

MONDAY, JANUARY 5, 2009

BE IT REMEMBERED that the Lauderdale County Board of Supervisors began and held its regular January meeting at 9:00 a.m., Monday, January 5, 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. Rick Barry, Board Attorney.

Sheriff Billy Sollie called the January, 2009 meeting of the Board of Supervisors to order.

Prayer was offered by Chaplain Dennis Marks.

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

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

BOARD MEETING AGENDA
LAUDERDALE COUNTY BOARD OF SUPERVISORS
MONDAY, JANUARY 5, 2009 – 9:00 A.M.

1. Sheriff Sollie calls January, 2009 meeting to order.
2. Prayer given by Supervisor Dennis Marks.
3. Pledge of Allegiance to the Flag of the United States of America.
4. Approval of Agenda for even date.
5. Election of President of the Board of Supervisors for 2009.
6. Election of Vice-President of Board of Supervisors for 2009.
7. Motion to approve bond of all newly elected and appointed officials for 2009.
8. Motion to recess as the BOS, and convene as Board of Trustees of Lauderdale County Economic Development District.
9. Election of President, Vice-President, & Secretary of the Board of Trustees of LCEDD for 2009.
10. Motion to recess as Board of Trustees of the LCEDD, and reconvene as the BOS.
11. Approval of minutes dated: September 4th, 5th, & 8th, 2008.
12. Jimmy Slay, Tax Assessor:
 - A). Petitions for reduction and/or change of assessment.
 - B). Other matters for general good and welfare.
13. Staff Reports:
14. Other matters for general good and welfare.
15. Actions from Supervisors.
16. Executive session, if needed.
17. Recess until Tuesday, January 20, 2009 at 5:00 P.M.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this January 5, 2009.

Supervisor Craig Hitt made a motion to nominate Supervisor Joe Norwood for the position of President of the Board of Supervisors for 2009. According to Robert's Rules of

Order, a second is not required. The motion failed to carry 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 January 5, 2009.

Supervisor Wayman Newell nominated Supervisor Hank Florey for the position of President of the Board of Supervisors for 2009. According to Robert's Rules of Order, a second is not required. The motion 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 January 5, 2009.

Supervisor Ray Boswell nominated Supervisor Wayman Newell for the position of Vice-President of the Board of Supervisors for 2009. According to Robert's Rules of Order, a second is not required. The motion 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 vote nay.

SO ORDERED, this January 5, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve bond of all newly-elected and appointed officials for 2009, was passed unanimously.

SO ORDERED, this January 5, 2009.

A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to recess as the Board of Supervisors and convene as Board of Trustees of the Lauderdale County Economic Development District, was passed unanimously.

SO ORDERED, this January 5, 2009.

A motion by Trustee Ray Boswell, seconded by Supervisor Wayman Newell, to approve the same officers that were elected to the Board of Supervisors (President – Hank Florey, and Vice–President – Wayman Newell, while Chancery Clerk – Carolyn Mooney serves as Secretary), was passed unanimously.

SO ORDERED, this January 5, 2009.

A motion by Trustee Ray Boswell, seconded by Trustee Wayman Newell, to recess as the Lauderdale County Economic Development District, and reconvene as the Board of Supervisors, was passed unanimously.

SO ORDERED, this January 5, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the minutes dated September 4, 5, & 8, 2008, was passed unanimously.

SO ORDERED, this January 5, 2009.

Upon the recommendation of Jimmy Slay, Lauderdale County Tax Assessor, a motion by Supervisor Ray Boswell, 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 January 5, 2009.

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 Wayman Newell, seconded by Supervisor Ray Boswell, to approve the claims docket for January, 2009; and to authorize the Chancery Clerk to issue warrants therefore, was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this January 5, 2009.

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

- A) Albert Clark, Deputy Sheriff
- B) Marissa Combs, Deputy Sheriff
- C) Wesley Steven, Deputy Sheriff

SO ORDERED, this January 5, 2009.

A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, that any Supervisor that wants to attend Capital Day January 8, 2009 in Jackson, MS, be approved to go with the stipulation that there be no overnight stay. The motion was passed unanimously.

SO ORDERED, this January 5, 2009.

A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to approve travel by the Board of Supervisors, County Administrator, and Board Attorney to meet with Legislators in Washington, D.C., in February of 2009, was passed unanimously.

SO ORDERED, this January 5, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve any Supervisors' travel to the Governor's Tourism Conference in February, 2009 in Jackson, MS, with the stipulation that there be no overnight stay, was passed unanimously.

SO ORDERED, this January 5, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve any Supervisors' travel to the MDOT Coordination Summit in Jackson, MS in February, 2009, with the stipulation that there be no overnight stay, was passed unanimously.

SO ORDERED, this January 5, 2009.

A motion by Supervisor Joe Norwood, seconded by Supervisor Ray Boswell, who later removed his second, and Craig Hitt then seconded the motion, to approve travel for Joe Norwood to attend the Adult Summit in Jackson, MS in February 2009, 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 vote aye; and, Supervisor Joe Norwood voted aye.

SO ORDERED, this January 5, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood to attend the First Tee Conference in San Jose, CA, February 25 – March 1, 2009, 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 January 5, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to attend the NACO Legislative Conference in Washington, D.C., March 7 – 11, 2009, 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 January 5, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve travel for the County Administrator and the Chancery Clerk to attend the Chancery

Clerk/ County Administrator Workshop in Jackson, MS, in March 2009, with the stipulation that there be no overnight stay, was passed unanimously.

SO ORDERED, this January 5, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, for two representatives to attend the ICSC Conference May 17 – 20, 2009, in Las Vegas, NV; Supervisor Hank Florey added the amendment that only one (1) Supervisor attends the conference. The amended motion passed by a vote of three (3) to two (2). Supervisor Hank Florey voted aye; Supervisor Craig Hitt voted aye; Supervisor Joe Norwood voted aye; Supervisor Wayman Newell voted nay; and, Supervisor Ray Boswell voted nay.

SO ORDERED, this January 5, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve any Supervisor, the County Administrator, Board Attorney, and County Engineer, to attend the Mississippi Association of Supervisors Conference in Biloxi, MS in June, 2009, was passed unanimously.

SO ORDERED, this January 5, 2009.

A motion by Supervisor Joe Norwood, seconded by Supervisor Craig Hitt, to attend the NACO Annual Convention in Nashville, TN July 24 – 29, 2009, was passed by vote of three (3) to two (2). Supervisor Hank Florey voted aye; Supervisor Craig Hitt voted aye; Supervisor Joe Norwood voted aye; Supervisor Wayman Newell voted nay; and, Supervisor Ray Boswell voted nay.

SO ORDERED, this January 5, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, for any Supervisor and County Administrator to attend the Mississippi Association of Supervisors Workforce Development Workshop in Natchez, MS, October, 2009, was passed unanimously.

SO ORDERED, this January 5, 2009.

A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to approve pay request #5 for Davidson Hauling on access road for Call Center Project in the amount of \$65, 948.45, was passed unanimously.

SO ORDERED, this January 5, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood to approve Tim Chesney to work with Election Commission during election time to assist with voting machines. This is to be done after hours and not during regular hours of 8-5 p.m... Pay will be for hours worked. The motion failed to pass by a vote of three (3) to two (2). Supervisor Hank Florey vote nay; Supervisor Wayman Newell voted nay; Supervisor Ray Boswell voted nay; Supervisor Craig Hit voted aye; and, Supervisor Joe Norwood voted aye.

SO ORDERED, this January 5, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to include in the minutes receipt of Asbestos Report (Boiler Replacement) and authorize approval to send to Jackson, MS, was passed unanimously.

SO ORDERED, this January 5, 2009.

A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to approve signing of the Statement of Understanding (terms of audit) from Rea, Shaw, Giffin & Stuart, was passed unanimously.

SO ORDERED, this January 5, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the request for Rob Seal to travel to the Dixie National Equine Expo in Jackson, MS February 16 – 20, 2009, was passed unanimously.

SO ORDERED, this January 5, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to approve the request to purchase CD player for Agri-Center in the amount of \$352.00, was passed unanimously.

SO ORDERED, this January 5, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to loan from the Loblolly 304 Account (Bond Proceeds Fund) to the Loblolly 282 Account (Bond Payment Fund) in the amount of \$299,706.25 for the January interest payment was passed by a vote of three (3). Supervisor Hank Florey voted aye; Supervisor Craig Hitt voted aye; Supervisor Joe Norwood voted aye; and, Supervisor Ray Boswell abstained.

SO ORDERED, this January 5, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to approve the request that Lauderdale County employees purchase only regular unleaded gasoline for County vehicles, with the Department head of the employee paying the difference if allowed to purchase another grade, was passed unanimously.

SO ORDERED, this January 5, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to adopt the Robert's Rules of Order so to avoid any confusion in future meetings, failed to pass by a vote of four (4) to one (1). Supervisor Hank Florey voted nay; Supervisor Wayman Newell voted nay; Supervisor Joe Norwood voted nay; Supervisor Ray Boswell voted nay; and Supervisor Craig Hitt voted aye.

SO ORDERED, this January 5, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the request to advertise for box culverts for the following, 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.

- 1). Two on Fisher Road
- 2). One on Mosley Lake Road
- 3). One on East Country Club Road
- 4). One on Raymond Cobb Road

SO ORDERED, this January 5, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the request to advertise for bids to repair wooden bridge on Willie Chandler Road, 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 January 5, 2009.

A motion by Supervisor ray Boswell, seconded by Supervisor Wayman Newell, to approve the request to advertise for bids for Trackhoe for Satellite D, 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 January 5, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the request to advertise for bids for guardrails at Dalewood Lake (public road) and Golf Course Road, 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 January 5, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve order allowing FEMA funds to be used to make needed repairs and to finalize the FEMA construction to the Clayton Corner area and for Board to authorize County Administrator and Board President to execute documents relating to the Clayton Corner Repair Work and

coordinate with FEMA as appropriate (FEMA reimbursement – Hurricane Gustav), was passed unanimously.

SO ORDERED, this January 5, 2009.

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

- 1). Effective December 15, 2008, Albert Clifton Clark was hired as a Deputy Sheriff. His starting rate of pay is \$10.34 an hour.
- 2). Effective December 15, 2008, Marissa Ann Combs was hired as a Deputy Sheriff. Her starting rate of pay is \$11.37 an hour.
- 3). Effective December 15, 2008, Wesley Alan Stevens was hired as a Deputy Sheriff. His starting rate of pay is \$10.34 an hour.
- 4). Effective January 1, 2009, Jeremy Dale Woodard has resigned as Detention Officer.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to authorize the submission of a \$10,000 Occupant Protection Grant which is 100% funded by the State of MS, and will pay overtime for Deputies to ensure that roads in Lauderdale County are safe to drive on, was passed unanimously.

SO ORDERED, this January 5, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the request to employ Bourdeaux & Jones, LLP for 2009, was passed unanimously.

SO ORDERED, this January 5, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to adopt RESOLUTION AUTHORIZING AND DIRECTING THE ISSUANCE OF GENERAL OBLIGATION ROAD AND BRIDGE BONDS, SERIES 2009, OF LAUDERDALE COUNTY, MISSISSIPPI (THE "COUNTY") IN THE PRINCIPAL AMOUNT OF 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, 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.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this January 5, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to adopt RESOLUTION AUTHORIZING AND RATIFYING THE SIGNING AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT FOR THE SALE OF NOT TO EXCEED ONE MILLION DOLLARS (\$1,000,000) GENERAL OBLIGATION ROAD AND BRIDGE BONDS, SERIES 2009, OF LAUDERDALE COUNTY, MISSISSIPPI, 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 January 5, 2009

A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to adopt ORDER OF THE LAUDERDALE COUNTY SUPERVISORS AS TO ROADS WITHIN ANNEXED AREA, PER ATTACHED LIST, was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this January 5, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to adopt RESOLUTION OF LAUDERDALE COUNTY BOARD OF SUPERVISORS ENDORSING AND URGING THE MISSISSIPPI LEGISLATURE TO ADOPT LOCAL AND PRIVATE LEGISLATION FOR THE FUNDING OF LAUDERDALE COUNTY DETENTION FACILITY'S GOOD NEWS JAIL AND PRISON MINISTRIES CHAPLAIN AND CHAPLAINCY PROGRAM FOR NON-TAX REVENUE GENERATED BY THE INMATE TELEPHONE SERVICE, was passed unanimously.

SO ORDERED, this January 5, 2009.

Board Attorney, Mr. Rick Barry, presented a list of potential litigation involving the tax assessments as follows:

- 1). Appeal of Tax Assessment (Hillview Apartments)
- 2). Appeal of Tax Assessment (Valley Ridge Apartments)
- 3). Appeal of Tax Assessment (Willow Ridge Apartments)
- 4). Appeal of Tax Assessment (McDaniel – PPIN #s 26795; 26798; and 9773)
- 5). Appeal of Tax Assessment (RHS Family Partnership & Hugh Rayner Family Trust)

- 6). Appeal of Tax Assessment (Meridian Coca-Cola Bottling Company -
PPIN #016301)
- 7) Appeal of Tax Assessment (Dillard's Inc.)
- 8) Appeal of Tax Assessment (Dale Bounds)
- 9) Appeal of Tax Assessment (Colonial Apartments, Limited Partnership)
- 10) Appeal of Tax Assessment (Mel Bounds, Limited Partnership)

Mr. Raymond Huffmaster of Lauderdale, MS. discussed various matters for the good and welfare of Lauderdale County.

The Election Commissioners for Lauderdale County for the year 2009 were sworn in by Circuit Clerk, Ms. Donna Jill Johnson.

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 Ray Boswell, seconded by Supervisor Wayman Newell, 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 January 5, 2009.

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

SO ORDERED, this January 5, 2009.

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 Joe Norwood, seconded by Supervisor Craig Hitt, to attend the NACO meeting in Washington, D.C., March 7 -11, 2009, was passed by a three (3) to two (2) vote. Supervisor Hank Florey voted aye; Supervisor Craig Hitt voted aye; Supervisor Joe Norwood voted aye; Supervisor Wayman Newell voted nay; and, Supervisor Ray Boswell voted nay.

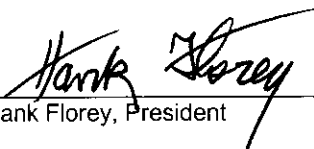
SO ORDERED, this January 5, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, not to authorize the trip to the NACO meeting in Nashville, TN, July 24 – 29, 2009, 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 January 5, 2009.

A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to recess the meeting until Tuesday, January 20, 2009 at 5:00 P.M., was passed unanimously.

SO ORDERED, this January 5, 2009.


Hank Florey, President