

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

REGULAR MEETING OF JULY 6, 2004
Being the first day of the July Term of the Board of Supervisors

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on July 6, 2004, at the Madison County Chancery/Administrative Building in Canton, Mississippi, as follows, to-wit:

The President of the Board, Douglas L. Jones, presided and called the meeting to order. The following members were present that day:

Present:

Supervisor Douglas L. Jones
Supervisor Tim Johnson
Supervisor Andy Taggart
Supervisor Paul Griffin
Supervisor Karl M. Banks
Chancery Clerk Arthur Johnston
Sheriff Toby Trowbridge

Absent:

None

Also in attendance:

County Administrator Donnie Caughman
County Comptroller Mark Houston
County Road Manager Prentiss Guyton
County Engineer Mike McKenzie
State Aid and LSBP Engineer Rudy Warnock
Zoning Administrator Brad Sellers
Board Secretary Cynthia Parker
Board Attorney Edmund L. Brunini, Jr.

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Supervisor Andy Taggart opened the meeting with a prayer and Supervisor Paul Griffin led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

The President then announced that Deputy John Martin Harris with the Madison County Sheriff's Department was named Madison County's Employee of the Quarter and read a summary of Deputy Harris' accomplishments, feats of bravery, and heroic efforts in a recent stand off involving gunplay as a result of which Deputy Harris was wounded. The Board issued its deep appreciation for Deputy Harris' dedication to the people of the county.

In re: Approval of Minutes From June, 2004 Term

WHEREAS, Chancery Clerk Arthur Johnston did present the Board with the Minutes of the previous meetings of the Board of Supervisors during the June 2004 term, said meetings having been conducted on June 7, June 18, and June 25, 2004,

Following discussion, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to approve the Minutes as presented with certain amendments which were read in open session, and to authorize the President to sign said Minutes after said corrections have been made. The vote on the matter being as follows:

Supervisor Douglas L. Jones

Aye

President's Initials: _____

Date Signed: _____

Supervisor Tim Johnson	Not Present and Not Voting
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the Minutes for the June 2004 term of the Board of Supervisors of Madison County were and are hereby approved as amended.

SO ORDERED this the 6th day of July, 2004.

***In re: Petitions of Dr. S. L. Sethi to Rezone Certain Properties
Along Bozeman Road***

**ORDINANCE BY THE BOARD OF SUPERVISORS
OF MADISON COUNTY, MISSISSIPPI,
AMENDING THE MADISON COUNTY ZONING ORDINANCE**

WHEREAS, the Board of Supervisors had previously advertised its intent to conduct a public hearing on June 25, 2004, concerning three (3) certain petitions filed by Dr. S. L. Sethi seeking to re-zone three (3) separate tracts of land along Bozeman Road in Madison County, Mississippi and authorized the publication of notice in the *Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on June 3, 2004, and

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

WHEREAS, the Board, in open session on that date (June 25, 2004) did announce that the hearing on said petitions were continued until 9:00 a.m. on July 6, 2004 in the Board Room of the Chancery and Administrative Building in Canton, Mississippi, and

WHEREAS, the date and hour as decreed did arrive and the Board President declared open the public hearing to consider the request of the Dr. S. L. Sethi as set forth in said petitions, and

WHEREAS, County Zoning Administrator Brad Sellers did appear before the Board and reported that Dr. Sethi had, prior to today's hearing, conducted certain negotiations with the City of Madison and its Mayor concerning his requests and had agreed to certain changes to his proposed development, and

WHEREAS, Dr. Sethi did also appear before the Board, reporting that he was orally modifying his request and was now seeking the Board's approval to re-zone three separate parcels of property from R-1 Residential District to R-1B Residential District, conditioned upon certain covenants and a plat depicting the three parcels as a single contiguous development denominating certain one acre lots, certain one-half (1/2) acre lots and certain 15,000 square foot lots, and

WHEREAS, the three parcels are described as (1) 82.04 acres along Bozeman Road in Section 31, T8N-R2E and Section 36, T8N-R1E; (2) 40.5 acres along Bozeman Road in Section 31, T8N-R2E and Section 36, T8N-R1E., and (3) 15.3 acres along Bozeman Road in Section 31, T8N-R2E and Section 36, T8N-R1E and are each more particularly described in Exhibits 1, 2 and 3 to the Minutes of the Madison County Board of Supervisors of December 29, 2003, and total 137.84 acres more or less, and

WHEREAS, John Hedglin, Esq., City Attorney for the City of Madison did also appear

President's Initials: _____

Date Signed: _____

before the Board and drew the Board’s attention to those certain notations made to the plat of the proposed development, which notations bear the initials of both Dr. Sethi and the Mayor of the City of Madison and stating: “1 acre lots remain/lake meets city ordinance and sub-ordinances (City Madison) – 11 lots added and accepted with all homes minimum 3000 square feet,” and

WHEREAS, Mr. Hedglin did state that with said notation, and conditioned upon the plat and covenants as presented, the City of Madison would withdraw its objection to the development, and

WHEREAS, the Planning and Zoning Commission did recommend approval of the request, with the conditions as noted,

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to close the public hearing, grant the request and adopt the following Ordinance, to-wit:

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, AS FOLLOWS, TO WIT:

1. That appropriate public need and change in character of the neighborhood having been demonstrated, the following described tract of real property be, and the same is hereby, rezoned from its present R-1 Residential District to a R-1B Residential District on the condition that the development take place in accordance with the plat and covenants which were presented to the Board and which may be found in the Miscellaneous Appendix to these Minutes and on the further condition that any amendments or alterations to said covenants be approved by this Board until such time as fifty percent (50%) of the lots in said subdivision are sold:

See Exhibits 1, 2 and 3 to the Minutes of the Madison County Board of Supervisors of December 29, 2003, which contain a description of the subject property.

2. That the Madison County Zoning Ordinance be and the Zoning District Map be and the same are hereby amended so as to reflect the foregoing change in the zoning of the above described real property.

ORDAINED, ADOPTED AND APPROVED by the Board of Supervisors of Madison County, Mississippi, at a meeting thereof held on the 6th day of July, 2004.

The foregoing the question having been called on the foregoing motion, and the foregoing Ordinance having been first reduced to writing was read, considered and approved, section by section, and then as a whole and was submitted to the Board of Supervisors for passage or rejection on roll call vote, said vote being as follows, to wit:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Not Present and Not Voting
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the Petition of Dr. S. L. Sethi as modified was and is hereby approved, the subject property was and is hereby re-zoned, and the County zoning ordinance and map are amended accordingly.

SO ORDERED this the 6th day of July, 2004.

In re: Request of Paul Hopson to Replace an Existing Mobile Home With a New One Without Limitation as to Time

President’s Initials: _____

Date Signed: _____

WHEREAS, Mr. Paul Hopson of Flora did appear before the Board requesting that he be allowed to replace his current mobile home, located at 726 Harris Road, Flora, Mississippi, with a new one on his property zoned R-2 Residential, and

WHEREAS, County Zoning Administrator Brad Sellers did also appear, stating that Mr. Hopson’s existing mobile home is a legal, non-conforming use and that county zoning ordinances could be read to prohibit the complete replacement of new mobile, and

Following discussion, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to close the public hearing. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye ¹
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the public hearing was and is hereby closed.

SO ORDERED this the 6th day of July, 2004.

Following further discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to grant the request to replace existing mobile home with a new mobile home. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Mr. Hopson’s request was and is hereby granted.

SO ORDERED this the 6th day of July, 2004.

In re: Approval of Consent Agenda Items

WHEREAS, President Jones did report that he and County Administrator Donnie Caughman had conferred in advance of the meeting as to certain matters denominated “Consent Items” on the Agenda and that the same appeared to be routine, non-controversial items with which all Supervisors were likely to agree, and

WHEREAS, Mr. Caughman 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 did request that the following matter be removed from the Consent Agenda and be addressed separately, to-wit: Item (G) “Void Tax Sales,” and

WHEREAS, the following items were taken up as “Consent Items,” to-wit:

(A) Approval to Advertise for County Mapping Maintenance

WHEREAS, County Administrator, Donnie Caughman did request approval to advertise for Annual Map Maintenance Services, and

¹Mr. Johnson arrived prior to the call of the question.

President’s Initials: _____

Date Signed: _____

WHEREAS, the Board ascertained a need to advertise for such services and authorized County Administrator Donnie Caughman to run an advertisement for bids two (2) times in the *Madison County Herald*, and

(B) Approval to Advertise Sale of Old Nursing Home Property, being lots 1-4, Shadow Lawn Addition located on S. Liberty St., Canton, Mississippi

WHEREAS, Donnie Caughman did request approval to advertise for the sale of the Old Nursing Home Property as described above, and

WHEREAS, the Board does desire to advertise said property for sale and does hereby authorize County Administrator Donnie Caughman to run an advertisement for bids two (2) times in the *Madison County Herald*, and

(C) Approval to Authorize CDBG Grant Modification on Tin Top Project

WHEREAS, County Administrator Donnie Caughman did present unto the Board certain materials pertaining to CDBG Contract number 01-045-PF-01, the “Tin Top” project, which materials require execution by the Board President and reflect and authorize a modification of and an increase in the grant associated with said contract of \$70,000 to provide for sewer connection services to individual homes in the affected area, and

WHEREAS, the Board does desire to and does hereby approve said modification and increase and does also desire to and does hereby authorized the Board President to execute the necessary documentation to reflect the same, including execution of that certain form entitled “Modification Signature Sheet,” a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

(D) Approval of Real Property Assessment Decreases

WHEREAS, Tax Assessor Gerald Barber through Chief Deputy Tax Assessor Kent Hawkins presented an *en masse* petition for the reduction of assessment of real property taxes, dated June 30, 2004, in the amount of \$71,522 which petition, together with a respective spreadsheet attachment are attached hereto as Exhibit B, spread hereupon, and incorporated herein by reference, and

WHEREAS, the Board does desire to and does hereby approve the reduction in real property tax assessments as requested by the taxpayers listed on, and in the amounts and for the reasons as set forth in, the aforesaid Exhibit B, and

(E) Approval of Personal Property Assessment Decreases

WHEREAS, Mr. Hawkins presented an *en masse* petition for the reduction of assessment of personal property taxes in the total amount of \$14,128 which petition, together with its respective spreadsheet attachment is attached hereto as Exhibit C, spread hereupon, and incorporated herein by reference, and

WHEREAS, the Board does desire to and does hereby approve the reduction in personal property tax assessments as requested by the taxpayers listed on, and in the amounts and for the reasons as set forth in, the aforesaid Exhibit C, and

(F) Approval of Notice to Increase Assessment of Real Property on Baltic, LLC

WHEREAS, Tax Assessor Gerald Barber, through Chief Deputy Tax Assessor Kent Hawkins, requested that the Board increase assessment of real property on Baltic, LLC on the

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following parcel number in the following amount:

<u>Parcel Number</u>	<u>Amount</u>
72I-30C-5/1.13	\$29,235

AND WHEREAS, Mr. Hawkins did inform the Board it was not necessary to advertise the increase as the taxpayer has accepted the increase by signing the Notice of Increase Petition, which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Board does desire to and does hereby approve the aforesaid increase in assessment, and

(H) Approval of Tax Refund for 2002 to Mrs. Christina Taylor

WHEREAS, Tax Assessor Gerald Barber, through Chief Deputy Tax Assessor Kent Hawkins, requested that the Board refund certain taxes paid in error by Mrs. Christina Taylor on the following parcel number in the following amount:

<u>Parcel Number</u>	<u>Amount</u>
072I-31C-123/02	\$1,462.13

WHEREAS, Mr. Hawkins did report to the Board that said property received a double assessment in that it was assessed with both an improvement and full lot value for tax year 2002 , and

WHEREAS, copies of materials supporting the request and documenting the assessment error may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Board does desire to and does hereby correct said error by authorizing the Chancery Clerk to issue a refund in the amount aforesaid, and

(I) Approval of Certain Homestead Exemption Amendments

WHEREAS, Tax Assessor Gerald Barber, through Chief Deputy Tax Assessor Kent Hawkins, presented certain amended applications for homestead exemptions on property in Madison County, Mississippi for the following individuals and parcel numbers and for the reasons set forth below, and

Amendments and Corrections

<u>Name</u>	<u>Parcel Number</u>	<u>Reason</u>
O'Brien, Susan	72C-06C-116/01.50	Applying homestead to correct parcel
Cain, Curtis	92F-13C-013	Over 65 credit

WHEREAS, copies of forms and back up materials pertaining to said requests for amendments may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the Board does desire to and does hereby approve said amended applications, and

Following a discussion of the merits and details of each of the above matters, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to approve each of the above and foregoing matters, the same being numbered items (A) through (I) herein above, less and except Item (G). The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye

President's Initials: _____

Date Signed: _____

Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and each item was and is hereby approved.

SO ORDERED this the 6th day of July, 2004.

In re: Objection to Personal Property Assessment - Imperial Marketing

WHEREAS, Mr. Paul Bane, owner of Imperial Marketing, did appear before the Board and lodged an objection to the personal property assessment rendered unto Imperial Marketing, an entity owned by him but no longer in business, and

WHEREAS, Mr. Bane did inform the board that due to his divorce he had never received any notice of payment on the personal property tax due on the business and had endured significant difficulty in getting assistance from county offices and officials with respect to his concerns, and

WHEREAS, Tax Assessor Gerald Barber did appear in support of the assessment, pointing out that Mr. Bane did in fact receive a routine request for a rendition well in advance of the assessment but never responded to same and that the Tax Assessor’s office had communicated on numerous and varied occasions with the business in question prior to the assessment but received no acknowledgment or cooperation, and that it was the taxpayer’s responsibility to ascertain and pay taxes and not the county’s responsibility to give notice of taxes due or overdue to the taxpayer,

Following discussion, Mr. Paul Griffin did move and Mr. Andy Taggart did second a motion to overrule the objection, deny the appeal, and allow the assessment to stand. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Not Present and Not Voting ²
Supervisor Paul Griffin	Aye

the matter carried unanimously and the objection was and is hereby overruled and the appeal was and is hereby denied.

SO ORDERED this the 6th day of July, 2004.

In re: Special Recognition

WHEREAS, Mr. Danny Berry with Mothers Against Drunk Drivers (MADD) presented Deputy George Elliott of the Madison County Sheriff’s Office with an award for being the Top DUI Law Enforcement Officer in the entire State of Mississippi, noting that Deputy Elliott lodged over 600 DUI arrests, the most in the entire state.

Following Mr. Berry’s presentation, the Board did express its thanks and appreciation to Deputy Elliott for a job well done.

²Prior to the call of the question, Mr. Banks excused himself from the meeting but returned immediately thereafter.

President’s Initials: _____

Date Signed: _____

In re: Authorizing the Giving of Public Notice of the Intent of the Board of Supervisors to Consider Approving Redevelopment Resolution and Redevelopment Agreement of 2004 and to Set Public Hearing Date

The Chancery Clerk and Board of Supervisors of Madison County, Mississippi (the “Governing Body” of the “County”), took up for consideration the matter of the Tax Increment Financing Redevelopment Plan of 2004 (the “Redevelopment Plan”), for the County, and a resolution regarding such Redevelopment Plan. After a full consideration and discussion of the matter, Supervisor Andy Taggart offered and moved the adoption of the following resolution:

RESOLUTION OF THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI DETERMINING THE NECESSITY FOR AND INVOKING THE AUTHORITY GRANTED TO MUNICIPALITIES BY THE LEGISLATURE WITH RESPECT TO TAX INCREMENT FINANCING AS SET FORTH IN CHAPTER 45 OF TITLE 21, MISSISSIPPI CODE OF 1972, AS AMENDED; DETERMINING THAT THE PUBLIC INTEREST REQUIRES THAT THE PLANNING COMMISSION OF THE COUNTY REVIEW SUCH REDEVELOPMENT PLAN; A PUBLIC HEARING BE CONDUCTED IN CONNECTION WITH THE TAX INCREMENT FINANCING REDEVELOPMENT PLAN OF 2004; AND FOR RELATED PURPOSES.

WHEREAS, the Mississippi “Tax Increment Financing Act”, Title 21, Chapter 45, Mississippi Code of 1972, as amended (the “Act”), authorizes municipalities and counties in Mississippi to undertake and carry out redevelopment projects as defined therein with the use of tax increment financing as set forth in detail in the Act;

WHEREAS, the Governing Body has determined the necessity to provide funds for certain public infrastructure improvements, including, but not all inclusive of, the construction, reconstruction, extension and improvement of water and sewer services and facilities, utility relocation, drainage improvements, wetlands mitigation, water retention and management, the construction, reconstruction, widening, extension, signalization and related improvements for connecting roads and streets, and for the acquisition of easements and rights-of-way necessary for the foregoing, and such other infrastructure improvements and incidental costs as may be necessary to accommodate development within the County (the “Project”);

WHEREAS, this Governing Body has been presented with a Tax Increment Financing Redevelopment Plan of 2004, a copy of which is attached hereto as EXHIBIT A to this Resolution (and which may be found in the Miscellaneous Appendix to these Minutes) and becomes a part hereof in its entirety, the purpose of which is to provide a mechanism to develop and redevelop various areas within the County;

WHEREAS, this Governing Body has identified the County in need of development and redevelopment and does hereby find that one or more areas within the County is in need of development and/or redevelopment and the rehabilitation, conservation, redevelopment and development of all areas within the County is necessary and in the public interest and in the best interests of the public health, safety, morals and welfare of the County; WHEREAS, this Governing Body does hereby approve the concept of development and redevelopment as set forth in the Redevelopment Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY AS FOLLOWS:

SECTION 1. That the receipt of the Tax Increment Financing Redevelopment Plan of 2004 is acknowledged.

SECTION 2. That such Redevelopment Plan shall be made available to the Planning Commission of the County, as required by §21-45-21, Mississippi Code of 1972, as amended,

President’s Initials: _____

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for their consideration and recommendations as to the Redevelopment Plans conformity with the Comprehensive Plan for development of the County.

SECTION 3. That the Planning Commission is hereby requested to convene to review the Redevelopment Plan and report its recommendations within thirty (30) days as required by the Act.

SECTION 4. That a public hearing shall be held with respect to the Redevelopment Plan in the regular meeting place of the Governing Body, in the Chancery Clerk and Administrative Building of the Governing Body in Canton, Mississippi at 10:00 o'clock a.m., on the 23rd day of July, 2004.

SECTION 5. The Clerk is hereby directed to publish the notice attached hereto as Exhibit "B" to this Resolution (and which may be found in the Miscellaneous Appendix to these Minutes) in the *Madison County Herald*, a newspaper having a general circulation in the County, and in which the County is authorized to publish legal notices, one (1) time not less than ten (10) days nor more than twenty (20) days prior to the date set forth in paragraph 4 hereof.

SECTION 6. For cause, this resolution shall become effective immediately upon the adoption thereof.

Following the reading of the foregoing Resolution, Supervisor Karl M. Banks seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote, the result was as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

The motion having received the affirmative vote of a majority of the members present, the Chancery Clerk declared the motion carried and the resolution adopted, on this the 6th day of July, 2004.

SO ORDERED this the 6th day of July, 2004.

In re: Authorizing the Giving of Public Notice of the Intent of the Board of Supervisors to Consider Approving Madison County Olde Towne Project Resolution and TIF Plan

The Chancery Clerk and Board of Supervisors of Madison County, Mississippi (the "Governing Body" of the "County"), took up for consideration the matter of the Tax Increment Financing Plan of 2004, Madison County, Mississippi (Olde Towne Project) (the "Tax Increment Financing Plan"), for the County, and a resolution regarding such Tax Increment Financing Plan. After a full consideration and discussion of the matter, Supervisor Andy Taggart offered and moved the adoption of the following resolution:

RESOLUTION OF THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, DETERMINING THE NECESSITY FOR AND INVOKING THE AUTHORITY GRANTED TO MUNICIPALITIES BY THE LEGISLATURE WITH RESPECT TO TAX INCREMENT FINANCING AS SET FORTH IN CHAPTER 45 OF TITLE 21, MISSISSIPPI CODE OF 1972, AS AMENDED; DETERMINING THAT THE TAX INCREMENT FINANCING PLAN OF 2004, MADISON COUNTY, MISSISSIPPI (OLDE TOWNE PROJECT) PROPOSES A PROJECT THAT IS A PROJECT ELIGIBLE FOR TAX INCREMENT FINANCING UNDER THE LAWS OF THE STATE; THAT A PUBLIC

President's Initials: _____

Date Signed: _____

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HEARING BE CONDUCTED IN CONNECTION WITH THE TAX INCREMENT FINANCING PLAN OF 2004, MADISON COUNTY, MISSISSIPPI (OLDE TOWNE PROJECT); AND FOR RELATED PURPOSES.

WHEREAS, the Governing Body of the County hereby finds, determines, adjudicates and declares as follows:

1. The Mississippi “Tax Increment Financing Act,” Title 21, Chapter 45, Mississippi Code of 1972, as amended (the “Act”), authorizes municipalities and counties in the State of Mississippi to undertake and carry out redevelopment projects as defined therein with the use of Tax Increment Financing as set forth in detail in the Act;
2. The Governing Body of the County has received the “Tax Increment Financing Redevelopment Plan of Madison County, Mississippi” (the "Redevelopment Plan") and will conduct public hearings on such Redevelopment Plan as required by law which Plan constitutes a qualified plan under the Act;
3. Copeland & Johns, Inc. (the "Developer") is proposing to develop a commercial project to be known as the Olde Towne Project (the "Project") in the County and City of Ridgeland, Mississippi (the “City”) and in a proposed TIF District as defined herein, and the Governing Body has been presented with a Tax Increment Financing Plan entitled the Tax Increment Financing Plan of 2004, Madison County, Mississippi (Olde Towne Project), and hereinafter referred to as the TIF Plan, a copy of which is attached hereto as EXHIBIT A to this Resolution (and which may be found in the Miscellaneous Appendix to these Minutes) and becomes a part hereof in its entirety, the purpose of which is to provide a financing mechanism to acquire and construct various improvements related to the Project as described in the TIF Plan;
4. The Governing Body has heretofore identified various parts of the County in need of development and redevelopment and does hereby find that the TIF Plan is a project of major economic significance within the County and qualifies as a project eligible for Tax Increment Financing as set forth in the Redevelopment Plan, and participation on the part of the County is necessary and would be in the public interest and in the best interest of the public health, safety, morals, and welfare of Madison County, Mississippi; and
5. The City has been presented a Tax Increment Financing Plan in connection with the Olde Towne Project; and
6. The City proposes to issue Tax Increment Limited Obligation Bonds or Notes, in one or more series, in an amount not to exceed \$950,000 which will be secured solely by a pledge of all or a part of the sales taxes and increased ad valorem taxes on real and/or personal property generated by development and construction in the TIF Plan District described in the TIF Plan (the “TIF District”) with such pledge to be further restricted as provided in the TIF Plan, and which funds will be used to pay the cost of acquiring and constructing various site and infrastructure improvements within or appurtenant to the TIF District including, but not limited to the construction, reconstruction, extension and improvement of streets, curbs and sidewalks, public parking and lighting, water and sewer facilities, fire protection improvements, relocation of utilities, and engineering and architectural costs relating to the foregoing (the “Improvements”) in connection with the proposed Olde Town Project in Madison County, Mississippi (the “Developer’s Project”) (the “Infrastructure Improvements” and the “Developer’s Project” together are referred to hereinafter as the “Redevelopment Project”).

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE COUNTY, AS FOLLOWS:

SECTION 1. That receipt of the Tax Increment Financing Plan of 2004, Madison County, Mississippi (Olde Towne Project), is hereby acknowledged.

President’s Initials: _____

Date Signed: _____

SECTION 2. As provided in the TIF Plan, Tax Increment Financing Bonds or Notes in the total principal amount not to exceed \$950,000 may be issued by the City to finance all or a part of the Infrastructure Improvements.

SECTION 3. If approved, the Bonds or Notes shall be secured solely by a pledge of all or a portion of the ad valorem tax revenues and all or a portion of the sales tax revenues generated by the Redevelopment Project and shall not be secured by the full faith and credit of the County or create any other pecuniary liability on the part of the County other than the pledge of the incremental increase in sales tax and ad valorem tax heretofore set forth. In addition, the Bonds or Notes may be secured by the guarantee of the Developer. These Bonds or Notes shall never constitute an indebtedness of the County within the meaning of any state constitutional or statutory limitation.

SECTION 4. That a public hearing shall be held with respect to the TIF Plan at the regular meeting place of the Governing Body in the Chancery Clerk and Administrative Building of the County in Canton, Mississippi, at 10:10 o'clock a.m., on July 23, 2004.

SECTION 5. That the Clerk is hereby directed to publish the attached notice as EXHIBIT B to this Resolution (and which may be found in the Miscellaneous Appendix to these Minutes) in the *Madison County Herald*, a newspaper having a general circulation in the County and in which the County is authorized to publish legal notices, one (1) time not less than ten (10) days nor more than twenty (20) days prior to the date set forth in paragraph 4 hereof.

SECTION 6. For cause, this resolution shall become effective immediately upon the adoption thereof.

Supervisor Karl M. Banks seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote, the result was as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

The motion having received the affirmative vote of a majority of the members present, the Chancery Clerk declared the motion carried and the resolution adopted, on this the 6th day of July, 2004.

SO ORDERED this the 6th day of July, 2004.

In re: Authorizing the Giving of Public Notice of the Intent of the Board of Supervisors to Consider Approving Madison County County Line Revitalization Project Resolution and TIF Plan

The Chancery Clerk and Board of Supervisors of Madison County, Mississippi (the "Governing Body" of the "County"), took up for consideration the matter of the Tax Increment Financing Plan of 2004, Madison County, Mississippi (County Line Revitalization Project) (the "Tax Increment Financing Plan"), for the County, and a resolution regarding such Tax Increment Financing Plan. After a full consideration and discussion of the matter, Supervisor Andy Taggart offered and moved the adoption of the following resolution:

RESOLUTION OF THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, DETERMING THE NECESSITY FOR AND INVOKING THE AUTHORITY GRANTED TO MUNICIPALITIES BY THE LEGISLATURE WITH RESPECT TO TAX INCREMENT FINANCING AS SET FORTH IN CHAPTER 45 OF TITLE 21, MISSISSIPPI CODE OF 1972, AS AMENDED;

President's Initials: _____

Date Signed: _____

DETERMINING THAT THE TAX INCREMENT FINANCING PLAN OF 2004, MADISON COUNTY, MISSISSIPPI (COUNTY LINE REVITALIZATION PROJECT) PROPOSES A PROJECT THAT IS A PROJECT ELIGIBLE FOR TAX INCREMENT FINANCING UNDER THE LAWS OF THE STATE; THAT A PUBLIC HEARING BE CONDUCTED IN CONNECTION WITH THE TAX INCREMENT FINANCING PLAN OF 2004, MADISON COUNTY, MISSISSIPPI (COUNTY LINE REVITALIZATION PROJECT); AND FOR RELATED PURPOSES.

WHEREAS, the Governing Body of the County hereby finds, determines, adjudicates and declares as follows:

1. The Mississippi "Tax Increment Financing Act," Title 21, Chapter 45, Mississippi Code of 1972, as amended (the "Act"), authorizes municipalities and counties in the State of Mississippi to undertake and carry out redevelopment projects as defined therein with the use of Tax Increment Financing as set forth in detail in the Act;
2. The Governing Body of the County has received the "Tax Increment Financing Redevelopment Plan of 2004, of Madison County, Mississippi" (the "Redevelopment Plan") and will conduct a public hearing on such Redevelopment Plan as required by law which Plan constitutes a qualified plan under the Act;
3. LR Company, LLC (the "Developer") is proposing to develop a commercial project to be known as the County Line Revitalization Project (the "Project") in the County and City of Ridgeland, Mississippi (the "City") and in a proposed TIF District as defined herein, and the Governing Body has been presented with a Tax Increment Financing Plan entitled the Tax Increment Financing Plan of 2004, Madison County, Mississippi (County Line Revitalization Project), and hereinafter referred to as the TIF Plan, a copy of which is attached hereto as EXHIBIT A to this Resolution (and which may be found in the Miscellaneous Appendix to these Minutes) and becomes a part hereof in its entirety, the purpose of which is to provide a financing mechanism to acquire and construct various improvements related to the Project as described in the TIF Plan;
4. The Governing Body has heretofore identified various parts of the County in need of development and redevelopment and does hereby find that the TIF Plan is a project of major economic significance within the County and qualifies as a project eligible for Tax Increment Financing as set forth in the Redevelopment Plan, and participation on the part of the County is necessary and would be in the public interest and in the best interest of the public health, safety, morals, and welfare of Madison County, Mississippi; and
5. On June 1, 2004 the City was also presented a Tax Increment Financing Plan in connection with the County Line Revitalization Project; and
6. The City proposes to issue Tax Increment Limited Obligation Bonds or Notes, in one or more series, in an amount not to exceed \$5,500,000 which will be secured solely by a pledge of all or a part of the sales taxes and increased ad valorem taxes on real and/or personal property generated by development and construction in the TIF Plan District described in the TIF Plan (the "TIF District") with such pledge to be further restricted as provided in the TIF Plan, and which funds will be used to pay the cost of acquiring and constructing various site and infrastructure improvements within or appurtenant to the TIF District including, but not limited to land acquisition and acquisition, repair, renovation, demolition or removal of: buildings and site improvements (including fixtures), potable and nonpotable water supply systems, sewage and waste disposal systems, storm water drainage and other drainage systems, utilities, rail lines and rail spurs, port facilities, highways, streets and other roadways, fire suppression and prevention systems; utility distribution systems, including but not limited to, water, electricity, natural gas, telephone and other information and telecommunications systems only for the purpose of completing the Project and connecting to existing utility systems

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within the County (the "Infrastructure Improvements") in connection with the proposed County Line Revitalization Project in Madison County, Mississippi (the "Developer's Project") (the "Infrastructure Improvement" and "Developer's Project" together are referred to hereinafter as the "Redevelopment Project").

- 7. The County has entered into a Regional Economic Development Agreement with the City, pursuant to the Regional Economic Development Act, Title 57, Chapter 64, Mississippi Code of 1972, as amended (the "REDA Act") to support the Project and to allow TIF bond proceeds to be used to pay for the cost of the Improvements to support the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE COUNTY, AS FOLLOWS:

SECTION 1. That receipt of the Tax Increment Financing Plan of 2004, Madison County, Mississippi (County Line Revitalization Project), is hereby acknowledged.

SECTION 2. As provided in the TIF Plan, Tax Increment Financing Bonds or Notes in the total principal amount not to exceed \$5,500,000 may be issued by the City to finance all or a part of the Infrastructure Improvement which Bonds may be issued in one or more series of not less than \$500,000 for terms not to exceed fifteen (15) years.

SECTION 3. If approved, the Bonds or Notes shall be secured solely by a pledge of all or a portion of the ad valorem tax revenues and all or a portion of the sales tax revenues generated by the Redevelopment Project and shall not be secured by the full faith and credit of the City or County or create any other pecuniary liability on the part of the City or County other than the pledge of the incremental increase in sales tax and ad valorem tax heretofore set forth. These Bonds or Notes shall never constitute an indebtedness of the City or County within the meaning of any state constitutional or statutory limitation.

SECTION 4. That a public hearing shall be held with respect to the TIF Plan at the regular meeting place of the Governing Body in the Chancery Clerk and Administrative Building of the County in Canton, Mississippi, at 10:20 o'clock a.m., on July 23, 2004. SECTION 5. That the Clerk is hereby directed to publish the attached notice as EXHIBIT B to this Resolution (and which may be found in the Miscellaneous Appendix to these Minutes) in the *Madison County Herald*, a newspaper having a general circulation in the County and in which the County is authorized to publish legal notices, one (1) time not less than ten (10) days nor more than twenty (20) days prior to the date set forth in paragraph 4 hereof.

SECTION 6. For cause, this resolution shall become effective immediately upon the adoption thereof.

Supervisor Karl Banks seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote, the result was as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

The motion having received the affirmative vote of a majority of the members present, the Chancery Clerk declared the motion carried and the resolution adopted, on this the 6th day of July, 2004.

SO ORDERED this the 6th day of July, 2004.

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In re: Request for Correction of Zoning Maps

WHEREAS, Zoning Administrator Brad Sellers did inform the Board he had received correspondence from Supervisor Karl M. Banks regarding re-zoning of property he owns along Old Jackson Road, and

WHEREAS, upon such announcement, Mr. Karl M. Banks did state that he was recusing himself from the consideration, discussion and deliberation of said matter due to the fact that he owned an interest in the real estate which was the subject of his correspondence, but offered a brief explanation of what he recalled taking place in 1993 as to the re-zoning thereof, and

WHEREAS, Mr. Banks then excused himself from the meeting, physically departed the Board room, and requested to be notified upon the conclusion of the matter, and

WHEREAS, Mr. Sellers then informed the Board the letter, which may be found in the Miscellaneous Appendix to these Minutes, stated that certain property along Old Jackson Road was zoned C-2 in 1993 but was not reflected as such on zoning maps.

Following discussion, Mr. Andy Taggart did move and Mr. Tim Johnson did second a motion to table the request and authorize County Administrator Donnie Caughman and Chancery Clerk Arthur Johnston to research the Board minutes for any such zoning request and report back to the Board their findings. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	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 County Administrator and the Chancery Clerk were and are hereby so instructed.

SO ORDERED this the 6th day of July, 2004.

In re: Request to Void Tax Sale for Alfred Lee Schaffer on Parcel # 113H-28-003/01.00 for 2002 Taxes

WHEREAS, Chief Deputy Tax Assessor Kent Hawkins appeared before the Board requesting that the Board void the tax sale for the 2002 tax year for the following parcel number and in the following amount:

<u>Parcel Number</u>	<u>Amount</u>
113H-28-003/01.00	\$3,274.40

for the tax sale conducted in August 2003, and

WHEREAS, Mr. Hawkins did report to the Board that, due to an improper assessment of improvements, an erroneous assessment occurred as to parcel # 113H-28-003/01.00, and

WHEREAS, Mr. Hawkins did submit a Memorandum dated June 23, 2004, outlining and explaining the error and the reasons for the request to void said tax sale and did submit other information in support of said request, all of which were relied upon by the Board in considering and granting this request, and

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

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Following discussion, Mr. Karl M. Banks did move and Mr. Andy Taggart did second a motion to correct said error by voiding the tax sale as to said parcel. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the tax sale pertaining to parcel #113H-28-003/01.00 was and is voided for the 2002 taxes.

SO ORDERED this the 6th day of July, 2004.

In re: Acknowledging Receipt of the 2004 Property Tax Rolls

WHEREAS, Tax Assessor Gerald Barber appeared before the Board of Supervisors and presented the 2004 Property Tax Roll for Madison County; and

WHEREAS, the Board of Supervisors immediately began to equalize such tax rolls and determined that it would continue said equalization at every subsequent meeting of the Board as recessed from this meeting in July as provided for by law; and

WHEREAS, the Board of Supervisors also desired to authorize the Clerk and Tax Assessor to forward a copy of the recap sheet and affidavit of the Tax Assessor to the Mississippi State Tax Commission, and

WHEREAS, the Board does desire to and does hereby adopt that certain a "Order of the Board of Supervisors" of even date herewith pertaining to said Rolls, a true and correct copy of which is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference,

Following additional discussion of this matter, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion (1) to acknowledge receipt of the Property Tax Rolls for 2004 for Madison County with the assumption that the industrial exemptions which have yet to be approved by this Board will be so approved and with the understanding that such exemptions are taken into account within said Rolls, (2) to further authorize the equalization process to be conducted at each and every Board meeting in July conducted hereafter, (3) to establish August 2, 2004 as the date the Board will entertain and consider objections to said Rolls, (4) to adopt that certain "Order of the Board of Supervisors" of even date herewith pertaining to said Rolls, a true and correct copy of which is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference, (5) to set a public hearing date to be advertised in the *Madison County Herald* for August 2, 2004 and to post notice of said hearing in prominent places throughout the county courthouse (6) to further authorize the Clerk of this Board to forward the recapitulation sheet of said 2004 Property Rolls along with the affidavit of the Tax Assessor to the Mississippi State Tax Commission, a true and correct copy of said recapitulation and affidavit may be found in the Miscellaneous Appendix to these Minutes. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the receipt of the Property Tax Rolls for 2004 was and is hereby acknowledged, the equalization process was and now is begun, August 2, 2004 was and

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is hereby established as the date the Board will take up protests to said Rolls, the foregoing Order was and is hereby adopted, and the Clerk was and is so authorized to advertise and forward the affidavit of the Assessor and the recapitulation to the Tax Commission.

SO ORDERED this the 6th day of July, 2004.

In re: Process for Granting Industrial Tax Exemptions

WHEREAS, the Board is concerned that a policy and a process be developed for the granting of industrial tax exemptions and that applicants be fully and adequately informed as to said policy and process,

Following discussion, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to direct that once the Board adopts such a policy and process a letter be sent from the Board by the Clerk outlining the same to applicants, with particular emphasis on the statutory requirements which must be satisfied. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the Clerk was and is so instructed.

SO ORDERED this the 6th day of July, 2004.

In re: Request of Hederman Brothers for Ad Valorem Tax Exemption

WHEREAS, Mr. Don Cannada of the firm Butler, Snow, O’Mara Stevens & Cannada, PLLC did appear before the Board on behalf of Hederman Brothers and requested that the Board approve the Interim Resolution of the Board of Supervisors for ad valorem tax exemption as authorized by Miss. Code Ann. § 27-31-105, *et seq.*, and

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

WHEREAS, the Board does desire, after due consideration, to finally approve said Interim Resolution for Ad Valorem Tax Exemption in accordance with statute, and authorize the Board President and the Chancery Clerk to execute any and all documentation necessary to evidence such approval and to forward the same to the Mississippi State Tax Commission,

Following discussion during which Board Attorney Edmund L. Brunini, Jr. stated that his firm has represented Hederman Brothers and he therefore had made no recommendations or opinions on this matter whatsoever and recused himself entirely from the discussion and debate hereof, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to approve the request for ad valorem tax exemption to Hederman Brothers. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	No
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the majority vote of the Board, and the Interim Resolution was and is

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hereby approved.

SO ORDERED this the 6th day of July, 2004.

In re: Request to Abandon Portion of Nichols Road

WHEREAS, County Road Manager Prentiss Guyton did report to the Board he had received correspondence from Clyde L. Pritchard of Pritchard Engineering, Inc. informing him that the developer of *The Links of Madison County* desires that the Board declare a portion of Nichols Road abandoned so as to allow the south nine (9) holes of the golf course to be contiguous with the north nine (9) holes, and

WHEREAS, the request pertains to a 50.00 foot Right of Way located in the Southwest quarter of Section 1, Township 8 North, Range 2 East, Madison County, Mississippi and being more particularly described in that certain surveyor's certificate, a true and correct copy of which is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did move and Mr. Paul Griffin did second a motion to authorize and conduct a public hearing on whether to declare the above-described portion of Nichols Road as abandoned, with such public hearing to be held on August 13, 2004 at 9:00 a.m. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the request was and is approved and a public hearing on whether to declare the aforesaid portion of Nichols Road abandoned was and is hereby set for August 13, 2004 at 9:00 a.m.

SO ORDERED this the 6th day of July, 2004.

In re: Request to Establish Southhampton Circle as Public Road

WHEREAS, County Road Manager Prentiss Guyton did inform the Board he had received correspondence from Bill Price, President of Southhampton Garden Homes of Lake Caroline requesting that Southhampton Circle be declared a public road, and

WHEREAS, County Administrator Donnie Caughman did announce that the Board was in receipt of a petition from the homeowners in the area supporting the request for public dedication and requesting the transfer of the street to the county in accordance with Miss. Code Ann. § 65-7-57 and that said petition satisfies the requirements of said statute,

Following discussion, Mr. Paul Griffin did move and Mr. Tim Johnson did second a motion to appoint committee of Supervisor Andy Taggart and Supervisor Doug Jones to review the road and report back to the Board their findings in accordance with said code section. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

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the matter carried unanimously and said committee was and is hereby appointed.

SO ORDERED this the 6th day of July, 2004.

In re: Homestead Exemption Tax Loss Allowances

WHEREAS, Chancery Clerk Arthur Johnston did appear before the Board and presented certain Notices of Adjustment in Homestead Exemption Tax Loss Allowances which had been received from the Mississippi State Tax Commission and did report that in accordance with Miss. Code Ann. § 27-33-37(j), a hearing was in order on said disallowances so as to entertain any protests or complaints as to the propriety and validity of the same, and

WHEREAS, Mr. Johnston did inform the Board that, pursuant to Miss. Code Ann. § 27-33-41, as amended, he had properly and promptly notified all property owners *via* certified mail of the decision of the State Tax Commission disallowing said exemptions and did direct the Board's attention to a spreadsheet listing property owners, parcel numbers and reasons given by the Tax Commission for each disallowance, and

WHEREAS, a copy of such spreadsheet, together with a copy of each such disallowance notice, may be found in the Miscellaneous Appendix to these Minutes,

WHEREAS, Mr. Johnston did further report that no proper objections or protests had been received which warrant reconsideration or further contest by the Board,

Mr. Tim Johnson did move and Mr. Karl M. Banks did second a motion to accept the Homestead Exemption Tax Loss Allowances as presented and to have the Chancery Clerk to forward same to Mississippi State Tax Commission. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said disallowances were and are hereby accepted.

SO ORDERED this the 6th day of July, 2004.

In re: Approval of Various 16th Section Leases

WHEREAS, the Madison County School Board has approved the following 16th Section leases and forwarded them to the Board for review and approval, true and correct copies of which may be found in the Miscellaneous Appendix to these Minutes:

Lessees: Stephen M. & Marla B. Oshinsky
 Description: Lot 112, Sherbourne Subdivision, Part 4
 Lease Term: 40 years

<u>Year</u>	<u>Annual Rent</u>
01-05	\$ 256.66
06-10	\$ 279.99
11-15	\$ 303.32
16-20	\$ 326.65

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21-25	\$ 349.98
26-30	\$ 373.31
31-35	\$ 396.64
36-40	\$ 419.97

Lessees: Kirk & Lana Giessinger
 Description: Lot 156, Sherbourne Subdivision, Part 4
 Lease Term: 40 years

<u>Year</u>	<u>Annual Rent</u>
01-05	\$ 256.66
06-10	\$ 279.99
11-15	\$ 303.32
16-20	\$ 326.65
21-25	\$ 349.98
26-30	\$ 373.31
31-35	\$ 396.64
36-40	\$ 419.97

Lessees: Brad Edward & Alison Zander Carroll
 Description: Lot 49, Calumet Subdivision, Part 4I
 Lease Term: 40 years

<u>Year</u>	<u>Annual Rent</u>
01-05	\$ 438.00
06-10	\$ 481.80
11-15	\$ 525.60
16-20	\$ 569.40
21-25	\$ 613.20
26-30	\$ 657.00
31-35	\$ 700.80
36-40	\$ 744.60

AND WHEREAS, the Madison County School Board has approved the following Third Amendment to 16th Section Development Lease Contract and forwarded it to the Board for review and approval, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes:

Lessee: Community First Development, Inc.
 Description: 49.90 acres located within the SE 1/4 of the NE 1/4, and a part of the SW 1/4 of the NE 1/4 of Section 16, T7N, R2E, City of Madison, Madison County, Mississippi, AND 0.69 acres located within the SW 1/4 of the NE 1/4 of Section 16, T7N, R2E, Madison County, Mississippi, AND 4.09 acres located with the SW 1/4 of the NE 1/4 and the SE 1/4 of the NE 1/4 of Section 16, T7N, R2E, Madison County, Mississippi, AND 1.15 acres located within the SW 1/4 of the NE 1/4 of Section 16, T7N, R2E, City of Madison, Madison County, Mississippi
 Term: Five (5) years from and after June 17, 2002, terminating on June 16, 2007, with the following years being with right to renew for an additional five (5) year term
 Rent: the Developer shall pay unto the Board as ground rent, \$5,018.75 for the 2002 payment; \$5,382.00 for the 2003 payment; with the

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following years being \$5,583.00 (\$100.00 per acre for 55.83 acres),

Mr. Tim Johnson did move and Mr. Paul Griffin did second a motion to approve the 16th Section Leases as set forth above, as submitted by the Madison County School Board. The vote on the matter being as follows,

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	No
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority vote of the Board and said leases were and are hereby approved.

SO ORDERED this the 6th day of July, 2004.

In re: Approval of Certain Amendments to FY 2004 Budget of Madison County to Allow for the Purchase of Certain Constable Bar Lights

WHEREAS, County Comptroller Mark Houston did appear before the Board recommending certain budgetary amendments and adjustments to Fund 001-262-919 as to the purchase of bar lights for Constable Matt Shackelford, and

WHEREAS, pursuant to Miss. Code Ann. § 19-19-1, the Board is required to provide each constable with a blue flashing light but may not be required or allowed to purchase bar lights,

Following discussion, Mr. Tim Johnson did move and Mr. Paul Griffin did second a motion to authorize the Purchase Clerk to determine if said request was in conformity with statute regarding the purchase of a flashing blue light or a bar across top of car and to approve the budget amendments accordingly based upon his determination. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	No
Supervisor Karl M. Banks	No
Supervisor Paul Griffin	Aye

the matter carried by a majority vote of the Board and said budget amendments were and are hereby approved contingent upon and consistent with the report of the Purchase Clerk.

SO ORDERED this the 6th day of July, 2004.

In re: Approval of Certain Amendments to FY 2004 Budget of Madison County to Road Department and Justice Court

WHEREAS, County Comptroller Mark Houston did appear before the Board recommending certain budgetary amendments and adjustments as to the Road Department and Justice Court for FY 2004 Budget, as set forth in that certain spreadsheet which is attached hereto as Exhibit F, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did move and Mr. Tim Johnson did second a motion to

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approve certain budgetary amendments and adjustments as to the Road Department and Justice Court for FY 2004 Budget. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority vote of the Board and said budget amendments were and are hereby approved .

SO ORDERED this the 6th day of July, 2004.

In re: Approval of Claims Docket for July 6, 2004

WHEREAS, the Board reviewed the claims docket for July 6, 2004; and

WHEREAS, the Chancery Clerk 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:

Fund	Claim No.	No. of Checks	Amount
001	23831to 23970	140	\$317,670.55
012	396 to 400	5	3,791.29
095	42 to 43	2	26,228.04
097	432 to 443	12	3,833.22
105	358 to 364	7	16,576.82
115	36 to 36	1	114.00
116	80 to 82	3	493.56
120	49 to 49	1	5,723.00
137	404 to 408	5	1064.58
150	6506 to 6532	27	12,124.30
190	249 to 262	14	9,028.60
682	35	1	58,904.63
690	43 to 44	2	10,158.65
691	42 to 43	2	8,314.23
	TOTAL ALL FUNDS	222	474,025.47

Held Claims

Fund	Claim No.	Payee	Amount
096	21	Tri-State Consulting	\$ 91,179.00
160	706	Dickerson & Bowen	\$234,971.63

Following discussion, Mr. Paul Griffin did move and Mr. Tim Johnson did second a motion to approve the aforesaid claims docket as presented, less and except the above and foregoing held claims. 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

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required by law and to authorize the Board President to sign and approve the Claims Docket, a copy of which is 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 G, spread hereupon, and incorporated herein by reference. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said Claims Docket was and is hereby approved with the exception of the above noted held and rejected items, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 6th day of July, 2004.

In re: Authorization of Payment of Claim of Copeland, Cook, Taylor & Bush

WHEREAS, the Board again reviewed the claims docket for July 6, 2004 and took up the matter of claim # 23875 in the amount of \$2,767.14 submitted by the law firm of Copeland Cook Taylor and Bush, and

WHEREAS, Board President Douglas Jones stated that he had a conflict of interest with respect to said claim arising from the fact that his son-in-law was a principal in said firm, and therefore vacated the chair, recused himself from any and all consideration of the matter, and departed the meeting room,

Following a discussion over which Vice President Paul Griffin assumed the chair and presided, Mr. Karl M. Banks did move and Mr. Tim Johnson did second a motion to pay the previously held claim of Copeland, Cook, Taylor and Bush, bearing claim number 23875 on the Claims Docket of July 6, 2004 in the amount of \$2,767.14. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Not Present and Not Voting
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the Chancery Clerk was and is instructed to pay Copeland, Cook, Taylor and Bush claim in the amount of \$2,767.14.

SO ORDERED this the 6th day of July, 2004.

In re: Approval of Supplemental Claims Docket for July 6, 2004

WHEREAS, the Board reviewed a supplemental claims docket for July 6, 2004; and

WHEREAS, the Chancery Clerk 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:

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Fund	Claim No.	No. of Checks	Amount
001	23973	1	2,916.05
097	444 to 445	2	13,164.28
105	365	1	24.45
120	50 to 51	2	50.79
137	409	1	25.59
150	6533 to 6534	2	123.03
190	263	1	166.52
TOTAL ALL FUNDS		10	16,470.71

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to approve the aforesaid supplemental 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 Supplemental Claims Docket, a copy of which is 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 H, spread hereupon, and incorporated herein by reference. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said Supplemental Claims Docket was and is hereby approved, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 6th day of July, 2004.

In re: Payment of Fox Everett Insurance Claim

WHEREAS, County Administrator Donnie Caughman and County Comptroller Mark Houston did present a written statement from Fox-Everett, Inc. representing specific reinsurance fees, medical administration fees, pre-certification fees, and claims paid for health insurance during the current policy period, all said fees totaling \$80,083.01, and

WHEREAS, County Comptroller Mark Houston did conduct a thorough investigation relative to said fees and charges and did assure the Board that the same were reasonable and necessary,

Following discussion, Mr. Paul Griffin did move and Mr. Karl Banks did second a motion to approve the payment of the claim of Fox-Everett, Inc. in the amount of \$80,083.01. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the Chancery Clerk was and is instructed to pay the claim of Fox Everett Insurance in the amount of \$80,083.01.

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SO ORDERED this the 6th day of July, 2004.

In re: Settlement of Bobby Joe Smith Zoning Matter

WHEREAS, Board Attorney Edmund L. Brunini, Jr. did inform the Board he believes it would be in the best interest of the county to settle the on-going condemnation action involving Bobby Joe Smith for the sum of \$3,000.00

Following discussion, Mr. Andy Taggart did move and Mr. Karl M. Banks did second a motion to authorize the payment of up to \$3,000 to Bobby Joe Smith in exchange for a full and complete easement and right of way for the improvement of Robinson Springs Road. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the Chancery Clerk was authorized to issue a payment to Bobby Joe Smith for \$3,000.00 upon the direction of the Board Attorney.

SO ORDERED this the 6th day of July, 2004.

In re: Authorization of Board Members to Travel to Conference in Sweden

WHEREAS, Supervisor Tim Johnson informed the Board that the City of Madison had extended an invitation for a Board member to attend an economic development conference in its sister city in Sweden, and

WHEREAS, the Board does desire to approve the payment of travel and related expenses for one Board member or his designee to attend said conference, the Board finding that such expenses are in the best interest of the county and will further economic development purposes,

Following discussion, Mr. Andy Taggart did move and Mr. Paul Griffin did second a motion to authorize the payment of travel, lodging and food expenses of one Board member or his designee to attend said conference. The vote on the matter being as follows:

Supervisor Douglas L. Jones	Aye
Supervisor Tim Johnson	Aye
Supervisor Andy Taggart	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and such approval was and is hereby granted.

SO ORDERED this the 6th day of July, 2004.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Paul Griffin and seconded by Supervisor Karl Banks and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Friday, July 16, 2004 for the purpose of consideration of a Mississippi Development Bank loan and for any other business which may properly come before the Board.

President's Initials: _____

Date Signed: _____

Douglas L. Jones, President
Madison County Board of Supervisors

Date signed: _____

ATTEST:

Arthur Johnston, Chancery Clerk

President's Initials: _____

Date Signed: _____