

MONDAY, AUGUST 17, 2009

Pursuant to recess the Lauderdale County Board of Supervisors resumed its regular August meeting at 5:00 p.m., Monday, August 17, 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.

The August meeting was called to order by Board President Hank Florey.

Prayer was offered by Pastor Roy Dabbs of Oak Grove Baptist 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 as follows, was passed unanimously.

BOARD MEETING AGENDA
LAUDERDALE COUNTY BOARD OF SUPERVISORS
MONDAY, AUGUST 17, 2009 – 5PM

1. Meeting called to order by Board President Hank Florey.

2. Prayer given by Pastor Ray Dabbs of Oak Grove Baptist 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 August 3, 2009 9:00 a.m. and 1:30 p.m.
6. Resolution (s): on Mike's Agenda.
Proclamation: Proclaiming August 21, 2009 as "Coach Ken Carter Day"
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. (If needed) 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. Motion to recess until August 19, 2009 at 9:00 a.m.

AMENDMENTS:

- 1) SHERIFF BILLY SOLLIE – Add Item 7 to Agenda – Evidence Acquisition Fund.
- 2) CLARENCE BUTLER – Delete Item B from Agenda.
(See pages _____ through _____ of these minutes.)

SO ORDERED, this August 17, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the minutes dated August 3, 2009 – 9:00 a.m. and 1:30 p.m. meetings, was passed unanimously.

SO ORDERED, this August 17, 2009.

A motion by Supervisor Joe Norwood, seconded by Supervisor Ray Boswell, that the Lauderdale County Board of Supervisors proclaim August 21, 2009 as "Coach Ken Carter Day"; and recognizing Coach Carter as a dedicated leader and a fine example for all youth to excel in excellency. The motion was passed unanimously.

SO ORDERED, this August 17, 2009.

Upon recommendation of Mr. Jimmy Slay, Lauderdale County Tax Assessor, a motion by Supervisor Wayman Newell, seconded by Supervisor Craig Hitt, to approve the request for Theresa Bell and Rachel Jones to attend the International Association of Assessing Officers' Course 101 to be held at the Cabot Lodge October 5-9, 2009 in Jackson; registration is \$500 each (total \$1,000), Per diem is \$155.00 each (total \$310.00), and lodging is \$370. The motion was passed unanimously.

SO ORDERED, this August 17, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Wayman Newell, to authorize the Clerk of the Board to send out letters to notify personal property owners of an error that may affect the value of their property for 2009. The error was due to the software company's failure to enter the 2009 cost manual and industrial multipliers. Owners will have until Friday, August 28, 2009, at 5:00 P.M., to file a written objection with the Chancery Clerk of Lauderdale County if their true value is not accurate. The objections will be heard on Monday, August 31, 2009, at 9:00 a.m. The motion was passed unanimously.

SO ORDERED, this August 17, 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 second claims docket for the month of August, 2009; and to authorize the Chancery Clerk to issue warrants therefore, was passed unanimously.

SO ORDERED, this August 17, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to submit for inclusion in the minutes certification from Sheriff Billy Sollie that 21,704 meals were served in the Lauderdale County Detention Facility during the month of July, 2009; and to authorize the Board President to sign the necessary paperwork, was passed unanimously.

SO ORDERED, this August 17, 2009.

A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to approve the request to void seven (7) 2006 tax sales and refund \$4,008.23 to tax buyers, as follows, was passed unanimously.

1.	PPIN 12437	\$ 885.00
2.	PPIN 28639	36.78
3,	PPIN 28610	113.81
4.	PPIN 28633	215.72
5.	PPIN 28634	115.15

6.	PPIN 28635	111.77
7.	PPIN 18235	\$2,530.00

SO ORDERED, this August 17, 2009.

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

- A) Kassadie Jones, Deputy Circuit Clerk
- B) Tavaras Smith, Auxiliary Deputy Sheriff
- C) Joshua Andrea May, Detention Officer
- D) Clifford Ellis Holloway, Detention Officer
- E) Robin Bufkin, Detention Officer

SO ORDERED, this August 17, 2009.

A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to approve the request to finalize Homestead Chargebacks; there are five (5) objections and twenty-five (25) acceptances. The motion was passed unanimously.

SO ORDERED, this August 17, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the request for Darlene Jones to attend 2009 Mississippi Justice Court Clerks' Convention September 2-4, 2009 at the Imperial Casino in Biloxi, MS. Cost will include lodging, registration, and per diem. The motion was passed unanimously.

SO ORDERED, this August 17, 2009.

A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to approve the request for Justice Court Judges to attend the 2009 Justice Court Judges Fall Conference September 30 – October 2, 2009. Cost will include registration in the amount of \$125.00 each, lodging for one night each (2 nights will be paid by the college), per diem, and travel. The motion was passed unanimously.

SO ORDERED, this August 17, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the request for a Pauper's Burial for John Wesley Smith, Sr. who died in Lauderdale County on or about August 6, 2009, was passed unanimously.

SO ORDERED, this August 17, 2009.

A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to include in the minutes quotes to re-roof the Annex garage and to accept the quote of Daniels Roofing in the amount of \$31,005.00, was passed unanimously.

1. Daniels Roofing in the amount of \$31,005.00
2. Norman Enterprises, Inc. in the amount of \$33,000.00
3. Cross Roofing, Inc. in the amount of \$32,875.00

SO ORDERED, this August 17, 2009.

A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to approve the request by the County Administrator of Inter-fund Transfer and close old grant funds 036, 039, and 117 (per the attached memos), was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this August 17, 2009.

County Administrator presented quotes for the Cedar Rapids Asphalt Spreader from Citizens National Bank, BanCorp South, and Hancock Bank. The Board decided to table until the next meeting due to the quotes being for the full amount of \$295,000. The insurance company is paying \$35,000 for the old spreader that was damaged and this amount should be subtracted from the amount to be borrowed. Also, Supervisor Ray Boswell questioned why the Board is paying over \$7,000 for repair work on the old spreader when the County will be paying \$295,000 to Stribling Equipment Co. for the new spreader. Board Attorney Rick Barry said he would look into for the Board.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the request for the Tourism Commission to donate a \$5,000 grant to the First Tee Golf Tournament to be held in October. Board approval is needed to allow this grant to be processed. Supervisor Craig Hitt wanted to go on record that he supports the First Tee Program but that he cannot support the grant because it will open the door for other organizations in the community to ask for funds. Supervisor Wayman Newell iterated that he sits on the Tourism Commission and that they voted unanimously to support the First Tee Grant. The motion passed on 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 August 17, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to approve RESOLUTION OF THE LAUDERDALE COUNTY BOARD OF SUPERVISORS

REQUESTING THE MISSISSIPPI LEGISLATURE TO AMEND 51-15-123 OF THE MISSISSIPPI CODE OF 1972, ANNOTATED, AND TO REMOVE SUB-SECTION (2) (51-15-123(2) FROM THE STATUTE (per the attached), was passed unanimously. 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.

(See page _____ of these minutes.)

SO ORDERED, this August 17, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to approve the purchase of computer equipment for E-911 in the amount of \$17,062; and to make budget adjustment from 502 Telephone Services to 920 Office Equipment over \$5,000. The motion was passed by 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 August 17, 2009.

County Administrator Mike Sumrall submitted for inclusion in the minutes the following quotes for panels for the Agri-Center:

- | | | |
|----|----------------------------|-------------|
| 1) | WW Livestock Manufacturing | \$22,585.00 |
| 2) | David Newell | \$18,824.50 |

A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to accept the quote from David Newell in the amount of \$18,824.50 to purchase panels, gates, and posts for the Agri-Center (money is in the budget), was passed on a vote of four (4) to zero (0). Supervisor Hank Florey voted aye; Supervisor Craig Hitt voted aye; Supervisor Joe Norwood voted aye; Supervisor Ray Boswell voted aye; and Supervisor Wayman Newell abstained from voting.

SO ORDERED, this August 17, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve Hurricane Gustav Recovery Fund which is to assure the funds of \$30,390.82 are properly accounted for and are expended for proper purposes. The motion was passed unanimously.

SO ORDERED, this August 17, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the request to pay membership dues to Mississippi Justice Court Judges Association in the amount of \$200.00 each, was passed unanimously.

SO ORDERED, this August 17, 2009.

A motion by Supervisor Joe Norwood, seconded by Supervisor Craig Hitt, to declare two (2) lists of inventory items that are no longer useful to the County and should be declared surplus and removed from inventory (List #081709 – Removals and List #81709 – Transfers, per attached), was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this August 17, 2009.

A motion by Supervisor Joe Norwood, seconded by Supervisor Craig Hitt, to donate the following surplus computers to the Boys' and Girls' Club, was passed on a voted 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.

Asset #	Item	Serial #
6085	HP DC5000 PC	MXL5080LMQ
6086	HP DC5000 PC	MXL5210MX3
6089	HP DC5000 PC	MXL5080LNL
6091	HP DC5000 PC	MXL5210ML3
6092	HP DC5000 PC	MXL5080LLY

SO ORDERED, this August 17, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to approve the request for Gwendolyn McDonald, Permit Officer, to attend 2009 Association of Flood Plain Managers Conference in Tunica, MS September 30 – October 2, 2009. Costs include: Registration \$100, lodging \$220.65, per diem \$93; and membership dues \$50.00 for Gwen and Kathy Lummus. The motion was passed unanimously.

SO ORDERED, this August 17, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to approve the request to repair Satellite B's Trackhoe in the amount of \$7,000, was passed unanimously.

SO ORDERED, this August 17, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Wayman Newell, to approve application to place a buried fiber optic telecommunications cable along and across Wilsondale, Okatibbee Dam, Twitley Branch, Hamrick, West Lauderdale, and Church Roads in

Lauderdale County (AT&T Project No. 87M00922N); and application to place a buried telecommunications cable along Wilsendale Road in Lauderdale County (AT&T Project No. 97M00723N), was passed unanimously.

SO ORDERED, this August 17, 2009.

Neal Carson, County Engineer/Road Manager submitted for inclusion in the minutes Determination of 100 Year Base Flood Elevation for 7130 Suqualena Meehan Road North, Meridian, MS (task order No. 09-03).

A motion by Supervisor Joe Norwood, seconded by Supervisor Craig Hitt, to approve Change Order for Q.V. Sykes Park for 56 sprinklers at a cost of \$32,546.00 (money will come out of Supervisor Norwood's Recreation Fund), was passed unanimously.

SO ORDERED, this August 17, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to approve the request to advertise for bids for door to door curbside garbage pickup, 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 August 17, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to approve the inclusion of eight (8) hand-held radios to the inventory of the Collinsville VFD, was passed unanimously.

SO ORDERED, this August 17, 2009.

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

- 1) Effective July 24, 2009, Robert David Riley is no longer employed as a Detention Officer.

A motion by Supervisor Joe Norwood, seconded by Supervisor Wayman Newell, to approve the request for Mickey Ables and Karen Stephens to attend MS Association of Professionals in Corrections 26th Annual Conference September 15–8, 2009 in Tunica, MS. Registration and dues are requested in the amount of \$230.00. Lodging will be at Sam's Town Hotel and Casino in the amount of \$215.00. Per diem is requested in the amount of \$328.00. The cost of this training will be paid for out of the budget. The motion was passed unanimously.

SO ORDERED, this August 17, 2009.

A motion by Supervisor Joe Norwood, seconded by Supervisor Wayman Newell, to approve the request for Deputy Danny Knight and Deputy Ronnie Carter to attend Courtroom Security Training August 31–September 1, 2009 in Biloxi, MS. Lodging will be at The Best Western at the cost of \$60.00. Per diem is requested in the amount of \$144.00. The motion was passed unanimously.

SO ORDERED, this August 17, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Wayman Newell, to add 2003 Black Yukon XL VIN# 3GKE16273G242314 to the Sheriff Department's inventory, was passed unanimously.

SO ORDERED, this August 17, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Craig Hitt, to approve the request for Sgt. Ken Delaney and Sgt. Chris Fagan to attend K-9 Handler's Course in Kaplan, LA. Lodging is requested in the amount of \$875.00. Per diem is requested in the amount of \$900.00. The cost for this training will be paid out of seized funds. The motion was passed unanimously.

SO ORDERED, this August 17, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Joe Norwood, to approve the request for Lt. Willie Graham to attend the FTO I (Field Training Officer) Class in Pearl, MS on August 24- 27, 2009. The cost of this training is \$140.00 and will be paid for out of the budget. The motion was passed unanimously.

SO ORDERED, this August 17, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to direct the Chancery Clerk to issue a warrant in the amount of \$5,000 to the City of Meridian for the Evidence Acquisition Fund, which is used to make drug purchases. The money will come out of seized funds. The motion was passed unanimously.

SO ORDERED, this August 17, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Wayman Newell, to adopt RESOLUTION EXPRESSING THE INTENT OF THE LAUDERDALE COUNTY BOARD OF SUPERVISORS TO SET A PUBLIC HEARING ON THE BUDGET AND SETTING THE TAX RATE, with the hearing to be set on September 8, 2009 at 5:30 p.m. to discuss a proposed adoption of a budget and tax rate for fiscal year 2009-2010; and to set a meeting on September 10, 2009 at 10:00 a.m. to consider setting the property tax revenue and accepting and finally adopting the budget and tax rate for fiscal year 2009-2010. The motion was passed unanimously.

SO ORDERED, this August 17, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Craig Hitt, to adopt the RESOLUTION OF THE BOARD OF SUPERVISORS ACCEPTING AND APPROVING THE BUDGET OF ESTIMATED EXPENSES FOR THE LAUDERDALE COUNTY SCHOOL BOARD FOR FISCAL YEAR 2009-2010, was passed unanimously.

SO ORDERED, this August 17, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Craig Hitt, to approve THE FINAL ORDER OF AD VALOREM TAXATION EXEMPTION TO VAN ZYVEREN, INC. PPIN #12068 ON IMPROVEMENTS; exemption of the property is certified for a period of ten (10) years from and after January 1, 2008 ending December 31, 2017, with a true value of \$822,865.00. The motion was passed unanimously.

SO ORDERED, this August 17, 2009.

Mr. Raymond Huffmaster, Ms. Ruth Scott, Mr. Bill Sharp, and Ms. Mary Ellen Sharp spoke to the Board on various matters of general good and welfare.

A motion by Supervisor Joe Norwood, seconded by Supervisor Craig Hitt, for the Board of Supervisors to approve and sign a Letter of Commitment to the Meridian Housing Authority, for the development of Frank Berry Courts for new housing. The Board's commitment will be \$100,000 of in-kind services. The motion was passed unanimously.

SO ORDERED, this August 17, 2009.

The Board of Supervisors, immediately thereafter, with no business intervening, considered the necessity for an executive session for discussion of pending litigation, and a motion by Supervisor Ray Boswell, 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, COUNTY ADMINISTRATOR, AND BOARD ATTORNEY, RICK BARRY.

SO ORDERED, this August 17, 2009.

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

SO ORDERED, this August 17, 2009.

The Board then went back into open meeting. Mr. Rick Barry, Board Attorney, announced that the Board went into executive session to discuss pending litigation. No action was taken at this time.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to settle Thomas McDaniel property \$345,000; PPIN 26795 \$190,000 and PPIN 26798 \$640,000, was passed by a vote of four (4) to zero (0). Supervisor Hank Florey voted aye; Supervisor Wayman Newell voted aye; Supervisor Craig Hitt voted aye; Supervisor Ray Boswell voted aye; and Supervisor Joe Norwood abstained.

SO ORDERED, this August 17, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to settle Rush Hospital for \$6,200,000, was passed unanimously.

SO ORDERED, this August 17, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to recess until Wednesday, August 19, 2009, at 9:00 a.m., was passed unanimously.

SO ORDERED, this August 17, 2009.



Hank Florey, President