

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

REGULAR MEETING OF SEPTEMBER 16, 2024
Adjourned from a meeting conducted SEPTEMBER 3, 2024

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on September 16, 2024 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 Casey Brannon	
Supervisor Trey Baxter	
Supervisor Gerald Steen	
Supervisor Karl Banks	
Supervisor Paul Griffin	
Chancery Clerk Ronny Lott	
Sheriff Randy Tucker	

Also Present:
County Administrator Greg Higginbotham
Board Attorney Mike Espy
Board Secretary/Chief 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 Commissioner De'Keither Stamps 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 September 3, 2024

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 September 3, 2024,

Mr. Banks did offer and Mr. Baxter did second a motion to approve the minutes of September 3, 2024 as presented, and authorize the Board President to execute same. The vote on the matter being as follows:

Supervisor Casey Brannon	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 September 3, 2024 were and are hereby approved.

SO ORDERED this the 16th day of September, 2024.

In re: Approval of Consent Agenda Items

WHEREAS, the Board President did explain that any Supervisor could, in advance of the

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 1 of 10 (9/16/24)

call of the question, request that any item be removed from the Consent Agenda, and

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

5. **HR - Approve Personnel Matters (Attached as Exhibit A)**
6. **B&G - Approve Use of Courthouse Grounds - Hubbard**
7. **B&G - Approve Use of Roger Park - Horn**
8. **B&G - Approve Use of Roger Park - Small**
9. **B&G - Approve Use of Rogers Park - Sanders**
10. **B&G - Approve Use of Rogers Park - CHS Class of 2004**
11. **CA - Acknowledge Letter from Department of the Army U.S. Army Corps of Engineers**
12. **CA - Approve Justice Assistant Grant with Mississippi Department of Public Safety and Authorize Board President to Sign**
13. **CA - Adopt Resolution Proclaiming the Week of September 17-24 as "Constitution Week"**
14. **CA - Approve Travel and Related Expenses for 2024 MAS Fall Educational Workshop / BOS, Co. Administrator, Chancery Clerk, Comptroller, Road Manager, Co. Engineer / Vicksburg, MS / October 29-31, 2024**
15. **CA - Acknowledge Canton School District Levy as Determined by City of Canton**
16. **ChClrk - Approve 16th Section Land Leases**
17. **ChCrt - Approve Chancery Court (BIS Digital) Service & Support Renewal Contract and Authorize Payment (Attached as Exhibit B)**
18. **CirClrk - Acknowledge Contract for Technical Services between Madison County Election Commission and Madison County Circuit Clerk (Attached as Exhibit C)**
19. **CirClrk - Approve Agreement Among City of Ridgeland, Mississippi, Madison County, Mississippi; Circuit Clerk and Madison County Election Commission (Attached as Exhibit D)**
20. **COMP - Declare Property as Surplus and Authorize Disposal**
21. **ENG - Approve Comcast Utility Permit - Camden Lane**
22. **ENG - Approve Comcast Cable Utility Permit - Eagle Cove and Stribling Road**
23. **ENG - Approve Flock Safety - S#001 Oakfield Blvd., at Clarkdell Road-EB/IB**
24. **ENG - Approve Telepak Networks D.B.A. / cSpire Utility Permit - Baleigh Drive**
25. **PC - Approve September 2024 Procurement Card Reconciliation and Authorize Payment Thereof**
26. **PC - Approve September 2024 Travel Card Reconciliation and Authorize Payment Thereof**

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 2 of 10 (9/16/24)

- 27. **PC - Approve Service Agreement with Shred-it and Authorize Board President to execute - Election Commissioners**
- 28. **P&Z - Approve Planning and Zoning Draft Minutes August 8, 2024**
- 29. **P&Z- Approve Connor Carmody - Request to put Temporary Construction Trailer on 1,400 acre site - 143 B Ancient Oaks Dr. - Property Zoned - R-1 Residential Estate / Supervisor District 4**
- 30. **SO - Approve Contract Agreement for Health Care Services with Vitalcore Health Strategies, LLC for Madison County Sheriff Department and Authorize Board President to Execute**
- 31. **SO - Approve Request for Reimbursement to Connie Beck**
- 32. **TA - Adopt New Tax Exemption Request Form**

The vote on the matter being as follows:

Supervisor Casey Brannon	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 approved, adopted, and authorized as described herein above.

SO ORDERED this the 16th day of September, 2024.

In re: Appeal Hearing - Clarkdell Farms, LLC and Stillhouse Creek, LLC - R-1 Residential Estate District to R-2 Medium Density Residential District

Planning and Zoning Attorney Andy Clark outlined the criteria for rezoning. He stated that for there to be an amendment to an official zoning map, the petitioners must prove **(1)** that there was a mistake in the original zoning, **(2)** that a change in the character of the neighborhood had occurred, and **(3)** prove a public need for the project.

Mr. Baxter did offer and Mr. Banks did second a motion to open the public hearing on the appeal filed by Clarkdell Farms, LLC and Stillhouse Creek, LLC of the Planning and Zoning Commissions' August 8, 2024 denial of their Petition to Rezone. The vote on the matter being as follows:

Supervisor Casey Brannon	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 16th day of September, 2024.

Attorney Neill Bryant appeared to represent the petitioners and developers asking the Board to overturn the denial of the rezoning by the Planning and Zoning Board. He stated that there was a

President's Initials: _____

Date Signed: _____

nationwide housing shortage and that the homes available in Madison County were not enough to keep up with the demand. He stated that the land use maps denote medium or moderate residential density. He stated that CMPDD had recommended that the property in this area be rezoned from Agricultural to Residential Estate Homes. He believes that the character of the area has changed to such an extent to justify a reclassification from R-1 to R-2.

Attorney Sam Martin appeared to represent the opposition and stated that it is the burden of the developer to prove that there is a substantial change in the character of the neighborhood. He stated that the Supreme Court has determined that substantial weight must be given to the concern of local citizens when determining if a public need exists for rezoning and that areas two (2) miles away or greater had no relevance to be a factor in considering a change of character of the neighborhood. He provided a map showing a one mile radius proving that the original zoning was well planned and designed to be permanent. He stated that the area is not conducive to an R-2/PUD neighborhood and asked the Board to uphold the Planning and Zoning Board's denial of said rezoning.

Mr. John Arthur Eaves, Jr. also spoke for the opposition. He asked the Board of Supervisors to deny the appeal. He cited dangers caused by the close proximity of natural gas wells in case of a rupture, breach, or leak, and the absence of an evacuation plan with a single exit.

Following discussion, Mr. Griffin did offer and Mr. Steen did second a motion to acknowledge the map citing the close proximity of natural gas wells submitted by Mr. John Arthur Eaves, Jr., attached as **Exhibit E**. The vote on the matter being as follows:

Supervisor Casey Brannon	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 16th day of September, 2024.

Thereafter, Mr. Griffin did offer and Mr. Banks did second a motion to acknowledge documentation submitted by Mr. John Arthur Eaves, Jr., attached as **Exhibit F**. The vote on the matter being as follows:

Supervisor Casey Brannon	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 16th day of September, 2024.

Following discussion, Mr. Griffin did offer and Mr. Banks did second a motion to acknowledge documentation submitted by Mrs. Dana Lott stating that there were 485 homes for sale in Madison County on MLS, not including all of the proposed construction, and Mrs. Lott noted that 96 of those homes for sale were off of Yandell Road, said documentation being found in the Miscellaneous Appendix to these Minutes. The vote on the matter being as follows:

Supervisor Casey Brannon	Aye
--------------------------	-----

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 4 of 10 (9/16/24)

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

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

SO ORDERED this the 16th day of September, 2024.

Thereafter, Mr. Griffin did offer and Mr. Steen did second a motion to acknowledge the petition of 437 names in objection to the rezoning submitted by Ms. Coty Harris, attached as **Exhibit G**. The vote on the matter being as follows:

Supervisor Casey Brannon	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 16th day of September, 2024.

Thereafter, Mr. Griffin did offer and Mr. Banks did second a motion to acknowledge the letter from Madison County Schools stating that the schools would find room for any new student, attached as **Exhibit H**. The vote on the matter being as follows:

Supervisor Casey Brannon	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 16th day of September, 2024.

Thereafter, Mr. Brannon did offer and Mr. Baxter did second a motion to table the Clarkdell Farms, LLC and Stillhouse Creek, LLC re-zoning matter until Yandell Road is improved and a traffic study can be performed. The vote on the matter being as follows:

Supervisor Casey Brannon	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	No
Supervisor Karl Banks	No
Supervisor Paul Griffin	No

the matter failed for lack of a majority vote.

SO ORDERED this the 16th day of September, 2024.

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

Supervisor Casey Brannon	Aye
--------------------------	-----

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 5 of 10 (9/16/24)

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 16th day of September, 2024.

Thereafter, Mr. Griffin did offer and Mr. Banks did second a motion to approve the Petition to Rezone of Clarkdell Farms, LLC and Stillhouse Creek, LLC from R-1 Residential Estate District to R-2 Medium Density Residential District/Planned Unit Residential District Overlay. The vote on the matter being as follows:

Supervisor Casey Brannon	No
Supervisor Trey Baxter	No
Supervisor Gerald Steen	Aye
Supervisor Karl Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 16th day of September, 2024.

In re: Approval of Budget Amendments & Interfund Cash Transfers

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

Supervisor Casey Brannon	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl Banks	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 16th day of September, 2024.

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. Steen did second a motion to approve the following:

- (1) General Claims Docket
- (2) Payroll Docket 1 - September 10, 2024

President's Initials: _____

Date Signed: _____

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	3625 to 3742	118	447,907.21
012	156 to 160	5	12,710.39
015	77 to 79	3	251,667.36
030	49 to 50	2	5,667.50
097	110 to 111	2	3,767.00
104	40 to 40	1	632.13
105	100 to 102	3	11,502.97
115	184 to 193	10	12,050.49
150	712 to 736	25	118,073.32
151	26 to 30	5	197,057.87
160	101 to 101	1	20,634.10
170	3 to 5	3	26,891.82
185	57 to 57	1	450.00
190	89 to 89	1	795.00
191	157 to 157	1	1,856.25
194	97 to 100	4	3,845.00
331	29 to 30	2	50,961.18
347	7 to 8	2	249,844.36
348	11 to 11	1	42,800.40
351	5 to 5	1	1,184,254.49
TOTAL ALL FUNDS		191	2,643,368.84

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 Casey Brannon	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously, 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 16th day of September, 2024.

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

At the request and recommendation of Comptroller Na'Son White, Mr. Steen did offer and Mr. Banks did second a motion to approve the Planning and Zoning Commission per diem for September 12, 2024, attached as **Exhibit J**. The vote on the matter being as follows:

Supervisor Casey Brannon	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl Banks	Aye

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 7 of 10 (9/16/24)

Supervisor Paul Griffin

Recused¹

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

SO ORDERED this the 16th day of September, 2024.

In re: Approval of Claims of Fleetcor Technologies

At the request and recommendation of Comptroller Na'Son White, Mr. Banks did offer and Mr. Brannon did second a motion to approve a supplemental claims docket dated September 13, 2024 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 Casey Brannon	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Recused ²
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 16th day of September, 2024.

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 litigation, and

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 discussing 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, Board Secretary/Chief Deputy Chancery Clerk Gena Permenter, County Administrator Greg Higginbotham, County Engineer Tim Bryan, Zoning Administrator Scott Weeks, Planning & Zoning Attorney Andy Clark, Board Attorney Mike Espy, Comptroller Na'Son White, and Sheriff Randy Tucker. The vote on the matter being as follows:

Supervisor Casey Brannon	Aye
Supervisor Trey Baxter	Aye

¹Prior 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.

²Prior 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.

President's Initials: _____

Date Signed: _____

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.

SO ORDERED this the 16th day of September, 2024.

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

Supervisor Casey Brannon	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 Ronny Lott announced to the public the purpose for the Executive Session.

SO ORDERED this the 16th day of September, 2024.

During Executive Session, Mr. Banks did offer and Mr. Griffin did second a motion to authorize Robin Dambrino to continue his representation of Madison County in the Bozeman litigation matters and the appeals of the Bozeman litigation matters at the rate of \$170.00 per hour. The vote on the matter being as follows:

Supervisor Casey Brannon	Abstained
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority vote of the Board and said Mr. Dambrino was and is hereby authorized.

SO ORDERED this the 16th day of September, 2024.

Thereafter, Mr. Baxter did offer and Mr. Banks did second a motion to retain Victoria Bradshaw to continue her representation of Trey Baxter and Sheila Jones in the Bozeman litigation and appeal matters. The vote on the matter being as follows:

Supervisor Casey Brannon	Abstained
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl Banks	Aye
Supervisor Paul Griffin	Aye

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 9 of 10 (9/16/24)

the matter carried by a majority vote of the Board and said Ms. Bradshaw was and is hereby authorized.

SO ORDERED this the 16th day of September, 2024.

Thereafter, Mr. Banks did offer and Mr. Baxter did second a motion to authorize County Administrator to complete an application for seized property. The vote on the matter being as follows:

Supervisor Casey Brannon	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl Banks	Aye
Supervisor Paul Griffin	Aye

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

SO ORDERED this the 16th day of September, 2024.

Thereafter, Mr. Banks did offer and Mr. Griffin did second a motion to adjourn the Executive Session and announce to the public the action taken therein. The vote on the matter being as follows:

Supervisor Casey Brannon	Aye
Supervisor Trey Baxter	Aye
Supervisor Gerald Steen	Aye
Supervisor Karl Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the Board President declared Executive Session adjourned and Ronny Lott did announce the action taken during Executive Session.

SO ORDERED this the 16th day of September, 2024.

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 Banks and approved by the unanimous vote of those present, the September 16, 2024 meeting of the Board of Supervisors was adjourned until September 30, 2024 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: _____

President's Initials: _____

Date Signed: _____

For Searching Reference Only: Page 10 of 10 (9/16/24)