

MONDAY, NOVEMBER 17, 2008

Pursuant to recess the Lauderdale County Board of Supervisors resumed its regular November meeting at 5:00 P.M., Monday, November 17, 2008, at the Raymond P. Davis County Annex Building in Meridian, Mississippi, with the following members present: Mr. Ray Boswell, President of the Board 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 Manager, and Mr. Bo Bailey, representative for Mr. Rick Barry, Board Attorney.

The recessed meeting was called to order by Board President, Mr. Ray Boswell.

Prayer was offered by Supervisor Craig Hitt.

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

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, NOVEMBER 17, 2008 – 5:00 P.M.

1. Meeting called to order.
2. Prayer given by Supervisor Craig Hitt.
3. Pledge of Allegiance to the Flag of the United States of America.
4. Approval of Agenda for even date.
5. Approval of minutes dated – 9/30/08, 10/6/08, 10/20/08, & 10/0/08.
6. Jimmy Slay, Tax Assessor:
 - A) Petitions for reduction and/or change of assessment.
 - B) Other matters for general good and welfare.
7. Suzy Johnson, Tourism Director.
8. MS. Annie McKee, author of Pets Across America.
9. Staff Reports:
10. Other matters for general good and welfare.
11. Actions from Supervisors.
12. Executive session, if needed.
13. Adjourn until Monday, December 1, 2008, at 9:00 A.M.
(See pages _____ through _____ of these minutes.)

SO ORDERED, this November 17, 2008.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to approve minutes dated 9/30/08, 10/6/08, 10/20/08, and 10/0/08, was passed unanimously.

SO ORDERED, this November 17, 2008.

Upon the recommendation of Jimmy Slay, Lauderdale County Tax Assessor, a motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, 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 November 17, 2008.

A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to approve the request by Suzy Johnson, Tourism Director, to attend the following tourism industry trade shows, was passed unanimously. The money is in the travel budget.

American Bus Association	Charlotte, NC	January 7-12, 2009
United Motor Coach Association	Orlando, FL	January 1-25, 2009

SO ORDERED, this November 17, 2008.

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.)

A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to approve the following Oaths of Office, was passed unanimously.

- A) Robert Swetland, Detention Officer
- B) Wendy Moffite, Detention Officer

SO ORDERED, this November 17, 2008.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to include in the minutes observance of Christmas Holiday, Thursday, December 25, 2008, and Friday, December 26, 2008; and New Year's Holiday Thursday, January 1, 2009 and Friday, January 2, 2009, under the provisions of Section 3-3-7, Mississippi Code of 1972, is a legal holiday in the State of Mississippi. The motion was passed unanimously.

SO ORDERED, this November 17, 2008.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to approve the request for a Pauper's burial for James Lummus who died in Lauderdale County on or about November 7, 2008, was passed unanimously.

SO ORDERED, this November 17, 2008.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to include in the minutes receipt of:

- a. AN APPLICATION OF TOOMSUBA WATER SYSTEM, INC. FOR A SUPPLEMENTAL CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AUTHORIZING IT TO EXPAND, CONSTRUCT, OPERATE AND MAINTAIN A WATER SYSTEM WITHIN A SPECIFIED AREA IN LAUDERDALE COUNTY, MS
- b. NOTICE OF KING FARMS DEVELOPMENT, LLC OF ITS INTENT TO ESTABLISH RATES FOR RENDITION OF SEWER SERVICE IN ITS CERTIFIED AREA IN LAUDERDALE COUNTY, MS

The motion was passed unanimously.

SO ORDERED, this November 17, 2008.

A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to approve the request for the Board and County Administrator to attend Mid-Winter Conference January 12 – 14, 2009, in Jackson, MS. Cost will include: Registration of \$150.00, per diem of \$93.00, and hotel at the Hilton \$109.00 per night. The motion was passed unanimously.

SO ORDERED, this November 17, 2008.

A motion by Supervisor Hank Florey, seconded by Supervisor Joe Norwood, to approve the request for Joe Norwood to attend the Governor's Conference at the Pearl River Resort this week. Twin District will pay registration and reimburse county for expenses. The motion was passed unanimously.

SO ORDERED, this November 17, 2008.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to approve the request to pay Board Attorney dues in the amount of \$100.00 to the Mississippi Association of County Board Attorneys, was passed unanimously.

SO ORDERED, this November 17, 2008.

A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to approve the request to submit profile ad in the MAS Magazine Legislative Issue in the amount of \$650.00 for full page color, was passed unanimously.

SO ORDERED, this November 17, 2008.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to approve the request to renew Employees Assistance Program Contract with Weems Mental Health to run from 10/1/08 through 9/30/09. Cost is \$2.00 per employee based on 400 employees for 12 months a cost of \$9,600.00. The motion was passed unanimously.

SO ORDERED, this November 17, 2008.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to approve the request for the Election Commissioners and Circuit Clerk to attend 2009 ECAM Seminar/Convention January 28 – 30 at the Silver Star Convention Center in Philadelphia, MS. Registration will be \$250.00 and dues \$25.00 for a total of \$275.00 per Commissioner. Cost will also include per diem, meals, and travel not covered in the registration fee. The motion was passed unanimously.

SO ORDERED, this November 17, 2008.

A motion by Supervisor Wayman Newell, seconded by Supervisor Craig Hitt, to approve the request to purchase a Stenograph machine for Chancery Court Reporter in the amount of \$5,100.00. After much discussion, Supervisor Craig Hitt withdrew his second. A motion by Supervisor Wayman Newell, seconded by Supervisor Craig Hitt, to table the issue until a later date, was passed unanimously.

SO ORDERED, this November 17, 2008.

The County Administrator brought up the matter of approving a request in the amount of \$1,000.00 to Southeast School to assist in expenses and authorize the Chancery Clerk to issue the warrant therefore payable from the Lauderdale County General, Advertising Budget; the Board finding and declaring that such expenditure will bring into favorable notice

and report the governmental, educational and other opportunities, possibilities and resources of the County in accordance with Section 17-3-1, Mississippi Code of 1972. The money would be used to purchase championship rings for the Girl's Basketball Team that won the State Championship. The issue died for lack of a motion and second.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to approve the request to adjust the Hope Six Budget from \$160,000 to \$136,910 (its true value), was passed unanimously.

SO ORDERED, this November 17, 2008.

A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to approve the request to establish an insurance clearing fund and the approval to transfer \$2,000.00 from General County to this fund, was passed unanimously.

SO ORDERED, this November 17, 2008.

A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to approve the post office box rent for Justice Court in the amount of \$106.00, was passed unanimously.

SO ORDERED, this November 17, 2008.

A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to approve the request to accept grant to Lauderdale County Animal Shelter in the amount of \$500.00 for the spaying/neutering of animals from the Community Foundation of East

Mississippi; and to authorize the County Administrator to sign paperwork for the grant, was passed unanimously.

SO ORDERED, this November 17, 2008.

Ms. Annie McKee, author of Pets Across America, spoke to the Board of Supervisors about the release of this new book. \$5.00 from the sale of each book in Mississippi will be donated to the Lauderdale County Animal Shelter.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to approve the request to publish Notice of Final Settlement to Joe McGee Construction in the amount of \$24,680.67 dated 10/10/08 for construction of Project No. SAP 38 93 being a section of Gum Log-County Line Road (bridge and associated road work) in Lauderdale County, was passed unanimously.

SO ORDERED, this November 17, 2008.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to approve the request for the Toomsaba Water Association to use right-of-ways on County roads: Oxford Road, Welch Road, and Lake Tom Bailey Point Road, was passed unanimously.

SO ORDERED, this November 17, 2008.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to approve the request to include in the minutes a Petition and Easement for Public Road Project No. LSBP-38(21) Antioch Road in Lauderdale County, Petition and Easement from Prince

Investments Unlimited for John Catlett Bridge, and Petition and Easement from Pauline Shelton for Shelton-Shelby Road Bridge; and approval to advertise for bids on these three bridge projects when ready, was passed unanimously.

SO ORDERED, this November 17, 2008.

A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to approve the request to hire Alex Smith to appraise properties to determine fair market value for right-of-ways for State Aid Project, Alamucha Whynot Road (bridge and roadway – 1.4 mile of new road), was passed unanimously.

SO ORDERED, this November 17, 2008.

A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to accept the petition to make Joseph Street and Jessie Drive, off of Highway 39, public roads, was passed unanimously.

SO ORDERED, this November 17, 2008.

A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to accept right-of-ways of Joseph Street and Jessie Drive from Dr. Eugene Hunter and Minnie Hunter, owners of these two streets, was passed unanimously.

SO ORDERED, this November 17, 2008.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to approve the request to advertise for asphalt for the next twelve (12) months, was passed unanimously.

SO ORDERED, this November 17, 2008.

A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to approve the request by Clarence Butler, VFD Coordinator, to attend the MS Fire Chief Conference December 3-5, 2008 in Tupelo, MS. Cost will be: Registration \$40.00, hotel \$246.00, and reimbursement for meals upon return, was passed unanimously.

SO ORDERED, this November 17, 2008.

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

- 1) Effective November 2, 2008, James Page has resigned as Detention Officer.
- 2) Effective November 5, 2008, Dollie Stagner Page has resigned as Detention Officer.

A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to approve the request by Sheriff Sollie to purchase a Mobile VHF Radio in the amount of \$743.00 (money is in the budget), was passed unanimously.

SO ORDERED, this November 17, 2008.

A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to approve the request by Sheriff Sollie to remove the following from the department's inventory list due to being destroyed several weeks ago, was passed unanimously.

2006 Ford Crown Vic VIN #2FAFP71WX6X117697
XPR6550 Motorola Hand Held Radio
HP Camera CN3KB41G2
Watchguard Video System DV10-110630
Car Radio CDM 1550 001TGA0661
Car Radio CDM 1550 001TGC3614

SO ORDERED, this November 17, 2008.

A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to adopt RESOLUTION DECLARING THE INTENTION OF THE BOARD OF SUPERVISORS OF LAUDERDALE COUNTY, MISSISSIPPI (THE "COUNTY"), TO ISSUE GENERAL OBLIGATION ROAD AND BRIDGE BONDS, SERIES 2009, OF THE COUNTY TO RAISE MONEY FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, AND REPAIRING ROADS, HIGHWAYS AND BRIDGES, AND ACQUIRING THE NECESSARY LAND, INCLUDING LAND FOR ROAD BUILDING MATERIALS, ACQUIRING RIGHTS-OF-WAY THEREFOR; AND THE PURCHASE OF HEAVY CONSTRUCTION EQUIPMENT AND ACCESSORIES THERETO REASONABLY REQUIRED TO CONSTRUCT, REPAIR AND RENOVATE ROADS, HIGHWAYS AND BRIDGES AND APPROACHES THERETO WITHIN THE COUNTY, was passed by a vote of four (4) to one (1). Supervisor Hank Florey voted aye; Supervisor Wayman Newell voted aye; Supervisor Joe Norwood voted aye; Supervisor Ray Boswell voted aye; and, Supervisor Craig Hitt voted nay.

SO ORDERED, this November 17, 2008.

A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to adopt RESOLUTION DECLARING THE INTENTION OF THE BOARD OF SUPERVISORS OF LAUDERDALE COUNTY, MISSISSIPPI, TO ISSUE GENERAL OBLIGATION ROAD AND BRIDGE BONDS, SERIES 2009, OF LAUDERDALE COUNTY, MISSISSIPPI IN THE

PRINCIPAL AMOUNT NOT TO EXCEED ONE MILLION DOLLARS (\$1,000,000) TO RAISE MONEY FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, AND REPAIRING ROADS, HIGHWAYS, AND BRIDGES, AND ACQUIRING THE NECESSARY LAND, INCLUDING LAND FOR ROAD BUILDING MATERIALS, ACQUIRING RIGHTS-OF-WAY THEREFOR; AND THE PURCHASE OF HEAVY CONSTRUCTION EQUIPMENT AND ACCESSORIES THERETO REASONABLY REQUIRED TO CONSTRUCT, REPAIR AND RENOVATE ROADS, HIGHWAYS AND BRIDGES AND APPROACHES THERETO WITHIN THE COUNTY; AND DIRECTING PUBLICATION OF NOTICE OF SUCH INTENTION, was passed by 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.

SO ORDERED, this November 17, 2008.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to AMEND AN AUTHORIZATION TO EXECUTE STIPULATION AND SETTLEMENT AGREEMENT WITH BUFFET HOLDINGS, INC., was passed unanimously.

SO ORDERED, this November 17, 2008.

A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to enter FINAL RESOLUTION GRANTING EXEMPTION FROM AD VALOREM TAXES FOR QUALITY LOGISTICS, was passed unanimously.

SO ORDERED, this November 17, 2008.

A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to enter FINAL RESOLUTION GRANTING EXEMPTION FROM AD VALOREM TAXES FOR TEIKURO CORPORATION, was passed unanimously.

SO ORDERED, this November 17, 2008.

A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to enter FINAL RESOLUTION GRANTING EXEMPTION FROM AD VALOREM TAXES FOR SUMMER INDUSTRIES, was passed unanimously.

SO ORDERED, this November 17, 2008.

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

SO ORDERED, this November 17, 2008.


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

SO ORDERED, this November 17, 2008.

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

A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to adjourn the meeting until Monday, December 1, 2008 at 9:00 A.M., was passed unanimously.

SO ORDERED, this November 17, 2008.


Ray Boswell, President