

MONDAY, JULY 2, 2012

BE IT REMEMBERED that the Lauderdale County Board of Supervisors resumed its regular meeting at 9:00 a.m., July 2, 2012, at the Raymond P. Davis County Annex Building in Meridian, Mississippi, with the following members present: Mr. Joe Norwood, President of the Board and Supervisor of District Four, Mr. Hank Florey, Supervisor of District One, Mr. Wayman Newell, Supervisor of District Two, 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.

Mr. Josh Todd, Supervisor of District Three, was absent.

Sheriff Billy Sollie called the July 2012 meeting to order.

Prayer was offered by Board President Joe Norwood.

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

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

BOARD MEETING AGENDA
LAUDERDALE COUNTY BOARD OF SUPERVISORS
MONDAY, JULY 2, 2012 – 9:00 A.M.

1. July meeting called to order by Sheriff Billy Sollie.
2. Prayer given by Board President Joe Norwood.
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 June 18, 2012 – 9:00 A.M.
6. Need motion to open Public Hearing for the purpose of receiving general comments and input from the public on proposed election precinct and polling place changes.

Hear Comments

Motion to close Public Hearing
7. James Rainey, Tax Assessor
 - A) Petitions for reductions and/or change of assessment
 - B) Present Land Rolls to Board of Supervisors
8. Staff Reports
9. Need motion to authorize use of county personnel and equipment to clean Pigford Cemetery.
10. Need approval to bid for ROW Crop use approximately 100 acres I-20, I-59, and Industrial Park.
11. Need approval to award annual bids for Supplies and services Contract, with the exception of BID NO. 3643 Pest Control Services; reject this bid and use it as professional service (Attached).
12. Need approval to participate in Secretary of State's Pilot Program for properties forfeited to the State.
13. Need approval to accept bid opened Thursday, June 28, 2012 for IBM Server per recommendation of Data Processing Committee and Tim Chesney, IT Director in the amount of \$116,828.00.
14. Other matters for general good and welfare.
15. Actions from Supervisors.
16. Motion to recess until Monday, July 16, 2012 at 2:00 P.M.

AMENDMENTS:

Item 10 on Agenda to be taken under advisement.

Add Executive Session at end of Board Meeting.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this July 2, 2012.

A motion by Supervisor Kyle Rutledge, seconded by Supervisor Hank Florey, to approve minutes dated June 18, 2012 – 9:00 A.M., was passed unanimously.

SO ORDERED, this July 2, 2012.

A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to open Public Hearing for the purpose of receiving general comments and input from the public on proposed election precinct and polling place changes (per attached), was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this July 2, 2012.

Board Attorney Rick Barry explained the election precinct and polling place changes that apply to four (4) precincts that will be merging. Russell and South Russell will merge to create one precinct, thereby eliminating Russell Baptist Church as a polling place. Marion and East Marion are merging to create one precinct, eliminating Marion Town Hall. Center Hill and Obadiah will also be merged eliminating Hughes Memorial. Election precincts known as "517" and "519" will be merged into a single precinct known as Bonita, thereby

eliminating Bonita United Methodist Church. Precinct 105 will be relocated from the Jaycee Building to Trinity Lutheran Church.

(See pages _____ through _____ of these minutes.)

Supervisor Wayman Newell and Supervisor Hank Florey made comments concerning the precinct changes in their Districts.

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

SO ORDERED, this July 2, 2012.

Mr. James Rainey, Lauderdale County Tax Assessor, presented the 2012 Real and Personal Assessment Rolls to the Board of Supervisors for equalization.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to accept the 2012 Real and Personal Assessment Rolls from the Tax Assessor, was passed unanimously.

SO ORDERED, this July 2, 2012.

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 Wayman Newell, seconded by Supervisor Hank Florey, to approve the Claims Docket for the month of July, 2012; and to authorize the Chancery Clerk to issue warrants therefore, was passed unanimously.

SO ORDERED, this July 2, 2012.

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

- A) Lynda McDonald, Deputy Tax Assessor
- B) Jackie Sewell, Deputy Chancery Clerk
- C) Alfred "Tex" Jones, Deputy Justice Court Clerk
- D) Joshua Hollingshead, Detention Officer
- E) Noble Carson, Detention Officer

SO ORDERED, this July 2, 2012.

A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to approve the request to void and refund the following parcels, for a total of \$212.50, was passed unanimously.

2009 Year Taxes-----Sale #2223

PPIN #36358 Parcel #168340549600001200

Assessed To: McDaniel Timber Co. Inc.

Refund To: Ray Cook \$105.35

Reason: Double Assessed

2010 Year Taxes-----Sale #2423

PPIN #36358 Parcel #168340549600001200

Assessed To: McDaniel Timber Co. Inc.

Refund To: William Lynn Latham \$107.15\

Reason: Double Assessed

SO ORDERED, this July 2, 2012.

A motion by Supervisor Hank Florey, seconded by Supervisor Kyle Rutledge, to approve the request by County Administrator Joe McCraney to adjust the Data Processing budget from line 544 Contractual Services \$10,182.34 to line 919 and to line 603 \$3,448.60, was passed unanimously.

SO ORDERED, this July 2, 2012.

A motion by Supervisor Kyle Rutledge, seconded by Supervisor Wayman Newell, to approve acceptance of \$210,444.00 from GEO for settlement of prison payments, was passed unanimously.

SO ORDERED, this July 2, 2012.

A motion by Supervisor Kyle Rutledge, seconded by Supervisor Hank Florey, to approve the following ORDER OF PERMIT APPLICATIONS FOR USE AND OCCUPANCY AGREEMENT FOR THE CONSTRUCTION OR ADJUSTMENT OF A UTILITY WITHIN ROAD

OR HIGHWAY RIGHT-OF-WAY (these have been reviewed and signed off on by Terrell Temple). The motion was passed unanimously.

- a. Along and across Mt. Carmel Road
- b. Meehan Savoy Road
- c. Burrage Road
- d. Pauldin Road
- e. Pleasant Grove Road
- f. Arundel Road
- g. State Boulevard
- h. Allen Swamp Road
- i. Dabbs Camp Road
- j. Brown Hooke Road
- k. Blind Brown Road
- l. Gum Log Road
- m. Haguewood Road
- n. Center Hill Road

SO ORDERED, this July 2, 2012.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to ratify approval of request from Toomsba Water System for an easement on County ROW in order to relocate approximately 600 feet of water lines on County property at Kewanee Church Road, was passed unanimously.

SO ORDERED, July 2, 2012.

A motion by Supervisor Hank Florey, seconded by Wayman Newell, to authorize the PROGRAM, AGREEMENT AND PROJECT ORDER FOR INSPECTION OF

DESIGNATED BRIDGES IN LAUDERDALE COUNTY FOR FISCAL YEAR 2013, was passed unanimously.

SO ORDERED, July 2, 2012.

A motion by Supervisor Kyle Rutledge, seconded by Supervisor Wayman Newell, to accept the Dirt Pit Lease of Ronald McDevitt on Earl Haney Road at \$.50 a yard, and when pit is closed that it will be straightened; checks to be mailed to Ronald McDevitt, 669 Mitchum Road, Meridian, MS 39301. The motion was passed unanimously.

SO ORDERED, this July 2, 2012.

A motion by Supervisor Kyle Rutledge, seconded by Supervisor Hank Florey, to accept ORDER OF THE BOARD OF SUPERVISORS IN THE MATTER OF REAL AND PERSONAL ASSESSMENT ROLLS OF LAUDERDALE COUNTY, MISSISSIPPI from the Lauderdale County Tax Assessor James Rainey for the year 2012. The tax rolls will be equalized on Monday, July 16, 2012 at 2:00 p.m. The motion was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this July 2, 2012.

A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to approve ORDER ADOPTING MOTOR VEHICLE SCHEDULE FOR 2012-2013 FISCAL YEAR FOR LAUDERDALE COUNTY, MISSISSIPPI; and to set a hearing for Monday, July 16, 2012 at 5:30 p.m. for the purpose of hearing and taking action on any complaint filed in writing objecting to and petitioning for a specified reduction, was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this July 2, 2012.

A motion by Supervisor Hank Florey, seconded by Supervisor Wayman Newell, to approve RESOLUTION AND ORDER OF THE BOARD OF SUPERVISORS OF LAUDERDALE COUNTY FINALLY ADOPTING ALTERATIONS TO CERTAIN ELECTION PRECEINCT BOUNDARY LINES TO COMBINE PRECINCTS AND ESTABLISHING CERTAIN POLLING PLACE LOCATIONS, was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this July 2, 2012.

Board Attorney Rick Barry submitted for inclusion in the minutes a letter received from the Mississippi Court of Appeals in which they rendered an opinion on June 26, 2012 concerning the Valley Road closure litigation in which they upheld the decision of the Lauderdale County Board of Supervisors to close Valley road. The Court found that the Board of Supervisors' reasoning for closing the road was primarily due to safety concerns of the public, Atlas employees, and vendors. The Court found that the Board's decision to close a portion of Valley Road was supported by substantial evidence, was not arbitrary or capricious or beyond the Board's powers, and did not violate any constitutional or statutory right. Therefore, the issue lacks merit.

(See pages _____ through _____ of these minutes.)

A motion by Supervisor Kyle Rutledge, seconded by Supervisor Wayman Newell, to authorize the use of County personnel and equipment to clean the Pigford Family Cemetery as it has been awarded a Certificate of Historical Significance, under Chapter 425, House Bill #780, Laws of Mississippi, 1971, on May 5, 1978, was passed unanimously.

SO ORDERED, this July 2, 2012.

A motion by Supervisor Kyle Rutledge, seconded by Supervisor Hank Florey, to approve the request to participate in the Secretary of State's Pilot Program for properties forfeited to the State, was passed unanimously.

SO ORDERED, this July 2, 2012.

A motion by Supervisor Hank Florey, seconded by Supervisor Kyle Rutledge to approve the request to award annual bids for Supplies and Services Contract, with the exception of Bid No. 3643 Pest Control Service. Reject this bid and use it as a professional service. The motion was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this July 2, 2012.

A motion by Supervisor Hank Florey, seconded by Supervisor Kyle Rutledge, to approve the request to accept Bid opened Thursday, June 28, 2012 for IBM Server per recommendation of Data Processing Committee and IT Director Tim Chesney in the amount of \$116,828.00, was passed unanimously.

SO ORDERED, this July 2, 2012.

Mr. Arthur Toolles came before the Board to discuss matters for general good and welfare.

A motion by Supervisor Joe Norwood, seconded by Supervisor Kyle Rutledge, to approve the request to name the walking trail at Q.V. Sykes Park the Jimmie Smith Trail, was passed unanimously.

SO ORDERED, this July 2, 2012.

A motion by Supervisor Hank Florey, seconded by Supervisor Kyle Rutledge, to approve the request to determine the need to go into Executive Session concerning personnel matters at the Tourism Commission, was passed unanimously.

SO ORDERED, this July 2, 2012.

A motion by Supervisor Hank Florey, seconded by Supervisor Kyle Rutledge, to go into Executive Session to discuss personnel matters at the Tourism Commission, was passed unanimously.

SO ORDERED, this July 2, 2012.

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

SO ORDERED, this July 2, 2012.

Board Attorney Rick Barry announced that the Board went into Executive Session to discuss personnel matters relevant to the Tourism Commission. The Board met with the Tourism Director and three (3) members of the Tourism Board.

A motion by Supervisor Hank Florey, seconded by Supervisor Kyle Rutledge, to accept the resignation of Tourism Executive Director Suzy Johnson, effective as of Tuesday, July 3, 2012, was passed unanimously.

SO ORDERED, this July 2, 2012.

A motion by Supervisor Wayman Newell, seconded by Supervisor Kyle Rutledge, to appoint Steve Martin as the Interim Executive Tourism Director of the Tourism Commission, effective as of Tuesday, July 3, 2012, was passed unanimously.

SO ORDERED, this July 2, 2012.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to authorize the advertisement for the position Tourism Executive Director, was passed unanimously.

SO ORDERED, this July 2, 2012.

A motion by Supervisor Hank Florey, seconded by Supervisor Kyle Rutledge, to recess until 1:30 p.m. today, Monday, July 2, 2012, was passed unanimously.

SO ORDERED, this July 2, 2012.

Board President Joe Norwood called the recessed meeting to order at 1:30 p.m. for the purpose of going back into an Executive Session for the discussion of personnel matters and contract negotiations.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to go into Executive Session for the purpose of the discussion of personnel matters and for the purpose of discussing business negotiations regarding the location or relocation or expansion of a business or industry in Lauderdale County, was passed unanimously.

SO ORDERERED, this July 2, 2012.

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

SO ORDERED, this July 2, 2012.

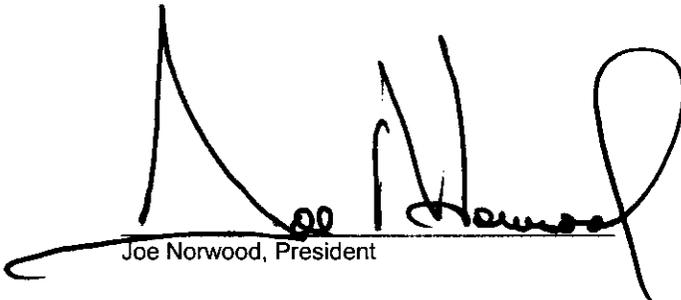
Board Attorney Bo Bailey announced that the Board went into Executive Session to discuss personnel matters at the Tourism Commission, and for the purpose of discussing business negotiations regarding the location or relocation or expansion of a business or industry in Lauderdale County. No action was taken at this time.

A motion by Supervisor Hank Florey, seconded by Supervisor Kyle Rutledge, to approve a budget modification for the Sheriff's Department in order to purchase monitoring bracelets per the following: move \$16,235.66 from salaries, \$1,638.32 from fringes, \$439.97 from travel, and \$1.66 from equipment. These line items total \$21,407.14. Operating expenses are over by \$839.73 and will need to be replaced from the total of \$21,407.14 leaving a balance of \$20,567.41 to move to contractual services. The motion was passed unanimously.

SO ORDERED, this July 2, 2012.

A motion by Supervisor Wayman Newell, seconded by Supervisor Hank Florey, to recess until Monday, July 16, 2012 at 2:00 p.m., was passed unanimously.

SO ORDERED, this July 2, 2012.



Joe Norwood, President