

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

REGULAR MEETING OF DECEMBER 19, 2016
Adjourned from a meeting conducted on December 5, 2016

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on December 19, 2016, 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, Trey Baxter presided and called the meeting to order. The following members were present that day:

Present:

Supervisor Sheila Jones
Supervisor Trey Baxter
Supervisor Gerald Steen
Supervisor David E. Bishop
Supervisor Paul Griffin
Chancery Clerk Ronny Lott
Sheriff Randy Tucker

Absent:

Also Present:

Interim County Administrator/Comptroller Shelton Vance
Board Attorney Katie Bryant Snell
Board Secretary/Chief Deputy Chancery Clerk Cynthia Parker

The Board President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Building & Grounds Director Danny Lee 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 December 5, 2016

WHEREAS, Chancery Clerk Ronny Lott did present the Board with the Minutes of the previous meeting of the Board of Supervisors having been conducted on December 5, 2016,

Mr. Bishop did offer and Ms. Jones did second a motion to approve the minutes of December 5, 2016 as presented and to authorize the President to execute same. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the minutes of December 5, 2016 were and are hereby approved.

SO ORDERED this the 19th day of December, 2016.

In re: Approval of Increases of Assessment of Real and Personal Property Pursuant to Miss. Code Ann. § 27-35-147 et seq.

WHEREAS, the Chancery Clerk did prepare and serve the appropriate notices on the matter of increasing certain real and personal property assessments for the various tax years on certain parcels in the county by regular mail to the affected property owners, and the Board does find that said notices were sufficient, and

WHEREAS, a spreadsheet and the petition listing the property owners, the parcel numbers, and amount of the proposed assessment increase may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, the hour of 5:00 pm did arise and the Board President did declare the public hearing on said proposed increase to be open, and

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

Mr. Steen did offer and Mr. Griffin did second a motion to close the public hearing. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 19th day of December, 2016.

Thereafter, Ms. Jones did offer and Mr. Bishop did second a motion to approve the assessment increase for the individuals and parcel numbers as set forth in the aforesaid spreadsheet and petitions. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the assessment of the parcels reflected thereon were and are hereby approved and adopted.

SO ORDERED this the 19th day of December, 2016.

In re: Appeal Hearing on Rezoning Peter DeBeukelaer

WHEREAS, the hour of 5:00 pm did arise and the Board President did declare the appeal hearing on a rezoning matter submitted by Mr. Peter DeBeukelaer to be open, and

WHEREAS, Mr. James Peden, Esq. on behalf of Petitioner Peter P. DeBeukelaer appeared before the Board and requested the Board's consideration to rezone approximately ten acres located on Dover Lane from an C-1 Commercial District to an R-1A Residential District, and

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

WHEREAS, Mr. Peden did present certain documents to the Board and requested they be admitted in this matter, true and correct copies of which may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, Mr. Peden reported there is an overwhelming neighborhood support and explained the petitioner had met his burden of proof as there had been a change in the character of the neighborhood, and there was a public need for these lots,

WHEREAS, several homeowners appeared before the Board in opposition of the Petitioner and requested the Board deny the Petitioner's request to rezone, and

Following a lengthy discussion, Mr. Baxter did offer and Ms. Jones did second a motion to close the public hearing. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 19th day of December, 2016.

Thereafter, Mr. Bishop did offer and Mr. Baxter did second a motion to (1) find that the Petitioner has proved that there has been substantial change in the character of the neighborhood of the subject property justifying the requested rezoning, (2) further finds that there is a public need for the requested rezoning, (3) that it would be in the best interest of Madison County that the subject property be rezoned to a classification of R1-A Residential District, subject to the decrease from nine lots to eight lots being in excess of one acre per lot. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	No
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (4-1) of the Board and said request to rezone from C-1 Commercial District to R1-A Residential District was and is hereby approved.

SO ORDERED this the 19th day of December, 2016.

***In re: Appeal Hearing on Rezoning
Renasant Bank***

WHEREAS, the hour of 5:00 pm did arise and the Board President did declare the appeal hearing on a site plan submitted by Renasant Bank to be open, and

WHEREAS, Mr. Brannon Kahlstorf, Esq., on behalf of Renasant Bank appeared before the Board and reported that Renasant Bank had entered into an agreement with St. David's Way Homeowners Association that any property owned by Renasant would not access any other street other than Highway 51,

Ms. Jones did offer and Mr. Bishop did second a motion to close the public hearing. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 19th day of December, 2016.

Thereafter, Ms. Jones did offer and Mr. Bishop did second a motion to remove the PUD designation and abandon the master plan to Worthington Residential PUD and Worthington Professional Park from that part of property that is the residential portion belonging to Renasant Bank and being located on Highway 51 north of Green Oak Lane and adjoining St. Davids Way thereby reverting back to R1 residential district. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said PUD designation was and is hereby removed and said property was and is hereby designated as an R1 residential district.

SO ORDERED this the 19th day of December, 2016.

In re: Approval of Consent Agenda Items

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. Steen did offer and Ms. Jones did second a motion to take the following actions on the Consent Agenda:

5. **Acknowledge and Approve Personnel Forms/Matters - Detention Center.**
(Attached hereto as Exhibit A.)
6. **Acknowledge Revised Legal Holiday Schedule - Thursday and Friday, November 24-25, 2016, Thanksgiving; Friday, December 23, 2016 and Monday, December 26, 2016, Christmas and Monday, January 2, 2017, New Year's Day.**
7. **Acknowledge letter from Office of State Aid rescinding forfeiture of LSBP funds.**
(Attached hereto as Exhibit B.)
8. **Approve credit application / with DXE Medical, Inc. and Authorize the Board President to execute same.**
(Attached hereto as Exhibit C.)
9. **Approve Travel and Related Expenses for the Election Commissioners to attend the ECAM 2017 Annual Elections Seminar and Training, January 25-27, 2017 in Philadelphia, MS.**
10. **Accept and Award the lowest quote submitted by Independent Roofing in the amount of \$23,800.00 for roofing repairs at the Sheriff's Office.**
11. **Approve December 2016 Travel Card Reconciliation Report and Authorize Payment of Same.**
(Found in the Miscellaneous Appendix to these Minutes.)

12. **Approve the Clerk of the Board Report.**
(Found in the Miscellaneous Appendix to these Minutes.)
13. **Approve purchase of office furniture for County Judge-Elect Staci O'Neal in the amount of \$4,564.00**
(Found in the Miscellaneous Appendix to these Minutes.)
14. **Approve 3M Maintenance Agreement for use by the Sheriff's Office and Authorize the Board President to execute same.**
(Attached hereto as Exhibit D.)
15. **Authorize setting date for a public hearing for Reunion Phase 3 Draft Environmental Assessment as agreed to by Mississippi Department of Transportation and Federal Highway Administration.**
16. **Acknowledge Petitions for Increase of Real Property Assessment for 2016 tax year not accepted by taxpayer and set public hearing for same.**
(Found in the Miscellaneous Appendix to these Minutes.)
17. **Acknowledge Petitions for Increase of Real Property Assessment for 2016 tax year not accepted by taxpayer and set public hearing for same.**
(Found in the Miscellaneous Appendix to these Minutes.)
18. **Approve Petitions for Real Property Assessment for 2016 as accepted by taxpayer.**
(Found in the Miscellaneous Appendix to these Minutes.)
19. **Approve 2016 Deleted Homestead Exemptions.**
(Found in the Miscellaneous Appendix to these Minutes.)
20. **Authorize setting date for a public hearing for Bozeman Road Project as agreed to by Mississippi Department of Transportation and Federal Highway Administration.**
21. **Approve Final Plat of Fall's Crossing, Phase 5,** (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 Chancery Clerk did not receive the final plat at the time of approval.
22. **Approve Utility Permits submitted by AT&T for placement of utilities along Calhoun Station Parkway and Church Road; C-Spire for placement of utilities along Industrial Drive North; and Centerpoint Energy for placement of utilities along Church Road and Calhoun Station Parkway.**
(Found in the Miscellaneous Appendix to these Minutes.)
23. **Approve Madison County School District 16th Section Lease Contracts.**
(Found in the Miscellaneous Appendix to these Minutes.)
24. **Declare certain inventory items as surplus and delete from inventory**
(Attached hereto as Exhibit E.)
25. **Approve and Authorize the City of Ridgeland to use the County's election equipment for the Primary Election, May 2, 2017, Primary Runoff Election, if necessary, May 16, 2017, and the General Election, June 6, 2017.**
(Found in the Miscellaneous Appendix to these Minutes.)

The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and each item was and is hereby approved, adopted and authorized as described herein above.

SO ORDERED this the 19th day of December, 2016.

In re: Appointment to the Southwest Madison County Fire Protection District Board

Mr. Steen did offer and Mr. Bishop did second a motion to appoint Mr. Jim Martin to the Southwest Madison County Fire Protection District Board to fill the vacancy of Mr. Randall Crowder expiring December, 2021. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Mr. Martin was and is hereby appointed.

SO ORDERED this the 19th day of December, 2016.

In re: Consideration to Amend Interlocal Agreement - City of Madison

Mr. Steen did offer and Ms. Jones did second a motion to amend that certain Interlocal Agreement with the City of Madison dated May 16, 2016 to extend the deadline from December 31, 2016 to January 31, 2017 for paving all streets in Traceland North. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 19th day of December, 2016.

In re: Discussion of Reunion Interchange

Following discussion, and hearing remarks from Mr. Keith O'Keefe, Mr. Steen did offer and Mr. Bishop did second a motion to make the Reunion Parkway Interchange as Madison County's top priority project for long range capital project funding. Prior to call of the motion, Ms. Jones did offer a substitute motion and Mr. Baxter did second said motion to add Gluckstadt Road, Yandell Road and Reunion Phase 2 as additional projects to be submitted to Mississippi Department of Transportation. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	No
Supervisor David E. Bishop	No
Supervisor Paul Griffin	No

the matter did not garner a majority vote of the Board and therefore failed.

SO ORDERED this the 19th day of December, 2016.

Thereafter Ms. Jones did offer a second substitute motion and Mr. Baxter did second said motion to table said matter to allow for further discussion. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	No
Supervisor David E. Bishop	No
Supervisor Paul Griffin	No

the matter did not garner a majority vote of the Board and therefore failed.

SO ORDERED this the 19th day of December, 2016.

Thereafter, President Baxter called for a vote on the original motion made by Mr. Steen to make the Reunion Parkway Interchange as Madison County's top priority project for long range capital project funding. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Reunion Parkway Interchange was and is hereby approved as Madison County's top priority project.

SO ORDERED this the 19th day of December, 2016.

***In re: Authorization to Advertise for Bids
Election Equipment***

At the request and recommendation of Election Commissioner Timothy Jenkins, Ms. Jones did offer and Mr. Steen did second a motion to authorize Purchase Clerk Hardy Crunk to advertise for precinct scanners, handicap ballot devices, supporting software, implementation, one year warranty, ballot printing device, training for personnel and shipping and handling of same, as referenced and attached hereto as Exhibit F. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Mr. Crunk was and is hereby authorized.

SO ORDERED this the 19th day of December, 2016.

***In re: Approval of Sign Variance
Mack Haik Enterprises***

At the request and recommendation of Zoning Administrator Carl Allen and being approved by the Planning Commission, Mr. Baxter did offer and Mr. Steen did second a motion to approve the sign variance submitted by Mac Haik Enterprises, found in the Miscellaneous Appendix to

these Minutes, to allow for (1) two 80 foot flag poles with 15x25 foot flags to be lighted, (2) two thirty foot pylon signs at I-55 and (3) building signage. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 19th day of December, 2016.

***In re: Approval of Preliminary Plat -
Fall's Crossing, Phase 6***

At the request and recommendation of Zoning Administrator, Mr. Baxter did offer and Mr. Steen did second a motion to approve the preliminary plat of Fall's Crossing, Phase 6. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said preliminary plat was and is hereby approved.

SO ORDERED this the 19th day of December, 2016.

In re: Authorization to Acquire Proposals

Mr. Steen did offer and Mr. Griffin did second a motion to direct Emergency Management Director/County Fire Coordinator Tom Lariviere to acquire two proposals for an architect for a new fire station for Southwest Madison County Fire Protection District. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 19th day of December, 2016.

***In re: Authorization to Apply for
Conditional Use Permit***

At the request and recommendation of Emergency Management Director/County Fire Coordinator Tom Lariviere, Mr. Griffin did offer and Ms. Jones did second a motion to authorize Mr. Lariviere to apply for a permit for conditional use public quasi for the South Madison County Fire Station No. 3 on Yandell Road to present to the Planning Commission. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Mr. Lariviere was and is hereby authorized.

SO ORDERED this the 19th day of December, 2016.

***In re: Approval to Issue Purchase Order
Covington Drive Bridge Project***

At the request and recommendation of County Engineer/Road Manager Dan Gaillet, Mr. Griffin did offer and Mr. Steen did second a motion to authorize Purchase Clerk Hardy Crunk to issue a purchase order to Key LLC, in the amount of \$158,468.70 to allow Mr. Gaillet to proceed with making the necessary repairs to Covington Drive Bridge Project, attached hereto as Exhibit G. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Mr. Crunk was and is hereby authorized.

SO ORDERED this the 19th day of December, 2016.

***In re: Acceptance of Maintenance of
High Mast Lighting***

At the request and recommendation of County Engineer/Road Manager Dan Gaillet, Mr. Steen did offer and Mr. Bishop did second a motion to accept the maintenance for the interchange lighting system as well as the cost of electrical service to the high mast lighting system at I-55 and Gluckstadt, attached hereto as Exhibit H, and authorize the Comptroller to setup a utility account to maintain the lighting system. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	No

the matter carried by a majority vote (4-1) of the Board and said high mast lighting system was and is hereby approved and the Comptroller was and is hereby authorized.

SO ORDERED this the 19th day of December, 2016.

***In re: Approval of Final Plat -
Horseshoe Acres***

At the request and recommendation of County Engineer/Road Manger Dan Gaillet, Mr. Bishop did offer and Mr. Steen did second a motion to (1) approve the final plat of Horseshoe Acres, (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 Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the final plat of Horseshoe Acres was and is hereby approved.

SO ORDERED this the 19th day of December, 2016.

In re: Approval of Budget Amendments & Interfund Cash Transfers

At the request and recommendation of Interim County Administrator/Comptroller Shelton Vance, Mr. Steen did offer and Ms. Jones did second a motion to approve the “Madison County Budget Amendments & Interfund Cash Transfers December 19, 2016,” attached hereto as Exhibit I. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said budget amendments & interfund cash transfers were and are hereby approved.

SO ORDERED this the 19th day of December, 2016.

In re: Approval of Claims Docket for December 19, 2016 and Payroll Dockets for December 5, 13 and 14, 2016

At the request and recommendation of Interim County Administrator/Comptroller Shelton Vance, assuring the Board of Supervisors that all claims had been properly documented and where necessary, purchase orders were obtained in advance as required by law, Mr. Steen did offer and Ms. Jones did second a motion to approve the following:

- (1) General Claims Docket, dated December 19, 2016
- (2) Payroll Claims Docket No. 1, dated December 5, 2016
- (3) Payroll Claims Docket No. 2, dated December 13, 2016
- (4) Payroll Claims Docket No. 3, dated December 14, 2016

WHEREAS, the following is a summary of all claims and funds from which said claims are to be paid relative to the primary claims docket dated December 19, 2016 :

Fund	ClaimNos.	No. ofClaims	Amount
001	1246 to 1423	178	385,226.92
012	39 to 41	3	228.43
014	3 to 3	1	21,656.00
015	19 to 22	4	199,656.85
030	7 to 8	2	7,902.07
031	4 to 4	1	8,926.20

095	3 to 3	1	23,001.54
097	26 to 28	3	2,505.35
104	5 to 5	1	575.00
105	21 to 22	2	10,538.95
113	3 to 3	1	41,353.85
115	36 to 36	1	500.00
116	3 to 3	1	12,186.82
117	3 to 3	1	662.76
118	2 to 2	1	648.70
119	3 to 3	1	853.85
120	10 to 10	1	387.40
121	4 to 4	1	13.86
137	4 to 4	1	9,675.04
150	173 to 187	15	52,267.93
160	36 to 40	5	16,910.64
190	13 to 13	1	125.28
191	23 to 25	3	3,973.08
193	22 to 24	3	1,689.73
303	3 to 3	1	3,359.50
315	10 to 10	1	7,168.23
655	3 to 3	1	72,313.85
664	3 to 3	1	2,363.00
672	3 to 3	1	1,035.00
675	3 to 3	1	4,924.00
690	3 to 3	1	25,653.70
691	3 to 3	1	32,057.76
TOTAL ALL FUNDS		240	950,341.29

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, found in the Miscellaneous Appendix to these Minutes together with a separate Resolution approving payment of said claims. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said General Claims Docket and Payroll Docket Nos. 1-3 were and are hereby approved and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 19th day of December, 2016.

In re: Approval of Claims of Fleetcor Technologies

Thereafter, at the request and recommendation of Mr. Vance, Mr. Bishop did offer and Ms. Jones did second a motion to approve a supplemental claims docket dated December 19, 2016 containing the claims of Fleetcor Technologies and direct that invoice numbers should be attached to each claim listed on the supplemental docket and direct the Chancery Clerk to include said claims in the Summary of Claims to be published as required by law, found in the Miscellaneous Appendix to these Minutes. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Absent ¹
Supervisor David E. Bishop	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 19th day of December, 2016.

In re: Discussion of Time Clock System

At the request and recommendation of Interim County Administrator/Comptroller Shelton Vance, Mr. Steen did offer and Ms. Jones did second a motion to authorize Purchase Clerk Hardy Crunk to advertise for a time clock system for non exempt employees. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Mr. Crunk was and is hereby authorized.

SO ORDERED this the 19th day of December, 2016.

***In re: Approval to Apply for CAP Loan
Lake Lorman Fire Station***

At the request and recommendation of Interim County Administrator/Comptroller Shelton Vance, Mr. Bishop did offer and Mr. Steen did second a motion to approve applying for a CAP loan in the amount of \$750,000.00, attached hereto as Exhibit J, for the construction of a new fire station for Southwest Madison County Fire District Fire and authorize the Board President to execute same. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 19th day of December, 2016.

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.

In re: Discussion of Hiring Architect

At the request and recommendation of Interim County Administrator/Comptroller Shelton Vance, Mr. Steen did offer and Ms. Jones did second a motion to (1) accept the proposals submitted by JH&H Architects and Scott Morgan and (2) authorize Mr. Vance to hire JH&H Architects at a cost not to exceed \$2,500.00 to design a plan for a new Chancery Court courtroom. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said proposals were and are hereby accepted and Mr. Vance was and is hereby authorized.

SO ORDERED this the 19th day of December, 2016.

In re: Approval to Refund Funds to CCMSI

At the request and recommendation of Interim County Administrator/Comptroller Shelton Vance, Mr. Bishop did offer and Mr. Griffin did second a motion to authorize the Chancery Clerk to issue a refund in the amount of \$3,896.94 to CCMSI that was sent to the county in error. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the Chancery Clerk was and is hereby authorized to issue a pay warrant accordingly.

SO ORDERED this the 19th day of December, 2016.

In re: Approval of Fee Income to Chancery Clerk

At the request and recommendation of Interim County Administrator/Comptroller Shelton Vance, Mr. Steen did offer and Ms. Jones did second a motion to authorize the payment of fee income to the Chancery Clerk that was deposited from the State Paymode account and sent to the county in error. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said payment was and is hereby authorized.

SO ORDERED this the 19th day of December, 2016.

***In re: Approval to Acquire Appraisal
Mt. Leopard Road Property***

At the request and recommendation of Interim County Administrator/Comptroller Shelton Vance, Mr. Bishop did offer and Ms. Jones did second a motion to authorize Mr. Vance to acquire an appraisal on that certain nineteen acres assessed to Madison County and being located on Mt. Leopard Road. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Mr. Vance was and is hereby authorized.

SO ORDERED this the 19th day of December, 2016.

In re: Discussion of Forensic Auditor

At the request and recommendation of Interim County Administrator/Comptroller Shelton Vance, Ms. Jones did offer a motion and Mr. Steen did second a motion to approve entering into Service Agreements with the firms of BKD, LLP, Tamm Brown & Russ Co., PLLC and Collins Barr & Hembree, Ltd to perform a forensic audit using the firm on an as needed basis. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the firms of BKD, LLP, Tamm Brown & Russ Co., PLLC and Collins Barr & Hembree, Ltd were and are hereby approved.

SO ORDERED this the 19th day of December, 2016.

In re Approval of Billing for Lost Rabbit URD Fees

At the request and recommendation of Interim County Administrator/Comptroller Shelton Vance, Ms. Jones did offer a motion and Mr. Bishop did second a motion to direct Mr. Vance to bill Mr. Terry Lovelace of MCAS, LLC in the amount of \$19,778.92 and Mr. Kevin Blanchard of Lushommi, LLC in the amount of \$22,939.73 for payment of Lost Rabbit URD fees pursuant to the agreement between Madison County and Lost Rabbit Urban Renewal District. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 19th day of December, 2016.

In re: Approval of Awarding Depository Bids

At the request and recommendation of Chancery Clerk Ronny Lott, Mr. Baxter did offer a motion and Mr. Griffin did second a motion to (1) designate Metropolitan Bank, Renasant Bank, Trustmark and Community Bank as a county depository, eligible to receive and hold deposits from any county office, (2) designate Metropolitan Bank as the primary county depository for the county's operating account and self-funding insurance account, Sheriff's Federal Drug Fund and Sheriff's State and Local Drug Fund account and (3) designate Renasant Bank as the secondary county depository for up to \$2,000,000 in deposits of operating funds and the sole depository for the county's payroll and employee's flexible spending account for a period of two years from January 2017 thru December 2018. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said banks were and are hereby designated as county depositories.

SO ORDERED this the 19th day of December, 2016.

In re: Payments in Lieu of Tax Obligation of Nissan North America, Inc. and Related Entities for 2016

ORDER PROVIDING FOR THE PAYMENT AND DISTRIBUTION OF
PAYMENT IN LIEU OF TAXES TO BE RECEIVED
FROM NISSAN NORTH AMERICA, INC. AND FOR RELATED PURPOSES

WHEREAS, on November 8, 2000 Madison County, together with the State of Mississippi, the City of Canton, Mississippi, and numerous other governmental bodies entered into a certain Memorandum of Understanding ("MOU") with Nissan North America, Inc., commonly known as the "Delta I" MOU, a true and correct copy of which may be found in the Miscellaneous Appendix to the Minutes of this Board of January 31, 2005, and

WHEREAS, heretofore Madison County entered into an "Agreement to Make Payments in Lieu of Ad Valorem Taxes" (hereinafter, "PILOT Agreement") dated April 23, 2003, said PILOT Agreement having been approved by the Madison County Board of Supervisors on March 21, 2003, a true and correct copy of which may be found in the Miscellaneous Appendix to the Minutes of this Board of January 31, 2005, and

WHEREAS, the Board finds it necessary, pursuant to Miss. Code Ann. § 27-31-104, to (1) establish the amount due from Nissan North America, Inc. in satisfaction of its PILOT obligation for 2016, and (2) provide for the payment, distribution, and apportionment of such sums as shall be remitted from Nissan North America, Inc. and related entities in satisfaction thereof,

WHEREFORE, PREMISES CONSIDERED, and pursuant to the provisions of Miss. Code Ann. § 27-31-104, and upon the advice of counsel, the Board of Supervisors of Madison County, Mississippi does find and order as follows:

1. That, based on statutory authority set forth in Miss. Code Ann. § 27-31-104, Nissan North America, Inc. has been granted a ten-year exemption from ad valorem taxation pursuant to Section 1.3(d)(i) of the "Delta I" MOU.

2. That, in exchange for said exemption, Nissan North America, Inc. is obligated to make annual payments in lieu of taxes to Madison County, and that such payments in lieu of taxes are fee payments, not ad valorem taxes or taxes of any other nature.
3. That the Madison County Board of Supervisors has the authority, pursuant to Miss. Code Ann. § 27-31-104, to determine the amount of the payment in lieu of taxes owed by Nissan North America, Inc. and to apportion said amount between Madison County and the Canton Public School District as directed in said code section and pursuant to the "Delta I" MOU and the PILOT Agreement.
4. That the Tax Assessor of Madison County has prepared and submitted to the Madison County Board of Supervisors a calculation of the amount owed by Nissan North America, Inc. as its payment in lieu of taxes for 2016, which calculation is attached hereto as Collective Exhibit A to this Order (Exhibit ___ to these Minutes), spread hereupon and incorporated herein by reference and which is summarized as follows, to-wit:

Payment due based upon Nissan North America, Inc.'s real property values	\$ 327,730.35
Payment due based upon Nissan North America, Inc.'s personal property values	<u>1,542,747.01</u>
2016 amount due =	\$1,870,477.36

5. That the Board hereby adopts said calculation and, in accordance therewith, the amount to be paid by Nissan North America, Inc. pursuant to said code section and Section 3, paragraphs (a) and (b) of the PILOT Agreement is \$1,870,477.36 and shall be made payable to "Madison County, Mississippi."
6. That the Chancery Clerk shall prepare invoices reflecting the above amounts and submit the same unto Nissan North America, Inc. who shall promptly deliver the aforesaid sum to the Madison County Board of Supervisors, 146 West Center Street, P.O. Box 608, Canton, Mississippi 39046, Attention Mr. Ronald W. Lott, Chancery Clerk and County Treasurer.
7. That upon receipt of the balance due from Nissan, of the total PILOT payment of \$1,870,477.36, \$1,117,984.20 is to be apportioned unto the Canton Public School District and \$752,493.16 is to be apportioned unto Madison County to be applied to the appropriate bond fund, all applicable tax levies other than School District levies notwithstanding.
8. That the apportionment set forth in paragraph 7 is computed and shown in Exhibit B.
9. That, therefore, upon receipt of the entirety of said funds from Nissan North America, Inc. for 2016, the County Treasurer shall pay unto the Canton Public School District the sum of \$1,117,984.20 and shall pay unto Madison County, to be directed to the appropriate bond fund, the sum of \$752,493.16.

Following discussion, Mr. Steen did offer and Ms. Jones did second a motion to approve, adopt and enter the foregoing Order. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the above and foregoing Order was and is hereby approved, adopted and entered.

SO ORDERED this the 19th day of December, 2016.

In re: Authorization of County Administrator

Ms. Jones did offer and Mr. Bishop did second a motion to direct County Administrator Shelton Vance to notify all departments that all computer programs will be serviced by Harris (Delta) Computer Systems by the end of the fiscal year, October 31, 2017. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 19th day of December, 2016.

In re: Approval of Appointing County Administrator

Ms. Jones did offer and Mr. Bishop did second a motion to appoint Shelton Vance as County Administrator on a permanent basis. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Mr. Vance was and is hereby appointed.

SO ORDERED this the 19th day of December, 2016.

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

WHEREAS, the Board of Supervisors, after beginning the meeting in open session, determined that it was necessary to enter into closed session for a brief discussion to ascertain whether an Executive Session was needed to discuss litigation involving the Warnock & Associates lawsuit,

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Supervisor Baxter did offer a motion to make a closed determination upon the issue of whether or not to declare an Executive Session for the purpose of discussing litigation involving the Warnock & Associates lawsuit with the following persons deemed necessary for Board discussions, deliberations, and recording of such Executive Session, to wit: members of the Board, Chancery Clerk Ronny Lott, County Administrator/Comptroller Shelton Vance, Board Attorney Katie Bryant Snell, County Engineer/Road Manager Dan Gaillet, State Aid Engineer Jim Hust, Mr. David Mockbee, Esq., and Sheriff Randy Tucker. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the Board took up the matter of entering Executive Session.

SO ORDERED this the 19th day of December, 2016.

In re: Entering into Executive Session

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

Following discussion, Mr. Bishop did offer and Mr. Baxter did second a motion to enter into Executive Session to discuss litigation involving the Warnock & Associates lawsuit. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and President Baxter declared the Board to be in Executive Session for the consideration of such matters and the Chancery Clerk announced to the public the purpose for the Executive Session.

SO ORDERED this the 19th day of December, 2016.

Thereafter, Ms. Jones did offer and Mr. Baxter did second a motion to adjourn the Executive Session and announce to the public no action was taken therein. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the President declared Executive Session adjourned and the Chancery Clerk did announce to the public no action was taken therein.

SO ORDERED this the 19th day of December, 2016.

In re: Approval of Settlement Agreement

At the recommendation of Mr. David Mockbee, legal counsel for Madison County, Mr. Griffin did offer and Mr. Steen did second a motion to approve that certain Settlement Agreement in the Warnock & Associates litigation subject to the terms and conditions agreed upon by the parties and approve payment thereof as provided in said agreement, which is attached hereto as Exhibit L, for five primary reasons as follows:

1. Brings an end to cost questions between the County and Rudy Warnock and Warnock & Associates going back years;

2. Settles contested claims and the County pays substantially less than claimed against the County;
3. The County will have third party help with paying the settlement;
4. Allows the County to move forward at its discretion on all projects under design as of December 31, 2015 and to obtain documentation on all past projects for future use; and
5. No more attorney's fee.

The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 19th day of December, 2016.

In re: Authorization to Advertise for Comptroller

Mr. Griffin did offer and Mr. Steen did second a motion to direct County Administrator Shelton Vance to advertise for the position of County Comptroller. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor David E. Bishop	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 19th day of December, 2016.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Trey Baxter and seconded by Supervisor David Bishop and approved by the unanimous vote of those present, the December 19, 2016 meeting of the Board of Supervisors was adjourned until Tuesday, January 3, 2017 at 9:00 am.

Trey Baxter, President
Madison County Board of Supervisors

Date signed: _____

ATTEST:

Ronny Lott, Chancery Clerk

