

MONDAY, JUNE 1, 2009

BE IT REMEMBERED that the Lauderdale County Board of Supervisors began and held its regular June meeting at 9:00 a.m., Monday, June 1, 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. Lee Thaggard, representative for Mr. Rick Barry, Board Attorney.

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

Prayer was offered by Mr. Kyle Naylor with Pine Grove Church.

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

BOARD MEETING AGENDA
LAUDERDALE COUNTY BOARD OF SUPERVISORS
MONDAY, JUNE 1, 2009 – 9AM

1. Meeting called to order by Sheriff Billy Sollie.

2. Prayer given by Mr. Kyle Naylor with Pine Grove Church.
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 May 18, 2009.
6. Resolution (s): Congratulating West Lauderdale.
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. Need a motion to go into executive session to discuss legal actions pending and to discuss the transaction of business, discussions and negotiations regarding the location of a business or industry and purchase of real property, as well as personnel matters.
12. Recess until Monday, June 15, 2009 – 9:00 A.M.
 Please note the time change for June 15, 2009 meeting.
 (See pages _____ through _____ of these minutes.)

SO ORDERED, this June 1, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to approve the minutes dated May 18, 2009, was passed unanimously.

SO ORDERED, this June 1, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to approve and include in the minutes Resolution Congratulating and Honoring the West Lauderdale Baseball Team for winning the 4-A State Championship, was passed unanimously.

SO ORDERED, this June 1, 2009.

Upon recommendation of Jimmy Slay, Lauderdale County Tax Assessor, a motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, 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 June 1, 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 Hank Florey, to approve the claims docket for June, 2009; and to authorize the Chancery Clerk to issue warrants therefore, was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this June 1, 2009.

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

- A) Richard Wayne Hatcher, Auxiliary Deputy Sheriff
- B) Nancy Eastman, Deputy Tax Collector

SO ORDERED, this June 1, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to approve the request for them to attend the NACO Conference in Nashville, TN July 24-28, 2009. Cost will include registration fee of \$980.00 (\$490 each); per diem for 5 days at \$460.00 (\$230 each/\$46.00 per day); lodging \$1,670 (\$835.00 each). The motion failed to pass on a three (3) to two (2) vote. 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 June 1, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Craig Hitt, to approve the request to include in the minutes the following legal holiday, was passed unanimously:

Whereas, under the provisions of Section 3-3-7, Mississippi Code of 1972, Fourth of July is declared a legal holiday in the State of Mississippi and Whereas the Fourth of July shall fall on Saturday' **Whereas**, Haley Barbour, Governor has designated Monday the 6th day of July as the day for the observance of the Fourth of July.

SO ORDERED, this June 1, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the request for the Circuit Clerk to attend the annual summer conference July 15-17, 2009 in Tupelo, MS at the Hilton Garden Inn. The cost will include lodging \$315.00, and mileage to and from Tupelo. The motion was passed unanimously.

SO ORDERED, this June 1, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to approve the request to appoint David Sharp as Interim Director of E-911 effective May 21, 2009, and to raise his salary \$400.00 (\$200.00 per pay period) while performing the duties until a full time Director is hired, was passed on 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 June 1, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Wayman Newell, to approve the request to advertise for the position of E-911 Director, was passed unanimously.

SO ORDERED, this June 1, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to approve the request for five (5) Election Commissioners to attend a Congressional District Workshop sponsored by ECAM and the office of the Secretary of State which will be held in Pearl, MS and Hattiesburg, MS. Expenses will include per diem , meals, travel and lodging for one (1) night. The motion was passed unanimously.

SO ORDERED, this June 1, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Wayman Newell, to approve the request to change the two week pay period from Thursday through Wednesday to Sunday through Saturday, was passed unanimously.

SO ORDERED, this June 1, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Craig Hitt, to include in the minutes change order #4 noting a \$10,000 decrease, resulting in a contract price of \$774,925.69 for the DHS Building Construction, was passed unanimously.

SO ORDERED, this June 1, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to approve the request to purchase a DVD recorder with an external two terabyte hard drive in the amount of \$1,480.60 for the purpose of recording board meetings, was passed unanimously.

SO ORDERED, this June 1, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Craig Hitt, to approve the request to purchase three (3) digital cameras for a total amount of \$415.56, was passed unanimously.

SO ORDERED, this June 1, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to approve the request to adjust Permit budget by moving \$28,000 from 001-107-581 to 001-107-919 in Permit Department budget with the difference being used to purchase carpet and chairs, was passed unanimously.

SO ORDERED, this June 1, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to approve the request to adjust the E-911 budget by moving \$7,000 from 097-280-502 telephone service to 097-280-540 buildings/outside repair in order to purchase carpet and furniture for E-911 Board Room, was passed unanimously.

SO ORDERED, this June 1, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to include in the minutes and to approve the following credit card reports, was passed unanimously.

1. Hank Florey \$39.70 (see attached)
2. Craig Hitt \$490.00 (see attached)
3. Joe Norwood \$490.00 (see attached).

(See pages _____ through _____ of these minutes.)

SO ORDERED, this June 1, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to approve the request to pay Toomsba Water System \$8,500 to move the water line on Raymond Cobb Road, was passed unanimously.

SO ORDERED, this June 1, 2009.

A motion by Supervisor Joe Norwood, seconded by Supervisor Wayman Newell, to hire Marlin Clark for Satellite C at \$8.00 per hour, was passed unanimously. On May 4, 2009 it was approved that new hires for Satellites A, C, & D, and the Central Garage could start work immediately upon hiring.

SO ORDERED, this June 1, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Craig Hitt, to hire the following new hires, as replacements, was passed unanimously.

1. Caleb E. Haney – Satellite C – Motor Grader Operator
Starting pay at \$11.00 per hour
2. James Charlie Mathis – Satellite A – Operator III
Starting pay at \$10.12 per hour
3. James David Culpepper – Sanitation – Clean-up Crew
Starting pay at \$7.50 per hour

SO ORDERED, this June 1, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to include in the minutes the purchase of a new Weedeater for the Road Unit on Highway 39 and fax machine for the Central Garage to go on the inventory list, was passed unanimously.

SO ORDERED, this June 1, 2009.

A motion by Supervisor Craig Hit, seconded by Supervisor Wayman Newell, to add to the L.S.B. P. Program the following roads, was passed unanimously.

1. Roy Dollar Road

2. Null Road
3. Betts Ratcliff Road
4. Beaver Pond Road
5. 35th Avenue inside of City of Meridian
6. Old Highway 80 inside City of Meridian
7. Pickard Campbell Road

SO ORDERED, this June 1, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve and accept the lowest and best bid on Track Excavator from Stribling Equipment Company in the amount of \$158,997.77, 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.

SO ORDERED, this June 1, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to approve the request by David Sharp, LEMA Director, to purchase a Prime Mover out of Homeland Security Grant money and Motorola Radios in the amount of \$27,000, with \$2,000 - \$3,000 to be paid out of the LEMA budget, was passed on a vote of four (4) to one (1). Supervisor Hank Florey voted aye; Supervisor Wayman Newell voted aye; Supervisor Craig Hitt voted aye; Supervisor Joe Norwood voted aye; and Supervisor Ray Boswell voted nay.

SO ORDERED, this June 1, 2009.

Upon recommendation of David Sharp, LEMA Director, a motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to approve the application for an EOC

Enhancement Grant; and to approve Board President's signature on the application, was passed on a vote of four (4) to one (1). Supervisor Hank Florey voted aye; Supervisor Wayman Newell voted aye; Supervisor Craig Hitt voted aye; Supervisor Joe Norwood voted aye; and Supervisor Ray Boswell voted nay.

SO ORDERED, this June 1, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve MS Firefighters weekend at the Fire Academy, August 7-9, 2009. Nine (9) volunteers wish to attend. Registration is \$65 per day for a total of \$585.00 (money is in the budget). The motion was passed unanimously.

SO ORDERED, this June 1, 2009.

Clarence Butler, VFD Coordinator, submitted for inclusion in the minutes that three fire departments have been approved for grants. They are Bailey VFD - \$165,551; Toomsaba VFD - \$312,000; and Clarkdale VFD - \$36,000. Each grant will require a 5% match.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to adopt RESTATED RESOLUTION AUTHORIZING THE SALE OF PROPERTY TO MOST REVEREND JOSEPH N. LATINO, BISHOP OF THE CATHOLIC DIOCESE OF JACKSON, TRUSTEE, FOR THE USE AND BENEFIT OF THE MEMBERS OF ST. PATRICK CATHOLIC CHURCH, MERIDIAN, MISSISSIPPI, AND AUTHORIZING THE EXECUTION OF A BUY SELL AGREEMENT, was passed unanimously.

Ms. Carolyn Reed made comments to the Board of Supervisors regarding her land tax.

The Board of Supervisors, immediately thereafter, with no business intervening, considered the necessity for an executive session for discussion of a personnel matter as well as pending and potential litigation; and a motion by Supervisor Craig Hitt, seconded by Supervisor Wayman Newell, was passed by the following vote: Supervisor Hank Florey voted aye; Supervisor Wayman Newell voted aye; Supervisor Craig Hitt voted aye; Supervisor Joe Norwood voted aye; and, Supervisor 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 LEE THAGGARD, REPRESENTATIVE FOR BOARD ATTORNEY, RICK BARRY.

SO ORDERED, this June 1, 2009.

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

SO ORDERED, this June 1, 2009.

The Board then went back into open meeting. Mr. Lee Thaggard, representative for Mr. Rick Barry, Board Attorney, announced that the Board went into executive session to discuss a personnel matter as well as pending and potential litigation. No action was taken at this time.

A motion by Supervisor Wayman Newell, seconded by Supervisor Craig Hitt, to approve the settlement of several tax appeals as briefed by Attorney Thaggard during the executive session. The Board directed Attorney Thaggard to provide a list of such settlement to the county administrator. The Board Attorney was then authorized to complete all documentation necessary to complete the settlements, and directed upon that presentation by the Board Attorney; and, directed upon presentation by Board Attorney of filed Judgments of Dismissal in each of the applicable tax appeal cases. The Tax Collector or Board of Supervisors (whichever is appropriate) shall issue the following refunds. The motion was passed unanimously.

- 1) To taxpayer Willow Ridge Apartments a refund in the amount of \$9,739.555 regarding PPIN No. 019971;
- 2) To taxpayer Valley Ridge Apartments a refund in the amount of \$9,109.47 regarding PPIN No. 028355; and
- 3) To taxpayer Hillview Apartments a refund in the amount of \$9,827.34 regarding PPIN No. 028532.

SO ORDERED, this June 1, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, that Calhoun Fencing be directed to complete the contracted fencing work on the Loblolly site for security purposes, was passed on 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 vote nay; and Supervisor Ray Boswell voted nay.

SO ORDERED, this June 1, 2009.

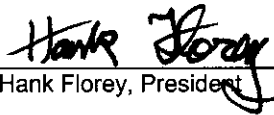
A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to authorize the county administrator to issue a payroll action form to Jennifer Jenkins confirming her prior

termination based upon the elimination of the nursing position at the Juvenile Center, was passed unanimously.

SO ORDERED, this June 1, 2009.

A motion by Supervisor Joe Norwood, seconded by Supervisor Craig Hitt, to recess until Monday, June 15, 2009, at 9:00 A.M., was passed unanimously.

SO ORDERED, this June 1, 2009.


Hank Florey, President