

MONDAY, DECEMBER 5, 2011

BE IT REMEMBERED that the Lauderdale County Board of Supervisors resumed its regular December meeting at 9:00 a.m., Monday, December 5, 2011, at the Raymond P. Davis County Annex Building in Meridian, Mississippi, with the following members present: Mr. Craig Hitt, President of the Board and Supervisor of District Three; Mr. Hank Florey, Supervisor of District One; Mr. Wayman Newell, Supervisor of District Two; 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.

Sheriff Billy Sollie called the December 2011 meeting of the Board of Supervisors to order.

Prayer was offered by Board President Craig Hitt.

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

A motion by Supervisor Joe Norwood, seconded by Supervisor Wayman Newell, to approve the "Agenda" for even date, with amendments as follows, was passed unanimously.

BOARD MEETING AGENDA
LAUDERDALE COUNTY BOARD OF SUPERVISORS
MONDAY, DECEMBER 5, 2011 – 9:00 A.M.

1. December meeting called to order by Sheriff Billy Sollie.
2. Prayer given by Board President 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 21, 2011.
6. Jimmy Slay, Tax Assessor
 - A) Petitions for reductions and/or change of assessment
7. Sheriff Billy Sollie – No business.
8. Staff Reports
9. Other matters for general good and welfare.
10. Actions from Supervisors.
11. Motion to recess until Tuesday, January 3, 2012.

AMENDMENTS:

Add Item 6B – Mr. John McClure, Meridian Main Street

LEGAL AGENDA – Add 1A – RESOLUTION OF INTENT TO TRANSFER OR GRANT EXEMPTION FROM AD VALOREM TAXES TO HANDY HARDWARE

(See pages _____ through _____ of these minutes.)

SO ORDERED, this December 5, 2011.

A motion by Supervisor Joe Norwood, seconded by Supervisor Hank Florey, to approve minutes dated November 21, 2011, was passed unanimously.

SO ORDERED, this December 5, 2011.

Upon recommendation of Jimmy Slay, Lauderdale County Tax Assessor, a motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to adopt the attached petitions for reduction and/or change of assessment and notices to increase the assessment of real/personal property, for the reasons set forth and as further described on attachments hereto, was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this December 5, 2011.

Mr. John McClure of Meridian Main Street came before the Board to advise the Supervisors that a grant had been awarded to Lauderdale County in the amount of \$108,000.00 from the Mississippi Department of Archives and History for the Heritage Grant Program. The grant is to be used for architectural and engineering assessment of the County Courthouse, the Annex Building and other nearby County properties for a Master Plan in rehabilitating these buildings. The County's match is \$27,000.00.

Chancery Clerk Carolyn Mooney submitted for inclusion in the minutes 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 Joe Norwood, to approve the claims docket for December 2011; and to authorize the Chancery Clerk to issue warrants therefore, 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.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this December 5, 2011.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to approve the recommendation of the Janitorial Committee to approve Total Maintenance Solutions, being the lowest bidder for Janitorial Services at \$6,025.00 monthly, was passed unanimously.

SO ORDERED, this December 5, 2011.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to approve the resignation of Jimmy Slay, Tax Assessor, effective as of December 31, 2011, was passed unanimously.

SO ORDERED, this December 5, 2011.

A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to approve the request of Suzy Johnson, Tourism Director, for Steve Martin to travel to the American Bus Association Marketplace in Grapevine, Texas January 6-10, 2012. Money is in the budget. The motion was passed unanimously.

SO ORDERED, this December 5, 2011.

Upon recommendation of County Administrator Joe McCraney, a motion by Hank Florey, seconded by Supervisor Wayman Newell, to approve the request to advertise for County Depositories, was passed unanimously.

SO ORDERED, this December 5, 2011.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to approve interfund loan in the amount of \$75,000.00 from the Road Fund to the Bridge Fund, was passed unanimously.

SO ORDERED, this December 5, 2011.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to approve the following applications to place a buried fiber optic telecommunications cable, was passed unanimously.

- A) Along Henry Boswell and Old Highway 19 S in Lauderdale County – AT&T Job No. 27M00938N
- B) Dunn's Falls Road, from Meehan Savoy Road to an existing cell tower at 6391 Dunn's Falls Road – AT&T Job No. 27M00973N
- C) Causeyville Clarke & B.W. Johnson Road, along Pickard Campbell Road – AT&T Job No. 07M02495N

SO ORDERED, this December 5, 2011.

A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to approve a Dirt Pit Lease located on George Minor Road with Willie Carol Neal at \$.45 per yard for top soil and grass, was passed unanimously.

SO ORDERED, this December 5, 2011.

Upon recommendation of Board Attorney Rick Barry, a motion by Supervisor Wayman Newell, seconded by Supervisor Joe Norwood, to approve the following Tax Assessment regarding Tower Automotive, was passed unanimously.

<u>RELATED PROPERTY</u>	<u>TAX YEAR</u>	<u>PAYMENT AMOUNT</u>	<u>PAYMENT DATE</u>
Tower Expansion	2008	\$75,891.75	On or before December 31, 2011
Tower Expansion	2009	\$75,714.66	On or before December 31, 2011
Tower Expansion	2010	\$78,989.73	On or before December 31, 2011
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Total Due on or before			
December 31, 2011		\$230,686.15	
Tower Expansion	2011	\$77,301.35	On or before February 1, 2012
Leasehold Interest in District-Owned Property	2011	\$221,314.46	On or before February 1, 2012
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Total due on or before			
February 1, 2012		\$208,615.81	
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TOTAL DUE		\$529,301.95	

SO ORDERED, this December 5, 2011.

Thereafter, Board Attorney, Rick Barry, announced to the Board that he was recommending settling the tax value for 2010-2011 in the *Ultimate Fun World* case for a total of \$875,000.00. After discussion of same, a motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to accept the recommendation of Board Attorney Rick Barry, and to agree to settle the value in the *Ultimate Fun World, Inc. vs. Board of Supervisors* case, Civil Action No. 10-CV200 (W), for 2010-2011 in the amount of \$875,000.00, was passed unanimously.

SO ORDERED, this December 5, 2011.

Thereafter, the Board took up a personnel matter of an employee in Satellite D. A motion by Supervisor Wayman Newell, seconded by Supervisor Ray Boswell, to accept the recommendation of Neal Carson to terminate said employee in Satellite D; after a discussion of same, a motion to uphold Neal Carson's recommendation to terminate said employee passed on a vote of four (4) to one (1).

SO ORDERED, this December 5, 2011.

A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to come out of Executive Session, was passed unanimously,

SO ORDERED, this December 5, 2011.

The Board reconvened in open session and Board Attorney Rick Barry explained the vote on the motion to settle the *Ultimate Fun World* case as stated above, and stated that the Board had decided to uphold the recommendation to terminate the County employee in Satellite D.

A motion by Supervisor Hank Florey, seconded by Supervisor Craig Hitt, to approve RESOLUTION OF INTENT OF THE BOARD OF SUPERVISORS OF LAUDERDALE COUNTY, MISSISSIPPI PERTAINING TO CERTAIN EXEMPTIONS FROM AD VALOREM TAXES, INCLUDING THOSE TAX EXEMPTIONS UNDER MISSISSIPPI CODE SECTIONS 27-31-101 AND 57-10-439 OF THE MISSISSIPPI CODE OF 1972, AS AMENDED, ON THE WAREHOUSE AND DISTRIBUTION FACILITY OPERATED BY HANDY HARDWARE WHOLESALE, INC.; AND RELATED MATTERS, subject to the approval of Board Attorney Rick Barry, if the subject comes up at the end of the year, was passed unanimously.

SO ORDERED, this December 5, 2011.

A motion by Supervisor Joe Norwood, seconded by Supervisor Hank Florey, to approve Tax Exempt status for The Temple Theater of the Performing Arts, PPIN 18764, beginning January 1, 2010, was passed unanimously.

SO ORDERED, this December 5, 2011.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to approve interfund loan from the General Fund 001 to the Drug Task Force Fund 031 in the amount of \$25,260.00, was passed unanimously.

SO ORDERED, this December 5, 2011.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to advertise for a single axle dump truck for Satellite A, a 2005 or newer, was passed unanimously.

SO ORDERED, this December 5, 2011.

Supervisor Joe Norwood presented a plaque to Supervisor Ray Boswell in appreciation of twenty (20) years of service to Lauderdale County District Five.

Supervisor Joe Norwood presented a plaque to Supervisor Craig Hitt in appreciation of twelve years of service to Lauderdale County District Three. Supervisor Norwood also presented a plaque to Supervisor Craig Hitt for his service as President and Chairman of the Board of Supervisors for the past year.

A motion by Supervisor Joe Norwood, seconded by Supervisor Wayman Newell, to consider the need for an Executive Session on a personnel matter and on a litigation matter in *Ultimate Fun World, Inc. vs. Board of Supervisors*, Civil Action No. 10-CV200 (W), Circuit Court of Lauderdale County, Mississippi. Everyone left the Board room except the Board members, Joe McCraney, County Administrator, and Board Attorney Rick Barry.

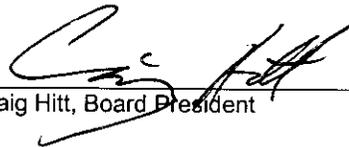
SO ORDERED, this December 5, 2011.

A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to go into Executive Session for personnel matters and for litigation matters in the *Ultimate Fun World, Inc. vs. Board of Supervisors* tax appeal case, Civil Action No. 10-CV200 (W), Circuit Court of Lauderdale County, Mississippi, was passed unanimously.

SO ORDERED, this December 5, 2011.

A motion by Supervisor Hank Florey, seconded by Supervisor Joe Norwood, to adjourn until Tuesday, January 3, 2012, was passed unanimously.

SO ORDERED, this December 5, 2011.



Craig Hitt, Board President