

MONDAY, OCTOBER 6, 2008

BE IT REMEMBERED that the Lauderdale County Board of Supervisors began and held its regular October meeting at 9:00 a.m., Monday, October 6, 2008 at the Raymond P. Davis County Annex Building in Meridian, Mississippi, with the following members present: Mr. Ray Boswell, President of the Board of Supervisors and Supervisor of District Five, Mr. Hank Florey, Supervisor of District One, Mr. Wayman Newell, Supervisor of District Two, Mr. Craig Hitt, Supervisor of District Three, and Mr. Joe Norwood, Supervisor of District Four.

Also present were Ms. Carolyn Mooney, Chancery Clerk and Clerk of the Board of Supervisors, Mr. Mike Sumrall, County Administrator, Mr. Neal Carson, County Engineer/Road Engineer, and Mr. Rick Barry, Board Attorney.

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Sheriff Billy Sollie called the October, 2008 meeting to order.

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Prayer was offered by Supervisor Craig Hitt.

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All persons in attendance recited the Pledge of Allegiance to the Flag of the United States of America.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to approve the "Agenda" for even date, with amendments as follows, was passed unanimously.

BOARD MEETING AGENDA  
LAUDERDALE COUNTY BOARD OF SUPERVISORS  
MONDAY, OCTOBER 6, 2008 – 9:00 A.M.

1. Meeting called to order.
2. Prayer given by Supervisor Craig Hitt.
3. Pledge of Allegiance to the Flag of the United States.
4. Approval of Agenda for even date.
5. Approval of minutes dated September 2<sup>nd</sup>, 11<sup>th</sup>, & 15<sup>th</sup>, 2008.
6. Proclamation: Declaring October as National Arts and Humanities Month  
Kris Gianakos, President Meridian Council of the Arts  
Present to Connie Royal, Executive Director Meridian Council for the Arts
- 6a. Proclamation: Declaring October as Domestic Violence Month  
Present to Leslie Payne with Care Lodge
7. Jimmy Slay, Tax Assessor:
  - A). Petitions for reduction and/or change of assessment.
  - B). Other matters for general good and welfare.
8. Stanley Shannon, Tax Collector
  - A). Insolvent Rolls
9. Staff Reports
10. Other matters for general good and welfare.
11. Actions from Supervisors.
12. Executive session, if needed.
13. Recess until Monday, October 20, 2008 at 5:00 P.M.

AMENDMENTS:

COUNTY ADMINISTRATOR'

- 1) Approval of Audit Proposals.
- 2) Approval of Application for Grant for Hurricane Gustav related expenses.

(See pages \_\_\_\_\_ through \_\_\_\_\_ of these minutes.)

SO ORDERED, this October 6, 2008.

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A motion by Supervisor Joe Norwood, seconded by Supervisor Craig Hitt, to approve the Resolution declaring October as National Arts and Humanities month, with a reading and presentation to Ms. Connie Royal, Executive Director Meridian Council of the Arts, and Kris Gianakos, President, Meridian Council for the Arts, was passed unanimously

SO ORDERED, this October 6, 2008.

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A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to approve the Resolution declaring October as Domestic Violence Month, with a reading and presentation to Leslie Payne of Care Lodge, was passed unanimously.

SO ORDERED, this October 6, 2008.

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Upon recommendation of Jimmy Slay, Lauderdale County Tax Assessor, a motion by Supervisor Joe Norwood, seconded by Supervisor Hank Florey, to adopt the attached petitions for reduction and/or change of assessment and notices to increase the assessment of real/personal property, for the reasons set forth and as further described on attachments hereto, was passed unanimously.

(See pages \_\_\_\_\_ through \_\_\_\_\_ of these minutes.)

SO ORDERED, this October 6, 2008.

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A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to accept the Insolvent Lists as presented by the Lauderdale County Tax Collector, Stanley Shannon, to the Board of Supervisors for 2007 Insolvent Taxes for personal property; and the 2008 Insolvent Taxes for Mobile Homes, was passed unanimously.

(See pages \_\_\_\_\_ through \_\_\_\_\_ of these minutes.)

SO ORDERED, this October 6, 2008.

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Chancery Clerk Carolyn Mooney submitted for inclusion in the minutes the public notice, as posted on the bulletin board on the first floor of the Raymond P. Davis County Annex Building, advising of the date and time of this meeting, pursuant to Section 25-41-13, Mississippi Code of 1972.

(See page \_\_\_\_\_ of these minutes.)

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A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to approve inclusion in the minutes the certification from Sheriff Billy Sollie that 26,345 meals were served in the Lauderdale County Detention Facility during the months of August, 2008; and to authorize the Board President to sign the necessary paperwork, was passed unanimously.

SO ORDERED, this October 6, 2008.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to approve the claims docket for October, 2008; and to authorize the Chancery Clerk to issue warrants therefore, was passed on a vote of three (3) to two (2). Supervisor Hank Florey voted aye; Supervisor Wayman Newell voted aye; Supervisor Ray Boswell voted aye; Supervisor Craig Hitt voted nay; and, Supervisor Joe Norwood voted nay.

(See pages \_\_\_\_\_ through \_\_\_\_\_ of these minutes.)

SO ORDERED, this October 6, 2008.

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A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to approve the request by Justice Court Administrator, Darlene Jones, for her clerks, Victoria Nealy and Tierra Carr to attend the 2008 PTS Users Conference in Tunica, MS on October 14-16, 2008. The cost will include 4 days per diem at \$144.00 each (total \$288), Registration \$325 each (total \$650.00), and three nights motel at \$194.70 each (total \$389.40). The motion was passed unanimously.

SO ORDERED, this October 6, 2008.

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A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to approve and include in the minutes Construction Change request #2 for payment to Davidson Hauling on the Call Center Access Road Project which will reduce the project by \$1,704.98, was passed unanimously.

(See pages \_\_\_\_\_ through \_\_\_\_\_ of these minutes.)

SO ORDERED, this October 6, 2008.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to approve the request to install fencing at Richard May Park, per quotes received as follows:

Holmes Discount Fence	\$2,145.00
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United Fence Company	\$1,875.00
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The motion was passed unanimously.

SO ORDERED, this October 6, 2008.

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A motion by Supervisor Hank Florey, seconded by Supervisor Joe Norwood, to approve the request for Board members and County Administrator to attend the MAS Fall Convention in Vicksburg, MS, October 20-22, 2008. Cost will include per diem of \$31.00 per day; registration, and lodging, was passed unanimously.

SO ORDERED, this October 6, 2008.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to approve the request for Mr. Reuben Little to attend Train the Trainer Seminar on September 26<sup>th</sup> in Clinton, MS. Per diem \$31.00; lodging \$107.91; and travel \$131.04. This request was originally approved in September but for Hattiesburg – since this class was full, he had to attend the class in Clinton, MS. The motion was passed unanimously.

SO ORDERED, this October 6, 2008.

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A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to authorize the County Administrator, Mike Sumrall, to sign grant application that will reimburse Lauderdale County for Hurricane Gustav related expenses, was passed unanimously.

SO ORDERED, this October 6, 2008.

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A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to accept proposals for auditors for Lauderdale County, as follows:

Rea, Shaw, Giffin & Stuart, LLP of Meridian	\$59,615
Watkins, Ward, & Stafford of Philadelphia	\$53,875
Williams, CPA of Ridgeland (like to be included in process)	
Fortenberry & Ballard of Brandon	\$42,000
Breaziel, Sandrers, & O'Neill of Jackson	\$58,300

The motion was passed unanimously.

SO ORDERED, this October 6, 2008.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to place in the minutes a petition by residents of 50<sup>th</sup> Street, in the Dale Manor Subdivision, for road resurfacing, was passed unanimously.

SO ORDERED, this October 6, 2008.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to replace a buried fiber optic telecommunications cable along Clarkdale Road in Lauderdale County, AT&T Project No. 87M0079N, was passed unanimously.

SO ORDERED, this October 6, 2008.

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A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to approve the request by LEMA Director, David Sharp, to attend the Mid-Winter EMA Conference in November. Lodging and five meals - \$295.00 and one day of per diem is being requested. Funds for this travel are in the budget. The motion was passed unanimously.

SO ORDERED, this October 6, 2008.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to approve the request to purchase a badge maker which will allow LEMA to make badges for first responders to emergencies, at a cost of \$9,973.26 from I.D. Group (sole source), with funds coming out of Homeland Security Grant Funds, was passed unanimously.

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SO ORDERED, this October 6, 2008.

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A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to approve the request by LEMA Director, David Sharp, to utilize EOC Enhancement monies to purchase a laminator and access cards for VFD chiefs, in the amount of \$2,500, was passed unanimously.

SO ORDERED, this October 6, 2008.

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Sheriff Billy Sollie submitted the following personnel/payroll changes for inclusion in the minutes:

- 1) Effective September 16, 2008, Shirlonda Jackson has resigned as Detention Officer.
- 2) Effective September 16, 2008, John Falgout has resigned as Deputy Sheriff.
- 3) Effective September 29, 2008, Kenneth Wilbourn has resigned as Deputy Sheriff.

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A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to approve the request to purchase medical equipment in the amount of \$2,083.40 for the Detention Facility, was passed unanimously.

SO ORDERED, this October 6, 2008.

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A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to adopt the RESOLUTION AUTHORIZING THE SALE OF PROPERTY TO ST. PATRICK SCHOOL, INC. AND AUTHORIZING THE EXECUTION OF A BUY/SELL AGREEMENT, was passed unanimously.

(See pages \_\_\_\_\_ through \_\_\_\_\_ of these minutes.)

SO ORDERED, this October 6, 2008.

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A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to adopt the RESOLUTION EXPRESSING THE INTENT OF THE BOARD OF SUPERVISORS TO SET A PUBLIC HEARING TO CONSIDER AN ORDER SETTING FEES TO COLLECT OR DEFRAY COST OF SERVICES AS TO GARBAGE COLLECTION AND/OR DISPOSAL SYSTEM IN LAUDERDALE COUNTY, with an amendment by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to set garbage fees at \$60 for those that have been exempt in the past, and \$120 for those that did not have an exemption, failed to pass by a vote of three (3) to two (2). Supervisor Hank Florey voted nay; Supervisor Wayman Newell voted nay; Supervisor Ray Boswell voted nay; Supervisor Craig Hitt voted aye; and, Supervisor Joe Norwood voted aye.

SO ORDERED, this October 6, 2008.

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A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to adopt the RESOLUTION EXPRESSING THE INTENTS OF THE BOARD OF SUPERVISORS TO SET A PUBLIC HEARING TO CONSIDER AND ORDER SETTING FEES TO COLLECT OR DEFRAY COST OF SERVICES AS TO GARBAGE COLLECTION AND/OR DISPOSAL SYSTEM IN LAUDERDALE COUNTY, increasing the fee from \$60 to \$100 per year and to eliminate all partial conditional exemptions, with the hearing set for October 30, 2008 at 11 A.M., was passed on a vote of three (3) to two (2). Supervisor Hank Florey voted aye;

Supervisor Wayman Newell voted aye; Supervisor Ray Boswell voted aye; Supervisor Craig Hitt voted nay; and, Supervisor Joe Norwood voted nay.

(See pages \_\_\_\_\_ through \_\_\_\_\_ of these minutes.)

SO ORDERED, this October 6, 2008.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to adopt RESOLUTION AND ORDER AS TO CLARKDALE COMMUNITY RECREATIONAL ASSOCIATION, INC., for the purpose of donating property to Lauderdale County for the purpose of recreational facility, was passed unanimously.

SO ORDERED, this October 6, 2008.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to adopt RESOLUTION AND ORDER AS TO WEST LAUDERDALE YOUTH ASSOCIATION, INC., for the purpose of donating property to Lauderdale County for the purpose of recreational facility, was passed unanimously.

SO ORDERED, this October 6, 2008.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to accepting letter from the U.S. Department of Justice as to moving precincts, District 1, Precinct 127 Bailey, and District 2, Precinct 202-2 Meridian High School, was passed unanimously.

SO ORDERED, this October 6, 2008.

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A motion by Supervisor Crag Hitt, seconded by Supervisor Hank Florey, to adopt RESOLUTION AUTHORIZING AND DIRECTING THE CONDEMNATION OS CERTAIN REAL PROPERTY AND/OR IMPROVEMENTS LOCATED IN THE SOUTHEAT ¼ OF SOUTHWEST ¼ OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 14 EAST, LAUDERDALE COUNTY (DUNN'S FALLS), MISSISSIPPI, OWNED BY JANET WHITE JOHNSON, ET AL., was passed unanimously. Supervisor Wayman Newell abstained from voting and left the Board Room during the discussion.

(See pages \_\_\_\_\_ through \_\_\_\_\_ of these minutes.)

SO ORDERED, this October 6, 2008.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to approve the APPLICATION OF GREATER MERIDIAN HEALTH CLINIC, INC., FOR AD VALOREM TAX EXEMPTION PURSUANT TO SECTION 27-31-1(d) AND OTHER APPLICABLE SECTIONS OF THE MISSISSIPPI CODE OF 1972, AS AMENDED, was passed unanimously.

(See pages \_\_\_\_\_ through \_\_\_\_\_ of these minutes.)

SO ORDERED, this October 6, 2008.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to enter into a contract with APAC pursuant to previous bid submitted, and with roads being specified at a later date, was passed unanimously.

SO ORDERED, this October 6, 2008.

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A motion by Supervisor Joe Norwood, seconded by Supervisor Craig Hitt, to award bid for the dirt work at Q.V. Sykes Ball Field to the lowest bidder, Joe Magee Construction, at a price of \$209,044.10, and to be paid out of the Bond Issue money, was passed unanimously.

SO ORDERED, this October 6, 2008.

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A motion by Supervisor Ray Boswell, seconded by Supervisor Hank Florey, to approve advertising for bids for dirt work for Clarkdale Community Recreational Association, Inc., pending receipt of title to property, was passed unanimously.

SO ORDERED, this October 6, 2008.

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The Board of Supervisors, immediately thereafter, with no business intervening, considered the necessity for an executive session, and a motion by Supervisor Wayman Newell, seconded by Supervisor Joe Norwood, was passed by the following vote: Mr. Hank Florey voted aye; Mr. Wayman Newell voted aye; Mr. Craig Hitt voted aye; Mr. Joe Norwood voted aye; and Mr. Ray Boswell voted aye. WHILE THE BOARD WAS IN EXECUTIVE SESSION ALL PERSONS LEFT THE BOARD ROOM WITH THE EXCEPTION OF SUPERVISORS HANK FLOREY, WAYMAN NEWELL, CRAIG HITT, JOE NORWOOD, RAY BOSWELL, AND BOARD ATTORNEY, RICK BARRY.

SO ORDERED, this October 6, 2008.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to go out of executive session, was passed unanimously.

SO ORDERED, this October 6, 2008.

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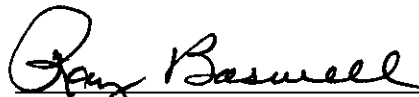
The Board then went back into open meeting. Rick Barry, Board Attorney, announced that the Board went into executive session to discuss and potential litigation. No action was taken at this time.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to recess until Monday, October 20, 2008, at 5:00 p.m., was passed unanimously.

SO ORDERED, this October 6, 2008.

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Ray Baswell, President