

MONDAY, MARCH 3, 2014

BE IT REMEMBERED that the Lauderdale County Board of Supervisors began and held its regular March meeting at 9:00 a.m., Monday, March 3, 2014 at the Raymond P. Davis County Annex Building in Meridian, Mississippi, with the following members present: Mr. Josh Todd, President of the Board and Supervisor of District Three, 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. Hank Florey, Supervisor of District One, and Mr. Joe Norwood, Supervisor of District Four, were absent.

Sheriff Billy Sollie called the March 2014 meeting of the Board of Supervisors to order.

Prayer was offered by Supervisor Wayman Newell.

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

A motion by Supervisor Kyle Rutledge, 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, MARCH 3, 2014 – 9:00 A.M.

1. Meeting called to order by Sheriff Billy Sollie.
2. Prayer given by Supervisor Wayman Newell.
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 February 18, 2014.
6. PROCLAMATION: Recognizing the EMCC Football National Championship Season
7. PROCLAMATION: Women's History Month, and also recognizing Polly Glover Heidelberg. Presented by Ruth Jones, State Coordinator National History Project for MS.
8. James Rainey, Tax Assessor
 - A) Petitions for reductions and/or change of assessment.
 - B) Assessor's Office will be open Saturday, March 29th to better assist the residents of Lauderdale County.
9. Dede Mogollon, Executive Director Tourism
 - A) Travel approval revision – need minutes to reflect a change in travel arrangements for the MTA Spring Conference previously approved February 18, 2014. Due to varying schedules in the office, Dede Mogollon will travel in a county vehicle and Steve Martin will travel in a personal vehicle.
10. 10:00 A.M. AWARDDING OF BIDS:
 - A) Magnolia School Park Contract #1 – Concession Stand awarded to JEM Contracting, LLC for \$63,000.00
 - B) Clarkdale Community Recreation Complex Contract #2 – Lighting awarded to Woodall Electric for base bid with Alternate #2 for \$147,504.00.
 - C) Clarkdale Community Recreation Complex Contract #3 – Fencing awarded to D & H Construction for \$115,800.00
11. Sheriff Billy Sollie (agenda attached)

12. Harris Wilder, Road Manager (agenda attached)
13. Allan Dover, Fire Coordinator (agenda attached)
14. Staff Reports: Carolyn Mooney, Joe McCraney, and Rick Barry
15. Other matters for general good and welfare.
16. Actions from Supervisors
17. Motion to recess until Monday, March 17, 2014 at 5:00 P.M.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this March 3, 2014.

A motion by Supervisor Wayman Newell, seconded by Supervisor Kyle Rutledge, to approve minutes dated February 18, 2014, was passed unanimously.

SO ORDERED, this March 3, 2014.

Supervisor Josh Todd read and presented a Proclamation recognizing the EMCC Football National Championship Season to their coach Buddy Stephens. A motion by Supervisor Josh Todd, seconded by Supervisor Wayman Newell, to express their congratulations and appreciation to all the members of the 2013 EMCC Football Lions, Coach Buddy Stephens, the coaching staff and support staff, for the athletic and academic accomplishments of the 2013 Football Lions, and wishes the members for the 2013 Football Lions success in all their future endeavors. The motion was passed unanimously.

(See page _____ of these minutes.)

SO ORDERED, this March 3, 2014.

A motion by Supervisor Josh Todd, seconded by Supervisor Wayman Newell, to proclaim March 2014 as Women's History Month in Lauderdale County. Ms. Ruth Jones, State Coordinator National History Project for Mississippi, read the names of honorees celebrating women and girls in Science, Technology, Engineering and Mathematics; and recognizing "Miss Polly" Glover Heidelberg of Lauderdale County and Meridian, Mississippi demonstrated behavior that best exemplified the present National Theme (Celebrating Women and Girls of Character, Courage, and Commitment). The motion was passed unanimously.

SO ORDERED, this March 3, 2014.

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 March 3, 2014.

James Rainey, Lauderdale County Tax Assessor, reminded the residents of Lauderdale County that their office will once again be open Saturday, March 29, 2014 from 8:00 a.m. to 12:00 p.m. in order to better assist residents filing for Homestead Exemption. The deadline for filing is April 1, 2014 at 5:00 p.m.

A motion by Supervisor Wayman Newell, seconded by Supervisor Kyle Rutledge, to approve the request by Tourism Director Dede Mogollon to approve a revision to travel

arrangements for the MTA Spring Conference previously approved February 18, 2014. Due to varying schedules in the office, Dede Mogollon will travel in a county vehicle and Steve Martin will travel in a personal vehicle. The motion was passed unanimously.

SO ORDERED, this March 3, 2014.

Upon recommendation of County Engineer Terrell Temple, a motion by Supervisor Wayman Newell, seconded by Supervisor Kyle Rutledge, to award contract for Magnolia School Park Contract #1 – Concession Stand, to JEM Contracting, LLC for \$63,000.00. Bids received on February 27, 2014 at 10:00 a.m. are attached. The motion was passed unanimously.

(See page _____ of these minutes.)

SO ORDERED, this March 3, 2014.

Upon recommendation of County Engineer Terrell Temple, a motion by Supervisor Kyle Rutledge, seconded by Supervisor Wayman Newell, to award contract for Clarkdale Community Recreation Complex Contract #2 – Lighting, to Woodall Electric for base bid with Alternate #2 for \$147,504.00. Bids received on February 27, 2014 at 10:00 a.m. are attached. The motion was passed unanimously.

(See page _____ of these minutes.)

SO ORDERED, this March 3, 2014.

Upon recommendation of County Engineer Terrell Temple, a motion by Supervisor Kyle Rutledge, seconded by Supervisor Wayman Newell, to award contract for Clarkdale Community Recreation Complex Contract #3 – Fencing, to D & H Construction for \$115,800.00. Bids received on February 27, 2014 at 10:00 a.m. are attached. The motion was passed unanimously.

(See page _____ of these minutes.)

SO ORDERED, this March 3, 2014.

A motion by Supervisor Kyle Rutledge, seconded by Supervisor Wayman Newell, to approve request for Deputy Vance Moore to attend MS Fire Investigators Association Seminar on March 19-21, 2014 in Robinsonville, MS. The cost of registration is \$125.00. Lodging is \$178.70. Per diem is \$123.00. The cost of this training will be paid for out of the budget. The motion was passed unanimously.

SO ORDERED, this March 3, 2014.

A motion by Supervisor Wayman Newell, seconded by Supervisor Kyle Rutledge, to approve the request for permits for the Town of Marion for boring under several roads as they install a force main from the Town of Marion, was passed unanimously.

SO ORDERED, this March 3, 2014.

A motion by Supervisor Kyle Rutledge, seconded by Supervisor Wayman Newell, to approve the request for permits for AT&T to install fiber optics cable to Rush Clinic in Marion along Dale Drive, was passed unanimously.

SO ORDERED, this March 3, 2014.

A motion by Supervisor Kyle Rutledge, seconded by Supervisor Wayman Newell, to approve the request for permits for Long Creek Water Association with water lines along

Lee Roberts, Mt. Horeb and Armetta Roads and a crossing under Zero Road, was passed unanimously.

SO ORDERED, this March 3, 2014.

A motion by Supervisor Wayman Newell, seconded by Supervisor Kyle Rutledge, to approve AT&T 47M00765N Permit for fiber optic cable across Nancy Drive and Ross Drive, was passed unanimously.

SO ORDERED, this March 3, 2014.

A motion by Supervisor Wayman Newell, seconded by Supervisor Kyle Rutledge, to approve AT&T Utility Permit for fiber optic cable at Valley Road and Oak Grove East Road, was passed unanimously.

SO ORDERED, this March 3, 2014.

A motion by Supervisor Kyle Rutledge, seconded by Supervisor Wayman Newell, to approve the request to hire two (2) general labor employees at \$10.00 per hour and part time summer workers (4) for trash pick up on right-of-ways at \$8.00 per hour, was passed unanimously.

SO ORDERED, this March 3, 2014.

A motion by Supervisor Josh Todd, seconded by Supervisor Kyle Rutledge, to approve the request to work off of right-of-way for cleaning an illegal dump at 1715 Alice Irby Road, was passed unanimously.

SO ORDERED, this March 3, 2014.

Upon recommendation of VFD Coordinator Allan Dover, a motion by Supervisor Josh Todd, seconded by Supervisor Kyle Rutledge, to approve the request for eight (8) Firefighters to attend the Mississippi Weekend at the National Fire Academy in Emmitsburg, Maryland at the end of April for five (5) days and two (2) nights stay. This will include travel in a county vehicle and \$2,840.00 hotel and per diem. The motion was passed unanimously.

SO ORDERED, this March 3, 2014.

Upon recommendation of VFD Coordinator Allan Dover, a motion by Supervisor Kyle Rutledge, seconded by Supervisor Wayman Newell, to approve the request to purchase radio equipment and programming from ComSouth for \$9,938.00; a second bid was received from Integrated Communications (Motorola) in the amount of \$17,509.00. The motion was passed unanimously.

SO ORDERED. this March 3, 2014.

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.)

A motion by Supervisor Kyle Rutledge, seconded by Supervisor Josh Todd, to approve the first claims docket for the month of March, 2014; and to authorize the Chancery Clerk to issue the warrants therefore, was passed unanimously.

(See page _____ through _____ of these minutes.)

SO ORDERED, this March 3, 2014.

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

- A) Jacob Mathis – Deputy Sheriff
- B) Dean Harper – Deputy Sheriff
- C) Chris McFarland – Deputy Sheriff

SO ORDERED, this March 3, 2014.

A motion by Supervisor Josh Todd, seconded by Supervisor Kyle Rutledge, to approve the request to dispose of surplus property from Weems as follows, was passed unanimously.

- 1) 1997 Dodge Van VIN# 2B5WB35Z3VK532032
- 2) 1997 Dodge Van VIN# 2B5WB35Z2VK532040

SO ORDERED, this March 3, 2014.

A motion by Supervisor Kyle Rutledge, seconded by Supervisor Wayman Newell, to approve the request for Public Defenders Frances Stephenson and John Howell to attend the required Guardian Ad Litem Training for Youth Court May 2, 2014 in Jackson, MS. Registration fees are \$250.00 each. The motion was passed unanimously.

SO ORDERED, this March 3, 2014.

A motion by Supervisor Wayman Newell, seconded by Supervisor Kyle Rutledge, to approve the request for Harris Wilder and Joe McCraney to attend the LPA Certification in order to be eligible to apply for MDOT grants, March 27, 2014 in Jackson, MS. No expense is required and travel is in a county vehicle. The motion was passed unanimously.

SO ORDERED, this March 3, 2014.

A motion by Supervisor Kyle Rutledge, seconded by Supervisor Josh Todd, to approve lowest quote of Trustmark Bank of 1.83% for lease purchase of a mechanic truck; two quotes were received – Trustmark Bank – 1.83% for three (3) years and BankcorpSouth – 2.04% for three (3) years. The motion was passed unanimously.

SO ORDERED, this March 3, 2014.

A motion by Supervisor Wayman Newell, seconded by Supervisor Kyle Rutledge, to approve the Recreation Grant Application with ECPDD for walking trail at Q.V. Sykes Park and fencing at Toomsaba Ballfield, was passed unanimously.

SO ORDERED, this March 3, 2014.

A motion by Supervisor Wayman Newell, seconded by Supervisor Kyle Rutledge, to approve the request of Circuit Clerk Donna Jill Johnson for Vicki LaShane to attend the 2014 PTS National User Group Conference March 17-19, 2014 in Gulfport, MS. Registration, two (2) nights hotel and three (3) days per diem. The motion was passed unanimously.

SO ORDERED, this March 3, 2014.

A motion by Supervisor Kyle Rutledge, seconded by Supervisor Josh Todd, to approve the request of Floodplain Administrator Cathy Lummus, to adopt the PPI Outreach Committee Plan, was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this March 3, 2014.

A motion by Supervisor Kyle Rutledge, seconded by Supervisor Josh Todd, to approve the request of Floodplain Administrator Cathy Lummus, to charge \$500.00 for elevation studies with no new construction, was passed unanimously.

SO ORDERED, this March 3, 2014.

A motion by Supervisor Josh Todd, seconded by Supervisor Kyle Rutledge, to approve the request of Floodplain Administrator Cathy Lummus to hire Alan Raine as a full time employee at the hourly rate of \$11.50 per hour, was passed unanimously.

SO ORDERED, this March 3, 2014.

A motion by Supervisor Kyle Rutledge, seconded by Supervisor Josh Todd, to adopt RESOLUTION OF THE LAUDERDALE COUNTY BOARD OF SUPERVISORS ENDORSING AND URGING THE MISSISSIPPI LEGISLATURE TO RE-ADOPT LOCAL AND

PRIVATE LEGISLATION CREATING THE LAUDERDALE COUNTY TOURISM COMMISSION, was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this March 3, 2014.

A motion by Supervisor Kyle Rutledge, seconded by Supervisor Josh Todd, to approve the request to rescind February 18, 2014 Order Setting Public Hearing for the Continuation of a Public Hearing for March 17, 2014 at 5:15 p.m. to determine whether the property located at 2321 B Russell Mt. Gilead Road – PPIN 21457 is a nuisance, was passed unanimously.

SO ORDERED, this March 3, 2014.

A motion by Supervisor Josh Todd, seconded by Supervisor Kyle Rutledge, to adopt RESOLUTION AUTHORIZING THE EXECUTION OF A DEPOSITORY AGREEMENT WITH BANKS, was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this March 3, 2014.

A motion by Supervisor Kyle Rutledge, seconded by Supervisor Wayman Newell, to designate Trustmark National Bank, Citizens National Bank, and First State Bank as general depository banks, was passed unanimously.

SO ORDERED, this March 3, 2014.

Board Attorney Rick Barry submitted for inclusion in the minutes the starting date for the tax exemption for First Baptist Church of Lauderdale beginning January 1, 2013.

Ms. Ruth Jones came before the Board to discuss matters for general good and welfare.

Supervisor Wayman Newell submitted a petition to make Harvey Road a public road. Supervisor Josh Todd and Supervisor Kyle Rutledge will look at the road and bring a written report back to the Board.

A motion by Supervisor Kyle Rutledge, seconded by Supervisor Wayman Newell, to approve the request for Mississippi Power to use the Agri-Center as a storm staging area for manpower and materials in the event of a major storm in our area. The Advisory Board of the Agri-Center voted unanimously to allow Mississippi Power to use the Agri-Center as a staging area. The motion was passed unanimously.

SO ORDERED, this March 3, 2014.

A motion by Supervisor Wayman Newell, (second not required), to determine the need to go into an Executive Session, was passed unanimously.

SO ORDERED, this March 3, 2014.

A motion by Supervisor Wayman Newell, seconded by Supervisor Kyle Rutledge, to approve the request to go into an Executive Session to discuss a personnel matter dealing with Interim LEMA Director and potential litigation regarding the Agri-Center and the New Call Center. All persons left the meeting except for the Board, its counsel Rick Barry, the County Administrator, and only such other persons as necessary for specific matters of the Executive Session. The motion was passed unanimously.

SO ORDERED, this March 3, 2014.

Following completion of the discussion of matters appropriate for the Executive Session, a motion by Wayman Newell, seconded by Supervisor Kyle Rutledge, to exit the Executive Session, was passed unanimously.

SO ORDERED, this March 3, 2014.

The Board went back into open meeting. Board Attorney Rick Barry then announced that the Board discussed a personnel matter regarding the Interim LEMA Director and potential litigation regarding the Agri-Center and the New Call Center. No action was taken.

A motion by Supervisor Kyle Rutledge, seconded by Supervisor Josh Todd, to remove the Interim and make Scott Spears the permanent LEMA Director, at a salary of \$46,850.00. The motion was passed on a vote of two (2) to zero (0). Supervisor Kyle Rutledge voted aye; Supervisor Josh Todd voted aye; Supervisor Wayman Newell abstained from voting.

(See page _____ of these minutes.)

SO ORDERED, this March 3, 2014.

A motion by Supervisor Kyle Rutledge, seconded by Supervisor Wayman Newell, to accept the proposal of D & E Construction Company to finish up work at the Agri-Center (fencing, RV pedestals, flashing, and storm drainage – per attached letter) and to rescind the letter of termination previously sent. A check in the amount of approximately \$78,000.00 will be paid to D & E Construction. The motion was passed unanimously.

(See pages _____ through _____ of these minutes.)

SO ORDERED, this March 3, 2014.

A motion by Supervisor Wayman Newell, seconded by Supervisor Kyle Rutledge, to recess until Monday, March 17, 2014 at 5:00 p.m., was passed unanimously.

SO ORDERED, this March 3, 2014.

Josh Todd, President