

BE IT REMEMBERED that the Board of Supervisors of Clay County, Mississippi, met at the Courthouse in West Point, MS, on the 26th day of November, 2018, at 9:00 a.m., and present were: Lynn Horton, President, Luke Lummus, R. B. Davis, Shelton Deanes and Joe Chandler. Also present were Amy Berry, Chancery Clerk, Angela Turner-Ford, Board Attorney, and Eddie Scott, Sheriff of Clay County; when and where the following proceedings were as determined to wit;

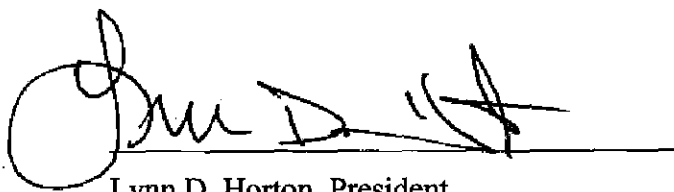
NO. _____

IN THE MATTER OF ADOPTING AND AMENDING THE AGENDA FOR THE BOARD OF SUPERVISORS MEETING HELD ON NOVEMBER 26, 2018

There came on this day for consideration the matter of adopting and amending the agenda for the Board of Supervisors meeting held on November 26, 2018.

After motion by Luke Lummus and second by Joe Chandler this Board doth vote unanimously to adopt the agenda as presented and as attached hereto as Exhibit A.

SO ORDERED this the 26th day of November, 2018.



A handwritten signature in black ink, appearing to read 'Lynn D. Horton', is written over a horizontal line. The signature is stylized and cursive.

Lynn D. Horton, President

**Clay County Board of Supervisors
Agenda for Board Meeting Held
Monday, November 26, 2018 at 9:00 a.m.**

- Call to Order
- Welcome and Prayer
- Adopt and Amend the agenda
- Robert Calvert
 - Match Amount to submit in the Emergency Road and Bridge Fund Application
- Open Sealed bids for the Sale of Surplus property located in Lakeside Subdivision as noticed in the Daily Times Leader Newspaper
- Consider the bids for Lease Purchase financing for MSWIN Radio System, \$236,792.31
- Appoint Jimmy Davidson to serve on the Prairie Opportunity Inc Board of Directors beginning Sept. 2018 – Aug. 2022
- Authorize and approve to pay the Constables Net Monthly gross pay income for October 2018
- Recess until Monday, December 3, 2018 at 9:00 a.m. at the Clay County Courthouse

Amendments:

NO. _____

IN THE MATTER OF AUTHORIZING AND APPROVING TO SUBMIT THE CANE CREEK PROJECT FOR THE EMERGENCY ROAD AND BRIDGE APPLICATION FOR YEAR 2018

There came on this day for consideration the matter of authorizing and approving to submit the Cane Creek Project for the Emergency Road and Bridge Application for Year 2018.

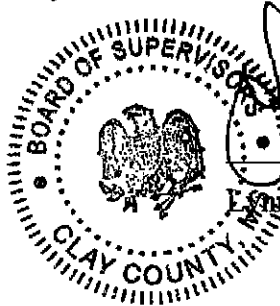
It appears to this Board at a subsequent meeting this Board had approved to join in with the City of West Point in submitting the West Churchill Road project on the Emergency Road and Bridge application for year 2018, and;

It appears to this Board the County Engineer, Robert Calvert, is recommending for the City of West Point to submit the application for the West Churchill Road Project and for the County to consider submitting a potential bridge project, and;

It appears to this Board the Cane Creek Bridge Project which has a project estimate of \$1.4 million dollars is a "shelf ready" project and would fit all of the filing requirements of the Road and Bridge Application.

After motion by Shelton Deanes and second by Luke Lummus this Board doth vote unanimously to authorize and approve to submit the Cane Creek Project for the Emergency Road and Bridge Application for year 2018 and for the City of West Point to submit the West Churchill Road Project.

SO ORDERED this the 26th day of November, 2018.



Erni D. Horton, President

NO. _____

IN THE MATTER OF APPROVING THE COMMITTING OF LOCAL MATCHING FUNDS IN THE AMOUNT OF TEN PERCENT (10%) FOR THE CANE CREEK BRIDGE PROJECT FOR THE EMERGENCY ROAD AND BRIDGE APPLICATION

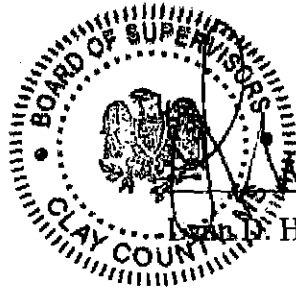
There came on this day for consideration the matter of approving the committing of local matching funds in the amount of ten percent (10%) for the Cane Creek Bridge Project for the Emergency Road and Bridge Application.

It appears to this Board the County Engineer, Robert Calvert, is requesting this Boards consideration in considering contributing local funds into the Cane Creek Project which must be reported for the Emergency Road and Bridge Application, and;

It appears to this Board after further discussion and consideration by this Board a commitment from the County of 10% of the budgeted project amount would be sufficient to submit for the project.

After motion by Shelton Deanes and second by Luke Lummus this Board doth vote unanimously to authorize and approve to commit ten percent (10%) of the budgeted project estimate for the Cane Creek Bridge Project.

SO ORDERED this the 26th day of November, 2018.



Dean D. Horton, President

NO. _____

**IN THE MATTER OF TABLING THE BID FOR THE SALE OF THE SURPLUS
PROPERTY ON LAKESIDE SUBDIVISION**

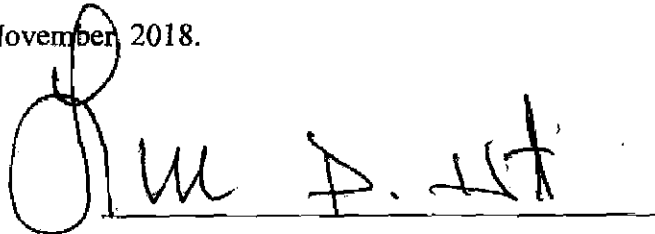
There came on this day for consideration the matter of authorizing and approving the matter of tabling the bid for the sale of the surplus property on Lakeside Subdivision.

It appears to this Board Notice of Publication to take sealed bids for the sale of surplus property as location in Lakeside Subdivision was given to the public as attached hereto as Exhibit A, and;

It appears to this Board one bid has been received for the potential purchase of the said property, the bid of Cheryl O'Brian in the amount of \$100.00 as attached hereto as Exhibit B.

After motion by Shelton Deanes and second by Luke Lummus this Board doth vote unanimously to authorize and approve to take the said bid under advisement for further consideration and deliberation.

SO ORDERED this the 26th day of November 2018.



Lynn D. Horton, President

AFFP

AFFIDAVIT OF PUBLICATION

STATE OF MISSISSIPPI SS
COUNTY OF CLAY

Cindy Cannon being duly sworn , says:

That she is Classified Clerk of Daily Times Leader, a daily newspaper of general circulation, printed and published in West Point, Clay County, Mississippi; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

November 8, 2018

November 15, 2018

That said newspaper was regularly issued and circulated on those dates:

SIGNED

Cindy Cannon

CLASSIFIED CLERK



Subscribed to and sworn to me this 26th day of Nov., 2018.

Amy D. Byrd Notary Public

My Commission Expires January 8, 2020

NOTICE OF SALE OF SURPLUS PROPERTY

The Clerk of the County of Mississippi, Clary County, Mississippi, will receive sealed bids for surplus property at 10:00 a.m. on Monday, November 26, 2018, at the County Courthouse located at the corner of Columbus and Adams Streets, Columbus, Mississippi. The surplus property consists of:

Parcel # 85-38743 being State of Surplus Property of Parcel No. 85-0105-0070000 as situated in Clary County, MS, and being the "1st Subdivision" as shown on Ex. 1, Book 97 of the Land and Survey Records of the Land and Survey Records.

All sealed bids must be accompanied by cash or cashier's check for the amount of the bid. Bids must be submitted to the Clerk of the County, Clary County, Mississippi, Clary, Amy G. Berry, at the County Courthouse, Clary County, Mississippi. Bids may be inspected at the County Courthouse, Clary County, Mississippi, at any time before the date of the sale.

All sealed bids must be submitted to the County Clerk, Clary County, Mississippi, at 10:00 a.m. on Monday, November 26, 2018, at the County Courthouse, Clary County, Mississippi. Bids must be accompanied by cash or cashier's check for the amount of the bid. Bids must be submitted to the Clerk of the County, Clary County, Mississippi, Clary, Amy G. Berry, at the County Courthouse, Clary County, Mississippi. Bids may be inspected at the County Courthouse, Clary County, Mississippi, at any time before the date of the sale.

The Board reserves the right to reject and/or accept any and all bids and to waive any formalities. **SO ORDERED this 5th day of November, 2018.**

Clary County, Mississippi
 Clerk: Amy G. Berry
 Amy G. Berry
 300 Court Street
 P. O. Box 615
 West Point, MS 39773

Clary County, Mississippi
 Clerk: Amy G. Berry
 Amy G. Berry
 300 Court Street
 P. O. Box 615
 West Point, MS 39773

Published:
 11/09/2018
 11/16/2018

NOTICE OF SALE OF SURPLUS PROPERTY

The Clay County Mississippi Board of Supervisors will receive sealed bids until 9:00 o'clock a.m. on Monday, November 26, 2018, at the Clay County Courthouse as located at 365 Court Street West Point, MS 39773 for the Sale of Surplus Property of Parcel No. 082A210C 0070000 as situated in Clay County MS and being further described as part of Lot 1, Block 5 of the Lakeside Subdivision.

A copy of the County plat map showing the location of the property may be obtained from the Clay County Chancery Clerk, Amy G. Berry. If you should have any questions, any interested person can call the Chancery Clerk's office at (662) 494-3124 or via email at aberry@claycounty.ms.gov.

All sealed bids should be submitted to the address below and marked "Surplus Property Bid", to-wit:

Clay County Chancery Clerk
Attn: Amy G. Berry
365 Court Street
P. O. Box 815
West Point, MS 39773

The Board reserves the right to reject and/or accept any and all bids and to waive any formalities.

SO ORDERED this the 5th day of November, 2018.

_____/s/ Amy G. Berry_____
Amy G. Berry
Chancery Clerk
Clerk of the Board

Published:

11/08/2018

11/15/2018

11-25-18

I Cheryl O'Brien summit
the amount of \$700.00 given
the vacant lot hooked to 300
West loop

\$100.00

Cheryl O'Brien

NO. _____

***IN THE MATTER OF AWARDING AND ACCEPTING THE QUOTE FOR LEASE
PURCHASE FINANCING TO BANCORPSOUTH BANK FOR THE MSWIN RADIO
COMMUNICATION SYSTEM***

There came on this day for consideration the matter of awarding and accepting the quote for lease purchase financing to BancorpSouth Bank for the MSWIN Radio Communication System.

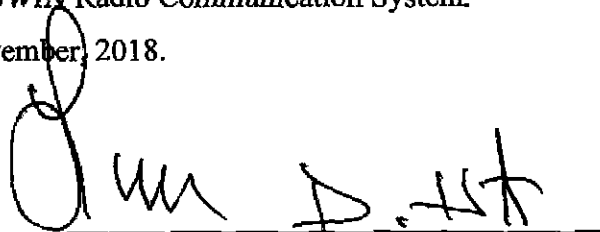
It appears to this Board this Board at a subsequent meeting this Board had authorized and approved the purchase of the MSWIN Radio Communication System in the amount of \$236,792.31, and;

It appears to this Board the Chancery Clerk, Amy Berry, is presenting quotes for lease purchase financing of the said radio communication equipment for 60 months as attached hereto as Exhibit A, and;

It appears to this Board the bid of BancorpSouth Bank appears to the lowest and best bid at a rate of 3.87% for 60 months.

After motion by Luke Lummus and second by Shelton Deanes this Board doth vote unanimously to authorize and approve to accept and award the lease purchase financing bid to BancorpSouth Bank for the purchase of the MSWIN Radio Communication System.

SO ORDERED this the 26th day of November, 2018.



Lynn D. Horton, President



11/21/2018

Sent via Email: aberry@claycounty.ms.gov

Clay County MS

It is a pleasure to submit for your consideration the following proposal to provide lease-purchase financing based on the terms and conditions set forth below:

1. Lessor: BancorpSouth Equipment Finance, a division of BancorpSouth Bank
2. Lessee: Clay County MS
3. Equipment Description: MSWIN Radio System
4. Equipment Cost: \$236,792.31
5. Lease Term: 4 or 5 Years
6. Lease Payments: (These are approximate payment amounts. The actual payment will be determined at funding date.)

48 monthly payments of \$5,323.27
60 monthly payments of \$4,347.01

Arrears
7. Lease Rate: 48 - 3.78% , 60 - 3.87% Fixed at closing
*(Rate indexed to 5.25% prime)
Rate could increase if prime rate increases before the funding date.
8. Funding Date: This proposal is contingent upon the equipment being delivered and the lease funded prior to *12/15/2018. Any extension of the funding or delivery date must be in writing.
9. Purchase Option: Title is passed to Lessee at lease expiration for no further consideration.

- 10. Non-appropriation/Termination: The lease provides that Lessee is to make reasonable efforts to obtain funds to satisfy the obligation in each fiscal year. However, the lease may be terminated without penalty in the event of non-appropriation. In such event, the Lessee agrees to provide an attorney's opinion confirming the events of non-appropriation and Lessee's exercise of diligence to obtain funds.
- 11. Bank Qualification: This lease-purchase financing shall be designated as a bank qualified tax-exempt transaction as per the 1986 Federal Tax Bill. **This means that the Lessee's governing body will pass a resolution stating that it does not anticipate issuing more than \$10 million in General Obligation debt or other debt falling under the Tax Bill's definition of qualifying debt during the calendar year that the lease is funded.**
- 12. Tax Status: This proposal is subject to the Lessee being qualified as a governmental entity or "political subdivision" within the meaning of Section 103(a) of the Internal Revenue Code of 1954 as amended, within the meaning of said Section. Lessee agrees to cooperate with Lessor in providing evidence as deemed necessary or desirable by Lessor to substantiate such tax status.
- 13. Net Lease: This will be a net lease transaction whereby maintenance, insurance, taxes (if applicable), compliance with laws and similar expenses shall be borne by Lessee.
- 14. Financial Statements: Complete and current financial statements must be submitted to Lessor for review and approval of Lessee creditworthiness.
- 15. Lease Documentation: This equipment lease-purchase package is subject to the mutual acceptance of lease-purchase documentation within a reasonable time period, otherwise payments will be subject to market change.

If the foregoing is acceptable, please so indicate by signing this letter in the space provided below and returning it to BancorpSouth Equipment Finance. **The proposal is subject to approval by BancorpSouth Equipment Finance's Credit Committee and to mutually acceptable terms, conditions and documentation.**

Acceptance of this proposal expires as the close of business on 12/15/2018. Extensions must be approved by the undersigned.

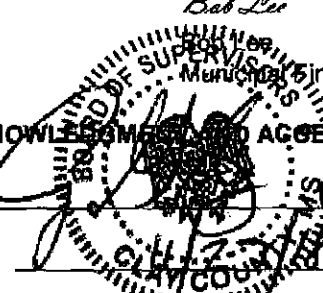
Any concerns or questions should be directed to Bob Lee at 1-800-222-1610.

Bob Lee
Finance Manager

ACKNOWLEDGEMENT AND ACCEPTANCE

By: *Charney* Title

Date: _____





VIA EMAIL

October 10, 2018

Board of Supervisors
Clay County, Mississippi
C/o Ms. Amy Berry

Re: Lease Purchase Financing – One (1) New MSWIN Radio System Equipment

Gentlemen:

We understand that Clay County, Mississippi is considering lease-purchase financing for One (1) New MSWIN Radio System Equipment (hereinafter the "Equipment") under the authority of Sec. 31-7-13(e) of the Miss. Code of 1972, as amended. The Equipment's total cost is not expected to exceed \$236,792.31 and 100% of the cost will be financed.

The rates provided below assumes that the debt will be designated as "bank-qualified" tax exempt within the meaning of Sec. 265(b)(3) of the Internal Revenue Code of 1986, as amended. If it is determined that the County is ineligible to issue bank-qualified debt this calendar year, different rates will apply.*

<u>Amount Financed:</u>	<u>Terms**:</u>	<u>Rate:</u>
\$236,792.31	48 monthly payments @ \$5,333.84 per month	3.88%
	60 monthly payments @ \$4,358.75 per month	3.98%

◆ No Prepayment Charges or Penalties ◆ No Additional Charges of Any Kind ◆

* Determination of taxability would be the responsibility of the County's legal counsel.

** The County will certify that the Equipment will not be replaced by other equipment, performing the same or similar functions, until the term of the financing option expires.

P.O. Box 4019 Gulfport, MS 39502
P (228) 563-5708 | F (228) 563-5721
www.hancockwhitney.com



Clay County, Mississippi
Page 2

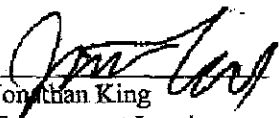
This proposal assumes compliance by the County with applicable state and federal law governing borrowings by political subdivisions. In addition, normal Bank credit approval requirements for lending to these types of entities would apply. Credit approval includes approval of both the manufacturer and vendor of the Equipment to be purchased. Necessary documentation would include, but not be limited to, a legal and tax opinion from issuer's legal counsel. Liability and physical damage insurance would be required with Hancock Bank being shown as the additional insured and/or loss payee as its interest may appear.

This proposal is good if accepted within 30 days and the obligation is funded within 60 days of the date of this letter.

Thank you for considering Hancock Bank for your Governmental Leasing needs!

Sincerely,

HANCOCK BANK


Jonathan King
Government Leasing
Public Finance Department

P.O. Box 4019 Gulfport, MS 39502
P (228) 563-5708 | F (228) 563-5721
www.hancockwhitney.com

NO. _____

***IN THE MATTER OF AUTHORIZING AND APPROVING TO TERMINATE THE
TRANSMISSION TOWER USE CONTRACT WITH WCBI INC***


There came on this day for consideration the matter of authorizing and approving to terminate the Transmission Tower Use Contract with WCBI INC.

It appears to this Board on April 27, 2015 this Board entered into a Tower Use Contract with WCBI INC to attach an Antennae and a Repeater to the said existing tower belonging to WCBI INC as located on Firetower Road in an effort to improve radio communication for First Responders on this end of the County, and;

It appears to this Board now that the County will be going live on the MSWIN Radio Communication System effective December 31, 2018 there will be no need for the use contract between the two parties.

After motion by Shelton Deanes and second by Lynn Horton this Board doth vote unanimously to authorize and approve to terminate the contract with WCBI INC for the Transmission Tower Use Agreement for the storage of the Antennae and the Repeater as located on Firetower Road.

SO ORDERED this the 26th day of November, 2018.



Lynn D. Horton, President

NO. _____

**IN THE MATTER OF AUTHORIZING AND APPROVING JIMMY DAVIDSON TO
SERVE FOR FOUR YEAR TERM ON THE PRAIRIE OPPORTUNITY INC BOARD OF
TRUSTEES**

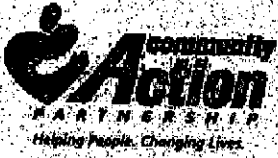
There came on this day for consideration the matter of authorizing and approving Jimmy Davidson to serve for four year term on the Prairie Opportunity Inc Board of Trustees.

After motion by Lynn Horton and second by Luke Lummus this Board doth vote unanimously to authorize and approve to vote unanimously to appoint Jimmy Davidson to serve on the Prairie Opportunity Inc Board of Trustees for a four year term beginning August 2018 and ending July 2022 as a Clay County Representative.

SO ORDERED this the 26th day of November, 2018.

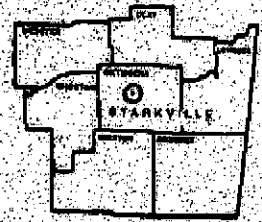


Lynn D. Horton, President



PRAIRIE OPPORTUNITY, INC.

Community Action Agency
P.O. Box 1526
Starkville, Mississippi 39760-1526



November 16, 2018

Clay County Chancery Clerk
Amy Berry
Post Office Box 815
West Point, MS 39773

Dear Ms. Berry:

Mr. Jimmy Davidson is a member of the Board of Director of Prairie Opportunity, Inc.; his term expired in August 2018; we as the Board of Director would appreciate a letter extending Mr. Jimmy Davidson term with The Board of Director, We need a letter from the Board of Supervisors extending his time for another four years.

Thanking you in advance for your cooperation, in this matter.

Sincerely

Jeffery Smith
Board Chairman

Telephone (662) 323-3397

"We Are An Equal Opportunity Employer"

FAX (662) 323-8754

NO. _____

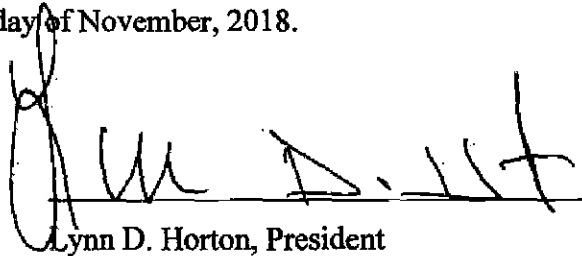
***IN THE MATTER OF PAYING THE CLAY COUNTY CONSTABLES
ACCORDING TO S.B. 2860 BASED UPON THEIR GROSS FEE INCOME***

There came on this day for consideration the matter of paying the Clay County, Mississippi constables according to S.B. 2860 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 2018 as submitted by the Justice Court Clerk. It further appears that the attached Exhibit "A" represents the calculations and estimated contributions due to the Public Employees' Retirement System for each constable and the net fee income to be paid to each constable.

After motion made by Shelton Deanes and second by Joe Chandler on this Board doth vote unanimously to have the Chancery Clerk transfer \$682.17 to the Payroll Clearing Account to be remitted to the Public Employees' Retirement System on behalf of the Clay County constables and to pay Sherman Ivy \$2,084.53 and Lewis Stafford \$ 2,728.29 as net fee income after the Public Employees' Retirement System deduction withheld for the month of November 2018.

SO ORDERED, on this the 26th day of November, 2018.



Lynn D. Horton, President

**Calculation of Estimated Contributions/Wages For Constables
November 2018**

Calculation:

	Lewis Stafford	Sherman Ivy	
Gross Fee Income *	\$3,115.00	\$2,380.00	(Input)
Minimum Withholding Rate	11%	11%	
Estimated Contributions	<u>\$342.65</u>	<u>\$261.80</u>	
Estimated Contributions	\$342.65	\$261.80	
Divided by PERS EE/ER	21.93%	21.93%	
Estimated Wages To Be Reported To PERS	<u>\$1,562.47</u>	<u>\$1,193.80</u>	
Estimated Wages	\$1,562.47	\$1,193.80	
Multiplied by PERS EE Rate	9.00%	9.00%	
Estimated PERS EE Contributions	<u>\$140.62</u>	<u>\$107.44</u>	
Estimated Wages	\$1,562.47	\$1,193.80	
Multiplied by PERS ER Rate	15.75%	15.75%	
Estimated PERS ER Contributions	<u>\$246.09</u>	<u>\$188.02</u>	

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

Estimated Wages	\$1,562.47	\$1,193.80	
Estimated PERS EE Contributions	\$140.62	\$107.44	248.06
Estimated PERS ER Contributions	\$246.09	\$188.02	434.11
Total Estimated Contributions	<u>\$386.71</u>	<u>\$295.47</u>	

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

Gross Fee Income	\$3,115.00	\$2,380.00
Less: Total Estimated PERS EE/ER Contributions	<u>\$386.71</u>	<u>\$295.47</u>
Net Gross	\$2,728.29	\$2,084.53

Need an order to transfer to Payroll Clearing fund \$ 682.17 to remit with Retirement Contributions

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

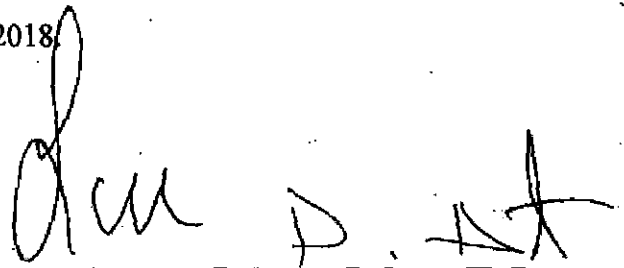
NO. _____

IN THE MATTER OF ADJOURNING

There came on this day for consideration the matter of adjourning.

After motion by R. B. Davis and second by Shelton Deanes this Board doth vote unanimously to authorize and approve to adjourn until Monday, December 3, 2018, at 9:00 a.m. at the Clay County Courthouse.

SO ORDERED this the 26th day of November, 2018.

A handwritten signature in black ink, appearing to read "Lynn D. Horton", written over a horizontal line.

Lynn D. Horton, President