

Town of Taylor Minutes of the Mayor and Board of Aldermen
Regular Monthly Meeting on July 7, 2015

Be it remembered that the Mayor and Board of Aldermen of the Town of Taylor, Mississippi, met in a Regular Meeting at the Town Hall on this the first Tuesday, the seventh day of July, 2015, at 7:00 p.m., with the following officers and members present, constituting a legal quorum to-wit:

Mayor Jim Hamilton; Aldermen: Tim Bridges; Ellen Meacham; Jimmie Willingham; Courtney Covington; and Clerk Richard Williams. Alderman Betty Kisner was absent.

AT&T Mississippi representatives Gunner Goad and Seth Bagwell attended.

The meeting was called to order by Mayor Hamilton, and the following business was had and done to-wit:

Adopt Agenda: Alderman Willingham moved to adopt the meeting agenda; the motion was duly seconded by Alderman Meacham and passed unanimously.

Approve Prior Meeting Minutes: Alderman Covington moved that the minutes for the June 2, 2015, meeting be approved; the motion was seconded by Alderman Bridges, and passed unanimously.

Approve Current Claims Docket: Alderman Bridges moved to approve the Docket of Claims dated July 7, 2015; the motion was duly seconded by Alderman Covington and passed unanimously.

Town Clerk's Report:

Lafayette County Road Report: Clerk Williams said that Lafayette County reported that they had Mowed grass on Old Taylor Road, Old River Road and First Street and had fixed a "wash" on Tin Can Alley in June.

Planning Commission Report:

Taylor Planning Commission
Report to the Mayor and Board of Aldermen
July 7, 2015

Clerk Williams reported that a quarterly Planning Commission meeting was held June 30, 2015. Administrator Barber was unable to attend.

Assistant Administrator Williams reported that the Lafayette County Fire Department had submitted an Application for Design Review for a proposed gravel parking lot on the west side of the Taylor Fire & Water building. Administrator Barber had emailed his Design Review Report which states that the application is in order. Mr. Barber's report said the lot would not require screening landscape being at the rear of the building. Actually, the lot is to be at the west side of the building. Jerry Johnson, Lafayette County Fire Coordinator, stated the county would provide and plant appropriate trees for screening along the northern edge of the lot. The commission voted to approve the application.

The commission voted for officers: Larry Wills will continue as chairman; Edey Conkerton was re-elected as Vice-Chairman; and Sue Cook will continue as Secretary.

A building permit was issued for a new residence at 723 Old Taylor Road and a "Use Permitted on Appeal" application was received from Plein Air for an August 15th concert. It will be considered at Public Hearing at the July 28th Planning Commission meeting.

The "Design Standards" appendix to the Planning and Development Code Ordinance did not get updated with the main document. The updated (ie. "Village" to "Town") appendix will be put on the website along with the ordinance.

Respectfully submitted,
Richard Williams, Assistant Administrator
Taylor Planning Commission

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Old Business: None.

New Business:

AT&T Mississippi Request for Fiber Optic Installation Permit:

AT&T Mississippi representative Seth Bagwell had requested official permission from the board of Aldermen to construct and install an underground fiber optic cable network along and under the rights of way of the streets and roads in Taylor. He provided detailed drawings and plans for the project which will provide "high speed" internet service, telephone service, and television service utilizing AT&T's "U-Verse" technology. Clerk Williams stated that the Taylor Preservation and Development Code Ordinance did not address this type of permit request. The Town does have franchise agreements with North East Mississippi Electric Power Association and with CenterPoint Energy (Natural Gas) Company, but he could find no requirements for the telephone utility provider to have such a franchise arrangement with the Town. Gunner Goad, also with AT&T Mississippi presented a printed set of Mississippi Attorney General's opinions which indicate the AT&T is not required to enter new franchise agreements with municipalities to construct and install a fiber optic communication network on public rights of way. Mr. Goad indicated that AT&T Mississippi did wish to have an officially approved permit for their proposed fiber optic project. Clerk Williams presented a copy of a form used by Lafayette County for approval of utility projects on county rights of way. He said the form could be modified for use as an agreement and permit for the Town of Taylor. Alderman Bridges moved that the Board of Aldermen order the approval of an agreement and permit with AT&T Mississippi the mirrors the physical requirements made by the Lafayette County for placement of utility facilities upon or under their rights of way. Alderman Willingham duly seconded the motion. The vote on the motion for the order was:

Alderman Bridges, Yes; Alderman Willingham, Yes;

Alderman Covington, Yes; Alderman Meacham, No,

therefore the motion for the order carried by majority vote. Clerk Williams was directed to modify the permit application used by Lafayette County to reflect AT&T Mississippi as applicant and the Town of Taylor governing authority. Mr. Williams is to contact Mr. Bagwell to provide him with the modified permit application and then, acting as the Building Official for the Town, approve the application for permit when it is signed by the appropriate AT&T Mississippi representative. The Application and Permit is attached to these minutes.

Proposed Growth Plan Study:

Mayor Hamilton stated that Campbell McCool of Plein Air had asked if the Board of Aldermen would commission a "Growth Plan Study" for the Town to be provided by the Orion Planning Group. After discussion the Board agreed that a sample of such a study should be requested from Orion for review of the possible benefits to the town at the next Board of Aldermen meeting. Clerk Williams will contact Orion and ask for such a sample and send it to each alderman and the Mayor if it is available.

Mayor's Report: Mayor Hamilton asked if there were any requests or ideas for inclusion the 2016 Fiscal Year Budget. He said that the disbursements for the current year would be similar to next year's requirements. The town hall addition is mostly complete and the few items left to do should be finished by October. Alderman Covington mentioned that the public storm shelters provided by Lafayette County had not been adequate to hold residents during recent storm threats. She asked if the Town could provide additional shelter space. Mayor Hamilton said there were the two shelters behind the firehouse and two shelters at the community center, all provided by the county. He will check on availability of more shelter space.

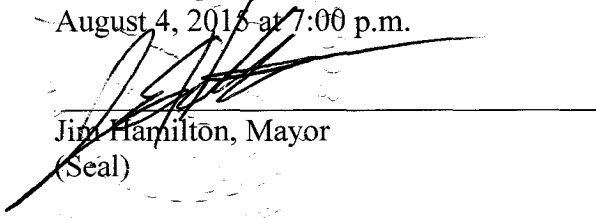
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Mayor Hamilton reported that MDOT had said that the town could request that they set up a three way stop arrangement at Main Street (State Highway 733) and Cut Off Road. The aldermen agreed that it would be a good idea.


Mayor Hamilton mentioned that since Plein Air moved the boulders from its property at the southeast corner of Main Street and Cut Off Road, traffic was cutting the corner and driving on the sidewalk when turning east of Cut Off. He said some sort of pylons may be needed at that corner to discourage this.

Public Comment: None

There being no further business, the meeting was adjourned until the next meeting, scheduled for Tuesday, August 4, 2015 at 7:00 p.m.



Jim Hamilton, Mayor
(Seal)



Richard Williams, Clerk

Attachment of AT&T Application and Permit follows:

**Town of Taylor Minutes of the Mayor and Board of Aldermen
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**APPLICATION and PERMIT FOR A USE AND OCCUPANCY AGREEMENT
FOR THE CONSTRUCTION OF A UTILITY FACILITY ALONG AND UNDER
THE STREETS AND ROADS WITHIN THE INCORPORATED LIMITS OF THE
TOWN OF TAYLOR, COUNTY OF LAFAYETTE, STATE OF MISSISSIPPI**

AT&T Mississippi (hereinafter called "**Applicant**"), 453 Highway 6 West, Oxford, MS, 38655, proposes to construct and install a **Fiber Optic Cable Utility Facility** (hereinafter called "**Facility**"), identified with their Project Authorization Number 57X00812N, along and under the various **STREETS AND ROADS RIGHTS OF WAY** within the Town Limits of Taylor, in Lafayette County, Mississippi and hereby makes application to the **Town of Taylor** (hereinafter called "**Town**"), 12 Main Street, PO Box 6, Taylor MS 38673, for the construction permit. Attached hereto are drawings and plans for the construction, which will not be changed or altered without approval of the Board of Aldermen, or its authorized representative.

Whereas, the Legislature of Mississippi has heretofore granted to the Applicant the right to locate its facilities upon, across, under, over and along public highways and streets within the State of Mississippi.

The Applicant agrees to comply with applicable provisions of the **Policy for the Accommodation of Utility Facilities within the Rights-of-Way of Municipal, County, Federal Aid and State Aid Highways** (hereinafter referred to as the "**Policy**"), promulgated by the State Aid Engineer and dated January 1, 1983, and which is hereby made a part of this Application and Permit, and agrees to perform the construction according to the applicable industry code and according to the drawings or plans approved for the Facility.

The Applicant shall be responsible for future maintenance and repair of the Facility. The Applicant shall at no cost to the Town, remove, relocate, adjust and/or change said Facility when required, or make future adjustments in, or relocate, the Facility located within streets or roads rights of way when required for roadway improvement, widening or other roadway construction. Further, any maintenance, repair, or construction shall be done in such a manner as to occasion the least possible interference with the normal flow and safety of traffic.

A general description of the size, type, nature, and extent of the Facility work to be done is as follows:

Construction and installation, by way of horizontal boring, of an underground network of fiber optic communication cables for the purpose of providing to residents and businesses of the Town "high speed" internet services, internet based telephone services, and/or television; construction and installation of associated control structures and devices on and along the affected rights of way.

The Applicant understands and agrees that, except as herein specifically granted, no right, title, claim or easement to said road right-of-way is granted by the issuance of this permit and that if this Facility is not placed within the allowable horizontal and vertical limits as listed in the general provisions of the Policy, it will be adjusted to comply with same without cost to the Town, unless the variance from the Policy has been approved by the granting of the Permit pursuant to this Application.

The Applicant further understands that the utility's engineering, plant, or other personnel will be responsible for the staking and construction supervision of the work set out above and as shown on the attached plans.

The applicant hereby agrees to the following stipulations:

- (1) All cables, structures and devices will be located on the back slope of the ditch or within 5.0 feet of the designated right-of-way line, so as not to interfere with routine maintenance of the street or road;
- (2) No cables, structures or devices will be placed in the shoulder of the road or the fore slope of the ditch without special permission by the Lafayette County Engineer. Each location will be reviewed as needed;
- (3) Road crossing shall be bored under paved road in appropriate casing;
- (4) All other cables, structures or devices not located within the streets or roads rights of way shall be located only in easements granted to Applicant by the appropriate land owner.


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The Town by approving this Application and Permit hereby agrees to the following stipulations:

- (1) To cooperate with the Applicant in every way to avoid conflicts in the locations, construction, and maintenance of the Town Streets/Roads and the Facility;
- (2) To use any and all legal means to see that Policy Standards, except to the extent of any variance shown on the plans filed herewith and approved, are complied with in the Facility installation;
- (3) If the Building Official or other authorized representative of the Board of Aldermen approves the drawings, sketches, and plans submitted by the Applicant, he shall so indicate by signing and dating the Permit Approval at the end of this Application, and the Applicant may proceed with the installation; if the drawings, sketches, and plans are not approved, he shall promptly notify the Applicant, and advise it of the reason or reasons. The Building Official will also act as the duly appointed representative of the Board of Aldermen and will give his approval to the completed work as being in compliance with the location and standards shown in the Policy and in this Agreement for the installation;
- (4) Should any term or provision of this Agreement conflict with the law of the State of Mississippi, the Mississippi Constitution, or the United States Constitution, or impair or deny to the Applicant or the Town any right protected thereby, it shall be deemed amended to conform to said law of Constitution.

WITNESS the signature of the Applicant this the 9th day of July, 2015.



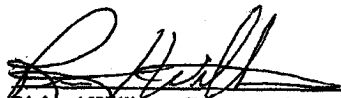
Seth Bagwell, AT&T Mississippi, Mgr OSP Png & Engrg Design
Oxford, MS (662-236-1491)

PERMIT APPROVAL

BY ORDER OF THE BOARD OF ALDERMEN of the Town of Taylor, Mississippi, spread on their Meeting Minutes dated the 7th day of July, 2015:

The permit for the installation of the utility facility described and applied for above is granted.

Approved this the 9th day of July, 2015.



Richard Williams, Town Clerk and Building Official
Taylor, MS (662-236-7551)

SEAL