

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

REGULAR MEETING OF AUGUST 3, 2015
Being the first day of the August 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 August 3, 2015, in the Board Room on the first floor of the Madison County Office Complex, 125 West North Street, Canton, Mississippi, as follows, to-wit:

The President of the Board, Karl M. Banks, presided and called the meeting to order. The following members were present that day:

Present:

Supervisor John Bell Crosby
Supervisor John Howland
Supervisor Gerald Steen
Supervisor Karl M. Banks
Supervisor Paul Griffin
Chancery Clerk Ronny Lott
Sheriff Randy Tucker

Absent:

None

Also in attendance:

County Administrator Mark Houston
County Comptroller Shelton Vance
Board Attorney Mike Espy
Chief Deputy Chancery Clerk/Board Secretary Cynthia Parker
County Purchase Clerk Hardy Crunk
Zoning Administrator Scott Weeks
Emergency Management Director Butch Hammack
Tax Assessor Gerald Barber

The President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Supervisor Gerald Steen opened the meeting with a prayer and Mr. Will Sligh led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America

In re: Approval of Minutes From July 2015 Term

WHEREAS, Chancery Clerk Ronny Lott did present the Board with the Minutes of the previous meetings of the Board of Supervisors during the July 2015 term, said meetings having been conducted on July 6 and 20, 2015,

Following discussion, Mr. Gerald Steen did offer and Mr. John Bell Crosby did second a motion to approve the Minutes as presented and to authorize the President to sign said Minutes. The vote on the matter being as follows:

| | |
|-----------------------------|----------------------------|
| Supervisor John Bell Crosby | Aye |
| Supervisor John Howland | Aye |
| Supervisor Gerald Steen | Aye |
| Supervisor Karl M. Banks | Aye |
| Supervisor Paul Griffin | Not Present and Not Voting |

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the matter carried by the unanimous vote of those present and the Minutes for the July 2015 term of the Board of Supervisors of Madison County were and are hereby approved as amended.

SO ORDERED this the 3rd day of August, 2015.

In re: Public Hearing on Objections to the Equalization of the 2015 Assessment Roll of Madison County, Mississippi

WHEREAS, this day came on to be considered by the Board of Supervisors of Madison County, Mississippi, the matter of the objections to the assessment roll for the year 2015, and it appearing that said preliminary assessment rolls have been heretofore filed by the Madison County Tax Assessor and that said rolls have been examined and equalized by this Board of Supervisors as required by law and the required notice has been given to the public and to the taxpayers in the manner provided by law at least ten (10) days prior to this meeting, and

WHEREAS, the Board authorized the publication of such notice in *The Madison County Herald*, a newspaper of general circulation in Madison County, the same having been accomplished on July 16 and 23, 2015, 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, Deputy Tax Assessor Norman Cannady appeared before the Board and reported that Kingston, LLC and Kingston II, LLC had withdrawn their protest,

Following discussion, Mr. Gerald Steen did offer and Mr. John Bell Crosby did second a motion, in accordance with Miss. Code Ann. §§ 27-35-89 and 27-35-93, to **(1)** declare the period for accepting objections to said rolls closed as of 9:00 am this date, August 3, 2015; **(2)** set Monday, August 17, 2015, at 4:30 pm as the date for individual equalization hearings on parcels for those who have timely filed objections thereto and for the final approval of said rolls; **(3)** acknowledge those certain spreadsheets presented by the Tax Assessor which were agreed to by the respective taxpayers, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes; and **(4)** direct the Chancery Clerk to communicate with each protester as to the date of said hearing.

The vote on the matter being as follows:

| | |
|-----------------------------|----------------------------|
| Supervisor John Bell Crosby | Aye |
| Supervisor John Howland | Aye |
| Supervisor Gerald Steen | Aye |
| Supervisor Karl M. Banks | Aye |
| Supervisor Paul Griffin | Not Present and Not Voting |

the matter carried by the unanimous vote of those present and the motion was and is hereby approved, the objection period was and is hereby closed as of 9:00 am today, August 3, 2015, and individual equalization hearings were and are hereby set beginning at 4:30 p.m. on Monday, August 17, 2015 in the Board Room of the Madison County Office Complex 125 West North Street, Canton, Mississippi, acknowledge said spreadsheets, and the Chancery Clerk was and is directed accordingly.

SO ORDERED this the 3rd day of August, 2015.

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In re: Approval of Consent Agenda Items

WHEREAS, the Board President announced those certain matters denominated “Consent Items” which bear Item numbers (4) through (33) 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

Therefore, Mr. Gerald Steen did offer and Mr. John Howland did second a motion to take the following actions on the Consent Agenda:

- 4. Acknowledge and Approve Personnel Matters - Pay Raise Spreadsheet, Madison County Detention Center, Road Department, Tax Collector, and MCAERC.**
(True and correct copies of those certain Personnel Forms setting forth certain changes and/or additions in personnel is attached hereto as Collective Exhibit C, spread hereupon and incorporated herein by reference.)
- 5. Acknowledge Approval of State Aid Road Construction Change Order No. 1 - LSBP-45(12).**
(A true and correct copy of that certain memorandum from Mississippi State Aid Road Construction is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference.)
- 6. Approve Use of Rogers Park.**
(A true and correct copy of those certain reservation applications may be found in the Miscellaneous Appendix to these Minutes.)
- 7. Approve Application to Expend One Mill Levy Proceeds.**
(A true and correct copy of said application is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference.)
- 8. Approve Voiding Various Parcels - 2013 Tax Sales (2012 Taxes).**
(A true and correct copy of that certain explanatory memorandum from Chancery Clerk Ronny Lott requesting the Board void the 2013 tax sales (2012 taxes) on various parcels that sold/struck to the State of Mississippi is attached hereto as Exhibit F, spread hereupon and incorporated herein by reference.)
- 9. Authorize Attendance, Payment of Registration Fees, and Approve Travel and Related Expenses for Tax Assessor Gerald Barber and Deputy Assessor C. J. Garavelli to Attend the Mississippi Chapter of the Appraisal Institute Seminar August 3-7, 2015, Jackson, MS.**
- 10. Approve Annual Support Contract for Cisco Quote and Authorize Payment of Same/Metrix Solutions.**
(A true and correct copy of which is attached hereto as Exhibit G, spread hereupon and incorporated herein by reference.)
- 11. Approve Constable Reports for June 24 - July 20, 2015 and Authorize Payment of Same.**
(A true and correct copy which is attached hereto as Exhibit H, spread hereupon and incorporated herein by reference.)
- 12. Approve Notices to Renew 16th Section Leases Residential Lease Contracts - Madison County School District.**
(A true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes.)

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13. **Acknowledge July 2015 Monthly Report - Road Department.**
(A true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes.)
14. **Acknowledge July 2015 Closed Call Analysis- Road Department.**
(A true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes.)
15. **Acknowledge August 2015 Service Call Schedule Report- Road Department.**
(A true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes.)
16. **Approve Location and Installation of Culvert Placements.**
(A true and correct copy of a spreadsheet containing dates and locations of the placement of culverts for protection of county right of way is attached hereto as Exhibit I, spread hereupon and incorporated herein by reference.)
17. **Approve Revisions and Additions to the Madison County Employee Handbook.**
(A true and correct copy of that certain explanatory memorandum from Human Resource Director Loretta Phillips is attached hereto as Exhibit J, spread hereupon and incorporated herein by reference.)
18. **Approve Landscape Maintenance Services for Emergency Management Building/Rotolo Consultants, Inc. (RCI) and Authorize Payment of Same.**
(A true and correct copy of which is attached hereto as Exhibit K, spread hereupon and incorporated herein by reference.)
19. **Approve Correction/Addition to the Madison County Road Registry to add Liberty Park Drive and Doctors Drive.**
(A true and correct copy of which is attached hereto as Exhibit L, spread hereupon and incorporated herein by reference.)
20. **Approve Road Claim and Authorize Payment of Same/Dave Brown Road - Louis Speaks.**
(A true and correct copy of that certain memorandum from EMA Director Butch Hammack recommending the Board approve the reimbursement of claim for damages in the amount of \$973.70, is attached hereto as Exhibit M, spread hereupon and incorporated herein by reference.)
21. **Acknowledge Circuit Court Order to Pay Claim and Authorize Payment of Same - Ergon Asphalt and Emulsions, Inc.**
(A true and correct copy of which is attached hereto as Exhibit N, spread hereupon and incorporated herein by reference.)
22. **Acknowledge Circuit Court Order to Pay Claim and Authorize Payment of Same - Bufkin Mechanical, Inc.**
(A true and correct copy of which is attached hereto as Exhibit O, spread hereupon and incorporated herein by reference.)
23. **Acknowledge Circuit Court Order to Pay Claim and Authorize Payment of Same - Redwood Toxicology Laboratory, Inc.**
(A true and correct copy of which is attached hereto as Exhibit P, spread hereupon and incorporated herein by reference.)
24. **Approve 3M Annual Maintenance Agreement and Authorize Payment of Same - Sheriff's Department.**
(A true and correct copy of which is attached hereto as Exhibit Q, spread hereupon and

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incorporated herein by reference. The Board President is hereby authorized to execute same.)

- 25. Approve Adolescent Opportunity Program (AOP) Signature Form and Authorize the Board President to Execute Same.**
(A true and correct copy of which is attached hereto as Exhibit R, spread hereupon and incorporated herein by reference.)
- 26. Approve Tax Exempt Government Tag Application and Authorize Payment of Same.**
(A true and correct copy of which is attached hereto as Exhibit S, spread hereupon and incorporated herein by reference.)
- 27. Approve Claim Rejection and Authorize Board Attorney to File Declaratory Complaint - Lafarge West, Inc.**
(A true and correct copy of which is attached hereto as Collective Exhibit T, spread hereupon and incorporated herein by reference. The Board Attorney is hereby authorized.)
- 28. Acknowledge Warranty Deed and Authorize Board President to Execute Same - Special Olympics Mississippi, Inc.**
(A true and correct copy of which is attached hereto as Exhibit U, spread hereupon and incorporated herein by reference.)
- 29. Approve Refund of PERS Contribution - Constable Will Weisenberger.**
(A true and correct copy of that certain explanatory memorandum from Comptroller Shelton Vance is attached hereto as Exhibit V, spread hereupon and incorporated herein by reference.)
- 30. Approve Contract for Professional Services - BFMW Group, PLLC.**
(A true and correct copy of which is attached hereto as Exhibit W, spread hereupon and incorporated herein by reference.)
- 31. Authorize Payment of Entergy Invoice - Justice Court Building.**
(A true and correct copy of which is attached hereto as Exhibit X, spread hereupon and incorporated herein by reference.)
- 32. Acknowledge Certificate of Compliance for 2015 Real and Personal Tax Rolls - Tax Assessor.**
(A true and correct copy of which is attached hereto as Exhibit Y, spread hereupon and incorporated herein by reference.)

The vote on the matter being as follows:

| | |
|-----------------------------|------------------------|
| Supervisor John Bell Crosby | Aye |
| Supervisor John Howland | Aye |
| Supervisor Gerald Steen | Aye |
| Supervisor Karl M. Banks | Aye |
| Supervisor Paul Griffin | Not Present Not Voting |

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 3rd day of August, 2015.

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***In re: Discussion of Location to Film -
The Acre Beyond the Rye***

WHEREAS, Mr. Jerry Lousteau appeared before the Board and requested the Board's consideration to allow the filming of *The Acre Beyond the Rye* on August 3 - 4, 2015, at the Madison County Sheriff's Department, and

WHEREAS, Mr. Lousteau reported that Sheriff Randy Tucker was in agreement with said filming,

Following discussion, Mr. John Howland did offer and Mr. Gerald Steen did second a motion to allow the filming of *The Acre Beyond the Rye* on August 3 - 4, 2015 at the Madison County Sheriff's Department. The vote on the matter being as follows:

| | |
|-----------------------------|------------------------|
| Supervisor John Bell Crosby | Aye |
| Supervisor John Howland | Aye |
| Supervisor Gerald Steen | Aye |
| Supervisor Karl M. Banks | Aye |
| Supervisor Paul Griffin | Not Present Not Voting |

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

SO ORDERED this the 3rd day of August, 2015.

In re: Acknowledgment of E-Mail Correspondence

WHEREAS, during the period of concerned citizens, Ms. Lisa Williams appeared before the Board and requested the Board acknowledge receipt of certain e-mail correspondence for Germantown Subdivision, true and correct copies of which may be found in the Miscellaneous Appendix to these Minutes,

Following discussion, Mr. John Howland did offer and Mr. Gerald Steen did second a motion to acknowledge receipt of that certain e-mail correspondence from Ms. Williams. The vote on the matter being as follows:

| | |
|-----------------------------|-----|
| Supervisor John Bell Crosby | Aye |
| Supervisor John Howland | Aye |
| Supervisor Gerald Steen | Aye |
| Supervisor Karl M. Banks | Aye |
| Supervisor Paul Griffin | Aye |

the matter carried unanimously and said correspondence was and is hereby acknowledged.

SO ORDERED this the 3rd day of August, 2015.

In re: Discussion of Arlin George Hatfield Zoning Violation

WHEREAS, Zoning Administrator Scott Weeks appeared before the Board and requested the Board's consideration to impose the fine of \$100 per day against Arlin George Hatfield for certain zoning violations, and

WHEREAS, Mr. Weeks reported that Mr. Hatfield had been notified *via* certified mail of the imposition of said fine and had not corrected the violation, i.e. the keeping of ducks, geese,

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chickens, guineas and other fowl in contravention of Madison County zoning ordinance Residential Estates (R-1), and

WHEREAS, the Board Attorney did concur with Mr. Weeks confirming that based upon a prior vote by the Board, pursuant to hearing, that said ordinance was not arbitrary, capricious, illegal, unconstitutional and that enforcement of same by imposition of fine was within the police powers of the county.

Following discussion, Mr. Gerald Steen did offer and Mr. John Howland did second a motion to impose the fine of \$100 per day against Arlin George Hatfield for zoning violation and authorize the Board Attorney to prepare an Order for the removal of animals pursuant to the Zoning Ordinance. The vote on the matter being as follows:

| | |
|-----------------------------|-----|
| Supervisor John Bell Crosby | Aye |
| Supervisor John Howland | Aye |
| Supervisor Gerald Steen | Aye |
| Supervisor Karl M. Banks | Aye |
| Supervisor Paul Griffin | Aye |

the matter carried unanimously and said fine was and is hereby set and the removal of animals in violation was and is approved authorized.

SO ORDERED this the 3rd day of August, 2015.

In re: Approval of Final Plat of Gulf Guaranty Life Insurance Tract

WHEREAS, County & State Aid/LSBP Engineer Rudy Warnock appeared before the Board and requested the Board approve the final plat of Gulf Guaranty Life Insurance Tract, and

WHEREAS, Mr. Warnock indicated and represented that the same met with all appropriate and applicable county requirements, and

Following discussion of this matter, Mr. John Howland did offer and Mr. Karl M. Banks did second a motion to (1) approve said final plat, (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. The vote on the matter being as follows:

| | |
|-----------------------------|-----|
| Supervisor John Bell Crosby | Aye |
| Supervisor John Howland | Aye |
| Supervisor Gerald Steen | Aye |
| Supervisor Karl M. Banks | Aye |
| Supervisor Paul Griffin | Aye |

the matter carried unanimously and the final plat of Gulf Guaranty Life Insurance Tract was and is hereby approved.

SO ORDERED this the 3rd day of August, 2015.

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***In re: Discussion of Utility Relocation -
Old Orchard Road***

WHEREAS, County & State Aid/LSBP Engineer Rudy Warnock appeared before the Board and presented a cost estimate for the relocation of utilities on Old Orchard Road to construct a cul-de-sac, a true and correct copy of which is attached hereto as Exhibit Z, spread hereupon and incorporated herein by reference, and

WHEREAS, Mr. Warnock reported that the total cost for relocation from AT&T, Bear Creek Water Association, CenterPoint Energy and Entergy is \$25,685.93,

Following discussion, Mr. John Howland did offer and Mr. Gerald Steen did second a motion to acknowledge said cost estimate for the relocation of utilities at a cost of \$25,685.93. The vote on the matter being as follows:

| | |
|-----------------------------|-----|
| Supervisor John Bell Crosby | Aye |
| Supervisor John Howland | Aye |
| Supervisor Gerald Steen | Aye |
| Supervisor Karl M. Banks | Aye |
| Supervisor Paul Griffin | Aye |

the matter carried unanimously and said cost estimate was and is hereby acknowledged.

SO ORDERED this 3rd day of August, 2015.

***In re: Discussion of Drainage Issues -
Childress Lane***

WHEREAS, County & State Aid/LSBP Engineer Rudy Warnock appeared before the Board and requested permission to perform a survey to determine a course of action to correct the drainage problems on Childress Lane, and

WHEREAS, Mr. Warnock further requested permission to prepare the plat and legal descriptions to acquire a permanent drainage easement,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize County Engineer Rudy Warnock to perform a survey, plat and legal descriptions to determine a course of action to correct the erosion problems on Childress Lane. The vote on the matter being as follows:

| | |
|-----------------------------|-----|
| Supervisor John Bell Crosby | Aye |
| Supervisor John Howland | Aye |
| Supervisor Gerald Steen | Aye |
| Supervisor Karl M. Banks | Aye |
| Supervisor Paul Griffin | Aye |

the matter carried unanimously and Mr. Warnock was and is hereby so authorized.

SO ORDERED this the 3rd day of August, 2015.

In re: Discussion of Blackberry Creek Road

WHEREAS, Board President Karl M. Banks presented a petition received from residents in the Blackberry Creek Subdivision requesting the Board accept Blackberry Creek Road as a public road, a true and correct copy of which may be found in the Miscellaneous Appendix to

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these Minutes and requested the Board appoint a committee to inspect said road, and

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to appoint a committee comprised of Mr. Gerald Steen and Mr. John Howland to inspect said road and report to the Board at their earliest opportunity their assessment of its suitability to become a public road. The vote on the matter being as follows:

| | |
|-----------------------------|-----|
| Supervisor John Bell Crosby | Aye |
| Supervisor John Howland | Aye |
| Supervisor Gerald Steen | Aye |
| Supervisor Karl M. Banks | Aye |
| Supervisor Paul Griffin | Aye |

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

SO ORDERED this the 3rd day of August, 2015.

***In re: Approval of Appointments -
West Madison County Fire Protection District Board and
West Madison Utility District Board***

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to appoint Ms. Valencia Buggs, MS. Tonia Cowan, Ms. Joyce Gooden, Mr. Steve Sessions and Ms. Shaundell Bracey to the West Madison County Fire Protection District Board. The vote on the matter being as follows:

| | |
|-----------------------------|-----|
| Supervisor John Bell Crosby | Aye |
| Supervisor John Howland | Aye |
| Supervisor Gerald Steen | Aye |
| Supervisor Karl M. Banks | Aye |
| Supervisor Paul Griffin | Aye |

the matter carried unanimously and said appointments were and are hereby approved.

SO ORDERED this 3rd day of August, 2015.

Thereafter, Mr. Karl M. Banks did offer and Mr. John Howland did second a motion to appoint Mr. Sterling Thompson to the West Madison Utility District Board upon the resignation of Ms. Tonia Cowan. The vote on the matter being as follows:

| | |
|-----------------------------|-----|
| Supervisor John Bell Crosby | Aye |
| Supervisor John Howland | Aye |
| Supervisor Gerald Steen | Aye |
| Supervisor Karl M. Banks | Aye |
| Supervisor Paul Griffin | Aye |

the matter carried unanimously and said appointment was and is hereby approved.

SO ORDERED this 3rd day of August, 2015.

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In re: Authorization of Board Attorney to Prepare Resolution Separating Powers

Following discussion, Mr. Karl M. Banks did offer and Mr. Gerald Steen did second a motion to authorize the Board Attorney to prepare a Resolution separating the powers between West Madison County Fire Protection District Board and West Madison Utility District Board and authorize the Board President to execute same. The vote on the matter being as follows:

| | |
|-----------------------------|-----|
| Supervisor John Bell Crosby | Aye |
| Supervisor John Howland | Aye |
| Supervisor Gerald Steen | Aye |
| Supervisor Karl M. Banks | Aye |
| Supervisor Paul Griffin | Aye |

the matter carried unanimously and Mr. Espy and the Board President were and are hereby authorized.

SO ORDERED this 3rd day of August, 2015.

In re: Acknowledgment of Bank's Confirmation Resolution

Following discussion, Mr. John Howland did offer and Mr. Karl M. Banks did second a motion to acknowledge that certain correspondence from Bank of Yazoo to allow the Madison County Fire Protection District Board to access funds from their account contingent on the Board Attorney's review and authorize the Board President to execute same. The vote on the matter being as follows:

| | |
|-----------------------------|-----|
| Supervisor John Bell Crosby | Aye |
| Supervisor John Howland | Aye |
| Supervisor Gerald Steen | Aye |
| Supervisor Karl M. Banks | Aye |
| Supervisor Paul Griffin | Aye |

the matter carried unanimously and said correspondence was and is hereby acknowledged with the aforementioned proviso and the Board President was and is hereby authorized.

SO ORDERED this 3rd day of August, 2015.

In re: Discussion of Signal Light at Calhoun Station Parkway

Following discussion, Mr. John Howland did offer and Mr. Paul Griffin did second a motion to authorize the county paying the light bill and maintaining the signal light located at the intersection of Calhoun Station Parkway and Gluckstadt Road,

Following discussion, Mr. John Howland did offer and Mr. Paul Griffin did second a motion to authorize the county to pay said light bill and maintain the signal light located at the intersection of Calhoun Station Parkway and Gluckstadt Road. The vote on the matter being as follows:

| | |
|-----------------------------|-----|
| Supervisor John Bell Crosby | Aye |
| Supervisor John Howland | 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 pay warrants accordingly.

SO ORDERED this 3rd day of August, 2015.

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***In re: Approval to Extend Interlocal Agreement -
City of Madison***

Following discussion, Mr. John Howland did offer and Mr. Gerald Steen did second a motion to extend the term of that certain Interlocal Agreement between Madison County and the City of Madison dated February 24, 2015, for rebuilding and overlaying streets and roads referenced, therein, from August 1, 2015 until September 30, 2015. The vote on the matter being as follows:

| | |
|-----------------------------|-----|
| Supervisor John Bell Crosby | Aye |
| Supervisor John Howland | Aye |
| Supervisor Gerald Steen | Aye |
| Supervisor Karl M. Banks | Aye |
| Supervisor Paul Griffin | Aye |

the matter carried unanimously and said extension was and is hereby approved.

SO ORDERED this 3rd day of August, 2015.

***In re: Payments in Lieu of Tax Obligation of Nissan
North America, Inc.***

RESOLUTION OF THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, ACKNOWLEDGING THE INCLUSION OF, AND DIRECTING THE TAX ASSESSOR TO INCLUDE, THE REAL PROPERTY IMPROVEMENTS COMPRISING NEW INTEGRATED LOGISTICS CENTER LEASED AND USED BY NISSAN NORTH AMERICA, INC. AND ASSOCIATED PERSONAL PROPERTY LOCATED THEREIN, IN THE AGREEMENT TO MAKE PAYMENTS IN LIEU OF AD VALOREM TAXES BETWEEN MADISON COUNTY, MISSISSIPPI, AND NISSAN NORTH AMERICA, INC.

The Board of Supervisors (the "Board") of Madison County, Mississippi ("County"), hereby finds, adjudicates and determines as follows:

1. WHEREAS, any reference herein to the "Code" shall be deemed to refer to the Mississippi Code of 1972, as amended;
2. WHEREAS, the State of Mississippi (the "State"), acting by and through the Mississippi Major Economic Impact Authority (the "MMEIA") and Nissan-Mississippi Real Estate Trust, a Delaware business trust (the "Former Tenant") entered into that certain binding lease agreement (as heretofore and hereafter assigned and amended, the "Original Lease"), dated as of March 29, 2001 and recorded in Book 483 at Page 682 of the land records of the Chancery Clerk of Madison County, Mississippi (the "Land Records"), pursuant to the terms of which the Former Tenant leased the real property described on Exhibit A thereto (the "Nissan Project Site");
3. WHEREAS, the Former Tenant and the MMEIA subsequently entered into that certain First Amendment to Original Lease (the "First Lease Amendment"), dated as of August 18, 2003 and recorded in Book 540, Page 581 of the Land Records, which amended the Original Lease with respect to the real property and interests described on Exhibits A and B to the First Lease Amendment;
4. WHEREAS, the Former Tenant assigned its rights and obligations under the Original Lease, as amended by the First Lease Amendment, to Nissan North America, Inc., a California corporation ("Nissan") pursuant to that certain Assignment of Lease by and among Former Tenant and Nissan, which was dated as of September 15, 2010, and recorded in Book 2585, Page 630 of the Land Records;

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5. WHEREAS, the State and Nissan entered into that certain Second Amendment to the Original Lease, as amended by the First Lease Amendment, dated as of July 10, 2013 (the "Second Lease Amendment") pursuant to which the State agreed to extend the initial twenty (20) year term of the Original Lease, as amended by the First Lease Amendment, with respect a parcel or parcels of real property comprised of approximately 135.09 acres of the Nissan Project Site, which parcel(s) is more particularly described in Exhibit "A" attached thereto (the "ILC Land"), until December 31, 2034, with respect to the ILC Land, and which Second Lease Amendment was recorded in Book 3046 at Page 896 of the Land Records;

6. WHEREAS, the State and Nissan entered into that certain Third Amendment to Original Lease dated as of January 31, 2014 (the "Third Lease Amendment," and the Original Lease, as amended by the First Lease Amendment, the Second Lease Amendment, and the Third Lease Amendment and as the same may be further amended in the future are collectively referred to herein as the "Project Site Lease"), pursuant to which the State agreed to extend the term of the Project Site Lease with respect the ILC Land until December 31, 2065, and which Third Lease Amendment was recorded in Book 3046 at Page 905 of Land Records;

7. WHEREAS, Nissan and the Frontier Development IV, LLC, a Mississippi limited liability company ("Frontier") entered into that certain Amended and Restated Commercial Ground Sublease, dated effective as of January 31, 2014, (the "Sublease"), pursuant to which Nissan agreed to sublease the Extension Property to Lessor, and Lessor agreed to sublease the ILC Land from Nissan for purposes of financing, acquiring, developing and constructing on the ILC Land a new Integrated Logistics Center (the "ILC") and other real property improvements (together with the ILC, the "ILC Real Property Improvements") to be leased and used by Nissan in connection with and in support of its motor vehicle manufacturing facility located immediately adjacent to the ILC Land on the remainder of the Nissan Project Site (the "Manufacturing Plant");

8. WHEREAS, in connection with the Sublease, Nissan and Frontier executed that certain Memorandum of Amended and Restated Commercial Ground Sublease, dated effective as of January 31, 2014, which describes the Sublease and was recorded in Book 3046 at Page 931 of the Land Records;

9. WHEREAS, contemporaneously with the execution of the Sublease, Nissan and Frontier also entered into that certain Operating Lease, dated effective as of January 31, 2014, (the "Operating Lease"), pursuant to which Nissan agreed to lease the ILC Land, together with the ILC Real Property Improvements upon completion thereof (collectively, the "ILC Real Property") from Frontier, and Frontier agreed to lease the ILC Real Property to Nissan;

10. WHEREAS, Frontier completed the construction of the ILC Real Property Improvements in late 2014, and pursuant to the Operating Lease, Nissan took possession of the ILC Real Property and commenced installing or causing to be installed in the ILC certain items of personal property owned or, in certain instances, leased by Nissan and used in, and necessary to the operation of the ILC and Nissan's adjacent Manufacturing Plant (collectively, the "ILC Personal Property," and together with the ILC Real Property Improvements, the "ILC Property");

11. WHEREAS, earlier this year, but after January 1, 2015, Frontier conveyed the ILC Real Property Improvements, and assigned all of its rights and interests in and to the Sublease and Operating Lease, to Lex Canton MS L.P. ("Lexington");

12. WHEREAS, the County, acting by and through its Board, Nissan and the other parties thereto entered into that certain binding Agreement to Make Payments in Lieu of Ad Valorem Taxes dated as of April 23, 2003 (as subsequently amended, the "PILOT Agreement"), which provides for, among other things, a two-thirds (2/3) ad valorem abatement for a period not to exceed 10 years for all Property acquired during the first thirty (30) years of the Project;

13. WHEREAS, the ILC Property is located on the ILC Land, which comprises a portion of the overall Nissan Project Site, and is used in and necessary to the operation of the ILC and the "Project" (as defined in the PILOT Agreement), and therefore constitutes "Property" (as

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defined in the PILOT Agreement) subject to assessment, taxation and tax abatement in accordance with, and for a period not exceed ten (10) years under, the terms of the PILOT Agreement, including without limitation, Section 3 thereof;

14. WHEREAS, the ILC Land was subject to assessment, taxation and tax abatement in accordance with, and for a period of ten (10) years under, the terms of the PILOT Agreement, and is therefore no longer subject to the PILOT Agreement; and

15. WHEREAS, the Board now finds and determines that, pursuant to the County's obligations under the PILOT Agreement, the County Tax Assessor and County Tax Collector should be directed to take all necessary action and do all things which are required and necessary to treat the ILC Property, including without limitation all such property leased by Nissan, as "Property" (as defined by the PILOT Agreement) for all purposes under the PILOT Agreement, including without limitation the assessment, taxation and tax abatement of such ILC Property in accordance with said agreement for a period of ten (10) years with respect to each item of such property under the terms thereof, including without limitation, Section 3 of the PILOT Agreement, and further to collect, in lieu of the ad valorem taxes otherwise payable on the ILC Property, including without limitation all such property leased by Nissan, the fee-in-lieu thereof prescribed by the PILOT Agreement for a period of ten (10) years with respect to each item of such property.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD, ACTING FOR AND ON BEHALF OF THE COUNTY, AS FOLLOWS:

SECTION 1. Actions to be Taken by Tax Assessor/Collector. The County Tax Assessor, County Tax Collector and/or other agents or employees of the County are hereby authorized and directed to take all necessary action and do all things which are required and necessary to treat the ILC Property, including without limitation all such property leased by Nissan, as "Property" (as defined by the PILOT Agreement) for all purposes under the PILOT Agreement, including without limitation the assessment, taxation and tax abatement of such ILC Property in accordance with said agreement for a period of ten (10) years with respect to each item of such property under the terms thereof, including without limitation, Section 3 of the PILOT Agreement; and further to collect, in lieu of the ad valorem taxes otherwise payable on the ILC Property, including without limitation all such property leased by Nissan, the fee-in-lieu thereof prescribed by the PILOT Agreement for a period of ten (10) years with respect to each item of such property.

SECTION 2. Confirmation of Prior Actions. Any actions taken by or on behalf of the County Tax Assessor and/or County Tax Collector with respect to the ILC Property in furtherance of the directive prescribed by Section 1 of this Resolution are hereby approved, ratified and confirmed as authorized actions of the Board.

SECTION 3. Captions. The captions or headings of this resolution are for convenience only and in no way define, limit or describe the scope or intent of any provision of these resolutions.

After a full discussion of this matter, Supervisor Gerald Steen moved that the foregoing Resolution be adopted and said motion was seconded by Supervisor John Howland and upon the question being put to a vote, Members of the Board of Supervisors voted as follows:

| | |
|-----------------------------|-----|
| Supervisor John Bell Crosby | Aye |
| Supervisor John Howland | Aye |
| Supervisor Gerald Steen | Aye |
| Supervisor Karl M. Banks | Aye |
| Supervisor Paul Griffin | Aye |

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WHEREUPON, the foregoing Resolution was declared passed and adopted at a regular meeting of the Board of Supervisors of Madison County, Mississippi,

SO ORDERED this 3rd day of August, 2015.

In re: Consideration of Franchise Agreement - Comcast of Louisiana/Mississippi/Texas, LLC

WHEREAS, County Administrator Mark Houston appeared before the Board and requested the Board's consideration of that certain Comcast of Louisiana/Mississippi/Texas, LLC Franchise Agreement, a true and correct copy of which is attached hereto as Exhibit AA, spread hereupon and incorporated herein by reference, and

Following discussion, Mr. Gerald Steen did offer and Mr. John Bell Crosby did second a motion to approve said franchise agreement and authorize the Board President to execute same. The vote on the matter being as follows:

| | |
|-----------------------------|-----|
| Supervisor John Bell Crosby | Aye |
| Supervisor John Howland | Aye |
| Supervisor Gerald Steen | Aye |
| Supervisor Karl M. Banks | Aye |
| Supervisor Paul Griffin | Aye |

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

SO ORDERED this 3rd day of August, 2015.

In re: Approval of Budget Amendments & Interfund Cash Loans & Transfers

WHEREAS, County Comptroller 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 Loans & Transfers August 3, 2015," a true and correct copy of which is attached hereto as Exhibit BB, spread hereupon and incorporated herein by reference, and

Following discussion, Mr. Gerald Steen did offer and Mr. John Bell Crosby did second a motion to approve said budget amendments & interfund cash loans & transfers. The vote on the matter being as follows:

| | |
|-----------------------------|-----|
| Supervisor John Bell Crosby | Aye |
| Supervisor John Howland | Aye |
| Supervisor Gerald Steen | Aye |
| Supervisor Karl M. Banks | Aye |
| Supervisor Paul Griffin | Aye |

the matter carried by the unanimous vote of those present and said budget amendments & interfund cash loans & transfers were and are hereby approved.

SO ORDERED this 3rd day of August, 2015.

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Date Signed: _____

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In re: Approval of Claims Docket for August 3, July 23 and 29, 2015

WHEREAS, the Board reviewed the claims dockets for August 3, July 23 and 29, 2015;
and

- (1) General Claims Docket, dated August 3, 2015
- (2) Payroll Claims Docket No. 1, dated July 23, 2015
- (3) Payroll Claims Docket No. 2, dated July 29, 2015
- (4) Payroll Claims Docket No. 3, dated July 29, 2015

WHEREAS, County Comptroller 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 August 3, 2015:

| Fund | Claim Nos. | No. of Claims | Amount |
|-----------------|--------------|---------------|--------------|
| 001 | 3789 to 3933 | 145 | 522,617.02 |
| 012 | 172 to 178 | 7 | 40,851.28 |
| 015 | 69 to 71 | 3 | 140,376.91 |
| 095 | 41 to 44 | 4 | 26,080.42 |
| 097 | 114 to 116 | 3 | 18,590.45 |
| 105 | 445 to 460 | 16 | 52,956.30 |
| 108 | 3 to 3 | 1 | 177.04 |
| 113 | 19 to 20 | 2 | 1,831.50 |
| 114 | 4 to 11 | 8 | 91,091.00 |
| 115 | 157 to 165 | 9 | 17,634.06 |
| 137 | 11 to 11 | 1 | 10,845.00 |
| 150 | 999 to 1057 | 59 | 268,901.79 |
| 160 | 78 to 79 | 2 | 32,653.97 |
| 180 | 4 to 4 | 1 | 116.80 |
| 190 | 49 to 49 | 1 | 62.15 |
| 191 | 94 to 97 | 4 | 2,695.02 |
| 192 | 57 to 58 | 2 | 298.55 |
| 193 | 25 to 28 | 4 | 2,836.11 |
| 226 | 28 to 28 | 1 | 128,203.19 |
| 303 | 10 to 10 | 1 | 131,996.80 |
| 308 | 28 to 31 | 4 | 195,174.08 |
| 310 | 1 to 1 | 1 | 7,493.42 |
| 315 | 33 to 35 | 3 | 818,945.04 |
| 316 | 15 to 15 | 1 | 14,915.91 |
| 317 | 2 to 3 | 2 | 273,740.21 |
| 401 | 35 to 36 | 2 | 19,864.10 |
| 681 | 324 to 325 | 2 | 2,715.69 |
| 690 | 38 to 41 | 4 | 31,768.86 |
| 691 | 38 to 41 | 4 | 31,768.29 |
| TOTAL ALL FUNDS | | 297 | 2,887,200.96 |

Thereafter and following discussion, Mr. John Bell Crosby did offer and Mr. John Howland 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 CC, spread hereupon, and incorporated herein by reference. The vote on the matter being as follows:

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| | |
|-----------------------------|-----|
| Supervisor John Bell Crosby | Aye |
| Supervisor John Howland | 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 Docket No. 1, 2 and 3 were and are hereby approved, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 3rd day of August, 2015.

In re: Approval of Claims of Fleetcor Technologies

Thereafter, Mr. Vance presented a supplemental claims docket also dated August 3, 2015 containing the claims of Fleetcor Technologies and requested the Board’s consideration thereof,

Mr. John Howland 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 John Howland | 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 3rd day of August, 2015.

In re: Approval of Election Workers

WHEREAS, Comptroller Shelton Vance presented the claims docket for July 30, 2015 for Election Workers and a list of additional Republican Party poll workers for the August 4, 2015 Primary and requested the Board’s consideration of same, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Vance requested the Board (1) approve payment for training, (2) appoint as poll workers for upcoming primary and run-off elections and (3) authorize payment upon completion of working said elections,

Mr. Gerald Steen did offer and Mr. John Bell Crosby did second a motion to (1) approve the claims docket as presented, (2) approve payment for training, (3) appoint as poll workers for upcoming primary and run-off elections and (4) authorize payment upon completion of working said elections. The vote on the matter being as follows:

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

President’s Initials: _____
Date Signed: _____

| | |
|-----------------------------|-----|
| Supervisor John Bell Crosby | Aye |
| Supervisor John Howland | Aye |
| Supervisor Gerald Steen | Aye |
| Supervisor Karl M. Banks | Aye |
| Supervisor Paul Griffin | Aye |

the matter carried unanimously and said Claims Docket was and is hereby approved, said training was and is hereby approved, said poll workers were and are hereby appointed and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 3rd day of August, 2015.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor John Bell Crosby and seconded by Supervisor Gerald Steen and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until Monday, August 17, 2015 at 4:30 p. m. for the purpose of consideration of a Claims Docket and any other business which may properly come before the Board.

Karl M. Banks, President
Madison County Board of Supervisors

Date signed: _____

ATTEST:

Ronny Lott, Chancery Clerk

President's Initials: _____

Date Signed: _____

President's Initials: _____

Date Signed: _____

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