takes an official action to make a change.

An incoming board should have a list of who does what, and the source of their authority. This means the list should provide the names, titles (duties), and minute book reference to the order granting the authority.

**4. INCOMING OFFICIAL'S ISSUES:**

A new set of elected official exist at the beginning of a term of office, even if the same people are reelected. This means each member must take a new oath of office and where required post a new bond. A review of the status of municipal affairs should be made to assure proper and legal continuation of municipal services. This review should at a minimum include the following areas of responsibility.

**A. OFFICERS AND EMPLOYEES STATUS:**

**(1) APPOINTMENT OF OFFICERS:**

New officer appointments should be made at the beginning of each term of office, even if the same person is being reappointed.

Officers are Statutory Positions with Official Duties.

Most officer positions are required to be filled by state law (note the use of the word "shall" in the appointment laws).

Failure to appoint someone to a mandatory position could result in liability of the appointing authority for failure to perform its duties (Sec. 25-1-45). For example, if a city clerk is not appointed and money is lost during the period of vacancy, the board could be liable. Note: there is no provision for an "Acting" officer; an appointment is absolute, even if it is intended to be for a short period of time.

Section 21-3-17 requires the mayor and clerk to sign all appointments and approve all bonds.

**List of Appointed Officers (Code Charter):**

City Clerk, Police Chief, etc.:	Sec. 21-3-5
Special Appointments:	
√Municipal Judge:	Sec. 21-23-3
√Prosecuting Attorney:	Sec. 21-23-3
√Court Clerk: (is city clerk or may be police chief or other)	Sec. 21-23-11
√Fire Marshall: (may be mayor, police chief or board member)	Sec. 21-25-1
√Street Commissioner (may be board member):	Sec. 21-3-5
Chief Administrative Officer:	Sec. 21-3-25
√Police Officers (by board):	Sec. 21-21-3
√Police Officers (by mayor):	Sec. 45-5-9

**(2) APPOINTMENTS OF EMPLOYEES TO LEGALLY ASSIGNED OR DELEGATED RESPONSIBILITIES:**

**DEPARTMENT HEAD APPOINTMENTS:**

Most important of assigned duties is the appointment of Department Heads. This is to make clear who is responsible for each budgeted department, and who is liability if the department's budget is exceeded (budget liability law Sec. 21-35-17).



Some department heads are determined by virtue of being an elected or appointed officer. For example, the chief of police and city clerk are the heads of their respective departments [see Budget Section I in the Municipal Audit and Accounting Guide (MAAG) <http://www.osa.state.ms.us/downloads.htm> ].

**OTHER ASSIGNED OR DELEGATED DUTIES:**

State laws allow assignment or delegation of certain duties. Assuming these duties without board authorization may create questions of legal authority and liability.

**Travel** : Who may authorize travel and travel advances – Sec. 25-3-41 and MAAG

**Petty Cash**: Who may have a petty cash fund and for what purpose – Sec. 7-7-60 and MAAG

**Purchasing Law**: Who may authorize emergency purchases, contact changes, use state contracts, accept quote offers, approve specifications and advertising, etc. – Sec. 31-7-13 and "Purchase Law Summary" at

<http://www.osa.state.ms.us/downloads.htm>

**Contracting**: Who may enter contracts, how will claims be verified (purchase orders, etc.), etc. – Sec. 25-3-43

**Leave**: Who may authorize leave - Sec. 25-11-103 (h)

**Overtime**: Who may authorize overtime – Sec. 21-3-5

**(3) REVIEW OF EMPLOYEES DUTIES:**

While employees may not have statutory duties, their functions may be essential to the continuation of municipal services. A determination should be made that public safety, health and other functions of municipal government are not compromised. For example, outgoing elected officials (such as a mayor) may have been performing additional work (department head or task) the new official does not intend to continue.

## **B. STATUS OF POLICIES AND PROCEDURES:**

A review of all municipal policies and procedures should be made. With the start of the new term of office, the incoming officials become responsible for the activities (or failure to act) of the municipality. Determination should be made regarding what has to be done, how things are done, and that they are done legally.

[Note: Just because something has "always been done that way" does not mean the procedure is best or legal.]

### **RECOMMENDED POLICIES AND PROCEDURES TO REVIEW:**

- (1) **Board Meeting Procedures**  
How are motions made, how are votes taken, may the public speak, what detail is recorded in the minutes, who approves the minutes per Sec. 21-15-33, etc.
- (2) **Purchasing and Contracting Procedures**  
Who may contract/purchase, how is the contract (purchase order, etc.) documented, who may declare emergency purchases, etc.
- (3) **Employee Personnel Policy**  
How leave is earned and used, what holidays are paid and who works on holidays, how hourly pay is documented, how are employees hired and fired, etc.
- (4) **Claim Verification Procedure**  
(1) Does the city owe this claim? (2) Who contracted the bill?  
(3) Were the services received? (4) Were purchase laws followed?  
(5) Is the payment within the budget, etc.
- (5) **Budget Procedure**  
Do procedures follow state law (Miss. Code, MAAG, etc.), who prepares a budget, do departments know what information to provide, who works out a timing schedule for publications and hearing, who calculates the necessary tax levy, etc.
- (6) **Disaster Procedures**  
Has the MEMA plan been adopted, who does what, are there contact points, where are resources available, are FEMA assistance requirements understood, what state laws have to be followed, etc. See "Emergency Accountability Plan for Local Governments" under downloads at the State Auditor's web site: [www.osa.state.ms.us](http://www.osa.state.ms.us)

**(7) No Policy?????**

If the legislative branch (the board) fails to adopt procedural policies, the executive branch (mayor, other officers) should develop these policies (in writing). Policies of authority must be board authorized.

**(8) Form and Understanding of Policies**

All policies should be in writing, distributed to those affected, and those affected should sign an acknowledgment of receipt and understanding.

**5. TRANSFER OF RESPONSIBILITY:**

**PERSONAL PROPERTY - CONDUCT AN INVENTORY:**

An inventory of municipal property should be made at the end of the term of office. Should property be missing or misrepresented in the records, this inventory will document when the problem happened (which term); and allow the current board an opportunity to officially address the problem. [May hire CPA to advise and observe].

**CASH - CONDUCT CASH COUNTS AND RECEIPT CUT OFFS:**

All cash should be accounted for by official cash count at the end of the term of office. The last receipt issued should be documented for verification. As with other property, this is a verification that the cash was or was not there at the end of the term [May hire CPA to advise and observe].

**6. CLEAN UP THE LOOSE ENDS – OUT GOING OFFICIALS:**

**You cannot fix a problem after you leave office, so do it now.**

Prepare documents that were over looked. Authorizations, appointments, etc. found by the "end of term review" to not be properly documented.

"Nunc Pro Tunc" is a legal term that means "now for then".

This term is used in Attorney General's opinions describing the authority of a board to clarify prior actions. An example of a Nunc Pro Tunc opinion is Opinion No. 94-0066 and may be found at the Attorney General's web site at [www.ago.state.ms.us](http://www.ago.state.ms.us) . This type order should be used by the outgoing board to clarify any actions or policies that may be misinterpreted after its term of office has ended.

**7. STATUS REPORT – OUT GOING OFFICIALS:**

It is highly recommended that the out going officers prepare a "status report" for the incoming officers. This report should provide necessary information for a smooth transition. The report should document understandings regarding the issues suggested in this material, and address any other outstanding activities of the municipality.

The "end of term review" should be helpful as a source of information (employee duties, etc.) to develop and support the "status report".

**8. INDEPENDENT VARIFICATIONS AND RECOMMENDATIONS:**

Before the term ends the out going board may contract with CPAS, attorneys or others to verify inventories, cash or other status statements.

After the new term begins, the incoming board may also contract with CPAs to conduct other audit verifications. The new board may also contract with any qualified person to develop recommendations for future actions (such as personnel policies).

**9. OFFICE QUALIFICATION – INCOMING OFFICIALS:  
[Official Bond and Oath of Office]**

Incoming officials must take the oath of office prior to the date he/she is to take office. Sec. 268, Ms. Constitution provides the oath of office, and Section 11-1-1 list who may administer an oath of office (includes a mayor).

Some incoming officers must also post official bonds. Section 25-1-15 presents the language of official bonds; and requires they be for the whole term of office. Section 25-1-19 requires bonds be approved by the governing authority and filed in the office of the municipal clerk.

The following list provides bond requirements for most municipalities. Other requirements may apply to special charter municipalities and officers in other positions.

**Board or Council Members (Sec. 21-17-5)**

- Lesser of \$ 100,000 or 5 % of Tax Collections

**Officers and Employees Handling Money**

- see statutes governing the form of government  
(i.e., Section 21-3-5 for Code Charter, Sec. 21-8-23 for Mayor Council,  
Sec. 21-9-21 for Council Manager and Charter for Special Charter)

**Municipal Clerk, City manager, Administrator, Chief Financial Officer  
(Section 21-15-38)**

**Deputy clerk (Section 21-15-23)**

**Chief of police (Section 21-21-1)**

**Deputy police (Section 45-5-9)** (if hired under this law)

**Mayor – No Bond Requirement**

The new board should be aware that their oath and bond commits them to faithfully perform their duties subject liability upon their bond. They should be prepared to show they made a "Faithful Performance" effort to learn their duties.

**10. TRAINING – INCOMING OFFICIALS:**

The incoming board and officers (mayor, city clerk, police chief, fire chief, etc.) should be aware of their training opportunities and obligations. For example, Judicial College Training is required for court personnel and the municipality is prohibited from paying a court clerk whose training certification is not filed on the board's minutes (Sec. 21-23-12). Training is also required for law enforcement officers (Sec. 45-6-11).

- a. **Mississippi Municipal League** – offers training at conferences and conducts a Certified Municipal Officer program.
- b. **Center for Governmental Technology, MSU** – provides a Certified City Clerk program, and occasional designed training (new officials, etc.).
- c. **Miss. Association of Governmental Purchasing and Property Agents** – offers training for purchasing and property officers.
- d. Miss. Judicial College, University of Miss. – Trains court personnel.
- e. **Miss. Dept. of Insurance** – Trains fire fighters.
- f. **Board on Law Enforcement Officer Standards and Training** – establishes required training for law enforcement officers.
- g. **Other State Agencies – State Treasurer, Secretary of State, Dept. of Natural Resources, Health Dept., State Auditor, Attorney General, etc.** – offer training as required by law of need.
- h. **Other sources of Training** - (CPA firms, municipal organizations, federal government, etc.) also offer training beneficial to municipal personnel.
- I. **The State Auditor's Office** – may sponsor training programs and participates in programs sponsored by other.

## **11. TRAVEL AND EXPENSE AUTHORIZATION – INCOMING OFFICIALS:**

The out going board may authorize training for incoming elected officials [Sec. 21-17-5 (4)]. This training may occur prior to taking office. Generally, the Miss. Municipal League holds its convention in early July of an election year for the benefit of the new officials.

The new board should know its travel to the convention must be officially authorized before travel reimbursable travel expenses are incurred (Sec. 25-3-41). Page III-A1 of the State Auditor's MAAG should be reviewed for travel procedures (<http://www.osa.state.ms.us/downloads.htm>).

## 12. INCOMING BOARD'S RESPONSIBILITIES:

Incoming officials are responsible for the faithful performance of their duties (Sec. 268 oath of office), effective when they take office. Potential liability also occurs at this point (Sec. 25-1-45).

This means the incoming board should review policies and contracts in effect when they take office. This review is to assure that operations are legal, and the conditions are right for the continued operation of the municipality.

The review should result in actions to (1) acknowledge the continuation of each policy or contract, (2) make changes to their terms, or (3) terminate the contract.

The review also includes inter local agreements (such as with the county to collect taxes/redemptions), continue or stop actions authorized by local and private bills, follow through with grant and loan initiatives, and pursue/change/terminate other government contracts.

Every effort should be made to identify all interest and positions of the municipality for evaluation.

Continued practice of business as usual may result in liability.

### REVIEW AND VERIFY.





AGENDA  
CITY OF OLIVE BRANCH  
BOARD MEETING  
6:30 P.M.  
JULY 6, 2021

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TO ORDER:

*Beginning of Term  
items highlighted*

PRAYER:

ROLL CALL (Establish Quorum):

APPROVAL OF MINUTES:

1. Approve minutes of the Regular Meeting of June 15, 2021.

PUBLIC COMMENTS:

1. Mr. Darrel Berkley, on behalf of Team Adams, will present Mayor Adams with a plaque commemorating his installation as Mayor of the City of Olive Branch.

CONSENT AGENDA:

1. Travel/Training
2. Approve Initial Resolutions Granting Ad Valorem Tax Exemptions:
  - a. DMC Power, Inc.
  - b. Material Technologies Corporation
3. Approve Final Resolutions Granting Ad Valorem Tax Exemptions:
  - a. Milwaukee Electric Tool Corporation - 8735 Crossroads Drive
  - b. Milwaukee Electric Tool Corporation - 12385 Crossroads Drive
4. Approve Freeport Warehouse Exemption for Helen of Troy, L.P.
5. Appoint deputy clerks for the purpose of receiving and distributing funds.
6. Adopt order setting date and time for bid openings.
7. Approve order of the Mayor and Board of Aldermen establishing petty cash funds for various City Departments.

**AGENDA**  
**CITY OF OLIVE BRANCH**  
**BOARD MEETING**  
**6:30 P.M.**  
**JULY 6, 2021**

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8. Approve Official Bonds for elected officials, deputy clerks and other staff members of the City of Olive Branch.
9. Approve City of Olive Branch travel and training reimbursement policy.
10. Authorize Mayor, City Clerk, and the City Administrator to grant involuntary jury duty leave, Family Medical Leave, and scheduled Military duty leave.
11. Approve Order adopting Emergency Administrative Leave Policy.
12. Authorize Mayor, City Administrator, the Public Works Director and the City Engineer to make emergency purchases of commodities and repair contracts.
13. Authorize City Administrator to serve as Designated Purchasing Agent.
14. Accept prorated building permit fees from Desoto County related to Hillwood Construction/Legacy Park.
15. Authorize the Mayor and City Clerk to refund \$2,500.00 deposit to Pro-Site Construction on Street Cut Permit #2255625 for work completed relative to new sewer installation located at intersection of Bayou Drive and French Fort Drive, now that work is complete and has received satisfactory inspection.
16. Authorize the City of Olive Branch to renew software licenses for Dropbox Business software and pay all associated costs.
17. Approve renewal of membership to Mississippi Recreation and Parks Association.
18. Authorize the City of Olive Branch to accept a donation in the amount of \$25.00 from Walter & Mary Johnson designated for the Olive Branch Police Department.
19. Authorize online application and execution of all necessary agreements to request Coronavirus Local Fiscal Recovery Funds.
20. Approve facility use contract with Olive Branch Youth Football and Cheerleading League.

**AGENDA**  
**CITY OF OLIVE BRANCH**  
**BOARD MEETING**  
**6:30 P.M.**  
**JULY 6, 2021**

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21. Designate voting delegate and alternate for the 2021 election of MML President and to vote on any proposed bylaw changes during the MML Annual Summer Conference as follows:

Voting Delegate - Mayor Ken Adams  
1<sup>st</sup> Alternate - George Collins

22. Authorize the City Clerk to make the following transfers from Water & Gas Fund to the General Fund for certain services through June 29, 2021.

General Fund	\$229,718.00
Gas Fund (45652)	\$114,859.00
Water Fund (40650)	\$114,859.00

23. Authorize the Mayor and City Clerk to make necessary fund transfers to reconcile due to-due from through June 28, 2021.
24. Authorize the City of Olive Branch to renew the annual maintenance agreement with CI Technologies for IAPro Software and pay all associated costs.
25. Declare as surplus the following item with a Fair Market Value over \$1000 and grant authorization to advertise for sale at public auction on GovDeals.com in accordance with M.C.A. 17-25-25 and authorize necessary amendment to the fixed asset inventory.

**WATER MAINTENANCE**

Asset#005424Z 2009 Ford F250 vin#1FTNX20579EA62147 #9400

26. Authorize Mr. Grander Williams III, Healthy Life Transport, to obtain a Certificate of Permit to operate a Motor Vehicle for Hire in the City of Olive Branch (MS Code Ann. Sec. 21-27-131 et seq).

27. Appoint members of the Planning Commission.

28. Appoint members of the Board of Adjustment.

29. Appoint members of the Design Review Advisory Committee.

30. Appoint members of Old Towne Design Review Advisory Committee.

**AGENDA**  
**CITY OF OLIVE BRANCH**  
**BOARD MEETING**  
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31. Approve membership renewal to National Recreation and Parks Association.
32. Authorize expenditures up to \$4,000.00 for the Olive Branch Fire Department for upcoming annual events during the 2020-2021 fiscal year.
33. Approve addition to the 2020/2021 pool of Seasonal Employees for hire as determined by Parks and Recreation Director.

**PLANNING COMMISSION / OLD BUSINESS:**

1. Consideration of application for a Preliminary Plat for Allendale Subdivision, Phase 8, submitted by Joe F. Lauderdale on behalf of Robert Bailey, Looxahoma, LLC. The request is to subdivide 10.9 +/- acres into 50 lots and 3 Common Open Spaces (COS). This is the final phase of Allendale, which is located on the southwest side of HWY 178 north of the Maywood Subdivision within the R-3, Planned Residential zoning district. (File# SD21-0018) (Item tabled at meeting of June 15, 2021).
2. Public Hearing for consideration of application for a Zoning Map Amendment submitted by Gil Earhart, Earhart Enterprises Inc., on behalf of the property owner Miriam Marr Brown, requesting to rezone 2.27 +/- acres from its current zoning designation of R-1, Single Family Residential to Office District. The property is located on the north side of Goodman Road E., west of Westbranch Road and east of Parkview Blvd, known as 8720 Goodman Road E. (File# ZP21-0010) Public Hearing set for this date in meeting of June 15, 2021.

**PLANNING COMMISSION / NEW BUSINESS:**

1. Public Hearing date for consideration and action on motion declaring the condition of the following properties, to be a menace to the public health and safety, and directing either the City staff or contract labor to clean the property forthwith.

<u>Name</u>	<u>Address</u>	<u>Parcel #</u>
R S Rental I, LLC	10791 Ridgefield Dr.	1067.2616.0-00074.00
Memphis Investment		

**AGENDA**  
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Properties II, LLC	10101 Stephenson Lane	1067.3506.0-00085.00
William Alexander	7595 Stateline Rd.	1064.2000.0-00004.00
Russell K Hunt	Birdsong S/D Lot 48.1	2062.0313.0-00048.01
Mike Guynn	Lot 115.02 Alexander Pl.	1065.2231.0-00115.02
5620 Riverdale Inc.	Plantation Sec. A Lot 1	1065.1500.0-00002.02
Home SFR Borrower III, LLC	10734 Pecan View	1067.2627.0-00040.00
Tito's Auto Sales, LLC	9095 Yahweh Dr.	1064.1801.0-00003.00
Luther R & Lucie P Farris	10590 French Fort	2061.1101.0-00072.00
Melonie Hamm	4225 Faber Rd.	2061.1114.0-00102.00
Memphis Investment Properties II, LLC	6044 Humphrey Dr.	1069.3204.0-00001.00
Mittie M Taylor	6179 McNeil	1069.3200.0-00004.02
Manvir & Hardip Singh	Lot #6, Hwy 178	1067.3500.0-00006.00
Mark Allen McGee	Lot 21 Shakhoka Lake	1069.2901.0-00021.00
Mark Allen McGee	Lot 22 Shakhoka Lake	1069.2901.0-00022.00
Fox Creek Homeowner's Assoc.	Lot 116 (Walking Trail)	1059.3005.0-00116.00
American Homes 4 Rent Property 7, LLC	7413 Fox Creek Dr.	1059.3007.0-00179.00

**NEW BUSINESS:**

1. Consideration of Appointment of Mayor Pro Tempore.
2. Consideration of recommendation to approve agreement with Fisher & Arnold in an amount not to exceed \$26,290.00 for design and CE&I services for two (2) booster pumps to be placed at the Craft Road water tower.
3. Consideration of approval of Engineering proposal from Neel-Schaffer to provide design and CE&I services for the proposed North Pleasant Hill Water Plant Upgrades.

**EXECUTIVE SESSION:**

1. Personnel matter in the Ambulance Department  
*Consideration of recommendation for potential new hire.*
2. Personnel matter in the Gas Billing Department  
*Consideration of recommendation for potential new hire.*

**AGENDA**  
**CITY OF OLIVE BRANCH**  
**BOARD MEETING**  
**6:30 P.M.**  
**JULY 6, 2021**

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3. Personnel matter in the Park Department  
*Consideration of recommendation for employee transfers and salary changes.*
4. Personnel matter in the Fire Department  
*Consideration of recommendation for employee disciplinary action.*
5. Personnel matters in various departments:  
*Consideration of recommendation for appointments:*
  - City Clerk
  - Deputy City Clerk
  - Chief of Police
  - City Attorney
  - Municipal Court Personnel
6. Personnel matters in the Administration Department  
*-Discussion regarding various positions*

**NEW BUSINESS (cont.):**

4. Ratify headcount report.

**CLAIMS DOCKETS:**

1. Warrant report #0706ELECT, dated 07/01/2021, 7 invoices totaling \$2,377.60.
2. Warrant report #070621UT, dated 06/30/2021, 113 invoices totaling \$10,852.31.
3. Warrant report #07062021, dated 07/02/2021, 411 invoices totaling \$1,394,322.34.
4. Warrant report #070621AT, dated 07/06/2021, 8 invoices totaling \$8,383.53.
5. Warrant report #070721, dated 07/06/2021, 125 invoices totaling \$647,838.02.
6. Warrant report #070621FX, dated 07/06/2021, 1 invoice totaling \$40.24.