

MONDAY, APRIL 5, 2010

BE IT REMEMBERED that the Lauderdale County Board of Supervisor resumed its regular April meeting at 9:00 a.m., Monday, April 5, 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.

Sheriff Billy Sollie called the April 2010 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 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, APRIL 5, 2010 – 9:00 A.M.

1. April 2010 meeting called to order by Sheriff Billy Sollie.
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 March 25, 2010.
6. PROCLAMATION: April 26, 2010 as Confederate Memorial Day
7. Sheriff Billy Sollie
8. Jimmy Slay, Tax Assessor
- A) Petitions for reductions and/or change of assessment.
9. Staff Reports
10. Other matters for general good and welfare.
11. Actions from Supervisors
12. Need 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, April 19, 2010 at 5:00 P.M.

AMENDMENTS:

BOARD ATTORNEY:

Remove Item 2 from Legal Agenda

Add 2a. Offer for Right-of-Way Alamucha Whynot Road Project

Add 2b. Offer for Right-of-Way Alamucha Whynot Road Project

(See pages _____ through _____ of these minutes.)

SO ORDERED, this April 5, 2010.

A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to approve minutes dated March 25, 2010, was passed unanimously.

SO ORDERED, this April 5, 2010.

A motion by Supervisor Joe Norwood, seconded by Supervisor Hank Florey, to proclaim Monday, April 26, 2010 as Confederate Memorial Day, was passed unanimously.

SO ORDERED, this April 5, 2010.

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

- 1) Effective March 19, 2010, Sophia Ruffin has resigned as a Detention Officer.
- 2) Effective March 26, 2010, Lois Jones has been hired as a Detention Officer. Her starting rate of pay is \$9.05 per hour.

Sheriff Sollie submitted for inclusion in the minutes that Kris Cokel, Guyton Montgomery, and Edna Barfield will attend the S.T.O.R.M. Conference in Vicksburg, MS on May 4-6, 2010. Registration is \$225.00. Per diem is \$279.00. The cost of this training will be paid for out of the budget and reimbursed by the DUI Grant.

Sheriff Sollie submitted for inclusion in the minutes that Investigator Charles Pickett, Major Laurie Robinson, and Lt. Andy Hatcher will be attending TASER Instructor

recertification training on April 23, 2010, at the Meridian Training Facility. The cost of this training will be \$585.00 and will be paid for out of the budget.

Sheriff Sollie submitted for inclusion in the minutes that Lt. Melissa McCarter will be attending TASER Instructor training at the Meridian Training Facility April 22-23, 2010. The cost of this training will be \$395.00 and will be paid for out of the budget.

Sheriff Sollie submitted for inclusion in the minutes that Major John Calhoun and Lt. Andy Hatcher will attend the Lifesavers Conference in Philadelphia, PA on April 10-13, 2010. Registration will be \$850.00. Lodging will be at the Philadelphia Marriott Downtown at the cost of \$708.48. Airline tickets through Delta will be \$585.60. Rental car through Hertz is \$115.00. Per diem is in the amount of \$368.00. Parking lot cost is \$120.00. Total cost of this training will be reimbursed through the DUI Grant.

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 April 5, 2010.

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

SO ORDERED, this April 5, 2010.

A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to include in the minutes certification from Sheriff Billy Sollie that 22,758 meals were served in the Lauderdale County Detention Facility during the month of March, 2010; and to authorize the Board President to sign the necessary paperwork, was passed unanimously.

SO ORDERED, this April 5, 2010.

A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to approve the request from Weems Mental Health to dispose of vehicles as surplus property as follows (see attachment):

- a. 1999 Dodge 15 Passenger Van VIN 2B5WB35ZXXK527333

b. 2002 Dodge 15 Passenger Van VIN 1GJHG39R121193864

(See page _____ of these minutes.)

SO ORDERED, this April 5, 2010.

A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to approve the request of Legal Holiday – last Monday in April as Confederate Memorial Day pursuant to Mississippi Code 3-3-7, was passed unanimously.

SO ORDERED, this April 5, 2010.

A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, for budget adjustments and inter-fund transfers per the discussion in the work session and as attached, was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this April 5, 2010.

A motion by Supervisor Hank Florey, to approve the request to sponsor a bucking chute for MS High School Rodeo May 7 & 8, 2010 in the amount of \$350.00. After discussion of the budget, Supervisor Florey withdrew his motion.

A motion by Supervisor Ray Boswell, seconded by Supervisor Hank Florey, to approve the request for Cathy Lummus to attend 2010 AFMM Spring Conference in Gulfport, MS April 28-30, 2010.. Registration is \$100.00. Hotel is \$79.00 plus tax per night. Per diem will be reimbursed when she returns. The motion was passed unanimously.

SO ORDERED, this April 5, 2010.

A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to approve the request of the County Administrator Mike Sumrall to set up a special revenue fund entitled County Communications (set budget for \$100,000) for the digital radio purchases, was passed unanimously.

SO ORDERED, this April 5, 2010.

A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to accept the letter of resignation from County Administrator Mike Sumrall, and to discuss the effective date in an executive session, 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 April 5, 2010.

County Engineer/Road Manager Neal Carson submitted for inclusion in the minutes that the Clarkdale Water Association has filed on the 17th day of March, 2010 with the Mississippi Public Service Commission an application for a Supplemental Certificate of Public Convenience and Necessity Authorizing it to Construct, Operate and Maintain a Water System in a Specified Area in Lauderdale and Clarke Counties.

A motion by Supervisor Ray Boswell, seconded by Supervisor Hank Florey, to approve the application to place a line/crossing of buried copper telecommunications cable

along Mosley Lake Road in Lauderdale County (AT&T Job No. 07M01723N), was passed unanimously.

SO ORDERED, this April 5, 2010.

A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to approve the request of Terrell Temple of Engineering Plus to advertise for bids to perform reseal and paving on several existing roads in Lauderdale County using County Bond Funds, was passed unanimously.

SO ORDERED, this April 5, 2010.

A motion by Supervisor Joe Norwood, seconded by Supervisor Craig Hitt, to approve the request to delete from the County's LSBP Program three (3) bridges inside the City – 35th Avenue over Gallagher, 40th Street over Gallagher, and 19th Street over Gallagher; and add Royal Road as an eligible LSBP Project inside the City, was passed unanimously.

SO ORDERED, this April 5, 2010.

A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to approve an order to acknowledge their understanding that portions of the Roy Dollar Road may be overtopped by flood waters more frequently than normal for LSBP projects, was passed unanimously.

SO ORDERED, this April 5, 2010.

A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to approve site preparation for a facility that will support the operations of Handy Hardware. The facility will be located adjacent to the Handy property and the earthwork needs to be expedited so a suitable building pad can be provided to avoid undue delay for Handy Hardware. The cost to the County for site preparation will be \$96,000.00 and paperwork will be forthcoming due to change order. The motion was passed unanimously.

SO ORDERED, this April 5, 2010.

A motion by Supervisor Joe Norwood, seconded by Supervisor Hank Florey, to **recess as the Board of Supervisors and convene as the Trustees of the Economic Development District**, was passed unanimously.

SO ORDERED, this April 5, 2010.

A motion by Trustee Joe Norwood, seconded by Trustee Hank Florey, to approve site preparation for a facility that will support the operations of Handy Hardware. The facility will be located adjacent to the Handy property and the earthwork needs to be expedited so a suitable building pad can be provided to avoid undue delay for Handy Hardware. The cost to the County for site preparation will be \$96,000.00 and paperwork will be forthcoming due to change order. The motion was passed unanimously.

SO ORDERED, this April 5, 2010.

A motion by Trustee Joe Norwood, seconded by Trustee Hank Florey, to **recess as the Trustees of the Economic Development District and reconvene as the Board of Supervisors**, was passed unanimously.

SO ORDERED, this April 5, 2010.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to approve the request from LEMA Director David Sharp to upgrade communications equipment to digital – upgrade repeaters and install repeater in North Meridian at a cost of \$20,009.75 and upgrade two (2) mobile OPS Units at a cost of \$12,580.00 (total of \$32,589.75). The money will come out of the Hurricane Gustav Funds. The motion was passed unanimously.

SO ORDERED, this April 5, 2010.

Upon the recommendation of LEMA Director David Sharp, a motion by Supervisor Joe Norwood, seconded by Supervisor Craig Hitt, to approve application for shelters at six (6) volunteer fire stations and Metro Ambulance with a 5% match. Cost must be paid up front by the County (little less than \$50,000) with Federal and State reimbursing 95% of the cost. The seven (7) agencies will reimburse the County the 5% match. The motion was passed unanimously.

SO ORDERED, this April 5, 2010.

Upon the recommendation of LEMA Director David Sharp, a motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to accept low bid from D & M for generators to be purchased with a FEMA Grant; three (3) generators will be purchased at a cost of \$37,000+ each. They must be purchased up front by the County. Federal funds will reimburse 75% of the cost with the State reimbursing the County 25%. The County will have a 5% match. The motion was passed unanimously.

SO ORDERED, this April 5, 2010.

A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to approve the request by Sheriff Billy Sollie to purchase portable radios, car radios, and various accessories to update radio system to a digital system at a cost of \$95,641.50. Funds will come from the State Wireless Commission. The motion was passed unanimously.

SO ORDERED, this April 5, 2010.

A motion by Supervisor Ray Boswell, seconded by Supervisor Hank Florey, to approve request by VFD Coordinator Clarence Butler to approve 5% match for Toomsuba Alamucha VFD in the amount of \$5,336.00 for personal protection equipment (grant amount \$106,730.00), was passed unanimously.

SO ORDERED, this April 5, 2010.

A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to approve RESOLUTION AUTHORIZING A MAPPING MAINTENANCE CONTRACT WITH SOUTHERN SURVEYORS GROUP, LLC, was passed unanimously.

SO ORDERED, this April 5, 2010.

A motion by Supervisor Ray Boswell, seconded by Supervisor Hank Florey, to authorize an offer letter to Mr. Rob Reimner of Westerfelt Company (formerly Gulf States) for the Alamucha Whynot Road Project to acquire .55 acres of right-of-way, .30 for temporary construction, appraised value \$1,300.00, was passed unanimously.

SO ORDERED, this April 5, 2010.

A motion by Supervisor Ray Boswell, seconded by Supervisor Hank Florey, to authorize an offer letter to New Salem Baptist Church for the Alamucha Whynot Road Project to acquire .15 acres of right-away, appraised value of \$1,500, was passed unanimously.

SO ORDERED, this April 5, 2010.

A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to approve application for Free Port Warehouse License for Earthgrains Baking Companies, was passed unanimously.

SO ORDERED, this April 5, 2010.

A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to approve Final Resolution Granting Exemption from ad valorem taxes on Mitchell Distributing Company, was passed unanimously.

SO ORDERED, this April 5, 2010.

Mr. Charles Whitlock, Mr. Raymond Huffmaster, Ms. Sharon Moore, and Ms. Paula Joyner spoke to the Board concerning various matters of general good and welfare.

A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to approve payment to Eutaw Construction in the amount of \$124,687.00, 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 April 5, 2010.

A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to approve the request for Supervisor Hitt to attend the East Central Planning and Development Group's Annual Conference April 21-22, 2010. The Group will pay the cost of registration and hotel room. Per diem is requested for these two (2) days. The motion was passed unanimously.

SO ORDERED, this April 5, 2010.

The Board of Supervisor immediately thereafter, with no business intervening, considered the necessity for an executive session for discussion of personnel matters, litigation, and anticipated litigation, and a motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to go into executive session was passed on 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 MIKE SUMRALL, AND BOARD ATTORNEY RICK BARRY AND MR. LEE THAGGARD.

SO ORDERED, this April 5, 2010.

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

SO ORDERED, this April 5, 2010.

The Board went back into open meeting. Mr. Lee Thaggard sitting in for Board Attorney Rick Barry, announced that the Board went into executive session to discuss personnel matters, litigation, and anticipated litigation. No action was taken at this time.

A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to accept resignation of County Administrator Mike Sumrall effective as of May 30, 2010, was passed by a vote of three to one. Supervisor Ray Boswell voted nay; Supervisor Craig Hitt voted aye; Supervisor Hank Florey voted aye; Supervisor Wayman Newell voted nay ; Supervisor Joe Norwood was absent.

SO ORDERED, this April 8, 2010.

A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to recess until Monday, April 19, 2010 at 5:00 P.M., was passed unanimously.

SO ORDERED, this April 8, 2010.


Wayman Newell, President