

MONDAY, DECEMBER 7, 2009

BE IT REMEMBERED that the Lauderdale County Board of Supervisors resumed its regular December meeting at 9:00 a.m., Monday, December 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 Clerk and Clerk of the Board of Supervisors, Mr. Mike Sumrail, County Administrator, Mr. Neal Carson, County Engineer/Road Manager, and Mr. Rick Barry, Board Attorney.

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

Prayer was offered by Supervisor Craig Hitt.

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 to follow, was passed unanimously.

BOARD MEETING AGENDA
LAUDERDALE COUNTY BOARD OF SUPERVISORS
MONDAY, DECEMBER 7, 2009 – 9:00 A.M.

1. Sheriff Sollie calls December, 2009 meeting to order.
2. Prayer given by Supervisor Craig Hitt.
3. Pledge of Allegiance to the Flag of the United States of America.
4. Approval of Agenda for even date.
5. Approval of minutes dated November 5, 2009 and November 16, 2009.
6. Mr. Maurice Kahlmus & Mrs. Christie Dearing with Weems Mental Health to present budget.
7. Jimmy Slay, Tax Assessor:
 - A) Petitions for reduction and/or change of assessment.
8. Sheriff Billy Sollie
9. Staff Reports:
10. Other matters for general good and welfare.
11. Actions from Supervisors.
12. (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.
13. Recess until Monday, December 21, 2009 at 5:00 p.m.

AMENDMENTS;

BOARD ATTORNEY;

Add to Legal Agenda Public Hearing at 9:45 a.m. to determine the status of property at Russell Mt. Gilead Road

(See pages _____ through _____ of these minutes.)

SO ORDERED, this December 7, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Craig Hitt, to approve minutes dated November 5, 2009, and November 16, 2009, was passed unanimously.

SO ORDERED, this December 7, 2009.

Mr. Maurice Kahlmus, of Weems Community Mental Health Center, presented the 2010 Budget to the Board of Supervisors. Mr. Kahlmus also discussed the services offered by Weems with the largest focus being placed on their program for children.

Upon the 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 December 7, 2009.

The Tax Assessor requested that the Board make a motion to approve the specifications; and, advertise for bids for the yearly maintenance of mapping. Supervisor Craig Hitt recommended that the action be postponed until further study is done on the issue allowing it be brought to the Board at their next meeting.

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

- A) Effective December 13, 2009, Melissa McCarter has been hired as an Assistant Jail Administrator. Her starting rate of pay is \$15.00 per hour.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to approve the request by Sheriff Billy Sollie and the Purchasing Department, to purchase Taser practice targets and cartridges at a price of \$5,784.00. This is a sole source purchase and will be paid for out of seized funds. The motion was passed unanimously.

SO ORDERED, this December 7, 2009.

Sheriff Billy Sollie submitted for inclusion in the minutes, the request for Melissa McCarter to attend RAD Instructor Class on December 14-16, 2009 in Knoxville, TN. The cost of the training is \$400.00. Lodging will be at Four Points by the Sheraton at the cost of \$393.96. Per diem is requested in the amount of \$164.00. The cost of the training will be paid for out of the budget.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, authorizing the Board President, Sheriff Sollie, and the Volunteer Fire Coordinator to sign the annual form indicating the Law Enforcement Fire Investigator for Lauderdale County (Lt. Ricky Presson), and submitting it to the State, was passed unanimously.

SO ORDERED, this December 7, 2009.

Upon the recommendation of Sheriff Billy Sollie, in conjunction with the Care Lodge, a motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to approve the request to submit a Letter of Intent to apply for a grant from the Federal Government to investigate domestic violence; and, to authorize the Board President to sign the Letter of Intent. The 100% grant is for two years and \$200,000.00 if received. The grant will be used to hire a law enforcement officer and a case manager. The motion was passed on a voted of four (4) to zero (0). Supervisor Hank Florey voted aye; Supervisor Wayman Newell voted aye; Supervisor Craig Hitt voted aye; Supervisor Joe Norwood voted aye; and Supervisor Ray Boswell abstained from voting.

SO ORDERED, this December 7, 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 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 December, 2009; and to authorize the Chancery Clerk to issue warrants therefore, 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 pages _____ through _____ of these minutes.)

SO ORDERED, this December 7, 2009.

A motion by Supervisor Joe Norwood, seconded by Supervisor Wayman Newell, to approve the following Oath of Office, was passed unanimously:

A) Melissa G. McCarter, Assistant Jail Administrator

SO ORDERED, this December 7, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to approve the request of the Chancery Clerk to approve the attached refunds due to change orders on six (6) tax sales, totaling \$3,161.74, was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this December 7, 2009.

A motion by Supervisor Joe Norwood, seconded by Supervisor Wayman Newell, to void the attached tax sale (no refund due as tax exempt), was passed unanimously.

(See page _____ of these minutes.)

SO ORDERED, this December 7, 2009.

County Administrator Mike Sumrall submitted for inclusion in the minutes notice from Mississippi State Tax Commission Order Approving the Real and Personal Assessment Rolls of Lauderdale County for 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to approve the request to transfer funds in the amount of \$9,581.71 from 035 Okatibbee Patrol Fund to 037 Occupant Protection Fund in order to close this fund, was passed unanimously.

SO ORDERED, this December 7, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to approve the request to transfer \$3,150.00 from 097 E-911 Fund to General County to cover half of door lock system at the LEMA/E911 Building; and, to approve the low quote from Phoenix Security in the amount \$6,149.79 (a second quote was received from CUI in the amount of \$8,348.96), was passed unanimously.

SO ORDERED, this December 7, 2009.

A motion by Supervisor Joe Norwood, seconded by Supervisor Wayman Newell, to approve the request for the AG Staff to travel February 16-21, 2009 to Jackson, MS for the Dixie National Equine Expo. Cost will include per diem, lodging, and will be submitted after return, was passed unanimously.

SO ORDERED, this December 7, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to approve the appointment of Ms. Joyce Arrington Stamper to Agri-Center Advisory Board for a four (4) year term with one (1) year probation, was passed unanimously.

SO ORDERED, this December 7, 2009.

A motion by Supervisor Joe Norwood, seconded by Supervisor Wayman Newell, to approve the request for Clayton Cobbler, Coroner, to attend the Mississippi Coroner Association Annual Conference, January 13-15, 2010 in Jackson, MS. Cost will be \$300.00 for Conference Registration, was passed unanimously.

SO ORDERED, this December 7, 2009.

County Engineer/Road Manager, Neal Carson, advised the Board of the results of the vehicle purchases at the recent auction at Government Surplus. The County was able to purchase five (5) vehicles for \$25,000.00.

A motion by Supervisor Wayman Newell, seconded by Supervisor Joe Norwood, to approve the request to declare the old asphalt spreader as surplus and put on Gov.Deals with for a price of \$15,000.00, was passed unanimously.

SO ORDERED, this December 7, 2009.

A motion by Supervisor Joe Norwood, seconded by Supervisor Wayman Newell, to approve the request to begin demolition on dilapidated houses beginning January 2010, was passed unanimously.

SO ORDERED, this December 7, 2009.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to open public hearing in accordance with Mississippi Code § Code 19-5-105 to determine property

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SO ORDERED, this December 7, 2009.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to open public hearing in accordance with Mississippi Code § Code 19-5-105 to determine property

status of Lauderdale County Parcel No. 09305000000000500, also known as 2321 Russell Mt. Gilead Road, Meridian, MS 39301, was passed unanimously.

SO ORDERED, this December 7, 2009.

A Public Hearing was then held in accordance with Mississippi Code § 19-5-105 to determine whether Lauderdale County Parcel No. 09305000000000500, also known as 2321 Russell Mt. Gilead Road is in such a state of uncleanliness as to constitute a menace to the public health and safety of the community. The property owners were provided notice of the public hearing as by Mississippi law, specifically Mississippi Code § 19-5-105. There was no response to the notice by the property owners.

A motion by Supervisor Craig Hitt, seconded by Supervisor Wayman Newell, to close the public hearing, was passed unanimously.

SO ORDERED, this December 7, 2009.

Upon recommendation of LEMA Director David Sharp, a motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to approve the use of grant funds in the amount of \$3,000 from the Local Emergency Planning Grant plus additional funds of \$3,000 from the LEMA Budget to hire two (2) employees (600 hours @ \$10.00) to study the movement of hazardous materials through Lauderdale County, 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 December 7, 2009.

A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, 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 FIRE AND RESCUE, INC., was passed unanimously.

SO ORDERED, this December 7, 2009.

Board Attorney Rick Barry reiterated to the Board that three (3) more names are needed for appointment to the Rail Commission. He would like the Board to have this Commission in place by the next meeting, to be held on December 21, 2009.

A motion by Supervisor Wayman Newell, seconded by Supervisor Craig Hitt, to approve the applications for ad valorem tax exemption on two PPINs for Magnolia Steel Company: For PPIN 12177 for machinery and equipment valued at \$283,546.00 and for PPIN 12165 for machinery and equipment valued at \$64,714.31. These exemptions are for five (5) years. The motion was passed unanimously.

SO ORDERED, this December 7, 2009.

Ms. Patricia Flowers of the Meridian Transit gave an update on the current status of the Transit System in Meridian, MS. Mr. Jerry Gordon, Mr. Terry Landrum, Ms. Ramsey, and Mr. Bill Marcy spoke on matters for general good and welfare of Lauderdale County.

Supervisor Wayman Newell submitted a statement on the issue of trash for inclusion in the minutes, which follows:

"As I have already said, in previous meetings, I don't think myself or the other Board members should be the ones to make the decision on trash pickup. I think it should be left up to the people whether or not they want door to door or dumpsters.

We are elected by the people of this county; therefore I feel the people should have their choice by placing it on the ballot to be voted on."

The Board of Supervisors immediately thereafter, with no business intervening, considered the necessity for an executive session for discussion of a litigation matter, and a motion by Supervisor Joe Norwood, seconded by Supervisor Wayman Newell, 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, COUNTY ADMINISTRATOR, AND MR. RICK BARRY.

SO ORDERED, this December 7, 2009.

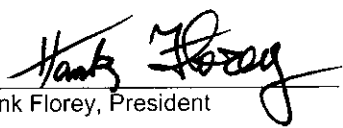
Upon motion by Mr. Hitt, seconded by Mr. Newell, and unanimously passed, the Board entered executive session to discuss pending litigation and potential litigation. All persons left the meeting except for the Board, its counsel Rick Barry, and the county administrator and only such other persons as necessary for specific matters of the executive session. Following completion of the discussion of the matters appropriate for the executive session, Mr. Newell made a motion, which was seconded by Mr. Hitt, that the Board exit the executive session. The motion unanimously passed. The Board went back into open meeting and Attorney Barry then announced that pending litigation was discussed, but that no action was taken.

SO ORDERED, this December 7, 2009.

Then upon motion by Mr. Newell, seconded by Mr. Hitt, and unanimously passed, the Board approved the settlement of the tax appeal of the RHS Family Partnership & Hugh S. Rayner Family Trust finding that the true value of the subject real property (PPIN #25734) as of January 1, 2008 was \$1,675,000, and further authorized the Board Attorney to complete all documentation necessary to complete the settlement and dismissal of the related tax appeal, and directed that upon presentation by the Board Attorney of filed Judgment(s) of Dismissal in the tax appeal case, the Tax Collector or Board of Supervisors (whichever is appropriate) shall be authorized to issue any necessary refund (if any) to the taxpayer(s).

SO ORDERED, this December 7, 2009.

Then, upon motion by Mr. Hitt, seconded by Mr. Florey, and unanimously passed, the meeting was recess until 5:00 p.m. on December 21, 2009.



Hank Florey, President