

**BE IT REMEMBERED** that the Board of Supervisors of Clay County, Mississippi, met at the Courthouse in West Point, Mississippi, on the 24<sup>th</sup> day of November, 2010, at 9 00 o'clock a m , and present were, Floyd McKee, President of the Board, R B Davis, Vice-President, Shelton Deanes (absent), Luke Lummus and Lynn Horton Also present at said meeting were Harmon A Robinson, Clerk of the Board, and Laddie Huffinan, Sheriff, when and where the following proceedings were had and determined, to-wit

NO \_\_\_\_\_

IN THE MATTER OF THE SALE OF DISTRICT THREE EQUIPMENT AT A  
DEANCO AUCTION

There came on this day for consideration the matter of the sale of District Three equipment at a Deanco Auction

It appears that this Board authorized the sale of a 1997 GMC pickup serial no 1GTEC19R1VE546062 D3-106 and a Bushog side mower D3-072 that belonged to District Three, and

It appears that the two items were sold at a Deanco Auction November 18<sup>th</sup> 2010 and sold at auction for to wit,

- |    |                    |           |
|----|--------------------|-----------|
| 1) | 1997 GMC truck     | \$1395 00 |
| 2) | Bushog Side Cutter | \$ 930 00 |

After motion by Mr Davis and second by Mr Horton this Board doth vote unanimously to delete said items from District Three's inventory and deposit said sale proceeds in District Three's Road Fund

SO ORDERED this the 24<sup>th</sup> day of November, 2010

  
\_\_\_\_\_  
PRESIDENT





Deanco Auction Co of MS, Inc  
 PO Box 1248  
 Philadelphia, MS 39350  
 (601) 656-9768  
 Fax Number (601) 656-0192

Seller Number C906  
 CLAY COUNTY, MISSISSIPPI  
 PO BOX 815  
 WEST POINT, MS 39778  
 Phone (662) 494-3313  
 Fax (662) 492-4059

Statement Date .11/23/2010

Preliminary Statement For Deanco Auction - Nov 17th-18th, 2010

| Lot | Buyer | Description  | Price    | M/S | Grp | Commission | Net Due  |
|-----|-------|--|----------|-----|-----|------------|----------|
| 155 | 579   | 1997 GMC 1500 Pickup s/n <i>D3106</i><br>1GTEC19R1VE546062 | 1 500 00 |     |     | 105 00     | 1,395 00 |
| 782 | 251   | Bushhog SM60 Side Mower s/n <i>D3072</i><br>12-02901       | 1 000 00 |     |     | 70 00      | 930 00   |

Summary of Sales Activity at Deanco Auction - Nov 17th-18th, 2010

Commissions are Calculated on a Percent of the Sale Price of EACH LOT

Commission Breakpoint Summary

| Commission BreakPoint  | Commission Rate | Amount Sold | Comm.Amount |
|------------------------|-----------------|-------------|-------------|
| Up to \$ 99 999 999 00 | 7 000 % x \$    | 2 500 00    | 175 00      |

Statement Totals

|                  |             |
|------------------|-------------|
| 2 Lots Sold      |             |
| Total Sales      | \$ 2 500 00 |
| Less Commissions | \$ 175 00   |
| Total Amount Due | \$ 2,325 00 |

*Exhibit A*



FAX COVER SHEET

TO Teresa Ware  
COMPANY Clay County  
FAX NO 662-492-4059  
PHONE NO \_\_\_\_\_

FROM Pendy  
DATE 11-23-10  
TIME \_\_\_\_\_  
PAGES 2 (Including Cover)

COMMENTS:

- 1) Auction Results
- 2) Thank You

OFFICE PHONE 601-656-9768 FAX #1 601-656-2437  
FAX #2 601-656-0192

Mailing Address Post Office Box 1248 - Philadelphia, Mississippi 39350-1248  
Physical Address 1042 Holland Avenue - Philadelphia, Mississippi 39350

DEANCO AUCTION'S WEBSITE- <http://www.deancoauction.com>  
DEANCO AUCTION'S E-MAIL - [sold@deancoauction.com](mailto:sold@deancoauction.com)



Deanco Auction Co of Mississippi, Inc  
PO Box 1248 • 1042 Holland Ave  
Philadelphia, Mississippi 39350  
Phone 601 656 9768 • Fax 601 656 0192  
Website www.deancoauction.com  
Email sold@deancoauction.com

C906 ~~6000~~

**Contractual Agreement**

This contract entered into this 8 day of Nov 2010 by and between Clay County, MS ~~01113~~  
(hereinafter referred to as Seller,) Address PO Box 815 West Point, MS 39773  
Phone 662-494-3313 Fax 662-492-4059 and Deanco Auction Co of Mississippi, Inc (MS Auctioneers Lic  
733, MS Gallery Lic 835F) located at 1042 Holland Ave, Philadelphia, Mississippi 39350 (hereinafter referred to as Auctioneer)

**Location and Date of Auction**

Auction shall be held November 17<sup>th</sup> & 18<sup>th</sup>, 2010 at Deanco Auction's facility located at 1042 Holland Avenue, in the city  
of Philadelphia, County of Neshoba, State of Mississippi

**Property to be Sold**

Auctioneer is hereby contracted by Seller to sell the personal property listed below or on an attached "Exhibit A" at public auction

**Compensation of Auction**

• **Commission on Property Sold** In consideration of performance of this contract by Auctioneer, the acceptance of the bids and the consummation of sale, Auctioneer shall receive and Seller shall pay SEVEN percent (7%) commission of the last bid made of received on all personal property listed above or on the attached "Exhibit A" that is sold at auction. The Auctioneer will charge Seller ZERO percent (0%) commission on no-sale items. Any applicable sales commission earned is due and payable on day of auction. Auctioneer will be responsible for all advertising expenses, conducting the auction, supply of all labor needed to setup and conduct auction, and collecting of the proceeds from the auction. The seller will be charged a \$25.00 minimum commission on every lot in this auction.

• **Repairs and Refurbishments** Any cost such as repairs, cleaning or any expenses incurred by Auctioneer that will improve appearance or working condition, and therefore increase resale value, will be deducted from net proceeds of property sold. Auctioneer shall receive approval from Seller prior to any such expenses are incurred and Auctioneer will recommend only improvements that will increase marketability.

• **Additional charges that may be incurred and deducted from sale proceeds** (a) all items will be checked for a sufficient amount of fuel, any fuel added will be charged to Seller at \$7.50 per gallon, (b) all items that require an ignition or master key to operate must have key(s) when delivered or Auctioneer will furnish key(s) and Seller will be charged at the rate of \$15.00 per key.

**Responsibilities of Seller**

• Seller hereby agrees that the personal property described above or included in the exhibit attached hereto will be delivered to the auction site in Philadelphia, Mississippi by November 10<sup>th</sup>, 2010 and that all items listed above or on the attached "Exhibit A" will be in the auction.

• Seller agrees that any and all liens and encumbrances held on personal property described above or listed on the attached "Exhibit A" must be satisfied or disclosed to Auctioneer upon the signing of the contract.

• Seller agrees that all titles or bill of sales will be delivered to Auctioneer by November 10<sup>th</sup>, 2010

**Settlement of Auction Proceeds**

After completion of the auction, Auctioneer will balance all auction invoices, so that each item is accounted for. Once the auction is settled, Auctioneer will deduct any commission earned and any additional agreed upon expenses incurred from the gross proceeds of the sale of personal property listed above or in the "Exhibit A" and pay proceeds to Seller within Fifteen (15) working days. Auctioneer reserves the right not to pay Seller for items sold at the auction that Auctioneer does not receive payment for from buyer.

This contractual agreement contains the complete agreement of all parties and shall be binding on all parties, respective heirs, personal representatives and agents, successors or assigns. No party hereto is entitled to rely on any representation, written or oral, which purports to alter or vary the terms of this contract.

Signed and Agreed Upon By

Harmon L. Robinson 11/10/10  
Seller Date

[Signature] 11/8/10  
Deanco Auction Date



TO Teresa Ware FROM Tim Harrison  
 COMPANY \_\_\_\_\_ DATE \_\_\_\_\_  
 FAX NO \_\_\_\_\_ TIME \_\_\_\_\_  
 PHONE \_\_\_\_\_ PAGES (Including Cover)

COMMENTS

Attached is the Contract for the November 17th & 18th auction in Philadelphia, Mississippi

Please sign and fax back to 601-656-2437

Thank You

① Pick up  
 -----  
 ② Side from cutter

Phone 601-656-9768 Toll Free 877-898-5905  
 Direct Fax 601-656-2437 Main Fax 601-656-0192  
 1042 Holland Ave (PO Box 1248) • Philadelphia, Mississippi 39350  
 www.deancoauction.com tman@deancoauction.com


ORDER OF THE BOARD OF SUPERVISORS OF CLAY COUNTY ACCEPTING  
THE CONTRACT FOR FEDERAL AID BRIDGE REPLACEMENT  
PROJECT NO BR-0013(45)BO FMS-105493

WHEREAS, the Board of Supervisors of Clay County, Mississippi awarded a contract to Phillips Contracting Company, Inc , known as Project No BR-0013(45)BO FMS-105493, and,

WHEREAS, the Clay County Engineer and the State Aid Engineer advise that they consider the construction portion of this contract to have been completed according to all its provisions and recommend that the Contractor be released from further maintenance responsibilities


NOW, THEREFORE, IT IS HEREBY ORDERED by this Board that the Contractor for the project designated above, be released from further maintenance responsibility under the contract, effective **NOVEMBER 22, 2010**

IT IS FURTHER ORDERED THAT THE President of the Board be and he is hereby authorized to sign, with the State Aid Engineer and the Executive Director of the Mississippi Department of Transportation, a joint letter of formal contract acceptance to the Contractor, and the Clerk of the Board transmit a certified copy of this order to the State Aid Engineer

  
President, Board of Supervisors

CLAY COUNTY, MISSISSIPPI

This is to certify that the foregoing is a true and correct copy of an order passed by the Board of Supervisors of Clay County, Mississippi, entered into the minutes of said Board of Supervisors, Minute Book No 126, Page No \_\_\_\_\_, same having been adopted at a meeting of said Board of Supervisors on the 24 day of November, 20 10

  
Clerk of Board of Supervisors

CLAY COUNTY, MISSISSIPPI

OFFICE OF  
STATE AID ROAD CONSTRUCTION  
MISSISSIPPI DEPARTMENT OF TRANSPORTATION  
P O BOX 1850  
JACKSON MISSISSIPPI 39215 1850

J Brooks Miller, Sr, P E  
State Aid Engineer  
Telephone (601)359 7150  
www.msstateaidroads.us

412 Woodrow Wilson Avenue  
Jackson Mississippi 39216  
Fax (601)359 7141  
mail@osarc.state.ms.us

November 22, 2010

Phillips Contracting Company, Inc  
P O Box 2069  
Columbus, MS 39704-2069

Gentlemen

RE FEDERAL AID BRIDGE REPLACEMENT  
PROJECT NO BR-0013(45)BO FMS-105493  
CLAY COUNTY

This is our formal notice that the above designated contract, including all provisions thereof, is hereby accepted and you are released from further responsibility under this contract effective upon signature of the Executive Director

Sincerely,

By   
President, Board of Supervisors

MISSISSIPPI DEPARTMENT OF TRANSPORTATION

By \_\_\_\_\_  
J Brooks Miller, Sr, State Aid Engineer Date

By \_\_\_\_\_  
Larry L. Brown, Executive Director

JBMECJ

pc Clay County Board of Supervisors  
Robert L. Calvert, P E, County Engineer  
Fidelity & Deposit Company of Maryland  
Materials Division, 72-01  
State Tax Commission  
Project File



**IN THE MATTER OF REIMBURSING THE GENERAL COUNTY FUND FOR  
ONE HALF OF THE TAX COLLECTOR'S SHARE OF THE MONTHLY  
SUPPORT FEE WITH DATA SYSTEMS MANAGEMENT**

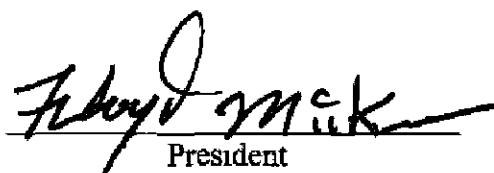
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There came on this day for consideration the matter of reimbursing fund #001, General County Fund for one half of the tax collector's share of the monthly support fee with Data Systems Management

It appears to this Board that fund, #020, House Bill 1330 Fund receives 50 on each tag sale. It also appears to this Board the tax office monthly support fee with Data Systems Management is \$605 per month and this said fee is paid out of fund #001, General County Fund. Since approximately one half of the monthly support fee includes software support for the title and tag system, fund #020, House Bill 1330 Fund should reimburse fund #001, General County fund \$3,648 for computer services rendered in the 2009- 2010 fiscal year.

Upon motion by MM. Horton and seconded by MM. Summers, this Board doth vote unanimously for fund #020, House Bill 1330 Fund to transfer to fund #001, General County Fund \$3,648 to reimburse the General County Fund for software support paid for title and tags out of fund #001, General County Fund to Data Systems Management.

SO ORDERED, this the 24 day of November, 2010

  
President

IN THE MATTER OF PAYING THE CLAY COUNTY MISSISSIPPI CONSTABLES  
ACCORDING TO SB2860 BASED UPON THEIR GROSS FEE INCOME

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There came on this day for consideration the matter of paying the Clay County Mississippi Constables according to SB2860 based upon their gross fee income

It appears to this Board that the attached exhibit A reflects the gross fee income of constables Sherman Ivy and Lewis Stafford for the month of November 2010 as submitted by the Justice Court Clerk, and

It appears that the attached exhibit B represents the calculations of estimated contributions due the Public Employees Retirement System for each constable and the net fee income to be paid each constable

After motion by M. Horton and second by M. Davis this Board doth vote unanimously to have the Chancery Clerk transfer \$478.50 to the payroll clearing account to be remitted to the Public Employees Retirement System on behalf of the Clay County Constable and to pay Sherman Ivy 1526.<sup>35</sup> and Lewis Stafford 2245.<sup>15</sup> as net fee income after Public Employees Retirement System deduction withheld for the month of November 2010

SO ORDERED, this the 24<sup>th</sup> day of November 2010

Floyd M. Miller  
PRESIDENT

**Clay County, Ms**  
**Calculation of Estimated Contributions/Wages For Constables**  
**As of November 20, 2010**

**Calculation**

|  | <b>Lewis Stafford</b> | <b>Sherman Ivy</b> |                |
|--|-----------------------|--------------------|----------------|
| Gross Fee Income *                     | \$2,635 00            | \$1,715 00         | <b>(Input)</b> |
| Minimum Withholding Rate               | 11%                   | 11%                |                |
| Estimated Contributions                | <u>\$289 85</u>       | <u>\$188 65</u>    |                |
| Estimated Contributions                | \$289 85              | \$188 65           |                |
| Divided by PERS EE/ER                  | 21 00%                | 21 00%             |                |
| Estimated Wages To Be Reported To PERS | <u>\$1,380 24</u>     | <u>\$898 33</u>    |                |
| Estimated Wages                        | \$1,380 24            | \$898 33           |                |
| Multiplied by PERS EE Rate             | 9 00%                 | 9 00%              |                |
| Estimated PERS EE Contributions        | <u>\$124 22</u>       | <u>\$80 85</u>     |                |
| Estimated Wages                        | \$1,380 24            | \$898 33           |                |
| Multiplied by PERS ER Rate             | 12 00%                | 12 00%             |                |
| Estimated PERS ER Contributions        | <u>\$165 63</u>       | <u>\$107 80</u>    |                |

**\*\*Summary of Wages and Contributions to be reported to PERS For Constables \*\***

|                                 |                 |                 |        |
|---------------------------------|-----------------|-----------------|--------|
| Estimated Wages                 | \$1,380 24      | \$898 33        |        |
| Estimated PERS EE Contributions | \$124 22        | \$80 85         | 205 07 |
| Estimated PERS ER Contributions | <u>\$165 63</u> | <u>\$107 80</u> | 273 43 |
| Total Estimated Contributions   | <u>\$289 85</u> | <u>\$188 65</u> |        |

**\*\*Funds to be Paid to Constables\*\***

|   |                   |                   |
|---|-------------------|-------------------|
| Gross Fee Income                        | \$2,635 00        | \$1,715 00        |
| Less Total Estimated PERS EE/ER Contril | <u>\$289 85</u>   | <u>\$188 65</u>   |
| Net Gross                               | <u>\$2,345 15</u> | <u>\$1,526 35</u> |

Need an order to transfer to Payroll Clearing fund \$ 478 50 to remit with Retirment Contributions

\* Gross Fee Income is turned in to comptroller by the Justice Court Deputy

IN THE MATTER OF DESTROYING OLD SURRENDERED CAR TAGS THAT HAVE  
BEEN CERTIFIED TO THE BOARD BY THE TAX COLLECTOR

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There came on this day for consideration the matter of destroying old surrendered car tags that have been certified to the Board by the Tax Collector

It appears to this Board that Becky Dendy, Clay County Tax Collector has certified to the Board of Supervisors that the attached list marked exhibit A is a list of the car tags surrendered for the time period stated there in

SO ORDERED, this the

24<sup>th</sup> day of November, 20 10

Alvin M. K.  
PRESIDENT

**TERETHA RUPERT, TAX ASSESSOR COLLECTOR  
CLAY COUNTY, MISSISSIPPI**

*Teretha Rupert, Tax Assessor/Collector of Clay County do hereby certify that the vehicle tags as listed on the attached were surrendered to our office. These tags listed will be destroyed and the original list has been presented to the Clay County Chancery Clerk.*

*The tags listed here were surrendered to our office between the period of*  
October 19, 2010 *and* November 17, 2010

*Teretha Rupert*  
*Teretha Rupert, Tax Assessor/Collector*

*November 23, 2010*  
*Date*

*P O Box 795, 205 Court Street, West Point, MS 39773  
Phone (662) 494-2724 Fax (662) 494-7452*

TAGS SURRENDERED FOR CREDIT OR NO LONGER BEING USED ON VEHICLE ISSUED FOR  
 AFTER LIST IS PRESENTED TO THE BOARD OF SUPERVISORS, THESE TAGS MAY BE DESTROYED

10-19 AA/1299AA  
 CYB 745  
 145 678  
 09m 549  
 10-20 CRM 210  
 DB/CAT108  
 DL5CY6  
 453LF2  
 ATR 761  
 599KUC  
 CUA 120  
 CUA 191  
 CUA 178  
 044 MFT  
 896 CUM  
 748 Y6Q  
 159 CYU  
 507 CYU  
 CUA 708  
 CUA 078  
 CUA 934  
 CYC 607  
 CYC 201  
 010 KUF  
 122141  
 111 CYC  
 223 CYR  
 At 149663  
 201 CY3  
 472 CY6  
 288 CYC  
 599 CUP  
 345 CYK  
 702 KTY  
 020 WU8  
 644 CYJ  
 946 CNX  
 402 CYC  
 743 CYL

cleaning out chamber

1073 WUE4  
 DB/J8139  
 NC/715N8  
 570 PCR  
 CYF 625  
 CY4 994  
 DB 19043  
 CYB 409  
 CYB 072  
 CYE 487  
 CUS 420  
 PTR 42927P  
 CY2 325  
 CUA 033  
 CUA 105  
 10-25 7LR 3559P  
 CYI 143  
 10-26 MC 74950  
 UM 73R18  
 CYF 779  
 MSU 507M2  
 10-27 CYI 198  
 UM 3697R  
 CYA 409  
 CYD 712  
 CYK 013  
 CUB 149  
 10-29 BB 50BB  
 BIO/3AK T73  
 DB L2393  
 CUL 224  
 MAY 10  
 11-0 DB/C2139  
 CYA 056  
 F10 192 2FC  
 KENSHIA  
 738 CYG  
 IM 12  
 CYM 058

DTI 825  
 LVE 848  
 LYB 550  
 11-2 CYF 195  
 DB C2866  
 CYS 248  
 CUA 518  
 DB J18985  
 CUB 056  
 CY4 731  
 CUM 652  
 CYG 900  
 CYE 070  
 C/5498  
 LUT 050  
 11-3 CYC 964  
 CY5 530  
 CYE 070  
 CYI 413  
 CYS 598  
 CYE 756  
 CHI 217  
 KE4 066  
 CY4 895  
 DB I 9134  
 CUA 646  
 CUA 741  
 CUN 167  
 CUA 938  
 CUP 727  
 CUL 539  
 2AR 612  
 11-4 CY5 631  
 CYK 132  
 CYH 313  
 WE4 1072  
 CY1 158  
 CPE 448  
 CYI 706

11-5 CYC 241  
 CYR 860  
 CUD 034  
 CD 56800  
 W2477  
 11-8 VR/MUTT  
 CY5 93  
 CYB 013  
 IAS 951  
 11-8 CYL 758  
 CYS 326  
 CY2 537  
 CUS 072  
 PNA 422  
 11-9 CYL 216  
 CY4 632  
 CYA 592  
 AERX/64AE  
 KTX 576  
 CYC 364  
 CYD 959  
 CYD 168  
 11-12 CY3 828  
 CYI 329  
 CUB 933  
 KEG 679  
 CY5 138  
 CYP 294  
 11-15 CYL 135  
 Antique 16684  
 DB/I 917  
 11-16 WLD 6422W  
 CYJ 986  
 CYM 304  
 11-17 LEN 491  
 CYC 506  
 CUP 110  
 CYK 782  
 MLG 110

NO \_\_\_\_\_

IN THE MATTER OF PAYING THE CHANCERY CLERK  
FOR MAKING COPIES OF HOMESTEAD RECAPITULATION  
ROLLS OF CLAY COUNTY, MISSISSIPPI FOR 2010


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There came on this day for consideration the matter of paying the Chancery Clerk for making copies of Homestead Recapitulation rolls of Clay County, Mississippi, for 2010

It doth appear to this Board that the Clerk, Harmon A Robinson, hath properly prepared and copied the homestead rolls, and under the authority of Section 25-3-21 of the *Mississippi Code of 1972*, it is hereby ordered that the Clerk be paid for preparing the following homestead recapitulation assessment rolls, to-wit

|   |          |
|---|----------|
| Three copies of the homestead roll,<br>each containing 4883 assessments<br>at 3 cents per assessment per copy | \$439 47 |
|---|----------|

SO ORDERED this the 24<sup>th</sup> day of November, 2010

  
\_\_\_\_\_  
PRESIDENT

NO \_\_\_\_\_

IN THE MATTER OF PAYING THE CHANCERY CLERK FOR  
MAKING COPIES OF ASSESSMENT ROLLS  
OF CLAY COUNTY, MISSISSIPPI FOR 2010

---

There came on this day for consideration the matter of paying the Chancery Clerk for making copies of assessment rolls of Clay County, Mississippi, for 2010

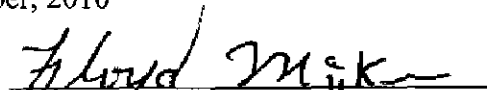
It doth appear to this Board that the Clerk, Harmon A Robinson, hath properly prepared and copied the assessment rolls, and under the authority of Section 25-3-21 of the *Mississippi Code of 1972*, it is hereby ordered that the Clerk be paid for preparing the following homestead recapitulation assessment rolls, to-wit

|   |          |
|---|----------|
| Two (2) copies of the realty roll, each containing 12,621 separate assessments at 3 cents per assessment per copy | \$357 26 |
|---|----------|

|   |          |
|---|----------|
| Two (2) copies of the mobile home roll at \$150 00 per copy | \$300 00 |
|---|----------|

|  |          |
|--|----------|
| Two (2) copies of the personalty roll at \$150 00 per copy | \$300 00 |
|--|----------|

SO ORDERED, this the 24<sup>th</sup> day of November, 2010

  
PRESIDENT



NO \_\_\_\_\_

IN THE MATTER OF AUTHORIZING THE PRESIDENT OF THIS BOARD TO  
EXECUTE A GRANT AGREEMENT WITH THE MISSISSIPPI DEPARTMENT OF  
ENVIRONMENTAL QUALITY

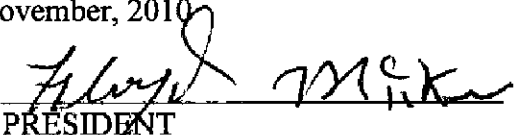
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There came on this day for consideration the matter of authorizing the President of this Board to execute a grant agreement with the Mississippi Department of Environmental Quality

It appears to this Board that the Solid Waste Assistance Grant (SWAG) has appropaited for Clay County \$8,648 and the Board of Supervisors has determined that these grant funds should be used to pay the costs of employing a local solid waste enforcement officer

After motion by Mr Davis and second by Mr Lummus this Board doth vote unanimously to authorize the President to execute the grant application and approve same as attached hereto marked as exhibit A

SO ORDERED this the 24<sup>th</sup> day of November, 2010

  
\_\_\_\_\_  
PRESIDENT

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY  
GRANT APPLICATION  
PART 1. GENERAL INFORMATION

- 1 Name of Applicant Clay County Board of Supervisors
- 2 Address of Applicant P.O. Box 815  
City West Point State MS Zip 39073
- 3 Telephone No. of Applicant (662) 494-3124
- 4 Contact Person Harmon A Robinson or Amy Berry
- 5 Address of Contact Person (if different than applicant) \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_
- 6 Telephone No. of Contact Person (662) 494-3124
- 7 Email Address of Contact Person aberry@claycounty.ms.gov
- 8 Grant Request Category  
 a Local Government Solid Waste Assistance Grant (attach Part 2a)  
Competitive grant request \_\_\_\_\_ Non-Competitive grant request \_\_\_\_\_  
 b Local Government Solid Waste Planning Grant (attach Part 2c)  
 c Local Government Waste Tire Grant (attach Part 2b)
- 9 Descriptive Title of Project/Program Solid Waste Enforcement  
office
- 10 Describe the geographic area which the project/program will serve including the population to be served and list all political subdivisions to be served (e.g. counties, cities, etc.)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 11 Is applicant in violation of or delinquent on, any condition of a previously awarded grant or loan from the MDEQ?  
 yes  no (If yes please attach an explanation)
- 12 Certification

To the best of my knowledge and belief, I certify that the information provided in this application including attachments is true, accurate, and correct. I further certify that I possess the authority to apply for this grant on behalf of the applicant.

Floyd McKee Name of authorized representative (Please type or print)  
President,  
Clay County Board of Sup Title of authorized representative (Please type or print)

Floyd McKee Signature of authorized representative  
11-24-10 Date

Mississippi Department of Environmental Quality  
Solid Waste Policy, Planning & Grants Branch  
P. O. Box 2261, Jackson, MS 39225  
Phone: 601-961-5171/Fax: 601-961-5785

EXHIBIT A

**SOLID WASTE ASSISTANCE GRANT REQUEST**

**PART 2a**

1 Grant Applicant Clay County Board of Supervisors

2 Please check one or more of the following activities which the applicant intends to conduct with the requested funds and include an estimate of the total funds needed to conduct the activity. Also attach a more detailed proposed breakdown of how the funds will be used, such as costs for construction, equipment, personnel administration, etc. (Note that no more than 3% of the funds may be used for administration of the grant.)

**Funds Requested**

- A Cleanup of existing and/or future unauthorized dumps on public or private property \$ \_\_\_\_\_
- B Establishment of a collection center or program for white goods, recyclables or other bulky rubbish waste not managed by local residential solid waste collection programs \$ \_\_\_\_\_
- C Provision of public notice and education related to the proper management of solid waste, including recycling \$ \_\_\_\_\_
- D Payment of the costs of employing a local solid waste enforcement officer (Complete Supplemental Part 3) \$ 8,648
- E Payment of a maximum of seventy-five percent (75%) of the cost of conducting household hazardous waste collection programs \$ \_\_\_\_\_
- F Development of other local solid waste management program activities associated with the prevention enforcement or abatement of unauthorized dumps, as approved by the commission \$ \_\_\_\_\_

**TOTAL FUNDS REQUESTED** \$ 8,648

3 Please attach a narrative description for each part of Section 2 checked above, indicating how the applicant proposes to conduct the activities with the funds requested.

- If the activity includes Section 2 A., the description must identify the primary solid waste management facilities that will be utilized to ensure proper management of all solid wastes. The description must also identify the person or office that will be responsible for making a reasonable effort to require any known person(s) responsible for creating an unauthorized dump to clean up the property before the applicant expends money from the grant funds to do so and the person or office that will be responsible on behalf of the applicant for making a reasonable effort to recover from the responsible person any funds expended by the applicant.
- If the activity includes Section 2 B. the description should identify the location of any proposed collection center if known, and any other primary solid waste management facilities that will be utilized to ensure proper management of all collected items.
- If the activity includes Section 2 D. applicant must submit Part 3 Enforcement Officer Supplemental Grant Request form.
- If the activity includes Section 2 E., the project shall be conducted in accordance with the Mississippi Right Way To-Throw Away Program Regulations.

Mississippi Department of Environmental Quality  
Solid Waste Policy, Planning & Grants Branch  
P. O. Box 2261, Jackson, MS 39225  
Phone: 601-961-5171/Fax: 601-961-5785

**SOLID WASTE ENFORCEMENT OFFICER  
SUPPLEMENTAL GRANT REQUEST FORM  
PART 3**

1 Grant Applicant Clay County Board of Supervisors

2 Standard Enforcement Officer Funding (up to 50%)

The standard enforcement officer funding may be requested from the local government's eligible Solid Waste Assistance Grant (SWAG) funding for the state fiscal year. Alternate funding (derived from waste tire funds) for the enforcement officer may be requested by the applicant, if the applicant elects to utilize its eligible SWAG funds for other solid waste projects.

**Amount Requested**

A Solid Waste Assistance Grants (SWAG) Funds, or

8,648

B Alternate Base Funds (From waste tire funds)

\_\_\_\_\_

3 Established Program Supplements

If the applicant has an established enforcement officer program (at least 2 years) and has requested the standard SWAG grant as per Section 2 A above, the applicant may request supplemental enforcement officer funding (derived from waste tire funds)

A Established Program Supplement (up to 25%)  
(Provide narrative indicating that the program has functioned successfully at least 2 years)

\_\_\_\_\_

B Local Ordinance Supplement (up to 10%)  
(Attach copies of local illegal dumping ordinances and a narrative description of how such ordinances are enforced)

\_\_\_\_\_

4 Total Grant Funding and Applicant Contribution

Total Grant Funds Requested  
(Total Funding From Parts 2 & 3)

8,648

Total Applicant Contribution

\$ 22,470

Total Enforcement Officer Cost  
(Note: State Grant Regulations define the cost of employing a solid waste enforcement officer as salary and fringe benefits)

\$ 31,118.00

Mississippi Department of Environmental Quality  
Solid Waste Policy, Planning & Grants Branch  
P. O. Box 2261, Jackson, MS 39225  
Phone: 601-961-5171/Fax: 601-961-5735

(See Back)

NO \_\_\_\_\_

IN THE MATTER OF AN EXEMPTION FROM COUNTY AD VALOREM TAXES  
FOR FRANK PORTERA A CENTRAL BUSINESS DISTRICT STRUCTURE UNDER  
SECTION 17-21-7 OF THE MISSISSIPPI CODE 1972

---

There came on this day for consideration the matter of an exemption from county ad valorem taxes for Frank Portera a central business district structure under section 17-21-7 of the *Mississippi Code 1972*

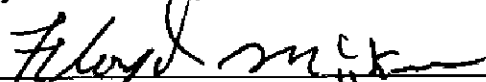
It appears that Frank Portera is a privately owned structure located in the downtown West Point central district and has made improvements to said real estate according to the requirements of the City of West Point, and

It appears that the city of West Point Mississippi did on November 9, 2010 approve said project for a seven (7) year exemption from city ad valorem taxes, and

It appears that Frank Portera has petitioned Clay County Mississippi to grant a seven (7) year exemption from county ad valorem taxes, see exhibit A, excluding taxes for school district purposes under Section 17-21-7 of the *Mississippi Code 1972*

After motion by Mr Lummus and second by Mr Horton this Board doth vote unanimously to grant a seven (7) year exemption to Frank Portera from county ad valorem taxes, excluding local school district taxes Said exemption being for new renovations and improvements made to the existing structures

SO ORDERED this the 24<sup>th</sup> day of November, 2010

  
\_\_\_\_\_  
PRESIDENT

**APPLICATION FOR EXEMPTION  
OF AD VALOREM TAXES**

**APPLICATION OF FRANK PORTERA, FOR EXEMPTION OF AD  
VALOREM TAXES FOR A PERIOD OF SEVEN (7) YEARS AS  
AUTHORIZED BY SECTION 17-21-5, ET SEQ , OF THE  
MISSISSIPPI CODE OF 1972, AS AMENDED**

**TO THE BOARD OF SUPERVISORS OF CLAY COUNTY, MISSISSIPPI**

1 Frank Portera files this his Application for Exemption of all ad valorem taxation for a period of seven (7) years, other than school ad valorem taxation, and respectfully represents unto this Board of Supervisors as follows

2 Applicant Frank Portera, is domiciled in the City of West Point, Clay County, Mississippi

3 Applicant recently made new capital investments and renovations to existing structures in the central business district of West Point, Clay County, Mississippi, as determined by the City of West Point, Mississippi, said central business district being a historic preservation district located in Clay County, Mississippi


4 That the project has been renovated and improved pursuant to the requirements of the development of the central business districts of West Point, Mississippi


5 That the legal description of the real property where the Enterprise is located for which ad valorem tax exemption is requested for a period of seven (7) years is set forth in Exhibit "A" attached hereto

PRAYER

WHEREFORE, Applicant prays that this Board of Supervisors enter a finding that the renovation and improvements to the existing land and buildings, be exempted from ad valorem taxation for a period of seven (7) years, other than school taxes, under the authority of Section 17-21-5, of the Mississippi Code of 1972, and consistent with the requirements for the development of downtown West Point, Clay County, Mississippi. The applicant further prays that the application and certified approval of exemption be forwarded to the State tax Commission and upon approval and certification by the Commission, the Board enter a final Order on its minutes granting the exemption.

The above information is true and correct as certified by the application and submitted by the applicant on the 20<sup>th</sup> day of November, 2010

  
\_\_\_\_\_  
Applicant  
Frank Portera

By   
\_\_\_\_\_  
Title Owner

**EXHIBIT "A"**

A parcel of land located in the City of West Point, Mississippi being also located in the Northeast Quarter (NE ¼) of Section 15, township 17 South, Range 6 East, Clay County, Mississippi, being more particularly described as follows

Commencing at a point where the south right of way line of West Main Street, in the above said City, intersects the centerline of the Illinois Central Gulf Railroad, thence run South 83 degrees 28 minutes 11 seconds East along said street right of way 33 9 feet to the POINT OF BEGINNING for this description

Thence run South 88 degrees 28 minutes 11 seconds East along said street right of way 170 52 feet to a nail and cap set in the asphalt street, thence run South 44 degrees 02 minutes 37 seconds West parallel to the above said railroad centerline 405 00 feet to an iron pin, thence run North 45 degrees 57 minutes 23 seconds West 125 69 feet to an iron pin located at a point 25 0 feet off the centerline of above said railroad, thence run North 44 degrees 02 minutes 37 seconds East parallel with, and 25 0 feet off of the centerline of above said railroad 289 77 feet to the POINT OF BEGINNING containing 1 00 acres, more or less

LESS AND EXCEPT All coal, oil, gas ores and any other minerals, whether similar or dissimilar, which are now known to exist or hereinafter discovered or every kind in, on or under said premises, together with the right at any time to explore, drill for, mine, remove and market all such products in any manner which will not damage structure on the surface of said premises reserved by Illinois Central Gulf Railroad Company

SUBJECT TO (1) All covenants, easements and reservations contained in and/or referred to in the Deed from Illinois Central Gulf Railroad Company to Tennessee River Pulp and Paper Company, dated July 25, 1978 which has been recorded in the Chancery Clerk's Office of Clay County, Mississippi in Deed Book 143 at Page 28 (2) Prairie Arts Festival Association, the Packaging Corporation of America, a Delaware Corporation, successor to Tennessee River Pulp and Paper Company by corporate merger and Landmark Enterprises, a Mississippi General Partnership, are subject to the covenants, easements and indemnities contained in and/or referred to in the Deed from Packaging Corporation of America, a Delaware corporation, successor to Tennessee River and Pulp and Paper Company by corporate merger, to Prairie Arts Festival Association dated December 23, 1991, which has been recorded in the Chancery Clerk's office in Clay County, Mississippi in Deed Book 193 at page 268



**STATE OF MISSISSIPPI**

**COUNTY OF CLAY**

Personally appeared before me, the undersigned authority of law in and for the County and State aforesaid, **FRANK PORTERA**, who acknowledged that he signed and delivered the above and foregoing **APPLICATION FOR EXEMPTION OF AD VALOREM TAXES** on the day and year therein stated

Given under my hand and seal of office, this the 20th day of November,



Winnie L. Childs  
Notary Public

My Commission Expires  
1-15-2012

## ORDER

Motion was made by Selectman Keith McBrayer and seconded by Selectman Rod Bobo that the City of West Point does hereby approve Mr Frank Portera's Application for Exemption of Ad Valorem Taxes for a period of seven (7) years as authorized by Section 17-21-5, ET SEQ, of the Mississippi Code of 1972, As Amended

1 Frank Portera files this his Application for Exemption of all ad valorem taxation for a period of seven (7) years, other than school ad valorem taxation, and respectfully represents unto this Honorable Mayor and Board as follows

2 Applicant Frank Portera is domiciled in the City of West Point, Clay County, Mississippi

3 Applicant recently made new capital investments and renovations to existing structures in the central business district of West Point, Mississippi, as determined by the City of West Point, Mississippi, said central business district being a historic preservation district


4 That the project has been renovated and improved pursuant to the requirements of the development of the central business districts of West Point, Mississippi


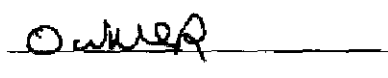
5 That the legal description of the real property where the Enterprise is located for which ad valorem tax exemption is requested for a period of seven (7) years is set forth in Exhibit ' A ' attached hereto

PRAYER

WHEREFORE, Applicant prays that this Mayor and Board enter a finding that the renovation and improvements to the existing land and buildings, be exempted from ad valorem taxation for a period of seven (7) years, other than school taxes under the authority of Section 17-21-5, of the Mississippi Code of 1972, and consistent with the requirements for the development of downtown West Point, Mississippi. The applicant further prays that the application and certified approval of exemption be forwarded to the State tax Commission and upon approval and certification by the Commission, the Board enter a final Order on its minutes granting the exemption.

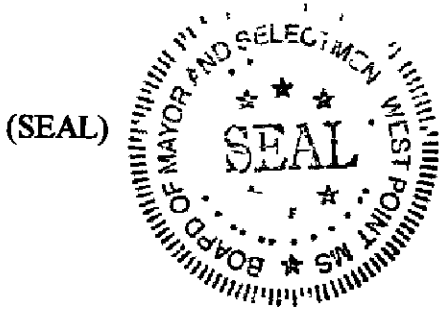
The above information is true and correct as certified by the application and submitted by the applicant on the 9th day of November 2010

  
\_\_\_\_\_  
Applicant  
Frank Portera

By  \_\_\_\_\_ Gordon  
Title  \_\_\_\_\_ Mayor

Hearing no further discussion, Mayor Scott Ross called for a vote and the results were as follows

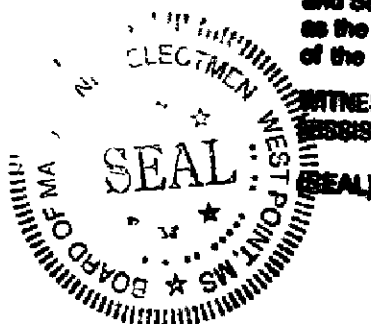
|                                 |              |
|---------------------------------|--------------|
| Selectman Rod Bob voted         | <u>"Aye"</u> |
| Selectman Homer Cannon voted    | <u>"Aye"</u> |
| Selectman Charles Collins voted | <u>"Aye"</u> |
| Selectman Kerth McBrayer voted  | <u>"Aye"</u> |
| Selectman Jasper Pittman voted  | <u>"Aye"</u> |
| Motion carried                  |              |



H Scott Ross, Mayor

Lela Q Jack, City Clerk

Lela Q Jack **CERTIFICATE**  
 Clerk for the City of West Point,  
 Mississippi do hereby certify that the above and foregoing is a true,  
 correct and exact copy of the official minutes of the Board of Mayor  
 and Selectmen on the 22nd day of November 2010  
 as the same appears in Minute Book 36 at page 767  
 of the records of the Board in my office.



WITNESS MY SIGNATURE AND SEAL OF THE CITY OF WEST POINT,  
 MISSISSIPPI, this the 22nd day of November 2010  
Lela Q Jack  
 City Clerk, City of West Point

NO \_\_\_\_\_

IN THE MATTER OF STRIKING A RELEASE FROM DELINQUENT TAX  
FOR THE PROPERTY OF MARY OLIVER WHITE AND RUFUS HUGHES  
PARCEL 083B211E 0490000

---

There came on this day for consideration the matter of striking a release from delinquent tax for the property of Mary Oliver White and Rufus Hughes parcel 083B211E 0490000

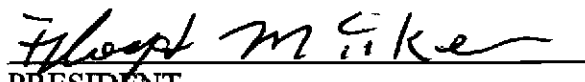
It appears that Dennis Harper redeemed the above referenced property on August 25, 2010 and paid \$558 10 by personal check as referenced by receipt no 7580 marked as exhibit A, and

It appears that after the amount of redemption had been settled to SKL Investments, Inc , the purchaser of said property at the August 25, 2008 tax sale the check was returned for insufficient funds, and

It appears to this Board that the Chancery Clerk has repeatedly made attempts to contact Mr Harper by phone message and mail but had no response

After motion by Mr Davis and second by Mr Horton this Board doth vote unanimously to strike the redemption of the property of Mary Oliver White and Rufus Hughes receipt no 7580 and to have the Chancery Clerk settle \$115 26 to the Tax Redemption fund being the Clerk's portion of settlement and SKL Investments refund of \$400 27 to be deposited into the Tax Redemption account This Board also orders that the General County Fund settle damages of \$13 46, the postage fee of \$22 16, and publication fee of \$3 00 to the Tax Redemption account The \$4 00 Sheriffs fee also be settled from the General County Fund to the Tax Redemption account and to make a marginal notation on the recorded Release in LM Book 416 page 626

SO ORDERED this the 24<sup>th</sup> day of November, 2010

  
PRESIDENT

County of CLAY

RELEASE FROM DELINQUENT TAX SALE

No 759

IN CONSIDERATION OF FIVE HUNDRED FIFTY EIGHT DOLLARS AND 10 CENTS RECEIVED FROM DENNIS HARPER 5688 HARPER RD WEST POINT MS 39773 amount necessary to redeem the following described Property WEST POINT

DESCRIPTION OF PROPERTY DEED BK/PG SEC TWP RANGE ACRE
FIFTH STREET SUB 1907 201 1 17 06E

0838211E 0490000 TAX SALE DIST 4110 CITY 1 30M

assessed to WHITE MARY OLIVER & HUGHS RUFUS and sold to SKL INVESTMENTS INC at delinquent tax sale on the 25th day of August, 2008, for taxes thereon for the year 2007 the said land is hereby released from all claim or title of state or purchaser under said tax sale, in accordance with section 27-45-7, Mississippi Code of 1972 (as amended)

Witness my hand & official seal of office, this the 25th day of August, 2010

ROBBIE ROBINSON Chancery Clerk

BY [Signature]

(BE SURE TO HAVE YOUR CHANCERY CLERK RECORD THIS RELEASE)

STATEMENT OF AMOUNT NECESSARY TO REDEEM ID # 1102

Table with 5 columns: Line Number, Description, Amount, Total, and Grand Total. Includes sections for Delinquent Taxes & Fees, Damages, Fees, & Accrued Taxes, Fees Due to County Officials, and Chancery Clerk's Fees.

I Certify that the above is a true and correct statement of amount necessary to redeem said property, on this the 25th day of August, 2010

ROBBIE ROBINSON Chancery Clerk

BY [Signature]

Handwritten note: Check was void... tried to get Mr Harper to... unless he did

EXHIBIT A



# Clay County Chancery Clerk

P O Box 815  
West Point, Mississippi 39773  
Phone (662) 494-3124  
Fax (662) 492-4059  
E mail [chancery@claycounty.ms.gov](mailto:chancery@claycounty.ms.gov)

*Chancery Clerk*

*Haumon 1 Robbie Robinson*

September 24, 2010

Mr Dennis Harper  
6688 Harper Road  
West Point MS 39773

Dear Dennis

As you know I ran the check through for the Mary Oliver White property <sup>and</sup> it bounced I misunderstood and thought you wanted me to hold it until September 1 and run it through I did hold it and then ran it through

Please come in and take care of this (\$558 10) or we will have to issue a tax deed on the property Thanks for addressing t his issue for me

Sincerely,

A handwritten signature in cursive script, appearing to read "Robbie Robinson".

Robbie Robinson  
Chancery Clerk

RR\thw

**CADENCE**  
BANKING

WEST POINT MAIN OFFICE  
Po Box 837 West Point MS 39773

CLAY COUNTY  
TAX REDEMPTION ACT  
PO BOX 815  
WEST POINT, MS 39773-0815

**Advice of Returned Check / Charge Notice**

Checking 0000000003022027

08/31/2010

The deposited item(s) listed below have been returned unpaid. The checking account has been debited **\$558.10** for the item(s) returned. In addition, the checking account has been assessed a fee of **\$6.00** for this service. If you have any questions regarding this notice, please contact us at (800) 636-7622.

| Check Number | Payer/Maker     | Reason Returned    | Check Amount |
|--------------|-----------------|--------------------|--------------|
| 157          | DENNIS J HARPER | Insufficient funds | \$558.10     |

\*084201443\*  
08/31/2010  
99000050

This is a LEGAL COPY of your check. You can use it the same way you would use the original check.

[084201443] 08/27/2010  
24530160

|   |  |   |     |
|---|--|---|-----|
| DENNIS J HARPER 01-08<br>PH 662-494-4151<br>6698 HARPER RD<br>WEST POINT MS 39773 |  | 95-127 638<br>842<br>40062606<br>Date: <u>9/25/2010</u> | 157 |
| Pay to the Order of <b>HARPER AND JOHNSON - TAX REDEMPTION ACT</b>                |  | \$ 558.10   |     |
| <i>Five hundred fifty-eight and 10/100</i>  |  | Dollars   |     |
| <b>BancorpSouth</b><br>INFOLINE 1-888-797-7711                                    |  | <i>Dennis Harper</i>                                    |     |
| For <i>2007 taxes</i>   |  | 0157  |     |
| ⑆084201278⑆ 40062606⑆   |  | 0157  |     |

⑆084201278⑆ 40062606⑆0157

⑆0000055810⑆



**CADENCE**  
®

CADENCE BANK N A  
PO Box 1187  
Starkville MS 39760 1187

ADDRESS SERVICE REQUESTED

400 <sup>22</sup>

*Mary Oliver White*  
494-8211

*1007*

PRESORTED  
FIRST CLASS



Hasler

016H26521443

\$00 335

09/01/2010

Mailed From 39759  
US POSTAGE

THANK YOU  
WE APPRECIATE YOUR BUSINESS  
MEMBER FDIC

*Dennis Harper*

713

39773 DLBLD31



NO \_\_\_\_\_

IN THE MATTER OF REPROGRAMMING A BRIDGE ON MYERS ROAD,  
DISTRICT THREE IN THE LSBP BRIDGE PROGRAM

---

There came on this day for consideration the matter of reprogramming a bridge on  
Myers Road, District Three in the LSBP Bridge program

After motion by Mr Davis and second by Mr Horton this Board doth vote  
unanimously to reinstate the bridge on Myers Road, District Three to the LSBP bridge  
program

SO ORDERED this the 24<sup>th</sup> day of November, 2010

  
\_\_\_\_\_  
PRESIDENT

NO \_\_\_\_\_

IN THE MATTER OF SPREADING ON THIS BOARD'S MINUTES A CERTIFICATE  
OF ATTENDANCE FOR JUDGE JOE M TAGGART, JUSTICE COURT JUDGE

---

There came on this day for consideration the matter of spreading on this Board's minutes a certificate of attendance for Judge Joe M Taggart, Justice Court Judge

It appears that Judge Joe M Taggart attended and received certification for 12 hours at the 2010 Justice Court Judges Fall Conference

After motion by Mr Horton and second by Mr Lummus this Board doth vote unanimously to spread on these minutes the Mississippi Judicial College certificate marked exhibit A and attached hereto

SO ORDERED this the 24<sup>th</sup> day of November, 2010

  
PRESIDENT



# Certificate of Attendance

The University of Mississippi Law Center  
Awards this Certificate to

**Joe M. Taggart**

for having attended the

**2010 JUSTICE COURT JUDGES FALL CONFERENCE**

Silver Star Resort - Choctaw, Mississippi

October 6-8, 2010

conducted by the

Mississippi Judicial College

**12.0 Hours**

*Michael Wright*  
Program Manager

*Cynthia Jones*  
Director



PERMIT APPLICATION FOR USE AND OCCUPANCY AGREEMENT FOR  
THE CONSTRUCTION OR ADJUSTMENT OF A UTILITY  
WITHIN ROAD OR HIGHWAY RIGHT-OF-WAY

FACILITY ALONG OR ACROSS Barton Ferry Rd COUNTY ROAD

PROJECT NO \_\_\_\_\_ COUNTY OF \_\_\_\_\_

UTILITY NAME AT&T BY Mrs OSP Plng & Dsgn (Company Title)

ADDRESS 1002 Main St, Columbus, MS 39701 herein called APPLICANT, Proposes to

construct telecommunications Utility Facility Along or across Barton Ferry Rd

(Name of Road) County road, said facility to be installed between Sta \_\_\_\_\_ and Sta \_\_\_\_\_ of

Project No \_\_\_\_\_ and within road or highway right-of-way, and hereby makes application to the

County for the construction permit Attached hereto are drawings or plans for the construction

which will not be changed or altered without approval of the Board of Supervisors or its

authorized representative

WHEREAS, the legislature of Mississippi has heretofore granted to the Applicant the right to locate its facilities upon, across, under, over and along public highways and streets within the State of Mississippi, Applicant agrees to comply with the applicable provisions of S O P No SAD II-2-8, Policy for the Accommodation of Utility Facilities within the Rights-of-Way of County Federal Aid and State Aid Highways (hereinafter referred to as the "Policy"), promulgated by the State Aid Engineer and dated January 1, 1983, and which is hereby made a part of this Application Agreement, and agrees to perform the construction according to the applicable industry code and according to the plans and specification for the Project

The Applicant shall be responsible for future maintenance and repair of the facilities The Applicant shall make future adjustment in, or relocate, the facilities located within road or highway right-of-way when required for highway widening or other highway construction, and its right to reimbursement of its costs, if any, shall be in accordance with State law in effect at the time such adjustment or relocation is made Further, any maintenance, repair or construction shall be done in such a manner as to occasion no unreasonable interference with the normal flow and safety of traffic

A general description of the size, type, nature, and extent of the Utility work to be done is as follows

Place approximately 36000' buried/bored fiber cable along Barton Ferry Rd from the intersection of Barton Ferry Rd and Hwy 50 E to the North side of Barton Ferry at the intersection of London Chapel Rd

The Applicant understands and agrees that, except as herein granted, no right, title, claim, or easement to said road right-of-way is granted by the issuance of this permit and that if this Utility Facility is not place within the allowable horizontal and vertical limits as listed in the general provisions of the Policy, it will be adjusted to comply with same without cost to the County unless the variance from the Policy has been approved by the granting of the Permit pursuant to this application

The Applicant further understands that the Utility's engineering, plant, or other personnel will be responsible for the staking and construction supervision of the work set out above and as shown on the attached plans

Clay County agrees to the following stipulations

- (1) To cooperate with the Utility Company in every way to avoid conflicts in the location construction and maintenance of the County Highway and Utility Facility
- (2) To pursue any and all legal means to see that Policy Standards except to the extent of any variance shown on the plans filed herewith and approved, are complied with in the facility installation
- (3) If the County Engineer or other authorized representative of the Board of Supervisors approved the drawings sketches and plans submitted by the Applicant, he shall so indicate by signing and dating the Permit Approval at the end of this Application, and the Applicant may proceed with the installation if the drawings sketches and plans are not approved he shall promptly notify the Applicant and advise it of the reason or reasons He will also act as the duly appointed representative of the Board of Supervisors and will give his approval to the completed work as being in compliance with the location and standards shown in the Policy and in this Agreement for the installation
- (4) That all joint highway construction and utility adjustment or relocation operations will comply with the requirements of Section S 105 06 and Section S 107 18 Mississippi Standard Specifications for State Aid Road and Bridge Construction 1989 edition (or current edition)
- (5) Should any term or provision of this Applicant Agreement conflict with the law of the State of Mississippi the Mississippi Constitution or the United States Constitution or impair or deny to the Applicant or the County any right protected thereby it shall be deemed amended to conform to said law or Constitution

WITNESS the signature of the Applicant this the 17 day of November, 2010

By Karon L Scott  
Title Mgr OSP Plng & Dsgn

AGREED TO AND APPROVED BY

Clay COUNTY

BOARD OF SUPERVISORS

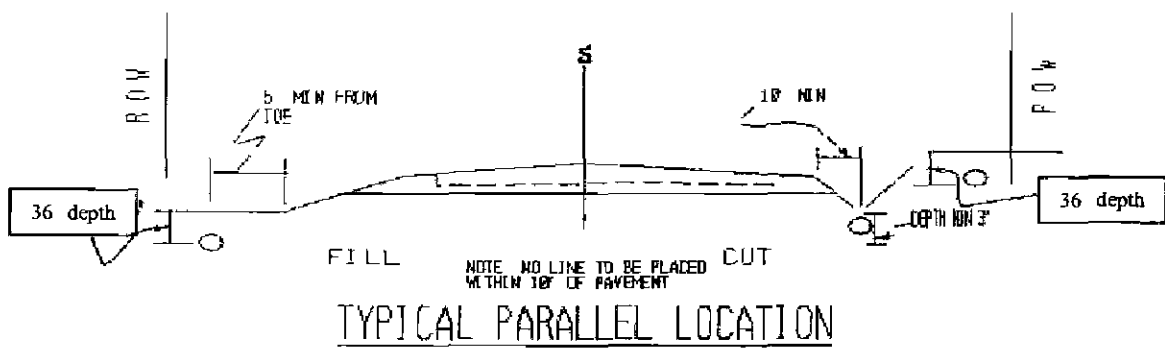
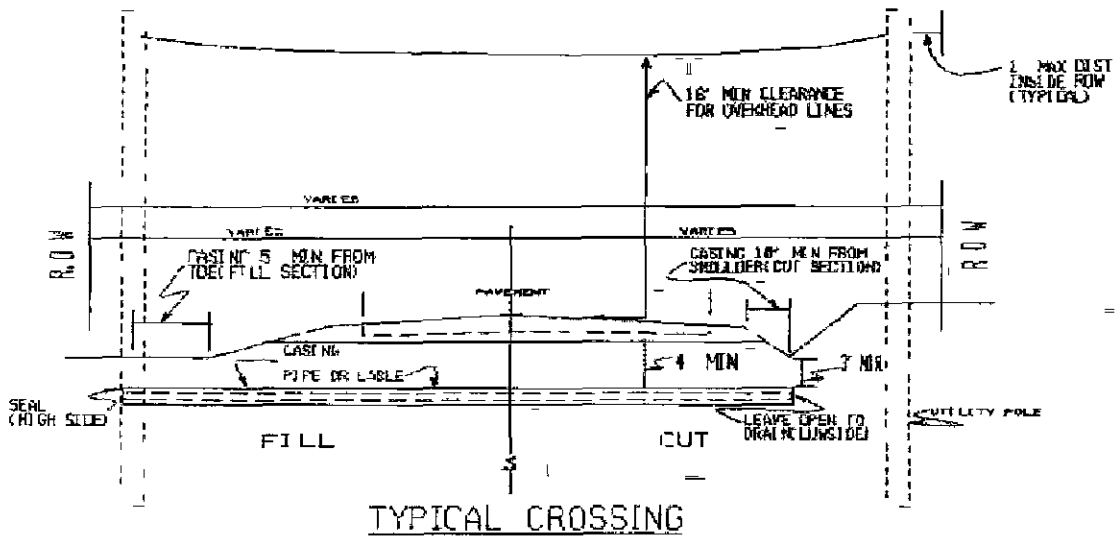
By Robert L Calvert  
County Engineer

11 / 24 / 2010  
(month) (day) (year)

BY ORDER OF THE BOARD OF SUPERVISORS Dated the 24<sup>th</sup> Day of November

19/20 10 of Clay County Mississippi The permit for the  
installation or adjustment of the utility applied for above is granted





UTILITY COMPANY WILL BE RESPONSIBLE FOR THE FOLLOWING

- 1 Maintaining traffic during installation
- 2 Properly signaling traffic during installation
- 3 Damage inflicted on motorists and vehicles during installation
- 4 Returning area back to its normal condition or better and doing so as soon as possible
- 5 Notify supervisor of district of actual installation time
- 6 Jacking will be accomplished as follows All pipe will be pushed or jacked under roads
- 7 All casing will be accomplished by dry boring

NO \_\_\_\_\_

IN THE MATTER OF AUTHORIZING THE SHERIFF TO TRAVEL TO THE  
SHERIFF'S FALL CONFERENCE

---

There came on this day for consideration the matter of authorizing the Sheriff to travel to the Sheriff's Fall Conference

After motion by Mr Horton and second by Mr Davis this Board doth vote unanimously to authorize the Sheriff to travel to Philadelphia, MS on December 6-10, 2010 for the Sheriff's Association fall conference

SO ORDERED this the 24<sup>th</sup> day of November, 2010

  
\_\_\_\_\_  
PRESIDENT

This Board doth adjourn until 9 a m on December 6<sup>th</sup> 2010

  
\_\_\_\_\_  
PRESIDENT