

TUESDAY, JANUARY 20, 2009

Pursuant to recess the Lauderdale County Board of Supervisors resumed its regular January meeting at 5:00 p.m., Tuesday, January 20, 2009, at the Raymond P. Davis Annex Building in Meridian, Mississippi, with the following members present: Mr. Hank Florey, President of the Board and Supervisor of District One, Mr. Wayman Newell, Supervisor of District Two, Mr. Craig Hitt, Supervisor of District Three, and Mr. Ray Boswell, Supervisor of District Five.

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.

Mr. Joe Norwood, Supervisor of District Four, was not present.

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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 Ray Boswell, to approve the "Agenda" for even date, with amendments as follows, was passed unanimously.

BOARD MEETING AGENDA  
LAUDERDALE COUNTY BOARD OF SUPERVISORS  
TUESDAY, JANUARY 20, 2009 – 5:00 P.M.

1. Meeting called to order by Board President Hank Florey.
2. Prayer given by 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 Sept. 9<sup>th</sup>, 10<sup>th</sup>, 2008 & December 15<sup>th</sup> & 30<sup>th</sup>, 2008; and, January 5, 2009.
6. Resolution (s): West Lauderdale High School Competition Cheer/Dance Team
7. Jimmy Slay, Tax Assessor:
  - A). Petitions for reduction and/or change of assessment.
8. Staff Reports
9. Other matters for general good and welfare.
10. Actions from Supervisors.
11. Executive session, if needed.
12. Adjourn until Monday, February 2, 2009 at 9:00 A.M.

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

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve minutes dated September 9 & 10, 2008, December 15<sup>th</sup> & 30<sup>th</sup>, 2008, and, January 5, 2009, was passed unanimously.

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Wayman Newell, to adopt a Resolution honoring the West Lauderdale High School Competition Cheer/Dance Team as the new 2008 Mississippi High School Activities Association 4-A Large Cheer State Champion, with the resolution being presented by Supervisor Craig Hitt to Coach Charlotte Chaney and the cheer/dance team, was passed unanimously.

SO ORDERED, this January 20, 2009.

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Upon the recommendation of Jimmy Slay, Lauderdale County Tax Assessor, a motion by Supervisor Wayman Newell, seconded by Supervisor Craig Hitt, 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 20, 2009.

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Upon recommendation of Jimmy Slay, Lauderdale County Tax Assessor, a motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to renew rental contract with Pitney-Bowes for new equipment for the tax assessor's office, was passed unanimously.

SO ORDERED, this January 20, 2009.

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Chancery Clerk Carolyn Mooney submitted for inclusion in 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 Ray Boswell, to approve the following Oaths of Office, was passed unanimously.

A). Wallace Heggie, Election Commissioner, District One

- B). Rod Amos, Election Commissioner, District Two
- C). Awana D. Simmons, Election Commissioner, District Three
- D). Reuben R. Little, Election Commissioner, District Four
- E). Jeff Tate, Election Commissioner, District Five
- F). Kevin Richardson, Deputy Sheriff

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to approve the attached voids and refunds, numbered one (1) through seven (7), was passed unanimously.

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

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to approve the request to purchase E911 Dispatch System in the amount of \$548,746.56; E911 Dispatch Furniture \$32,261.00; and, VFD Pagers \$44,720.00 from Com South, for a total of \$625,727.56 (with City of Meridian paying half of cost, except for VFD Pagers), was passed unanimously.

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve payment to Butler Snow in the amount of \$1,500 for preparing the County's Disclosure Information Statement in connection with the Bonds (see attachment), was passed unanimously.

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

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the request to make a budget adjustment in the amount of \$6,000 from 401-192-581 to purchase copier for the jail, was passed unanimously.

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the request for a Pauper's Burial for Laurence Douglas Smith who died in Lauderdale County on or about January 2, 2009; and, to increase 001-451-581 \$1,000 to cover this burial and others, was passed unanimously.

SO ORDERED, this January 20, 2009.

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Quotes were received from three (3) banks for the lease purchase of E911 Dispatch System, furniture, and Volunteer Fire Department pagers. The quotes were as follows:

Hancock Bank	3.09%
Citizens National Bank	4.23%
Bancorp South	3.38% & 3.31%

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to accept the quote from Hancock Bank at 3.09%, was passed unanimously.

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the following 2009 County Committee Appointments, was passed unanimously.

Solid Waste Committee	Hank Florey, Craig Hitt
Courthouse Space Committee	Hank Florey, Ray Boswell
Industrial Park Committee	Ray Boswell, Wayman Newell
E-911	Craig Hitt
Data Processing Committee	Joe Norwood, Craig Hitt
Agri-Center Committee	Wayman Newell, Craig Hitt
Jail Committee	Hank Florey, Ray Boswell
Metro Ambulance Committee	Craig Hitt, Ray Boswell
Equipment Inventory Committee	Craig Hitt, Joe Norwood
Volunteer Fire Committee	Craig Hitt, Wayman Newell
Animal Control Committee	Craig Hitt, Ray Boswell
Tourism Committee	Wayman Newell

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to include in the minutes notice that on January 5, 2009 Southern Hills North Homeowners' Association Inc. filed with the Mississippi Public Service Commission an APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AUTHORIZING IT TO CONSTRUCT, OPERATE, AND MAINTAIN A SEWER SYSTEM IN A SPECIFIED AREA IN LAUDERDALE COUNT, MISSISSIPPI, was passed unanimously.

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to ratify inclusion in the minutes legal holiday being Monday, January 19, 2009 in observance of birthdays for Robert E. Lee and Dr. Martin Luther King, Jr., was passed unanimously.

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the payment for post office box rental for Veterans' Services in the amount of \$106.00, was passed unanimously.

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to ratify approval for thirteen Juvenile Center dorm workers to attend training at Meridian Community College on January 13, 2009. Cost is \$650.00. This is the second step in this training. Money is in the budget under 221-475. The motion was passed unanimously.

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to accept an agreement effective January 15, 2009 that Honorable Marvell M. Gordon be appointed to represent indigent defendants. Mr. Gordon will be compensated \$48,419.00 per year and not be considered as a county employee (see attachment). The motion was passed unanimously.

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

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the request for Suzy Johnson, Tourism Director and Jeremy Campbell to travel to Hattiesburg, MS February 15 – 17, 2009 to attend the Governor's Conference on Tourism. Registration is \$250.00 for Suzy and \$175.00 for Jeremy with hotel two (2) nights each at a cost of \$109.00 plus tax. Money is in the budget. The motion passed unanimously.

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to include in minutes approval of Resolution for Recreation Trails Program Grant for Q.V. Sykes Park and authorize Board President to sign and take any other action necessary to have the application submitted for consideration, was passed unanimously.

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the request to appoint Mr. Granville Goodman to the Agri-Center Board, was passed by a vote of three (3) to one (1). Supervisor Hank Florey voted aye; Supervisor Wayman Newell voted aye; Supervisor Ray Boswell voted aye; and Supervisor Craig Hitt voted nay.

SO ORDERED, this January 20, 2009.

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Upon recommendation by Mr. Neal Carson, County Engineer/Road Manager, a motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the following AT & T projects, was passed unanimously.

- A). Permit application for use and occupancy agreement for the construction

or adjustment of a utility within road or highway right-of-way.

- B). Approval to place a buried fiber optic telecommunications cable along Pine Springs Road in Lauderdale County – AT & T Project No. 97M40011N.
- C). Approval to construct fiber optic cable bored under the following roads in Lauderdale County.
  - Suqualena – Graham Road
  - Cook Road
  - Carl Price Road
  - Peavy Road

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve Dirt Pit Lease (on Louise Sharp Road) from Bob Patterson at .40 cents per yard, was passed unanimously.

SO ORDERED, this January 20, 2009.

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Upon recommendation of Mr. Neal Carson, County Engineer/Foreman, a motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to appoint Jimmy Carlton as foreman of Satellite A due to the retirement of the present foreman; and, he shall be paid at the foreman rate of pay, was passed unanimously.

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the list of condemned houses received from the City of Meridian which consists of twelve (12) houses, was passed unanimously.

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve under the overlay contract with APAC, Old Highway 80 West from 65<sup>th</sup> Avenue West to Interstate 20, Jimmie Smith Road, and a small part of the Arkadelphia Road next to Jimmie Smith Road, was passed unanimously.

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Wayman Newell, to approve the request for David Sharp, LEMA Director, and Scott Stokes to travel to North Carolina February 25, - 27, 2009 for K-9 recertification class. Cost will include registration of \$350.00; \$36.00 per day per diem; and hotel \$50.00 plus tax per night, was passed unanimously.

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the request for Dwayne Todd and Alan Dover of the Volunteer Fire Department to attend the Training – Mechanics Class at the State Fire Academy in Jackson MS, February 17–19, 2009. Total Cost will be \$546.00 and the money is in the budget. The motion was passed unanimously.

SO ORDERED, this January 20, 2009.

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

- 1) Effective January 28, 2009, Joey Moulds has resigned as Deputy Sheriff.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the request by the Sheriff's Department to purchase a Toshiba copier for booking, to be paid for through the Commissary account. This copier is on State Contract. The motion passed unanimously.

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the request by Sheriff Sollie to purchase four (4) Digital-Ally camera systems (sole source) for patrol cars in the amount of \$16,875.00. The purchase will be paid for through JAG Grant. The motion was passed unanimously.

SO ORDERED, this January 20, 2009.

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Supervisor Ray Boswell wanted included in the minutes the following:

The County has been demolishing homes for the City of Meridian since 2002. The County has not received any compensation for the demolitions. Funds have been taken out of the Road Fund which is illegal for any purpose other than doing road work. Supervisor Boswell asked Mr. Rick Barry, Board Attorney, to follow-up with the City about being paid back for the County's costs, through the Inter-local Agreement.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to adopt RESOLUTION AUTHORIZING EXECUTION OF AN AMENDED INTERLOCAL COOPERATIVE AGREEMENT WITH THE CITY OF MERIDIAN, MISSISSIPPI, which is a road paving agreement, was passed unanimously.

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

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to adopt ORDER AUTHORIZING ACCEPTANCE OF PETITION AND EASEMENT FOR PUBLIC ROAD, from property owners, Jeffrey E. Ramsey, Jr. and Annie R. Ramsey, was passed unanimously.

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

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to adopt ORDER AUTHORIZING ACCEPTANCE OF PETITION AND EASEMENT FOR PUBLIC ROAD, from property owners, Kathy Dean, James Thomas Dean, Jr., Brandie Dean, and James Thomas Dean, III (Estate of Emmett Dean, deceased), and Dilton A. Peavey, Jr., was passed unanimously.

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

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to adopt ORDER AUTHORIZING ACCEPTANCE OF PETITION AND EASEMENT FOR PUBLIC ROAD, from property owner, Great South Development Inc., was passed unanimously.

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

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to adopt ORDER AUTHORIZING ACCEPTANCE OF PETITION AND EASEMENT FOR PUBLIC ROAD, from property owners, Pauline Shelton (Shelton Shelby Road), Katherine Ann Kelley Nance (John Catlett Road), and Eric Prince of Prince Investments, L.P. (John Catlett Road), was passed unanimously.

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

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to adopt ORDER AUTHORIZING ACCEPTANCE OF PETITION AND EASEMENT FOR PUBLIC ROAD, from Mary M.A. "Madeline" Johnson, was passed unanimously.

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

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to adopt ORDER AUTHORIZING ACCEPTANCE OF PETITION AND EASEMENT FOR PUBLIC ROAD from owners John E. Stack (Knight-Parker Road), Judy S. Creel (Alamucha-Whynot Road), Daphne Sutter Moore (Alamucha-Whynot Road), & Sandra Gay Hasiner (Alamucha-Whynot Road), was passed unanimously.

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

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to adopt ORDER AUTHORIZING ACCEPTANCE OF PETITION AND EASEMENT FOR PUBLIC ROAD, from property owner Fleeta Mills (Myatt Road), was passed unanimously.

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

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the application from Toomsba Water System, Inc. granting exemption from Ad Valorem Taxes for property they own, was passed unanimously.

SO ORDERED, this January 20, 2009.

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A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to approve the application from Bell Properties – Mississippi, Inc. (Vital Care, Inc.) for Tax Abatement for seven (7) years – New Building, was passed unanimously.

SO ORDERED, this January 20, 2009.

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Ms. Lucinda Johnson, Mr. Raymond Huffmaster, Mary Anderson, Mr. Walt Walker, and Mr. Richard Lofton offered comments concerning various matters.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to appoint Mr. Joe Williams to replace Ms. Martha Ann Harris on the Dalewood Sewer Committee, was passed unanimously.

SO ORDERED, this January 20, 2009.

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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; 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 January 20, 2009.

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

SO ORDERED, this January 20, 2009.

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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 personnel matters. No action was taken at this time.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Wayman Newell, to adjourn until Monday, February 2, 2009 at 9:00 A.M., was passed unanimously.

SO ORDERED, this January 20, 2009.

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Hank Florey, Board President