

MONDAY, APRIL 6, 2009

BE IT REMEMBERED that the Lauderdale County Board of Supervisors began and held its regular April meeting at 9:00 a.m., Monday, April 6, 2009 at the Raymond P. Davis County 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, Mr. Joe Norwood, Supervisor of District Four, 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.

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

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Prayer was offered by Jimmy Slay, Tax Assessor.

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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 Ray Boswell, seconded by Supervisor Craig Hitt, to approve the "Agenda" for even date, with amendments as follows, was passed unanimously.

BOARD MEETING AGENDA  
LAUDERDALE COUNTY BOARD OF SUPERVISORS  
MONDAY, APRIL 6, 2009 – 9AM

1. Sheriff Sollie calls April, 2009 meeting to order.

2. Prayer given by Jimmy Slay, Tax Assessor.
  3. Pledge of Allegiance to the Flag of the United States of America.
  4. Motion to approve Agenda for even date.
  5. Motion to approve minutes dated 3/12/09 – 1:30 p.m.; 3/16/09; & 3/23/09.
  6. Resolution (s): None.
  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. Recess until Monday, April 20, 2009 at 5:00 P.M.
- (See pages \_\_\_\_\_ through \_\_\_\_\_ of these minutes.)

SO ORDERED, this April 6, 2009.

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Motion by Supervisor Craig Hitt, seconded by Supervisor Ray Boswell, to approve the minutes dated March 12, 2009 (1:30 p.m. hearing), March 16, 2009, and March 23, 2009, was passed unanimously.

SO ORDERED, this April 6, 2009.

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Upon the recommendation of Jimmy Slay, Lauderdale County Tax Assessor, a motion by Supervisor Wayman Newell, 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 April 6, 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 request to accept Homestead Exemption Charge Backs received from the State Tax Commission (as per attached list); and to authorize the Chancery Clerk to notify the applicants, was passed unanimously.

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

SO ORDERED, this April 6, 2009.

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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) Elon Thomas, Detention Officer
- B) Christopher Fagan, Deputy Sheriff

SO ORDERED, this April 6, 2009.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to include in the minutes certification from Sheriff Billy Sollie that 23,675 meals were served in the Lauderdale County Detention Facility during the month of March, 2009; and, to authorize the Board President to sign the necessary paperwork, was passed unanimously.

SO ORDERED, this April 6, 2009.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the claims docket for April, 2009; and to authorize the Chancery Clerk to issue warrants therefore, 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; Supervisor Craig Hitt voted nay; and, Supervisor Joe Norwood abstained from voting.

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

SO ORDERED, this April 6, 2009.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve inclusion in the minutes the following:

**"WHEREAS**, the Legislature has designated the last Monday of April as the day for the observance of the Confederate Memorial Day and 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 April 6, 2009.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to ratify approval of Chancery Clerk, County Administrator, and Comptroller to attend Conference

April 22, and 23, 2009 to include registration fee of \$40.00 each; hotel, travel, and meals, was passed unanimously.

SO ORDERED, this April 6, 2009.

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A motion by Supervisor Joe Norwood, seconded by Supervisor Craig Hitt, to approve credit card reports for Joe Norwood in the amount of \$685.68, and \$1,104.54; and for Craig Hitt in the amount of \$670.68, and \$512.00 (copies attached). The motion was 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; Supervisor Ray Boswell voted nay.

SO ORDERED, this April 6, 2009.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to ratify approval of meal expenses for Tourism Director, Suzy Johnson and Jeremy Campbell for the Governor's Conference February 15-17, 2009, was passed unanimously.

SO ORDERED, this April 6, 2009.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to approve the request to paint the Courthouse Flagpole for \$375.00, was passed unanimously.

SO ORDERED, this April 6, 2009.

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A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to ratify the motion to approve Justice Court Judges' hotel expenses for extra night at the Silver Star for \$60.00 for Conference, was passed unanimously.

SO ORDERED, this April 6, 2009.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to repay \$300,000 from Bridge Fund 160 to Paving Fund 306, was passed unanimously.

SO ORDERED, this April 6, 2009.

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A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to approve the request to reimburse for Homestead Exemption to Merita Ellis based on finding of fact being denied ability to claim Homestead; and, to authorize County Administrator to submit letter to Tax Collector – for 2006 and 2007. She was exempted for 2008. The motion was passed unanimously.

SO ORDERED, this April 6, 2009.

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A motion by Supervisor Joe Norwood, seconded by Supervisor Craig Hitt, to approve the request to accept quote for trees for Q.V. Sykes Park in the amount of \$8,045.00 from Elite Trees of Coldwater, MS, was passed unanimously.

SO ORDERED, this April 6, 2009.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to approve the list of surplus equipment to be sold, as recommended by the Inventory Committee, was approved unanimously.

SO ORDERED, this April 6, 2009.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the request by Neal Carson, County Engineer/Road Manager, to hire two (2) clean-up people (replacements) at \$7.50 per hour. They are James Reynolds and Jessie Portis. The motion 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 April 6, 2009.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to approve the request to purchase trailer to haul small tractor on from Trailer Central in the amount of \$4,310.00. A second quote was received from Taylor & Sons in the amount of \$5,604.00. The motion for the low bid was passed unanimously.

SO ORDERED, this April 6, 2009.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Wayman Newell, to approve the request by LEMA Director David Sharp to attend the Mississippi Civil Defense Emergency Managers Association Meeting on the Mississippi Gulf Coast, to be held April 27, 28, and 29, 2009. Cost for room and registration will be paid for by the Association and Homeland Security. Meals and per diem for three (3) days at \$36.00 will be paid for from LEMA's budget. The motion was passed unanimously.

SO ORDERED, this April 6, 2009.

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A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, for LEMA Director Davis Sharp to notify the Board of Supervisors immediately when a State of Emergency is declared or needs to be declared, was passed unanimously.

SO ORDERED, this April 6, 2009

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A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to include in the minutes the State of Emergency declared by the Governor for the Clarkdale Community after it was hit by an F-1 tornado. The State of Emergency was declared for March 25, 2009 through March 29, 2009. The motion was passed unanimously.

SO ORDERED, this April 6, 2009.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Wayman Newell, to approve the request to match the grant received by the Northeast VFD in the amount of \$90,062.00 (match will be \$4,503.10), which is in the budget. The money will be used to purchase 17 sets of turn-out gear, 17 radios, a washing machine, a back-up generator for the station, and training. The motion was passed unanimously.

SO ORDERED, this April 6, 2009.

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A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to remove from the inventory list a radio which was stolen or lost by the Fire and Training Coordinator, was passed unanimously.

SO ORDERED, this April 6, 2009.

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

- 1) Effective March 9, 2009, Eugene Edward Smith was hired as a Detention Officer. His starting rate of pay is \$9.05 per hour.
- 2) Effective March 25, 2009, Lakilda Payton has resigned as Detention Officer.
- 3) Effective March 25, 2009, Shirley Johnson is no longer employed as a Detention Officer.
- 4) Effective March 26, 2009, Christopher Fagan was hired as a Deputy Sheriff assigned to the ICE Unit of the DTF. His starting rate of pay is \$18.00 per hour.
- 5) Effective as of March 26, 2009, Casey Spears was hired as an Administrative Assistant. Her starting rate of pay is \$8.29 per hour.
- 6) Effective March 26, 2009, Cody Griffin has resigned as Detention Officer.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Craig Hitt, to approve the request for Sheriff Billy Sollie to attend 2009 Summer Conference of the MS Sheriff's Association on June 2-4, 2009 in Gulfport, MS at the Courtyard by Marriott. Lodging is requested in the amount of \$250.00 and will be paid for out of the budget. The motion was passed unanimously.

SO ORDERED, this April 6, 2009.

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Upon recommendation of Sheriff Billy Sollie, a motion by Supervisor Craig Hitt, seconded by Supervisor Wayman Newell, to submit an application for the Cops Hiring Recovery Program (CHRP) Grant which is part of the Stimulus Package signed by the President; the grant will allow the hiring of four (4) deputies including their salaries and benefits. The federal government will be responsible for paying 100% for three (3) years while

the local government will be responsible for one (1) year. The cost for the federal government will be \$486,804 and the cost for the local government \$176,940 – if approved. The motion also includes the signing of necessary documents, allows Sheriff Sollie to sign the grant documents as the Law Enforcement Representative, and Deputy Sheriff Ward Calhoun as the Grant Administrator. The motion to apply for the grant was passed unanimously.

SO ORDERED, this April 6, 2009.

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A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to adopt RESOLUTION EXPRESSING THE INTENTION OF THE BOARD OF SUPERVISORS OF LAUDERDALE COUNTY, MISSISSIPPI, TO CALL A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING AN ORDINANCE ENTITLED "AN ORDINANCE OF THE LAUDERDALE COUNTY BOARD OF SUPERVISORS PROVIDING FOR THE REGULATION OF LOGGING, PULPWOOD, GRAVEL, OIL PRODUCTION AND OTHER HEAVY HAUL OPERATIONS ON ROADS, BRIDGES, APPROACHES AND APPURTENANCES WITH LAUDERDALE COUNTY UNDER THE CONTROL AND JURISDICTION OF THE LAUDERDALE COUNTY BOARD OF SUPERVISORS AND FOR RELATED PURPOSES. The hearing date is scheduled for May 18, 2009 at 5:30 P.M. The motion was passed unanimously.

SO ORDERED, this April 6, 2009.

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A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to make the documentation provided for the tax refund to Merita S. Ellis for the years 2006 and 2007, as part of these minutes, was passed unanimously.

SO ORDERED, this April 6, 2009.

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A motion by Supervisor Hank Florey, seconded by Supervisor Ray Boswell, to adopt RESOLUTION OF THE LAUDERDALE COUNTY BOARD OF SUPERVISORS ENDORSING AND URGING THE MISSISSIPPI LEGISLATURE TO ADOPT LOCAL AND PRIVATE LEGISLATION AUTHORIZING THE DONATION OF CERTAIN PROPERTY TO THE NORTHEAST VOLUNTEER FIRE AND RESCUE, INC., in order for the fire department to make additional improvements. If the property ceases to be used by the fire department it will revert back to Lauderdale County. The motion was passed unanimously.

SO ORDERED, this April 6, 2009.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Wayman Newell, to approve the application for tax exemption from Cotton Heights Free Will Baptist Church, was passed unanimously.

SO ORDERED, this April 6, 2009.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Wayman Newell, to approve Final Order for tax exemption for improvements at Clearspan Components, Inc., was passed unanimously.

SO ORDERED, this April 6, 2009.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to approve Final Order for tax exemption for improvements at Slay Steel, was passed unanimously.

SO ORDERED, this April 6, 2009.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to approve application for tax exemption for improvements at Teikuro Corporation, was passed unanimously.

SO ORDERED, this April 6, 2009.

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Mr. Raymond Huffmaster of Lauderdale offered comments for general good and welfare.

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Supervisor Wayman Newell requested inclusion in the minutes that the Board will be advised of any emergency that comes up.

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The Board of Supervisors, immediately thereafter, with no business intervening, considered the necessity for an executive session for discussion of potential litigation and tax appeals, and a motion by Supervisor Joe Norwood, 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 April 6, 2009.

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

SO ORDERED, this April 6, 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 potential litigation and tax appeals. No action was taken at this time.

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A motion by Supervisor Joe Norwood, seconded by Supervisor Craig Hitt, to approve the request to pay Mike Sanders \$132,660 for his services (10% of contract price less penalties), was passed unanimously.

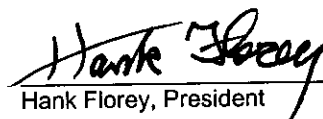
SO ORDERED, this April 6, 2009.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to recess until Monday, April 20, 2009, at 5:00 P.M., was passed unanimously.

SO ORDERED, this April 6, 2009.

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Hank Florey, President