

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

REGULAR MEETING OF JUNE 19, 2017
Adjourned from a meeting conducted on June 5, 2017

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on June 19, 2017, 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:

County Administrator Shelton Vance
Board Attorney Katie Snell
Comptroller Buddy Voelkel
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. Chancery Clerk Ronny Lott 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 July 4th Holiday

Mr. Griffin did offer and Ms. Jones did second a motion to approve and acknowledge the observance of the legal holiday of Monday, July 3, 2014 and Tuesday, Independence Day, July 4, 2017. All county offices and courthouses are authorized to close on said dates. 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 Monday, July 3, 2014 and Tuesday, Independence Day, July 4, 2017 were and are hereby approved.

SO ORDERED this the 19th day of June, 2017.

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In re: Approval of Minutes from June 5, 2017

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 June 5, 2017,

Mr. Bishop did offer and Mr. Steen did second a motion to approve the minutes of June 5, 2017 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 June 5, 2017 were and are hereby approved.

SO ORDERED this the 19th day of June, 2017.

***In re: Discussion of Right-of-Way -
Greater Livingston Missionary Baptist Church***

Following a lengthy discussion, Mr. Steen did offer and Mr. Griffin did second a motion to direct Board Attorney Katie Snell Bryant and County Engineer/Road Manager Dan Gaillet to meet with Mr. David Landrum, developer of Livingston Township before Friday, June 23, 2017 to discuss a plan of action and set a time frame for the members of Greater Livingston Missionary Baptist Church to have permanent access to the church and present said plan to the members of said church and bring same back to the Board of Supervisors. 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 Ms. Snell and Mr. Gaillet were and are hereby directed.

SO ORDERED this the 19th day of June, 2017.

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,

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

- 9. Acknowledge and Approve Personnel Forms/Matters - Tax Collector and Sheriff's Department.**
(Attached hereto as Collective Exhibit A.)

- 10. Approve DCS NCIC Software Maintenance Agreement for the Sheriff's Department, Authorize the Board President to execute same and Authorize payment of same.**
(Attached hereto as Collective Exhibit B.)

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11. **Approve and Authorize the Board President to execute the MDEQ Solid Waste Assistance Grant Program Agreement.**
(Attached hereto as Collective Exhibit C.)
12. **Approve and Authorize the Board President to execute the MDEQ Waste Tire Collection Grant Program Agreement.**
(Attached hereto as Collective Exhibit D.)
13. **Authorize Purchase Clerk Hardy Crunk to issue a purchase order for the purchase of ammunition for Madison County Constables.**
(Found in the Miscellaneous Appendix to these Minutes.)
14. **Authorize the Board President to execute an invoice in the amount of \$2,121.99 to MDOT for mowing services along Highway 22 and Highway 463.**
(Attached hereto as Collective Exhibit E.)
15. **Approve Utility Permits submitted by C-Spire for utility services along Yandell Road and AT&T for utility services along Stribling Road and inside Lake Caroline and Authorize the Board President to execute same.**
(Found in the Miscellaneous Appendix to these Minutes.)
16. **Acknowledge application from Ms. Leila C. Malatesta and Approve naming of private road to Hawkins Hill Place and Authorize E911 to add same to the road registry.**
(Found in the Miscellaneous Appendix to these Minutes.)
17. **Approve June 2017 Travel Card Reconciliation Report and Authorize payment of same.**
(Found in the Miscellaneous Appendix to these Minutes.)
18. **Approve Use of Rogers Park to Alicia Thomas for June 25, 2017.**
(Found in the Miscellaneous Appendix to these Minutes.)
19. **Approve Use of Rogers Park to Corinthia Bradfield for July 29, 2017.**
(Found in the Miscellaneous Appendix to these Minutes.)
20. **Approve Use of Rogers Park to Melvinann Carter for August 12, 2017.**
(Found in the Miscellaneous Appendix to these Minutes.)
21. **Approve Use of Rogers Park to Crystal Humphrey for August 12, 2017.**
(Found in the Miscellaneous Appendix to these Minutes.)
22. **Approve Use of Rogers Park to Priscilla Wilson for June 18, 2017.**
(Found in the Miscellaneous Appendix to these Minutes.)
23. **Approve refund in the amount of \$75.00 to Ms. Katie Travis for cancellation of use of Rogers Park due to another individual had set up in Ms. Travis' place without reservations.**
(Attached hereto as Collective Exhibit F.)
24. **Declare Certain Inventory Items as Surplus and Delete from Inventory.**
(Attached hereto as Exhibit G.)
25. **Acknowledge Clerk of the Board Report.**
(Found in the Miscellaneous Appendix to these Minutes.)

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26. **Approve Esri Inc maintenance contract for the Tax Assessor's Office, Authorize the Board President to execute same and Authorize payment of same.**
(Attached hereto as Exhibit H.)
27. **Approve Tri-State Consulting Services, Inc. training contract for the Tax Assessor's Office and Authorize payment of same.**
(Attached hereto as Exhibit I.)
28. **Approve 2016 Amended Homestead Applications.**
(Found in the Miscellaneous Appendix to these Minutes.)
29. **Approve 2016 Deleted Homestead Applications.**
(Found in the Miscellaneous Appendix to these Minutes.)
30. **Approve Petitions for Reduction of Assessments of Personal Property for the 2016 Tax Year.**
(Found in the Miscellaneous Appendix to these Minutes.)
31. **Approve Petitions for Increase of Personal Property Assessment for 2016 Tax Year as accepted by tax payer.**
(Found in the Miscellaneous Appendix to these Minutes.)
32. **Approve Petitions for Increase of Real Property Assessment for 2016 Tax Year as accepted by tax payer.**
(Found in the Miscellaneous Appendix to these Minutes.)
33. **Approve Petitions for Reduction of Assessments of Real Property for the 2016 Tax Year.**
(Found in the Miscellaneous Appendix to these Minutes.)
34. **Approve Petitions for Increase of Real Property Assessment for various tax years as accepted by tax payer.**
(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 June, 2017.

In re: Discussion of Construction of South Madison County (Gluckstadt) Fire Station No. 3

Following discussion about value engineering items for the South Madison County (Gluckstadt) fire station no. 3, Ms. Jones did offer and Mr. Bishop did second a motion to approve construction of South Madison County (Gluckstadt) fire station no. 3 pursuant to the bid submitted by Richard Womack Construction, LLC. The vote on the matter being as follows:

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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 construction of South Madison County (Gluckstadt) fire station no. 3 was and is hereby approved.

SO ORDERED this the 19th day of June, 2017.

In re: Discussion of Setting Budget Hearings

Ms. Jones did offer and Mr. Bishop did second a motion to direct County Administrator Shelton Vance to set a schedule for budget hearings for discussions of the 2017-2018 county budget. 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 June, 2017.

In re: Authorization of Board Attorney

Mr. Griffin did offer and Mr. Bishop did second a motion to direct Board Attorney Katie Bryant Snell to prepare a letter to Commissioner Dick Hall requesting the installation of guard rails along that certain portion of Highway 17 where numerous accidents have occurred 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 Ms. Snell was and is hereby directed and the Board President was and is hereby authorized.

SO ORDERED this the 19th day of June, 2017.

In re: Approval to Use Supervisors Boardroom

At the request of Election Commissioner Timothy Jenkins, Mr. Griffin did offer and Mr. Steen did second a motion to approve and authorize the Election Commission use the Supervisors board room for a board meeting on Saturday, July 22, 2017, 10:00 am - 1:00 pm. The vote on the matter being as follows:

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

the matter carried unanimous vote of those present and the Election Commission was and is hereby authorized.

SO ORDERED this the 19th day of June, 2017.

In re: Authorization to Return Project to the City of Madison

At the request and recommendation of County Engineer/Road Manager Dan Gaillet, Mr. Steen did offer and Mr. Bishop did second a motion to approve returning the completed Reunion Parkway Project to the City of Madison. The vote on the matter being as follows:

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

the matter carried by the unanimous vote of those present and said project was and is hereby approved to return to the City of Madison.

SO ORDERED this the 19th day of June, 2017.

In re: Approval of Extension of Time - Yandell Road Widening Project

At the request and recommendation of County Engineer/Road Manager Dan Gaillet, Ms. Jones did offer and Mr. Griffin did second a motion to approve extending the contract with Southern Rock, LLC an additional fourteen (14) days for the Yandell Road Widening Project due to recent rains with a completion date of November 12, 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 by the unanimously and said extension was and is hereby approved.

SO ORDERED this the 19th day of June, 2017.

In re: Approval to Increase Hourly Task Order H1 Services, LLC Contract

At the request and recommendation of County Engineer/Road Manager Dan Gaillet, Mr. Griffin did offer and Mr. Steen did second a motion to (1) approve increasing the hourly task order to \$11,500.00 for State Aid/LSBP Engineer Jim Hust, H1 Services, LLC, to close out the Livingston Road State Aid Project, SAP-45(11)M and Permenter Road LSBP Project, LSBP-

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45(14) and (2) approve increasing the hourly task order to \$16,500.00 for State Aid/LSBP Engineer Jim Hust, H1 Services, LLC, to close out the Dobson Avenue, Moss Road, Gus Green Road and Cane Creek 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 said increase of the hourly task order was and is hereby approved.

SO ORDERED this the 19th day of June, 2017.

In re: Approval of Temporary Construction Easement

At the request and recommendation of County Engineer/Road Manager Dan Gaillet, Mr. Bishop did offer and Ms. Jones did second a motion to authorize Mr. Gaillet to acquire a temporary construction easement to make the necessary repairs to the county's stormwater system between lots 104 and 105 of Ashbrooke Subdivision being located on Mason Cove. 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. Gaillet was and is hereby authorized.

SO ORDERED this the 19th day of June, 2017.

***In re: Awarding of Bid -
Dinkins Street Bridge Project***

At the request and recommendation of State Aid/LSBP Engineer Jim Hust, Mr. Griffin did offer and Mr. Bishop did second a motion to award the best and lowest bid to N L Carson Construction Company in the amount of \$167,376.00 for the Dinkins Street Bridge Project, LSBP-45(16) and authorize the Board President to execute the Order awarding 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 bid was and is hereby awarded to N L Carson Construction Company and the Board President was and is hereby authorized.

SO ORDERED this the 19th day of June, 2017.

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***In re: Approval of Site Plan -
Perfect Shot Indoor Gun Range***

At the request and recommendation of Asst. Zoning Administrator Scott Weeks, Mr. Bishop did offer and Mr. Steen did second a motion to approve the site plan submitted by Corky Saik of Perfect Shot Indoor Gun Range for an indoor shooting range. 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 site plan was and is hereby approved.

SO ORDERED this the 19th day of June, 2017.

***In re: Approval of Preliminary Plat
Camden Pointe III of Caroline***

At the request and recommendation of Asst. Zoning Administrator Scott Weeks, Mr. Bishop did offer and Mr. Steen did second a motion to approve the preliminary plat of Camden Pointe III of Caroline. 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 June, 2017.

***In re: Approval of Application for
Special Exception - Bennie and Dawn Street***

At the request and recommendation of Asst. Zoning Administrator Scott Weeks, Mr. Griffin did offer and Mr. Bishop did second a motion to approve the application for special exception submitted by Benny and Dawn Street to excavate a pond and haul dirt off property expanding an existing pit consisting of thirty-five acres being located at the intersection of Goodloe Road and Highway 43 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 application was and is hereby approved.

SO ORDERED this the 19th day of June, 2017.

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In re: Declare Certain Inventory Items as Surplus and Delete from Inventory

At the request and recommendation of Emergency Management Director Minor Norman, Ms. Jones did offer and Mr. Steen did second a motion to (1) declare that certain communications tower, bearing parcel no. 081E-16-002, and located on Highway 463 as surplus, deleted from inventory and remove from property and (2) authorize said lease revert back to the Madison County School 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 tower was and is hereby declared as surplus and deleted from inventory.

SO ORDERED this the 19th day of June, 2017.

In re: Authorization to Relocate Emergency Siren

At the request and recommendation of Emergency Management Director Minor Norman, Ms. Jones did offer and Mr. Bishop did second a motion to relocate the emergency siren from the communications tower to the Bear Creek water tower or the Mannsdale School property. 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 siren was and is hereby approved to be relocated.

SO ORDERED this the 19th day of June, 2017.

In re: Approval of Resolution Hiring Required Legal Counsel and an Independent Registered Municipal Advisor and Resolution Declaring the Intention of the Board of Supervisors to Either Issue General Obligation Bonds Issue a General Obligation Bond for Sale to the Mississippi Development Bank or Enter into a Loan with the Mississippi Development Bank

There came on for consideration the matter of providing financing for various capital improvements for Madison County, Mississippi, and after a discussion of the subject matter, Supervisor Bishop offered and moved the adoption of the following resolution:

RESOLUTION HIRING REQUIRED LEGAL COUNSEL AND AN INDEPENDENT REGISTERED MUNICIPAL ADVISOR IN CONNECTION WITH THE SALE AND ISSUANCE BY MADISON COUNTY, MISSISSIPPI OF EITHER GENERAL OBLIGATION BONDS OF SAID COUNTY OR A GENERAL OBLIGATION BOND OF SAID COUNTY FOR SALE TO THE MISSISSIPPI DEVELOPMENT BANK OR THE EXECUTION AND DELIVERY

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OF THE DOCUMENTS NECESSARY TO SECURE A LOAN WITH THE MISSISSIPPI DEVELOPMENT BANK, ALL IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED EIGHT MILLION DOLLARS (\$8,000,000); AND FOR RELATED PURPOSES.

WHEREAS, the Board of Supervisors of Madison County, Mississippi (the "Governing Body"), acting for and on behalf of Madison County, Mississippi (the "County"), is authorized by Sections 19-9-1 et seq., Mississippi Code of 1972, as amended and supplemented (the "County Bond Act"), to issue general obligation bonds for the purposes of constructing, reconstructing, and repairing Cherry Hill Drive, Robinson Springs Road, Virililia Road, Tisdale Road, Parkplace Boulevard, Greens Crossing Road, Stokes Road Bridge, Weisenberger Road, Yandell Road, Reunion Phase 2, Reunion Phase 3, Harvey Crossing, North Deerfield Drive, Meadowgreen Lane and Sunnybrook Road, all located within the County, and acquiring the necessary land, including land for road building materials, acquiring rights-of-way only for such roads, highways and bridges, and for purposes related to only such roads, highways and bridges, and providing the costs of issuance thereof (collectively, the "Project"); and

WHEREAS, the Governing Body, acting for and on behalf of the County, is also authorized under the County Bond Act and Sections 31-25-1 et seq., Mississippi Code of 1972, as amended (the "Bank Act"), and other applicable laws of the State, to (a) issue a general obligation bond of the County to be sold to the Mississippi Development Bank (the "Bank") to finance the costs of the Project, or (b) enter into a loan with the Bank to borrow money to finance the costs of the Project; and

WHEREAS, the Project is in accordance with and in furtherance of the provisions of the County Bond Act and the Bank Act; and

WHEREAS, on June 19, 2017, the Governing Body adopted a resolution declaring its intention to either (a) issue and sell general obligation bonds of the County in one or more taxable or tax-exempt series pursuant to the County Bond Act in a total aggregate principal amount not to exceed Eight Million Dollars (\$8,000,000) (the "Bonds"), (b) issue and sell a general obligation bond of the County in one or more taxable or tax-exempt series to the Bank in a total aggregate principal amount not to exceed Eight Million Dollars (\$8,000,000) (the "County Bond"), or (c) enter into a loan with the Bank to borrow money from the Bank in one or more taxable or tax-exempt loans in an aggregate principal amount not to exceed Eight Million Dollars (\$8,000,000) (the "Loan") to finance the costs of the Project; and

WHEREAS, the County Bond or the Loan will be funded with the proceeds of limited obligation bonds in one or more taxable or tax-exempt series to be issued by the Bank (the "Bank Bonds"); and

WHEREAS, in connection with the execution and delivery of the documentation necessary to secure the Loan and/or the sale and issuance of the Bonds, the County Bond and/or the Bank Bonds, the Governing Body now desires to hire the required legal counsel and an independent registered municipal advisor.

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

SECTION 1. The Governing Body, acting for and on behalf of the County, does hereby find and determine that it is necessary and advisable for the County to hire the required legal counsel and an independent registered municipal advisor in connection with (a) the issuance and sale of the Bonds pursuant to the County Bond Act, (b) the issuance and sale of the County Bond to the Bank pursuant to the County Bond Act and the Bank Act, or (c) entering into the Loan with the Bank pursuant to the County Bond Act and the Bank Act to borrow money from the Bank.

SECTION 2. Butler Snow LLP, Ridgeland, Mississippi, is hereby selected to serve as bond

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counsel to the County in connection with the sale and issuance of the Bonds, the County Bond, the Bank Bonds and/or the Loan, in accordance with the engagement letter attached as Exhibit A hereto.

SECTION 3. Katie Bryant Snell PLLC, Ridgeland, Mississippi, is hereby selected to serve as counsel to the County in connection with the sale and issuance of the Bonds, the County Bond, the Bank Bonds and/or the Loan.

SECTION 4. Government Consultants, Inc., Madison, Mississippi, is hereby selected to serve as Independent Registered Municipal Advisor to the County in connection with the sale and issuance of the Bonds, the County Bond, the Bank Bonds and/or the Loan, in accordance with the Independent Registered Municipal Advisor letter attached as Exhibit B hereto.

SECTION 5. If any one or more of the provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any of the other provisions of this resolution, but this resolution shall be construed and enforced as if such illegal or invalid provision or provisions had not been contained herein.

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

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

The motion having received the affirmative vote of a majority of the members of the Governing Body present, being a quorum of said Governing Body, the President declared the motion carried and the resolution adopted this 19th day of June, 2017.

EXHIBIT A
BOND COUNSEL ENGAGEMENT LETTER
(Found in the Miscellaneous Appendix to these Minutes)

EXHIBIT B
INDEPENDENT REGISTERED MUNICIPAL ADVISOR LETTER
(Found in the Miscellaneous Appendix to these Minutes)

SO ORDERED this the 19th day of June, 2017.

Thereafter, there came on for consideration the matter of providing financing for various capital improvements for Madison County, Mississippi, and after a discussion of the subject matter, Supervisor Bishop offered and moved the adoption of the following resolution:

RESOLUTION DECLARING THE INTENTION OF THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, TO EITHER ISSUE GENERAL OBLIGATION BONDS OF SAID COUNTY, ISSUE A GENERAL OBLIGATION BOND OF SAID COUNTY FOR SALE TO THE MISSISSIPPI DEVELOPMENT BANK OR ENTER INTO A LOAN WITH THE MISSISSIPPI DEVELOPMENT BANK, ALL IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED EIGHT MILLION DOLLARS (\$8,000,000) TO RAISE MONEY FOR THE PURPOSE OF PROVIDING FUNDS FOR CONSTRUCTING, RECONSTRUCTING, AND REPAIRING THE ROADS, HIGHWAYS AND BRIDGES DESCRIBED HEREIN, AND ACQUIRING THE NECESSARY LAND, INCLUDING LAND FOR ROAD BUILDING MATERIALS, ACQUIRING RIGHTS OF WAY FOR SUCH ROADS, HIGHWAYS AND BRIDGES, AND FOR

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**PURPOSES RELATED TO SUCH ROADS, HIGHWAYS AND BRIDGES;
DIRECTING PUBLICATION OF NOTICE OF SUCH INTENTION; AND FOR
RELATED PURPOSES.**

WHEREAS, the Board of Supervisors of Madison County, Mississippi (the "Governing Body"), acting for and on behalf of Madison County, Mississippi (the "County"), is authorized by Sections 19-9-1 et seq., Mississippi Code of 1972, as amended and supplemented from time to time (the "County Bond Act"), to issue general obligation bonds for the purposes of constructing, reconstructing, and repairing Cherry Hill Drive, Robinson Springs Road, Virilia Road, Tisdale Road, Parkplace Boulevard, Greens Crossing Road, Stokes Road Bridge, Weisenberger Road, Yandell Road, Reunion Phase 2, Reunion Phase 3, Harvey Crossing, North Deerfield Drive, Meadowgreen Lane and Sunnybrook Road, all located within the County, and acquiring the necessary land, including land for road building materials, acquiring rights-of-way only for such roads, highways and bridges, and for purposes related to only such roads, highways and bridges, and providing the costs of issuance thereof (collectively, the "Project"); and

WHEREAS, the Governing Body, acting for and on behalf of the County, is also authorized under the County Bond Act and Sections 31-25-1 et seq., Mississippi Code of 1972, as amended (the "Bank Act"), and other applicable laws of the State, to (a) issue a general obligation bond of the County to be sold to the Mississippi Development Bank (the "Bank") to finance the costs of the Project, or (b) enter into a loan with the Bank to borrow money to finance the costs of the Project; and

WHEREAS, the Project is in accordance with and in furtherance of the provisions of the County Bond Act and the Bank Act; and

WHEREAS, the Governing Body is authorized pursuant to the County Bond Act and/or the Bank Act to provide funding for the costs of the Project either through the issuance of (a) general obligation bonds of the County in one or more taxable or tax-exempt series pursuant to the County Bond Act in a total aggregate principal amount not to exceed Eight Million Dollars (\$8,000,000) (the "Bonds"), (b) a general obligation bond or bonds of the County in one or more taxable or tax-exempt series to be sold to the Bank in a total aggregate principal amount not to exceed Eight Million Dollars (\$8,000,000) (the "County Bond"), (c) by entering into in one or more taxable or tax-exempt loans with the Bank to borrow money from the Bank in a total aggregate principal amount not to exceed Eight Million Dollars (\$8,000,000) (the "Loan"), or (d) a combination of any of the foregoing as long as the aggregate principal amount of Bonds, County Bond and/or Loan issued does not exceed Eight Million Dollars (\$8,000,000); and

WHEREAS, as of June 1, 2017, the assessed value of all taxable property within the County, according to the last completed assessment for taxation, was One Billion Six Hundred Seventeen Million Three Hundred Sixty Thousand One Hundred Eighty Nine Dollars (\$1,617,360,189), and the County had outstanding bonded and floating indebtedness as subject to the fifteen percent (15%) debt limit prescribed by Section 19-9-5 of the County Bond Act, in the amount of Seventy Five Million Four Hundred Ninety Thousand Dollars (\$75,490,000.00), and outstanding bonded and floating indebtedness as subject to the twenty percent (20%) debt limit prescribed by Section 19-9-5 of the County Bond Act, in the amount of Seventy Five Million Four Hundred Ninety Thousand Dollars (\$75,490,000.00); and

WHEREAS, the Bonds, the County Bond or the Loan, when added to the outstanding bonded indebtedness of the County, will not result in bonded indebtedness, exclusive of indebtedness not subject to the aforesaid fifteen percent (15%) debt limit, of more than fifteen percent (15%) of the assessed value of all taxable property within the County, will not result in indebtedness, both bonded and floating, exclusive of indebtedness not subject to the aforesaid twenty percent (20%) debt limit, of more than twenty percent (20%) of the assessed value of all taxable property within the County, and will not exceed any constitutional or statutory limitation upon indebtedness which may be incurred by the County; and

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WHEREAS, there has been no increase in said bonded and floating general obligation indebtedness of the County since June 1, 2017; and

WHEREAS, it would be in the best interest of the County for the Governing Body to provide funding for the costs of the Project by borrowing money through the issuance of the Bonds or the County Bond or by entering into the Loan; and

WHEREAS, the County reasonably expects that it will incur expenditures in connection with the Project for which the County intends to reimburse itself with the proceeds of the Bonds, the County Bond or the Loan; and

WHEREAS, the Governing Body is authorized and empowered by the County Bond Act and/or the Bank Act to issue the Bonds or the County Bond or to enter into the Loan for the purposes herein set forth and there are no other available funds on hand or available from regular sources of income for such purposes.

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

SECTION 1. The Governing Body, acting for and on behalf of the County, hereby declares its intention to either (a) issue general obligation bonds of the County in one or more taxable or tax-exempt series pursuant to the County Bond Act in a total aggregate principal amount not to exceed Eight Million Dollars (\$8,000,000) (the "Bonds"), (b) issue a general obligation bond or bonds of the County in one or more taxable or tax-exempt series to be sold to the Bank in a total aggregate principal amount not to exceed Eight Million Dollars (\$8,000,000) (the "County Bond"), (c) enter into in one or more taxable or tax-exempt loans with the Bank to borrow money from the Bank in a total aggregate principal amount not to exceed Eight Million Dollars (\$8,000,000) (the "Loan"), or (d) a combination of any of the foregoing as long as the aggregate principal amount of Bonds, County Bond and/or Loan issued does not exceed Eight Million Dollars (\$8,000,000).

SECTION 2. The Bonds, the County Bond or the Loan will be issued for the purpose of financing the Project, as authorized by the County Bond Act and the Bank Act.

SECTION 3. The Bonds or the County Bond may be issued in one or more taxable or tax-exempt series and, if issued, will be general obligations of the County payable as to principal and interest out of and secured by an irrevocable pledge of the avails of a direct and continuing tax to be levied annually without limitation as to time, rate or amount upon all the taxable property within the geographical limits of the County. The Loan will be payable from available revenues of the County and will not constitute an indebtedness of the County within the meaning of any constitutional or statutory restrictions, limitations, or provisions, and the taxing power of the County will not be pledged to the payment of the Loan.

SECTION 4. The Governing Body proposes to direct the issuance of all or any portion of the Bonds or the County Bond or to authorize the Loan in the amount and for the purposes and secured as aforesaid at a meeting of the Governing Body to be held at its usual meeting place in the Madison county Courthouse, located at 125 West North Street, Canton, Mississippi, at the hour of 9:00 o'clock a.m. on August 7, 2017, or at some meeting or meetings subsequent thereto; provided, however, that if twenty percent (20%) or fifteen hundred (1500), whichever is less, of the qualified electors of the County shall file a written protest with the Chancery Clerk of the County (the "Chancery Clerk") against the issuance of the Bonds or the County Bond or the authorization of the Loan on or before the aforesaid date and hour, then the Bonds or the County Bond shall not be issued or the Loan shall not be entered into unless approved at an election on the question thereof called and held as is provided by law; provided, further that if no sufficient protest is filed, then the Bonds or the County Bond may be issued and sold in one or more series or the County may enter into the Loan without an election on the question of the issuance thereof at any time within a period of two (2) years after August 7, 2017.

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SECTION 5. In full compliance with the County Bond Act, the Chancery Clerk is hereby directed to publish a copy of this resolution once a week for at least three (3) consecutive weeks in The Madison County Journal, a newspaper published in and having a general circulation in the County and qualified under the provisions of Section 13 3 31, Mississippi Code of 1972, as amended, with the first publication being not less than twenty-one (21) days prior to the date set forth in Section 4 of this resolution, and the last publication being made not more than seven (7) days prior to such date.

SECTION 6. The Chancery Clerk is hereby directed to procure from the publisher of the aforesaid newspaper the customary proof of the publication of this resolution and the required notice and have the same before the Governing Body on the date and hour specified in Section 4 hereof.

SECTION 7. The County hereby declares its official intent to reimburse itself from the proceeds of the Bonds, the County Bond or the Loan for expenses incurred with respect to the Project subsequent to the date of this resolution or as otherwise allowed by the Internal Revenue Code of 1986, as amended and supplemented from time to time. This resolution is intended as a declaration of official intent under Treasury Regulation 1.150-2. The Bonds, the County Bond or the Loan will not exceed the aggregate principal amount of Eight Million Dollars (\$8,000,000).

SECTION 8. If any one or more of the provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any of the other provisions of this resolution, but this resolution shall be construed and enforced as if such illegal or invalid provision or provisions had not been contained herein.

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

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

The motion having received the affirmative vote of a majority of the members of the Governing Body present, being a quorum of said Governing Body, the President declared the motion carried and the resolution adopted this 19th day of June, 2017.

SO ORDERED this the 19th day of June, 2017.

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In re: Approval of Smoke Free Ordinance

Mr. Griffin did offer and Mr. Bishop did second a motion to approve the following Ordinance to wit:

MADISON COUNTY, MISSISSIPPI

**AN ORDINANCE PROHIBITING SMOKING IN ALL WORKPLACES
AND PUBLIC PLACES IN MADISON COUNTY, MISSISSIPPI
AND ESTABLISHING PENALTIES FOR VIOLATIONS**

SECTION 100 - TITLE

The Ordinance shall be known as the "Madison County, Mississippi Smoke-free Ordinance," and may be so cited, and further reference elsewhere as "Smoke-free Ordinance," and herein as "the Ordinance" or "this Ordinance" shall imply the same wording and meaning as the full title.

SECTION 101 - FINDINGS AND INTENT

The Board of Supervisors of the Madison County, Mississippi does hereby find that:

The 2006 U.S. Surgeon General's Report, The Health Consequences of Involuntary Exposure to Tobacco Smoke, has concluded that (1) secondhand smoke exposure causes disease and premature death in children and adults who do not smoke; (2) children exposed to secondhand smoke are at an increased risk for sudden infant death syndrome (SIDS), acute respiratory problems, ear infections, and asthma attacks, and that smoking by parents causes respiratory symptoms and slows lung growth in their children; (3) exposure of adults to secondhand smoke has immediate adverse effects on the cardiovascular system and causes coronary heart disease and lung cancer; (4) there is no risk-free level of exposure to secondhand smoke; (5) establishing smoke-free workplaces is the only effective way to ensure that secondhand smoke exposure does not occur in the workplace, because ventilation and other air cleaning technologies cannot completely control for exposure of nonsmokers to secondhand smoke; and (6) evidence from peer-reviewed studies shows that smoke-free policies and laws do not have an adverse economic impact on the hospitality industry. (U.S. Department of Health and Human Services. The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General. U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2006.)

According to the 2010 U.S. Surgeon General's Report, How Tobacco Smoke Causes Disease, even occasional exposure to secondhand smoke is harmful and low levels of exposure to secondhand tobacco smoke lead to a rapid and sharp increase in dysfunction and inflammation of the lining of the blood vessels, which are implicated in heart attacks and stroke. (U.S. Department of Health and Human Services. How Tobacco Smoke Causes Disease: The Biology and Behavioral Basis for Smoking-Attributable Disease: A Report of the Surgeon General. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2010.)

According to the 2014 U.S. Surgeon General's Report, The Health Consequences of Smoking-50 Years of Progress, secondhand smoke exposure causes stroke in nonsmokers. The report also found that since the 1964 Surgeon General's Report on Smoking and Health, 2.5 million nonsmokers have died from diseases caused by tobacco smoke. U.S. Department of Health and Human Services. The Health Consequences of Smoking-50 Years of Progress. U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2014.)

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Numerous studies have found that tobacco smoke is a major contributor to indoor air pollution, and that breathing secondhand smoke (also known as environmental tobacco smoke) is a cause of disease in healthy nonsmokers, including heart disease, stroke, respiratory disease, and lung cancer. The National Cancer Institute determined in 1999 that secondhand smoke is responsible for the early deaths of approximately 53,000 Americans annually. (National Cancer Institute (NCI), "Health effects of exposure to environmental tobacco smoke: the report of the California Environmental Protection Agency. Smoking and Tobacco Control Monograph 10," Bethesda, MD: National Institutes of Health, National Cancer Institute (NCI), August 1999.)

The Public Health Service's National Toxicology Program (NTP) has listed secondhand smoke as a known carcinogen. (Environmental Health Information Service (EHIS), "Environmental tobacco smoke: first listed in the Ninth Report on Carcinogens," U.S. Department of Health and Human Services (DHHS), Public Health Service, NTP, 2000; reaffirmed by the NTP in subsequent reports on carcinogens, 2003, 2005.)

Based on a finding by the California Environmental Protection Agency in 2005, the California Air Resources Board has determined that secondhand smoke is a toxic air contaminant, finding that exposure to secondhand smoke has serious health effects, including low birth-weight babies; sudden infant death syndrome (SIDS); increased respiratory infections in children; asthma in children and adults; lung cancer, sinus cancer, and breast cancer in younger, premenopausal women; heart disease; and death. (California Air Resources Board (ARB), "Appendix II Findings of the Scientific Review Panel: Findings of the Scientific Review Panel on Proposed Identification of Environmental Tobacco Smoke as a Toxic Air Contaminant as adopted at the Panel's June 24, 2005 Meeting," California Air Resources Board (ARB), September 12, 2005.)

There is indisputable evidence that implementing 100% smoke-free environments is the only effective way to protect the population from the harmful effects of exposure to secondhand smoke. (World Health Organization (WHO), "Protection from exposure to secondhand smoke: policy recommendations," World Health Organization (WHO), 2007.)

In reviewing 11 studies concluding that communities see an immediate reduction in heart attack admissions after the implementation of comprehensive smoke-free laws, the Institute of Medicine of the National Academies concluded that data consistently demonstrate that secondhand smoke exposure increases the risk of coronary heart disease and heart attacks and that smoke-free laws reduce heart attacks. (Institute of Medicine (IOM) of the National Academies, Board on Population Health and Public Health Practice, Committee on Secondhand Smoke Exposure and Acute Coronary Events, "Secondhand smoke exposure and cardiovascular effects: making sense of the evidence," Washington, DC: National Academies Press, October 2009.)

A significant amount of secondhand smoke exposure occurs in the workplace. Employees who work in smoke-filled businesses suffer a 25-50% higher risk of heart attack and higher rates of death from cardiovascular disease and cancer, as well as increased acute respiratory disease and measurable decrease in lung function. (Pitsavos, C.; Panagiotakos, D.B.; Chrysohoou, C.; Skoumas, J.; Tzioumis, K.; Stefanadis, C.; Toutouzas, P., "Association between exposure to environmental tobacco smoke and the development of acute coronary syndromes: the CARDIO2000 case-control study," Tobacco Control 11(3): 220-225, September 2002.)

Studies measuring cotinine (metabolized nicotine) and NNAL (metabolized nitrosamine NNK, a tobacco-specific carcinogen linked to lung cancer) in hospitality workers find dramatic reductions in the levels of these biomarkers after a smoke-free law takes effect. Average cotinine levels of New York City restaurant and bar workers decreased by 85% after the city's smoke-free law went into effect. ([n.a.], "The State of Smoke-Free New York City: A One Year Review," New York City Department of Finance, New York City Department of Health & Mental Hygiene, New York City Department of Small Business Services, New York City Economic Development Corporation, March 2004.) After the implementation of Ontario, Canada's

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Smoke-free Indoor Air Law, levels of NNAL were reduced by 52% in nonsmoking casino employees and cotinine levels fell by 98%.(Geoffrey T. Fong, et. al., "The Impact of the Smoke-Free Ontario Act on Air Quality and Biomarkers of Exposure in Casinos: A Quasi-Experimental Study," Ontario Tobacco Control Conference, Niagara Falls, Ontario, December 2, 2006.)

Smoke-free indoor air laws result in a significant reduction in fine particulate matter and improved air quality. A Grand Rapids, Michigan study that monitored six restaurants before and after implementation of the state's smoke-free air law found that PM2.5 fine particulate matter was reduced by 92 percent after the law went into effect, indicating that the vast majority of indoor air pollution in all six venues was due to secondhand smoke. The results in Grand Rapids were consistent with results in Wilmington, Delaware; Boston, Massachusetts; and Western New York. (Repace, J.L., "Air quality in Grand Rapids restaurant bars: before and after Michigan's Dr. Ron Davis State Smoke- free Law," Lansing, MI: Michigan Department of Community Health, Tobacco Section, June 16, 2011.)

Following a Health Hazard Evaluation of Las Vegas casino employees' secondhand smoke exposure in the workplace, which included indoor air quality tests and biomarker assessments, the National Institute of Occupational Safety & Health (NIOSH) concluded that the casino employees are exposed to dangerous levels of secondhand smoke at work and that their bodies absorb high levels of tobacco-specific chemicals NNK and cotinine during work shifts. NIOSH also concluded that the "best means of eliminating workplace exposure to [secondhand smoke] is to ban all smoking in the casinos."(Health hazard evaluation report: environmental and biological assessment of environmental tobacco smoke exposure among casino dealers, Las Vegas, NV. By Achutan C, West C, Mueller C, Boudreau Y, Mead K. Cincinnati, OH: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Institute for Occupational Safety and Health, NIOSH HETA No. 2005-0076 and 2005-0201-3080, May 2009.) A subsequent study in Nevada, whose Clean Indoor Air Act permits smoking in designated areas of casinos, bars, and taverns, indicates that strong 100% smoke-free laws are the only effective way to protect indoor air quality. The study sampled the air quality in 15 casino gaming areas and corresponding nonsmoking areas, and the results indicated that the Clean Indoor Air Act failed to protect air quality in the nonsmoking areas, including children-friendly areas. (Cochran, C.; Henriques, D.; York, N.; Lee, K., "Risk of exposure to second hand smoke for adolescents in Las Vegas casinos: an evaluation of the Nevada Clean Indoor Air Act," Journal of Health and Human Services Administration 35(2): 231-252, Fall 2012.)

Secondhand smoke is particularly hazardous to elderly people, individuals with cardiovascular disease, and individuals with impaired respiratory function, including asthmatics and those with obstructive airway disease. (California Environmental Protection Agency (Cal EPA), "Health effects of exposure to environmental tobacco smoke", Tobacco Control 6(4): 346-353, Winter, 1997.) The Americans With Disabilities Act, which requires that disabled persons have access to public places and workplaces, deems impaired respiratory function to be a disability. (Daynard, R.A., "Environmental tobacco smoke and the Americans with Disabilities Act," Nonsmokers' Voice 15(1): 8-9.)

The U.S. Centers for Disease Control and Prevention has determined that the risk of acute myocardial infarction and coronary heart disease associated with exposure to tobacco smoke is non-linear at low doses, increasing rapidly with relatively small doses such as those received from secondhand smoke or actively smoking one or two cigarettes a day, and has warned that all patients at increased risk of coronary heart disease or with known coronary artery disease should avoid all indoor environments that permit smoking. (Pechacek, Terry F.; Babb, Stephen, "Commentary: How acute and reversible are the cardiovascular risks of secondhand smoke?" British Medical Journal 328: 980-983, April 24, 2004.)

Given the fact that there is no safe level of exposure to secondhand smoke, the American Society

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of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) bases its ventilation standards on totally smoke-free environments. ASHRAE has determined that there is currently no air filtration or other ventilation technology that can completely eliminate all the carcinogenic components in secondhand smoke and the health risks caused by secondhand smoke exposure, and recommends that indoor environments be smoke-free in their entirety. (Samet, J.; Bohanon, Jr., H.R.; Coultas, D.B.; Houston, T.P.; Persily, A.K.; Schoen, L.J.; Spengler, J.; Callaway, C.A., "ASHRAE position document on environmental tobacco smoke," American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE), 2005.)

During periods of active smoking, peak and average outdoor tobacco smoke (OTS) levels measured in outdoor cafés and restaurant and bar patios near smokers rival indoor tobacco smoke concentrations. (Klepeis, N.; Ott, W.R.; Switzer, P., "Real-time measurement of outdoor tobacco smoke particles," *Journal of the Air & Waste Management Association* 57: 522-534, 2007.) Nonsmokers who spend six-hour periods in outdoor smoking sections of bars and restaurants experience a significant increase in levels of cotinine when compared to the cotinine levels in a smoke-free outdoor area. (Hall, J.C.; Bernert, J.T.; Hall, D.B.; St Helen, G.; Kudon, L.H.; Naeher, L.P., "Assessment of exposure to secondhand smoke at outdoor bars and family restaurants in Athens, Georgia, using salivary cotinine," *Journal of Occupational and Environmental Hygiene* 6(11): 698-704, November 2009.)

Residual tobacco contamination, or "third hand smoke," from cigarettes, cigars, and other tobacco products is left behind after smoking occurs and builds up on surfaces and furnishings. This residue can linger in spaces long after smoking has ceased and continue to expose people to tobacco toxins. Sticky, highly toxic particulate matter, including nicotine, can cling to walls and ceilings. Gases can be absorbed into carpets, draperies, and other upholsteries, and then be reemitted (off-gassed) back into the air and recombine to form harmful compounds. (Singer, B.C.; Hodgson, A.T.; Nazaroff, W.W., "Effect of sorption on exposures to organic gases from environmental tobacco smoke (ETS)," *Proceedings: Indoor Air 2002*, 2002.) Tobacco residue is noticeably present in dust throughout places where smoking has occurred. (Matt, G.E.; Quintana, P.J.E.; Hovell, M.F.; Bernert, J.T.; Song, S.; Novianti, N.; Juarez, T.; Floro, J.; Gehrman, C.; Garcia, M.; Larson, S., "Households contaminated by environmental tobacco smoke: sources of infant exposures," *Tobacco Control* 13(1): 29-37, March 2004.) Given the rapid sorption and persistence of high levels of residual nicotine from tobacco smoke on indoor surfaces, including clothing and human skin, this recently identified process represents an unappreciated health hazard through dermal exposure, dust inhalation, and ingestion. (Sleiman, M.; Gundel, L.A.; Pankow, J.F.; Jacob III, P.; Singer, B.C.; Destailats, H., "Formation of carcinogens indoors by surface-mediated reactions of nicotine with nitrous acid, leading to potential third hand smoke hazards," *Proceedings of the National Academy of Sciences of the United States of America (PNAS)* 107(15): 6576-6581, February 8, 2010.) The dangers of residual tobacco contamination are present in hotels, even in nonsmoking rooms. Compared with hotels that are completely smokefree, surface nicotine and air 3EP are elevated in nonsmoking and smoking rooms of hotels that allow smoking. Air nicotine levels in smoking rooms are significantly higher than those in nonsmoking rooms of hotels that do and do not completely prohibit smoking. Hallway surfaces outside of smoking rooms also show higher levels of nicotine than those outside of nonsmoking rooms. Partial smoking restrictions in hotels do not protect non-smoking guests from exposure to tobacco smoke and tobacco-specific carcinogens. Matt, G.E.; Quintana, P.J.E.; Fortmann, A.L.; Zakarian, J.M.; Galaviz, V.E.; Chatfield, D.A.; Hoh, E.; Hovell, M.F.; Winston, C., "Third hand smoke and exposure in California hotels: non-smoking rooms fail to protect non-smoking hotel guests from tobacco smoke exposure," *Tobacco Control* [Epub ahead of print], May 13, 2013.)

Unregulated high-tech smoking devices, commonly referred to as electronic cigarettes, or "e-cigarettes," closely resemble and purposefully mimic the act of smoking by having users inhale vaporized liquid nicotine created by heat through an electronic ignition system. After testing a number of electronic cigarettes from two leading manufacturers, the Food and Drug Administration (FDA) determined that various samples tested contained not only nicotine but

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also detectable levels of known carcinogens and toxic chemicals, including tobacco-specific nitrosamines and diethylene glycol, a toxic chemical used in antifreeze. The FDA's testing also suggested that "quality control processes used to manufacture these products are inconsistent or non-existent." ([n.a.], "Summary of results: laboratory analysis of electronic cigarettes conducted by FDA," Food and Drug Administration(FDA),July22,2009;<http://www.fda.gov/NewsEvents/PublicHealthFocus/ucm173146.htm> Accessed on: June 2, 2017.) According to a more recent study, electronic cigarette emissions are made up of a high concentration of ultrafine particles, and the particle concentration is higher than in conventional tobacco cigarette smoke.(Fuoco, F.C.; Buonanno, G.; Stabile, L.; Vigo, P., "Influential parameters on particle concentration and size distribution in the mainstream of e-cigarettes," Environmental Pollution 184: 523-529, January 2014.) Electronic cigarettes produce an aerosol or vapor of undetermined and potentially harmful substances, which may appear similar to the smoke emitted by traditional tobacco products. Their use in workplaces and public places where smoking of traditional tobacco products is prohibited creates concern and confusion and leads to difficulties in enforcing the smoking prohibitions. The World Health Organization (WHO) recommends that electronic smoking devices not be used indoors, especially in smokefree environments, in order to minimize the risk to bystanders of breathing in the aerosol emitted by the devices and to avoid undermining the enforcement of smokefree laws. (World Health Organization (WHO), "Electronic nicotine delivery systems," World Health Organization (WHO), 2014.)

The Society of Actuaries has determined that secondhand smoke costs the U.S. economy roughly \$10 billion a year: \$5 billion in estimated medical costs associated with secondhand smoke exposure and \$4.6 billion in lost productivity. (Behan, D.F.; Eriksen, M.P.; Lin, Y., "Economic Effects of Environmental Tobacco Smoke," Society of Actuaries, March 31, 2005.)

Numerous economic analyses examining restaurant and hotel receipts and controlling for economic variables have shown either no difference or a positive economic impact after enactment of laws requiring workplaces to be smoke-free. Creation of smoke-free workplaces is sound economic policy and provides the maximum level of employee health and safety.(Glantz, S.A. & Smith, L., "The effect of ordinances requiring smoke-free restaurants on restaurant sales in the United States." American Journal of Public Health, 87:1687-1693, 1997; Colman, R.; Urbonas, C.M., "The economic impact of smoke-free workplaces: an assessment for Nova Scotia, prepared for Tobacco Control Unit, Nova Scotia Department of Health," GPI Atlantic, September 2001.)

There is no legal or constitutional "right to smoke."(Graff, S.K., "There is No Constitutional Right to Smoke: 2008," Tobacco Control Legal Consortium, 2d edition, 2008.)Business owners have no legal or constitutional right to expose their employees and customers to the toxic chemicals in secondhand smoke. On the contrary, employers have a common law duty to provide their workers with a workplace that is not unreasonably dangerous. (Graff, S.K.; Zellers, L., "Workplace Smoking: Options for Employees and Legal Risks for Employers," Tobacco Control Legal Consortium, 2008.)

Smoking is a potential cause of fires; cigarette and cigar burns and ash stains on merchandise and fixtures causes economic damage to businesses.("The high price of cigarette smoking," Business & Health 15(8), Supplement A: 6-9, August 1997.)

The smoking of tobacco, hookahs, or marijuana and the use of electronic cigarettes are forms of air pollution and constitute both a danger to health and a material public nuisance.

Accordingly, the Madison County Board of Supervisors finds and declares that the purposes of this ordinance are (1) to protect the public health and welfare by prohibiting smoking in public places and places of employment; and (2) to guarantee the right of nonsmokers to breathe smoke-free air, and to recognize that the need to breathe smoke-free air shall have priority over the desire to smoke.

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SECTION 103 - DEFINITIONS

The following words and phrases, whenever used in this Ordinance, shall be construed as defined in this Section:

- A. "Bars" means any premises where non-alcoholic or alcoholic beverages are sold or consumed.
- B. "Business" means any sole proprietorship, partnership, joint venture, corporation or other business entity formed for profit-making purposes, including retail establishments, where goods or services are sold as well as professional corporations and other entities where legal, medical, dental, engineering, architectural or other professional services are delivered.
- C. "Childcare facility" means any state licensed childcare facility including, but not limited to licensed family daycare or licensed group daycare centers, licensed day camps, certified school-age programs and Head Start programs.
- D. "Common areas of buildings" means all areas not part of a tenant's leased premises, including but not limited to lobbies, community rooms, hallways, laundry rooms, stairwells, elevators, enclosed parking facilities, pool areas, and restrooms contiguous thereto.
- E. "Country club" means a private recreational club containing a golf course and a clubhouse that is available only to the country club membership and their guests, consisting of not less than 15 acres. This club may include additional facilities traditionally associated with county club facilities, but the golf course shall not be a miniature or indoor facility.
- F. "County buildings" means all County-owned and operated buildings and those portions of buildings leased and operated by the County.
- G. "Employee" means any person who is employed by an employer for direct or indirect monetary wages or profit, including those full time, part-time, temporary or contracted for from a third party; employee also means any person who serves as a volunteer for a business or nonprofit entity.
- H. "Employer" means any person, partnership, Limited Liability Company, corporation, or other entity, including a public or non-profit entity that employs the services of one (1) or more individual persons.
- I. "Enclosed Area" means all space between a floor and ceiling which is enclosed on all sides by solid walls or windows (exclusive of door or passage ways) which extend from floor to ceiling, including all space therein screened by partitions which do not extend to the ceiling or are not solid, 'other landscaping' or similar structures.
- J. "Entrance" means a doorway and adjacent area which gives direct access to a building from a contiguous street, plaza, sidewalk or parking lot.
- K. "Health Care Facility" means an office or institution providing care or treatment of diseases, whether physical, mental, or emotional, or other medical, physiological, or psychological conditions, including but not limited to, hospitals, rehabilitation hospitals or other clinics, including weight control clinics, nursing homes, long-term facilities, homes for the aging or chronically ill, laboratories, and offices of surgeons, chiropractors, physical therapists, physicians,

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psychiatrist's, dentists, and all specialists within these professions. This definitions shall include all waiting rooms, hallways, private rooms, semiprivate rooms, and wards within health care facilities.

- L. "Hotel and motel" means any commercial establishment that offers rooms that contain a bed and toilet facilities to the general public for rent that is not an apartment complex or home. "Mall" means an enclosed, indoor area containing common areas and discrete businesses primarily devoted to the retail sale of goods and services.
- M. "Place of employment" means an enclosed area controlled by the employer, which employees normally frequent during the course of employment, including, but not limited to, work areas, employee lounges and restrooms, conference and classrooms, employee cafeterias and hallways. A private residence is not a 'place of employment' within the meaning of this ordinance unless used as a childcare facility.
- N. "Playground" means any park or recreational area designed in part to be used by children that has play or sports equipment installed or that has been designated or landscaped for play or sports activities, or any similar facility located on public or private school grounds or on Madison County grounds.
- O. "Private Club" means a facility owned or operated by an association or corporation, which does not operate for pecuniary gain or have regular employees. Affairs and management of the organization are conducted by a Board of Directors, Executive Committee, or similar body chosen by the members at an annual meeting. The organization has established by laws and/or a constitution to govern its activities. The organization has been granted a Section 501. Exemption from the payment of Federal Income Taxes as a Club under 26 U.S.C. Entry into and use of a private club is restricted to members only. When a private club is open to the public. It does not meet this definition.
- P. "Private residence" means premises owned, rented or leased for temporary or permanent habitation.
- Q. "Public place" means any enclosed area in which invited members of the public gather or that is used by the general public.
- R. "Restaurants" means any eating establishment which gives or offers for sale food to the public, guests or employees, as well as kitchens and catering facilities in which food is prepared on the premises for serving elsewhere. The term shall include a bar area within the restaurant.
- S. "Service Line" means an indoor line in which one (1) or more persons are waiting for or receiving service of any kinds whether or not the service involves exchange of money.
- T. "Smoking" means to smoke or carry a lighted pipe, cigarette or cigar, tobacco-related products in any form.
- U. "Sports Arena or Venue" means sports pavilions, stadiums, gymnasiums, health spas, boxing arenas, swimming pools, roller and indoor ice rinks, and bowling centers.

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SECTION 104 - APPLICATION TO COUNTY-OWNED FACILITIES

All enclosed facilities, including buildings and vehicles owned, leased, or operated by Madison County, Mississippi shall be subject to the provisions of this Ordinance.

SECTION 105 - SMOKING PROHIBITED IN INDOOR PUBLIC PLACES

Smoking shall be prohibited in all enclosed public places within the Madison County, Mississippi, including, but not limited to, the following places:

- A. Childcare facilities.
- B. County buildings.
- C. Common areas in bed and breakfast establishments, hotels and motels.
- D. Educational facilities, both public and private.
- E. Elevators and enclosed stairwells.
- F. Health care facilities.
- G. Indoor shopping malls.
- H. Places of employment, this included common work areas, auditoriums, classrooms, conference and meeting rooms, private offices, elevators, hallways, medical facilities, cafeterias, employee lounges, stairs, restrooms, vehicles, and all other enclosed facilities.
- I. Polling places.
- J. Public forms of transportation, including but not limited to motor buses, taxicabs, or other public passenger vehicles.
- K. Public bus and transfer point shelters.
- L. Restrooms, reception areas, hallways, and other common-use areas.
- M. Retail stores.
- N. Rooms, chambers, places of meeting or public assembly, under the authority of the County of Madison, Mississippi.
- O. Enclosed, indoor areas of restaurants and bars.
- P. Self-service laundry facilities.
- Q. Service lobbies, waiting areas, and the common areas open to the public of financial institutions, businesses and professional offices, and multi-unit commercial facilities, indoor sports arenas, and venues.
- R. Theaters and other facilities primarily used for exhibiting motion pictures, stage dramas, lectures, musical recitals, or other similar performance.
- S. Waiting rooms, hallways, rooms in offices of any physician, dentist, psychologist, chiropractor, optometrist or optician, or other medical services providers.

SECTION 106 - WHERE SMOKING NOT REGULATED

The following areas shall not be subject to the smoking restrictions of this Ordinance:

- A. Hunting Clubs
- B. Private residences, except when used as a childcare, adult day care, or health care facility.
- C. Private Clubs, as the term is defined above.

SECTION 107 - PROHIBITION OF SMOKING IN OUTDOOR AREAS

Smoking shall be prohibited in the following outdoor places:

- A. Twenty feet from the entrance and/or exit of an area where smoking is prohibited.

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- B. Attached areas of restaurants that are covered or partially covered with more than 50% of the perimeter of the outside area walled or otherwise closed to the outside.
- C. Seating areas of outdoor sports arenas and venues.

SECTION 108 - DECLARATION OF ESTABLISHMENT AS NONSMOKING

Notwithstanding any other provision of this Ordinance, an owner, operator, manager, or other person in control of an establishment, facility, or outdoor area may declare that entire establishment, facility, or outdoor area as a nonsmoking place, Smoking shall be prohibited in any place in which a sign conforming to the requirements of Section 109 is posted.

SECTION 109 - SIGNAGE

- A. Signs prohibiting smoking shall be posted conspicuously at the primary entrance of the premises by the proprietor, employer or other person in charge of the building.
- B. Signage shall include the international no smoking symbol and be no smaller than 2"x2".
- C. It shall be unlawful for any person to remove, deface, or destroy any sign required by this ordinance, or to smoke in a place where any such sign is posted.

SECTION 110 - NONRETALIATION; NONWAIVER OF RIGHTS

- A. No person or employers shall discharge, refuse to hire, or in any manner retaliate against an employee, applicant for employment, or customer because that employee, applicant, or customer exercises any rights afforded by this Ordinance or reports or attempts to prosecute a violation of this Ordinance. Notwithstanding Section 112, violation of this Subsection shall be a misdemeanor, punishable by a fine not to exceed \$1000 for each violation.
- B. An employee who works in a setting where an employer allows smoking does not waive or otherwise surrender any legal rights the employee may have against the employer or any other party.

SECTION 111 - ENFORCEMENT

- A. This Ordinance shall be enforced by the manner provided by law for enforcement of any county ordinance.
- B. Any person who desires to file a complaint under this Ordinance may contact the Madison County Sheriff's Department.
- C. Notice of the provisions of this Ordinance shall be given to all applicants for a business license in the Madison County, Mississippi.
- D. Any department or official of Madison County, Mississippi, or their designees shall, while an establishment is undergoing otherwise mandated inspections, inspect for compliance with this ordinance.
- E. An owner, manager, operator, or employee of an establishment regulated by this Ordinance shall inform persons violating this Ordinance of the appropriate provisions thereof.

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- F. Notwithstanding any other provision of this Ordinance, an employee or private citizen may bring legal action to enforce this Ordinance.
- G. This Ordinance is in addition and does not preclude the use of any other remedy afforded to the County or any private citizen by law.

SECTION 112- VIOLATIONS AND PENALTIES

- A. Any person who violates any provision of this ordinance may be subject to a fine of no more than fifty dollars (\$50) for the first offense and no more than two hundred and fifty dollars (\$250) for the second and subsequent offenses.
- B. The Board of Supervisors may suspend or revoke any business license or permit issued by the County for 3 or more violations of this Ordinance involving license premises within a twelve (12) month period.

SECTION 113 - JURISDICTION CLAUSE

This ordinance shall be subject to all other governmental jurisdictions rules and regulations and laws pertaining to smoking.

SECTION 114 - SEVERABILITY

The provisions of this Ordinance shall be separable and the invalidity of any of its sections shall not affect the remaining sections.

SECTION 115 - EFFECTIVE DATE

This Ordinance shall be in full force and effect thirty (30) days after its passage.

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 Ordinance was and is hereby approved and adopted.

SO ORDERED this the 19th day of June, 2017.

***In re: Discussion of Builders Affidavit
New Village Properties/Jeff Terry***

Mr. Steen did offer and Mr. Bishop did second a motion to deny the request of Mr. Jeff Terry of New Village Properties for waiver of builder’s affidavit for that property located at 108 Saddlebrook Cove. 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 request was and is hereby denied.

SO ORDERED this the 19th day of June, 2017.

President’s Initials: _____
Date Signed: _____

***In re: Approval of Topography Survey
Southwest Madison County Fire Station***

At the request and recommendation of County Administrator Shelton Vance, Mr. Steen did offer and Mr. Bishop did second a motion to approve the cost estimate submitted by H D Lang and Associates, Inc., attached as Exhibit J, for a topographic survey of Southwest Madison County fire station. 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 cost estimate was and is hereby approved.

SO ORDERED this the 19th day of June, 2017.

***In re: Approval of Work Assignment No. 14
South Madison County Fire Station No. 3***

At the request and recommendation of County Administrator Shelton Vance, Ms. Jones did offer and Mr. Bishop did second a motion to approve the Work Assignment No. 14 submitted by Mendrop Engineering Resources, attached as Exhibit K, for survey and hydraulic analysis for the new South Madison County fire station no. 3 located on Yandell 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 said Work Assignment was and is hereby approved.

SO ORDERED this the 19th day of June, 2017.

In re: Authorization to Hire an Appraiser

At the request and recommendation of County Administrator Shelton Vance, Mr. Steen did offer and Ms. Jones did second a motion to authorize Mr. Vance to hire an appraiser to appraise that certain county owned property, bearing parcel no. 072C-08C-053 and located at 112 Main Street, Madison, Mississippi. 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 June, 2017.

President's Initials: _____

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In re: Approval of Budget Amendments and Interfund Cash Transfers

At the request and recommendation of Comptroller Buddy Voelkel, Mr. Steen did offer and Mr. Bishop did second a motion to approve the “Madison County Budget Amendments & Interfund Cash Transfers June 19, 2017,” attached hereto as Exhibit L. 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 and interfund cash transfers were and are hereby approved.

SO ORDERED this the 19th day of June, 2017.

In re: Approval of Claims Docket for June 19, 2017 and Payroll Dockets for June 6, 13 and 14, 2017

At the request and recommendation of Comptroller Buddy Voelkel, 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 Mr. Bishop did second a motion to approve the following:

- (1) General Claims Docket, dated June 19, 2017
- (2) Payroll Claims Docket No. 1, dated June 6, 2017
- (3) Payroll Claims Docket No. 2, dated June 13, 2017
- (4) Payroll Claims Docket No. 3, dated June 14, 2017

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 June 19, 2017:

Fund	ClaimNos.	No. ofClaims	Amount
001	2751 to 2853	103	526,763.39
012	141 to 141	1	2,956.26
013	3 to 4	2	26,719.00
015		3	196,376.98
030	34 to 37	4	20,251.68
031	21 to 21	1	3,996.60
097	95 to 96	2	2,817.33
105	66 to 66	1	1,530.50
113		1	1,558.00
150	566 to 589	24	35,696.49
160	120 to 127	8	189,993.80
190	49 to 51	3	849.70
191	83 to 85	3	8,349.41
226	23 to 23	1	820.00
303	9 to 9	1	4,545.87
315	34 to 35	2	99,610.36
316	6 to 6	1	954,780.16
TOTAL ALL FUNDS		161	2,077,615.53

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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 June, 2017.

***In re: Approval of Claims of Fleetcor Technologies;
Approval of Planning and Zoning Commission Per Diem***

Thereafter, at the request and recommendation of Mr. Voelkel, Mr. Bishop did offer and Ms. Jones did second a motion to (1) approve a supplemental claims docket dated June 19, 2017 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, and (2) approve payment of the Planning & Zoning Commission per diem. 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	Absent ²

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, said payment for said per diem were and are hereby approved.

SO ORDERED this the 19th day of June, 2017.

***In re: Approval of Lost Rabbit URD
Fee Payment***

At the request and recommendation of Comptroller Buddy Voelkel, Ms. Jones did offer and Mr. Bishop did second a motion to authorize the Chancery Clerk to issue a pay warrant in the amount of \$80,356.58 to US Bank, representing collections from the Tax Collector pledged to the Lost

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.

²Prior to consideration of this item of business, Mr. Griffin excused himself from the meeting, departed the meeting room and did not participate in discussion of deliberation of this matter whatsoever.

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Rabbit URD for repayment of bonds. 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 instructed to issue a pay warrant accordingly.

SO ORDERED this the 19th day of June, 2017.

***In re: Authorization to Advertise for Bids -
Canton Library Building***

Mr. Griffin did offer and Mr. Bishop did second a motion to authorize Purchase Clerk Hardy Crunk to advertise for bids for repairs to the roof at the Canton Library building. 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 June, 2017.

***In re: Rescind Prior Action of Board
Hire a Health Care Attorney***

Mr. Steen did offer and Mr. Bishop did second a motion to rescind the Board's action of June 5, 2017 to hire a health care attorney to explore the proper procedure of disbursement of excess funds belonging to the Madison County Nursing Home upon information presented by Board Attorney Katie Bryant Snell. The vote on the matter being as follows:

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

the matter carried by a majority vote (3-2) of the Board and said action of June 5, 2017 was and is hereby rescinded.

SO ORDERED this the 19th day of June, 2017.

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Date Signed: _____

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In re: Rescind Prior Action of Board - Advertising of Bids - Canton Library Building

At the request and recommendation of County Administrator Shelton Vance, Mr. Griffin did offer and Mr. Bishop did second a motion to rescind the Board's action of this meeting to advertise for bids for roof repairs to the Canton Library building. 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 action was and is hereby rescinded.

SO ORDERED this the 19th day of June, 2017.

In re: Authorization of Neel Schaffer

At the request and recommendation of County Administrator Shelton Vance, Mr. Griffin did offer and Mr. Bishop did second a motion to authorize Neel Schaffer to prepare a design for roof repairs to the Canton Library building at the rate previously agreed to. 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 Neel Schaffer was and is hereby authorized.

SO ORDERED this the 19th day of June, 2017.

In re: Discussion of Removal of Recycling Bins

Mr. Bishop did offer and Ms. Jones did second a motion to approve removing the recycling bins at the fire stations located on Yandell Road and Stribling Road effective as soon as possible due to debris not being placed in the bins. 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 recycling bins were and are hereby approved to be removed.

SO ORDERED this the 19th day of June, 2017.

President's Initials: _____

Date Signed: _____

In re: Acknowledgment and Authorization to Execute Notice of Intent

At the request and recommendation of County Administrator Shelton Vance, Mr. Griffin did offer and Mr. Bishop did second a motion to authorize Supervisor Griffin, Supervisor Bishop and the Board President to execute Notice of Intent that MS Home Corp is applying for tax credit financing documents for three apartment complexes. 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. Griffin, Mr. Bishop and the Board President were and are hereby authorized.

SO ORDERED this the 19th day of June, 2017.

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

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

Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, President 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 pending litigation 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 Shelton Vance, Board Attorney Katie Snell 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 June, 2017.

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 Ms. Jones did second a motion to enter into Executive Session to discuss pending litigation. The vote on the matter being as follows:

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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 Chancery Clerk Ronny Lott announced to the public the purpose for the Executive Session.

SO ORDERED this the 19th day of June, 2017.

Thereafter, Ms. Jones did offer and Mr. Griffin 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 Board Attorney did announce to the public no action was taken therein.

SO ORDERED this the 19th day of June, 2017.

In re: Authorization of County Administrator

At the request and recommendation of Board Attorney Katie Bryant Snell, Mr. Steen did offer and Mr. Bishop did second a motion to authorize County Administrator Shelton Vance to represent the county for the 30B6 deposition in the Stallworth v Madison County. 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 June, 2017.

President's Initials: _____

Date Signed: _____

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor Baxter and seconded by Bishop and approved by the unanimous vote of those present, the June 19, 2017 meeting of the Board of Supervisors was adjourned until Wednesday, July 5, 2017 at 9:00 am.

Trey Baxter, President
Madison County Board of Supervisors

Date signed: _____

ATTEST:

Romny Lott, Chancery Clerk

President's Initials: _____
Date Signed: _____

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