

MONDAY, FEBRUARY 4, 2013

BE IT REMEMBERED that the Lauderdale County Board of Supervisors began and held its regular February meeting at 9:00 a.m., Monday, February 4, 2013 at the Raymond P. Davis County Annex Building 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. Josh Todd, Supervisor of District Three, Mr. Joe Norwood, Supervisor of District Four, and Mr. Kyle Rutledge, 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. Harris Wilder, Road Manager, and Mr. Rick Barry, Board Attorney.

Sheriff Billy Sollie called the February 2013 meeting of the Board of Supervisors to order.

Prayer was offered by Supervisor Josh Todd.

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

A motion by Supervisor Josh Todd, seconded by Supervisor Kyle Rutledge, to approve the "Agenda" for even date, with amendments as follows, was passed unanimously.

BOARD MEETING AGENDA
LAUDERDALE COUNTY BOARD OF SUPERVISORS
MONDAY, FEBRUARY 4, 2013 – 9:00 A.M.

1. Meeting called to order by Sheriff Billy Sollie.

2. Prayer given by Supervisor Josh Todd.
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 7th and 22nd, 2013.
6. RESOLUTION: February 4-8, 2013 "National School Counselor Week"
RESOLUTION: Opposing HB 835 Section 42 Housing
7. James Rainey, Tax Assessor
 - A) Petitions for reductions and/or change of assessment.
 - B) Include in minutes for Mr. Dan Roberts to attend the IAAO Class 600-Cadastral Mapping Methods and Applications to be held in Starkville, MS March 4-8, 2013. Funds are in the budget.
8. Sheriff Billy Sollie
9. Jared Stanley – E911 Director
10. Staff Reports – Carolyn Mooney, Harris Wilder, Joe McCraney, and Rick Barry
11. John Compton, Sixteenth Section Public School Trust Land
 - A) J & W Enterprises, 261 CR 465, Meridian, MS. This is a 25 year lease beginning November 3, 2010 and ending November 2, 2035 at \$844.00 per year.
 - B) David Purvis, 3809 8th Street, Meridian, MS. This is a 5 year lease beginning December 5, 2011 and ending on the 4th day of December, 2016 at \$669.00 per year.
12. Other matters for general good and welfare.
13. Actions from Supervisors.
14. Motion to recess until Tuesday, February 19, 2013 at 5:00 p.m.
(See pages _____ through _____ of these minutes.)

SO ORDERED, this February 4, 2013.

A motion by Supervisor Josh Todd, seconded by Supervisor Kyle Rutledge, to approve minutes dated January 7th and January 22nd, 2013, was passed unanimously.

SO ORDERED, this February 4, 2013.

A motion by Supervisor Josh Todd, seconded by Supervisor Wayman Newell, to approve RESOLUTION OPPOSING HB 835 SECTION 42 HOUSING, was passed on a vote of four (4) to one (1). Supervisor Hank Florey voted aye; Supervisor Wayman Newell voted aye; Supervisor Josh Todd voted aye; Supervisor Kyle Rutledge voted aye; and Supervisor Joe Norwood voted nay.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this February 4, 2013.

Upon recommendation of James Rainey, Lauderdale County Tax Assessor, a motion by Supervisor Wayman Newell, seconded by Supervisor Kyle Rutledge, 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 4, 2013.

A motion by Supervisor Josh Todd, seconded by Supervisor Wayman Newell, to approve the request for Mr. Dan Roberts to attend the IAAO Class 600-Cadastral Mapping

Methods and Applications to be held in Starkville, MS March 4-8, 2013. The funds are in the budget. The motion was passed unanimously.

SO ORDERED, this February 4, 2013.

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

- 1) Effective January 10, 2013, David Dillon Sharp has resigned as Detention Officer.
- 2) Effective January 29, 2013, Jason Brown was hired as a Detention Officer. His starting rate of pay is \$9.23 per hour.
- 3) Effective January 29, 2013, Justin Mears was hired as a Detention Officer. His starting rate of pay is \$9.23 per hour.
- 4) Effective January 29, 2013, Cody Tucker was hired as a Detention Officer. His starting rate of pay is \$9.23 per hour.
- 5) Effective January 29, 2013, Michael Dale was hired as a Detention Officer. His starting rate of pay is \$9.23 per hour.
- 6) Effective February 3, 2013, Randall Ferrell was hired as a Detention Officer. His starting rate of pay is \$9.23 per hour.

A motion by Supervisor Wayman Newell, seconded by Supervisor Josh Todd, to approve the request for Major John Calhoun to attend the Life Safer's Conference in Denver, CO on April 13-17, 2013. Registration is \$350.00. Hotel is \$867.51. Shuttle service is \$44.84. Per Diem is \$280.00. The cost of this training will be paid for out of the DUI Grant. The motion was passed unanimously.

SO ORDERED, this February 4, 2013.

A motion by Supervisor Josh Todd, seconded by Supervisor Wayman Newell, to approve the request for nine (9) community mental health partnership members attending CIT training in Memphis, TN on February 19-21, 2013. Registration, lodging, per diem with possible incidentals will be paid for through the Mental Health Grant. The motion was passed unanimously.

SO ORDERED, this February 4, 2013.

Upon recommendation of E911 Director Jared Stanley, a motion by Supervisor Wayman Newell, seconded by Supervisor Josh Todd, to approve the following training, with all expenses reimbursable by the State of Mississippi, was passed unanimously.

- 1) February 18-19, 2013 – Negotiations and Talk Tactics course in Moss Point, MS. Expenses for up to four (4) dispatchers to attend: \$2,327.00
Individual costs: Tuition \$300.00
Lodging \$99.00 for two (2) nights
Meals \$31.00/day x two (2) days
Mileage \$87.00 (one vehicle maximum)
- 2) February 19, 2013 – Responding to Fire/Rescue Incidents 911 Personnel MS Fire Academy, Jackson, MS. Expenses for up to four (4) dispatchers to attend: \$703.00
Individual costs: Tuition \$163.00 (includes meal)
Mileage \$51.00 (one vehicle maximum)
- 3) March 12, 2013 – Responding to Fire/Rescue Incidents 911 Personnel MS Fire Academy, Jackson, MS Expenses for up to four (4) dispatchers to attend: \$703.00
Individual costs: Tuition \$163.00 (includes meal)
Mileage \$51.00 (one vehicle maximum)

SO ORDERED, this February 4, 2013.

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 Josh Todd, seconded by Supervisor Kyle Rutledge, to approve the claims docket for the month of February, 2013; and to authorize the Chancery Clerk to issue warrants therefore, was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this February 4, 2013.

A motion by Supervisor Wayman Newell, seconded by Supervisor Josh Todd, to approve the request to accept the following projects as completed; and for approval for the Board President to sign letter of acceptance, was passed unanimously.

- A) Project No. LSBP 38 (14) Suqualena Graham Road
- B) Project No. LSBP 38 (16) Knight Parker Road
- C) Project No. LSBP 38 (19) Payne Road

SO ORDERED, this February 4, 2013.

A motion by Supervisor Kyle Rutledge, seconded by Supervisor Wayman Newell, to approve AT&T Utility permit for installing a fiber optics cable along Hillview Drive and Ponta Hills Road, AT&T Job Number 37M00417N, was passed unanimously.

SO ORDERED, this February 4, 2013.

A motion by Supervisor Josh Todd, seconded by Supervisor Kyle Rutledge, to include in the minutes quotes on DURATANK (storage tank) as follows; and to accept the lowest quote of Duraco, Inc. at \$36,160.00, was passed unanimously.

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|----|-------------------------------------|-------------|
| 1) | Coblentz Equipment & Parts Co., Inc | \$39,500.00 |
| 2) | Duraco, Inc. | \$36,160.00 |

SO ORDERED, this February 4, 2013.

A motion by Supervisor Wayman Newell, seconded by Supervisor Josh Todd, to include in the minutes quotes on Engine as follows; and to accept the lowest quote of Puckett Machinery at \$9,500.00, was passed unanimously.

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|----|--------------------|-------------|
| 1) | Puckett Machinery | \$ 9,500.00 |
| 2) | Thompson Machinery | \$16,165.00 |

SO ORDERED, this February 4, 2013.

A motion by Supervisor Josh Todd, seconded by Supervisor Kyle Rutledge, to approve dirt pit lease from Murray Rogers, to increase from \$.50 per yard to \$.75 per yard, was passed on a vote of four (4) to one (1). Supervisor Hank Florey voted aye; Supervisor Wayman Newell voted aye; Supervisor Josh Todd voted aye; Supervisor Kyle Rutledge voted aye; and Supervisor Joe Norwood voted nay.

SO ORDERED, this February 4, 2013.

A motion by Supervisor Josh Todd, seconded by Supervisor Kyle Rutledge, to approve dirt pit lease from Gary Huffmaster, at \$.75 per yard, was passed on a vote of four (4) to one (1). Supervisor Hank Florey voted aye; Supervisor Wayman Newell voted aye; Supervisor Josh Todd voted aye; Supervisor Kyle Rutledge voted aye; and Supervisor Joe Norwood voted nay.

SO ORDERED, this February 4, 2013.

A motion by Supervisor Wayman Newell, seconded by Supervisor Josh Todd, to approve dirt pit lease from Bobby Pritchett, to increase from \$.50 per yard to \$.75 per yard, was passed on a vote of four (4) to one (1). Supervisor Hank Florey voted aye; Supervisor Wayman Newell voted aye; Supervisor Josh Todd voted aye; Supervisor Kyle Rutledge voted aye; and Supervisor Joe Norwood voted nay.

SO ORDERED, this February 4, 2013.

A motion by Supervisor Josh Todd, seconded by Supervisor Kyle Rutledge, to approve dirt pit lease from Steve Freeman, to increase from \$.50 per yard to \$.75 per yard, was passed on a vote of four (4) to one (1). Supervisor Hank Florey voted aye; Supervisor Wayman Newell voted aye; Supervisor Josh Todd voted aye; Supervisor Kyle Rutledge voted aye; and Supervisor Joe Norwood voted nay.

SO ORDERED, this February 4, 2013.

A motion by Supervisor Josh Todd, seconded by Supervisor Kyle Rutledge, to approve the request for a school bus turn-around at 5156 Wild Oak Drive, was passed unanimously.

SO ORDERED, this February 4, 2013.

A motion by Supervisor Wayman Newell, seconded by Supervisor Josh Todd, to approve the request for a school bus turn-around at 3480 Lick Skillet Road, was passed unanimously.

SO ORDERED, this February 4, 2013.

Road Manager Harris Wilder submitted for inclusion in the minutes DETERMINATION OF 100 YEAR BASE FLOOD ELEVATION for 9896 Lizelia Road, Meridian, MS 39305 (Task Order No. 13-01).

A motion by Supervisor Josh Todd, seconded by Supervisor Joe Norwood, to approve the request to make Hickory Ridge Road a public road; Supervisors Todd and Norwood viewed the road and came back to the Board with this recommendation, was passed on a vote of four (4) to zero (0). Supervisor Hank Florey voted aye; Supervisor Wayman Newell voted aye; Supervisor Josh Todd voted aye; Supervisor Kyle Rutledge voted aye; and Supervisor Joe Norwood abstained.

SO ORDERED, this February 4, 2013.

A motion by Supervisor Josh Todd, seconded by Supervisor Kyle Rutledge, to accept third lowest bid of Waters International Trucks, Inc. on Knuckleboom Loader in the amount of \$113,985.39. Bids received from Watson Quality Ford in the amount of \$108,701.38, and Empire Truck Sales in the amount of \$111,986.00 did not have the "Wet Sleeve" Engine along with not meeting all the equipment specifications. The motion was passed unanimously.

SO ORDERED, this February 4, 2013.

Supervisor Kyle Rutledge presented Resolution recognizing February 4-8, 2013 as "National School Counselor Week". A motion by Supervisor Kyle Rutledge, seconded by Supervisor Josh Todd, to approve this Resolution, was passed unanimously.

SO ORDERED, this February 4, 2013.

Upon recommendation of Attorney John Compton, Sixteenth Section Public School Trust Fund, and approved by the School Board, a motion by Supervisor Wayman Newell, seconded by Supervisor Josh Todd, to approve the following leases, was passed unanimously.

- A) J & W Enterprises, 261 CR 465, Meridian, MS. This is a 25-year lease beginning November 3, 2010 and ending November 2, 2035 at \$844.00 per year.
- B) David Purvis, 3809 8th Street, Meridian, MS. This is a five (5) year lease beginning December 5, 2012 and ending December 4, 2016 at \$669.00 per year.

SO ORDERED, this February 4, 2013.

A motion by Supervisor Josh Todd, seconded by Supervisor Joe Norwood, to approve the request of the Election Commission to destroy records eligible for destruction authorized under the Mississippi Local Government General Records Control schedule as administered by the Mississippi Department of Archives and History (Mississippi Code Section 25-60-1), was passed unanimously.

SO ORDERED, this February 4, 2013.

A motion by Supervisor Josh Todd, seconded by Supervisor Wayman Newell, to approve the request for Wayman Newell, Josh Todd, Joe Norwood, Joe McCraney, and Rick Barry to travel to Washington, D.C. February 12-14, 2013. Cost will include airfare, hotel, and per diem. The motion was passed unanimously.

SO ORDERED, this February 4, 2013.

A motion by Supervisor Josh Todd, seconded by Supervisor Kyle Rutledge, to approve the request to set up new funds and make the following budget adjustments, was passed unanimously.

- A) Fund 119-224-592 Adult Electronic Monitoring for City Inmates
\$143,700.00
- B) Fund 113-230 Add budget for one time support grant (\$20,000.00)
received from Securus Technologies for renewing our contract with them
for the inmate telecommunications system.

SO ORDERED, this February 4, 2013.

A motion by Supervisor Josh Todd, seconded by Supervisor Wayman Newell, to approve the request for Jeff Tate to attend the 2013 Mississippi Secretary of State's Office "SEMS Redistricting Training" February 8, 2013 in Jackson, MS. Mileage and per diem is requested. The motion was passed unanimously.

SO ORDERED, this February 4, 2013.

A motion by Supervisor Josh Todd, seconded by Supervisor Kyle Rutledge, to approve the request to enter into an agreement with Tri-State to add two layers (Lauderdale County Tax Assessment Map) for the noise and accident potential zone around the Naval Air Station at a cost of approximately \$400.00 to \$500.00, was passed unanimously.

SO ORDERED, this February 4, 2013.

A motion by Supervisor Wayman Newell, seconded by Supervisor Josh Todd, to approve the request for Kawana McCary, ECPDD to submit grant application for Waste Tire and Solid Waste assistance funds for 2013, was passed unanimously.

SO ORDERED, this February 4, 2013.

A motion by Supervisor Josh Todd, seconded by Supervisor Kyle Rutledge, to approve the request for Community affiliate Membership with the Navy League of the United States for not to exceed \$400.00. This is a one year membership. The motion was passed unanimously.

SO ORDERED, this February 4, 2013.

A motion by Supervisor Josh Todd, seconded by Supervisor Wayman Newell, to approve RESOLUTION AUTHORIZING AND DIRECTING THE ISSUANCE OF (A) GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013A, OF LAUDERDALE COUNTY, MISSISSIPPI (THE COUNTY) IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED SIX MILLION FIVE HUNDRED THOUSAND DOLLARS (\$6,500,000.00) AND (B) TAXABLE GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013B, OF THE COUNTY IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED SIXTEEN MILLION DOLLARS

(\$16,000,000.00); AUTHORIZING THE FORM OF DOCUMENTS; PAYING THE COSTS OF SUCH BORROWING; AND FOR RELATED PURPOSES, was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this February 4, 2013.

A motion by Supervisor Josh Todd, seconded by Supervisor Kyle Rutledge, to approve RESOLUTION OF THE LAUDERDALE COUNTY BOARD OF SUPERVISORS ENDORSING AND URGING THE MISSISSIPPI LEGISLATURE TO ADOPT LOCAL AND PRIVATE LEGISLATION FOR THE FUNDING OF THE LAUDERDALE COUNTY DENTENTION FACILITY'S GOOD NEWS JAIL AND PRISON MINISTRY CHAPLAIN AND CHAPLAINCY PROGRAM FROM NON-TAX REVENUE GENERATED BY THE INMATE TELEPHONE SERVICE, was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this February 4, 2013.

A motion by Supervisor Josh Todd, seconded by Supervisor Kyle Rutledge, to accept Petition for Tax Exempt status from Meridian Church of God/dba Cornerstone Church of God, PPIN 29068, was passed unanimously.

SO ORDERED, this February 4, 2013.

County Administrator Joe McCraney 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.aa 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 \$1,322.15 under the Federal Flood Control Act.

A motion by Supervisor Josh Todd, seconded by Supervisor Wayman Newell, to approve the request that a private road will not be made a public road unless there are five (5) or more residences on that road, was passed on a vote of four (4) to zero (0). Supervisor Hank Florey voted aye; Supervisor Wayman Newell voted aye; Supervisor Josh Todd voted aye; Supervisor Kyle Rutledge voted aye; and Supervisor Joe Norwood abstained.

SO ORDERED, this February 4, 2013.

A motion by Supervisor Kyle Rutledge, seconded by Supervisor Joe Norwood, to approve the request for Kawana McCary, ECPDD to apply for a Map 21 Grant, was passed unanimously.

SO ORDERED, this February 4, 2013.

A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to nominate Doyle McKee to the Planning Board (District One), was passed unanimously.

SO ORDERED, this February 4, 2013.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to nominate Jared Stanley to the Planning Board (District Two), was passed unanimously.

SO ORDERED, this February 4, 2013.

A motion by Supervisor Joe Norwood, seconded by Supervisor Kyle Rutledge, to nominate Cassandra Sloan to the Planning Board (District Four), was passed unanimously.

SO ORDERED, this February 4, 2013.

A motion by Supervisor Josh Todd (a second is not required) to determine the need to go into an Executive Session regarding pending litigation, was passed unanimously.

SO ORDERED, this February 4, 2013.

A motion by Supervisor Josh Todd, seconded by Supervisor Wayman Newell, to go into Executive Session to discuss settlement negotiations in pending litigation concerning tax appeals. All persons left the meeting except for the Board, Board Attorney Rick Barry, the County Administrator and only such other persons necessary for specific matters of the Executive Session. The motion was passed unanimously.

SO ORDERED, this February 4, 2013.

A motion by Supervisor Josh Todd, seconded by Supervisor Hank Florey, to go out of Executive Session, following completion of discussion of the matters appropriate for the Executive Session, was passed unanimously.

SO ORDERED, this February 4, 2013.

The Board went back into open meeting. Board Attorney Rick Barry announced that pending litigation was discussed concerning the settlement negotiations of the tax appeals of Mar-Ray, Inc. property - PPINs 30259, 30260, & 30261 and no action was taken at this time.

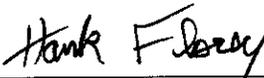
A motion by Supervisor Wayman Newell, seconded by Supervisor Kyle Rutledge, to approve the settlement of the tax appeal of Mar-Ray, Inc. for PPIN 30259 – the value will be \$724,450.00; for PPIN 30260 – the value will be \$567,580.00; and for PPIN 30261 – the value will be \$580,165.00. The motion was passed unanimously.

SO ORDERED, this February 4, 2013.

It was announced that the work session for next week has been changed from Thursday, February 14, 2013 to Friday, February 15, 2013 at 9:00 a.m.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to recess until Tuesday, February 19, 2013, was passed unanimously.

SO ORDERED, this February 4, 2013.



Hank Florey, President