

BE IT REMEMBERED that the Board of Supervisors of Clay County, Mississippi, met at the Courthouse in West Point, Mississippi, on the 7th day of April, 2011, at 9 00 o'clock a m , and present were R B, Davis, President of the Board, Lynn Horton, Vice President, Shelton Deanes, Luke Lummus, Floyd McKee Also present at said meeting were Harmon A Robinson, Clerk of the Board, and Laddie Huffman, Sheriff, when and were the following proceedings were had and determined, to-wit

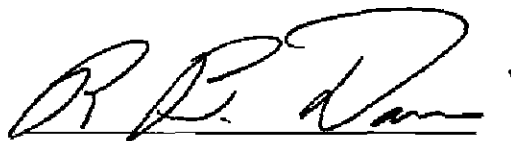
NO _____

IN THE MATTER OF ADVERTISING THE RESOURCES OF CLAY COUNTY,
MISSISSIPPI

There came on this day for consideration the matter of advertising the resources of Clay County, Mississippi

After motion by Mr Lummus and second by Mr Horton this Board doth vote unanimously to purchase a one-half page ad for \$65 00 for the Freedom Day Banquet of the local NAACP

So ordered this the 7th day of April, 2011


President

RESOLUTION AUTHORIZING CLAY COUNTY, MISSISSIPPI TO BE NAMED AS A PARTY PLAINTIFF IN THAT CERTAIN LAWSUIT TO BE FILED ON BEHALF OF THE MISSISSIPPI ASSOCIATION OF SUPERVISORS ("MAS"), THE MISSISSIPPI MUNICIPAL LEAGUE ("MML") AND VARIOUS CITIES AND COUNTIES AGAINST THE CHAIRMAN OF THE MISSISSIPPI DEPARTMENT OF REVENUE (MDOR), IN HIS OFFICIAL CAPACITY, FOR DECLARATORY AND INJUNCTIVE RELIEF REGARDING THE MDOR'S IMPLEMENTATION OF SENATE BILL 3100 PRESCRIBING THE APPRAISAL METHOD FOR SECTION 42 PROPERTY IN THE STATE

WHEREAS, the Board of Supervisors ("Board") of Clay - County ("County") hereby finds, determines, adjudicates and declares as follows

1 The County desires to be named as a party Plaintiff in that certain lawsuit to be filed in the Chancery Court of Hinds County, Mississippi, in which the MAS and the MML and various other cities and counties are named plaintiffs, and in which the plaintiffs seek a declaratory judgment that the implementation of SB 3100 (2005 Regular Session, Mississippi Legislature) as to the appraisal of Section 42 property in the State is illegal and injunctive relief against the DOR directing it to cease to impose its interpretation on local governments in the State

2 Pursuant to prior actions taken by the MAS and MML, those organizations will not only be lead party plaintiffs in the lawsuit but will also fund the legal action by way of a fund into which both entities have agreed to contribute through the participation of their members and the County will not incur additional costs as a result of agreeing to be named as a party plaintiff in the action

3 The County has lost significant revenue as a result of the unfair and illegal taxation of Section 42 properties in the County and participation in the lawsuit seeking to end the tax breaks for Section 42 property owners will benefit the County, its citizens and all tax payers in the County

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE COUNTY AS FOLLOWS

SECTION 1 That the Board of the County desires for the County to be named as a party plaintiff in that certain lawsuit to be filed in the Chancery Court of Hinds County by the MAS and the MML and various other cities and counties against the Chairman of the MDOR, in his official capacity, to challenge the methodology put in place by the MDOR to appraise Section 42 properties in the State

SECTION 2 The County will not incur additional costs of litigation by being named as a party plaintiff in this legal action since the MAS and MML have agreed to fund this action through the participation of their members

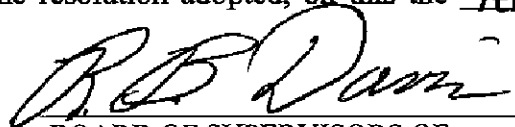

SECTION 3 The lawsuit in which the County is agreeing to participate, if successful, will result in an increase in the amount of ad valorem taxes paid by the Section 42 property

owners in the County and thus, will benefit the County, its citizens and other taxpayers in the County

Supervisor Shelton Deanes moved and Supervisor Luke Lummus seconded the motion for adoption of the foregoing Resolution and the question being put to a roll call vote, the results were as follows

<u>Mr Horton</u>	voted <u>yes</u>
<u>Mr. Lummus</u>	voted <u>yes</u>
<u>Mr. Davis</u>	voted <u>yes</u>
<u>Mr. Deanes</u>	voted <u>yes</u>
<u>Mr. McKee</u>	voted <u>yes</u>

The motion having received the affirmative vote of a majority of the members present, the President declared the motion carried and the resolution adopted, on this the 7th day of April, 2011


BOARD OF SUPERVISORS OF _____
COUNTY, MISSISSIPPI

President

APPROVED


Chancery Clerk

(SEAL)

NO _____

IN THE MATTER OF EXEMPTING A MOBILE HOME PARK FROM GARBAGE FEES

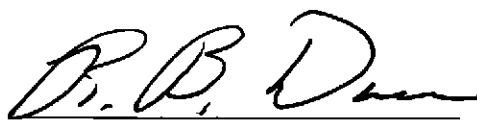
There came on this day for consideration the matter of exempting a mobile home park from garbage fees

It appears to this Board that David Cox Mobile Home Park located on Pinkerton Road and that he has a contract with Mississippi Industrial Waste Disposal for garbage disposal, and

It appears that there is more than six (6) mobile homes in said park and that it qualifies for an exemption

After motion by Mr Lummus and second by Mr Deanes this Board doth vote unanimously to exempt David Cox's mobile home park located on Pinkerton Road from garbage fees

So ordered this the 7th day of April, 2011


President

In re Discussion of Advanced Voter Printer Module (External Printer)

WHEREAS, Election Commissioner Wendy Fuller appeared before the Board and requested the Board authorize the removal of the advanced voter printer module (external printer) on the voting machines, and

WHEREAS, Ms Fuller reported that the precincts have problems on election day with the printers jamming, the paper tearing and furthermore unable to read the print, and

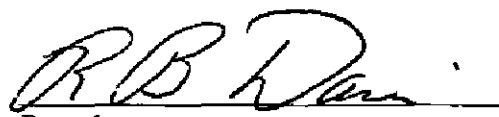
WHEREAS, Ms Fuller did inform the Board the printers were not part of the voting machine purchase but they were an extra piece of equipment that was purchased separately,

Following discussion, Mr Shelton Deanes did offer and Mr Floyd McKee did second a motion to authorize the removal of the advanced voter printer module (external printer) from the voting machines on election day in an effort to improve the process of the elections The vote on the matter being as follows

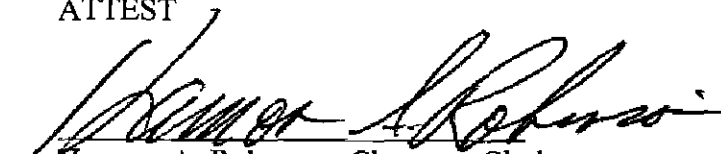
Supervisor Lynn Horton	Aye
Supervisor Luke Lummus	Aye
Supervisor R B Davis	Aye
Supervisor Shelton Deanes	Aye
Supervisor Floyd McKee	Aye

this matter carried unanimously and said request was and is hereby approved

SO ORDERED this the 7th day of April, 2011


 President
 Clay County Board of Supervisors

ATTEST


 Harmon A Robinson, Chancery Clerk

NO _____

**IN THE MATTER OF CLEANING A FENCE LINE ON THE PROPERTY OF WAYNE
BENNETT IN DISTRICT 5**

There came on this day for consideration the matter of cleaning a fence line on the property of Wayne Bennett in District 5

It appears that the brush and trees on the fence line prohibit the county from properly mowing and maintaining the right of way because it interferes with the work

After motion by Mr McKee and second by Mr Horton this Board doth vote unanimously to have District 5 clear the fence line on the right of way next to Wayne Bennett's property in District 5 so as to open up the area for proper maintenance of the county's right of way

So ordered this the 7th day of April, 2011



President

NO _____

**IN THE MATTER OF HOLDING PUBLIC HEARINGS FOR THE REDISTRICTING
PLANS FOR CLAY COUNTY MISSISSIPPI BOARD OF SUPERVISORS AND
JUSTICE COURT CONSTABLES**

There came on this day in the matter of holding public hearings for the redistricting plans for Clay County Mississippi Board of Supervisors and the Justice Court Constables

After motion by Mr Deanes and second by Mr Lummus this Board doth vote unanimously to cause to be advertised in the Daily Times Leader for two weeks notices for public hearings to be held April 25, 2011 in the Clay County Courthouse to consider redistricting for the Supervisors's Districts and the Justice Court Constable Districts Said hearings to begin at 10 00 a.m

So ordered this the 7th day of April, 2011


President

NO _____

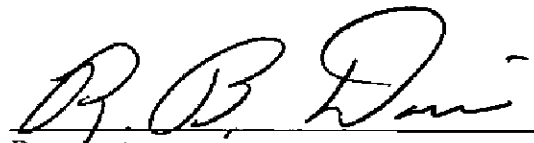
**IN THE MATTER OF LOCAL FUNDING FOR GRANT ROUND VII OF THE CLAY
COUNTY AGRICULTURAL HIGH SCHOOL RENOVATION**

There came on this day for consideration the matter of local funding for grant round VII of the Clay County Agricultural High School Renovation

It appears that the contract bid for Round VII is \$159,778 00 and that Archives & History has awarded \$117,820 00 for the project and Clay County must provide ~~\$48,958 00~~ ^{\$41,958⁰⁰ R00} as local match See attached memo marked as exhibit A

After motion by Mr McKee and second by Mr Deanes this Board doth vote unanimously to appropriate \$10,000 00 from District Five Road fund, \$10,000 00 from Tom Soya Grain Fund, \$10,000 00 from TVA Federal Fund, and \$11 958 From the Utilization Fund to provide the local match

So ordered this the 7th day of April, 2011



President

Memorandum

To Robbie Robinson
 From Phylis Benson
 Date March 25, 2011
 RE Archives & History Grant Round VII
 Clay Agricultural High School Renovation

As per your request

Base Bid	\$164,703
<u>Deduct</u>	<u>(\$ 4,925)</u>
Total Contract Amount	\$159,778

A & H Grant	\$117,820
<u>Local Match</u>	<u>\$ 29,455</u>
Total Available Funds	\$147,275

Total Contract	\$159,778
<u>Total Available Funds</u>	<u>(\$147,275)</u>
Balance	\$ 12,503 (no additional grant funds available at this time)

Local Match	\$ 29,455
<u>Additional Local Match</u>	<u>\$ 12,503</u>
TOTAL Clay County	\$ 41,958

Exhibit A

Clay County Agricultural High School Preservation/Stabilization
Cost Estimate
October 2009

First Floor Interior Renovation

Refinish Heart Pine Floors of Foyer Hallway	\$ 3,500
New Interior Finishes	\$ 32,500
New HVAC	\$ 14,000
New Lighting	\$ 9,500

Second Floor Interior Renovation

Refinish Heart Pine Floors of Foyer Hallway	\$ 18,000
New Interior Finishes	\$ 28,000
New HVAC	\$ 16,500
New Lighting	\$ 7,500

New Thermal Insulation - attic \$ 7,500

Professional Fees (Architectural/Engineering) \$ 10,275

TOTAL **\$147,275**



GOLDEN TRIANGLE Planning and Development District, Inc.

Post Office Box 828 • Starkville MS 39760-0828 • Telephone (662) 324-7860 • Fax (662) 324-7928

Cecil Hamilton
President

David Winfield
Vice President

Jimmie Oliver
Secretary / Treasurer

Rupert L. "Rudy" Johnson
Executive Director

FACSIMILE COVER SHEET

DATE 4.5 11

NUMBER OF PAGES INCLUDING COVER PAGE 3

TO Robbie ~~492-4059~~ 492-4059

FROM Phyllis

SUBJECT A & H Grant - Round VII

NOTES

The previously sent document, as attached, did not include architectural services

I am also including a copy of the original cost estimate provided by P & M which was part of the application

"Maybe" if A & H comes thru w/ additional funding, Clay County might get enough to cover the additional total expenses. Do you want me to write a letter to ask for extra funds now? or wait on funding for the next year?


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

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

It appears to this Board that the County has not received the annual Volunteer Fire Insurance Rebate Monies for the 2010- 2011 fiscal year. Additionally, the Insurance Rebate monies are used to pay all of the debt payments for the Volunteer Fire Fund. Therefore, until the said funds are received from the State, the Board should loan fund #116, Volunteer Fire Insurance Rebate Monies Fund from fund #114, Volunteer Fire Fund, \$1,479 25 which was paid to the MS Development Authority for cap loan note payment on 3/10/2011.

Therefore, after motion by Mr. Lumm and seconded by Mr. Norton, 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 7th day of April, 2011



President

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

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 \$ 12 70 and in the insurance clearing checking account in the amount of \$ 17 77 and should be transferred to the General County Fund

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

SO ORDERED, this the 7th day of April, 2011



President

IN THE MATTER OF DECLARING GOOD FRIDAY APRIL 22, 2011 AS A LEGAL HOLIDAY IN LIEU OF CONFEDERATE MEMORIAL DAY ACCORDING TO SECTION 3-3-7(2) OF THE MISSISSIPPI CODE

There came on this day for consideration the matter of declaring Good Friday, April 22, 2011 as a legal holiday in lieu of Confederate Memorial Day according to Section 3-3-7(2) of the Mississippi Code

It appears that this Board has set April 25, 2011 as a public hearing date and Board meeting date and that the 25th of April, 2011 is Confederate Memorial Day, a legal holiday in the State of Mississippi, and

It appears that the statute authorized a Board of Supervisors to declare one (1) holiday in lieu of a legal holiday

After motion by Mr Deanes and second by Mr Lummus this Board doth vote unanimously to declare Friday April 22, 2011, Good Friday as a holiday in lieu of Confederate Memorial Day for the year 2011 It being understood that Justice Court of Clay County shall be in session on Friday, April 22, 2011 because of scheduling and the Justice Court of Clay County may be closed Monday, April 25, 2011

So ordered this the 7th day of April, 2011


President

This Board doth recess until 9AM on April 25, 2011


President