

IN THE CIRCUIT COURT OF LAFAYETTE COUNTY, MISSISSIPPI

LAFAYETTE COUNTY BAR ASSOCIATION,
RONNIE CANNON, DICK MARCHBANKS,
JACK ADAMS, RALPH ROY, DON WALLER,
KEN WOOTEN, KEVIN W. FRYE, NINA
STUBBEFIELD TOLLISON, AND T. SWAYZE ALFORD

APPELLANTS

V.

NO. LO8-495

BOARD OF SUPERVISORS OF
LAFAYETTE COUNTY, MISSISSIPPI

APPELLEE

NOTICE OF APPEAL

Pursuant to Miss. Code § 11-51-75, Appellants Lafayette County Bar Association, Ronnie Cannon, Dick Marchbanks, Jack Adams, Ralph Roy, Don Waller, Ken Wooten, Kevin W. Frye, Nina Stubbeffield Tollison and T. Swayze Alford (“Appellants”) file this Notice of Appeal to the Circuit Court of Lafayette County, Mississippi, from the decision made by the Board of Supervisors of Lafayette County, Mississippi (“Board of Supervisors”), on August 4, 2008, to prevent the Lafayette County Circuit Court from occupying and using facilities in the Lafayette County Courthouse specifically designed and renovated for such purposes at the expense of Lafayette County taxpayers (the “Decision”). A copy of the Agenda from the meeting at which such action occurred is attached as Exhibit “A.”

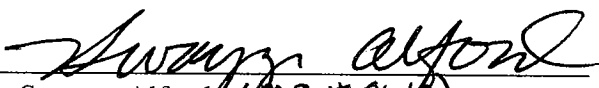
While the minutes from the meeting at which the Decision was made have not yet been adopted by the Board of Supervisors, out of an abundance of caution, Appellants file this Notice of Appeal within ten (10) days of the date the Board of Supervisors initially made the Decision.

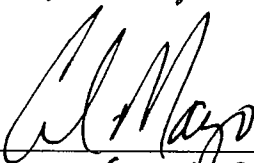
THIS the 7th day of August, 2008.

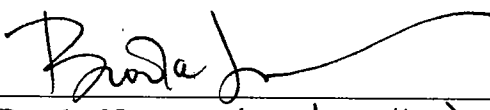
LAFAYETTE COUNTY
FILED
AUG 07 2008
Mary Alice Busby
CIRCUIT CLERK
BY MA D.C.

Respectfully submitted,

RONNIE CANNON, DICK MARCHBANKS,
JACK ADAMS, RALPH ROY, DON WALLER,
KEN WOOTEN, KEVIN W. FRYE, NINA
STUBBEFIELD TOLLISON, AND T. SWAYZE
ALFORD

BY: 
T. Swayze Alford (MSB # 8642)

BY: 
Cal Mayo (MSB # 8492)

BY: 
Brooke Newman (MSB # 101462)

OF COUNSEL:

T. Swayze Alford, MSB# 8642
Richard Lewis Yoder, Jr., MSB#100312
Holcomb Dunbar Law Firm
P.O. Box 707
Oxford, MS 38655
(662) 234-8775
(662) 238-7552 (fax)

J. Cal Mayo, Jr., MSB#8492
Pope S. Mallette, MSB#9836
Mayo Mallette
2094 Old Taylor Road, Suite 200
P. O. Box 1456
Oxford, MS 38655-1456
Telephone (662) 236-0055
Fax (662) 236-0035

Wilton V. Byars, III, MSB#9335
Brooke Newman, MSB#101462
Daniel Coker Horton & Bell, P.A.
Oxford Square North
265 North Lamar Blvd., Ste. R
P.O. Box 1396
Oxford, MS 38655-1396
(662) 232-8979 (Telephone)
(662) 232-8940 (Facsimile)

Andrew D. Shull, MSB#10760
J. Hale Freeland, MSB#5525
Freeland Shull
P. O. Box 2249
Oxford, MS 38655
T: 662-234-1711
F: 662-234-1739

Grady F. Tollison, Jr., MSB#8240
Tollison Law Firm
100 Courthouse Square
P.O. Box 1216
Oxford, MS 38655
Telephone: 662-234-7070
Facsimile: 662-234-7095

D. Andrew Phillips
Rosamond Posey, MSB#101247
Mitchell, McNutt & Sams, P.A.
1216 Van Buren
Post Office Box 947
Oxford, MS 38655
Tel. 662-234-4845
Fax 662-234-9071
aphillips@mitchellmcnut.com

Thomas H. Freeland, III
Joyce M. Freeland
Thomas H. Freeland, IV
Freeland & Freeland
1013 Jackson Ave.
P.O. Box 269
Oxford, MS 38655
T: 662-234-3414
F: 662-234-0604

Nina Stubblefield Tollison, MSB#8239
Nina Stubblefield Tollison, LLC
Post Office Box 1192
Oxford, MS 38655
662-816-7755
ninatollison@bellsouth.net

John Dunbar, MSB#6229
Walt Davis, MSB#9875
Dunbar Davis PLLC
324 Jackson Ave. E, Suite A
Oxford, MS 38655
Telephone: 662-281-0001
Facsimile: 662-281-1201

J. Rhea Tannehill, Jr., MSB#10449
Jay P. Carmean, MSB#99538
Tannehill & Carmean, PLLC
829 N. Lamar Blvd., Suite 1
Oxford, MS 38655
Telephone: 662-236-9996
Facsimile: 662-234-3949

Kevin W Frye, MSB #101871
428 N. Lamar, Suite 112
Post Office Box 2456
Oxford, MS 38655
Office: 662.638.4089
Fax: 866.710.3841

Paul Chiniche, MSB#101582
David G. Hill, MSB#2444
David Minyard, MSB#8498
Hill & Minyard, P.A.
Post Office Box 429
1210 Office Park Drive, 3rd Floor
Oxford, Mississippi 38655
Office: 662.234.4315
Fax: 662.236.7996
email: pchiniche@hmlf.net

Hollaman M. Raney, MSB#4628
Hollaman Raney, PC
P.O. Box 1480
Oxford, MS 38655

CERTIFICATE OF SERVICE

I, Brooke Newman, one of the attorneys for Appellants, do certify that I have this day delivered, by hand, Appellants' Notice of Appeal to the following:

Lafayette County Board of Supervisors
Attn: Lloyd Oliphant, President
Lafayette County Chancery Building
North Lamar Avenue
Oxford, Mississippi 38655

This the 7th day of August, 2008.



BROOKE NEWMAN

LAFAYETTE COUNTY BOARD OF SUPERVISORS

AUGUST 4, 2009

9:00 A.M.

1. Call to Order- Sheriff Buddy East
2. Approve Agenda
3. Approve Minutes of July Meetings
4. Approve Claims Docket
5. Approve writing of checks for utilities and debt service payments.
6. Approval request of Planning Commission Case #08-304, AAA Holdings, Preliminary and Final Site Plan Approval for 8 unit rental, located on the north side of Hwy 6 west in Section 30, Township 8S, range 4W. (Larry Britt)
7. Change Order #1 on Lafayette County Fire Department Generator project for \$3,085 increase and 68 day extension. (Larry Britt)
8. Update on Ability Works Building. (Larry Britt)
9. Road Managers Report. (Jerry Haynie)
10. Request approval for Solid Waste Write-Offs for June 2008. (Bobby Jones)
11. Request by Harold Prestage to address the Board of Supervisors. (Mike Pickens)
12. Request by Angel Ranch to address the Board of Supervisors. (Sue Turner)
13. Request by First Regional Library to address the Board of Supervisors. (Catherine Nathan)
14. Approve Clerk of Board's attendance at the July 7, 2008 and July 16, 2008 meeting of the Board of Supervisors at a cost of \$80. (Sherry Wall)
15. Approve July payment to Clerk of the Board in the amount of \$1,500. (Sherry Wall)
16. Hear objections to Real & Personal Property Tax Roles Assessments. (Sherry Wall)
17. Approve Homestead Disallowances. (Sherry Wall)
18. Approve Petitions for Reductions of Assessments and Petitions for Increase of Assessments. (Sherry Wall)
19. Spread upon the minutes that the State Tax Commission has received from the County Assessor a correct copy of the Recapitulation of the Real and Personal Assessment Rolls for Lafayette County in 2007. (Martha Thornton)
20. Appointment of Supervisors to serve on Baptist Hospital Exploration Committee. (Lloyd Oliphant)
21. Report on Detention Center inspection. (Ray Sockwell, Jr.)
22. Discuss parking lot and road work at FNC Park. (Lloyd Oliphant)
23. Discuss non-profit organizations consolidation partnership. (Lloyd Oliphant)
24. Approve date of 1st Public Hearing on Lafayette County Comprehensive Plan. (Johnny Morgan)
25. Discuss Courthouse usage plan. (Mike Pickens)
26. Spread upon the minutes Sheriff Department staff change of Betty Rogers moving from part-time to full-time effective July 21, 2008 at a salary of \$11.13 per hour. (Joseph Johnson)
27. Spread upon the minutes E-911 staff change of Angie Hughes moving from part-time to full-time effective August 1, 2008 at a salary of \$11.00 per hour and William McCullar

- moving from full-time to part-time effective September 1, 2008 at a salary of \$10.37 per hour. (Joseph Johnson)
28. Spread upon the minutes the resignation of Sheriff Department employee Kenneth McGehee effective July 21, 2008 and E-911 Department employee Andy Poe effective July 31, 2008. (Joseph Johnson)
 29. Request approval to hire Megan Justice and LaToya Thompson as part-time E-911 employees at a rate of \$10 per hour. (Joseph Johnson)
 30. Spread upon the minutes the hiring of Jerry Johnson as Lafayette County Fire Coordinator effective July 1, 2008 at a salary of \$22,500. (Joseph Johnson)
 31. Spread upon the minutes the salary increase of Sheriff's Deputy Art Watts to \$16.88 effective July 1, 2008. (Joseph Johnson)
 32. Approve Circuit Clerk cost bill in the amount of \$ 3,805. (Joseph Johnson)
 33. Request to add Jerry Bynum to the Road Department list of authorized purchase requisition signatures. (Joseph Johnson)
 34. Request to add Rhonda Newell to the Department of Human Services list of authorized receiving signatures. (Joseph Johnson)
 35. Travel request for Jarrett Bundren to attend the Training Academy on NRA Handgun/Shotgun Instructor classes at the MS Law Enforcement Officer Training Academy October 13-17, 2008 at an estimated cost of \$825. (Joseph Johnson)
 36. Travel request for Alan Wilburn to attend the Armorers Course in Tupelo, MS on November 18, 2008 at a cost of \$150. (Joseph Johnson)
 37. Travel request for Jason Busby, Elaine Buford, Melanie Lewis, and Becky Barnett to attend State Re-Certification class at the Oxford Police Department on August 23-24, 2008. (Joseph Johnson)
 38. Authorize Preservation and Maintenance Covenant for Historic Courthouse. (Joseph Johnson)
 39. Authorize Advertisement for Notice of Budget Hearing on September 2, 2008 at 1:30 p.m. (Joseph Johnson)
 40. Approve 2.64 mill levy for Oxford-Lafayette County School of Applied Technology. (Joseph Johnson)
 41. Authorize Legal Notice of 2.64 mill levy for Oxford-Lafayette County School of Applied Technology. (Joseph Johnson)
 42. Accept Lease Purchase Agreement Quote of 2.99 % for three (3) years from Hancock Bank for two (2) International 4300 Dump Trucks for the Road Department. (Joseph Johnson)
 43. Authorize Board President to sign the Lease Purchase Agreement for the purchase of two (2) International Dump Trucks for the Road Department. (Joseph Johnson)
 44. Approval of \$31,767 budget amendment for 2007 Homeland Security Grant. (Joseph Johnson)
 45. Approval of \$60,000 budget amendment for Humans Society contribution. (Joseph Johnson)
 46. Approval of budget transfer to Jury Account in the amount of \$5,000. (Joseph Johnson)
 47. Approve interfund loan from General County to Mitigation Grants in the amount of \$103,187.50. (Joseph Johnson)
 48. Approve budget transfer from General County to Mitigation Grants in the amount of \$11,112.50. (Joseph Johnson)

49. Approve Administration and Application Preparation payments to Three Rivers Planning and Development District in the amount of \$5,000 for HUD #1 CDBG grant and \$5,000 for HUD #2 CDBG grant for the Lafayette County Courthouse project. (Joseph Johnson)
50. Approve refund of retirement overpayment to Mary Alice Busby, Circuit Clerk on 2007 Fee Income in the amount of \$1,796.16. (Joseph Johnson)
51. Appointment of four (4) members to the North MS EMS Authority to serve a one year term effective October 1, 2008 – September 30, 2009. Nominated persons include: Doug Gonzales, Rex Hardwick, Jerry Johnson, Bobby McCain, Lonnie Weaver. (Joseph Johnson)
52. Authorize County Administrator to sign CDMS Software Agreement for support and maintenance between Justice Court and Data Systems Management for the period October 1, 2008 – September 30, 2009 at a cost of \$300 per month. (Joseph Johnson)
53. Authorize County Administrator to sign computer server/printer maintenance and support agreement with Premise Inc. for the period July 30, 2008 – July 29, 2009 at a cost of \$12,945. (Joseph Johnson)
54. Adopt permit process for County property. (Joseph Johnson)
55. Approve Lafayette County Courthouse project Change Order #6 to grant Panola Construction a 31 day extension for project completion. (Joseph Johnson)
56. Approve Payment Invoice #19 to Howorth Architects in the amount of \$2,999.86 for Lafayette County Courthouse project. (Joseph Johnson)
57. Approve Payment Application # 12 to Panola Construction in the amount of \$201,798.87 for Lafayette County Courthouse project. (Joseph Johnson)
58. Announcement of Special Meeting of the Board of Supervisors on August 18, 2008 at 10:00 a.m. to Approve Real and Personal Property Tax Rolls. (Sherry Wall)
59. Approve order from State Tax Commission granting 5 year ad valorem tax exemption for Whirlpool Corporation from January 1, 2008 through December 31, 2012 in the amount of \$3,373,333.00. (Sherry Wall)
60. Approve order from State Tax Commission granting 5 year ad valorem tax exemption for Elsohly Laboratories, Inc. from January 1, 2008 through December 31, 2012 in the amount of \$721,440.00. (Sherry Wall)
61. Consider Executive Session. (Lloyd Oliphant)
 1. Discuss possible sale of property.
 2. Discuss salary increases.
62. Recess of Meeting until 1:30pm for the purpose of Accepting Bids on project STP-08-75(11).