

**BE IT REMEMBERED** that the Board of Supervisors of Clay County, Mississippi met at the Courthouse in West Point Mississippi, on the 10<sup>th</sup> day of June, 2010 at 9 00 o'clock a m and present were Floyd McKee President of the Board, R B Davis (absent) 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 AUTHORIZING LINDA IVY ELECTION COMMISSIONER  
TO WORK FOUR DAYS INDIVIDUALLY

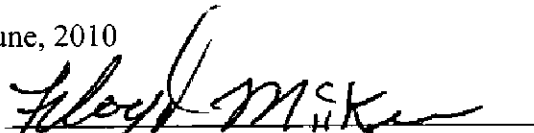
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There came on this day for consideration the matter of authorizing Linda Ivy, Election Commissioner to work four days individually

It appears that Linda Ivy has been ill and unable to work and that the Election Commissioner have requested by order approved that the Clay County Board of Supervisors authorize Linda Ivy to work alone four days during the month of June, 2010

After motion by Mr Horton and second by Mr Lummus this Board doth vote unanimously to authorize Linda Ivy to work four days during June 2010 to make up the day she missed during her illness

SO ORDERED this the 10<sup>th</sup> day of June, 2010

  
PRESIDENT

MINUTES OF CLAY COUNTY  
ELECTION COMMISSIONERS

The Election Commissioners met Wednesday, May 26, 2010 in the Clay County Court House Work began at 12 00 PM Present were Tommy Bryan, Glenda Nadeau, Wendy Fuller, and Jessie Ivy (see attachment )

Jessie Ivy worked on voter roll maintenance tasks (e g returned jury summons, returned NVRA cards, non-standard addresses, and voter movement

The commission met as a quorum and discussed Linda Ivy's request to be approved to come in and make up all essential work, for the month of May, she missed while she was out due to an illness. Tommy Bryan made a motion to accept her request and Glenda Nadeau seconded the motion Motion was carried by a unanimous vote

All other business was disposed of and our next meeting was set for Wednesday, June 2, 2010 (4 days)

Glenda Nadeau,  
Committee Secretary

_____	Circuit Clerk, Bob Harrell
<u>Linda Ivy</u>	Chairman, District 1
<u>Tommy Bryan</u>	District 2
<u>Glenda Nadeau</u>	Secretary, District 3
<u>Wendy Fuller</u>	District 4
<u>Jessie Ivy</u>	District 5

**RESOLUTION**

*Authorizing the Submittal of an Application  
Under the Mississippi Recreational Trails Program  
for  
Clay County, Mississippi*

**WHEREAS**, Clay County, Mississippi has certain community development and recreational needs throughout the county, and

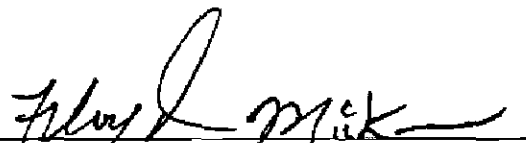
**WHEREAS**, the Mississippi Department of Wildlife, Fisheries and Parks has available funds under the FY 2010 Recreational Trails Program, and


**WHEREAS**, the Clay County Board of Supervisors is eligible to apply for said assistance, and

**THEREFORE, BE IT RESOLVED**, by the Clay County Board of Supervisors

- 1 That an application is authorized to be submitted to the Mississippi Department of Wildlife, Fisheries and Parks under the Recreational Trails Program for funding of a non-motorized fitness/exercise track
- 2 That Floyd McKee in his official capacity as the President of the Clay County Board of Supervisors is hereby authorized to sign all necessary documents including Grant Agreements with the State of Mississippi, upon approval of said application by the Mississippi Department of Wildlife, Fisheries and Parks

**SO ORDERED THIS** the 10<sup>th</sup> day of June 2010, by the Clay County Board of Supervisors in a regularly scheduled meeting

  
Floyd McKee, President

  
Harmon A. Robinson, Chancery Clerk

**A RESOLUTION**  
**AUTHORIZING THE CLAY COUNTY BOARD OF SUPERVISORS TO**  
**COMMIT FUNDS TO A**  
**MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS,**  
**MISSISSIPPI RECREATIONAL TRAILS PROGRAM**  
**PHEBA RECREATIONAL TRAIL**

WHEREAS, the State of Mississippi Department of Wildlife, Fisheries and Parks has funds available under the Mississippi Recreational Trails Program for cities, towns and counties to address recreational trails needs, and

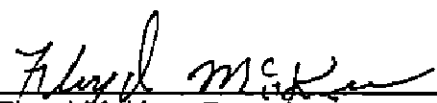
WHEREAS, the County of Clay has specific recreational trails needs at the Pheba Recreational Trail adjacent to the (Old) West Clay Agricultural High School and problems which can be corrected or alleviated by using grant funds under the Mississippi Recreational Trail Grant Program, and

WHEREAS, the Clay County Board of Supervisors intends to leverage Mississippi Recreational Trails Grant funds with local funds in order to provide maximum use of the Mississippi Recreational Trail Program Grant funds

NOW, THEREFORE BE IT RESOLVED by the Clay County Board of Supervisors that the County of Clay commits \$9,040 (\$5,000 in kind & \$4,040 cash), to the total project, contingent upon approval of said project by the Mississippi Department of Wildlife, Fisheries and Parks through the Mississippi Recreational Trails Grant Program

ADOPTED, this, the 10th day of June 2010, in Regular Session Assembled by the Board of Supervisors of Clay County, Mississippi

Clay County Board of Supervisors

By   
Floyd McKee President

ATTEST

200

  
Harmon A. Robinson, Chancery Clerk

**IN THE MATTER OF AN INTERFUND LOAN FOR FUND #233, DISTRICT 4 ROAD  
BOND AND INTEREST 2000 Fund**

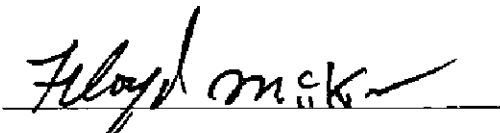
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There came on this day for consideration the matter of an inter fund loan for \$2,486 91 to fund #233, District 4 Bond & Interest 2000 Fund from fund #154, District 4 Road Fund

It appears to this Board that an inter fund loan should be made to fund #233, District 4 Bond & Interest 2000 Fund from fund #154, District 4 Road Fund in the amount of \$2,486 91 due to a bond and interest payment being made to First Security Bank on 5/10/2010. Additionally, it appears funds should be loaned to fund #233, District 4 Bond & Interest 2000 in anticipation of 2009 ad valorem taxes being collected.

This Board after motion by Mr. Deane and seconded by Mr. Lunn doth vote unanimously to loan \$ 2,486 91 to fund #233, District 4 Road Bond & Interest 2000 Fund from fund #154, District 4 Road Fund

SO ORDERED, this the 10<sup>th</sup> day of June 2010

  
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President

**IN THE MATTER OF AN INTERFUND LOAN FOR FUND #231, DISTRICT 2 ROAD  
BOND AND INTEREST 2001 Fund**

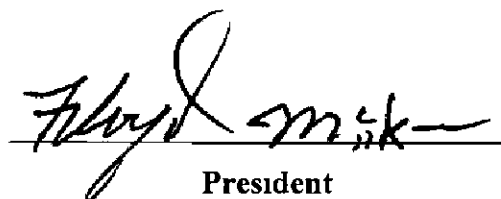
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There came on this day for consideration the matter of an inter fund loan for \$2,892 96 to fund #231, District 2 Bond & Interest 2001 Fund from fund #152, District 2 Road Fund

It appears to this Board that an inter fund loan should be made to fund #231, District 2 Bond & Interest 2001 Fund from fund #152, District 2 Road Fund in the amount of \$2,892 96 due to a bond and interest payment being made to Trustmark National Bank on 5/10/2010. Additionally, it appears funds should be loaned to fund #231, District 2 Bond & Interest 2001 in anticipation of 2009 ad valorem taxes being collected.

This Board after motion by Mr. Shorter and seconded by Mr. Sumner doth vote unanimously to loan \$ 2,892 96 to fund #231, District 2 Road Bond & Interest 2001 Fund from fund #152, District 2 Road Fund

SO ORDERED, this the 10<sup>th</sup> day of June 2010

  
President

**IN THE MATTER OF STRIKING CERTAIN ASSETS FROM THE INVENTORY  
CONTROL RECORDS OF CLAY COUNTY, MISSISSIPPI**

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There came on this day for consideration the matter of striking certain fixed assets from the inventory control records of Clay County, Mississippi

It appears to this Board that the item listed below is no longer being used by the County and no longer functions properly so as to be useful to the County and therefore should be deleted off the County's fixed asset ledger

CH144          Printer – Hewlett Packard          S/N#CNBSH45142

After motion by Mr. Horton and second by Mr. Lamm, this Board doth vote unanimously to strike the items listed above from the inventory control records of Clay County, Mississippi

SO ORDERED, this the 10<sup>th</sup> day of June, 2010

Floyd Misk  
President

To Harmon A Robinson  
Inventory Control Clerk

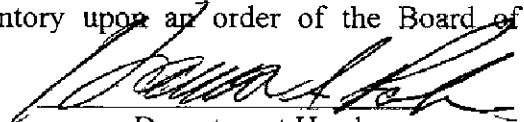
From Amy Bemy / Robbie

Date 6/10/2010

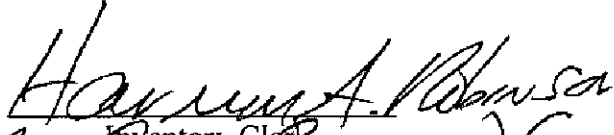
Re Inventory Control # CH144  
Description Printer - Hewlett Packard  
S/N# CNBSH45142

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The inventory item referenced to above is delivered to you to be deleted from this department's inventory. Additionally, this item is no longer functioning properly to be useful to the County. Please remove this item from this department's inventory upon an order of the Board of Supervisors.

  
Department Head

This is acknowledged receipt of the above inventory item on this the 10<sup>th</sup> day of June, 2010

  
Inventory Clerk  
By: Amy Bemy, PC



NO \_\_\_\_\_

IN THE MATTER OF TOWN CREEK  
A STREAM IN CLAY COUNTY, MISSISSIPPI

Supervisor Floyd McKee offered and moved the adoption of the following resolution,

RESOLUTION

WHEREAS, there is an urgent need for clearing debris and drifts from the above named stream located in Section/s 22, Township 17S, Range 6E with the project beginning at Church Hill Street running southerly and ending at Highway 45A and

WHEREAS without immediate attention taken toward this problem, considerable damage to property may result, and

WHEREAS, Clay County, Mississippi, is without sufficient resources with which to perform such tasks

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Clay County, Mississippi, that the Board hereby requests the Tombigbee River Valley Water Management District to perform the above stated tasks in Clay County Mississippi as is within their means to do so

Supervisor Luke Lummus seconded by motions and with all members present and voting aye the President declared the motion carried and resolution adopted This order amends and supersedes that order adopted January 4, 2010

ORDERED, this the 10<sup>th</sup> day of June, 2010

  
\_\_\_\_\_  
PRESIDENT

**IN THE MATTER OF INTERFUND LOANS FOR CLAY COUNTY,  
MISSISSIPPI**

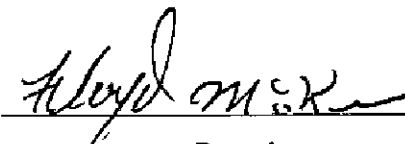
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There came on this day for consideration the matter of loaning \$ 15,312 40 to fund #097, Phone Assessment Fund from fund #001, General County Fund

It appears to this Board that it is necessary to loan \$ 15,312 40 to fund #097, Phone Assessment Fund from fund #001, General County Fund in order that the said fund will have sufficient cash balance to cover the claims paid for the month of May 2010

Therefore, after motion by Mr. Luman and seconded by Mr. Deaver, this Board doth vote unanimously to loan \$ 15,312 40 from fund #001, General County Fund to fund #097, Phone Assessment fund

SO ORDERED this the 10th day of June, 2010

  
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President

**IN THE MATTER OF AN INTERFUND LOAN FOR FUND #104, LAW LIBRARY  
FUND**

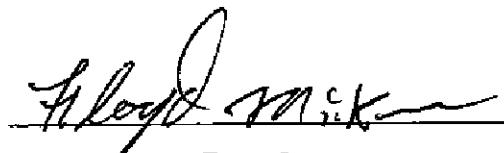
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There came on this day for consideration the matter of an inter fund loan for \$27 42 to fund #104, Law Library Fund from fund #001, General County Fund

It appears to this Board that an inter fund loan needs to be made to fund #104, Law Library Fund from fund #001, General County Fund in the amount of \$27 42. Additionally, it appears to this Board, fund #104 Law Library Fund does not have sufficient funds to pay for the two (2) claims which were presented for payment for the month of May 2010 and an inter fund loan should be made temporarily

This Board after motion by Mr. Lunn and seconded by Mr. Deane doth vote unanimously to loan the said amount to fund #104, Law Library Fund from fund #001, General County Fund

SO ORDERED, this the 10<sup>th</sup> day of June 2010

  
President

**IN THE MATTER OF INTERFUND LOANS FOR CLAY COUNTY,  
MISSISSIPPI**

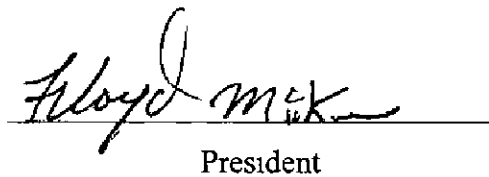
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There came on this day for consideration the matter of an inter fund loan of \$ 1,479 25 to fund #116, Volunteer Fire Insurance Rebate Monies Fund from fund #114, Volunteer Fire Fund

It appears to this Board that it is necessary to loan \$ 1,479 25 to fund #116, Volunteer Fire Insurance Rebate Monies Fund from fund #114, Volunteer Fire Fund in order for the fund to have a sufficient cash balance to cover the claims paid for the month of May 2010 in anticipation of receiving the Volunteer Fire Insurance Rebate reimbursement monies from the State of Mississippi

Therefore, after motion by Mr. Lunn and seconded by Mr. Pearson, this Board doth vote unanimously to loan \$ 1,479 25 from fund #114, Volunteer Fire Fund to fund #116, Volunteer Fire Insurance Rebate Monies Fund

SO ORDERED this the 10th day of June, 2010

  
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President

**IN THE MATTER OF TRANSFERRING INTEREST EARNED  
FROM THE PAYROLL CLEARING CHECKING ACCOUNT  
AND THE INSURANCE CLEARING CHECKING ACCOUNT**


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There came on this day for consideration the matter of transferring interest earned from the payroll clearing checking account and the insurance clearing checking account

It appears to this Board that interest has been earned in the payroll clearing checking account in the amount of \$ 103 56 and in the insurance clearing checking account in the amount of \$ 99 50 and should be transferred to the General County Fund

This Board after motion by Mr. Summers and seconded by Mr. Deane doth vote unanimously to transfer said amounts in the above referenced checking accounts to the General County Fund

SO ORDERED, this the 10th day of June, 2010

  
President

NO \_\_\_\_\_

IN THE MATTER OF AUTHORIZING THE PRESIDENT OF THIS BOARD TO  
EXECUTE A CONTRACT APPROVING ENGINEERING SERVICES PERFORMED  
ON LOCAL SYSTEM BRIDGE AND REHABILITATION PROJECTS

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There came on this day for consideration the matter of authorizing the President of this Board to execute a contract approving engineering services performed on local system bridge and rehabilitation projects

It appears that it would benefit Clay County Mississippi to enter into contract with Robert L. Calvert to perform engineering services for the LSBP program at the rates stated in said contract, and

It appears that the attached contract agreement should be approved and executed by the President of this Board

After motion by Mr. Deanes and second by Mr. Lummus this Board doth vote unanimously to approve said contract and authorized the President to execute same

SO ORDERED this the 10<sup>th</sup> day of June, 2010

  
\_\_\_\_\_  
PRESIDENT

CONTRACT AGREEMENT

COVERING PAYMENT FROM STATE AID FUNDS  
FOR THE ENGINEERING SERVICES PERFORMED ON  
LOCAL SYSTEM BRIDGE AND REHABILITATION (LSBP) PROJECTS

WHEREAS, Section 65-37-9, Mississippi Code of 1972, modified in the 2008 Legislative Session, provides that engineering costs incurred on LSBP projects may be paid from LSBP funds, with the methods of payment to be approved by the State Aid Engineer under regulations promulgated by the State Aid Engineer, and

WHEREAS, the State Aid Engineer on July 1, 2008, promulgated Rules and Regulations that set out the basic elements of engineering services that are required on LSBP projects and established procedures governing the methods and limitations of payments for these services, and

WHEREAS, these Rules and Regulations provide that each Board of Supervisors enter into a Contract Agreement with an engineer employed on a fee basis, setting out the compensation to the engineer for engineering services on LSBP work, said Agreement to be approved by the State Aid Engineer

NOW THEREFORE, IT IS HEREBY AGREED by the Clay, County Board of Supervisors and Robert L. Calvert, LSBP Engineer that payment from LSBP funds for furnishing all preliminary engineering services on LSBP projects will be Four and eight-tenths percent (4 8 %), not to exceed 4 8% of the final construction cost, and that payment for furnishing all construction engineering services on LSBP projects will be Seven and two tenths percent (7 2 %), not to exceed 7 2% of the final construction cost, with the total engineering payments not to exceed Twelve percent (12 %) of the final construction cost

IT IS AGREED by the Engineer named herein that he will perform the engineering services in accordance with the State Aid Engineer's Rules and Regulations dated July 1, 2008, a copy of which is attached hereto and made a part hereof. It is agreed by the State Aid Engineer that he will pay the above costs to the Board at the rates of compensation set out herein, and the Board agrees to transmit said sums to the LSBP Engineer upon receipt of same from the State Aid Engineer

THIS AGREEMENT shall not void any valid contract the Board may have with its County Engineer for State Aid projects nor shall it be construed to prevent the Board from exercising its authority to employ a County Engineer for State Aid projects nor shall it be construed to authorize duplicate payment to the County Engineer or the LSBP Engineer

THIS AGREEMENT shall remain in full force and effect until it has been completed in accordance with its terms and the Rules and Regulations attached hereto, or until it is terminated as herein provided. It may be terminated by either party hereto upon giving written notice for a period of at least thirty days prior to the date the termination is to be effected

WITNESS our signatures this the 10<sup>th</sup> day of June, 2010

Board of Supervisors Clay County

By [Signature]  
Board President  
(As authorized by the attached copy of Order of the Board dated June 10, 2010)

[Signature]  
LSBP Engineer  
6-10-2010  
Date

APPROVED

\_\_\_\_\_  
J Brooks Miller Sr State Aid Engineer  
(Revised 07/01/2008)

\_\_\_\_\_  
Date

**RESOLUTION**

**Authorizing the Golden Triangle Planning and  
Development District  
to Prepare and Submit a  
Multimodal Capital Improvement Fund Application  
for Clay County Mississippi**

WHEREAS, Clay County, Mississippi has certain pressing Community Development needs, and

WHEREAS, the Mississippi Department of Transportation (Freight, Rails, Ports and Waterways Division) has available funds under the FY-2011 Multimodal Capital Improvement Fund (MCIF) Program, and

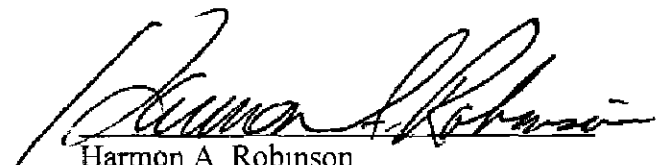
WHEREAS, Clay County, Mississippi is eligible to apply for said MCIF assistance, and

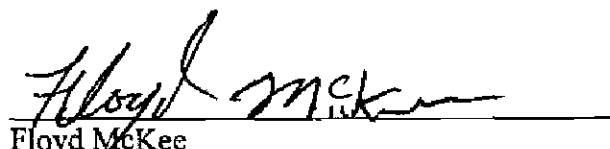
WHEREAS, the Golden Triangle Planning and Development District (GTPDD) has sufficient, experienced professional staff to prepare necessary application documents, and upon approval, to administer said MCIF projects,

THEREFORE, BE IT RESOLVED, by the Clay County Board of Supervisors

- (1) That the Golden Triangle Planning and Development District is hereby authorized to prepare an FY-2011 MCIF Application on behalf of the Clay County Board of Supervisors for the acquisition of two (2) stainless steel hoppers to be installed at the Clay County Port with Tom Soya Grain providing all matching funds, and
- (2) That, upon approval of said application, the Golden Triangle Planning and Development District is hereby authorized to administer said MCIF Project, and
- (3) That Floyd McKee, in his official capacity as the President of the Clay County Board of Supervisors, is hereby authorized to sign all necessary documents, including Grant Agreements with the State of Mississippi, upon approval of said application by the Mississippi Department of Transportation

SO ORDERED THIS THE 10th day of June 2010, by the Clay County Board of Supervisors in a Regular Scheduled Meeting

  
Harmon A. Robinson  
Chancery Clerk

  
Floyd McKee  
President



NO \_\_\_\_\_

IN THE MATTER OF BIDS RECEIVED MAY 3, 2010 FOR A DISTRICT 5 FARM  
IMPLEMENT TRACTOR

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There came on this day for consideration the matter of bids received May 3, 2010 for a District 5 Farm Implement Tractor

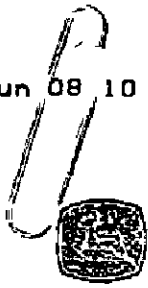
It appears that bids were received for said farm implement tractor on May 3, 2010 and taken under advisement and at the May 6, 2010 meeting the bid of Scruggs Farm Lawn and Garden was accepted for a John Deere 5093 tractor as the lowest and best bid

It now appears that Scruggs can not deliver said tractor and wishes to withdraw his bid, see attached exhibit A

After motion by Mr McKee and second by Mr Deanes this Board doth vote unanimously to reject all bids taken on May 3, 2010 and Mr McKee will receive written quotes according to Section 31-7-13 of the *Mississippi Code of 1972*

SO ORDERED this the 10<sup>th</sup> day of June, 2010

  
\_\_\_\_\_  
PRESIDENT



JOHN DEERE

SCRUGGS FARM, LAWN & GARDEN, LLC  
3575 Tom Watson Drive  
Spartanburg, MS 38066  
662 620-6165  
Fax 662 620-6184

CRAY COUNTY BOARD OF SUPERVISORS

To LEE S COLEMAN From LARRY EADES

Fax 662-494-0195 Pages 1

Phone 662-494-4893 Date 06/08/2010

Re BIN 00 5093 TRACTOR CC

Urgent  For Review  Please Comment  Please Reply  Please Recycle

• Comments

PLEASE ACCEPT THIS FAX AS CONFIRMATION OF YOUR FAX OF 06/07/2010. THE BIN TO 5<sup>TH</sup> DISTRICT, FLOYD McKEE IS CANCELLED.

Thank You,  
L. Eades

EXHIBIT A

IN THE MATTER OF MOVING INTO EXECUTIVE SESSION ACCORDING TO  
SECTION 25-41-7 (4) (j) OF THE *MISSISSIPPI CODE 1972*

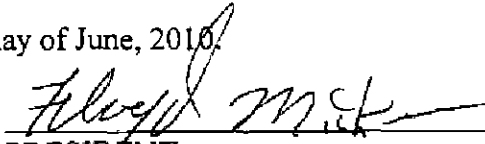
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Mr McKee made the motion to enter into executive session under the above referenced statute and Mr Horton seconded the motion A unanimous vote was taken and the Board moved into Executive Session Board entered executive session

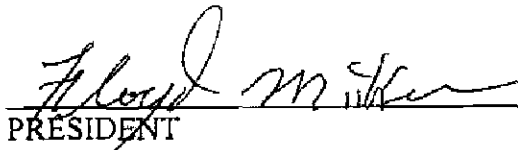
Mr Horton moved that the board return to open session and Mr Lummus seconded the motion and a unanimous vote was taken when called for by the President

There was no action taken on the subject discussed in executive session

SO ORDERED this the 10<sup>th</sup> day of June, 2010.

  
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PRESIDENT

This Board doth recess until 9 a m on June 24, 2010

  
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PRESIDENT

