

MONDAY, OCTOBER 4, 2010

BE IT REMEMBERED that the Lauderdale County Board of Supervisors resumed its regular October meeting at 9:00 a.m., Monday, October 4, 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. Joe McCraney, County Administrator, Mr. Neal Carson, County Engineer/Road Manager, and Mr. Rick Barry, Board Attorney.

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Sheriff Billy Sollie called the October 4, 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 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, OCTOBER 4, 2010 – 9:00 A.M.

1. October 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 September 20, 2010.
6. PROCLAMATION: Judge Vel Young – Proclaiming October 23-31, 2010 as “Red Ribbon Week”  
Pace Cooke Emmons – Proclaiming October as “Domestic Violence Awareness Month”
7. Motion to approve Prescription Discount Card Program with Lowery Insurance. This is at no cost to the County, but is available at Pharmacy’s for uninsured and underinsured.
8. Jimmy Slay, Tax Assessor
  - A) Petitions for reductions and/or change of assessment.
9. Sheriff Billy Sollie
10. Staff Reports:
11. Other matters for general good and welfare.
12. Actions from Supervisors.
13. Motion to recess until Monday, October 18, 2010 at 5:00 p.m.

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

SO ORDERED, this October 4, 2010.

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A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to approve minutes dated September 20, 2010, was passed unanimously.

SO ORDERED, this October 4, 2010.

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Supervisor Joe Norwood presented the Proclamation for "Red Ribbon Week" to Judge Vel Young and her staff. A motion by Supervisor Joe Norwood, seconded by Supervisor Hank Florey, to proclaim October 23-31, 2010 as "Red Ribbon Week" in Lauderdale County, Mississippi, and to encourage all citizens, businesses, public and private agencies, media, religious and educational institutions to wear and display red ribbons and participate in drug-free activities throughout that week, joining the rest of the state in promoting Red Ribbon Celebration and a drug-free activities America. The motion was passed unanimously.

SO ORDERED, this October 4, 2010.

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Supervisor Hank Florey presented to Leslie Payne, Executive Director of Care Lodge, the Proclamation – October as "Domestic Violence Month". A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, proclaiming October as "Domestic Violence Month"; Care Lodge is joining forces with victim service programs, criminal justice officials, and concerned citizens, the state of Mississippi, and America to observe October as Domestic Violence Awareness Month. The motion was passed unanimously.

SO ORDERED, this October 4, 2010.

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Lauderdale County Tax Collector Stanley Shannon presented to the Board of Supervisors the 2010 Insolvency List for Mobile Home Taxes (personal property - total amount billed was \$487,000.00 and total amount collected \$517,000.00 due to interest and penalties); and the 2009 Personal Property Tax List (\$17, 717,000 – have collected \$17, 374,000 with \$351,000 still owing). See attached, as part of these minutes.

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

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A motion by Supervisor Hank Florey, seconded by Supervisor Ray Boswell, to authorize the Lauderdale County Tax Collector's office to accept partial payments on taxes beginning December 2010, was passed unanimously.

SO ORDERED, this October 4, 2010.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to accept the 2010 Insolvent Mobile Home Taxes List from the Tax Collector's office, was passed unanimously.

SO ORDERED, this October 4, 2010.

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A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to accept the 2009 Insolvent Personal Property Tax List from the Tax Collector's office, was passed unanimously.

SO ORDERED, this October 4, 2010.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Wayman Newell, to approve the Prescription Discount Card Program with Lowery Insurance, which is at no cost to the County and is available at Pharmacy's for uninsured and underinsured, was passed unanimously.

SO ORDERED, this October 4, 2010.

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Upon 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 October 4, 2010.

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

- 1) Effective September 13, 2010, William Cory White, has resigned as Deputy Sheriff.
- 2) Effective October 3, 2010, Brian Fortenberry has been hired as a Deputy Sheriff. His starting rate of pay is \$12.98 per hour.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to approve the request of Sheriff Billy Sollie to send Josh Gressett, Tim Chesney, and Edna Clark to 2010 PTS Users Conference in Biloxi, MS on October 18-20, 2010. Registration is \$200.00. Lodging will be at the Imperial Palace at the cost of \$571.14. Per diem is requested in the amount of \$369.00. The cost will be paid for out of the Sheriff's budget. The motion was passed unanimously.

SO ORDERED, October 4, 2010.

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Upon recommendation of Sheriff Billy Sollie, a motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to accept the Mental Health Grant in the amount of \$50,000, which will allow the Sheriff's Department to work with Weems Mental Health in

determining how to remove mental patients from the jail and getting them the help that they need. The motion was passed unanimously.

SO ORDERED, this October 4, 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 Ray Boswell, seconded by Supervisor Hank Florey, to approve the claims docket for October 2010; and to authorize the Chancery Clerk to issue warrants therefore, was passed unanimously.

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

SO ORDERED, this October 4, 2010.

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

A) Brian Fortenberry, Deputy Sheriff

SO ORDERED, this October 4, 2010.

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A motion by Supervisor Joe Norwood, seconded by Supervisor Hank Florey, to approve the request for Judge Vel Young to hire Sandra E. Walker to fill the vacant Drug Court Case Manager position at \$25,000 per year beginning October 5, 2010 (approval to advertise was done at August 2, 2010 meeting). The motion was passed unanimously.

SO ORDERED, this October 4, 2010.

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A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to approve the following Department Heads to attend PTS Software Solutions Conference in Biloxi, MS October 18-20, 2010, was passed unanimously.

- A) Circuit Court Department – Vicki LaShane. The cost is three (3) days per diem \$123.00; Registration \$200.00; and two (2) nights motel \$190.38 (money is in the 2011 budget).
- B) Justice Court Department – Darlene Jones and Victoria Neely. Cost will include three (3) days per diem for the two (2) \$246.00; Registration \$400.00; two (2) night motel \$380.76. Total cost \$1,026.76 (money is in the 2011 budget).

SO ORDERED, this October 4, 2010.

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A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to approve the request to dispose of old law books in order to free up space in Archives. Mr. Ward Calhoun has checked and these are old books that no one wants. The motion was passed unanimously.

SO ORDERED, this October 4, 2010.

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A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to approve the request for Mr. Joe Lemoine to attend Veterans Service Officers' School October 6-8, 2010 in Jackson, MS. Cost will be two (2) nights motel \$190.40; Meals \$31.00 per day \$93.00; He will travel in a County vehicle (money is in the 2011 budget). The motion was passed unanimously.

SO ORDERED, this October 4, 2010.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to approve the requisition for a T-1 phone line per request of East MS Trauma Care Region. The phone line will be for the communication between the repeater device at the courthouse annex and MEDCOM to support the regional ambulance transport destination system. Metro will reimburse for the expense. The motion was passed unanimously.

SO ORDERED, this October 4, 2010.

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County Engineer/Road Manager Neal Carson submitted for inclusion in the minutes receipt of Public Notice September 27, 2010-October 27, 2010 that Dogwood Lake Mobile Park located at 1213 Dogwood Lake Road, Meridian, MS has applied to the MS Department Environmental Quality the following permitting action: Permit Reissuance Ref No MSU097002. The applicant's operations fall within SIC Code 6515 (see attachment).

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

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A motion by Hank Florey, seconded by Supervisor Wayman Newell, to approve request of Southern Natural Gas Company, Permit Application for Use and Occupancy Agreement for the Construction or Adjustment of a Utility within Road or Hwy Right-of-Way.

Description: Jack & Bore a 36 inch steel pipe across 4 county roads in Lauderdale County for the purpose of transporting natural gas (Water Valley Road, Alamucha-Whynot Road, Ponds Road and Old Highway 19). The motion was passed unanimously.

SO ORDERED, this October 4, 2010.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to approve the requests to place a line/crossing and/or place a buried telecommunications cable along/across the following county roads, was passed unanimously.

- A) Old 8<sup>th</sup> Street Road (ATT Job 07M02152N)
- B) Causeyville Road and Zero Road (AT&T Job 07M01711N)
- C) S Anderson Road and various roads in Southern Hills Subdivision (AT&T Job 07M02137N)
- D) Highway 19 and S.L. Wilson Road and continuing on S.L. Wilson Road for approximately one mile (AT&T Job 07M01438N)
- E) Mt. Horeb Road (AT&T Job 07M02337N)
- F) Russell Camp Road (AT&T Job 07M02330N)

SO ORDERED, this October 4, 2010.

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A motion by Supervisor Ray Boswell, seconded by Supervisor Wayman Newell, to approve the request to rehire litter personnel that was previously laid off - they are Martin Clark, Jimmy Culpepper, Ed Jones, and Katrina Ruffin (included in 2011 budget). The motion failed to pass. Supervisor Hank Florey voted nay; Supervisor Craig Hitt voted nay; Supervisor Wayman Newell voted aye; Supervisor Ray Boswell voted aye; and Supervisor Joe Norwood abstained.

SO ORDERED, this October 4, 2010.

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A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to approve the request to move Jessie Portis to Satellite A as Equipment Operator with a pay increase from \$7.50 to \$9.12 per hour, was passed unanimously.

SO ORDERED, this October 4, 2010.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to approve the request of E-911 Director Jared Stanley for training for himself, Anita Hopkins, and Heather Corbett, the Mississippi 911 Coordinators Fall Training Seminar in Tunica, MS October 17-20, 2010. Cost is \$395.00 each for the course which includes meals while at the course .Lodging \$168.00 for three (3) nights. Travel will be in a county vehicle. Meals are \$41.00 for each. Total cost of \$1,812.00. The motion was passed unanimously.

SO ORDERED, this October 4, 2010.

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A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to approve ORDER SETTING FEE WITHIN LAUDERDALE COUNTY, MISSISSIPPI TO COLLECT OR DEFRAY COST OF SERVICES AS TO GARBAGE COLLECTION AND/OR DISPOSAL SYSTEM EFFECTIVE JANUARY 1, 2011, was passed unanimously.

SO ORDERED, this October 4, 2010.

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A motion by Supervisor Ray Boswell, seconded by Supervisor Hank Florey, to approve RESOLUTION REQUESTING THE MISSISSIPPI LEGISLATURE TO ADOPT LOCAL AND PRIVATE LEGISLATION TO INCREASE MILLAGE AS TO GARBAGE COLLECTION, was passed on a vote of four to one. 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 October 4, 2010.

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A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to approve RECOMMENDTION TO APPROVE QUOTE ON SOUTHERN HEALTH PARTNERS TO PROVIDE HEALTHCARE SERVICES AT THE LAUDERDALE COUNTY JUVENILE DETENTION CENTER. After discussion, the motion and second was withdrawn until the next meeting.

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A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to approve JOINT RESOLUTION OF LAUDERDALE COUNTY AND THE LAUDERDALE COUNTY ECONOMIC DEVELOPMENT DISTRICT AUTHORIZING A DISTRIBUTION SYSTEM EXTENSION CONTRACT WITH ATMOS ENERGY CORPORATION, was passed unanimously.

SO ORDERED, this October 4, 2010.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Joe Norwood, to approve THE APPLICATION FOR THE JUVENILE ACCOUNTABILITY BLOCK GRANT AND AUTHORIZING THE BOARD PRESIDENT AND THE COUNTY ADMINISTRATOR TO SIGN THE APPLICATION AS NECESSARY, was passed unanimously.

SO ORDERED, this October 4, 2010.

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

SO ORDERED, this October 4, 2010.

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A motion by Trustee Hank Florey, seconded by Trustee Craig Hitt, to approve JOINT RESOLUTION OF LAUDERDALE COUNTY AND THE LAUDERDALE COUNTY ECONOMIC DEVELOPMENT DISTRICT AUTHORIZING A DISTRIBUTION SYSTEM EXTENSION CONTRACT WITH ATMOS ENERGY CORPORATION, was passed unanimously.

SO ORDERED, this October 4, 2010.

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A motion by Trustee Hank Florey, seconded by Trustee Craig Hitt, **to recess as the board of Trustees of the Lauderdale County Economic Development District and reconvene as the Lauderdale County Board of Supervisors**, was passed unanimously.

SO ORDERED, this October 4, 2010.

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Mr. Raymond Huffmaster and Reverend Johnson, NAACP Director, spoke to the Board regarding matters of general good and welfare.

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A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to approve the request to pay registration fee for the Supervisors' Fall Workshop in Meridian October 11-13, 2010, was passed unanimously.

SO ORDERED, this October 4, 2010.

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A motion by Supervisor Craig Hitt (only one is needed), to determine the need for an executive session, was passed unanimously.

SO ORDERED, this October 4, 2010.

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Board of Supervisors immediately thereafter, with no business intervening, considered the necessity for an executive session for discussion of potential litigation and a personnel matter, and a motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, 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 JOE MCCRANEY, AND RICK BARRY, BOARD ATTORNEY.

SO ORDERED, this October 4, 2010.

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

SO ORDERED, this October 4, 2010.

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

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A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to approve the following action – because the Board inadvertently overlooked two (2) outstanding construction project bills for completed dirt work and fencing on June 25, 2009 when the Board made the decision pursuant to Mississippi Code Section 27-105-367(3)(a) to transfer the entire balance of the Taxable General Obligation Industrial Development Bonds, Series 2006B (referred to as the “Series 2006B Bonds”) from a project fund to a Series 2006B bond and interest sinking fund, and because the dirt work and fencing work in question had been complete as part of the Series 2006B bond industrial project, a motion was made to amend the Board’s June 25, 2009 decision such that the Clerk is directed to transfer the balance of the bond proceeds to a Series 2006B bond and interest sinking fund with the exception of \$162,722.87; and further that because of such amendment the Clerk now be directed to transfer \$162,722.87 from the Series 2006B bond and interest sinking fund back to the Series 2006B project fund so that the outstanding construction bills of Eutaw Construction Company and Pat Calhoun Fence Contractor Inc. may be paid. The motion passed on a voted of four (4) to one (1). Supervisor Hank Florey voted aye; Supervisor Wayman Newell voted aye; Supervisor Craig Hitt vote aye; Supervisor Joe Norwood voted aye; and Supervisor Ray Boswell voted nay.

SO ORDERED, this October 4, 2010.

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A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to approve payment to Eutaw Construction Company in the amount of \$124,687.00 from the Series 2006B Bonds project fund, 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 Joe Norwood voted aye; and Supervisor Ray Boswell voted nay.

SO ORDERED, this October 4, 2010.

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A motion by Supervisor Craig Hitt, seconded by Supervisor Hank Florey, to approve payment to Pat Calhoun Fence Contractor, Inc. in the amount of \$38,035.87 from Series 2006B Bonds project fund, 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 Joe Norwood voted aye; and Supervisor Ray Boswell voted nay.

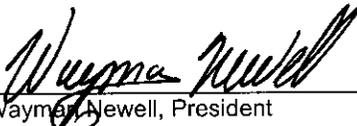
SO ORDERED, this October 4, 2010.

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A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to recess until Monday, October 18, 2010, at 5:00 p.m., was passed unanimously.

SO ORDERED, this October 4, 2010

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Wayman Newell, President

