

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

REGULAR MEETING OF DECEMBER 16, 2013
Recessed from a regular meeting conducted on December 2, 2013

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on December 16, 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
Chancery Clerk Cynthia Parker

Absent:

None

Also in attendance:

County Administrator Mark Houston
County Comptroller and Deputy Chancery Clerk Shelton Vance
Board Attorney Mike Espy
Purchase Clerk Hardy Crunk
Emergency Management Director Butch Hammack
Assistant Comptroller and Deputy Chancery Myrtis Sims-Hawkins

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. County Administrator Mark Houston 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 Increases of Assessment of 2012
Real and Personal Property Pursuant to Miss. Code Ann. § 27-35-147 et seq.***

WHEREAS, the Board determined that December 16, 2013 would be an appropriate date for a public hearing on the matter of increasing certain real and personal property assessments for the 2013 tax year on certain parcels in the county and did set said date for said hearing to begin at the hour of 9:00 am, and

WHEREAS, the Chancery Clerk did prepare and serve the appropriate notices thereof by regular mail to the affected property owners, and the Board does find that said notices were sufficient, and

WHEREAS, a spreadsheet and the petitions listing the property owners, the parcel numbers, and amount of the proposed assessment increases is attached hereto as Collective Exhibit A, spread hereupon, and incorporated herein by reference, and

WHEREAS, the hour of 9:00 am did arise and the Board President did declare the public hearing on said proposed increase to be open, and

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WHEREAS, no one did appear to contest or protest said assessment increases,

Following discussion, Mr. Ronny Lott did offer and Mr. John Bell Crosby did second a motion to close the public hearing and approve the assessment increases for the individuals and parcel numbers as set forth in the aforesaid spreadsheet and petitions. 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 assessment of the parcels reflected thereon were and are hereby approved and adopted.

SO ORDERED this the 16th day of December, 2013.

In re: Approval of Consent Agenda Items

WHEREAS, Board President Gerald Steen announced that he and County Administrator Mark Houston had conferred in advance of the meeting as to certain matters denominated "Consent Items" which bear Item numbers (2) through (36) 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

WHEREAS, the Board President requested that Item No. 37, "Authorize Comptroller Shelton Vance and Inventory Control/Payroll Clerk Loretta Phillips to Attend Healthcare Reform Training," be added to the Consent Agenda, and Item No. 38, "Authorize Payment to Department of Revenue for Sheriff's Department to Purchase Car Tags,"

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

2. Acknowledge and Approve Personnel Matters - Juvenile Drug Court, Detention Center, and Tax Collector.

(A true and correct copy of personnel action setting forth certain changes and/or additions in personnel are attached hereto as Collective Exhibit B, spread hereupon and incorporated herein by reference.)

3. Acknowledge Redemption of Land Sold for Taxes Report - November, 2013.

(A true and correct copy of that certain report from Chancery Clerk Cynthia Parker is attached hereto as Exhibit C, spread hereupon, and incorporated herein by reference.)

4. Authorize Board President to Execute DRA Request for Reimbursement - West Madison Utility.

(A true and correct copy of which is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference. The Board President was hereby authorized.)

5. Acknowledge Cash Bond Posted in Madison County Justice Court.

(A true and correct copy of that explanatory memorandum dated December 5, 2013 from Justice Court Clerk Susan McCarty transferring cash bond on Justice Court case no. MSO 012629 in the amount of \$1,850.00 to Madison County general fund is attached hereto as

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Exhibit E, spread hereupon and incorporated herein by reference.)

6. **Declare Certain Inventory Items as Surplus and Delete from Inventory.**
(A true and correct copy of that certain memorandum dated November 1December 11, 2013 from Inventory Control Clerk Loretta Phillips listing the items to be deleted is attached hereto as Exhibit F, spread hereupon and incorporated herein by reference.)
7. **Approve Monarch Pro Software Maintenance Agreement and Authorize Payment - Datawatch.**
(A true and correct copy of which is attached hereto as Exhibit G, spread hereupon and incorporated herein by reference.)
8. **Acknowledge Unclaimed Funds from Mississippi State Treasurer.**
(A true and correct copy of that certain memorandum dated November 26, 2013 from State Treasurer Lynn Fitch is attached hereto as Exhibit H, spread hereupon and incorporated herein by reference.)
9. **Authorize Chancery Clerk as Signatory on Wire Transfers for Negotiable Notes.**
(A true and correct copy of Certificate of Resolution to request and verify wire transfers may be found in the Miscellaneous Appendix to these Minutes.)
10. **Authorize County Administrator Mark Houston to Execute Southcentral Mississippi Workforce Work Experience Modification Form.**
(A true and correct copy of which is attached hereto as Exhibit I, spread hereupon and incorporated herein by reference.)
11. **Approve County Court Judges Pay Increase and Reimbursement Request.**
(A true and correct copy of that explanatory memorandum dated December 16, 2013 from Comptroller Shelton Vance requesting Board approval for 2012 Legislative action to increase judicial pay to County Court Judges effective January 1, 2014, is attached hereto as Exhibit J, spread hereupon and incorporated herein by reference.)
12. **Approve Use of Historic Courthouse Grounds - Amanda McNatt.**
(A true and correct copy of that certain reservation application from Ms. Amanda McNatt requesting permission to use the Historic Courthouse grounds for Relay for Life on April 25, 2014 is attached hereto as Exhibit K, spread hereupon and incorporated herein by reference.)
13. **Authorize Board President to Execute Subgrant Signature Sheet on JAG Family and Youth Drug Court Grant.**
(A true and correct copy of which is attached hereto as Exhibit L, spread hereupon and incorporated herein by reference related to the JAG Family and Youth Drug Court Grant project no. 13DC1451 is. The Board President is hereby authorized to execute same.)
14. **Approve Pay Request - West Madison Utility Sewer Rehab Project CDBG No 1129-12-045-PF-0.**
(A true and correct copy of which is attached hereto as Exhibit M, spread hereupon and incorporated herein by reference.)
15. **Authorize Board President to Execute County Fire Investigator Form.**
(A true and correct copy of which is attached hereto as Exhibit N, spread hereupon and incorporated herein by reference appointing Cline Wyman as Fire Investor.)
16. **Approve Utility Permits.** The utility permits submitted by AT&T, Centerpoint Energy, Telepak Networks, Inc., and Bear Creek Water Association, Inc. allowing use and occupancy for the construction or adjustment of a utility within certain roads or highway rights of way were and are hereby approved, and the application for the same is attached

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hereto as Exhibit O, spread hereupon, and incorporated herein by reference.

17. **Approve 16th Section Lease Contracts and Long Term Residential Lease Contracts.**
(True and correct copies of those certain 16th Section Lease Contracts to Venetian Court, LLC, regarding 7.1 acres, more or less in Section 16, T7N, R2E and Right of Way Instrument in Section 16, T8N, R1W may be found in the Miscellaneous Appendix to these Minutes.)
18. **Approve Zoning Matter - Special Exception – Madison County Schools.**
(A true and correct copy of the request submitted by Madison County Schools seeking a special exception to operate a public/quasi public in an existing commercial building for use as an academic options center and maintenance purposes in an I-2 Heavy Industrial District located at 350 Industrial Drive South was and is hereby accepted and the Special Exception granted.)
19. **Approve Preliminary Plat - Camden Crossing of Caroline, IV.**
(A true and correct copy of that certain preliminary plat for Camden Crossing of Caroline, IV may be found in the Miscellaneous Appendix to these Minutes.)
20. **Approve Preliminary Plat - Hatheway Lake, Part 5.**
(A true and correct copy of that certain preliminary plat for Hatheway Lake, Part 5 may be found in the Miscellaneous Appendix to these Minutes.)
21. **Acknowledge Healthy Directions On Site Screening Report.**
(A true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes.)
22. **Authorize Purchase of Equipment for Constable Will Weisenberger.**
(A true and correct copy of that explanatory memorandum dated December 11, 2013 from Purchase Clerk Hardy Crunk requesting permission to purchase certain equipment in the amount of \$1,493.00 for Constable Will Weisenberger's new vehicle is attached hereto as Exhibit P, spread hereupon and incorporated herein by reference.)
23. **Approve Lease Purchase Financing for Avaya Telephone Upgrade.**
(A true and correct copy of that explanatory memorandum dated December 6, 2013 from Purchase Clerk Hardy Crunk requesting the Board (1) void the May 6, 2013 lease purchase financing to Trustmark; (2) award lease purchase financing to Trustmark; for sixty (60) months; (3) authorize the Board Attorney to prepare the required attorney's opinion; and (4) authorize the Board President to execute lease purchase documents is attached hereto as Exhibit Q, spread hereupon and incorporated herein by reference.)
24. **Approve Petition for Reduction of Assessments of Real Property for the 2013 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 R, spread hereupon and incorporated herein by reference.)
25. **Approve *En Masse* Petitions for Increase of Assessments of Real Property for the 2013 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 S, spread hereupon and incorporated herein by reference.)
26. **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 T, spread hereupon and

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incorporated herein by reference.)

27. **Acknowledge Petition for Increase of Assessment of Real Property for 2013 Tax Year Not Accepted by Taxpayer and Set Date for Public Hearing.**
(A true and correct copy of said Petition and its spreadsheet attachment is attached hereto as Collective Exhibit U, spread hereupon and incorporated herein by reference, and a public hearing is set for January 21, 2014.)
28. **Approve Petition for Reduction of Assessments of Real Property for the 2013 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 V, spread hereupon and incorporated herein by reference.)
29. **Approve Amended Homestead Applications - 2013 Tax Year.**
(A true and correct copy of that certain memorandum dated December 9, 2013 from Homestead Director Emily Anderson is attached hereto as Exhibit W, spread hereupon and incorporated herein by reference.)
30. **Approve Deleted Homestead Applications - 2013 Tax Year.**
(A true and correct copy of that certain memorandum dated December 10, 2013 from Homestead Director Emily Anderson is attached hereto as Exhibit X, spread hereupon and incorporated herein by reference.)
31. **Acknowledge Memorandum of Understanding Between Secretary of State, Mississippi Department of Public Safety and the Registrar of Madison County for Mississippi Voter Identification Card Program.**
(A true and correct copy of which is attached hereto as Exhibit Y, spread hereupon and incorporated herein by reference.)
32. **Authorize Advertising for Bids for Publication.**
(The Chancery Clerk was and is hereby authorized to advertise for publication bids for the publication of legal proceedings of the Madison County Board of Supervisors.)
33. **Acknowledge Clerk of the Board Report.**
(A true and correct copy of said Report may be found in the Miscellaneous Appendix to these Minutes.)
34. **Approve Renewal of IBM Support Contract on AS/400 - Sheriff's Department.**
(A true and correct copy of which is attached hereto as Exhibit Z, spread hereupon and incorporated herein by reference in the amount of \$5,173.55.)
35. **Acknowledge Receipt of WalMart Donation - Sheriff's Department.**
(A true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes.)
36. **Approve Certificate of the County with Respect to Drug Free Workplace Policy.**
(A true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes. The Board President was and is hereby authorized to execute same.)
37. **Authorize and Approve Travel and Related Expenses for Comptroller Shelton Vance and Inventory Control/Payroll Clerk Loretta Phillips to Attend Health Care Reform Training.**
38. **Authorize Payment to Department of Revenue for Sheriff's Department to Purchase Car Tags.**

President's Initials: _____

Date Signed: _____

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 16th day of December, 2013.

In re: Discussion of Justice Court Funds

WHEREAS, Mr. Michael Ward, Esq. appeared before the Board and requested the Board's consideration to reimburse his client, Johnny Sanders for a cash bond which he had posted on a former employer, and

WHEREAS, Mr. Ward reported that said bond was posted for an employee of Mr. Sanders, who was released to INS for deportation, and

WHEREAS, Mr. Ward felt the bond should be returned to Mr. Sanders because the case against the employee referenced herein was dismissed in Justice Court, and

Following discussion, Mr. Ronny Lott did offer and Mr. Gerald Steen did second a motion to authorize Board Attorney Mike Espy to contact the State Auditor's office and verify if said cash bond could be reimbursed to Mr. Sanders. 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 hereby so authorized.

SO ORDERED this the 16th day of December, 2013.

In re: Discussion of Gate at Panther Creek

During the period of concerned citizens, Mr. Walter McKay appeared before the Board and requested the Board permanently close the gate between Panther Creek and Germantown Subdivision, and

WHEREAS, Mr. McKay read that certain document dated December 16, 2013 detailing the request of Germantown residents to post a notice to close said gate, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Ronny Lott did offer and Mr. John Bell Crosby did second a motion to direct Board Attorney Mike Espy to correspond with the Panther Creek Homeowners Association that the gate between Panther Creek and Germantown will be closed effective January 17, 2013 at 5:00 pm and to acknowledge receipt of said document. The vote on the matter being as follows:

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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 hereby directed and said document was and is hereby acknowledged.

SO ORDERED this the 16th day of December, 2013.

In re: Authorization of County Administrator and Board Attorney

Mr. Karl M. Banks did offer and Mr. Gerald Steen did second a motion to authorize County Administrator Mark Houston to issue a refund to Mr. Johnny Sanders for the cash bond as outlined above in these Minutes contingent on Board Attorney Mike Espy acquiring approval from the State Auditor's Office. 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. Houston was and is hereby authorized with approval from the State Auditor's Office.

SO ORDERED this the 16th day of December, 2013.

In re: Reinstatement of Homestead, Acknowledgment of Correspondence and Adjustment of Assessment of 2013 Land Roll for Jennifer Street Summerlin and Thomas & Myra Sandidge

WHEREAS, Ms. Jennifer Street Summerlin and Thomas & Myra Sandidge appeared before the Board and requested the Board's consideration to reinstate homestead to parcel no. 093D-19C-352/00.00 being assessed to Ms. Summerlin and reinstate homestead to parcel no. 093D-19B-019/00.00 being assessed to Thomas & Myra Sandidge,

WHEREAS, Ms. Summerlin and Mr. Sandidge reported that the homestead had been removed from the above referenced parcels due to them allowing Canton Flea Market vendors to use their property to set up booths twice a year, and

WHEREAS, Ms. Summerlin and Mr. Sandidge did present certain correspondence supporting their request to reinstate the homestead, true and correct copies of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to (1) reinstate homestead exemption to parcel no. 093D-19C-352/00.00 and parcel no. 093D-19B-019/00.00; (2) acknowledge receipt of the aforementioned correspondence, (3) direct the Tax Collector to issue a new tax bill reinstating homestead on each parcel, and (4) adjust the 2013 tax roll to reflect same. The vote on the matter being as follows:

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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 homestead exemption was and is hereby restored as to the aforementioned parcels, said correspondence is acknowledged, the Tax Collector was and is hereby directed, and the 2013 tax roll was and is hereby adjusted to reflect same.

SO ORDERED this the 16th day of December, 2013.

In re: Consideration of Certain Zoning Violations, the Ordering of the Cleaning of Said Private Property, and the Placement of a Lien Thereon as Allowed by Miss. Code Ann. § 19-5-105 and Proceed with Legal Action

WHEREAS, Zoning Administrator Brad Sellers appeared before the Board and presented certain zoning violations on the cleaning of the private property owned by the following individual:

- (1) C. M. Evans Investments
Description: Jody Drive
- (2) Della Mae Coleman Estate
Description: Main Street
- (3) James Johnson
Description: Sugar Hill Street
- (4) Barry and Tonya Saul
Description: Mae Avenue

Following discussion, Mr. Paul Griffin did offer and Mr. Ronny Lott did second a motion to **(1)** find, adjudicate and determine that said property was and is in such a state of uncleanliness as to be a menace to the public health and safety of the community, **(2)** direct that the County Road Department proceed to have the land cleaned by cutting weeds, filling cisterns, and removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris, and draining cesspools and standing water therefrom, and **(3)** upon completion of such cleaning, assess the actual cost of cleaning the said lot to the owner thereof, such assessment not to exceed \$10,000 this calendar year, the same constituting a lien against said property to be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the county shall, if such sums are not tendered, proceed to sell said land to satisfy said lien as now provided by law for the sale of lands for delinquent taxes, all in accordance with Miss. Code Ann. § 19-5-105. 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 property was and is hereby adjudicated a menace due to its state of uncleanliness, the County Road Department was and is instructed accordingly, and such assessment ordered to be made upon submission of the actual cost of cleaning by the Road Department.

SO ORDERED this the 16th day of December, 2013.

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***In re: Request for Design Exception
Heartland Estates V***

WHEREAS, County and State Aid/LSBP Engineer Rudy Warnock, appeared before the Board and requested the Board's consideration to allow a design exception for the proposed Quail Ridge Drive in Heartland Estates V so as to construct the road length to 2,540 feet, and

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

Following discussion, Mr. Karl M. Banks did offer and Mr. Ronny Lott did second a motion to approve said request allowing Quail Ridge Drive's road length to be 2,540 feet. 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 request was and is hereby so approved.

SO ORDERED this the 16th day of December, 2013.

In re: Authorization to Release Letter of Credit

At the recommendation of County and State Aid/LSBP Engineer Rudy Warnock, Mr. Ronny Lott did offer and Mr. Karl M. Banks did second a motion to authorize the Chancery Clerk to release Letter of Credit No. 13-010-SP on SSR Development, LLC for the final wearing surface of Fall's Crossing. 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 Letter of Credit was and is hereby so released.

SO ORDERED this the 16th day of December, 2013.

In re: Approval of Final Plat of Fall's Crossing, Phase 2

WHEREAS, County and State Aid/LSBP Engineer Rudy Warnock appeared before the Board and presented the final plat of Fall's Crossing, Phase 2 and requested the Board to approve same, indicating and representing that the same met with all appropriate and applicable county requirements, and

WHEREAS, Mr. Warnock did report that the developer was to deliver the Letter of Credit to the Chancery Clerk and advised the Board that the street listed on said plat is to be accepted as public road, and added to the County Road Register to the extent such is street is depicted on said plat, to-wit:

Fall's Crossing

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Following discussion of this matter, Mr. Ronny Lott did offer and Mr. John Bell Crosby did second a motion to **(1)** approve said final plat, contingent upon the Chancery Clerk receiving the Letter of Credit, (a) subject to the requirement that approval of the Madison County Board of Supervisors would be required on any changes to said plat and/or the accompanying covenants until such time as a majority of votes necessary to change the covenants are controlled by residents of the subdivision, (b) subject to zoning ordinances that the Board finds will be applicable upon adoption thereof in the future, and **(2)** accept the above listed road as a public road, and **(3)** direct the Clerk to accept and retain the aforesaid Letter of Credit when received. 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 the final plat of Fall's Crossing, Phase 2 was and is hereby approved with the aforementioned proviso and said road was and is accepted as a public street.

SO ORDERED this the 16th day of December, 2013.

***In re: Acknowledge Receipt of Contract Documents and Project Plans -
Bozeman Road Maintenance Overlay Project***

Following discussion and at the request of County and State Aid/LSBP Engineer Rudy Warnock, Mr. Karl M. Banks did offer and Mr. Ronny Lott did second a motion to acknowledge receipt of those certain project plans and contract documents on Bozeman Road Maintenance Overlay Project being State Aid Project No. SAP-45(10)M, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes. 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 contract documents and project plans were and are hereby acknowledged.

SO ORDERED this the 16th day of December, 2013.

***In re: Discuss Deprogramming Bozeman Road
Maintenance Overlay Project***

WHEREAS, County Engineer and State Aid & LSBP Engineer Rudy Warnock appeared before the Board and requested the Board de-program the State Aid Project No. SAP-45(10)M being the Bozeman Road Maintenance Overlay Project, and

WHEREAS, Mr. Warnock reported that by deprogramming said project it would allow the county to receive state aid funds,

Following discussion, Mr. Karl M. Banks did offer and Mr. Gerald Steen did second a motion to de-program the Bozeman Road Maintenance Overlay Project. The vote on the matter being as follows:

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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 maintenance overlay project was and is hereby de-programmed.

SO ORDERED this the 16th day of December, 2013.

In re: Approval of Professional Engineering Services Contract - Bozemand Road Reconstruction

WHEREAS, County & State Aid/LSBP Engineer Rudy Warnock appeared before the Board and presented the Professional Engineering Services contract for Bozeman Road Reconstruction, a true and correct copy of which is attached hereto as Exhibit AA, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Ronny Lott did offer and Mr. Gerald Steen did second a motion to approve the aforementioned contract as referenced in Exhibit AA 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	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said contract was and is hereby approved and the Board President was and is hereby authorized.

SO ORDERED this the 16th day of December, 2013.

In re: Consideration of Bids - Circuit Courthouse Renovations

WHEREAS, County Administrator Mark Houston appeared before the Board and presented a bid tabulation prepared by M3A Architecture for the Madison County Circuit Courthouse Renovations and requested the Board take said bids under advisement, and

WHEREAS, Mr. Houston stated he needed additional time to review the bids and determine funding for same,

Following discussion, Mr. Karl M. Banks did offer and Mr. Ronny Lott did second a motion to take said bids under advisement. 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 bids were and are hereby taken under advisement.

SO ORDERED this the 16th day of December, 2013.

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***In re: Approval to Pay Invoice -
Warnock & Associates, LLC***

WHEREAS, County Administrator Mark Houston appeared before the Board and presented that certain invoice no. 12-16-13 in the amount of \$16,861.50 from Warnock & Associates, LLC for design engineering on Bozeman Road from Highway 463 to just past Reserve Subdivision, a true and correct copy of which is attached hereto as Exhibit BB, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Houston requested the Board's consideration to pay said invoice from account no. 150-300-555,

Following discussion, Mr. Ronny Lott did offer and Mr. Karl M. Banks did second a motion to pay invoice no. 12-16-13 to Warnock & Associates, LLC in the amount of \$16,861.50 from account no. 150-300-555. 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 the Chancery Clerk was and is hereby authorized to issue a pay warrant accordingly.

SO ORDERED this the 16th day of December, 2013.

In re: Approval of Budget Amendments & Interfund Cash Loan

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 & Interfund Cash Loan December 16, 2013," a true and correct copy of which is attached hereto as Exhibit CC, spread hereupon and incorporated herein by reference, and

Following discussion, Mr. Ronny Lott did offer and Mr. Karl M. Banks did second a motion to approve said budget amendments and interfund cash loan. 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 budget amendments & interfund cash loan were and are hereby approved.

SO ORDERED this 16th day of December, 2013.

***In re: Approval to Reject Certain Claims -
Old River Truck Sales***

WHEREAS, Comptroller Shelton Vance appeared before the Board and presented those certain claims as outlined on that certain memorandum dated December 16, 2013 and requested the Board's consideration to reject said claims and forward same to the Board Attorney for the filing of a declaratory compliant in the Circuit Court of Madison County, a true and correct copy

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of which is attached hereto as Collective Exhibit DD, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Vance reported that said claims were from Old River Truck Sales,

Following discussion, Mr. Karl M. Banks did offer and Mr. Gerald Steen did second a motion to reject said claims as referenced in Collective Exhibit DD and direct the Board Attorney to file a declaratory compliant in the Circuit Court of Madison County . 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 claims were and are hereby rejected and the Board Attorney was and is hereby authorized.

SO ORDERED this the 16th day of December, 2013.

In re: Approval of Claims Docket for December 16, 4 and 10, 2013

WHEREAS, the Board reviewed the claims dockets for December 16, 4 and 10, 2013; and

- (1) General Claims Docket, dated December 16, 2013
- (2) Payroll Claims Docket No. 1, dated December 4, 2013
- (3) Payroll Claims Docket No. 1, dated December 10, 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 primary claims docket dated December 16, 2013:

Fund	Claim Nos.	No. of Claims	Amount
001	665 to 762, 764 to 771	106	316,016.62
012	45 to 50	6	2,433.38
015	17 to 19	1	155,140.05
097	32 to 37	6	3,445.27
105	78 to 91	14	16,755.62
113	3 to 4	2	3,594.65
115	37 to 40	4	3,104.34
150	205 to 245	41	41,346.21
160	22 to 22	1	1,732.36
190	9 to 10	2	287.90
191	15 to 17	3	1,991.64
192	11 to 11	1	422.27
226	10 to 10	1	3,200.00
308	15 to 15	1	52,097.91
401	10 to 11	2	16,813.15
402	5 to 5	1	4,860.00
655	3 to 3	1	66,569.92
672	3 to 3	1	974.50
675	3 to 3	1	4,037.00
693	5 to 5	1	600.00
	TOTAL ALL FUNDS	196	695,422.79

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Thereafter and following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby 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 EE, 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	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said General Claims Docket and Payroll Dockets No. 1 & No. 2 were and are hereby approved, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 16th day of December, 2013.

In re: Approval of Claims of Fleetcor Technologies

Thereafter, Mr. Vance presented a supplemental claims docket also dated December 16 2013 containing the claims of Fleetcor Technologies and requested the Board's consideration thereof,

Mr. Ronny Lott 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:

Supervisor John Bell Crosby	Aye
Supervisor Ronny Lott	Aye
Supervisor Gerald Steen	Not Present and Not Voting ¹
Supervisor Karl M. Banks	Aye
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 16th day of December, 2013.

In re: Approval to Auction Certain Vehicles Seized by the Madison County Sheriff's Office and Acknowledgment of Submission of Invoice to Mississippi Department of Corrections

WHEREAS, Comptroller Shelton Vance on behalf of Sheriff Randy Tucker appeared before the Board and presented a list of vehicles seized by the Sheriff's Department and

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.

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requested the Board authorize and direct said vehicles to be sold to the highest bidder at auction, and

WHEREAS, a list of said vehicles according to VIN numbers is attached hereto as Exhibit FF, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Ronny Lott did offer and Mr. Karl M. Banks did second a motion to authorize and direct that the vehicles listed on Exhibit FF be declared forfeited and sold by the Sheriff at auction to the highest bidder. 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 vehicles were and are hereby declared forfeited and authorized to be sold at auction by the Sheriff.

SO ORDERED this the 16th day of December, 2013.

Thereafter, Mr. Vance presented that certain invoice in the amount of \$21,725.48 to the Mississippi Department of Corrections for housing of prisoners and requested the Board authorize the Board President to execute same,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to acknowledge the submission of said invoice 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	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said invoice was and is hereby acknowledged and the Board President was and is hereby authorized.

SO ORDERED this the 16th day of December, 2013.

***In re: Adoption of Resolution Commending the
Service of Former Chancery Clerk of Madison County
Honorable Arthur Johnston***

**RESOLUTION COMMENDING THE SERVICE OF
HONORABLE ARTHUR JOHNSTON**

WHEREAS, Arthur Johnston began his tenure of extraordinary service to the citizens of Madison County on January 2004, by being elected as Chancery Clerk of Madison County; and

WHEREAS, Arthur Johnston's effectiveness in office was considered by the citizens of Madison County as meriting their highest esteem, the demonstration of which was abundantly shown in his re-election campaigns of 2007 and 2011, in which Mr. Johnston cruised to victory as an unopposed candidate; and

WHEREAS, his prodigious capacity for service was amplified through demonstration of his aptitude in the law and business, having received his credentials via Juris Doctor degree from the

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University of Mississippi School of Law in 1993, through his selection as Associate Editor of *The Mississippi Law Journal*, and through his service as an Adjunct Professor of Management, Tulane University, at its Madison County campus; and

WHEREAS, his strong roots as a “son of the Mississippi Delta” were inculcated during his childhood years in Cleveland, Mississippi, and continued through his superior education received at Delta State University, from which he graduated with Honors in 1989, and at which he served as Student Body President. Mr. Johnston today demonstrates that he is a proud contributing alumnus of Delta State University through his numerous activities on behalf of the administration of DSU; and

WHEREAS, appreciation by his peers of Arthur Johnston’s contributions in advancement of the Office of Chancery Clerk throughout the State of Mississippi and the United States have been demonstrated through his election as a member of the Board of Directors, National Association of County Recorders and Clerks, Secretary-Treasurer of the Mississippi Chancery Clerk’s Association, and further as Vice-President of the Mississippi Republican Elected Officials Association; and

WHEREAS, his special and unique talents regarding the application of information technology and techniques which promote the modernization of governance that allows public officials to better serve their constituents has distinguished him and generated acclaim for himself and for Madison County; and

WHEREAS, these unique data management skills were recognized by Governor Haley Barbour, who appointed Mr. Johnston to serve as Chairman of the Mississippi Electronic Recording Commission, which led to numerous commendations and notable awards from the Mississippi Supreme Court and the Mississippi Bar Association; and

WHEREAS, in recognition of his high integrity and character, and in note of his great record of service as Madison County Chancery Clerk, the Senior Justices of the United States Federal District Court for the Southern District of Mississippi have promoted Arthur Johnston to an even higher calling, by appointing him to serve in the prestigious position as Clerk of the Federal District Court, a position from which he will undoubtedly render commendable service to the Judges of that Court and to the people of Mississippi and the United States; and

WHEREAS, Arthur Johnston brings great credit to Madison County and to his family through acceptance of this important and solemn position as Clerk, US District Court for the Southern District of Mississippi.

NOW, THEREFORE BE IT RESOLVED, in witness of our sincere and respectful appreciation for the decade of service of Arthur Johnston as Chancery Clerk of Madison County, and in recognition of our boastful pride in his appointment as Clerk, US District Court for the Southern District of Mississippi, the Board of Supervisors of Madison County, upon Motion, which carried unanimously, Does Hereby Approve this Resolution Commending the Service of Arthur Johnston, which said Resolution shall be included as a part of the permanent Minutes of the Records of Madison County.

Mr. Ronny Lott did offer and Mr. Karl M. Banks did second a motion to adopt the above and foregoing Resolution. 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 motion carried unanimously and said Resolution was and is hereby adopted.

SO ORDERED this the 16th day of December, 2013.

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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 litigation,

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Karl M. Banks did offer and Mr. John Bell Crosby 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 economic development, potential litigation and personnel matters with the following persons deemed necessary for Board discussions, deliberations, and recording of such Executive Session, to wit: members of the Board, Chancery Clerk Cynthia Parker, County Administrator Mark Houston, County Comptroller Shelton Vance, Board Attorney Mike Espy, County and State Aid/LSBP Engineer Rudy Warnock and Mr. Bob Gholson, Esq. 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 the Board took up the matter of entering Executive Session.

SO ORDERED this the 16th day of December, 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. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to enter into Executive Session to discuss economic development and potential litigation. 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 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 16th day of December, 2013.

During Executive Session, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to seal that certain Resolution related to the Landspan property which is the subject of litigation in which Madison County is a party Defendant. 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

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the matter carried unanimously and Mr. Espy was and is hereby directed.

SO ORDERED this the 16th day of December, 2013.

Thereafter and upon the advise of the Board Attorney, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to seal that certain Resolution related to the Landspan, LLC property pending discussion with the Secretary of State's office. 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 Resolution was and is hereby sealed.

SO ORDERED this the 16th day of December, 2013.

Following discussion, Mr. Karl M. Banks did offer and Mr. Ronny Lott did second a motion to settle with the IRS and pay a fine in the amount of \$126,984.00 related to the 2006 Refinancing Bonds. 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 the Chancery Clerk was and is hereby directed to issue a pay warrant accordingly.

SO ORDERED this the 16th day of December, 2013.

Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to authorize travel and related expenses for Supervisor Karl M. Banks, Supervisor John Bell Crosby,, the Chancery Clerk, the County Administrator, the County Comptroller, and the Board Attorney to travel to Chicago, IL on January 2-4, 2014, to meet with Allstate representatives to discuss items related to the settlement of the Lost Rabbit litigation in which Madison County is party Defendant. 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 travel and related expenses was and is hereby authorized.

SO ORDERED this the 16th day of December, 2013.

Thereafter, Mr. Karl M. Banks did offer and Mr. Ronny Lott did second a motion to adjourn the Executive Session and direct the Board Attorney to announce to the public the action taken therein. The vote on the matter being as follows:

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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 adjourned and the Board Attorney did announce to the public the action taken therein.

SO ORDERED this the 16th day of December, 2013.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Karl M. Banks and seconded by Supervisor Ronny Lott and approved by the unanimous vote of those present, the December, 2013 term of the Madison County Board of Supervisors was adjourned.

President
Madison County Board of Supervisors

Date signed: _____

ATTEST:

Cynthia Parker, Chancery Clerk

President's Initials: _____

Date Signed: _____

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