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

REGULAR MEETING OF JANUARY 17, 2023 Adjourned from a meeting conducted JANUARY 3, 2023

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on January 17, 2023 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, Gerald Steen presided and called the meeting to order. The following members were present that day:

Present: Absent:

Supervisor Sheila Jones Supervisor Trey Baxter Supervisor Karl Banks Supervisor Gerald Steen Supervisor Paul Griffin Chancery Clerk Ronny Lott Chief Deputy Sheriff Jeremy Williams

Also Present:

County Administrator Greg Higginbotham Board Attorney Mike Espy Deputy Chancery Clerk Gena Permenter

The President of the Board announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Duane Thompson opened the meeting with a prayer and 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 January 3, 2023

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 January 3, 2023,

Ms. Jones did offer and Mr. Banks did second a motion to approve the minutes of January 3, 2023 as presented and to 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 Karl Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the minutes of January 3, 2023 were and are hereby approved.

SO ORDERED this the 17<sup>th</sup> day of January, 2023.

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## *In re:* Approval of Resolution - Madison County Wastewater Authority

At the request of John A. Brunini, Counsel for Madison County Wastewater Authority, Mr. Banks did offer and Mr. Baxter did second a motion to approve a Resolution in support of application of the MCWI grant funds, attached as Exhibit A, submit same to the State of Mississippi, and authorize Board President to execute the same. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 17th day of January, 2023.

# *In re:* Public Hearing - Appeal of the Application for Rezoning - Jeff Cox and The Shire

Mr. Baxter did offer and Mr. Banks did second a motion to open the public hearing on the matter of the appeal hearing of the rezoning Application filed by Jeff Cox and The Shire. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 17th day of January, 2023.

Following discussion, Mr. Banks did offer and Mr. Griffin did second a motion to acknowledge all materials provided, the same being 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 Karl Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said materials were and are hereby acknowledged.

SO ORDERED this the 17th day of January, 2023.

Thereafter, Mr. Griffin did offer and Mr Banks did second a motion to acknowledge the map presented by Zoning Attorney Andy Clark, found in the Miscellaneous Appendix to these minutes. 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 Karl Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 17<sup>th</sup> day of January, 2023.

Following discussion, Mr. Griffin did offer and Mr. Baxter 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 Karl Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 17th day of January, 2023.

Thereafter, Mr. Griffin did offer and Mr. Banks did second a motion approve the Application for Rezoning filed by Jeff Cox and The Shire to change the zoning of the 7.53 acres located in The Livingston Township PUD from C-1 Commercial to R-1B Residential.

Supervisor Sheila Jones	No
Supervisor Trey Baxter	No
Supervisor Gerald Steen	Aye
Supervisor Karl Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority vote of the Board (3-2) and said rezoning was and is hereby approved.

SO ORDERED this the 17<sup>th</sup> day of January, 2023.

### 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

Mr. Steen did request to pull item 36 for further discussion, and

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

- **4. HR Approve Personnel Matters** (Attached as Exhibit B)
- 5. B&G Approve and Authorize Board President to Execute MDEQ Local Solid Waste Assistance Grant Fund Noncompetitive Allocation Application
- 6. B&G Approve Use of Rogers Park Women in Unity for Christ

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- 7. CA Approve Updated Mileage Reimbursement Rate of \$0.655
- 8. CA Acknowledge Letters from Southwest Madison County Fire Protection District
- 9. CA Approve Travel and Related Expenses for Mississippi Coroner Medical Examiner 2023 Winter Conference / Alex Breeland & Kathryn M. Smith / Flowood, MS / January 18-20, 2023
- 10. CA Acknowledge Letter from Mississippi Development Authority Rejection of FY 2022 Community Development Block Grant applications (CDBG)
- 11. CA Acknowledge Deed for Right of Way Related to Reunion II (Attached as Exhibit C)
- 12. CA Reappoint Mary Ann Sones to Southwest Madison Fire Protection District Board
- 13. **CA Ratify Emergency Declaration** (Attached as Exhibit D)
- 14. CA Acknowledge CMPDD 2021 2022 Annual Report
- 15. CA Acknowledge MDA Approval of DIP Grant De-Obligation of Funds
- 16. ChClrk Approve 16th Section Land Leases
- 17. CirClrk Approve Tri-State Consulting Service Quote for Creation of Spreadsheets of Road Ranges (Attached as Exhibit E)
- **18. COMP Approve ACA Electronic Filing Agreement with Delta Computer Systems Inc.** (Attached as Exhibit F)
- 19. COMP Acknowledge Findings for Payroll Issued January 6, 2023
- 20. COMP Acknowledge Arbitrage Report for \$8,400,000 Madison County, MS / General Obligation Note Series 2020
- 21. COMP Declare Property as Surplus and Authorize Disposal
- 22. COMP Approve Reunion Parkway Quarterly Report to DFA (\$5M HB 1730) and Authorize Board President to Execute
- 23. COMP Approve Bozeman Road Quarterly Report to DFA (\$25M HB 1353) and Authorize Board President to Execute
- 24. COMP Approve Bozeman Road Quarterly Report to DFA (\$5M SB 2971) and Authorize Board President to Execute
- 25. COMP Approve Reunion Phase II Quarterly Report to DFA (\$8M SB 2002) and Authorize Board President to Execute
- 26. COMP Approve ARPA Quarterly Report
- 27. COMP Approve Clerk of the Board December 2022
- 28. ENG Approve AT&T Utility Permit Cedar Hill Road / District 4

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- 29. ENG Approve Atmos Energy Utility Permit 12 Oaks Trace & Others / District 5
- 30. ENG Approve Telepak Networks, Inc / cSpire Utility Permit Cane Creek Road / District 4
- 31. ENG Approve Telepak Networks, Inc. / cSpire Utility Permit Livingston Vernon Road / District 4
- 32. IT Approve NWN Carousel Annual Software Support for Avaya Phone and Authorize Payment Chancery (Attached as Exhibit G)
- 33. PC Approve January 2023 Procurement Card Reconciliation and Authorize Payment Thereof
- 34. PC Approve January 2023 Travel Card Reconciliation and Authorize Payment Thereof
- 35. PC Approval of Department Employee Authorized to Submit Purchase Requisitions
- 37. SO Approve Use of Madison County Sheriff's Department Patrol Cars & Officers Filming in Canton
- 38. SO Authorization for M/Sgt. Will Weisenberger to Purchase Firearm for \$10 MCA 45-9-131
- 39. TA Approve Registration and Related Expenses for IAAO Course 300 / Joshua Jordan
- 40. TA Approve 2022 Homestead Exemption Amended Applications
- 41. TA Approve 2022 Real Property Decreases
- 42. TA Approve 2022 Personal Property Decrease
- 43. TA Approve 2022 Personal Property Increase
- 44. TC Approve Void of 2022 Tax Sale Parcel No. 082D-18-092/00.00
- 45. TC Approve Void of 2022 Tax Sale Parcel No. 092C-05-004/00.00 and 092C-08-002/00.00
- 46. TC Approve Void of 2022 Tax Sale Parcel No. 081A-01-001/01.23
- 47. TC Approve Void of 2022 Tax Sale Parcel No. 092F-14D-006/00.00

The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and each item was and is hereby

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approved, adopted and authorized as described herein above.

SO ORDERED this the 17<sup>th</sup> day of January, 2023.

#### In re: Consideration of Burial of Unclaimed Body

Ms. Jones did offer and Mr. Baxter did second a motion to authorize the County Administrator to contact Hospice Ministries to investigate and determine the pauper status of David Johnson. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl Banks	Aye
Supervisor Paul Griffin	Ave

the matter carried unanimously and County Administrator was and is hereby authorized

SO ORDERED this the 17th day of January, 2023.

Thereafter, Mr. Banks did offer and Mr. Griffin did second a motion to proceed with the Coroner's request and authorize burial of the unclaimed body at a cost of \$175.00 to be paid to Branch Transport. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 17th day of January, 2023.

Thereafter, Mr. Banks did offer and Mr. Griffin did second a motion to acknowledge the correspondence from Coroner Alex Breeland, 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 Karl Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 17<sup>th</sup> day of January, 2023.

### In re: Approval of LPA-100 Form

At the request of County Engineer Tim Bryan, Ms. Jones did offer and Mr. Banks did second a motion to approve the LPA-100 form related to the widening of Yandell Road from Westfalen

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Drive to Madison Crossing Elementary School, attached as Exhibit H, and authorize Board President to execute the same. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 17th day of January, 2023.

### In re: Approval of Board Order -Local System Bridge Program LSBP-45(22)

At the request of County Engineer Tim Bryan, Mr. Griffin did offer and Ms. Jones did second a motion to approve the Order of the Board, attached as Exhibit I, releasing Joe McGee Construction Company from further maintenance responsibilities related to the Local System Bridge Program for the Simpson Road Project, approve the Letter of Acceptance for same, attached as Exhibit J, and authorize Board President to execute the same. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said Board Order and Letter of Acceptance were and are hereby approved and Board President was and is hereby authorized.

SO ORDERED this the 17th day of January, 2023.

### In re: Approval of Amended Subdivision Regulations

At the request and recommendation of County Engineer Tim Bryan, Mr. Griffin did offer and Mr. Banks did second a motion for approval to amend the Madison County Subdivision Regulations to allow Mill Town Partners, L.P. to provide Madison County with a Letter of Credit to require them to complete roads, and final wearing surface, on the streets in Milltown Place Phase 1. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said subdivision regulations were and are hereby amended.

SO ORDERED this the 17th day of January, 2023.

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### In re: Approval of Zoning Matter Renewal of Surface Mining Operation

At the request and recommendation of Zoning Administrator Scott Weeks, Mr. Banks did offer and Mr. Griffin did second a motion to approve the request of Bobby Elmore for an extension of one (1) year for the surface mining operation located on Highway 22. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 17th day of January, 2023.

### *In re:* Award Bid - RFP Engineering Services

At the request and recommendation of County Administrator Greg Higginbotham, Mr. Banks did offer and Mr. Griffin did second a motion to award the bid for RFP for engineering services related to the CDBG Application to Waggoner Engineering. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Abstained
Supervisor Gerald Steen	Aye
Supervisor Karl Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (4-1) and said bid was and is hereby awarded.

SO ORDERED this the 17<sup>th</sup> day of January, 2023.

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

At the request and recommendation of Comptroller Na'Son White, Mr. Banks did offer and Ms. Jones did second a motion to approve the Madison County Budget Amendments & Interfund Cash Transfers, attached as Exhibit K. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 17<sup>th</sup> day of January, 2023.

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# In re: Approval of Claims Docket & Payroll Docket

At the request and recommendation of Comptroller Na'Son White, 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. Banks did offer and Mr. Griffin did second a motion to approve the following:

- (1) General Claims Docket
- (2) Payroll Docket 1 January 4, 2023

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:

Fund	Claim Nos.	No. of Claims	Amount
001	1023 to 1191	169	583,061.45
012	49 to 51	3	467.78
013	1 to 1	1	69,308.00
015	23 to 26	4	306,554.15
030	10 to 10	1	445.50
097	36 to 39	4	18,641.44
104	13 to 13	1	564.40
105	26 to 30	5	222,212.53
113	5 to 5	1	3,658.62
115	46 to 47	2	359.98
150	197 to 223	27	78,839.60
160	21 to 24	4	60,821.20
170	5 to 6	2	23,607.54
190	24 to 29	6	1,466.14
191	42 to 46	5	4,957.22
194	25 to 27	3	735.30
226	13 to 14	2	2,840.00
324	5 to 5	1	16,180.00
328	10 to 10	1	1,354.07
655	3 to 3	1	69,859.25
664	3 to 3	1	1,358.00
667	1 to 1	1	0.50
672	3 to 3	1	1,037.50
675	3 to 3	1	4,276.00
	TOTAL ALL FUNDS	247	1,472,606.17

and further directed the Chancery Clerk to publish the Summary of Claims as required by law and approve the Claims Docket approving payment of said claims, 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 Karl Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present, and said General Claims Docket and Payroll Docket were and are hereby approved and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 17<sup>th</sup> day of January, 2023.

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## In re: Approval of Planning & Zoning Commission Per Diem

At the request and recommendation of Comptroller Na'Son White, Mr. Banks did offer and Ms. Jones did second a motion to approve the Planning and Zoning Commission per diem for January 2023, attached as Exhibit L. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl Banks	Aye
Supervisor Paul Griffin	Recused <sup>1</sup>

the matter carried unanimously and said per diem was and is hereby approved.

SO ORDERED this the 17th day of January, 2023.

### In re: Approval of Claims of Fleetcor Technologies

At the request and recommendation of Comptroller Na'Son White, Mr. Banks did offer and Ms. Jones did second a motion to approve a supplemental claims docket 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	Recused <sup>2</sup>
Supervisor Karl Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said Held Claims were and are hereby approved and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 17<sup>th</sup> day of January, 2023.

### In re: Awarding of County Depository Bids

At the request and recommendation of Chancery Clerk Ronny Lott, Mr. Baxter did offer and Ms. Jones did second a motion to (1) designate Renasant Bank, Origin Bank and Trustmark National Bank as the depositories for the county, all eligible to receive and hold funds from any county offices, and (2) designate Renasant Bank as the county's primary depository to hold county funds, except for an initial deposit of \$10,000,000.00 to Origin Bank as the county's secondary depository. The vote on the matter being as follows:

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

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<sup>&</sup>lt;sup>2</sup>Prior to consideration of this item of business, Mr. Steen recused himself from the meeting, departed the meeting room and did not participate in discussion of deliberation of this matter whatsoever.

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Renasant Bank, Origin Bank, and Trustmark National Bank were and are hereby designated as county depositories, and Renasant Bank was and is hereby designated as primary depository.

SO ORDERED this the 17th day of January, 2023.

## In re: Acknowledgment of Inmate Meal Report

At the request of Chief Deputy Sheriff Jeremy Williams, Mr. Banks did offer and Mr. Griffin did second a motion to acknowledge the inmate meal report for December 2022, found in the Miscellaneous Appendix to these Minutes, 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 Karl Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 17th day January, 2023.

# 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 acquisition of real property. Following discussion and pursuant to the terms of Miss. Code Ann. § 25-41-7, as amended, Mr. Griffin did offer and Mr. Banks did second a motion to make a closed determination upon the issue of whether or not to declare an Executive Session for the purpose of acquisition of real property, 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 Greg Higginbotham, Board Attorney Mike Espy, and Chief Deputy Sheriff Jeremy Williams. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl Banks	Aye
Supervisor Paul Griffin	Aye

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

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#### 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. Banks did offer and Ms. Jones did second a motion to enter into Executive Session to discuss acquisition of real property. The vote on the matter being as follows:

Supervisor Sheila Jones	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Board President 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 17th day January, 2023.

Thereafter, Mr. Banks did offer and Mr. Baxter did second a motion to adjourn the Executive Session and announce to the public that 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 Karl Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the Board President declared Executive Session adjourned and the Chancery Clerk did announce that no action was taken during Executive Session.

SO ORDERED this the 17th day January, 2023.

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 Supervisor Jones and approved by the unanimous vote of those present, the January 17, 2023 meeting of the Board of Supervisors was adjourned until February 6, 2023 at 9:00 a.m.

	Gerald Steen, President Madison County Board of Supervisors
	Date signed:
ATTEST:	
Ronny Lott, Chancery Clerk	

President's Initials:	
Date Signed:	
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