

**BE IT REMEMBERED** that the Board of Supervisors of Clay County, Mississippi, met at the Courthouse in West Point, Mississippi, on the 16<sup>th</sup> day of March, 2010, at 9 00 o'clock a m , and present were, Floyd McKee, President of the Board, R B Davis, Vice-President, Shelton Deanes, Luke Lummus and Lynn Horton Also present at said meeting were Harmon A Robinson, Clerk of the Board, and Laddie Huffman, Sheriff, when and where the following proceedings were had and determined, to-wit

NO \_\_\_\_\_

IN THE MATTER OF AN EMERGENCY REPAIR OF THE CLAY COUNTY  
MISSISSIPPI COURTHOUSE ROOF

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There came on this day for consideration the matter of an emergency repair of the Clay County Mississippi Courthouse roof

It appears to this Board that this special meeting was called by the President of the Board to consider an emergency repair to the roof of the Clay County Courthouse, and

It appears that the facts relating to the emergency and justifying said emergency are to with,

- 1 There is a serious leaking problem that has intensified with recent rains and occurs in the Circuit Clerk, Superintendent of Education, Second floor lobby, and the District Attorney's offices
- 2 The leaks have caused the Circuit Clerk to remove his furniture and volumes of his books and dockets to keep them safe and dry
- 3 It has become a hazard for customer traffic because of wet floors
- 4 There is a two week term of Circuit Court starting April 5, 2010 and the leaks would seriously inconvenience the Court, and be dangerous fro the foot traffic that occurs during court

After motion by Mr Deanes and second by Mr Horton this Board doth vote unanimously to declare an emergency and have Graham Roofing Company repair the roof of the Clay County Courthouse by authority of Section 31-7-3 (k) of the *Mississippi Code of 1972*

SO ORDERED this the 16<sup>th</sup> day of March, 2010

553  PRESIDENT



IN THE CIRCUIT COURT OF CLAY COUNTY, MISSISSIPPI  
2010

IN RE EMERGENCY REPAIRS TO COURTHOUSE

ORDER

This cause came on for hearing pursuant to the authority granted to this Court in the case of Hosford v. State 525 So 2d 789 (Ms 1988) to insure adequate, and comfortable facilities in which to conduct its proceedings and the Clay County, Mississippi Board of Supervisors duty to provide "a good and convenient courthouse" and to keep said courthouse in good repair pursuant to §19-3-43 of the *Mississippi Code of 1972* and the Court finds as follows

1

Due to recent storms the current roof of the Clay County, Mississippi, Courthouse is leaking in several places, including the main courtroom, the District Attorney's Office, and the Circuit Clerk's Office

2

The above said leaks are of such an extent as to make the Courthouse unusable for conducting trials

3

The April term of the Circuit Court is scheduled to begin on April 6, 2010

4

The storms which have caused the above said leaks to render the Courthouse unsuitable to conduct trials or other business occurred during the month of March. The Court further finds that due to the shortness of time from the storms to the beginning of the April term of court that

Exhibit  
A

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the supervisors and sheriff are unable to procure a suitable substitute building in which to conduct court *Moreover, this Judge was at the Courthouse Monday March 22, 2010 and personally observed the dangerous condition caused by the extensive leaks*

Stop-gap temporary repair efforts to patch the roof of said Courthouse would be ineffective and a waste of taxpayer resources and that the most effective method of rendering the Courthouse useable would be to install a new roof on said Courthouse

6

The Court therefore further finds that an emergency as defined by §31-7-13(k) of the *Mississippi Code of 1972* exists and that the Clay County, Mississippi, Board of Supervisors should be ordered to repair the existing roof of the Clay County Mississippi, Courthouse by replacing it with another roof pursuant to the provisions of §31-7-13(k) of the *Mississippi Code of 1972*

IT IS THEREFORE ORDERED AND ADJUDGED that the Clay County, Mississippi, Board of Supervisors is ordered to repair the roof of the Clay County, Mississippi Courthouse by installing a new roof on said Courthouse as soon as possible and to use the provisions of §31-7-13(k) of the *Mississippi Code of 1972* to expedite such repair

SO ORDERED AND ADJUDGED this the <sup>25<sup>th</sup></sup> day of March, 2010

*James J. Kitchens*  
CIRCUIT JUDGE

AGREED

*Lee S. Coleman*  
LEE S. COLEMAN  
ATTORNEY FOR THE  
CLAY COUNTY MISSISSIPPI  
BOARD OF SUPERVISORS

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MAR 25 2010  
*Roy D. Hester*

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# Clay County Board of Supervisors

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District 5  
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Vice President

## SPECIAL MEETING BOARD OF SUPERVISORS

The Clay County Mississippi Board of Supervisors will hold a special meeting Tuesday March 16, 2010 at 9 00 A M at the Clay County Courthouse for the purpose of considering an emergency replacement of the Courthouse roof

This meeting is being called by the President of the Board

This the 10<sup>th</sup> day of March, 2010

  
\_\_\_\_\_  
President

