

**MINUTES OF THE BOARD OF SUPERVISORS
OF MADISON COUNTY, MISSISSIPPI**

REGULAR MEETING OF JULY 15, 2013
Recessed from a regular meeting conducted on July 1, 2013

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on July 15, 2013 at 9:00 am, in the Board Room on the first floor of the Chancery/Administrative Building, 125 West North Street, Canton, Mississippi, as follows, to-wit:

The President of the Board, Mr. Gerald Steen, presided and called the meeting to order. The following members were present that day:

Present:

Supervisor Ronny Lott
Supervisor John Bell Crosby
Supervisor Gerald Steen
Supervisor Karl M. Banks
Supervisor Paul Griffin
Tax Assessor Gerald Barber
Tax Collector Kay Pace
Chancery Clerk Arthur Johnston
Sheriff Randall Tucker

Absent:

Also in attendance:

Interim County Comptroller and Deputy Chancery Clerk Shelton Vance
Board Secretary and Deputy Chancery Clerk Cynthia Parker
Board Attorney Mike Espy
Purchase Clerk Hardy Crunk
County & State Aid/LSBP Engineer Rudy Warnock
Assistant Comptroller and Deputy Chancery Clerk Myrtis Sims
Road Manager Lawrence Morris
Zoning Administrator Brad Sellers
Emergency Management and E911 Director Butch Hammack
County Fire Coordinator Mack Pigg
Veterans Affairs Director Dr. Tom Logue
Chief Deputy Tax Assessor Kent Hawkins

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Supervisor Paul Griffin offered an opening prayer and Mr. Will Sligh lead the members and the audience in the Pledge of Allegiance to the colors of the United States of America.

In re: Approval of Consent Agenda Items

WHEREAS, the Board President announced that he and Interim County Administrator Shelton Vance had conferred in advance of the meeting as to certain matters denominated "Consent Items" which bear Item numbers (1) through (27) on the Agenda and that the same appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and

WHEREAS, the Board President did explain that any Supervisor could, in advance of the call of the question, request that any item be removed from the Consent Agenda, and

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Thereafter, Mr. Ronny Lott did offer and Mr. John Bell Crosby did second a motion to take the following actions on the Consent Agenda:

- 1. Approve Re-Appointment of Melvin Ray - Region 8 Mental Health Commission Board.**
(A true and correct copy of that certain memorandum dated June 25, 2013 from Mr. Dave Van, Executive Director of Region 8 is attached hereto as Exhibit A, spread hereupon and incorporated herein by reference.)
- 2. Approve Collateral Security Agreement - Mississippi Public Funds Deposits.**
(A true and correct copy of which is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference.)
- 3. Approve Hiring of Outside Counsel - County Court Judge.**
(A true and correct copy of that certain explanatory correspondence dated July 8, 2013 from Judson M. Lee, Esq. regarding the *Whitfield v. City of Ridgeland, et al* is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.)
- 4. Approve Change Order No. 2 - Valley View Fire Station No. 1.**
(A true and correct copy of which is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference.)
- 5. Approve Monthly Credit Card Report May 11 - June 9, 2013 - Sheriff Department.**
(A true and correct copy of that certain memorandum dated July 1, 2013 from County Purchase Clerk Hardy Crunk is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference.)
- 6. Approve Use of Historic Courthouse Grounds - Fashion Show.**
(A true and correct copy of that certain reservation application from Ms. Kathy L. Amos, Director/Life Coach of Glam Girl requesting permission to reschedule use of the Historic Courthouse grounds to host the 1st Fashion Show/Glam Girl Boot Camp 2013 on Saturday, August 10, 2013 is attached hereto as Exhibit F, spread hereupon and incorporated herein by reference.)
- 7. Approve Notices to Renew 16th Section Leases Residential Lease Contracts.**
(True and correct copies of those certain Notices to Renew Residential Lease Contracts to Robert Lewis Franciskato and wife, Mary D. Franciskato, regarding Lot 9, Bonne Terre Subdivision and Bobby L. Little, and wife, Jeanine C. Little, regarding Lot 17, Woodbury Park Subdivision may be found in the Miscellaneous Appendix to these Minutes.)
- 8. Declare Certain Inventory Items as Surplus and Delete from Inventory.**
(A true and correct copy of that certain memorandum dated July 9, 2013 from Inventory Control Clerk Loretta Phillips listing the items to be deleted is attached hereto as Exhibit G, spread hereupon and incorporated herein by reference.)
- 9. Approve Preliminary Plat - Clubside of Caroline.**
(A true and correct copy of that certain preliminary plat for Clubside of Caroline and it's attachment are attached hereto as Collective Exhibit H, spread hereupon and incorporated herein by reference.)
- 10. Acknowledge and Approve Payment of MECP Track II - Deputy Tax Assessors.** A true and correct copy of that certain correspondence dated July 22, 2013 from Jason Camp with the Mississippi State University Extension Service pertaining to the certification status of Brad Harbour, Sue Anglin, C. J. Garavelli, Vent Mixon, Alice Simpson, William Stewart, Emily Anderson, James Irby Ford, Kay Jerome, Lionel Kent Hawkins, John Fox, Jeff H. Peterson, Ira Thorn, Gerald Barber, Diane Odom, and Norman Cannady, all being employees of the Madison County Tax Assessor's office,

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were and are hereby acknowledged and accepted, a true and correct copy of each of which may be found in the Miscellaneous Appendix to these Minutes. Their respective salaries are directed to be adjusted accordingly where applicable.

- 11. Approve Uniform Rental Contract - Cintas.**
(A true and correct copy of that explanatory memorandum dated July 10, 2013 from Purchase Clerk Hardy Crunk requesting the Board approve the uniform rental contract with Cintas for the Road Department, Solid Waste, and Building and Grounds is attached hereto as Exhibit I, spread hereupon and incorporated herein by reference. The Board President was hereby authorized to execute same.)
- 12. Approve Re-Appointment of Connie Machado as Board Member to the Madison County Library System Board Representing District 3 and expiring July, 2018.**
- 13. Approve Utility Permit.** The following permit allowing use and occupancy for the construction or adjustment of a utility within certain roads or highway rights of way was and is hereby approved, and the application for the same is attached hereto as Exhibit J, spread hereupon, and incorporated herein by reference:
 - (1) CMU - seeking to lay water main and PVC casing across Mullinville Road
- 14. Approve Petition for Reduction of Assessments of Real Property for the 2012 Tax Year.**
(A true and correct copy of said Petition along with a true and correct copy of its spreadsheet attachment are attached hereto as Collective Exhibit K, spread hereupon and incorporated herein by reference.)
- 15. Acknowledge Petitions for Increase of Assessment of Real Property for 2012 Tax Year Not Accepted by Taxpayers and Set Date for Public Hearing.**
(A true and correct copy of said Petition and its spreadsheet attachment is attached hereto as Collective Exhibit L, spread hereupon and incorporated herein by reference, and a public hearing is set for August 5, 2013.)
- 16. Approve *En Masse* Petitions for Increase of Assessments of Real Property for the 2012 Tax Year as Accepted by Tax Payers.**
(A true and correct copy of said Petition along with a true and correct copy of its spreadsheet attachment are attached hereto as Collective Exhibit M, spread hereupon and incorporated herein by reference.)
- 17. Approve Reduction of Assessment of Real Property for the 2012 Tax Year/Ray Chandler.**
(A true and correct copy of that certain explanatory memorandum dated July 2, 2013 from Homestead Director Emily Anderson is attached hereto as Exhibit N, spread hereupon and incorporated herein by reference.)
- 18. Approve *En Masse* Petitions for Increase of Assessments of Real Property for Various Tax Years as Accepted by Tax Payers.**
(A true and correct copy of said Petition along with a true and correct copy of its spreadsheet attachment are attached hereto as Collective Exhibit O, spread hereupon and incorporated herein by reference.)
- 19. Approve Amended Homestead Applications - 2012 Tax Year.**
(A true and correct copy of that certain memorandum dated July 11, 2013 from Homestead Director Emily Anderson is attached hereto as Exhibit P, spread hereupon and incorporated herein by reference.)
- 20. Approve Voiding 2010 & 2011 Tax Sale on Parcel No. 093D-18C-004/00.00 and Direct Tax Collector to Issue Refund.**
(A true and correct copy of said Memorandum from Tax Assessor Gerald Barber

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requesting that the Board declare void the 2010, and 2011 Tax Sales on parcel no.093D-18C-004/00.00 assessed to Center for Health Education and direct the Tax Collector to issue refund to the purchasers is attached hereto as Exhibit Q, spread hereupon and incorporated herein by reference.)

21. **Approve Voiding 2010 & 2011 Tax Sale on Parcel No. 092F-13D-305/00.00 and Direct Tax Collector to Issue Refund.**
(A true and correct copy of said Memorandum from Tax Assessor Gerald Barber requesting that the Board declare void the 2010, and 2011 Tax Sales on parcel 092F-13D-305/00.00 assessed to Center for Health Education and direct the Tax Collector to issue refund to the purchasers is attached hereto as Exhibit R, spread hereupon and incorporated herein by reference.)
22. **Approve Voiding the 2011 Tax Sale on Parcel No. 051D-18-006/01.01 and Direct Tax Collector to Issue Refund.**
(A true and correct copy of said Memorandum from Tax Assessor Gerald Barber requesting that the Board declare void the 2011 Tax Sales on parcel no. 051D-18-006/01.01 assessed to Gerald Edward Williams & Christina Williams and direct the Tax Collector to issue refund to the purchasers is attached hereto as Exhibit S, spread hereupon and incorporated herein by reference.)
23. **Approve Travel and Related Expenses for Supervisor Karl Banks, Supervisor John Bell Crosby, the Board Attorney, the Chancery Clerk, the Interim County Administrator/Comptroller to travel to Chicago, IL for Meeting to Discuss Possible Settlement of a Lawsuit in Which the County is a Party.**
24. **Approve Re-Appointment of Mr. Charlie Rice to the Farmhaven Volunteer Fire Board for another five year term expiring August, 2017.**
25. **Approve Re-Appointments of Mr. Willie Cline to the Valley View Volunteer Fire Board for another five year term expiring February, 2017 and Mr. Marcus Goodloe fo the Valley View Volunteer Fire Board for another five year term expiring February, 2018.**
26. **Approve Re-Appointment of Mr. Nathaniel Johnston to the West Madison Utility Board for another five year term expiring July, 2017.**
27. **Acknowledge and Approve Personnel Matters - Sheriff's Department, Solid Waste, and Buildings & Grounds.**
(True and correct copies of those certain memoranda from the Sheriff's Department, the Solid Waste Department, and the Buildings & Grounds Department setting forth certain changes and/or additions in personnel are attached hereto as Collective Exhibit T, spread hereupon and incorporated herein by reference.)

The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present, and each item was and is hereby approved, adopted and authorized as described herein above.

SO ORDERED this the 15th day of July, 2013.

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**In re: Authorization to Advertise for Term Bids
for Flex-a-Mat**

WHEREAS, Mr. Wes Brewer of Southern Pipe & Supply appeared before the Board and presented a new fabricated tied concrete block mat known as flex-a-mat, and

WHEREAS, Mr. Brewer reported that said product is used to control erosion being moved by water runoff and could further save on maintenance,

Following discussion and at the recommendation of County & State Aid/LSBP Engineer Rudy Warnock, Mr. Gerald Steen did offer and Mr. Ronny Lott did second a motion to authorize County Purchase Clerk Hardy Crunk to advertise for term bids for the new fabricated rip-rap product known as flex-a-mat and/or something similar thereto. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and Mr. Crunk was and is hereby so authorized.

SO ORDERED this the 15th day of July, 2013.

In re: Alleged Zoning Violation by Nettie Ruth Winston Travis

WHEREAS, Zoning Administrator Brad Sellers appeared before the Board advising that certain property assessed in the name of Nettie Ruth Winston Travis located on Turning Point Road, was in violation of certain provisions of the Madison County Zoning Ordinance, and required clean up and/or other legal action to rectify the same, and

WHEREAS, Mr. Sellers reported the Board had previously authorized the cleaning of said property,

WHEREAS, Mr. Sellers requested the Board direct the Road Department to begin cleaning said property thirty days so as to allow Ms. Travis to comply with county zoning ordinances,

Following discussion, Mr. Paul Griffin did offer and Mr. Ronny Lott did second a motion to direct the Road Department to begin cleaning said property thirty days from today. so as to allow Ms. Travis an additional opportunity to comply with county zoning ordinances. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and Ms. Travis was and is hereby granted additional time to bring her property into compliance; thereafter, the Road Department was and is hereby authorized to begin cleaning said property in thirty days.

SO ORDERED this the 15th day of July, 2013.

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In re: Discussion of the \$7M 2013 Capital Project Plan

WHEREAS, County & State Aid/LSBP Engineer appeared before the Board and presented that certain memorandum dated July 10, 2013 requesting the Board remove funding from Cleo Clark Road and place such funding on McDougal Road, a true and correct copy of which is attached hereto as Exhibit U, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Warnock reported that both roads are similar in length and no additional funding will be required,

Following discussion, Mr. Paul Griffin did offer and Mr. Ronny Lott did second a motion to approve said request and remove funding from Cleo Clark Road and place it on McDougal Road. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said request was and is hereby approved.

SO ORDERED this the 15th day of July, 2013.

Thereafter, Mr. Warnock presented that certain memorandum dated July 10, 2013 requesting the Board remove Dewees Road from the \$7M 2013 Capital Project Plan and replace with the roads listed on "Exhibit 2" to his July 10, 2013 correspondence, a true and correct copy of which is attached hereto as Exhibit U, spread hereupon and incorporated herein by reference, being located in the City of Madison.

Following discussion, Mr. Ronny Lott did offer and Mr. Gerald Steen did second a motion to:

(1) remove Dewees Road from the \$7M 2013 Capital Project Plan and add the aforementioned roads listed on Exhibit 2 in its place, provided:

(a) that the City of Madison submit and enter into an Memorandum of Understanding with the county stating the city will be responsible for one-half of the costs of repairs to said roads;

(b) that the City of Madison execute such MOU and return it to the county within ninety (90) days from the date hereof; and

(c) that work on said roads pursuant to such MOU be completed within one year from the date hereof; and

(2) direct Interim County Administrator Shelton Vance to correspond with the City of Madison and advise it of the Board's action and the above provisos and request that the City of Madison respond with a proposed MOU within ninety (90) days. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and Dewees Road was and is hereby removed from said Road Plan, and roads listed in Exhibit 2 were and are hereby added subject to the aforesaid provisos; and Mr. Vance was and is hereby directed accordingly.

SO ORDERED this the 15th day of July, 2013.

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**In re: Approval of Panther Creek Connector Road
Right of Way Plat and Acknowledgment of Appraisal**

WHEREAS, County & State Aid/LSBP Engineer appeared before the Board and presented that certain right-of-way easement from the Madison County School District 16th Section School Lands Trust to Madison County, Mississippi for the Panther Creek Connector Road project and requested the Board's approval of same, and

WHEREAS, Mr. Warnock also presented that certain Appraisal Report from appraiser Brent Johnston and requested the Board's acknowledgment thereof and approval to pay his invoice associated therewith,

Following discussion, Mr. Ronny Lott did offer and Mr. Paul Griffin did second a motion to (1) approve the aforementioned right-of-way easement; (2) authorize the Board President to execute same, (3) authorize the Chancery Clerk to record the right-of-way plat for said project in land records; and (4) acknowledge receipt of the aforesaid appraisal and authorize payment of costs and charges associated therewith. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said right-of-way easement was and is hereby approved, the Board President and the Chancery Clerk were and are so authorized, and the appraisal was and is hereby acknowledged and the associated costs are approved for payment.

SO ORDERED this the 15th day of July, 2013.

In re: Discussion of Church Road Overlay and Widening

Following discussion, Mr. Ronny Lott did offer and Mr. Gerald Steen did second a motion to authorize Mr. Jim Turner of JLT Realty to begin the process to acquire the necessary right of way in order that the county may make whatever improvements may be recommended to rectify certain issues associated with the overlay and widening of Church Road. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and Mr. Turner was and is so authorized.

SO ORDERED this the 15th day of July, 2013.

**In re: Acceptance and Awarding of Lowest and Best
Bid for West Madison Utility District Sewer Rehabilitation Project**

WHEREAS, County & State Aid/LSBP Engineer Rudy Warnock appeared before the Board reporting on behalf of the standing committee previously appointed for such purposes and presented that certain spreadsheet containing the bids received and opened for the construction of

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the West Madison Utility District Sewer Rehabilitation Project and requested the Board to accept the low bid of Suncoast Infrastructure, Inc. and award the same to said firm, and

WHEREAS, a true and correct copy of said spreadsheet may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Warnock reported that it had been determined Suncoast Infrastructure, Inc. had submitted the lowest and best bid in the amount of \$301,207.00,

WHEREAS, a true and correct copy of the bid of Suncoast Infrastructure, Inc. may be found in the Miscellaneous Appendix to these Minutes, and

Following discussion, Mr. Ronny Lott did offer and Mr. John Bell Crosby did second a motion to accept and award the lowest and best bid of Suncoast Infrastructure, Inc. in the amount of \$301,207.00 for the West Madison Utility District Sewer Rehabilitation Project and authorize Mr. Warnock to issue a notice to proceed unto said firm. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the bid of Suncoast Infrastructure, Inc. was and is hereby awarded for the West Madison Utility District Sewer Rehabilitation Project and Mr. Warnock was and is hereby authorized.

SO ORDERED this the 15th day of July, 2013.

***In re: Update of Smith Carr Road Drainage
Ditch Improvement Project***

WHEREAS, County & State Aid/LSBP Engineer Rudy Warnock appeared before the Board and presented that certain memorandum dated July 10, 2013 reflecting the status of the Smith Carr Road drainage ditch improvements, and

WHEREAS, a true and correct copy of said memorandum is attached hereto as Exhibit V, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Warnock recommended the Board authorize Mr. Jim Turner acquire necessary right of way to continue with the progress of said project,

Following discussion, Mr. John Bell Crosby did offer and Mr. Ronny Lott did second a motion to authorize Mr. Jim Turner of JLT Realty to begin the process to acquire the necessary right of way to make whatever improvements may be recommended to rectify and improve the drainage ditch on Smith Carr Road. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and Mr. Turner was and is so authorized.

SO ORDERED this the 15th day of July, 2013.

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In re: Adoption of Open Carry (Firearm) Ordinance

WHEREAS, Board Attorney Mike Espy appeared before the Board and presented a proposed Open Carry Ordinance and requested the Board’s approval of same, a true and correct copy of which is attached hereto as Exhibit W, spread hereupon and incorporated herein by reference, and

WHEREAS, Sheriff Randy Tucker did request the Board amend said Ordinance to read “carrying of a firearm is prohibited,” as opposed to “carrying of a pistol or revolver is prohibited,”

Following discussion, Mr. Ronny Lott did offer and Mr. Gerald Steen did second a motion to approve said Open Carry (Firearm) Ordinance with the aforementioned amendment and authorize the Board President to execute same. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said Ordinance was and is approved with the aforementioned proviso and the Board President was and is hereby authorized.

SO ORDERED this the 15th day of July, 2013.

In re: Proposed Resolution Declaring the South Madison County Annex Building as Surplus

WHEREAS, Board Attorney Mike Espy appeared before the Board and presented the following proposed Resolution:

RESOLUTION TO DECLARE CERTAIN COUNTY OWNED PROPERTY AS SURPLUS AND TO AUTHORIZE SAME FOR SALE AND CONVEYANCE AND FURTHER TO AUTHORIZE ALL ACTIVITIES NECESSARY TO COMPLETE A CERTIFICATE OF PARTICIPATION (COPS) EXERCISE REGARDING THE ACQUISITION OF CERTAIN PROPERTY TO BE UTILIZED BY THE OFFICES OF THE MADISON COUNTY TAX ASSESSOR AND TAX COLLECTOR ON BEHALF OF THE CITIZENS OF MADISON COUNTY

Pursuant to §19-7-3(3) Mississippi Code Ann., the Madison County Board of Supervisors hereby Declares its property otherwise known as the "**South Madison Annex**" located at 344 U.S. Highway 51, Ridgeland MS 39157 and more particularly described:

Lot 13, Ridgeland Plaza Subdivision, situated in the South 1/2 of the SW 1/4 of Section 30, Township 7 North, Range 2 East, City of Ridgeland, Madison County, Mississippi and being Parcel #0721-30C-039/00.00 Madison County, Mississippi

As SURPLUS property within the meaning of Attorney General Opinion 2009-00140(Meadows) and in compliance therewith would further specify that said property is no longer needed for county or related purposes and is not contemplated to ever be used again in the operation of county business; that the sale of the property in the manner otherwise provided by law (i.e., by advertising for bids) is not necessary or desirable for the financial welfare of the county; and that the use of the county property for the purpose for which it is to be sold, conveyed or leased will promote and foster the development and improvement of the community in which is located and

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the civic, social, educational, cultural, moral, economic and/or industrial welfare thereof; and further that the Board of Supervisors of Madison County (BOS) are authorized and empowered, in their judgment and discretion, to sell, convey or otherwise dispose of said property and premises building for any and all of the purposes set forth herein.

Pursuant to this Resolution, the Madison County Board of Supervisors has determined in its discretion, to sell and convey said South Madison Annex, after inspection and appraisal by Casey W. Wingfield (MS Certified GA-775) to Madison County Bank d/b/a COMMUNITY TRUST BANK for the sum of Four Hundred Fifty Thousand Dollars (\$450,000.00), said value being recommended pursuant to the Summary Appraisal Report (May 7, 2013) as submitted by said Casey Wingfield (Mississippi Certified General Appraiser 775). Said report shall be attached to this Resolution and incorporated as if fully set forth herein, which may be found in the Miscellaneous Appendix to these Minutes.

The Funds received pursuant to this transaction shall be captured and deposited within the Madison County General Fund and designated for the acquisition, lease, purchase, management, operation and retirement of that indebtedness generated pursuant to the Certificate of Participation transaction (COPS) governed under authority of § 31-8-1 et seq MS Code of 1972 (Ann.) which the Board of Supervisors intends to pursue, and by means of which this Resolution does empower and authorize its designated agents in pursuit thereof.

Madison County through employment of the COPS Lease-Purchase process intends to purchase and occupy, for the direct public benefit that property located at 171 Cobblestone Drive, Madison, Mississippi 39110 being more particularly described:

2.30 acres (100,187 square feet) situated in the southwest 1/4 of Section 17 and the northwest 1/4 of section 20, Township 7 North, Range 2 East, City of Madison, Madison County, Mississippi.

The specific intent of Madison County is to operate, use and maintain said property and premises as offices of the Madison County Tax Assessor and Tax Collector.

Said COPS transaction intending to result in the Lease Purchase of the hereinabove Community Trust Bank Building shall be done in accordance with all statutes governing COPS purchase transactions and pursuant to an inspection and submission of an Appraisal Report generated pursuant to an inspection by an independent, licensed and Certified General Appraiser, which will recommend a sum certain purchase value, which the Board of Supervisors will adopt as its purchase price without negotiation or barter.

RESOLVED further, all matters, transactions, and exercises outlined in this Resolution are made subject to and contingent upon the successful completion of the COPS transaction as contemplated herein.

Following discussion, Mr. John Bell Crosby did offer and Mr. Paul Griffin did second a motion to approve the above referenced Resolution. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	No
Supervisor Gerald Steen	No
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the motion did not garner a majority of votes of the Board and therefore failed (**but see reconsideration set forth herein below**).

SO ORDERED this the 15th day of July, 2013.

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In re: Approval of Budget Amendments

WHEREAS, County Comptroller and Deputy Chancery Clerk Shelton Vance appeared before the Board and requested the Board’s consideration of certain amendments to the current year budget of the county as set forth in that certain document entitled “Madison County Budget Amendments July 15, 2013,” a true and correct copy of which is attached hereto as Exhibit X, spread hereupon and incorporated herein by reference, and

Following discussion, Mr. Ronny Lott did offer and Mr. Gerald Steen did second a motion to approve said budget amendments. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by unanimous vote of those present and said budget amendments were and are hereby approved.

SO ORDERED this 15th day of July, 2013.

In re: Approval of Claims Docket for July 15 and July 1, 10 and 11, 2013

WHEREAS, the Board reviewed the claims docket for July 15 and July 1, 10 and 11, 2013:

- (1) General Claims Docket, dated July 15, 2013
- (2) Payroll Docket No. 1, dated July 1, 2013
- (3) Payroll Docket No. 2, dated July 10, 2013
- (4) Payroll Docket No. 2, dated July 11, 2013

WHEREAS, County Comptroller and Deputy Chancery Clerk Shelton Vance did assure the Board of Supervisors that all claims had been properly documented and where necessary, purchase orders were obtained in advance as required by law; and

WHEREAS, the following is a summary of all claims and funds from which said claims are to be paid relative to the General Claims Docket dated July 15, 2013:

Fund	Claim Nos.	No. of Claims	Amount
001	2856 to 2965	110	195,797.24
012	196 to 200	5	1,119.47
015	71 to 75	3	137,611.53
097	144 to 149	6	3,381.23
105	326 to 334	9	3,085.08
115	103 to 104	2	262.28
150	762 to 790	29	252,212.14
190	71 to 71	1	66.88
191	81 to 82	2	946.78
192	35 to 35	1	259.52
306	22 to 22	1	67,453.52
308	13 to 13	1	6,466.80
309	18 to 18	1	2,000.00
401	46 to 49	4	19,277.80
402	13 to 13	1	4,860.00
655	10 to 10	1	87,324.02
675	10 to 10	1	5,882.00
TOTAL ALL FUNDS		178	788,006.29

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Thereafter and following discussion, Mr. John Bell Crosby did offer and Mr. Gerald Steen did second a motion to approve the claims docket as presented. Said motion directed that invoice numbers should be attached to each claim on the claims docket and further directed the Chancery Clerk to publish the Summary of Claims as required by law and to authorize the Board President to sign and approve the Claims Docket, a copy of which may be found in the Miscellaneous Appendix to these Minutes together with a separate Resolution approving payment of said claims, which Resolution is attached hereto as Exhibit Y, spread hereupon, and incorporated herein by reference. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said General Claims Docket and Payroll Dockets No.1, 2, and 3 were and are hereby approved, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 15th day of July, 2013.

Thereafter, Mr. Vance requested the Board authorize the Chancery Clerk to issue a payment in the amount of \$113.00 to Tax Collector Kay Pace as reimbursement for her travel and related expenses in connection with her attendance at the MACA Conference,

Following discussion, Mr. Gerald Steen did offer and Mr. Paul Griffin did second a motion to approve said request as an additional claim on the Docket of Claims and authorize the Chancery Clerk to issue pay warrant accordingly. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the Chancery Clerk was and is hereby authorized.

SO ORDERED this 15th day of July, 2013.

In re: Approval of Claims of Fleetcor Technologies

WHEREAS, County Comptroller and Deputy Chancery Clerk Shelton Vance presented a supplemental claims docket also dated July 15, 2013 containing the claims of Fleetcor Technologies and requested the Board's consideration thereof,

Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to approve that certain supplementary claims docket containing the claims of Fleetcor Technologies. Said motion directed that invoice numbers should be attached to each claim listed on the supplemental docket and further directed the Chancery Clerk to include said claims in the Summary of Claims to be published as required by law and to authorize the Board President to sign and approve the same, a copy of which may be found in the Miscellaneous Appendix to these Minutes. The vote on the matter being as follows:

President's Initials: _____

Date Signed: _____

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Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Not Present and Not Voting ¹
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said Held Claims were and are hereby approved, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 15th day of July, 2013.

In re: Authorization of Interim County Administrator to Make Wire Transfers

Following discussion, Mr. Ronny Lott did offer and Mr. Gerald Steen did second a motion to authorize Interim County Administrator/County Comptroller Shelton Vance to make wire transfers and draws from the county’s line of credit with Community Bank and authorize the Board President to execute said wire transfer agreement. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the Board President and Mr. Vance were and are hereby authorized.

SO ORDERED this 15th day of July, 2013.

In re: Entering into “Closed Session” to Determine Whether or not the Board Should Declare an Executive Session

WHEREAS, the Board of Supervisors, after beginning the meeting in open session, determined that it was necessary to enter into closed session for a brief discussion to ascertain whether an Executive Session was needed as to discuss potential and pending litigation and personnel matters,

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Paul Griffin did offer and Mr. Gerald Steen did second and motion to make a closed determination upon the issue of whether or not to declare an Executive Session for the purpose of discussing potential and pending litigation, with the following persons deemed necessary for Board discussions, deliberations, and recording of such Executive Session, to wit: members of the Board, the Chancery Clerk, Interim County Administrator/County Comptroller and Deputy Chancery Clerk Shelton Vance, Board Secretary and Deputy Chancery Clerk Cynthia Parker, Board Attorney Mike Espy, and County Engineer Rudy Warnock. The vote on the matter being as follows:

¹Prior to consideration of this item of business, Mr. Steen excused himself from the meeting, departed the meeting room and did not participate in discussion of deliberation of this matter whatsoever. Following the vote on this item, Mr. Steen returned to the meeting.

President’s Initials: _____
Date Signed: _____

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the Board took up the matter of entering into Executive Session.

SO ORDERED this the 15th day of July, 2013.

In re: Entering into Executive Session

WHEREAS, the Board Attorney advised the Board that discussion of the proposed matters of business was properly the subject of executive session,

Following discussion, Mr. Ronny Lott did offer and Mr. Paul Griffin did second a motion to enter into Executive Session to discuss potential and pending litigation and personnel matters. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Not Present and Not Voting ²
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and President Steen declared the Board of Supervisors to be in Executive Session for the consideration of such matters and the Chancery Clerk announced to the public the purpose for the Executive Session.

SO ORDERED this the 15th day of July, 2013.

During Executive Session, Mr. John Bell Crosby did offer and Mr. Karl M. Banks did second a motion to authorize and direct Board Attorney Mike Espy to file a motion to dismiss in that certain lawsuit styled *Reinaldo Bacallao v Lisa M. Ross and Madison County, Mississippi* bearing Cause No. CO2013-0252 on the docket of the County Court of Madison County, Mississippi. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Mr. Espy was and is so authorized and directed.

SO ORDERED this the 15th day of July, 2013.

Thereafter, Mr. Paul Griffin did offer and Mr. Ronny Lott did second a motion to adjourn the Executive Session and direct the Chancery Clerk to announce to the public the action taken therein. The vote on the matter being as follows:

²Mr. Banks arrived after the call of the question on this item of business.

President's Initials: _____

Date Signed: _____

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the President declared Executive Session declared adjourned, and the Chancery Clerk announced to the public the action taken therein.

SO ORDERED this the 15th day of July, 2013.

In re: Approval to Declare Public Road

Following discussion, and at the request of Emergency Management Director Butch Hammack, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to declare Bardin Road as a public road and direct that said road is to be county maintained. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Bardin Road was and is hereby declared a public road.

SO ORDERED this the 15th day of July, 2013.

In re: Approval of Issuing Purchase Order for Asphalt

Following discussion, and at the request of County & State Aid/LSBP Engineer Rudy Warnock, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to direct Purchase Clerk Hardy Crunk issue a purchase order in the amount of \$16,000.00 for the purchase of asphalt for Robinson Springs Road Extension. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Mr. Crunk was and is hereby so directed.

SO ORDERED this the 15th day of July, 2013.

In re: Reconsideration and Approval of Proposed Resolution Declaring the South Madison County Annex Building as Surplus

WHEREAS, at the request of Mr. Karl M. Banks, Board Attorney Mike Espy appeared before the Board and presented the following Resolution for the Board's reconsideration:

RESOLUTION TO DECLARE CERTAIN COUNTY OWNED PROPERTY AS SURPLUS AND TO AUTHORIZE SAME FOR SALE AND CONVEYANCE AND FURTHER TO AUTHORIZE ALL ACTIVITIES NECESSARY TO COMPLETE A CERTIFICATE OF PARTICIPATION (COPS) EXERCISE REGARDING THE ACQUISITION OF CERTAIN PROPERTY TO BE UTILIZED BY THE OFFICES OF THE MADISON COUNTY TAX

President's Initials: _____

Date Signed: _____

ASSESSOR AND TAX COLLECTOR ON BEHALF OF THE CITIZENS OF MADISON COUNTY

Pursuant to §19-7-3(3) Mississippi Code Ann., the Madison County Board of Supervisors hereby Declares its property otherwise known as the "**South Madison Annex**" located at 344 U.S. Highway 51, Ridgeland MS 39157 and more particularly described:

Lot 13, Ridgeland Plaza Subdivision, situated in the South 1/2 of the SW 1/4 of Section 30, Township 7 North, Range 2 East, City of Ridgeland, Madison County, Mississippi and being Parcel #0721-30C-039/00.00 Madison County, Mississippi

As SURPLUS property within the meaning of Attorney General Opinion 2009-00140(Meadows) and in compliance therewith would further specify that said property is no longer needed for county or related purposes and is not contemplated to ever be used again in the operation of county business; that the sale of the property in the manner otherwise provided by law (i.e., by advertising for bids) is not necessary or desirable for the financial welfare of the county; and that the use of the county property for the purpose for which it is to be sold, conveyed or leased will promote and foster the development and improvement of the community in which is located and the civic, social, educational, cultural, moral, economic and/or industrial welfare thereof; and further that the Board of Supervisors of Madison County (BOS) are authorized and empowered, in their judgment and discretion, to sell, convey or otherwise dispose of said property and premises building for any and all of the purposes set forth herein.

Pursuant to this Resolution, the Madison County Board of Supervisors has determined in its discretion, to sell and convey said South Madison Annex, after inspection and appraisal by Casey W. Wingfield (MS Certified GA-775) to Madison County Bank d/b/a COMMUNITY TRUST BANK for the sum of Four Hundred Fifty Thousand Dollars (\$450,000.00), said value being recommended pursuant to the Summary Appraisal Report (May 7, 2013) as submitted by said Casey Wingfield (Mississippi Certified General Appraiser 775). Said report shall be attached to this Resolution and incorporated as if fully set forth herein, which may be found in the Miscellaneous Appendix to these Minutes.

The Funds received pursuant to this transaction shall be captured and deposited within the Madison County General Fund and designated for the acquisition, lease, purchase, management, operation and retirement of that indebtedness generated pursuant to the Certificate of Participation transaction (COPS) governed under authority of § 31-8-1 et seq MS Code of 1972 (Ann.) which the Board of Supervisors intends to pursue, and by means of which this Resolution does empower and authorize its designated agents in pursuit thereof.

Madison County through employment of the COPS Lease-Purchase process intends to purchase and occupy, for the direct public benefit that property located at 171 Cobblestone Drive, Madison, Mississippi 39110 being more particularly described:

2.30 acres (100,187 square feet) situated in the southwest 1/4 of Section 17 and the northwest 1/4 of section 20, Township 7 North, Range 2 East, City of Madison, Madison County, Mississippi.

The specific intent of Madison County is to operate, use and maintain said property and premises as offices of the Madison County Tax Assessor and Tax Collector.

Said COPS transaction intending to result in the Lease Purchase of the hereinabove Community Trust Bank Building shall be done in accordance with all statutes governing COPS purchase transactions and pursuant to an inspection and submission of an Appraisal Report generated pursuant to an inspection by an independent, licensed and Certified General Appraiser, which will recommend a sum certain purchase value, which the Board of Supervisors will adopt as its purchase price without negotiation or barter.

RESOLVED further, all matters, transactions, and exercises outlined in this Resolution are made subject to and contingent upon the successful completion of the COPS transaction as

President's Initials: _____

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contemplated herein.

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to reconsider and adopt the above and foregoing Resolution Declaring the South Madison County Annex Building as Surplus as referenced previously and authorize the Board President to execute same. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	No
Supervisor Gerald Steen	No
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority (3-2) vote of the Board, and said Resolution was and is hereby reconsidered and adopted and the Board President was and is hereby so authorized.

SO ORDERED this the 15th day of July, 2013.

In re: Authorization to Require Posting Road Bonds

Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to require that all loggers post an annual bond in the amount of \$50,000.00 when logging more than twenty (20) loads from any tract or job and to require that said bond follow the logger from road to road during the ensuing year. The motion was made subject to the approval of the Board Attorney regarding the specific requirements. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said posting of bond was and is hereby approved pending the approval of the Board Attorney.

SO ORDERED this the 15th day of July, 2013.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor John Bell Crosby and seconded by Supervisor Paul Griffin and approved by the unanimous vote of those present, the July, 2012 term of the Madison County Board of Supervisors was adjourned.

Gerald Steen, President
Madison County Board of Supervisors

Date signed: _____

ATTEST:

Arthur Johnston, Chancery Clerk

President's Initials: _____
Date Signed: _____