

TUESDAY, JULY 7, 2009

BE IT REMEMBERED that the Lauderdale County Board of Supervisors began and held its regular July meeting at 9:00 a.m., Tuesday, July 7, 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 Court 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 July, 2009 meeting of the Board of Supervisors to order.

Prayer was offered by Supervisor Wayman Newell.

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

A motion by Supervisor Craig Hitt, 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
TUESDAY, JULY 7, 2009 – 9AM

1. Meeting called to order by Sheriff Billy Sollie.
2. Prayer given by Supervisor Wayman Newell.
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 6/15/09 & 6/25/09.
6. Resolutions: Handy Hardware, Inc.
Proclamation: National Healthcare Quality Week October 18th – 25th, 2009.
7. Jimmy Slay, Tax Assessor:
 - A) Petitions for reduction and/or change of assessment.
 - B) Presentation of 2009 Real and Personal Property Tax Rolls.
8. Staff Reports:
9. Other matters for general good and welfare.
10. Actions from Supervisors.
11. Consider 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. Motion to recess until Monday, July 13, 2009 at 9 A.M.
(See pages _____ through _____ of these minutes.)

SO ORDERED, this July 7, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Craig Hitt, to approve the minutes dated June 15, 2009 and June 25, 2009, was passed unanimously.

SO ORDERED, this July 7, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Wayman Newell, to approve Resolution regarding infrastructure improvements for Handy Hardware, Inc., was passed unanimously.

SO ORDERED, this July 7, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Craig Hitt, to Proclaim October 18 – 25, 2009, as National Healthcare Week, was passed unanimously.

SO ORDERED, this July 7, 2009.

Upon 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 July 7, 2009.

Mr. Jimmy Slay, Lauderdale County Tax Assessor, presented the 2009 Real and Personal Property Tax Rolls to the Board of Supervisors for Equalization.

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 Craig Hitt, seconded by Supervisor Hank Florey, to approve the claims docket for July, 2009; and to authorize the Chancery Clerk to issue warrants therefore, 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.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this July 7, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Craig Hitt, to include in the minutes certification from Sheriff Billy Sollie that 22,603 meals were served in the Lauderdale County Detention Facility during the month of June 2009; and to authorize the Board President to sign the necessary paperwork.

SO ORDERED, this July 7, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to approve and include in the minutes credit card reports for Supervisor Joe Norwood – (\$235.51) and Supervisor Craig Hitt (\$298.86), failed to pass on a vote of three (3) to two (2). Supervisor

Hank Florey voted nay; Supervisor Wayman Newell vote nay; Supervisor Ray Boswell voted nay; Supervisor Craig Hitt voted aye; and Supervisor Joe Norwood voted aye.

SO ORDERED, this July 7, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the request to adjust budget of County Attorney – line item 001-169-581 by adding \$2,097 in order to complete this year's budget, was passed unanimously.

SO ORDERED, this July 7, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to approve the request for "Gates to Greatness", a therapeutic horseback writing program for disabled and handicapped children, adults, and disabled veterans to use the Agri-Center for dates of September 2, 9, & 23; October 7, 14, & 21; November 4 & 18; December 2, 9, & 16, 2009, at no cost to this program, was passed unanimously.

SO ORDERED, this July 7, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the recommendation of Dalewood Sewer District Commissioners to appoint Mr. Edward B. Murray to fill the vacancy due to the resignation of Mr. George Buie, was passed unanimously.

SO ORDERED, this July 7, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve payment of \$600.00 to Sewah Studios, Inc. for Historic Marker for Wechsler School; Wechsler Community Arts Association will pay \$690.00 on \$1,890.00 bill. The City will pay their share of bill (\$600.00). The motion was passed unanimously.

SO ORDERED, this July 7, 2009.

A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to direct the County Administrator to meet with the City Clerk of Meridian to determine amounts owed to the County for specific projects such as: demolition of houses, Boy's and Girl's Club, and E-911. The County Administrator will repost back to the Board of Supervisors on his findings. The motion was passed unanimously.

SO ORDERED, this July 7, 2009.

A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to approve the request for Southwest Lauderdale Water Association to construct or extend an underground water distribution line on Peavy Road and Statinea Road; and, to approve the request from AT&T to construct a buried telecommunications cable along or across Arundel Road, was passed unanimously.

SO ORDERED, this July 7, 2009.

A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to approve the Program Agreement with State Aid to inspect 312 bridges in Lauderdale County at a cost of \$76,000.00; and, to have the report filed by February 15, 2010, was passed unanimously.

SO ORDERED, this July 7, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the hiring of Zack Hudson for Satellite B, and Benjamin Cates for Satellite D. Both are replacements and will be paid \$9.12 per hour. The motion was passed unanimously.

SO ORDERED, this July 7, 2009.

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

- 1) Effective June 17, 2009, Deputy Harold Null has retired.

Upon recommendation of Sheriff Billy Sollie, a motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to declare weapon utilized by Deputy Harold Null (Serial #EXF771US) as surplus, was passed unanimously.

SO ORDERED, this July 7, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Wayman Newell, to approve the sale of the weapon just declared surplus to Harold Null for \$1.00, was passed unanimously.

SO ORDERED, this July 7, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Craig Hitt, to approve the request for Investigator Gypsi Ward to attend the 10th Annual Gulf States Victim-

Witness LECC Conference in New Orleans on July 20 – 23, 2009. Lodging will be at the Marriott at a cost of \$351.39. Per diem and incidentals requested in the amount of \$206.50. A scholarship will pay for \$500.00 of these costs, leaving less than \$100. The motion was passed unanimously.

SO ORDERED, this July 7, 2009.

A motion by Wayman Newell, seconded by Supervisor Craig Hitt, to approve the request for Lt. Ruston Russell to attend Handgun/Shotgun Instructor Course in Florence, AL on August 10 – 14, 2009. Tuition is \$525.00. Range fee is \$35.00. Lodging will be at the Holiday Inn in Sheffield, AL at the cost of \$307.50. Per diem is requested in the amount of \$205.00. The cost of this training will be paid out of the budget. The motion was passed unanimously.

SO ORDERED, this July 7, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve ORDER ADOPTING MOTOR VEHICLE SCHEDULE FOR 2009-2010 FISCAL YEAR FOR LAUDERDALE COUNTY, MISSISSIPPI, with a hearing date scheduled for July 20, 2009 at 5:30 p.m., was passed unanimously.

SO ORDERED, this July 7, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Craig Hitt, to consider ORDER OF THE BOARD OF SUPERVISORS ACCEPTING THE MATTER OF REAL AND PERSONAL ASSESSMENT ROLLS OF LAUDERDALE COUNTY, MISSISSIPPI, which were filed by the Tax Assessor as of this date; and to meet on Monday, July 20, 2009 at 3:00 p.m., to equalize the rolls, was passed unanimously.

SO ORDERED, this July 7, 2009.

A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to accept RESOLUTION OF THE BOARD OF SUPERVISORS OF LAUDERDALE COUNTY, MISSISSIPPI, REQUESTING MISSISSIPPI DEVELOPMENT AUTHORITY TO DISTRIBUTE BOND PROCEEDS AUTHORIZED UNDER CHAPTER 429, LAWS OF 2008, HOUSE BILL NUMBER 858, REGULAR SESSION OF THE 2008 MISSISSIPPI LEGISLATURE, which will assist Wayne County, Clarke County and Lauderdale County for construction and improvement of railroad lines and related facilities in the amount of Two Million Dollars (\$2,000,000). The taxpayers of Lauderdale County will not be required to pay back any of these funds or costs associated with the railroad improvements. The motion was passed unanimously.

SO ORDERED, this July 7, 2009.

A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to accept RESOLUTION AUTHORIZING THE EXECUTION OF A COOPERATIVE AGREEMENT FOR DISBURSEMENT OF BOND PROCEEDS, HOUSE BILL 858, REGULAR SESSION OF THE 2009 MISSISSIPPI LEGISLATURE BETWEEN LAUDERDALE COUNTY, MISSISSIPPI AND CLARKE COUNTY, MISSISSIPPI, AND WAYNE COUNTY, MISSISSIPPI, in the amount of Two Million Dollars (\$2,000,000). The taxpayers of Lauderdale County will not be required to pay back any of these funds or costs associated with the railroad improvements. The motion was passed unanimously.

SO ORDERED, this July 7, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to approve RESOLUTION AUTHORIZING THE EXECUTION OF AND APPROVAL OF SPECIAL WARRANTY DEED FROM LAUDERDALE COUNTY BOARD OF SUPERVISORS IN SALE 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 to have the Board President sign the appropriate documents. The motion also includes designating proceeds from this sale to County Building Fund. The motion was passed unanimously.

SO ORDERED, this July 7, 2009.

The Board of Supervisors discussed RESOLUTION OF PETITION AS TO PERSONAL PROPERTY ASSESSMENT OF WGBC-TV AND WMDN-TV. This matter will be discussed at a later meeting to be held Thursday, July 16, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve FINAL ORDER GRANTING TAX EXEMPTION FOR QUALITY LOGISTICS SYSTEMS, INC., was passed unanimously.

SO ORDERED, this July 7, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Craig Hitt, to approve AMENDED RESOLUTION GRANTING TAX EXEMPTION FOR VAN ZYVERDEN, INC., was passed unanimously.

SO ORDERED, this July 7, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the request that insurance on all VFD Buildings be paid by Lauderdale County out of the funds in the Supervisor's Travel Budget, 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 July 7, 2009.

The Board of Supervisors, immediately thereafter, with no business intervening, considered the necessity for an executive session for discussion of legal actions pending and the discussion of personnel matters; and a motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, 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 EXXECUTIVE SESSION ALL PERSONS LEFT THE BOARD ROOM WITH THE EXCEPTION OF SUPERVISORS HANK FLOREY, WAYMAN NEWELL, CRAIG HITT, JOE NORWOOD, RAY BOSWELL, AND BO BAILEY, REPRESENTATIVE FOR BOARD ATTORNEY, RICK BARRY

SO ORDERED, this July 7, 2009.

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

SO ORDERED, this July 7, 2009.

The Board went back into open meeting. Mr. Bo Bailey, representative for Mr. Rick Barry, Board Attorney, announced that the Board went into executive session to discuss legal actions pending as well as personnel matters. No action was taken at this time.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to authorize settlement of the appeal for the tax assessment of the Coca-Cola Bottling Company in the amount of \$2.2 Million, was passed unanimously.

SO ORDERED, this July 7, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to authorize settlement of the appeal for the tax assessment of Dillards, Inc. in the amount of \$5.9 Million, was passed unanimously.

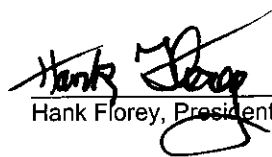
SO ORDERED, this July 7, 2009.

Upon recommendation of the E-911 Commission, a motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to approve Mr. Jared Stanley as E-911 Director at a starting salary of \$42,500 yearly; and for a probationary period of six months, 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 July 7, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Wayman Newell, to recess until Thursday, July 16, 2009 at 1:30 p.m., was passed unanimously.

SO ORDERED, this July 7, 2009.


Hank Florey, President