

MONDAY, SEPTEMBER 16, 2013

Pursuant to recess the Lauderdale County Board of Supervisors resumed its regular September meeting at 5:00 p.m., Monday, September 16, 2013, at the Raymond P. Davis County Annex Building in Meridian, Mississippi, 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. Lee Thaggard, Board Attorney.

The recessed meeting was called to order by Board President Hank Florey.

Prayer was offered by Minister Betty Cole.

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 Josh Todd, to approve "Agenda" for even date, with amendments as follows, was passed unanimously.

BOARD MEETING AGENDA
LAUDERDALE COUNTY BOARD OF SUPERVISORS
MONDAY, SEPTEMBER 16, 2013 – 5:00 P.M.

1. Recessed meeting called to order by Board President Hank Florey.
2. Prayer given by Minister Betty Cole.
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 3, 2013 and September 9, 2013.
6. Recognize Employees for Years of Service with Lauderdale County.
Richard Reynolds, Assistant Road Foreman
Michael Robertson, Truck Driver
Abraham Portis, Road Department
Charlie Mathis, Road Foreman
Jim Brooks, Serviceman
Dudley Hamm, Road Foreman
Thaddis "Sonny" King, Tire Man
Antonia Altman, Sr., Truck Driver
Jimmy Rash, In Memoriam
7. James Rainey, Tax Assessor
 - A) No Petitions for reductions and/or change of assessment
 - B) Request to spread across the minutes for Whitney Hodges to attend IAAO Course 300 Fundamentals of Mass Appraisal on December 1-6, 2013 in Arkansas. Registration, hotel, per diem to be covered. Travel will be in a County car. The money is in the budget.
8. Sheriff Billy Sollie
9. 5:30 Public Hearing to consider Closing a County Road known as "Clyde Mosley Road"
10. Harris Wilder Road Manager.
11. DeDe Mogollon, Tourism Director
12. Staff Reports: Carolyn Mooney, Joe McCraney, Lee Thaggard
13. Other matters for general good and welfare.
14. Actions from Supervisors.

15. Motion to adjourn until Monday, October 7, 2013 at 9:00 a.m.

AMENDMENTS

LEGAL AGENDA – ADD Proposed Jail Contract with the City of Meridian

ADD Proposed Jail Contract with the City of Marion

(See pages _____ through _____ of these minutes.)

SO ORDERED, this September 16, 2013.

A motion by Supervisor Josh Todd, seconded by Supervisor Kyle Rutledge, to approve minutes dated September 3, 2013 and September 9, 2013, was passed unanimously.

SO ORDERED, this September 16, 2013.

Supervisors Josh Todd and Kyle Rutledge handed out plaques to recognize the Retired Employees for the years of service to Lauderdale County. They are as follows:

Richard Reynolds, Assistant Road Foreman

Michael Robertson, Truck Driver

Abraham Portis, Road Department

Charlie Mathis, Road Foreman

Jim Brooks, Service Man

Dudley Hamm, Road Foreman

Thaddis "Sonny" King, Tire Man

Antonia Altman, Sr., Truck Driver

Jimmy Rash, In Memoriam

A motion by Supervisor Joe Norwood, seconded by Supervisor Josh Todd, to approve the request for Whitney Hodges to attend IAAO Course 300 Fundamentals of Mass Appraisal on December 1 – 6, 2013 in Arkansas. Registration, hotel, per diem to be covered. Travel will be in a County car. Funds are in the budget. The motion was passed unanimously.

SO ORDERED, this September 16, 2013.

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

- 1) Effective August 25, 2013, Leroy Bridges has been hired as a Detention Officer. His starting rate of pay is \$10.51 per hour.
- 2) Effective August 25, 2013, Timothy Stamper has been hired as a Detention Officer. His starting rate of pay is \$10.51 per hour.
- 3) Effective August 25, 2013, Justin Pugh has been hired as a Detention Officer. His starting rate of pay is \$10.51 per hour.

A motion by Supervisor Josh Todd, seconded by Supervisor Kyle Rutledge, to approve the request for CIT (Crisis Intervention Team) Training in Memphis on September 25-26, 2013 for Rebecca Espey, Michael Brown, Shanna Donald, Sandra Caron, and Spencer Blalock. Lodging for the Peabody in Memphis and per diem is requested. The cost of this training will be paid for out of the Mental Health Grant. The motion was passed unanimously.

SO ORDERED, this September 16, 2013.

A motion by Supervisor Josh Todd, seconded by Supervisor Kyle Rutledge, to authorize the signatures for the Board President, County Administrator, and Sheriff to sign the application for the Drug Task Force Grant for 2013-2014, was passed unanimously.

SO ORDERED, this September 16, 2013.

Upon recommendation of Road Manager Harris Wilder, a motion by Supervisor Josh Todd, seconded by Supervisor Joe Norwood, to approve the request to purchase four (4) backhoes, was passed unanimously.

SO ORDERED, this September 16, 2013.

A motion by Supervisor Wayman Newell, seconded by Supervisor Josh Todd, to approve request for Dede Mogollon and Steve Martin to attend the Alabama Council of Association Executives Annual Conference October 2-4, 2013. Costs will include registration of \$325.00 per person, overnight stays October 2 and 3 and per diem for three days. Funds are allotted for in the Tourism budget and have been approved by the Tourism Committee. The motion was passed unanimously.

SO ORDERED, this September 16, 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 second claims docket for the month of September, 2013; and to authorize the Chancery Clerk to issue warrants therefore, was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this September 16, 2013.

A motion by Supervisor Wayman Newell, seconded by Supervisor Kyle Rutledge, to approve inclusion in the minutes certification from Sheriff Billy Sollie that 29,173 meals were served in the Lauderdale County Detention Facility during the month of August 2013; and to authorize the Board President to sign the necessary paperwork, was passed unanimously.

SO ORDERED, this September 16, 2013.

A motion by Supervisor Josh Todd, seconded by Supervisor Wayman Newell, to approve the following Oaths of Office, was passed unanimously.

- A) Brooke Smith, Deputy Chancery Clerk
- B) Leroy Bridges, Detention Officer
- C) Jason Richardson, Detention Officer
- D) Gaston Houston, Detention Officer
- E) Maricesia Seals, Detention Officer
- F) Tanya Brantley, Deputy Tax Collector
- G) Rachelle Dawn Gossett, Deputy Tax Collector

SO ORDERED, this September 16, 2013.

A motion by Supervisor Joe Norwood, seconded by Supervisor Wayman Newell, to approve Executive Application for Certification for one (1) mill to the Department of Revenue for maintaining mapping for fiscal year 2013-2014, was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this September 16, 2013.

A motion by Supervisor Joe Norwood, seconded by Supervisor Josh Todd, to approve the request of Multi-County Project Change Order #6 in the amount of \$526.00 to add HVAC duct work and associated grill to data room 154, was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this September 16, 2013.

A motion by Supervisor Kyle Rutledge, seconded by Supervisor Josh Todd, to approve Agreement with Tri-State Consulting Services, Inc for GIS Consulting, was passed unanimously.

(See Pages _____ through _____ of these minutes.)

SO ORDERED, this September 16, 2013.

A motion by Supervisor Joe Norwood, seconded by Supervisor Kyle Rutledge, to approve RESOLUTION AUTHORIZING THE EXECUTION OF A FUNDING AGREEMENT BETWEEN THE CITY OF MERIDIAN, MISSISSIPPI, THE LAUDERDALE COUNTY

ECONOMIC DEVELOPMENT DISTRICT, AND THE LAUDERDALE COUNTY BOARD OF SUPERVISORS, was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this September 16, 2013.

A motion by Supervisor Joe Norwood, seconded by Supervisor Josh Todd, to approve RESOLUTION AUTHORIZING THE EXECUTION OF A FUNDING AGREEMENT BETWEEN THE LAUDERDALE COUNTY BOARD OF SUPERVISORS AND THE LAUDERDALE COUNTY ECONOMIC DEVELOPMENT DISTRICT, was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this September 16, 2013.

A motion by Supervisor Joe Norwood, seconded by Supervisor Josh Todd, to approve RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH WAGGONER ENGINEERING, INC., was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this September 16, 2013.

A motion by Supervisor Wayman Newell, seconded by Supervisor Kyle Rutledge, to approve 2013-2014 CONTRACT FOR THE USE OF THE COUNTY JAIL WITH THE CITY OF MERIDIAN, was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this September 16, 2013.

A motion by Supervisor Wayman Newell, seconded by Supervisor Josh Todd, to approve 2013-2014 CONTRACT FOR THE USE OF THE COUNTY JAIL WITH THE TOWN OF MARION, was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this September 16, 2013.

A motion by Supervisor Joe Norwood, seconded by Supervisor Josh Todd, 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 September 16, 2013.

A motion by Trustee Wayman Newell, seconded by Trustee Josh Todd, to approve RESOLUTION AUTHORIZING THE EXECUTION OF A FUNDING AGREEMENT BETWEEN THE CITY OF MERIDIAN, MISSISSIPPI, THE LAUDERDALE COUNTY ECONOMIC DEVELOPMENT DISTRICT AND THE LAUDERDALE COUNTY BOARD OF SUPERVISORS, was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this September 16, 2013.

A motion by Trustee Josh Todd, seconded by Trustee Joe Norwood, to approve RESOLUTION AUTHORIZING THE EXECUTION OF A FUNDING AGREEMENT BETWEEN THE LAUDERDALE COUNTY BOARD OF SUPERVISORS AND THE LAUDERDALE COUNTY ECONOMIC DEVELOPMENT DISTRICT, was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this September 16, 2013.

A motion by Trustee Joe Norwood, seconded by Trustee Josh Todd, to approve RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH LAUDERDALE COUNTY ECONOMIC DEVELOPMENT DISTRICT RE: FUNDS FOR ECONOMIC DEVELOPMENT DISTRICT RE: FUNDS FOR ECONOMIC DEVELOPMENT AND FOR EXECUTION OF A FUNDING AGREEMENT RE: ECONOMIC DEVELOPMENT WITH EAST MISSISSIPPI BUSINESS DEVELOPMENT CORPORATION, was passed unanimously.

SO ORDERED, this September 16, 2013.

A motion by Trustee Josh Todd, seconded by Trustee Joe Norwood, **to recess as the Board of the Lauderdale County Economic Development District and reconvene as the Lauderdale County Board of Supervisors**, was passed unanimously.

SO ORDERED, this September 16, 2013.

A motion by Supervisor Joe Norwood, seconded by Supervisor Kyle Rutledge, to approve FINAL RESOLUTION GRANTING EXEMPTION FROM AD VALOREM TAXES TO

PIONEER AUTOMOTIVE INDUSTRIES, LLC – PPIN 14581 for ten (10) years beginning January 1, 2013, with a total true value of \$50,813, was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this September 16, 2013.

A motion by Supervisor Josh Todd, seconded by Supervisor Kyle Rutledge, to approve FINAL RESOLUTION GRANTING EXEMPTION FROM AD VALOREM TAXES TO TOWER AUTOMOTIVE OPERATIONS USA – PPIN 14569 for ten (10) years beginning January 1, 2013, with a total true value of \$1,209,744, was passed unanimously.

SO ORDERED, this September 16, 2013.

A motion by Supervisor Josh Todd, seconded by Supervisor Joe Norwood, to open Public Hearing on Clyde Mosley Road, was passed unanimously.

SO ORDERED, THIS September 16, 2013.

Board Attorney Lee Thaggard opened the Public Hearing by explaining that the role of the Board Attorney is to serve as moderator and the Board of Supervisors to serve similar to a jury making the decision concerning whether to leave Clyde Mosley Road open or to close the road in accordance with Mississippi Code 65-7-121. Attorney Thaggard confirmed that Notice of the Public Hearing was provided as required by law.

Attorney Thaggard then asked if there were present any proponents of the petition to close Clyde Mosley Road, and who wished to address the Board. Those persons identified were:

- 1) George Culpepper, counsel for Clyde Mosley; and

2) Clyde Mosley

Upon inquiry by Attorney Thaggard, one person, Richard L. Pickard, indicated that he wanted to ask some questions, but he was not necessarily in opposition to the requested abandonment/closure.

The Board considered an evidentiary packet, to be included in the minutes, consisting of the following documentation:

1. Resolution Authorizing a Public Hearing to be held to consider closing a county road known as "Clyde Mosley Road";
2. Notice of Public Hearing concerning the matter of the requested closure of "Clyde Mosley Road";
3. Certified letter dated August 22, 2013 from Lauderdale County Board of Supervisors regarding proposed closure of "Clyde Mosley Road";
4. Notice of Public Hearing published in The Meridian Star on August 25, 2013; and
5. Notice of Public Hearing published in The Meridian Star on August 30, 2013.

Attorney George Culpepper spoke initially on behalf of Clyde Mosley. Attorney Culpepper questioned whether the road was actually a county road at all. He stated that the road was built by Clyde Mosley, not Lauderdale County. He described the road as essentially being a dead-end road with the only traffic being those few persons who lived on the road. Attorney Culpepper stated that Lauderdale County has not maintained the road. No other person requested to speak in favor of closing the road; however, Attorney Thaggard requested that Road Manager Harris Wilder address the Board. Upon questioning, Harris Wilder confirmed that for at least the previous five (5) consecutive years, Lauderdale County has not maintained the road.

There being no additional persons to speak in favor of closing the road, Mr. Richard Pickard requested to come forward to address the Board. Mr. Pickard confirmed that he did not necessarily oppose closing the road, but was more concerned about the status of prior easements following the closure of the road. Mr. Pickard questioned Mr. Clyde Mosley directly, and Mr. Mosley stated that he (Clyde Mosley) built the road, not Lauderdale County. Mr. Pickard then agreed that Lauderdale County has never maintained the road. Mr. Pickard

reported that he had conveyed his tract to his son and daughter-in-law, who he then identified as being present in the Board Room. However, neither Mr. Pickard's son or daughter-in-law requested to address the Board regarding the matter. Mr. Pickard confirmed that access to his property was also available by frontage on another public road other than Clyde Mosley Road. Mr. Pickard expressed reservations about the ability of his son to access his property for the placement of a mobile home, but was more concerned about Clyde Mosley's cooperation in that regard in the event that the road was closed.

Finally, Attorney Culpepper commented that on a _____ County map, the road was not listed as a public road.

No additional evidentiary documents were presented for the Board's consideration.

There being no further evidence or public comments regarding the matter, a motion by Supervisor Josh Todd, seconded by Supervisor Kyle Rutledge, to close the Public Hearing on Clyde Mosley Road, was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this September 16, 2013.

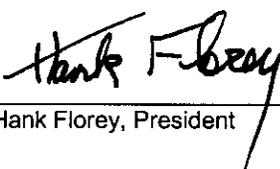
A motion by Supervisor Josh Todd, seconded by Supervisor Kyle Rutledge, to approve Closure and Abandonment of County Road Known as "Clyde Mosley Road", was passed unanimously.

SO ORDERED, this September 16, 2013.

Attorney Thaggard confirmed that he would present a proposed Resolution Authorizing the Abandonment of Clyde Mosley Road regarding such decision for the Board's consideration at its next meeting.

A motion by Supervisor Josh Todd, seconded by Supervisor Kyle Rutledge, to adjourn until Monday, October 7, 2013 at 9:00 a.m., was passed unanimously.

SO ORDERED, this September 16, 2013.


Hank Florey, President