

MONDAY, NOVEMBER 2, 2009

BE IT REMEMBERED that the Lauderdale County Board of Supervisors began and held its regular November meeting at 9:00 a.m., Monday, October 2, 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.

Chief Deputy Sheriff Ward Calhoun called the November, 2009 meeting of the Board of Supervisors to order.

Prayer was offered by Pastor Sumrall.

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

BOARD MEETING AGENDA
LAUDERDALE COUNTY BOARD OF SUPERVISORS
MONDAY, NOVEMBER 2, 2009 – 9AM

1. Sheriff Sollie calls November 2, 2009 meeting to order.
2. Prayer by Pastor Sumrall.
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 10/19/09.
6. Jimmy Slay, Tax Assessor
 - A) Petitions for reductions and/or change of assessment.
7. Sheriff Billy Sollie – (agenda attached).
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 Monday, November 16, 2009.

AMENDMENTS;

BOARD ATTORNEY:

- 1) Add 3a. to Legal Agenda – Right-of-Way Easement for Suqualena Graham Road Project.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this November 2, 2009.

Mr. Johnny Ford, a resident of Alabama and founder of the World Conference of Mayors, spoke to the Board of Supervisors. He is currently a candidate for Senator

representing the State of Alabama. Mr. Ford commended the Board for their work in representing the citizens of Lauderdale County.

A motion by Supervisor Wayman Newell, seconded by Supervisor Joe Norwood, to approve minutes dated October 19, 2009, was passed unanimously.

SO ORDERED, this November 2, 2009.

Upon the recommendation of Jimmy Slay, Lauderdale County Tax Assessor, a motion by Supervisor Joe Norwood, seconded by Supervisor Wayman Newell, 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 November 2, 2009.

Lauderdale County Tax Assessor Jimmy Slay presented to the Board of Supervisors three (3) audits from the Mississippi State Tax Commission – Industrial Personal Property Audit, Personal Property Audit, and Mapping Audit – for the Tax Assessor's Office for Tax Year 2009, which were very favorable.

Lauderdale County Tax Assessor Jimmy Slay informed the Board that the Tax Exemptions on Greater Meridian Baptist Church and Christ's Church in Action were revoked in

2007. All that needs to be done is to issue tax bills for years 2008 and 2009. Board Attorney, Rick Barry, advised that a letter notifying the churches of a tax increase should be sent out to advise them of the change, allowing them to come before the Board to object to this increase.

Chief Deputy Sheriff Ward Calhoun submitted for inclusion in the minutes, for Sgt. Andy Matuszewski to attend Desert Snow Training Conference in Greensboro, GA December 1-4, 2009. The cost of this training is \$990.00. Lodging will be at the Ritz-Carlton Lodge in the amount of \$344.96. Per diem is \$184.00. The cost of this training will be paid for out of seized funds.

Chief Deputy Sheriff Ward Calhoun submitted for inclusion in the minutes, for Lt. Andy Hatcher, Sgt. David Rosenbaum, Deputy Chris McFarland, and Deputy Guyton Montgomery to attend SWAT School at the Meridian Lauderdale Training Facility in Meridian on November 15 to 20, 2009. The cost of the training is \$1,400.00 and will be paid for out of the budget.

A motion by Supervisor Joe Norwood, seconded by Supervisor Wayman Newell, to approve the attached list of Deputy Justice Court Clerks from the Lauderdale County Sheriff's Department, was passed unanimously.

SO ORDERED, this November 2, 2009.

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.)

A motion by Supervisor Wayman Newell, seconded by Supervisor Craig Hitt, to approve the claims docket for the month of November, 2009; and to authorize the Chancery Clerk to issue warrants therefore, was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this November 2, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Craig Hitt, to approve the request for the Election Commissioners to attend the 2010 ECAM Seminar/Convention on January 27, 2010 at the Silver Star Convention Center. Registration fee will be \$1,345.00 for the five (5) commissioners. Per diem, meals, and travel will be submitted upon returning from the seminar. The motion was passed unanimously.

SO ORDERED, this November 2, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Craig Hitt, to approve the request of Donna Jill Johnson, Circuit Clerk, to attend ECAM Convention on January 27-29, 2010 at the Silver Start Convention Center. Registration fee will be \$270.00 and associate dues for \$20.00, for a total of \$290.00. Per diem, meals, and travel will be submitted upon return. The motion was passed unanimously.

SO ORDERED, this November 2, 2009.

A motion by Supervisor Joe Norwood, seconded by Supervisor Wayman Newell, to approve the request per Alisa Ransom, Payroll Clerk, to destroy the attached list of records dated October 12, 2009, was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this November 2, 2009.

Upon recommendation of County Administrator Mike Sumrall, a motion by Supervisor Wayman Newell, seconded by Supervisor Craig Hitt, to approve the inter-fund transfer of \$2,675,000.00 from fund 306 Road and Bridge Bond as follows, was passed unanimously.

a.	General County	\$1,500,000.00
b.	Road Fund	800,000.00
c.	Bridge Fund	150,000.00
d.	Reappraisal	225,000.00

SO ORDERED, this November 2, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to approve the placement an ad in the January 2010 Legislative Issue of MAS Magazine – Black & White full page for \$300. The motion failed on a vote of three (3) to two (2). Supervisor Craig Hitt voted nay; Supervisor Joe Norwood voted nay; Supervisor Ray Boswell voted nay; Supervisor Hank Florey voted aye; and Supervisor Hank Florey voted aye.

SO ORDERED, this November 2, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Craig Hitt, to approve the request of Stanley Shannon to purchase two (2) Lexmark 2590 Receipt Printers with sheet support stand for a total of \$1,128.00 plus shipping of \$39.00 for a total of \$\$1,167..00; and approval to make budget adjustment increasing 001-104-919 of \$1,200.00. The motion was passed unanimously.

SO ORDERED, this November 2, 2009.

A motion by Supervisor Wayman Newell, to approve the request to change the second Board Meeting of the month from 5:00 p.m. to 9:00 a.m.; with all meetings being held at 9:00 a.m. on the first and third Monday. The motion failed due to the lack of a second.

A motion by Supervisor Wayman Newell, seconded by Supervisor Craig Hitt, to take under advisement the following requests of Judge Coleman to hire the following people at the Juvenile Center, was passed unanimously.

- a. Motion to ratify Eddie Alford as Dorm Master (floater) effective Thursday, October 29, 2009 at \$8.50 per hour. Mr. Alford will work full time as a Floater to relieve officers on leave, vacation or sick.
- b. J. C. Lewis as Recreational Officer at a rate of \$12.00 per hour effective Monday, November 2, 2009. Mr. Lewis will work part time; 3 hours per day, five days a week.

SO ORDERED, this November 2, 2009.

County Administrator Mike Sumrall submitted for inclusion in minutes notice of the State Tax Commission certifying that Lauderdale County has complied with the criteria set

forth in 27-39-329 (2) (b), Mississippi Code of 1972, annotated. This certification authorized the county to expend the avails of the (1) mill levy collected for the 2009 roll year and any previous years under the above code; and authorize transfer of \$550,562.07 to general county.

A motion by Supervisor Joe Norwood, seconded by Supervisor Ray Boswell, to approve the request of a budget adjustment increasing line item 103-240-915 by \$100,000.00, for the purchase of two (2) ambulances previously approved by the Board, was passed unanimously.

SO ORDERED, this November 2, 2009.

A motion by Supervisor Joe Norwood, seconded by Supervisor Craig Hitt, to approve the request of Clayton Cobler, Medical Examiner, to transfer funds of \$100,000.00 for the purchase of two (2) ambulances previously approved by the Board. These funds are from: 2008 EMSOF Grant Contributions of \$43,962.00 and 2009 EMSOF Grant Contributions of \$45,427.00, and Budget monies of \$10,611.00. The motion was passed unanimously.

SO ORDERED, this November 2, 2009.

A motion by Supervisor Joe Norwood, seconded by Supervisor Craig Hitt, to authorize the transfer of \$550,562.07 to General County Fund One (1), which was made available from the one (1) mill levy collected for the 2009 roll year and any previous year under code 27-39-329 (2) (b), Mississippi Code of 1972, was passed unanimously.

SO ORDERED, this November 2, 2009.

County Administrator Mike Sumrall submitted for inclusion in the minutes the following legal holidays authorized by Governor Haley Barbour:

- a) Thanksgiving – Thursday, November 26, 2009 and Friday, November 27, 2009.
- b) Christmas – Thursday, December 24, 2009 and Friday, December 25, 2009
- c) New Year's – Thursday, December 31, 2009 and Friday, January 1, 2010

County Administrator Mike Sumrall submitted for inclusion in the minutes the change for Work Session Thursday, December 31, 2009 to Wednesday, December 30, 2009, due to Holiday as listed above.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to approve the request per LEMA Director David Sharp for the Board President to sign the necessary documents related to the PSIC Grant. The State has awarded \$165,000.00 for the purchase of communication equipment. The motion was passed unanimously.

SO ORDERED, this November 2, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to approve the request per LEMA Director David Sharp for purchase orders for the communication equipment previously mentioned above, was passed unanimously.

SO ORDERED, this November 2, 2009.

A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to approve RESOLUTION AUTHORIZING THE ABANDONMENT OF A COUNTY ROAD

KNOWN AS "JIGGS CHATHAM ROAD BETWEEN GEORGE MINOR ROAD AND HARVE CHATHAM ROAD", was passed unanimously.

SO ORDERED, this November 2, 2009.

A motion by Supervisor Ray Boswell, seconded by Supervisor Craig Hit, to approve ORDER ACCEPTING RIGHT-OF-WAY CONVEYANCE FOR PUBLIC ROAD PROJECT NO. ER-0459(6)B OBTAINED FROM ANDREW FREEMAN BYRD TRUST, RACHEL LEA BYRD UNIFIED TRUST, JAMES RICHARD O'CONNELL TRUST, BARBARA BYRD REVOCABLE TRUST AND JOHNSTON TIMBER, LP, A TEXAS LIMITED PARTNERSHIP, 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 November 2, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to approve RESOLUTION AUTHORIZING THE EXECUTION OF AN AWARD LETTER/GRANT RECIPIENT AGREEMENT FROM STATE HOMELAND SECURITY GRANT PROGRAM (SOUTHEAST 2 REGIONAL RESPONSE TEAM), was passed unanimously.

SO ORDERED, this November 2, 2009.

A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to accept Easement from University of South Alabama Foundation for the Right-Of-Way for the Suqualena Graham Road Project LSBP 3814, was passed unanimously.

SO ORDERED, this November 2, 2009.

Mr. Bill Marcy, Mr. Charles "Chuck" Young, Reverend Milton Johnson, Ms. Tequila Hodges and others spoke to the Board of Supervisors concerning matters for general good and welfare of Lauderdale County.

A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to appoint Mr. Bill Marcy to the Census Committee representing District One, was passed unanimously.

SO ORDERED, this November 2, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Joe Norwood, to approve the list of names (see attached) submitted by Sharon Smith, with the addition of Dianne Wells, to serve on the Keep America Beautiful Committee, was passed unanimously.

SO ORDERED, this November 2, 2009.

A motion by Supervisor Craig Hitt, to approve the placement of an ad in the January 2010 Legislative Issue of MAS Magazine – a full page black and white ad with no picture, failed due to the lack of a second.

The Board of Supervisors immediately thereafter, with no business intervening, considered the necessity for an executive session for discussion of legal actions pending and anticipated litigation, and a motion by Supervisor Wayman Newell, seconded by Supervisor

Hank Florey, to go into executive session 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 RICK BARRY, BOARD ATTORNEY.

SO ORDERED, this November 2, 2009.

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

SO ORDERED, this November 2, 2009.

The Board went back into open meeting. Mr. Rick Barry, Board Attorney, announced that the Board went into executive session to discuss legal actions pending.

A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to authorize a Recreational Officer position at the Juvenile Center, was passed unanimously.

SO ORDERED, this November 2, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to authorize an order for seven (7) tables with attached stools; an 8 ft bench and 10 mattress's from the Mississippi Prison Industries for the Juvenile Center, was passed unanimously.

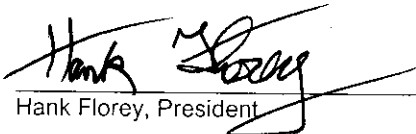
SO ORDERED, this November 2, 2009.

A motion by Supervisor Joe Norwood, seconded by Supervisor Craig Hitt, to approve the request for five (5) days per diem for Supervisor Joe Norwood to attend a conference in the State of New York for the Children's Defense Fund. The Defense Fund will pay for the travel expenses. The per diem is in the amount of \$200.00. The motion failed to pass on a vote of three (3) to two (2). 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 November 2, 2009.

A motion by Supervisor Joe Norwood, seconded by Supervisor Wayman Newell, to recess until Thursday, November 5, 2009, at 2:00 p.m., was passed unanimously.

SO ORDERED, this November 2, 2009.


Hank Florey, President