

STATE OF MISSISSIPPI

Office of the Governor



A PROCLAMATION

BY THE

GOVERNOR

WHEREAS, under the provisions of Section 3-3-7 Mississippi Code of 1972 Thanksgiving Day, Christmas Day and New Year's Day are declared legal holidays in the State of Mississippi; and

WHEREAS, during the Thanksgiving holiday and Christmas and New Year's season, many state employees will spend time with their families in Mississippi and in other states;

NOW THEREFORE, I Haley Barbour, Governor of the State of Mississippi, pursuant to the authority vested in me under the Constitution of the State of Mississippi and applicable statutes of the State of Mississippi, do hereby authorize the closing of all offices of the State of Mississippi on Thursday, November 24, 2011, in observance of THANKSGIVING DAY; Monday, December 26, 2011, in observance of CHRISTMAS DAY; and on Monday, January 2, 2012, in observance of NEW YEAR'S DAY.

IN ADDITION, I hereby authorize the executive officers of all state agencies, in their discretion after considering the interests of the people of the State of Mississippi and the staffing needs of their respective agencies, to close all offices of the State of Mississippi on Friday, November 25, 2011, in further observance of the Thanksgiving holiday; Friday, December 23, 2011, in further observance of Christmas day; and Friday, December 30, 2011, in further observance of New Year's Day; and to staff their respective agencies as needed during the Thanksgiving holiday and Christmas and New Year's season.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Mississippi to be affixed.

DONE in the City of Jackson, on the 30th day of September in the year of our Lord two thousand and eleven and of the Independence of the United States of America, the two hundred and thirty-sixth.



Haley Barbour
HALFY BARBOUR
GOVERNOR

BY THE GOVERNOR

C. Delbert Hosemann, Jr.

C. DELBERT HOSEMAN JR.

Exhibit A

> Christmas falls on Sunday
> New Year's falls on Sunday

BE IT REMEMBERED that the Board of Supervisors of Clay County, Mississippi, met at the Courthouse in West Point, Mississippi, on the 10th day of November, 2011, at 9⁰⁰ o'clock a.m , and present were R B Davis, President of the Board, Lynn Horton, Vice President, Shelton Deanes, Luke Lummus, and Floyd McKee 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 PAYMENT NO 5 TO LEGACY BUILDING COMPANY, LLC FOR
WORK ON CLAY COUNTY AGRICULTURAL HIGH SCHOOL

There came on this day for consideration the matter of Payment No 5 to Legacy Building Company, LLC for work on Clay County Agricultural High School

It appears to this Board that Pryor & Morrow, Architects for said project, had approved payment No 5 for \$8, 191 63 to Legacy Building Company, LLC

After motion by Mr Deanes and second by Mr McKee this Board doth vote unanimously to authorize payment to Legacy Building Company, LLC for \$8,191 63 See exhibit A for application for payment

So ordered this the 10th day of November, 2011


President

Contractor's signed Certification is in Clay County Board of Supervisors
 In Tabulations below amounts are PO Box 815
 West Point MS

PROJECT West Clay Ag H S
 Limited Renovations
 Phase III

APP # 5
 PERIOD TO 10/31/11

Distribution to
 Architect

FROM (CONTRACTOR) Legacy Building Company LLC
 PO Box 851
 Starkville MS 39760

VIA (ARCHITECT) Pyror & Morrow
 PO Box 167
 Columbus MS 39703 0167

ARCHITECTS
 PROJECT NO 2010159

CONTRACT FOR

CONTRACT DATE April 7th 2011

Application is made for Payment as shown below in connection with the Contract
 Continuation Sheet AIA Document G703 is attached

CONTRACTOR'S APPLICATION FOR PAYMENT

CHANGE ORDER SUMMARY		ADDITIONS	DEDUCTIONS
Change Orders approved in previous months by Owner			
TOTAL			
Approved this Month			
Number	Date Approved		
1	08/17/2011	\$1 402 72	
TOTAL		\$1 402 72	
Net change by Change Orders			

1 ORIGINAL CONTRACT SUM \$159 778 00
 2 Net change by Change Orders \$0 00
 3 CONTRACT SUM DATE (Line 1+ 2) \$159 778 00
 4 TOTAL COMPLETED & STORED TO DATE \$156 180 72
 (Column G on G703)

5 RETAINAGE **3904 52**
 a 25% of Completed Work **\$3791 70**
 (Column D + E on G703)
 b 0% of Stored Material \$0 00
 (Column F on G703)

Total Retainage (Line 5a + 5b or Total in Column I of G703) **3,904 52**
 6 TOTAL EARNED LESS RETAINAGE **152,276 20** ~~\$152,389 02~~
 (Line 4 less Line 5 Total)

7 LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate) \$144,084 57

8 CURRENT PAYMENT DUE **8,191 63** ~~\$8,304 45~~

9 BALANCE TO FINISH, PLUS RETAINAGE **7,501 80** ~~\$7,388 98~~
 (Line 3 less Line 8)

State of Mississippi County of Oktibbeha
 Subscribed and sworn to before me this 31st day of October 2011
 Notary Public Alma Elizabeth Parker Gowan
 My Commission expires March 20 2010

Exhibit A

443

CONTRACTOR Legacy Building Company LLC

By [Signature] Date 10/3/11

AMOUNT CERTIFIED **8,191 63**

(Attach explanation if amount certified differs from the amount applied for)

ARCHITECT

By _____ Date _____

This Certificate is not negotiable The AMOUNT CERTIFIED is payable only to the Contractor named herein Issuance payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract

AIA Document G702 APPLICATION AND CERTIFICATE FOR PAYMENT, containing

APPLICATION NUMBER 5

Contractor's signed Certification is attached

APPLICATION DATE 10/31/2011

In Tabulations below amounts are stated to the nearest dollar

PERIOD TO 10/31/2011

Use Column I on Contracts where variable retainage for line items may apply

ARCHITECTS PR: PERIOD 2010159

A ITEM NO	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G		H BALANCE TO FINISH (C-G)	I RETAINAGE
			FROM PREVIOUS APPLICATION (D+E)	THIS PERIOD		TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G/C)		
Div 1	Bonds Insurance Permits	5 243 00	5,243 00	0 00		5 243 00	100 00%	\$0 00	\$0 00
	Pre-paid tax (MPC#)	5 592 00	5 592 00	0 00		5 592 00	100 00%	\$0 00	\$0 00
	Supervision	16 550 00	16 550 00	0 00		16 550 00	100 00%	\$0 00	\$0 00
	Allowance - Latent Conditions	5 000 00	0 00	1 402 72		1,402 72	28 05%	\$3,597 28	\$0 00
	Sign,Dumpster etc	4 500 00	4 500 00	0 00		4 500 00	100 00%	\$0 00	\$0 00
	Demo	9 000 00	9 000 00	0 00		9 000 00	100 00%	\$0 00	\$0 00
Div 6	Rough Carpentry	8 000 00	8,000 00	0 00		8 000 00	100 00%	\$0 00	\$0 00
	Finish Carpentry	6 000 00	6,000 00	0 00		6 000 00	100 00%	\$0 00	\$0 00
Div 7	Insulation and Sealants	4 600 00	4 600 00	0 00		4 600 00	100 00%	\$0 00	\$0 00
Div 8	Doors and Hardware	10 000 00	10 000 00	0 00		10 000 00	100 00%	\$0 00	\$0 00
Div 9	Gypsum Hang & Finish	5,425 00	5 425 00	0 00		5 425 00	100 00%	\$0 00	\$0 00
	Flooring	7,043 00	7 043 00	0 00		7 043 00	100 00%	\$0 00	\$0 00
	Painting	5 200 00	5 200 00	0 00		5 200 00	100 00%	\$0 00	\$0 00
Div 15	HVAC	27 000 00	26 200 00	800 00		27 000 00	100 00%	\$0 00	\$0 00
	Plumbing	4 000 00	4,000 00	0 00		4 000 00	100 00%	\$0 00	\$0 00
Div 16	Electrical	36 625 00	34 314 97	2 310 03		36 625 00	100 00%	\$0 00	\$0 00
	Totals	159 778 00	151 667 97	4,512 75	0 00	156 180 72	97 75%	\$3,597 28	\$0 00
	Grand Total								

441

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

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

CR078 Calculator (Cannon) Handheld S/N# LS-100TS

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

SO ORDERED, this the 10th day of November, 2011



President

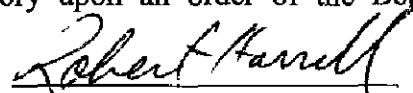
To Harmon A Robinson
Inventory Control Clerk

From

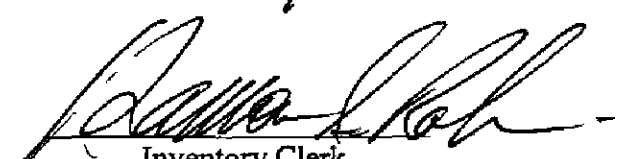
Date

Re Inventory Control # CR-078
Description Calculator
S/N# _____

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 10th day of November 2011.


Inventory Clerk

12/27/2011
FAOFEM
Delete

FIXED ASSETS
Other Furniture/Equipment File Maintenance

10 37 07
AMY
Key # 2149

Description CALCULATOR (CANNON) HANDHELD
Location CIRCUIT CLERK OFFICE
Vendor MY OFFICE PRODUCTS Serial # LS-100TS
Property # CR078 Project # _____ Current Value 8 50
*Department # 102 CIRCUIT CLERK Objective # 87 OTHER FURNITURE
*Acquisition P PURCHASED *Disposal _____
Ledger? Y (Y/N)
*Asset Type OFE OTHER FURNITURE Useful Life 7 Years
Salvage % 10 Salvage \$ 1 Cap Threshold 5000
GASB Eligible? N (Y/N) Depreciate? N (Y/N)
Accumulated Depreciation _____
Up Value 8 50 Date 4/10/2008
Remarks _____

Enter=Accept *F4=Prompt F8=Transactions F10=Delete F12=Cancel/No Update

SUPPLEMENTAL AGREEMENT

STATE AID Project No STP 0013(47)BO
Clay County

OFFICE OF STATE AID ROAD CONSTRUCTION
MISSISSIPPI DEPARTMENT OF TRANSPORTATION

WHEREAS (I) (We) Ausbern Construction Co Inc
Contractor of P O Box 329 Okolona MS 38860 and
the Granite Re Inc of
14001 Ouilbrook Drive Oklahoma City OK 73134 Surety entered into a contract with the
Board of Supervisors of Clay County on the 7th day of
July 2011 for the construction of the above designated project and

WHEREAS additional erosion control measures are required by the project to be compliant with MDEQ regulations

NOW THEREFORE Ausbern Construction Co Inc and Granite Re Inc hereby mutually agree to add the following items and to perform the work at the listed unit prices

Pay Item S 272 A Geotextile Fabric Stabilization (Type V) @ \$2.50 per sq yd

Pay Item 907 237 A Wattles 12 @ \$5.50 per lin ft

Pay Item 907 237 A Wattles 20 @ \$6.50 per lin ft

This agreement in no way modifies or changes the original contract of which it becomes a part except as specifically stated herein

NOW THEREFORE (I) (We) Ausbern Construction Co Inc
Contractor and the Granite Re Inc Surety
hereby agree to said Supplemental Agreement consisting of the above mentioned items and prices and agree that this Supplemental Agreement is hereby made a part of the original contract to be performed under the specifications thereof and that the original contract is in full force and effect except as it might be modified by this Supplemental Agreement

Dated this the 28th day of October, 2011

Granite Re Inc
Surety
BY Trina Cobb
Attorney in Fact
Resident Mississippi Agent

Ausbern Construction Co Inc
Contractor
BY Jerry E. Hunt
Title Project Manager

RECOMMENDED FOR APPROVAL
Robert L. Abbott
County Engineer

APPROVED _____
Date

APPROVED
BOARD OF SUPERVISORS
Clay COUNTY
(By Order of the Board Dated 11-10-11)
BY R. B. [Signature]
President

State Aid Engineer
Office of State Aid Road Construction
State Aid Engineer
Office of State Aid Road Construction

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

There came on this day for consideration the matter of an inter fund loan of \$2,000 00 from fund #013, Utilization Fund to fund # 068, Energy Efficiency Grant (EECDBG) Grant Fund

It appears to this Board that a claim has been presented from the Golden Triangle Planning & Development District for Administrative Fees associated with the ARRA Energy Efficiency Grant #GT11-0810-0020. Additionally, in order for the said grant fund to not be overdrawn for the month of October, an inter fund loan should be made from fund #013, Utilization Fund to fund # 068, Energy Efficiency Grant (EECDBG) Grant Fund in the amount of \$2,000 00 in anticipation of receiving reimbursement from the said grant.

Therefore, after motion by Mr. Hester and seconded by Mr. McKel, this Board doth vote unanimously to loan \$ 2,000 00 from fund #013, Utilization Fund to fund # 068, Energy Efficiency Grant Fund

SO ORDERED, this the 10th day of November, 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 \$10 73 and in the insurance clearing checking account in the amount of \$ 11 79 and should be transferred to the General County Fund

This Board after motion by Mr. Deane and seconded by Mr. Horton 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 November, 2011



President

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

There came on this day for consideration the matter of an inter fund loan of \$8,149 57 from fund #013, Utilization Fund to fund # 097, E911 Fund

It appears to this Board that an inter fund loan should be made to E911 Fund in order for the said fund to not be overdrawn for the month of October 2011

Therefore, after motion by M. Houston and seconded by Wm. McKee, this Board doth vote unanimously to loan \$ 8,149 57 from fund #013, Utilization Fund to fund #097, E911 Fund

SO ORDERED, this the 10th day of November, 2011



President

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

There came on this day for consideration the matter of an inter fund loan of \$2,991 26 from fund #013, Utilization Fund to fund # 112, Drug Court AOC Grant Fund

It appears to this Board that for the month of October total claims paid for the Drug Court AOC Grant Fund was \$2,991 26. Additionally, until reimbursement has been received from the Administrative Office of the Courts for the said expenditures, an inter fund loan should be made so the said fund in order for it not to be overdrawn for the month of October 2011.

Therefore, after motion by Mr. Horton and seconded by Mr. McKee, this Board doth vote unanimously to loan \$ 2,991 26 from fund #013, Utilization Fund to fund #112, Drug Court AOC Grant Fund

SO ORDERED, this the 10th day of November, 2011



President

IN THE MATTER OF AN INTERFUND LOAN

There came on this day for consideration the matter of an inter fund loan for \$ 49,371 99 to fund #132, Clay County/Pheba Agricultural High School Grant Fund from fund #018, TVA Special Fund

It appears to this Board that an inter fund loan should be made to fund #132, Clay County/Pheba Agricultural High School Grant Fund in the amount of \$49,371 99 until reimbursement of grant proceeds is received from the MS Department of Archives and History Grant project# 2010159

This Board after motion by Mr. Hester and seconded by Mr. McKee doth vote unanimously to loan \$49,371 99 to fund #132, Clay County/Pheba Agricultural High School Grant Fund from fund #018, TVA Special Fund

SO ORDERED, this the 10th day of November, 2011



President

NO _____

IN THE MATTER OF APPOINTING A SPECIAL PROSECUTOR FOR JUSTICE COURT


There came on this day for consideration the matter of appointing a special prosecutor for Justice Court

It appears that County Prosecutor Angela Turner-Lairy has recused herself from two cases in Justice Court in which she has a conflict, and ^{see exhibit A.}

It appears that the cases are Charles Smith, a murder charge and Gladys Houston, a DUI charge

After motion by Mr McKee and second by Mr Deanes this Board doth vote unanimously to appoint Roy Carpenter, of Starkville, MS as special prosecutor in the above referenced Justice Court cases

So ordered this the 10th day of November, 2011


President



ANGELA TURNER-LAIRY
Clay County Prosecuting Attorney
West Point, Mississippi 39773

Mail
P O Drawer 1500

Telephone
(662) 494-6611

Facsimile
(662) 494-4814

November 2, 2011

Members of the Board of Supervisors
Clay County, Mississippi
P O Box 815
West Point, MS 39773

Re *Recusal from Justice Court Cases*

Dear Sirs

I am requesting that the County Board of Supervisors seek the services of a Special Prosecutor in the cases of Charles Smith and Gladys Houston. Charles Smith has been charged with Murder and Gladys Houston has been charged with Driving Under the Influence - First Offense. I have previously represented Charles Smith in a civil matter. As for the charge pending against Gladys Houston, I am seeking recusal as matter of preference.

If any additional information is needed, please do not hesitate to contact me.

Sincerely yours,



Angela Turner Lairy

EXhibit A

NO _____


IN THE MATTER OF THE SALE OF A DISTRICT ONE MACK TRUCK PROPERTY ID NO
D1-091

There came on this day for consideration the matter of the sale of a District One Mack
Truck Property ID No D1-091

It appears that an auction was held on the Courthouse east front steps and the highest
bidder was Ervin Oswalt for \$7,000 00

After motion by Mr Horton and second by Mr McKee this Board doth vote unanimously
to accepts Mr Oswalt's bid of \$7,000 00 and put said sale proceeds in District One Road fund

So ordered this the 10th day of November, 2011



President

This Board doth recess until 9 A M on November 23, 2011



President