

MONDAY, JANUARY 19, 2010

Pursuant to recess the Lauderdale County Board of Supervisors resumed its regular January meeting at 5:00 p.m., Monday, January 19, 2010, at the Raymond P. Davis County Annex Building in Meridian, Mississippi, with the following members present: Mr. Wayman Newell, President of the Board and Supervisor of District Two, Mr. Hank Florey, Supervisor of District One, 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.

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Board President Wayman Newell called the January, 2010 meeting of the Board of Supervisors to order.

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Prayer was offered by Supervisor Craig Hitt.

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

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A motion by Supervisor Ray Boswell, seconded by Supervisor Hank Florey, to approve the "Agenda" for eve date, 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 Ray Boswell voted aye; and Supervisor Joe Norwood voted nay.

BOARD MEETING AGENDA  
LAUDERDALE COUNTY BOARD OF SUPERVISORS  
MONDAY, JANUARY 19, 2010 – 5:00 P.M.

1. Meeting called to order by Board President Wayman Newell.
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 January 4, 2010.
6. Election of Vice President for 2010.
7. Mrs. Ruth Scott
8. Other matters for general good and welfare.
9. Mr. M. L. Waters and Mr. Roger Myrick representatives for EMBDC.
10. Sheriff Billy Sollie
11. Jimmy Slay, Tax Assessor
  - A) Petitions for reductions and/or change of assessment.
12. Staff Reports
13. Actions from Supervisors
14. (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.
15. Recess until Thursday, January 28, 2010 at 1:30 P.M.  
(See pages \_\_\_\_\_ through \_\_\_\_\_ of these minutes.)

SO ORDERED, this January 19, 2010.

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A motion by Supervisor Ray Boswell, seconded by Supervisor Hank Florey, to approve minutes dated January 4, 2010, 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 Ray Boswell voted aye; and Supervisor Joe Norwood voted nay.

SO ORDERED, this January 19, 2010.

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Supervisor Ray Boswell nominated Supervisor Joe Norwood for the position of Vice-President of the Board of Supervisors for 2010. Supervisor Joe Norwood respectfully declined the nomination.

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Supervisor Wayman Newell nominated Supervisor Ray Boswell to the position of Vice-President of the Board of Supervisors for 2010. The nomination failed to pass on a vote of three (3) to two (2). Supervisor Hank Florey voted nay; Supervisor Craig Hitt voted nay; Supervisor Joe Norwood voted nay; Supervisor Wayman Newell voted aye; and Supervisor Ray Boswell voted aye.

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Ms. Ruth Scott, Mr. Jerry L. Gordon, Mr. Algie Davis, Mr. Bill Sharp, Mr. Bob Gray, Reverend Milton Johnson, Mr. James Meyers, and others addressed the Board of Supervisors concerning matters for general good and welfare.

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Mr. M. L. Waters and Mr. Roger Myrick, representatives for EMBDC and Atlas Roofing, spoke to the Board of Supervisor concerning the closing of Valley Road. A motion by Supervisor Craig Hitt seconded by Supervisor Hank Florey, to authorize the Board Attorney to begin the process to set a public hearing for the process pertaining to the closure of Valley Road by the EMBDC and Atlas Roofing. The motion 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 January 19, 2010.

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A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to put the garbage question on the next election ballot (June 1, 2010), to allow the people to choose the green boxes or door-to-door pick up, before the issue goes to contract, failed to pass on a vote of three (3) to two (2). Supervisor Hank Florey voted nay; Supervisor Craig Hitt voted nay; Supervisor Joe Norwood voted nay; Supervisor Wayman Newell voted aye; and Supervisor Ray Boswell voted aye.

SO ORDERED, this January 19, 2010.

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

- 1) Effective as of December 21, 2009, Ervin Daniel Baylor was hired as a Detention Officer. His starting rate of pay is \$9.05 per hour.
- 2) Effective as of December 21, 2009, Frank Hyde was hired as a Detention Officer. His starting rate of pay is \$9.05 per hour.

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Sheriff Billy Sollie submitted the following for inclusion in the minutes:

Major John Calhoun and Sgt. Karey Williams will attend Less Lethal Munitions Instructor Recertification on March 10-11, 2010 in Picayune, MS. Registration is \$500.00; per diem is \$124.00; Lodging will be at Holiday Inn Express in the amount of \$165.68. The cost of this training will be paid for out of the budget.

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Upon the recommendation of Jimmy Slay, Lauderdale County Tax Assessor, a motion by Supervisor Joe Norwood, seconded by Supervisor Hank Florey, 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 January 19, 2010.

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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.)

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A motion by Supervisor Hank Florey, seconded by Supervisor Ray Boswell, to approve the second Claims Docket for January, 2010; 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 January 19, 2010.

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A motion by Supervisor Ray Boswell, seconded by Supervisor Hank Florey, to include in the minutes certification from Sheriff Billy Sollie that 24,074 meals were served in the

Lauderdale County Detention Facility during the month of December, 2009; and to authorize the Board President to sign the necessary paperwork. The motion was passed unanimously.

SO ORDERED, this January 19, 2010.

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A motion by Supervisor Ray Boswell, seconded by Supervisor Hank Florey, to approve the request to advertise for competitive bids as County Depositories for the year 2010-2012, pursuant to Section 27-105-315, Mississippi Code of 1972. The motion was passed unanimously.

SO ORDERED, this January 19, 2010.

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

A) Melissa McCarter – Deputy Sheriff  
Deputy Justice Court Clerk

SO ORDERED, this January 19, 2010.

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County Administrator Mike Sumrall submitted for inclusion in the minutes Legal Holidays for January 18, 2020 Dr. Martin Luther King Day and February 15, 2020 President's Day.

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A motion by Supervisor Ray Boswell, seconded by Supervisor Hank Florey, to submit for inclusion in the minutes the new mileage reimbursement rate (per attachment), was passed unanimously.

- a. If no Government owned vehicle is available \$ .50 per mile
- b. If Government owned vehicle is available \$ .285 mile

(See page \_\_\_\_\_ through \_\_\_\_\_ of these minutes.)

SO ORDERED, this January 19, 2010.

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A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to approve a Resolution applying for Energy Efficiency and Conservation Block Grant program, MDA-ED in order to provide counties with free energy audits and technical assistance to help reduce energy cost. There is no cost to the County. The motion was passed unanimously.

SO ORDERED, this January 19, 2010.

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County Administrator Mike Sumrall submitted for inclusion in minutes Agri-Center Contracts for 2009 as listed (see attached).

(See pages \_\_\_\_\_ through \_\_\_\_\_ of these minutes.)

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A motion by Supervisor Craig Hitt, seconded by Supervisor Wayman Newell, to approve the revised Agri-Center Event Contracts, per Agri-Center Commission recommendation, was passed unanimously.

(See pages \_\_\_\_\_ through \_\_\_\_\_ of these minutes.)

SO ORDERED, this January 19, 2010.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to authorize approval of the garbage ad which recaps revenues and expenditures over the past year, was passed unanimously.

SO ORDERED, this January 19, 2010.

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A motion by Supervisor Ray Boswell, seconded by Supervisor Hank Florey, to approve final payment to Joe McGee Construction in the amount of \$2,754.96 for the grading at the Clarkdale Recreation Complex, was passed unanimously.

SO ORDERED, this January 19, 2010.

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County Engineer/Road Manager Neal Carson submitted for inclusion in minutes the yearly CPI adjustment to the contract price for Pine Ridge Landfill and Recycling Center usage. The new rate is \$21.29 per ton plus the \$1.00 per ton state tax. This rate will be retroactive to October 1, 2009. This is a decrease of \$.41 from last year.

The new rate for pickup trucks will be \$16.00 per load compared to the previous price of \$18.00.

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A motion by Supervisor Ray Boswell, seconded by Supervisor Hank Florey, to approve the following requests, was passed unanimously:

- a) For AT&T to relocate a buried telecommunications cable along Kewanee Road in Lauderdale County – AT&T Project NO. 07M01469N
- b) For AT&T to place a buried fiber optic telecommunications cable along and across Whipoorwill Road, Old 8<sup>th</sup> Street Road, and Woods Road in Lauderdale County – AT&T Project No. 07M02558N.

SO ORDERED, this January 19, 2010.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to authorize Neal Carson and the Board Attorney to begin the process of preparation of contract awarding door-to-door garbage pick up to Arrow Disposal (lowest bidder) at a cost of \$9.10 per resident 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 January 19, 2010.

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LEMA Director David Sharp submitted for inclusion in the minutes declaration of State of Emergency beginning January 9, 2010 through January 16, 2020, for Lauderdale County (Toomsaba water pipes busted).

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A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to accept and ratify low bid by Specialty Fencing on renovation project at the Lauderdale County Juvenile Detention Center, was passed unanimously.

SO ORDERED, this January 19, 2010.

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A motion by Supervisor Ray Boswell, seconded by Supervisor Craig Hitt, for final approval of Ad Valorem Taxation Exemption for Magnolia Steel Company – PPIN 12177 for five (5) years from and after January 1, 2008, with a total true value on improvements of \$65,714, was passed unanimously.

SO ORDERED, this January 19, 2010.

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A motion by Supervisor Joe Norwood, seconded by Supervisor Hank Florey, to appoint Mr. Lionel Sloan to the Rail Commission, was passed unanimously.

SO ORDERED, this January 19, 2010.

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A motion by Supervisor Joe Norwood, seconded by Supervisor Craig Hitt, to approve the request that \$110.00 for a trip to Tunica for County Business, failed to pass due to the lack of a majority. Supervisor Craig Hitt voted aye; Supervisor Joe Norwood voted aye; Supervisor Wayman Newell voted nay; Supervisor Ray Boswell voted nay; and Supervisor Hank Florey abstained from voting.

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A motion by Supervisor Joe Norwood, seconded by Supervisor Craig Hitt, to approve the request for the County to pay for a battery charger for a County camera in the amount of \$69.00 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 January 19, 2010.

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A motion by Supervisor Joe Norwood, seconded by Supervisor Craig Hitt, to approve a \$26.00 charge on Fuelman Card for a trip to attend the World Conference of Mayor's in Alabama, 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 January 110, 2010.

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Supervisor Joe Norwood submitted for inclusion in the minutes, a trip to the Silver Star Casino for \$112.00 which was unanimously approved in previous minutes dated September 25, 2009.

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A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to not accept the resignation of County Administrator Mike Sumrall, and that the Board is happy with his performance, failed to pass on a vote of three (3) to two (2). Supervisor Hank Florey voted to accept resignation; Supervisor Craig Hitt voted to accept resignation; Supervisor Joe Norwood voted to accept resignation; Supervisor Wayman Newell voted to not accept resignation; and Supervisor Ray Boswell voted to not accept resignation.

SO ORDERED, this January 19, 2010.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to recess until Thursday, January 28, 201 at 1:30 P.M., was passed unanimously.

SO ORDERED, this January 19, 2010.

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Wayman Newell, President

MONDAY, FEBRUARY 1, 2010

BE IT REMEMBERED that the Lauderdale County Board of Supervisor resumed its regular February meeting at 9:00 a.m., Monday, February 1, 2010, at the Raymond P. Davis County Annex Building in Meridian, Mississippi, with the following members present: Mr. Wayman Newell, President of the Board and Supervisor of District Two, Mr. Hank Florey, Supervisor of District One, 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. Neal Carson, County Engineer/Road Manager, and Mr. Rick Barry, Board Attorney.

County Administrator Mike Sumrall was absent.

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Sheriff Billy Sollie called the February 2010 meeting of the Board of Supervisors to order.

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Prayer was offered by Reverend Kim Poe.

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

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A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to approve the "Agenda" for even date, with amendments as follows, was passed unanimously.

BOARD MEETING AGENDA  
LAUDERDALE COUNTY BOARD OF SUPERVISORS  
MONDAY, FEBRUARY 1, 2010 – 9:00 A.M.

1. February 2010 meeting called to order by Sheriff Billy Sollie.
2. Prayer given by Reverend Kim Poe.
3. Pledge of Allegiance to the Flag of the United States of America.
4. Approval of Agenda for even date.
5. Resolution – Present to Mr. Ray Matheney – February 1<sup>st</sup>-5<sup>th</sup>, 2010 as National School Counselor Week.
6. Need a motion to open public hearing for the purpose of Considering Amending an Ordinance Adopted on June 1, 1992 entitled "Flood Damage Prevention Ordinance" as Amended on February 1, 2010.  
Need a motion to close public hearing.
7. Approval of minutes dated January 19, 2010.
8. Sheriff Billy Sollie
9. Jimmy Slay, Tax Assessor
- A) Petitions for reductions and/or change of assessment.
10. Staff Reports:
11. other matters for general good and welfare.
12. Actions from Supervisors.
13. (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.
14. Recess until Tuesday, February 16, 2010 at 5:00 P.M.

AMENDMENT:

BOARD PRESIDENT – Delete Item 7 from Agenda.

(See pages \_\_\_\_\_ through \_\_\_\_\_ of these minutes.)

SO ORDERED, this February 1, 2010.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to present and approve Resolution designating February 1-5, 2010 as National School Counselor Week; and with Supervisor Hank Florey presenting said Resolution to Mr. Ray Matheny, was passed unanimously.

SO ORDERED, this February 1, 2010.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to open a Public Hearing for the Purpose of Considering Amending an Ordinance Adopted on June 1, 1992 entitled "Flood Damage Prevention Ordinance" as Amended on February 1, 2010, was passed unanimously.

SO ORDERED, February 1, 2010.

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Board Attorney Rick Barry submitted for inclusion in the minutes letter from Mr. Dan Check objecting to the Proposed Flood Ordinance (see attached).

(See pages \_\_\_\_\_ through \_\_\_\_\_ of these minutes.)

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Board Attorney Rick Barry explained the reason for the public hearing which is to correct the date of the new Flood Insurance Maps which were prepared by FEMA. These Maps were adopted by the Board in November 2009. The date in the Ordinance will be changed from March 21, 2000 to February 3, 2010.

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Those appearing before the Board of Supervisors during the public hearing were: Mr. Raymond Huffmaster, Mr. Neal Carson, Mr. Dan Check, and Mr. Jerry Shields to voice their concerns.

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A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to close the Public Hearing was passed unanimously.

SO ORDERED, this February 1, 2010.

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

- 1) Effective February 1, 2010, Shawna Clayton has been hired as a Civilian NCIC Operator. Her starting rate of pay is \$8.55 per hour.
- 2) Effective February 1, 2010, Queenie Williams-Deeton has resigned.

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Upon the recommendation of Jimmy Slay, Lauderdale County Tax Assessor, a motion by Supervisor Hank Florey, 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 February 1, 2010.

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Jimmy Slay, Lauderdale County Tax Assessor, reminded homeowners of the Homestead Exemption deadline of April 1, 2010.

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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.)

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A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to approve the claims docket for February 2010; and to authorize the Chancery Clerk to issue warrants therefore, was passed unanimously.

(See pages \_\_\_\_\_ through \_\_\_\_\_ of these minutes.)

SO ORDERED, this February 1, 2010.

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A motion by Supervisor Hank Florey, seconded by Supervisor Ray Boswell, to approve the request of the Chancery Clerk to purchase \$5,000 postage (money is in the budget), was passed unanimously.

SO ORDERED, this February 1, 2010.

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A motion by Supervisor Hank Florey, seconded by Supervisor Ray Boswell, to approve the request for employees Doncella Milton, Drug Court Coordinator, Judge Veldore

Young, District Attorney Bilbo Mitchell, Defense Attorney Frances Stephenson, Debra Jackson, Substance Abuse Specialist, Eric O'Neil, Probation Field Officer, Sheriff Billy Sollie, and Jim Follis, Alcohol/Drug Therapist to attend Adult Drug Court Planning Initiative Conference March 20-26, 2010 in Nashville, TN. Total cost will be \$4,126.70 which will be reimbursed 100%, was passed unanimously.

SO ORDERED, this February 1, 2010.

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A motion by Supervisor Hank Florey, seconded by Supervisor Joe Norwood, to approve the request to make a budget adjustment of \$75.00 in order for Mary Blanks, Intake Officer at the Juvenile Center to attend the Juvenile Justice Annual Symposium February 3-5, 2010 in Philadelphia, MS, was passed unanimously.

SO ORDERED, this February 1, 2010.

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A motion by Supervisor Hank Florey, seconded by Supervisor Joe Norwood, to approve the request for Mary Blanks, Intake Officer at the Juvenile Center, to attend the Juvenile Justice Annual Symposium on February 3-5, 2010 in Philadelphia, MS. The cost is \$75.00 and the budget adjustment was made previously. She does not plan to stay overnight. The motion was passed unanimously.

SO ORDERED, this February 1, 2010.

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A staff change at the Lauderdale County Juvenile Center was submitted for inclusion in the minutes. Mr. Rodney Strickland will replace Mr. Michael Buckley as part time recreational officer. He will work 18 hours per week at the rate of \$8.50 per hour.

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

SO ORDERED, this February 1, 2010.

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A motion by Supervisor Joe Norwood, seconded by Supervisor Hank Florey, to approve an overnight stay for Mr. Joe Norwood to attend the Mississippi Association of Supervisors Minority Caucus in McComb, MS April 12-14, 2010. Cost will include \$100.00 membership dues; hotel \$140.00 (\$70.00 per night) for two nights; and per diem of \$31.00 per day for two days (\$62.00). The motion was passed unanimously.

SO ORDERED, this February 1, 2010.

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A motion by Supervisor Ray Boswell, seconded by Supervisor Hank Florey, to approve the following permit application, was passed unanimously.

Clarkdale Water Association for various encroachments and crossings required to expand and improve their water distribution system.

Southern Hills Property Owner's Association Inc. for a proposed sewer line encroachment parallel and across South Anderson Road which is required to provide sewerage to a proposed subdivision located west of South Anderson Road.

SO ORDERED, this February 1, 2010.

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County Engineer/Road Manager Neal Carson submitted for inclusion in the minutes that Lauderdale County is in compliance with and will continue to comply with the provisions of Title VI of Civil Rights Act of 1964, as amended (42 U.S.C. Section 2000d); the Age

Discrimination Act of 1975, as amended (42 U.S.C. Section 6102); the Rehabilitation Act of 1973, as amended (29 U.S.C. Section 794); and all requirements imposed or pursuant to the Directive of the Department of Defense (32 CFR Part 300) issued as Department of Defense Directives 5500.11 and 1020.1 and Army Regulation 600-7.

Under this Act, and once the Corps of Engineers, receives the signed documents, Lauderdale County will receive \$1,133.09 under the Federal Flood Control Act.

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A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to approve the request to reimburse Michelle Graham \$115.93 for attending GASB Training January 11 & 12, 2010, was passed unanimously.

SO ORDERED, this February 1, 2010.

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A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, approve the request to purchase cell phone for Harris Wilder, cost is under \$100.00, was passed unanimously.

SO ORDERED, this February 1, 2010.

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A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to approve the request to pay Stribling Equipment \$4,500.00 for evaluation of damaged asphalt spreader, was passed unanimously.

SO ORDERED, this February 1, 2010.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to approve the use of \$25,000 to purchase vehicles through the Surplus Property Acquisition, was passed unanimously.

SO ORDERED, this February 1, 2010.

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A motion by Supervisor Ray Boswell, seconded by Supervisor Hank Florey, to approve Lease for Dirt Pit from Linda Irby at 6064 Vimville Causeyville Road, at no cost, was passed unanimously.

SO ORDERED, this February 1, 2010.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to approve the Determination of 100 Year Base Flood Elevation for 8199 Clearside Lane, Collinsville, MS, at a cost of \$3,900.00, was passed unanimously.

SO ORDERED, this February 1, 2010.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to approve a request from East Mississippi Community College to use a County dump truck and driver for no more than five (5) days to move dirt to a site on their campus, was passed unanimously.

SO ORDERED, this February 1, 2010.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to approve AN ORDINANCE AMENDING AN ORDINANCE ADOPTED ON JUNE 1, 1992 AND

AMENDED ON FEBRUARY 1, 2010, ENTITLED "FLOOD DAMAGE PREVENTION ORDINANCE", 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 February 1, 2010.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to approve ORDER OF LAUDERDALE COUNTY BOARD OF SUPERVISORS AS TO RESTRICTED COVENANTS ON TWENTY-SEVEN ACRES OF THE INDUSTRIAL PARK PROPERTY (Wetland mitigation), was passed unanimously.

SO ORDERED, this February 1, 2010.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to approve application for tax exempt status from Meridian Community College Foundation – PPIN 48651, was passed unanimously.

SO ORDERED, this February 1, 2010.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to approve application for tax exempt status for new machinery and equipment for Tower Automotive – PPIN 12593, in the amount of \$1,673,479.00 was passed unanimously.

SO ORDERED, this February 1, 2010.

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A motion by Supervisor Joe Norwood, seconded by Supervisor Hank Florey, to approve application for tax exempt status for Free Gospel Temple UPCI – PPIN 15753, for property that is being used for a parking lot (since April 2006), was passed unanimously.

SO ORDERED, this February 1, 2010.

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A motion by Supervisor Hank Florey, seconded by Supervisor Joe Norwood, to approve application for tax exempt status for Mitchell Distributing Company – PPIN 12890, for new furniture and fixtures as well as new machinery and equipment in the amount of \$3,044,692.00, was passed unanimously.

SO ORDERED, this February 1, 2010.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to approve RESOLUTION OF INTENT TO HOLD PUBLIC HEARING ON VALLEY ROAD CLOSURE, on March 15, 2010 at 5:30 p.m., 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 February 1, 2010.

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Supervisor Ray Boswell submitted the following letter for inclusion in the minutes concerning the proposed closure of Valley Road:

January 28, 2010

"I am writing to voice my concern over the proposed closure of Valley Road. As a youngster growing up on Valley Road I can well remember when Atlas Roofing was first built. It was an eyesore then and has remained such through the years. For a very long time Atlas polluted Sowashee Creek with enormous amounts of black gunk. I don't figure you would have to dig

very far down in the creek bed to find footprints in large quantities of their pollutants. And you know what? No residents on Valley Road complained. I have watched through the years at five of my relatives whom have died from lung related problems. None of the five had ever smoked. One relative was **bought out** by Atlas, moved, and still died of lung related problems. And guess what? No one complained. Even now when I wash my house or my moms the water runs off black. Wonder where that came from? I feel sure if you checked a five mile radius around Atlas you would find large quantities of pollutants that could be tracked back to its source. Not only would this affect residents of Valley Road but would also encompass large numbers of individuals living in the city limits. Maybe they should be informed about their air quality. I myself have COPD. You wonder why? At the meetings the question came up as to how many Atlas employees have been injured crossing the road. The answer by Atlas officials was 0. In my opinion the entire concept of closing Valley Road has been based on **LIES** from the number of vehicles utilizing Valley Road down to what is Atlas true intent is if the road is closed. I feel someone needs to do some serious investigating before a decision is made. At the meetings there were numerous excellent workable solutions brought up to provide added safety for Atlas employees. Atlas does have 127 acres to expand on if expansion is the reason. A concern about the additional truck traffic from the Structural Steel Plant located on Officers Lake Road that would be routed over 31<sup>st</sup> Ave was brought up. I have heard tale that ther is already an agreement that Structural Steel trucks will still be allowed to travel through Atlas roofing. Sounds like a lot of favoritism going on here and if these trucks are allowed to travel in front of Atlas that means there will still be a road. Atlas expanding? I'd say something stinks in the State of Denmark!!!! In conclusion, whether it be residents of Valley Road up to citizens of the United States, folks are sick and tired of government officials showing favoritism. I would venture to say that anyone in political office that would have the audacity to vote in favor of closing our road would send a clear message to the public that voted them in office as to what side of the fence they stand on. Maybe it's time to change the term from PUBLIC OFFICIALS to BUSINESS FAVORITISM OFFICIALS.

**NOW IT'S TIME TO COMPLAIN"**

Vance Graham

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A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to implement a hiring freeze for Lauderdale County with the exception of emergency personnel until the end of the 2010 budget year, 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 February 1, 2010.

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The Board of Supervisors immediately thereafter, with no business intervening, considered the necessity for an executive session to discuss personnel matters and potential litigation, and a motion by Supervisor Craig Hitt, 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 BOARD ATTORNEY RICK BARRY.

SO ORDERED, this February 1, 2010.

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

SO ORDERED, this February 1, 2010.

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The Board then went back into open meeting and Attorney Rick Barry then announced that personnel matter and a matter of potential litigation was discussed, but that no action was taken at this time.

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A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to recess meeting until Tuesday, February 16, 2010 at 5:00 p.m., was passed unanimously.

SO ORDERED, this February 1, 2010.

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Wayman Newell, President